



**Committee:** PLANNING REGULATORY COMMITTEE

**Date:** MONDAY, 20 JUNE 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.

### 1 Apologies for Absence

### 2 Minutes

Minutes of meeting held on 23<sup>rd</sup> May 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.

- |   |  |   |                                |                            |
|---|--|---|--------------------------------|----------------------------|
| 5 | <b>A5 <a href="#">22/00423/VCN</a></b> | <b>Land To The South Of Lawsons<br/>Bridge Site Scotforth Road<br/>Lancaster</b>  | <b>Scotforth<br/>West Ward</b> | <b>(Pages 5 -<br/>20)</b>  |
|   |  | Outline application for the erection of up to 95 residential dwellings with associated access (pursuant to the variation of conditions 2, 6 and 10 on planning permission 19/00332/OUT for changes to the approved site access arrangements, the proposed great crested newt mitigation strategy and the provision to allow the flexibility for an updated AIA to be prepared and submitted at the time of a reserved matters application). |                                |                            |
| 6 | <b>A6 <a href="#">21/01323/FUL</a></b> | <b>Land Southeast Of Church Bank,<br/>Church Bank, Over Kellet,<br/>Lancashire</b>  | <b>Kellet Ward</b>             | <b>(Pages 21 -<br/>35)</b> |
|   |  | Erection of 7 dwellings and associated access road.   |                                |                            |
| 7 | <b>A7 <a href="#">22/00581/CCC</a></b> | <b>United Utilities Lancaster<br/>Wastewater Treatment Works<br/>Stodday Lane Lancaster</b>   | <b>Scotforth<br/>West Ward</b> | <b>(Pages 36 -<br/>39)</b> |

Retention of workshop for use by wastewater network operations team as approved under temporary planning permission LCC/2017/0026.

8    A8 [14/00713/VLA](#)    **Halton Mill Mill Lane Halton**    **Halton-with-Aughton Ward**    **(Pages 40 - 45)**

Variation of legal agreement on 00/00920/OUT and subsequent renewal consent 05/01432/OUT to vary the terms of the Fourth Schedule concerning affordable housing in relation to the applicants land only, remove the requirements to obtain covenants from future land owners to restrict vehicular use over Mill Lane between points A and B (as set out in the Third Schedule), amend and partly discharge the provisions of the public open space obligations and to discharge the obligation relating to the provision of the industrial buildings.

**9    Delegated List (Pages 46 - 57)**

**ADMINISTRATIVE ARRANGEMENTS**

**(i)    Membership**

Councillors Sandra Thornberry (Chair), Keith Budden (Vice-Chair), Victoria Boyd-Power, Dave Brookes, Abbott Bryning, Roger Cleet, Tim Dant, Roger Dennison, Kevin Frea, June Greenwell, Mandy King, Geoff Knight, Jack Lenox, Robert Redfern and Malcolm Thomas

**(ii)    Substitute Membership**

Councillors Alan Biddulph (Substitute), Jake Goodwin (Substitute), Mel Guilding (Substitute), Tim Hamilton-Cox (Substitute), Colin Hartley (Substitute), Debbie Jenkins (Substitute), Joyce Pritchard (Substitute), Peter Yates (Substitute) and Independents (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).

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

Published on 7<sup>th</sup> June 2022.

<b>Agenda Item</b>	A5
<b>Application Number</b>	22/00423/VCN
<b>Proposal</b>	Outline application for the erection of up to 95 residential dwellings with associated access (pursuant to the variation of conditions 2, 6 and 10 on planning permission 19/00332/OUT for changes to the approved site access arrangements, the proposed great crested newt mitigation strategy and the provision to allow the flexibility for an updated AIA to be prepared and submitted at the time of a reserved matters application).
<b>Application site</b>	Land To The South Of Lawsons Bridge Site Scotforth Road Lancaster Lancashire
<b>Applicant</b>	Northstone Development Ltd.
<b>Agent</b>	NJL Consulting
<b>Case Officer</b>	Mrs Jennifer Rehman
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Delegate back to Head of Planning and Place to approve (subject to the deed of amendment to extant Section 106 and to await the expiry of the publicity period having regard to any representations received).

### Procedural Matters

The application was prepared and published as part of the May Planning Regulatory Committee Agenda. It was withdrawn from the May committee, as the applicant sought to amend their proposals to include changes to condition 10 following the Council's refusal of their non-material amendment application.

#### 1.0 Application Site and Setting

1.1 The application site relates to a parcel of land extending just over 5 hectares of undulating pastureland benefiting planning permission for residential development. The site is located on the edge of the existing built-up area of South Lancaster within the Scotforth West Ward. It lies within the defined urban boundary of the district, equidistant between the city centre (circa 2.8km north of the site) and Galgate village (circa 3km south of the site) with local facilities and services available in Scotforth. Lancaster University campus is located around 1.5km to the south east of the site. Frequent bus services run along Scotforth Road (between the city and the university) with bus stops situated close to Rays Drive/Whinfall Drive to the north and the Filter House to the south.

1.2 The site is well related to existing (or extant) development and significant transport corridors. The site's eastern boundary extends approximately 425m along the A6 (Scotforth Road) with the western boundary flanking the West Coast Mainline (WCML). Beyond the WCML is open pastoral countryside that rises to the crest of a drumlin. This land is locally known as the 'Whinney Carr site'. The residential area of Collingham Park, recently constructed dwellings at 'Aikengill' and the

redevelopment of Burrow Beck Nursing Home border the eastern side of the A6 opposite the site. Land immediately north of the site (known as 'Lawson's Bridge') comprises agricultural land and areas of woodland. This land benefits from an extant planning permission for a supermarket with a pending planning application in for a new Aldi store. To the south, a small undeveloped field separates the site from Burrow Beck, which runs in an east-west direction. Beyond Burrow Beck, the former Filter House site is currently being developed for student accommodation. This comprises two four-storey buildings. A line of overhead electricity lines supported by 34m high pylons run between the proposed site and the Filter House in an east-west direction. It is noted that the site boundaries to the north and the south form artificial boundaries through existing fields.

- 1.3 The site is an attractive, undulating greenfield site bound by mature hedgerows and protected trees to the east and western boundaries with a distinctive woodland copse in the southern section of the site. Site levels range from circa 42m Above Ordnance Datum (AOD) in the north- eastern corner of the site, falling to circa 34m AOD in the south-western corner. The site is almost at grade with the A6 at the far north-eastern and south-eastern points. The intervening land sees the site markedly below the level of the A6 separated by a vegetated embankment. The WCML is elevated above the site for most of the western boundary, save for the northern section where the site rises steeply from the railway line.
- 1.4 The site straddles flood zones 1, 2 and 3 with the southern tip located within flood zone 3b. Flood zone 2 covers all of the southern half of the site and the along the western edge of the site with the north-eastern half of the site situated within flood zone 1. There are small pockets within the site (mainly along the eastern edge of the site) at risk from surface water flooding (1 in 30 year and 1 in 100 year events). The extant consent involves significant earthworks to address the flood risk constraints of the site.
- 1.5 The site falls within the Lancaster South Broad Location for Growth (BLG) designation within the Local Plan, but is not allocated for any specific land use at this stage.

## 2.0 Proposal

- 2.1 Northstone Development Ltd ('the applicant') have submitted an application under Section 73 of the Town and Country Planning Act to vary conditions 2, 6 and 10 of the extant outline planning permission (ref: 19/00332/OUT) for the erection of up to 95 dwellings and associated access.
- 2.2 Specifically, the applicant seeks to vary condition 2 to substitute the approved access drawing with an alternative access drawing, proposing a reduced and rationalised junction arrangement to serve the scale of the approved development. Condition 6 shall be varied to remove reference to the approved Great Crested Newt Strategy (dated 8<sup>th</sup> July 2019) and proposals for the translocation of GCNs on site, with details of a new GCN Mitigation Strategy to be included as part of the overall Biodiversity and Landscape Mitigation and Management Plan. The new GCN Mitigation Strategy will be based on the District Level Licence. The applicant also proposes to insert into condition 6 a 'scheme of measures to protect protected species from accidental damage or harm during the construction process'. The variations to condition 10 include additional provisions to enable an updated Arboricultural Implications Assessment (AIA) to be provided with the first reserved matters application if required. The requirement of the tree works schedule (TWS), arboricultural method statement (AMS) and tree protection scheme (TPS) are unaffected by the proposed amendments. However, for clarify the applicant seeks to split condition 10 into two separate conditions. The first requiring the development to be carried out in accordance with the originally approved AIA or an updated AIA as part of the first reserved matters. The second condition will require the TWS, AMS and TPP to be submitted and agreed before the commencement of any site works.
- 2.3 The applicant's proposed variations to the affected conditions read as follows (*strikethrough marks removal of existing wording and bold text marks new insertions*):

### **Condition 2**

The development hereby permitted shall be carried out in accordance with the submitted approved plans:

- Location Plan Dwg No: 100 Rev A dated 23.03.2019
- Development Parameters Dwg No: ID40627-001 dated 15.02.2019

- Proposed Access Plan ~~Dwg NO: 18-262-TR-007 Rev A dated 05.03.2019~~ **21/469/SKH/004 Rev F**

In particular, the built development shall be limited to the area marked as 'Development Area' on the approved Parameters Plan. Except for the above referenced plans, all the details indicated on the other drawings submitted shall be regarded as illustrative only and are not approved as part of the application.

Reason: In the interests of good design, securing development that is well-related with the existing settlement and in the interests of the visual amenity of the area.

*NB: During the determination period, the access drawing has been updated to reflect discussions held with the local highway authority. Drawing number 21/469/SKH/004 Rev F has superseded 21/469/SKH/004 Rev D (which was originally proposed).*

#### 2.4 **Condition 6**

No development shall commence, except for any Advance Infrastructure and Enabling Works approved pursuant to Condition 3, until a Biodiversity and Landscape Mitigation and Management Plan (BLMMP) has been submitted to and approved in writing by the local planning authority, including a timetable for the implementation of the approved mitigation and enhancement measures. The BLMMP shall be based on the mitigation and enhancement measures set out in the submitted Ecological Appraisal (February 2019), ~~the Great Crested Newt Mitigation Strategy (8<sup>th</sup> July 2019)~~ and the adopted Habitat Regulation Assessment and Appropriate Assessment and must include the following:

- No works to trees or shrubs shall occur or earth works commence between the 1<sup>st</sup> March and 31<sup>st</sup> August in any year unless it is confirmed by a suitably qualified ecologist and such is agreed in writing by the Local Planning Authority, that the area of works does not support nesting birds;
- Further bat surveys if any trees identified to be retained as part of the outline approval are later proposed for removal;
- **Details of the GCN Mitigation Strategy (comprising details of, and a copy of, the District Level Licence);**
- **Details of the proposed measures to protect protected species from accidental damage or harm through the construction process;**
- ~~Details of the translocation of Great Crested Newts and the ecological enhancement measures (formation of new aquatic habitat) to mitigate for the loss of Great Crested Newt habitat;~~
- ~~A copy of the EPS Mitigation Licence;~~
- A copy of the Homeowner Pack, which shall include details of the measures to mitigate against recreational disturbance on Morecambe Bay (SPA), and a scheme for the display and distribution of the approved Homeowner Pack to future occupiers of the development;
- Habitat creation and enhancement of the boundary buffers and open space to the south (marked green on the approved Parameters Plan pursuant to Condition 2) to compensate for the loss of hedgerow and grassland;
- Measures to secure habitat connectivity;
- Details and locations of bird and bat nesting habitat enhancement measures;
- Details of any external lighting;
- Details of monitoring and management of enhancement measures/areas;

The role and responsibilities of an ecological clerk of works (EcoW) including times during construction when present on site to oversee works.

The development shall be constructed, managed and maintained in accordance with the agreed Plan including the timetable for implementation and future management monitoring where specified in the approved Plan.

Reasons: To adequately protect, maintain and enhance the biodiversity value of the site and to safeguard the conservation objectives of Morecambe Bay SPA, SAC and Ramsar site post construction.

#### 2.5 **Condition 10**

The original condition is worded as follows:

No development, site preparation/clearance or demolition shall commence until the following details (based on the recommendations set out in the approved Arboricultural Report and Arboricultural Implications Assessment by JCA (ref:14486C/PH dated 14 February 2019) in particular the trees and groups of trees marked for retention set out in the Arboricultural Implications Plan), have been submitted to, and agreed in writing by, the Local Planning Authority:

- o Tree Works Schedule (for works proposed to any on or off-site trees and hedges);
- o Arboriculture Method Statement; and
- o Tree Protection Scheme.

The approved scheme shall be incorporated into the layout, landscaping and appearance details submitted as part of any reserved matters application. The development shall then be carried out in accordance with such agreed detail, with the approved protection measures being fully implemented prior to any equipment, machinery or materials being brought onto site, retained in situ for the duration of the works, and only removed once the development is complete and all machinery and works material removed from the site.

Reason: To prevent damage to trees/hedges during site works and in the interest of amenity of the area.

The amended wording and sub-division of the condition is proposed as follows:

**10 a)**

**The proposed development shall be carried out in accordance with the recommendations set out in the approved Arboricultural Report and Arboricultural Implications Assessment (AIA) by JCA (ref:14486C/PH dated 14 February 2019) or an updated AIA submitted as part of the first reserved matters application, which shall be submitted to, and agreed in writing by, the local planning authority. The approved AIA shall be incorporated into the layout, landscaping and appearance details submitted as part of any reserved matters application.**

**Reason: To ensure existing landscape features (trees and hedgerows) are designed into the development proposals and suitably protected, mitigated (where necessary) and enhanced in the interests of the visual amenity and character of the area.**

**10 b)**

**Prior to the commencement of development, site preparation/clearance the following details (based on the approved AIA pursuant to condition 10(a) shall be submitted to and approved in writing by the local planning authority:**

- **Tree Works Schedule;**
- **Arboriculture Method Statement; and**
- **Tree Protection Scheme.**

**The development shall then be carried out in accordance with the agreed details, with the approved protection measures being fully implemented prior to any equipment, machinery or materials being brought onto site, retained in situ for the duration of the works in that phase of development as agreed under condition 4 of this consent, and only removed once the development in that phase is complete and all machinery and works material removed from that parcel.**

**Reason: To prevent damage to trees/hedges during site works and in the interest of amenity of the area.**

**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
22/00491/NMA	Non material amendment to planning permission 19/00332/OUT to alter the wording of condition 24 to change a 3.5m pedestrian/cycle link into a minimum 3m pedestrian/cycle link.	Approved
22/00470/NMA	Non material amendment to planning permission 19/00332/OUT to amend condition 10 to remove the requirement for the development to be carried out in accordance with the submitted and	Refused



	approved Arboricultural Implications Assessment (AIA) and for a new AIA to be provided with any subsequent full planning application or application for reserved matters approval.	
22/00094/PRE3	Pre-application advice relating to the reserved matters approval for the erection of up to 95 residential dwellings with associated access	Closed
22/00059/NMA	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.	Split Decision
19/00332/OUT	Erection of up to 95 dwellings with associated access	Approved <b><i>This relates to application site.</i></b>
19/00333/EIR	Screening opinion for residential development for up to 95 dwellings	Not EIA Development
10/00366/OUT	Outline application for the erection of new food store (A1), hotel/pub/restaurant (C1, A4 and A3) and petrol filling station, new roundabout access from Scotforth Road, internal roads, car parks, landscaping and other associated works.	Refused and Dismissed at Appeal (APP/A2335/A/11/2155529) <b><i>This relates to application site.</i></b>
10/00251/FUL (and subsequent Section 73 approval 14/00633/VCN)	Erection of a new supermarket, construction of new access, servicing and parking areas, footways, cycle facilities and landscaping. The Section 73 approval allowed for the variation and removal of conditions to allow phased implementation of the development and removal of unnecessary duplication.	Approved <b><i>This relates to the land immediately north of the application site.</i></b>
21/00987/FUL	Erection of a 1920 sqm food store (Class E) with land regrading, access, cycle route, landscaping and swales and the provision of associated infrastructure, including car and cycle parking facilities, vehicle charging spaces, pedestrian access routes and servicing.	Pending consideration. <b><i>This relates to the land immediately north of the application site.</i></b>

#### 4.0 Consultation Responses

4.1 The following responses have been received from statutory and internal consultees in response to the application before the recent amendments to the proposal (the inclusion of condition 10). The application has been readvertised to include the changes to condition 10. The consultation period expires on the 24 June 2022.

Consultee	Response
Scotforth Parish Council	<p>In respect of condition 2, a summary of the comments received are as follows:</p> <ul style="list-style-type: none"> <li>The access is considered an improvement when compared to the original, is understandable and justifiable.</li> <li>Whilst accepting the matter can not be addressed by this application, the Parish Council remain concerned over the number of accesses onto the A6 in the vicinity arising from other approved and submitted applications.</li> </ul> <p>In respect of condition 6, the Parish Council objects to the proposed variation. A summary of their concerns are as follows:</p> <ul style="list-style-type: none"> <li>Whilst the Parish Council understand there is a mechanism to provide compensatory provision elsewhere by a DLL (and the associated payment),</li> </ul>

	<p>the Parish Council strongly disagree with the principle of “land clearances” and wish to see biodiversity retained.</p> <ul style="list-style-type: none"> <li>At the time of granting the outline consent, it was accepted the ecological mitigation could be provided alongside other infrastructure such as the open space and SuDS, the justification to no longer provide the on-site ecology mitigation is not therefore justified and should be rejected.</li> </ul> <p>Further consultation has been carried to to reflect the inclusion of changes to condition 10. At the time of drafting this report, the Parish Council have not made comments on the changes. A verbal update will be provided.</p>
Lancashire County Council (Highway Authority)	<b>No objection</b> to the s73 application for the change in junction type to support 95 dwellings only, subject to all previous commitments being secured and retained. The proposed junction arrangement will satisfy demand with limited driver delay on/off the side road with no lost time for drivers on the main line when compared to a signalised junction. The junction layout also provides simple sustainable provision over the junction mouth with other sustainable provision crossings the A6 is provided beyond the junction which is acceptable.
National Highways	No comments to the application.
Natural England	<b>No objection.</b>
Greater Manchester Ecology Unit (GMEU)	<b>No objection.</b> GMEU confirm the proposed changes to the condition are acceptable.
Lead Local Flood Authority (LLFA)	No comments to the application.
Environment Agency	No comments to the proposed changes.
Arboricultural Officer	No objection to the amended wording of the condition. However, the Arboricultural Officer commented that <i>“it is vital that the AIA influences the layout of the development, recognising the constraints imposed by existing trees and hedgerows, and positively incorporating them into the development. The trees and hedgerows which form the site boundaries, especially those forming the boundary with Scotforth Road are of high landscape/amenity value and must be retained and enhanced, as shown in the approved Parameters plan (ID40627-01)”</i> .
Lancashire Constabulary	Comments as follows: <ul style="list-style-type: none"> <li>Advocates all new housing is designed and constructed to the Secure by Design ‘Homes 2019’ Design Guide.</li> <li>Boundary treatments to be 1.8m high to provide security to property.</li> <li>Defensible space between edge of pavement and dwellings</li> <li>Appropriate maintenance for landscaping to maintain safe environments</li> <li>Natural surveillance of open space essential to deter crime.</li> <li>Recommended security standards for window/door and lighting.</li> </ul>
Morecambe Bay Clinical Commission Group (NHS)	A contribution requires of £52,518 towards infrastructure at Lancaster Medical Practice has been requested.
Lancashire Fire and Rescue Service	Standing Advice received in relation to compliance with Part B5 of Building Regulations relating to access for fire appliances and water supplies.
Strategic Housing Officer	At the time of compiling this report, no comments received.
United Utilities	At the time of compiling this report, no comments received.
South Lancaster Flood Action Group	At the time of compiling this report, no comments received.
Policy Team	At the time of compiling this report, no comments received.
Environmental Health Service	At the time of compiling this report, no comments received.
Public Realm Team	At the time of compiling this report, no comments received.
Waste and Recycling Team	At the time of compiling this report, no comments received.

Network Rail	No comments to the proposed changes
Cadent Gas	At the time of compiling this report, no comments received.
Dynamo	At the time of compiling this report, no comments received.

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

4 letters of objection. A summary of the main reasons for opposition are as follows:

- Lack of evidence to demonstrate the housing is required, particularly given planned development between Bailrigg and Hala and the Bailrags Garden Village.
- Concerns that the development and decision to grant the original planning permission is based on out of date evidence (supporting the local plan) and that much has changed since the original approval, such as COVID and the increased demand for home-working and the cost of living crisis, which will affect future housing demand.
- Increased traffic congestion along the A6, exacerbating existing problems.
- Speed limits should be reduced to 20mph.
- Impacts on education and health services which are already overstretched and underfunded.
- Loss of greenfield land and greenbelt buffer zone intended as part of the Garden Village.
- Increased risk of flooding due to its location in a flood zone and difficulties with draining the site. The proposal goes against current guidance on flood risk.
- Inadequate infrastructure in place to cope with expansion.
- Bus stops on the A6 should be reconsidered and merged with the stop at Ray's Drive, queries raised over the need for additional bus stops and the potential inconvenient to bus users if there are changes.
- Design concepts presented by Northstone (on their website) don't reflect the submitted layout plans which show a dense and crowded development, to the detriment of existing neighbouring amenity/outlook.
- Increased noise (in particularly the effects of noise reflection from the acoustic fencing) arising from the development to the detriment of neighbouring residential amenity. Comments raised in relation to existing background noise levels already exceeding WHO guidelines with assumptions the development will exacerbate existing noise to an unacceptable level.
- Inadequate details provided and provision of making the dwellings adaptable for Net Zero living (e.g. no details of EV charging provision, layout of dwellings does not maximum solar gain for PV use)

A further 3 letters have been received. A summary of their main comments/observations are as follows:

- Housing need challenged given strategic growth of Bailrigg Garden Village (BGV), over development of the site, housing too densely arranged on the site, little open space and inadequate garden sizes and too many townhouses (too tall), thus effecting the peaceful enjoyment of existing properties on Oakwood Gardens and the visual amenity of the area.
- Loss of green buffer between Lancaster and the BGV
- Noise impacts because of reflection from the new acoustic treatments towards Oakwood Gardens along the A6. Roadside hedgerows must be retained.
- Proposed and existing bus stops to be consolidated to reduce footfall on A6.
- The site is in a floodplain and therefore houses liable to flooding.
- All new houses should include solar panels, ground source heat systems, EV charging and triple glazing.
- Public open space would provide recreational facilities and the retention of the existing small lake for wildlife (dog walking should be prohibited so these spaces are safe for children and adults).
- The 30pmh zone should be extended south of the junction of Collingham Park and Scotforth Road.
- Requests to be informed when the full application is submitted and to be invited to attend the relevant planning committee meetings.

## 5.0 Analysis

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

1. Procedural matters and the principle of development
2. Highway infrastructure
3. Ecology mitigation
4. Arboricultural matters
5. Other considerations

5.2 **Procedural matters - Principle of development - Consideration 1** (NPPF paragraphs 7 – 12: Achieving Sustainable Development, paragraph 16, 20-23: Strategic Policies, paragraph 47: Determining applications, paragraphs 55-57: Planning conditions and obligations; Strategic Policies and Land Allocations (SPLA) DPD policies SP1: Presumption in Favour of Sustainable Development, SP2: Lancaster District Settlement Hierarchy, SP3: Development Strategy for Lancaster District, SP6: The Delivery of New Homes, SG1: Lancaster South Broad Area of Growth, SG3: Infrastructure Delivery for Growth in South Lancaster, and H1: Residential development in Urban Areas and Development Management (DM) DPD policies, DM1: New Residential Development and Meeting Housing Needs, DM2: Housing standards and DM3: Delivery of Affordable Housing; Meeting Housing Needs SPD; Affordable Housing Practice Note Planning Advisory Note; Housing Standards Planning Advisory Note.

5.2.1 A section 73 application seeks permission to carry out development without complying with planning conditions imposed on a previous planning permission. Permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The new permission sits alongside the original planning permission, which remains intact and unamended. It is, ultimately, open to the applicant to decide whether to implement the new permission or the one originally granted. Section 73 provides a mechanism to consider and assess minor material amendments (i.e. the changes sought via the Section 73 application) to an earlier planning permission. It is not an opportunity to re-examine the principal considerations associated with the approved development, such as traffic impacts, flood risk and housing need. However, all decision making must remain consistent with the requirements of planning legislation to determine applications in accordance with the provisions of the adopted local plan, unless materials considerations indicate otherwise.

5.2.2 The provision of up to 95 dwellings and the associated access and infrastructure has been established by the granting of a conditional outline planning permission. Most importantly, and for example, the planning conditions (and obligations) relating to the delivery of market and affordable housing, the provision of an appropriate housing mix and housing standards, provision of the safeguarded land and flood risk mitigation (to make the development safe) remain intact and unaltered by this proposal. The material considerations of this application will focus only on the changes to the scheme proposed as part of this Section 73 application, namely the access arrangements and Great Crested Newt (GCN) mitigation.

5.3 **Highway Infrastructure - Consideration 2** NPPF Chapter 9 paragraphs 104-106, 110-113: Promoting Sustainable Transport and Chapter 12 paragraphs 126, 130 and 135: Achieving well-design places; Development Management (DM) DPD policies DM29: Key Design Principles, DM60: Enhancing Accessibility and Transport Linkages, DM61: Walking and Cycling; DM64: Lancaster District Highways and Transport Masterplan; Strategic Policies and Land Allocations (SPLA) DPD SG1: Lancaster South Broad Area of Growth, SG3: Infrastructure Delivery for Growth in South Lancaster, T2: Cycling and Walking Network and T4: Public Transport Corridors and the Cycling and Walking Planning Advisory Note (PAN) (Dec 2019).

5.3.1 At the time of granting the outline planning permission there were 4 main transport related considerations considered and assessed as part of the officer recommendation, namely the access strategy, infrastructure delivery, highway safety and capacity and sustainable transport and accessibility. These remain relevant issues for the consideration of the proposed changes sought via this Section 73 application.

5.3.2 Access Strategy - The approved access arrangement comprised a new three—armed signalised junction off Scotforth Road (the A6) immediately south of a proposed signalised access to serve the extant supermarket site (to the north) and approximately 100m south of the priority controlled junction into the residential development at 'Akingill'. Footway provision was incorporated into the approved junction design including pedestrian crossing facilities across the mouth of the junction and across

Scotforth Road itself. The approved access strategy also included advanced cycle stop lines and new bus stops to the south of the junction. The access junction design was approved pursuant to condition 2 (approved plans list) and remains subject to condition 14 (precise construction details of the access) and condition 15 (scheme for off-site highway works). The applicant seeks to amend condition 2 only.

- 5.3.3 The applicant seeks to rationalise the junction design, so it is more proportionate to the scale of development approved (95 dwellings) whilst ensuring the safeguarded land (condition 12) is protected in the event a future link over the WCML is required as part of the Area Action Plan for the Broad Area of Growth in South Lancaster (SG1 and SG3). The applicant makes the case that the proposed access would avoid potential unnecessary and wasteful resource to create a junction which is ultimately may not be required.
- 5.3.4 The proposed, alternative junction design comprises a priority-controlled T-junction with right turn ghost island facility. The proposed access includes left and right exit lanes onto the A6 with a right turn storage lane on the A6. The junction design also includes the provision of a shared 3 metre cycle/footway either side of the access with appropriate dropped kerbs on the mouth of the junction with visibility splays of 2.4m by 120m in both directions. This is a significantly reduced junction design compared to the approved signalised scheme and considerably reduces the scale and access geometry along the site frontage. The principle of amending the junction design, whilst still safeguarding land reserved for potential strategic infrastructure (condition 12), ensures the proposal does not conflict with policy SG1 (in relation to prejudicing the delivery of the wider Bailrigg Garden Village and its infrastructure) and would visually appear more appropriate in this location.
- 5.3.5 Highway Safety and Capacity - The applicant has provided a Highways Technical Note (TN) (dated 28 March 2022) to assess the operation of the proposed junction with the A6 (having regard to all other access arrangements in the vicinity of the site) and the ability for the proposed junction to accommodate increased vehicle movements from future growth, if a link road is provided through the site over the WCML. In accordance with pre-application discussions with the local highway authority (LHA), traffic modelling has been undertaken to account for the revised junction design.
- 5.3.6 Some of the representations received to this application continue to raise concerns over the level of traffic arising from the development and the impact this would have on the already congested A6 corridor. As set out at the head of this report, the principle of development has already been accepted by the grant of outline planning permission, with traffic generation and the effects on the network already considered and accepted. As such, this application is not an opportunity to revisit the impacts of traffic from the development. Instead, it is a matter of ensuring the revised access design can support the development traffic, without adverse effects on the safety and efficient operation of the network and sustainable modes of transport.
- 5.3.7 In terms of traffic generation and distribution, the TN adopts the vehicle trip generation of the approved scheme and accompanying Transport Assessment, which predicts 51 two-way movements in the am peak and 50 two-way movements in the pm peak. Applying the same trip distribution to the approved scheme (66% of traffic heading north and 34% south) and accounting for future growth (using 2027 as the future assessment year and TEMPRO growth rates) and committed development, the TN evidences the proposed access safely operates within its theoretical capacity in the 2027 predicted scenario. The LHA has taken a holistic approach in considering the revised junction arrangements, having regard to required off-site highway works (pursuant to condition 15), and is satisfied with the proposed amendments to condition 2, namely the revised access design is acceptable to serve the approved development only.
- 5.3.8 Infrastructure Delivery and Highway Capacity  
Policy SG1 includes an early release mechanism to allow development in advance of the AAP provided there would be not prejudice to the delivery of the wider Bailrigg Garden Village (BGV) (and its infrastructure). In granting the outline planning permission, the local planning authority (LPA) have accepted this point, subject to a number of planning conditions securing an appropriate access to potentially serve wider development and the provision of the 'safeguarded land' to enable the delivery of a link road through the site and across the WCML, should the APP deem this necessary. Any changes to the access strategy must revisit this point. At this juncture, it is important to note that whilst there has been extensive master planning work undertaken in relation to the BGV, the APP for the Broad Area of Growth has not progressed to a point to give certainty over whether a link road over

the proposed site and WCML is required or not. As such, the applicant has advanced the proposed changes on the basis the link road could still be required.

- 5.3.9 The applicant's originally submitted TN included a sensitivity assessment of the proposed priority-controlled junction to establish the level of additional residential development the proposed site access could accommodate if a link road was delivered through the site. This assessment concluded the proposed site access could support 500 additional residential units (on top of the approved 95 dwellings) before the access would start to experience capacity concerns (approaching the Ratio of Flow to Capacity (RFC) threshold of 0.85. This is equivalent of 318 two-way vehicle movements in the morning peak and 314 two-way movements in the evening peak. This would have equated to least 50% of potential anticipated housing growth at Whinney Carr.
- 5.3.10 During the determination of the application, the LHA raised concerns over the sensitivity assessment and did not agree with the applicant's conclusions. Officers are informed (by the LHA) that the principal concern related to inadequate storage for vehicle stacking within the junction design for development greater than that approved, resulting in potential adverse impacts on the operation of the network. The revised access design provides stacking space for 3 vehicles, which is deemed appropriate for the scale of development approved and would result in limited driver delay on/off the spine road with no lost time for drivers using the A6 when compared to the signalised junction. Consequently, this aspect of the TN has been omitted in the latest version of the TN (April 2022). Reverting to the policy requirement to ensure development does not prejudice the delivery of the BGV and its infrastructure - whilst the development pursuing this scheme will no longer be physically building out the previously approved and larger junction, the planning condition pertaining to the safeguarded land (to enable future infrastructure to be provided) is unaffected by the proposals. Furthermore, from a landscape and design perspective, the reduced junction design also results in an improvement to the development overall.
- 5.3.11 Sustainable Travel  
The proposed alternative junction design maintains an access that supports safe movement for all users, including cyclists and pedestrians. The amended scheme includes 3 metre wide shared cycle/footways either side of the junction which will connect to the existing network and will expand into the estate layout (the details of which would be pursuant to the reserved matters application). The applicant does not seek to amend the off-site highway works condition (condition 15), albeit discussions have been held with the LHA about potential changes to the off-site works relative the amended access strategy. Fundamentally, the requirements of condition 15 are unchanged. This application would repeat this condition securing the following requirements, which will support sustainable modes of travel:
- the formation of new bus laybys and bus stops along Scotforth Road.
  - gateway treatment and traffic calming scheme along Scotforth Road.
  - pedestrian/cycling crossing facilities on Scotforth Road.
  - pedestrian/cycle access point and crossing facility at the southern end of the site for access onto Collingham Park.
- Finally, the financial contribution secured as part of the outline planning permission (at that time) remains unaffected by this application and will contribute towards upgrades to the Pointer Roundabout (as part of a wider project) to predominately deliver benefits for pedestrians/cyclists making the junction safer and reducing conflict between sustainable and motorised users.
- 5.3.12 Overall, the proposed amendments to condition 2, to substitute the approved access drawing with the amended and rationalised junction design is considered acceptable and compliant with national and local planning policy. In particular, the access strategy is deemed to be safe; would not impede the efficient operation of the network (when compared against the original approval), and; suitably caters for sustainable transport uses to the satisfaction of the LHA. On this basis, the proposed changes can be supported subject to all the existing conditions pertaining to the safeguarding of land for wider infrastructure, precise details of the access and off-site highway works and the financial contribution towards the wider network being retained (secured by condition and s106) as part of this section 73 application.
- 5.4 **Ecology Mitigation - Consideration 3 (NPPF: Chapter 15 paragraph 174 and 179 -182 (Habitats and biodiversity); Strategic Policies and Land Allocations (SPLA) DPD policies SP8 (Protecting the Natural Environment and EN7 (Environmentally Important Areas); Development Management (DM)**

- 5.4.1 The principle of the development and the impacts arising from the loss of existing habitat for housing has already been accepted by the grant of outline planning permission. The main considerations relate largely to the protection of protected trees and woodland on site, the effects on protected species in particular Great Crested Newts and potential likely effects arising from the development on the nearby designated site (Morecambe Bay SPA), triggering the requirement for a Habitat Regulations Assessment.
- 5.4.2 In relation to the protection of protected trees and roadside hedgerows, the proposed changes to the access arguably improve the ability to retain more roadside hedgerow than the approved access due to its reduced geometry along the A6 frontage. As the proposed changes will not lead to any further loss of existing landscape features (compared to the approved scheme), it is contented the alternative proposals would equally comply with policies DM44 and DM45. The precise details of the tree and hedgerow retention and new landscaping shall be established as part of the application for reserved matters approval.
- 5.4.3 In terms of the effects of the proposal on the designated nature conservation sites, the proposed changes to the scheme would not affect the outcomes of the previously approved Habitat Regulation Assessment (HRA). An updated HRA has been undertaken for completeness. This updated HRA concurs with the original conclusions of the HRA, determining the development (with mitigation) 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 remains the same as the previous scheme and shall be secured and controlled by planning condition. Natural England have confirmed they have no objections to the application and note the development would not lead to likely significant effects on the designated sites. In this regard the proposal is compliant with the policies of the Development Plan.
- 5.4.4 The matter pertaining to Great Crested Newts (GCN) is relevant to this Section 73 application. The applicant seeks to amend the condition to remove reference to the previously approved GCN mitigation strategy which required the translocation of GNCs on site and additional ponds to be provided to secure necessary mitigation. This mitigation would have required a Natural England Licence via their traditional route. The applicant has reviewed the approved mitigation proposals and due to potential conflicts between ecology mitigation, open space requirements and flood risk, the applicant has explored a District Level Licence (DLL) instead. DLL is a relatively recent scheme that is being rolled out across the country and is regulated by Natural England. This is an alternative to the more traditional localised mitigation strategies used on development sites affected by GCNs. The aim of DLL is to create more habitat than lost, which is bigger, better and more joined up, with new habitat managed and maintained (for 25 years) by conservation bodies, such as the Wildlife Trust. The DLL regime secures direct funds (conservation payments) from developers to contribute to habitat creation, restoration and management in locations offering the greatest potential to effectively connect and expand GCN populations. Natural England indicate this new approach will lead to increase GCN populations at a county level, as well as offering greater flexibility for developers who want to build on land affected by the presence of GCNs.
- 5.4.5 Whilst the applicant still intends to provide new ponds as part of the ecology mitigation, their GCN mitigation strategy will be based on acquiring a DLL with Natural England. As part of the application submission details, a signed copy of the 'Impact Assessment Conservation Payment Certificate' has been provided. Whilst this means there will be localised impacts to GCNs from the development the DLL will secure meaningful mitigation and enhancement elsewhere in the County to support the conservation status of GCN populations. This approach is being widely adopted across the County and in Lancashire and is an accepted form of mitigation against the impacts of development on protected GCNs. The variation to the wording of the condition to delete references the previous GCN strategy (involving the translocation and creation of new habitat on site) and to substitute this with an alternative GCN mitigation strategy, which will be based on DLL, is acceptable and would still secure appropriate mitigation against the impacts of the development on protected species.

- 5.4.6 During the determination of the application and in consultation with GMEU, an additional provision to secure details of proposed measures to protect protected species from accidental damage or harm through the construction process is now proposed. Despite concerns to the contrary (those raised by the Parish Council in particular), the proposed changes to condition 6 are considered acceptable with our own ecologists (GMEU) raising no objections to the application. Given the DLL approach is one developed and supported by Natural England as an accepted alternative to more traditional mitigation, it would be very difficult to substantiate a refusal against this approach as part of this application. Fundamentally, the condition retains a requirement for a GCN Mitigation Strategy to be submitted and agreed with the Council to ensure appropriate mitigation and compensation is provided to maintain the conservation status of GCNs. On this basis, the proposed changes are considered acceptable and compliance with the policies contained in the Development Plan.
- 5.5 **Arboricultural Matters – Consideration 4** (NPPF: Chapter 15 paragraph 174 (Conserving and enhancing the natural environment); Strategic Policies and Land Allocations (SPLA) DPD policies SG1 (Lancaster South Broad Area of Growth); Development Management (DM) DPD policies DM43 (Green Infrastructure) and DM45 (Protection of Trees, Hedgerows and Woodland).)
- 5.5.1 Strategic policy SG1 sets out several key growth principles. Of relevance here, is the inherent need to deliver high quality design. How development fits with the existing landscape character is one of many aspects fundamental to good design and achieving sustainable development. Policy DM45 is more specific to the proposal and states that *‘the council will support the protection of trees and hedgerows that positively contribute to the visual amenity, landscape character and overall environmental value of the location’*. This policy requires new development to positively incorporate existing trees and hedgerows and where this cannot be achieved the onus is on the applicant to justify any losses as part of an Arboricultural Implications Assessments (AIA), with replacement planting based on the Council’s policy of 3 new trees to every tree lost. The outline planning application was supported by an AIA, as some tree and hedgerow losses were anticipated by the development at the outline stage (largely deriving from the access and the formation of development platforms and level changes). However, the outline planning permission was equally clear (pursuant to the approved Parameters Plan) that existing landscape features to the site boundaries and the woodland copse in the southern section of the site would largely be protected and enhanced. The applicant does not seek to vary the approved Parameters Plan pursuant to this section 73 application. Therefore, the broad principles of landscape retention and enhancement to the site boundaries remains a key requirement of any future reserved matters application.
- 5.5.2 The applicant seeks to amend condition 10 to allow for a revised AIA to be submitted to and agreed in writing by, the local planning authority, at the reserved matters stage. This is not an uncommon scenario given more detailed and technical understanding of developing the site would be known at the detailed design phase. The applicant contends the proposed wording also enables the proposals to be advanced based on an up-to-date AIA (suggesting the approved AIA is out of date) and that the changes also align with the advice of the Tree Protection Officer offered at the outline planning application stage.
- 5.5.3 The proposed condition wording would retain the requirement to develop the site in accordance with the approved AIA, but with the additional provision to allow flexibility to provide an updated AIA at the reserved matters stage, which is the applicant’s intention. Whilst this may be the case, the proposed wording is not intended to open the debate and assessment over the principle of tree loss/retention at this stage. This would be a matter for determination at the point the updated AIA is provided (along with the reserved matters details). The requirements to submit a tree works schedule (TWS), arboricultural method statement (AMS) and tree protection scheme (TPS) remain unamended by the application with the exception that the removal of the tree protection scheme will relate to respective phases of development rather than the whole site (which seems reasonable and will reflect the details approved pursuant to the phasing plan condition) and that the condition is shall be split into two conditions for clarity and precision. The first condition will require the development to be carried out in accordance with the approved AIA or an updated AIA at the reserved matters stage. The second condition will maintain the requirements to secure details of the TWS, AMS and TPS.
- 5.5.3 The proposed amendments to condition 10 remain compliant with the requirements of policy DM45. The onus remains with the applicant to ensure the reserved matters details conform to the outline planning permission (in relation to the Parameters Plan) and that the detailed layout, appearance and landscaping suitably incorporates existing landscape features together with any necessary mitigation.



The Council's Arboricultural Officer has been consulted on the amended condition wording and has raised no objection. The Arboricultural Officer has, however, reinforced the importance of retaining and enhancing the trees and hedgerows along the site boundaries given their high landscape and amenity value. This is a matter that would need to be assessed at the reserved matters / condition stage.

### 5.6 **Other Considerations**

- 5.6.1 As set out earlier in the report, the effect of a Section 73 application is a new planning permission. As such, in the event this application is supported, all previous conditions (save for those amended as part of this application) will be reimposed. There have been some changes to conditions pursuant to Section 96A of the Town and Country Planning Act (non-material amendments (NMA)). These conditions will be re-worded to reflect the decisions pursuant to these NMA applications.
- 5.6.2 The Morecambe Bay Clinical Commissioning Group have commented on the application and made a request for a contribution towards the infrastructure at Lancaster Medical Practice. This contribution is based on an average occupation of 2.4 people per unit (equating to 228 people). The contribution request (c£52k) is proposed to mitigate the impacts on the delivery of general practice services at the identified surgery. Whilst there are concerns the does not meet the CIL tests, this request does not relate to the amendments sought via this section 73 application. As set out earlier it is not a re-examination of principle matters, which this would be. Subsequently, the contribution request will not be secured.
- 5.6.3 The main terms of the original legal agreement remain unaltered by the proposed application. A Deed of Variation has been drafted to ensure this application is bound by the terms of this planning obligation.
- 5.6.4 As a Deed of Variation is required in relation to this section 73 application, the applicant has also requested some changes to the standard Mortgagee Exclusion clause. The amendments sought raise no significant issues and are accepted by the Council's Strategic Housing Officer. The changes to this clause bring the obligation in line with the current 'sector-approved' requirements, which aims to ensure no issues for Register Providers securing future funding.

### 6.0 **Conclusion and Planning Balance**

- 6.1 The proposed changes to the wording of condition 2, 6 and 10 continue to ensure the proposed development would comply with the requirements of the Development Plan and specifically, ensure that the development would not prejudice wider growth of the Broad Area for Growth in South Lancaster, would ensure the access is safe and would not lead to a severe impact on the efficient operation of the local network and that necessary mitigation can be secured to ensure the conservation status of GCN is not adversely affected by the development. The amendments to the AIA condition continues to ensure appropriate regard to paid to existing trees with the necessary assessments and tree-related works/details submitted as part of the reserved matters and ahead of the development commencing. On this basis, the Planning Committee are recommended to support the application.

### **Recommendation**

To delegate the decision back to the Head of Planning and Place until the consultation period has expired (having regard to any representations received) and subject to the signing and completion of a Deed of Variation to the s106 planning obligation, conditions 2, 6 and 10 be VARIED as follows with all remaining conditions re-imposed:

#### **Condition 2**

The development hereby permitted shall be carried out in accordance with the submitted approved plans:

- Location Plan Dwg No: 100 Rev A dated 23.03.2019
- Development Parameters Dwg No: ID40627-001 dated 15.02.2019
- Proposed Access Plan Dwg No: 21/469/SKH/004 Rev F

In particular, the built development shall be limited to the area marked as 'Development Area' on the approved Parameters Plan. Except for the above referenced plans, all the details indicated on the other drawings submitted shall be regarded as illustrative only and are not approved as part of the application.

Reason: In the interests of good design, securing development that is well-related with the existing settlement and in the interests of the visual amenity of the area.

## **Condition 6**

No development shall commence, except for any Advance Infrastructure and Enabling Works approved pursuant to Condition 3, until a Biodiversity and Landscape Mitigation and Management Plan (BLMMP) has been submitted to and approved in writing by the local planning authority, including a timetable for the implementation of the approved mitigation and enhancement measures. The BLMMP shall be based on the mitigation and enhancement measures set out in the submitted Ecological Appraisal (February 2019), and the adopted Habitat Regulation Assessment and Appropriate Assessment and must include the following:

- No works to trees or shrubs shall occur or earth works commence between the 1st March and 31st August in any year unless it is confirmed by a suitably qualified ecologist and such is agreed in writing by the Local Planning Authority, that the area of works does not support nesting birds;
- Further bat surveys if any trees identified to be retained as part of the outline approval are later proposed for removal;
- Details of the GCN Mitigation Strategy (comprising details of, and a copy of, the District Level Licence);
- Details of the proposed measures to protect protected species from accidental damage or harm through the construction process;
- A copy of the Homeowner Pack, which shall include details of the measures to mitigate against recreational disturbance on Morecambe Bay (SPA), and a scheme for the display and distribution of the approved Homeowner Pack to future occupiers of the development;
- Habitat creation and enhancement of the boundary buffers and open space to the south (marked green on the approved Parameters Plan pursuant to Condition 2) to compensate for the loss of hedgerow and grassland;
- Measures to secure habitat connectivity;
- Details and locations of bird and bat nesting habitat enhancement measures;
- Details of any external lighting;
- Details of monitoring and management of enhancement measures/areas;

The role and responsibilities of an ecological clerk of works (ECoW) including times during construction when present on site to oversee works.

The development shall be constructed, managed and maintained in accordance with the agreed Plan including the timetable for implementation and future management monitoring where specified in the approved Plan.

Reasons: To adequately protect, maintain and enhance the biodiversity value of the site and to safeguard the conservation objectives of Morecambe Bay SPA, SAC and Ramsar site post construction.

## **Condition 10a**

The proposed development shall be carried out in accordance with the recommendations set out in the approved Arboricultural Report and Arboricultural Implications Assessment (AIA) by JCA (ref:14486C/PH dated 14 February 2019)) or an updated AIA submitted as part of the first reserved matters application, which shall be submitted to, and agreed in writing by, the local planning authority. The approved AIA shall be incorporated into the layout, landscaping and appearance details submitted as part of any reserved matters application.

Reason: To ensure existing landscape features (trees and hedgerows) are designed into the development proposals and suitably protected, mitigated (where necessary) and enhanced in the interests of the visual amenity and character of the area.

## **Condition 10b**

Prior to the commencement of development, site preparation/clearance the following details (based on the approved AIA pursuant to condition 10(a) shall be submitted to and approved in writing by the local planning authority:

- Tree Works Schedule;
- Arboriculture Method Statement; and
- Tree Protection Scheme.

The development shall then be carried out in accordance with the agreed details, with the approved protection measures being fully implemented prior to any equipment, machinery or materials being brought onto site, retained in situ for the duration of the works in that phase of development as agreed under condition 4 of this consent, and only removed once the development in that phase is complete and all machinery and works material removed from that parcel.

Reason: To prevent damage to trees/hedges during site works and in the interest of amenity of the area.

Condition no.	Description	Type
1	Time limit (from 30 April 2021)	Control
2	Approved plans ( <i>as amended and drafted above</i> )	Control
3	Scheme for Infrastructure and Enabling Works	Pre-commencement
4	Phasing Plan	Pre-commencement
5	Employment Skills Plan	Pre-commencement
6	Biodiversity and Landscape Mitigation and Management Plan ( <i>as amended and drafted above</i> )	Save for Advance Infrastructure and Enabling Works pre-commencement
7	Invasive Species Survey and mitigation (if required)	Pre-commencement
8	Construction Environment Management Plan (CEMP)	Pre-commencement
9	Contaminated Land	Pre-commencement
10	AIA and Tree Works Schedule, Arboricultural Method Statement and tree Protection Scheme ( <i>as amended and drafted above</i> )	Pre-commencement
11	Housing Mix and 20% M4(2) provision	Before submission of reserved matters application
12	Scheme for Safeguarding Land	Save for Advance Infrastructure and Enabling Works pre-commencement
13	Finished Flood Levels and Site Levels	Save for Advance Infrastructure and Enabling Works pre-commencement
14	Full access construction details	Save for Advance Infrastructure and Enabling Works pre-commencement
15	Scheme for off-site highway works	Save for Advance Infrastructure and Enabling Works pre-commencement
16	Scheme for Surface Water Drainage	Save for Advance Infrastructure and Enabling Works pre-commencement
17	Foul Drainage Scheme	Save for Advance Infrastructure and Enabling Works pre-commencement
18	Noise Mitigation Scheme	Save for Advance Infrastructure and Enabling Works pre-commencement and before submission of reserved matters application
19	Scheme for EV Charging and Cycle Storage provision	Above slab level of dwellings
20	Scheme for achieving 10% betterment above Building Regulations	Above slab level of dwellings
21	Travel Plan	Pre-occupation
22	Management and Maintenance scheme for Drainage	Pre-occupation
23	In accordance with FRA	Control
24	A sharded cycle/ped link between access and crossing point to south (Collingham Park) to be incorporated into the layout of the development.	Control
25	All dwellings to meet NDSS	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>	21/01323/FUL
<b>Proposal</b>	Erection of 7 dwellings and associated access road
<b>Application site</b>	Land Southeast Of Church Bank, Church Bank, Over Kellet, Lancashire
<b>Applicant</b>	Fellside Land Developments
<b>Agent</b>	HPA Chartered Architects
<b>Case Officer</b>	Mr Mark Potts
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Approval (subject to S.106 Agreement)

## 1.0 Application Site and Setting

1.1 The scheme was presented to Councillors during the 10 January 2022 Planning Committee. Committee resolved to approve the scheme on the understanding a Section 106 was entered into to control matters such as affordable housing. There was a typographical error within the recommendation section for those matters to be contained within the Section 106 which referred to social rent as opposed to affordable rent. The scheme is therefore being re-presented to Planning Committee for re-determination.

## 1.0 Application Site and Setting

1.1 The proposed development is located to the south of the village of Over-Kellet, with the site accessed from Greenways. The application site comprises undeveloped pastureland and amounts to a site area of approximately 0.2 hectares. There are no buildings within the site, but the site is bound by hedgerows to the northwest whilst further north lie the properties on Greenways. A mature pond lies adjacent to the site and to the east the land rises steeply and contains a combination of Crags and Woodland. Further south lies agricultural land and undeveloped fields.

1.2 To the immediate north of the site, reserved matters consent for 15 dwellings (20/01072/REM) has been granted whilst the existing residential properties on Church Bank, with their rear gardens lie beyond this. To the north east is Greenways which is a residential road with a mix of semi-detached and detached properties. The steeply rising land to the east is populated with trees along its ridge and incorporates a limestone pavement and crags being evident also.

1.3 Although the application site is not within a protected landscape, it does lie adjacent to the Over Kellet Pond which is a Biological Heritage Site (BHS) and the Kirk House Crags (to the east of the site) benefit from being a Regionally Important Geological Site (RIGS) and are also a Biological Heritage Site. The Kirk House Crags also benefit from a Limestone Pavement Order (LPO). The

nearest SSSI is Morecambe Bay which is approximately 5km to the west (which is also RAMSAR, SPA and SAC protected). Footpath 12 passes the north-western fringe of the application site and Footpath 13 is located 50 metres to the south of the proposal. St Cuthbert's Church which is Grade II\* listed is located 180 metres to the southwest of the site, with Kirkhouse (also Grade II Listed) being located 140 metres to the south of the site.

1.4 The majority of the site is included within a Mineral Safeguard Zone (Limestone). In terms of nearby Tree Preservation Orders, TPO 391/2006 lies to the northwest of the site and relates to the land to the rear of 14 Church Bank. In addition, the two TPO belts lie adjacent to the site with TPO 134/1998 relating to trees within the Craggs and TPO 581/2016 relating to trees located to the south of the site. In addition, the access track which leads from Church Bank to the adjacent farmland is also subject to a recent TPO pursuant to 682/2020.

**2.0 Proposal**

2.1 This application, which is a re-submission of refused application 20/01073/FUL seeks planning permission for 7 dwellings and an associated access road to serve the development.

2.2 It should also be noted that although this application is for 7 dwellings, the scheme of 15 units approved under 20/01072/REM (by planning committee) is being developed by Fellside Land Developments. Collectively the two sites will operate as one holistic development. This means that in total, 22 units will be delivered (15 + 7) but this current application is only able to consider the merits of the 7 dwellings proposed by *this specific* submission.

2.3 The 7 units as proposed comprise the following mix:

- 4 x 4 bed property (type A)
- 3 x 3 bed property (type G)

When the previous application was refused, it was done so on the basis that the scheme failed to deliver the required number of affordable units. This proposal however offers the **full quantum** of affordable housing as required by policy DM3 with 42% of the units (plots 15, 16 and 17) being offered as shared ownership properties.

2.4 Each open property is provided with dedicated off-road parking in accordance with the maximum standards as set out within appendix E of the DM DPD document.

2.5 The 7 properties all benefit from private amenity space which generally comprises grassed rear gardens with a small amount of patio also provided. Externally, the properties will be finished with a mix of the following materials:

- Ivory K render
- Grey gutters and fascia boards
- Cast stone window cills and heads
- Reconstituted stone plinths
- Natural slate roofs

2.6 As demonstrated on the submitted layout plan, the current proposal for 7 units does not deliver any on site open space. However, the approved and linked application for 15 units makes up for this shortfall and this is explained in the report for 20/01072/REM as presented to the planning committee in September 2021.

**3.0 Site History**

Application Number	Proposal	Decision
16/00934/OUT	Outline application for the erection of 15 dwellings and creation of a new access.	Withdrawn.

16/01572/OUT	Outline application for the erection of up to 15 dwellings and creation of a new access	Approved
20/01072/REM	Reserved matters applications for the erection of 15 dwellings	Approved
20/01073/FUL	Erection of 7 dwellings and associated access road	Refused
20/01220/VCN	Outline application for the erection of up to 15 dwellings and creation of a new access (pursuant to the variation of condition 2 on approved application 16/01572/OUT to amend the red edge of the approved location plan).	Pending Consideration

#### 4.0 Consultation Responses

4.1 With respect to this application, the following responses have been received from statutory and internal consultees:

Consultee	Response
<b>Lead Local Flood Authority</b>	No specific comments offered in relation to this application (the LLFA are only consulted on major planning applications) but <b>no objection</b> raised to the site wide drainage measures proposed and approved under 21/00148/DIS and thus there is no reason to expect an objection at this point.
<b>Natural England</b>	<b>No objection</b> to proposal subject to homeowner packs being secured
<b>Public Realm</b>	Position remains the same with <b>no objection</b> raised in response to proposal subject to financial contributions being secured for off-site open space: <ul style="list-style-type: none"> <li>• £11,088 towards natural and semi natural space</li> <li>• £1,364 towards amenity space</li> <li>• £3,488 towards refurbishment of village play area</li> </ul>
<b>LCC Education Team</b>	<b>No objection</b> and no contributions required
<b>Environmental Health</b>	No comments to offer and <b>no objection</b> raised
<b>Environment Agency</b>	<b>No objection</b> to proposal provided the drainage details approved under 21/00148/DIS are delivered
<b>Greater Manchester Ecology Unit</b>	No specific comments offered in relation to this application but <b>no objection</b> raised to the site wide drainage measures proposed and approved under 21/00148/DIS and thus there is no reason to expect an objection at this point.
<b>County Highways</b>	<b>No objection</b> to proposal subject to conditions (some conditions are not relevant however due the issues being adequately addressed via the site's existing permissions)
<b>Conservation Officer</b>	<b>No objections</b>
<b>Waste and Recycling</b>	No comments provided but it should be noted that a swept path analysis drawing has been submitted which demonstrates how a refuse vehicle can enter, turn and leave the site.
<b>Fire safety Officer</b>	<b>No objection</b> and standard advice issued
<b>Ramblers Association</b>	At the time of writing this report, no comments submitted.
<b>PROW</b>	At the time of writing this report, no comments submitted.

<b>Lancashire Wildlife Trust</b>	At the time of writing this report, no comments submitted.
<b>Geo Lancashire</b>	At the time of writing this report, no comments submitted.
<b>Lancashire constabulary</b>	At the time of writing this report, no comments submitted.
<b>Parish Council</b>	<b>Detailed objection</b> to the proposal which refers to lack of information, drainage concerns, ecological harm, unsafe vehicular access, lack of affordable housing and inaccurate plans
<b>LCC Landscape Officer</b>	No comments to offer on the basis previous submissions (namely 21/00148/DIS) have addressed tree related matters
<b>Planning Policy</b>	<b>No objections</b> raised but relevant policies highlighted

4.2 In total, 5 objections from members of the public have been submitted in response to this application and the issues raised are as follows:

- **Unsustainable** – village does not need more housing and the scheme will place extra demand on existing services. School is full as are local GP's
- **Loss of open space** – scheme removes open land from public access
- **Poor roads** – roads are already in poor condition and more houses will make it worse and risk of vehicle collision increases with a 'rat run' likely.
- **Poor planning** – original scheme should have proposed affordable units as opposed to it being done after already being refused

## 5.0 Analysis

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

- The principle of development
- Layout, design and landscape impacts
- Impacts on amenity
- Highways and parking
- Ecology and biodiversity
- Heritage considerations
- Surface water drainage
- Viability considerations

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

5.2.1 Planning law (Section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The Development Plan (hereafter 'Local Plan') for Lancaster District includes the Strategic Policies and Land Allocations Development Management Documents (SPLA DPD), a reviewed Development Management (DM) DPD, the Morecambe Area Action Plan DPD and the Arnside and Silverdale AONB DPD.

5.2.2 The National Planning Policy Framework (as updated in 2021) 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 LPAs should pursue in delivering an appropriate number of dwellings to meet their objectively assessed need. From a local perspective, the most recent five year housing land supply position document (November 2021) confirms that the LPA are presently not able to demonstrate a 5 year supply. As a consequence, there is a clear expectation that unless material considerations imply otherwise sites that offer the opportunity to deliver additional housing should be considered favourably and in the majority of cases, unless dictated otherwise by relevant policy requirements, proposal for residential



development will need to be considered within the context of the NPPF's tilted balance. The general need for housing throughout the district is established and table 4.1 of the DM DPD sets out the mix of properties that the LPA expects proposals to deliver.

5.2.3 The 0.17 hectare application site lies outside any of the district's main urban areas and under policy EN3, the site is therefore judged to be located within the open countryside. However, although the provisions of policy EN3 are noted, policy DM1 provides generic support for new residential development and policy SP2 of the SPLA DPD sets out the settlement hierarchy for the Lancaster district. In this regard, Over Kellet is defined as being a sustainable rural settlement outside of the locality's AONBs. Such settlements are identified as being able to provide the focus of growth outside of the main urban areas subject to their wider impacts and planning implications. Furthermore, policy DM4 reiterates that the Council will support proposals for residential development outside of the main urban areas of the district where they reflect sustainable patterns of development and accord with the Council's settlement hierarchy, as described in Policy SP2 of the Strategic Policies & Land Allocations DPD.

5.2.4 Although the above paragraph generally confirms that the broad principle of development here is acceptable, it is equally important to note that policy DM4 provides that proposals for housing in rural locations must:

- I. Be well related to the existing built form of the settlement;
- II. Be proportionate to the existing scale and character of the settlement unless exceptional circumstances can be demonstrated;
- III. Be located where the environment and infrastructure can accommodate the impacts of expansion;
- IV. Demonstrate good siting and design in order to conserve and where possible enhance the character and quality of the landscape

Although a significant number of public objections have suggested that the site is simply not appropriate for residential development, the proposed development is located on the southern fringes of Over Kellet and whilst it is greenfield, it very much feels part of the settlement given the presence of properties on Church Bank to the west and Greenways to the north; it is therefore considered that the scheme is well-related to the built form. In addition, weight must be given to the fact that site in question already has an extant outline planning permission for 15 units. As discussed at the relevant junctures in this report, the requirements of DM4 are judged to be adequately met with respect to the proposed submission for 7 units.

5.2.5 As noted, the scheme only proposes 7 units and accordingly, given the wording of DM1, such a scheme would not necessarily be expected to closely align to the preferred mix as set out within table 4.1 of the DM DPD. In isolation, the scheme only delivers 4x4 bed properties and 3x3 bed properties. This is a relatively poor reflection with respect to the requirements of DM1 and table 4.1. However, as set out in the previous report for the (now approved) reserved matters application, when the 7 units proposed here are aggregated with the 15 units approved on the same site, the wider scheme is significantly more compliant with the requirements of the mix prescribed by table 4.1.

5.2.6 With respect to housing standards, policy DM2 requires all new dwellings (market and affordable) to meet the nationally described space standards and for at least 20% of all housing to meet the building regulations requirement M4(2) category. In this instance, of the 7 units proposed on site they are all capable of meeting or exceeding the internal gross internal floor space prescribed by the NDSS. In terms of meeting M4(2), the submitted plans demonstrate that at least 20% of the units have adequate internal space for potential adaptations and amendments should they be required at a later stage. The proposed elevations do however show that the front doors to the properties are served by very minor, shallow ramps and they are not therefore strictly 'level' with the driveway. However, given the minor nature of the gradient access into the units via a wheelchair is still likely to be possible. A condition could, however, be imposed that requires details of the gradients to be submitted to and approved in writing prior to being installed.

5.2.7 Insofar as affordable housing is concerned, given the advice contained within the NPPF and policy DM3 a proposal for 7 units in this location would not typically attract an obligation to deliver on site affordable units. However, as explained previously, this application for 7 units is contiguous with the

adjacent approved development for 15 dwellings. Accordingly, as an aggregate, 40% affordable provision should be delivered by both schemes. The implication here being that of the 7 units proposed by this specific scheme, 3 units should be affordable.

5.2.8 Overall, given the site's existing planning permission, its identification as a sustainable settlement, the provisions of DM1 and DM4 and the LPA's lack of a 5 year housing supply, the principle of residential development is something that can be supported; albeit subject to the following material planning considerations as discussed below.

**5.3 Design and Landscape Impacts (NPPF: Chapter 12, Chapter 15 paragraph 170 and 172 -177 (Conserving and Enhancing the Natural Environment); Strategic Policies and Land Allocations (SPLA) DPD policy EC3 (Open Countryside) Development Management (DM) DPD policies DM4: Housing outside urban areas, DM29: Key Design Principles,) and DM46 (Development and Landscape Impact).**

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 and in locations such as Over Kellet, a focus on an appropriate palate of materials will be important. The revised NPPF also places an increased focus on good design through advocating 'beautiful' buildings and places to reside.

5.3.2 In this instance, the scheme does not propose any single storey units, and all 7 units in question are to be two storeys in their scale. In terms of the dwelling designs, the units comprise the following:

- 4 x type A dwelling (4 bedrooms, detached)
- 3 x type G dwellings (3 bedrooms, terrace cottages)

House type A is a detached property which is externally finished with ivory K render and cast stone detailing whilst benefitting from a natural slate roof. The type G units on the other hand comprise a row of three terraced styled cottages with a cast stone feature porch, ivory K render and natural slate roof detail. The unit types benefit from their own style but relate well to each other and the additional development approved under the site's reserved matters application. In addition, whilst there are some small variations in terms of roof height across the site, this allows for a varied form of development, and it prevents the scheme from appearing as monotonous and uninspiring.

5.3.3 Given the site's prominence and the long views which are possible from Nether Kellet Road, Officers consider that the use of high-quality materials throughout this development are important. Initially, as members will note, the original plans (submitted under the refused 20/01073/FUL application) proposed concrete roof tiles and reconstituted stone on the front of certain plots. However, it is felt that the roofscape here, given its relationship with the open countryside is visually important. As such, based on the discussions previously held, the 7 units proposed here comprise natural slate roofs. The use of render in conjunction with natural slate and re-constituted stone is deemed acceptable given the prevalence of rendered properties on both Church Bank and Greenways. This allows for the development to retain its own character and identity whilst respecting the local characteristics and prevailing landscape.

5.3.4 The dwellings on plots 18-22 have a 900mm high stone wall to their frontage and this further serves to create a sense of local character and also introduces pleasant visual features that help to frame the development. The proposed street scene further demonstrates that the palette of materials and external finishes are able to complement each other and that they have been utilised in such a way so as to deliver a degree of consistency throughout the development.

5.3.5 With regards to site levels and the wider landscape impact, there is a gradual decline in height moving from the west to the east of the site. Based on the submitted existing topographical survey

and the site level plans, a small degree of land levelling is proposed but this is minimal. The finished floor level of plots 15 - 17 will be 83m AOD whereas the finished flood levels for plot 21 will be 81.6m AOD. This decline in levels is broadly consistent with the site's existing topography. As a result, the proposed dwellings will sit approximately 2m higher than the existing properties on Church Bank. However, due to the significant separation distance of approximately 55m, this is considered to be acceptable. Naturally, this means that the properties will be in something of an elevated position compared to Nether Kellet Road but given the natural undulation of the land, whilst some glimpsed views through and over treetops may be possible, a significant adverse impact on the landscape is not judged to arise.

- 5.4** **Amenity Impacts and Open Space** (NPPF: Chapter 8 paragraph 91 (Promoting Healthy and Safe Communities), Chapter 12 paragraphs 124, 127 and 130 (Achieving Well-Designed Places), and paragraphs 178 – 183 (Ground Conditions and Pollution); Development Management (DM) DPD policies DM2 (Housing standards), DM29 (Key Design Principles), DM30 (Sustainable Design), DM31 (Air Quality Management and Pollution), DM32 (Contaminated Land) and DM57 (Health and Well-Being)).
- 5.4.1 In conjunction with the National Planning Policy Framework, the development plan requires proposals to be of a high quality so that they contribute positively to the locality's sense of place and the community's wider health. In this regard, the Council expects proposals for new residential development to deliver a good standard of amenity whilst also being attractive and accessible to all. The delivery of on-site open space significantly enhances a scheme's design credentials whilst also providing an important community asset to those who live, work and play in the area.
- 5.4.2 Policy DM29 of the DM DPD (and the design and well-being chapters of the NPPF), requires new residential development to have no significant detrimental impacts to the amenity of existing and future residents by way of overlooking, visual amenity, privacy, outlook and pollution. In this instance, existing residential development is adjacent to the site on Greenways and Church Bank. However, given the separation distances and spacing demonstrated on the submitted layout plan, the scheme is judged to be sufficiently compliant with the development plan in terms of amenity impacts. The proposed properties do not overlook existing dwellings and they have been positioned so that there is at least 21m separation between the front elevations of the 7 units proposed here and the additional 15 units proposed under the reserved application. Undue and harmful overlooking is not therefore judged to arise. There is a minor degree of overlooking possible from the upper floor windows of plot 15 into the garden of plot 14 but due to the orientation of the dwellings and the set back relationship, this is to be expected to a degree. However, it is not considered to be significant, and an adequate degree of private amenity space is delivered.
- 5.4.3 With regards to private amenity space, the recent Covid-19 pandemic has highlighted how crucial access to private, outside space can be; and could continue to be in should the pandemic continue or worsen. Policy DM29 of the DM DPD provides that new houses should be provided with at least 50sqm of usable garden space that is not overlooked with a minimum depth of at least 10m. Small north facing gardens should also be avoided. The submitted layout plan indicates that the proposed gardens are suitably compliant with this requirement. It is noted that plot is only 60sqm given the curvature of the spine road as required by the LPA, this is deemed acceptable. Furthermore, given the outlook these southern facing gardens have across the open crags and undeveloped land offers a pleasant benefit for potential occupants.
- 5.4.4 In terms of public open space, a scheme for 7 units would not usually trigger the need for on-site delivery. However, because these 7 units are ultimately being delivered in conjunction with the 15 units already approved, the open space offering across the entirety of the site has been designed such that it meets on the on-site requirement for 22 dwellings. The current application itself proposes no open space but the amount that would be required by the 7 units is delivered (and secured) through the approved reserved matters application. As such, whilst this proposal does not deliver any open space directly, adequate provision is made when the entire site is considered. For reference, the submitted plans illustrate that in total the two schemes will deliver 748sqm of amenity space.

5.4.5 The original outline planning permission for the site was subject to a S106 agreement which also stipulated that a financial contribution towards off-site public open space would be calculated at the reserved matters stage. This, as Members will note, has been done and the committee report for 20/01072/REM sets out that the public realm team have identified three areas where funds could be directed:

- Pond improvements - £20,291.04
- Amenity space on Church Bank - £2,496.12
- Upgrade to local play equipment - £7,220.16

The suggestion to secure money towards the adjacent pond and the existing space at Church Bank are noted but when considered against the relevant tests of regulation 122 of the CIL Regulations, they are not judged to be necessary to make the development acceptable in planning terms and neither are they fairly relatable in scale and kind to the development. Accordingly, only the £7,220.12 worth of upgrades to the community play area is to be pursued through the reserved matters.

5.4.6 A similar position arises with respect to this current application. Requests for monies towards the adjacent pond and the existing space at Church Bank have been made but for the same reasoning as above, they are not to be pursued. The Public realm team, however, requested that this scheme for 7 units contributes £3,488 towards the upgrade of the village play area. Accordingly, the site's existing S106 agreement will be updated so that the total of £7,220.16 + £3,488 (**£10,708.16**) is secured towards the upgrade of the village's existing play area.

**5.5 Highway Matters and Access: NPPF Chapter 9 paragraphs 108-111 (Promoting Sustainable Transport) and Chapter 12 paragraph 127 (Achieving well-designed places); Strategic Policies and Land Allocations (SPLA) DPD policies T2: Cycling and Walking Network; Development Management (DM) DPD policies DM29: Key Design Principles, DM60: Enhancing Accessibility and Transport Linkages, DM61: Walking and Cycling, DM62: Vehicle Parking Provision**

5.5.1 From a National Planning Policy perspective, paragraph 110 of the 2021 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. As illustrated in the comments against this application and those submitted with respect to the previous outline application, the local community have highlighted concerns pertaining to road safety and the ability of the highway network to accommodate further development. The site has one point of access onto Kirkby Lonsdale Road and this is via Greenways; a through route to Nether Kellet Road is not possible and this prevents the access being utilised as a convenient cut through.

5.5.2 Although the concerns with respect to highway safety are noted, it must be remembered that the outline permission granted consent for the access onto Greenways and at the time of determining this application, the LPA sought to secure a number of footpath connections. The outline permission requires details of the footpath linkages and improvements to be submitted to the LPA for approval. These details have been provided through a discharge of condition application and they have been approved. Nonetheless, due to this application sharing the same access as the reserved matters, the submitted layout plan indicates that the access road will be 5.5m wide with a pedestrian crossing installed at the northeast corner. In addition, a 2.0m wide footpath is provided adjacent to the main spine road and this enables pedestrian access through the site, to the public open space and it also connects footpaths 10, 12 and 13 (subject to the details submitted under the discharge of condition application referred to above). Given the safe access which is achievable through the site and the narrowing of the entrance as a speed management measure, the LPA are satisfied that the scheme complies with policies DM29, DM60 and the advice contained within the NPPF.

5.5.3 The proposed dwellings all benefit from allocated off road parking with plots 15-17 having two spaces each and plots 18-22 benefitting from 3 spaces each. This allocation is compliant with policy DM29 and it should also be noted that each unit is to be equipped with a 7kw electrical charge point and secure cycle storage. The cycle store details for the associated 15 units have been approved and

the current proposal would rely on the same solution and this allows a simple compliance condition to be imposed.

- 5.5.4 Member's attention is also drawn to the comments offered by the Highway Authority. In their formal response dated 3<sup>rd</sup> December 2021, the Highway Authority have raised no objection to the proposal but they have suggested that revised plans showing what is proposed should be submitted rather than previously approved plans. It appears that the Highway Authority have potentially misunderstood the link between the two applications because the access road details and specification has been agreed under 21/00148/DIS. Whilst this relates to the outline permission, due to the access road being shared, no additional details are required. The current proposal will be subject to conditions that require it to be carried out in accordance with the detail previously agreed pursuant to 21/00148/DIS. In addition, the Highway Authority have requested that a number of the conditions imposed on the outline permission are re-imposed on this application for 7 units. Whilst the rationale for this request is, to a degree, understood, the LPA must consider the advice within the NPPF (para 56) when imposing conditions. In this case, given the off-site highway works and improvements already secured pursuant to the outline permission, and given that an application to discharge these requirements has been approved, Officers do not feel that the same conditions need to be imposed or re-assessed on this scheme for 7 units. Instead, the development in question will be subject to compliance conditions which may restrict occupation until the agreed works have been agreed.
- 5.5.5 Furthermore, a variation to the existing S106 agreement is required in any event to ensure that this scheme and the development for 15 units are undertaken and delivered together. Therefore, the risk that the 7 units could be built and occupied before the relevant off-site highway improvement works have taken place is minimal in any event. Nonetheless, it is a risk that the LPA must be insulated from which is why amending the existing S106 to require the complete scheme of 15+7 units to be delivered together is suggested.
- 5.5.6 With respect to air quality, the site is not located within any of the District's Air Quality Management Areas and owing to the modest nature of the scheme, a significant amount of traffic is not likely to be generated by the development. It is noted that the Council's Air Quality Officer has not raised an objection. However, policy DM31 of the Development Management DPD requires all development to demonstrate how they will seek to minimise and reduce air polluting emissions. Given the site's location, albeit within a sustainable settlement, there will be a degree of reliance upon private vehicles. Accordingly, the proposed electric charge points and cycle storage facilities are welcomed by Officers.
- 5.6 Biodiversity (NPPF: Chapter 15 (Habitats and biodiversity references); Strategic Policies and Land Allocations (SPLA) DPD policies: SP8 (Protecting the Environment); Development Management (DM) DPD policies DM44 (Protection and Enhancement of Biodiversity), DM45 (Protection of Trees, Hedgerows and Woodland)**
- 5.6.1 As required by the National Planning Policy Framework at paragraphs 8c, 170 and 175 the Local Planning Authority has a duty to consider the conservation of biodiversity and to ensure that valued landscapes or sites of biodiversity interest are protected when determining planning applications. The NPPF indicates that when determining planning applications, Local Planning Authorities must aim to conserve and enhance biodiversity and that opportunities to incorporate biodiversity in and around developments should be encouraged (Paragraph 175). This is underpinned by Paragraph 8 of the Framework, which details the three overarching objectives that the planning system should try to achieve, and it is here that the Framework indicates that planning should contribute to conserving and enhancing the natural environment. At a local level, this requirement is reflected through policies SP8 and DM44.
- 5.6.2 Typically, where greenfield sites are to be developed, given the above, the LPA would expect applications to be supported by suitably detailed ecological appraisals. Indeed, the outline permission that precedes this proposal concluded that the site had a degree of nature conservation value. However, this value is predominately related to the southwestern outcrop of Limestone and this is why the outline permission includes a condition that requires its retention or protection; this is addressed via the reserved matters application. The 0.17Ha site in question here has limited ecological value although its proximity to the crags is noted.

5.6.3 The principal concern with respect to ecology on this site is the impact upon amphibians; a point raised by many residents and the Lancashire Wildlife Trust during the determination of the previous applications. However, on this point Members are reminded that the reserved matters application intentionally included an ecological buffer zone (with other conditional requirements) so that the marginal habitat around the Over Kellet Pond retains ecological value in its ability to support the pond. The application for 7 units proposed by this application does not undermine this provision or requirement. Furthermore, the proposed fencing to the rear of the properties and the amphibian friendly gullies are measures that offer a positive environment for amphibians. In addition, the application is supported by a updated Construction Environmental Management Plan and this sets out a number of additional measures that would serve to mitigate the potential harmful impacts upon the locality's amphibian population:

- Temporary Amphibian Fencing installed during construction phase;
- Heras fencing installed adjacent to the ecological buffer zone

These measures (and the remainder of the CEMP document) have been reviewed by the Greater Manchester Ecology Unit and they have confirmed that the measures are acceptable with respect to the protection offered. It should also be noted that a capture and exclusion exercise was undertaken on the site between 30<sup>th</sup> July 2021 and 8<sup>th</sup> August 2021. Written confirmation from the applicant's Ecologist clarifies that during this period 1 male Toad was caught and released back outside of the site boundary.

5.6.4 However, although the capture and exclusion exercise revealed no evidence of newts, due to the risk that great crested newts *may* still be harmed, under the terms of the Habitats Directive and the Conservation of Habitats and Species Regulations 2010 (as amended), a Licence will be required from Natural England. In this instance, rather than seek the traditional mitigation Licence, the applicant has opted to enter into the new District Level Licence incentive offered by Natural England.

5.6.5 Under the traditional approach to licensing disturbance of great crested newts, developers who want to build on land where they are found must trap and relocate the species before starting work, simply keeping them out rather than helping to conserve their wider populations. Research by Natural England has found that the amount of money spent on survey, trapping and exclusion with plastic fencing can outstrip that spent on habitat creation and management by a ratio of almost seven to one. Crucially, a lot of resource is used without there really being significant benefits for the newts.

5.6.6 With respect to this application, Natural England have confirmed in writing that a District Level Licence was issued in relation to the application site on 19<sup>th</sup> July 2021 with reference 2021-00113-EPS-DLL. A copy of the signed DLL has also been provided to the LPA. The volume and veracity of the objections submitted with respect to the potential impact upon the GCN population are of course duly noted but significant weight must be attached to the fact that Natural England have granted a Licence in this instance.

5.6.7 Ultimately, although Natural England have granted the DLL, the local planning authority must still have regard to Regulation 9(1) and 9(5) of the Conservation of Habitats and Species Regulations 2010 and must consider whether or not:

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

Having engaged with Natural England, it is accepted that their granting of the Licence demonstrates compliance with test iii above. However, tests 'i' and 'ii' must still be considered by the Local Planning Authority.

5.6.8 With respect to the first test, although supporting information has not been provided by the applicant, the 2018 Strategic Market Housing Assessment clarifies that the district as a whole has a significant need for housing and at present, the LPA cannot demonstrate a 5 year supply of housing. Coupled with the Government's requirement to 'boost' the supply of housing, given that the site already

benefits from outline planning permission with a very low risk posed to Newts, this test is considered to be passed.

- 5.6.9 In terms of test two and the lack of a satisfactory alternative, it must be noted that the site already has permission for 15 units and this includes a purpose designed ecological buffer zone with a range of amphibian friendly features built into the development's obligations. It is therefore unreasonable to expect an alternative site to be sourced when the proposed layout and arrangement proposed here is judged to be suitably compliant with the development plan. Furthermore, there is therefore nothing before Officers to suggest that any alternative sites in the village would necessarily have a less effect on protected species (whether that be bats or great crested newts) and, the Licence has been granted by Natural England in any event; thereby rendering a search for an alternative site somewhat superfluous.
- 5.6.10 Finally, in terms of biodiversity matters, policy DM45 seeks to protect trees and vegetation that offer a positive contribution to the district's settlements, open spaces and built form. The application site is bordered by trees to the north east and the south west as demonstrated in the submitted tree protection plan. Although some basic tree maintenance is required (having been discussed with LPA's Tree Officer), no trees are to be removed or lost as a result of the development and this, quite naturally, is welcomed by Officers. Furthermore, a revised tree protection scheme has been submitted and this demonstrates that protective fencing in accordance with BS5837-2012 will be installed to protect the existing specimens that frame the site. This fencing would be installed prior to development commencing and it is deemed acceptable with respect to the requirements of policy DM45.
- 5.7 Heritage Impacts: NPPF Chapter 16 (Conserving and enhancing the historic environment); Strategic Policies and Land Allocations (SPLA) DPD policy SP7 Maintaining Lancaster's Unique Heritage; Development Management (DM) DPD policies DM29 (Key Design Principles), DM37 (Development affecting listed buildings) and DM39 (The Setting of Designated Heritage Assets).**
- 5.7.1 The site is not within a Conservation Area (this is located approximately 280m to the west), however there is St Cuthbert's Parish Church (Grade II\* listed building) located 180m to the south west of the application site and Kirk House (Grade II) is located 140m to the south of the application site. The principal setting of the Listed buildings is not compromised and so there are no justifiable objection. The setting of the site does however endorse the need for high quality design, appropriate landscaping and suitable boundary treatment. Given this it is considered that the scheme complies with the relevant development plan policies insofar as heritage impacts are concerned, adequate regard has been paid to Section 66 of the Planning (Listed Building and Conservation Area) Act 1990.
- 5.8 Flood Risk and Drainage Matters (NPPF: Chapter 14 (Planning for Climate Change), Development Management (DM) DPD policies DM33 (Development and Flood Risk), DM34 (Surface Water Run-off and Sustainable Drainage), DM35 (Water Supply and Waste Water); Strategic Policies and Land Allocations (SPLA) DPD policies SP8 (Protecting the Natural Environment); Surface Water Drainage, Flood Risk Management and Watercourses Planning Advisory Note (PAN) (2015)**
- 5.8.1 The NPPF advises that Local Planning Authorities should avoid permitting development in areas at the greatest risk of flooding and instead, it should be directed towards the areas with a lower flood risk. This national requirement is reflected in policy DM33. The application site in question is wholly within flood zone 1 and is not therefore subject to the sequential or exception test as set out within the NPPF and there is no evidence within the submitted application which would suggest that the scheme is likely to exacerbate flooding in other locations
- 5.8.2 With respect to surface water runoff, policy DM34 advises that all new development should manage surface water run off in a sustainable way and that the design of all proposed surface water drainage

systems should have regard to the surface water drainage hierarchy as set out below with 1 being the preference and 4 being the least preferred method:

1. Into the ground (infiltration at source);
2. Attenuated discharge to a surface water body, watercourse or the sea;
3. Attenuated discharge to surface water sewer, highway drain or another drainage system;
4. Attenuated discharge to a combined sewer (as a last resort only in exceptional circumstances where it can be demonstrated that no other options higher up the hierarchy are feasible).

5.8.3 Accordingly, following initial commentary from the Environment Agency and the Lead Local Flood Authority, the wider application is supported by the following documentation with respect to surface water drainage:

- Infiltration testing results (5 x trial pits)
- Ground water monitoring information (April and March 2021)
- Composition of borehole 1
- Drainage layout scheme
- Drainage cross sections
- Infiltration basin details
- Flood risk assessment and drainage report
- Drainage maintenance and operation scheme
- 

5.8.4 The submitted drainage report confirms that following ground condition testing, soakaway drainage represents a viable option for the development site. As demonstrated through the testing results, infiltration results were in the region of  $1 \times 10^{-4}$  m/s to  $2.5 \times 10^{-3}$  m/s across the completed trial pits with sand and gravel common at soakaway depths.

5.8.5 Accordingly, based on the soakaway testing, it is proposed that all roof areas will drain into private geo-cellular crate systems, located within private rear gardens. Advanced silt traps will be located upstream of each soakaway, which will provide surface water treatment and access for maintenance. Silt traps isolate silt and other particles by encouraging settlement into removal silt buckets, preventing ingress into the tank. With regards to the driveways, they will be served by Type A (full infiltration) permeable block paving. This would comprise a free draining coarse graded aggregate sub-base of min. 350mm thickness to provide sufficient volumetric storage for the Q100+40% CC storm event. A 'Type A' system will also provide enhanced treatment (i.e., removal of silt and pollutants), prior to discharge into the ground.

5.8.6 The access road will be served by an infiltration basin located within the north-east of the site. The basin is sized to contain the runoff from the access road for a 1 in 100-year + 40% climate change event. Highway runoff will be collected and conveyed in the highways drain within the carriageway, discharging into the basin via a silt trap. The basin will be finished with a minimum 100 mm sand, overlaying a minimum 300 mm topsoil and seed following construction. This will provide additional treatment of runoff, before discharge into groundwater.

5.8.7 In designing the soakaway / basin volume and sizes, storage calculations have been undertaken for the Q30 and Q100+40% CC storm event; the full results of these calculations are provided in Appendix C of the submitted and approved drainage strategy. Provided the designed drainage



system is installed in accordance with these details, the post development run off rate of QBAR 3.4l/s will equate to the existing greenfield (i.e. pre development) run off rate.

5.8.8 The Environment Agency have advised that the proposed drainage strategy is acceptable (within the parameters of their remit) and although the additional information provided is in accordance with the most recent request of the LLFA, no further comments have been received at the time of writing this report. Given the previously submitted detail and detailed design (which demonstrates that the system is capable of dealing with a Q100+40% event), the site's surface water drainage scheme has been approved under 21/00148/DIS already. However, the layout for the 7 plots in question has changed slightly and this means the drainage scheme approved 21/00148/DIS does not relate to the current proposal in the way that it technically should. Accordingly, a revised drainage scheme has been submitted which reflects the amended layout of the 7 dwellings under consideration and demonstrates how their surface water drainage will be managed.

5.8.9 In terms of foul water drainage, discharge from the development shall discharge to the existing 150 mm diameter combined sewer in the footpath linking the proposed development to Church Bank and as confirmed in their comments dated 10<sup>th</sup> June 2021 (no further comments submitted) United Utilities have raised no objection to this approach.

### **5.9 Affordable housing provision clarification**

5.9.1 As Members of the planning committee will note, the previous scheme for 7 units here was refused due to the lack of affordable units across the site. For completeness, given the developer remain the same, the entire site (22 units) should deliver 9 affordable units. Following the previous refusal and negotiations between Officers and the applicant, the revised affordable housing offer is as follows:

- 20/01072/REM: 15 dwelling scheme delivering 6 affordable units (40%)
- 21/01323/FUL: 7 dwellings and 3 affordable units (40%)
- **Total: 22 units with 9 affordable units equates to 41%**

The change from the January 2022 committee meeting is that social rent has been amended to affordable rent. The developer was unable to secure a Registered Provider on the basis of social rent. The Councils adopted position is generally to accept affordable rent. The breakdown has been confirmed as acceptable to the Councils viability consultant.

5.9.2 Accordingly, the sole and single reason for refusing the former application (20/01073/FUL) has been addressed on the basis that the current scheme is able to deliver the required quantum of affordable housing required by policy DM3. The LPA's Strategic Housing Officer has further confirmed that the style, design and size of the affordable units (plots 15-17) is appropriate for the locality and for a Registered Provider. Whilst the delivery of the 3 affordable units here is a policy requirement, in combination with the 6 units provided through 20/01072/REM, this represents a material benefit of the scheme and is welcomed by Officers.

### **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. The proposed dwellings offer suitably sized units that the district would benefit from. If built in conjunction with the associated reserved matters application that sits parallel to this

scheme, the application would deliver a well-designed scheme that incorporates public open space and context appropriate dwellings. The units benefit from private amenity space with off road parking, and they are, more the most part, spaciouly set out to reflect the requirements of the development plan. Given the LPA’s lack of a five-year housing supply the application represents an opportunity to boost the district’s supply, albeit modestly. In addition, the scheme has been amended since the initial submission so that it now meets the affordable housing requirements prescribed by policy DM3 and given the LPA’s annual shortfall of approximately 370 affordable homes per year, this is a matter which weighs in favour of the development.

6.2 Overall, within the context of the NPPF’s tilted balance, whilst the concerns raised by residents are noted, the scheme offers a range of benefits with limited harm identified. Officers are therefore of the view that in the overall balance, the benefits derived from the scheme are such that the application should be approved by Members of the Planning Committee.

**Formal Recommendation**

That Planning Permission **BE GRANTED** subject to

**A variation to the existing legal agreement to secure the following:**

- Linking of 21/01323/FUL to 16/01572/OUT
- Delivery of affordable housing in accordance with submitted scheme (total of 9 units, 4 x affordable rent and 5 x shared ownership)
- Payment of £10,708.16 towards upgrade of village play area
- Management of open space across all development land
- Requirement to deliver *both* planning permissions 21/01323/FUL and 16/01572/OUT (inc REM)

And the following planning conditions to regulate the development:

Condition no.	Description	Type
1	Time limit for development	Standard
2	Development to be in accordance with approved plans	Standard
3	Development to be carried out in accordance with the approved highway access arrangements	Pre-occupation
4	Installation of Newt Gully pots	Pre-occupation
5	Delivery of approved off site highway and ped links	Pre-occupation
6	Delivery of secure cycle storage sheds	Pre-occupation
7	Delivery of EV charge points	Pre-occupation
8	Installation of boundary treatments	Pre-occupation
9	Materials as per submitted details	Control
10	Compliance with surface water and foul drainage details	Control
11	Compliance with energy statement	Control
12	Compliance with CEMP document	Control
13	Compliance with tree protection details	Control
14	Unforeseen contamination	Control
15	Removal of Permitted Development (Parts 1 and 2)	Control

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

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

material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

**Background Papers**

None

<b>Agenda Item</b>	A7
<b>Application Number</b>	22/00581/CCC
<b>Proposal</b>	Retention of workshop for use by wastewater network operations team as approved under temporary planning permission LCC/2017/0026
<b>Application site</b>	United Utilities Lancaster Wastewater Treatment Works Stodday Lane Lancaster
<b>Applicant</b>	Mr Matthew Buckley
<b>Agent</b>	
<b>Case Officer</b>	Ms Charlotte Greenhow
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Raise no objections to the County Council

**(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 (and the application site falls within the land ownership of United Utilities at their waste water treatment facility). Lancaster City Council has been consulted as the development falls within their District, and as such this report sets out the City Council's proposed **consultation response** to the retention of workshop for use by wastewater network operations team as approved under temporary planning permission LCC/2017/0026.

**1.0 Application Site and Setting**

1.1 The application site relates to Lancaster Wastewater Treatment Works (WwTW) at Stodday, approximately 2.3km to the southwest of the centre of Lancaster, approximately 0.7km to the north west of the hamlet of Stodday and approximately 1km to the south of the small settlement of Aldcliffe. The site is accessed via Arna Wood Lane to the north and this also serves a group of residential properties and stable at Low Wood Farm, located adjacent to the site. To the west of the site is a Solar Farm development in association with the Wastewater Treatment Plant, with the Lune Estuary and a multi-use path beyond the solar site further west. Apart from the dwellings located to the north of the site, the next closest residential properties are at Stodday and at Arna Wood Farm, approximately 0.55km to the north east.

1.2 The Lune Estuary is designated as a Site of Special Scientific Interest (SSSI) and is also covered by the Morecambe Bay Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar Site. Part of the site is located within Flood Zone 3. The site is also within the Countryside Area, as identified on the Local Plan Proposal Map. There are two lines of electricity pylons,

approximately 300 metres to the south of the site, which cross the estuary in a northwest direction.

## 2.0 Proposal

2.1 Retention of workshop for use by wastewater network operations team as approved under temporary planning permission LCC/2017/0026

2.2 The workshop was previously granted permission in 2017 and was altered in 2020 to include an insulated flat roof. The workshop has been constructed from six bottle green colour shipping containers, with white uPVC windows and doors throughout, and external steel staircases leading to the first-floor decking area. The facility includes a repair workshop/welding area, contains spare pumps and parts for wastewater assets, and has limited office facilities together with a small kitchenette, utility, and WC for staff.

## 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
LCC/2021/0060	Variation of condition 1 of permission LCC/2016/0065 to extend the operational lifetime of the solar farm until 31 December 2055	Granted
LCC/2020/0046	Construction of insulated flat roof on workshop approved under planning permission ref LCC/2017/0026	Granted
LCC/2017/0026	Retrospective application for the retention of a workshop	Granted
LCC/2016/0065	The erection of solar photovoltaic panels and associated works including switchgear housing, securing fencing and integral connection to Lancaster Waste Treatment Works (Retrospective application)	Granted

## 4.0 Consultation Responses

4.1 As this planning application is submitted to (and will be determined by) the County Council, it is they who are responsible for the public and statutory consultation process.

## 5.0 Analysis

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

- Landscape and visual impact
- Impact on residential amenity

5.2 Landscape and visual impact (NPPF Section 2 Achieving sustainable development, Section 14 Managing the challenge of climate change, flooding and coastal change, Section 15 Conserving and enhancing the natural environment; Policies DM29 Key design principles, DM46 Development and landscape impact of the Development Management DPD; Policies DM1 Management of Waste and Extraction of Minerals, DM2 Development Management of the Joint Minerals and Waste Local Plan (Site Allocation and Development Management Policies – Part One))

5.2.1 The workshop is located within the south-east corner of the existing tarmac area at the furthest possible location from public viewpoints. Given that the development will be seen within the context of existing wastewater treatment plant, the retention of the workshop is not considered to result in any further undue landscape and visual impacts. However, similarly to the previous consent, it is

considered necessary to recommend a temporary condition limiting the lifetime of the development to five years only. This is to ensure that the development remains as a temporary structure in the interest of local and visual amenities.

5.2.2 The scheme also proposes additional landscaping in the form of a 1.5-metre-high mound along the western boundary of the existing tarmac area. This will lie parallel to the existing thicket planting within the Solar Farm and will be approximately 10m in width. The mound will be planted with woodland scrub, meadow grass, and twelve larger feathered trees to provide immediate mitigation. The proposal also seeks to replace the existing fencing along the northern boundary and introduce a section of new rural fencing and native boundary hedgerow. This will further help to conceal the development within the site and provide a soft visual barrier. As such, subject to the implementation of the proposed landscaping scheme, which is recommended as a condition to the County Council, the retention of the workshop is considered acceptable in terms of landscape and visual impact.

5.3 Impact on residential amenity (NPPF Section 2 Achieving sustainable development, Section 8 Promoting healthy and safe communities; policies DM29 Key Design Principles, of the Development Management DPD; Policies DM1 Management of Waste and Extraction of Minerals, DM2 Development Management of the Joint Minerals and Waste Local Plan (Site Allocation and Development Management Policies – Part One))

5.3.1 The closest residential property ‘Low Wood Farm’ is located approximately 60m away from the workshop to the north. As part of the previous approval, conditions were attached limiting the hours of use and use of external lighting to 08:00 to 18:00 Monday to Saturday only, in the interests of residential amenity. In addition, frosted glass has been inserted to prevent overlooking and bamboo screening has been placed along the edge of the front elevation and hand railing. Given these existing mitigation measures, it is not thought that the development would cause any harm to the amenity of Low Wood Farm. However, the City Council recommends that these previous conditions are similarly imposed to any subsequent approval.

5.4 Other issues

5.4.1 There are a number of other issues that will be considered in detail by the County Council when determining the application. These include highways impacts and ecology, including the adjacent designated sites. Many of these will rely on responses from statutory and non-statutory consultees in which the County Council will receive directly. Given that the County Council will be required to consider all relevant planning issues in detail in determining the application, the City Council raise no objection to the scheme to the principals associated with the scheme.

**6.0 Conclusion and Planning Balance**

6.1 Overall and subject to the recommended conditions, the retention of the existing workshop is considered acceptable in terms of landscape and visual impacts and impact upon residential amenity.

**Recommendation**

That the City Council has **NO OBJECTION** to the proposal, subject to the following conditions:

Condition no.	Description	Type
1	Five-year temporary approval	Control
2	Hours of use restricted to 08:00 – 18:00 Monday to Saturday only.	Control
3	External lighting restricted to 08:00 – 18:00 Monday to Saturday only	Control

4	Implementation of approved landscaping scheme	Control

**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**

None.

<b>Agenda Item</b>	A8
<b>Application Number</b>	14/00713/VLA
<b>Proposal</b>	Variation of legal agreement on 00/00920/OUT and subsequent renewal consent 05/01432/OUT to vary the terms of the Fourth Schedule concerning affordable housing in relation to the applicants land only, remove the requirements to obtain covenants from future land owners to restrict vehicular use over Mill Lane between points A and B (as set out in the Third Schedule), amend and partly discharge the provisions of the public open space obligations and to discharge the obligation relating to the provision of the industrial buildings.
<b>Application site</b>	Halton Mill Mill Lane Halton Lancashire
<b>Applicant</b>	Halton Mills Ltd / Town End Way Estate No.1 Limited
<b>Agent</b>	Mr David Hall
<b>Case Officer</b>	Mrs Jennifer Rehman
<b>Departure</b>	Departs from planning policy in respect of the affordable housing.
<b>Summary of Recommendation</b>	Approval (subject to the signing and completion of the Deed of Variation)

**(i) Procedural Matters**

This application was originally reported to the Planning and Highways Regulatory Committee on 5 June 2015. This Committee report is attached as a background paper to this report. The recommendation to vary the original s106 legal agreement was supported by the Committee, subject to the variations being executed by way of a Deed of Variation to the s106 legal obligation. The application was reported back to the Planning Regulatory Committee on the 7 December 2020, as the terms in respect of the affordable housing obligations had changed since the Committee resolution in June 2015. For various reasons this Deed of Variation has still not been completed and following the last resolution in December 2020, the applicant later advised that they were unable to take on the long-term maintenance of the public open space as originally proposed. The application is being reported back to the Planning Regulatory Committee, as the terms in respect of the public open space have subsequently changed since the Committee resolution in June 2015. The affordable housing obligations remain as per the report in 2020.

**1.0 Application Site and Setting**

1.1 The land relating to the original legal agreement and its associated planning permission is known as Halton Mills, situated between the River Lune and Low Road in Halton village. Despite years of stalled development, the Halton Mills complex is now largely redeveloped predominantly comprising residential development with some employment development. Most of the site's redevelopment



does not relate to the original planning permission, though the site that is the subject of this application does.

1.2 The site relates to land between Forge Lane and Mill Lane. It also includes Mill Lane and land to the south of Mill Lane that comprises open space including an equipped play area. The land between these two roads has been developed out for housing, including apartments, based on the original outline and reserved matters approvals relating to the original redevelopment proposals for the wider Halton Mills complex. The employment land approved and required by the original proposals has also been developed and has been occupied for many years now. The far eastern part of the wider Halton Mills complex was successfully developed by Lancaster Co-housing in around 2012. After that, Barratt Homes developed two small parcels of land between the River and Mill Lane. Land immediately to the east of the proposed site has secured planning permission for housing being advanced by Lune Valley Community Land Trust (20/00613/FUL). This development has commenced. The adjacent site (to the east again) is being advanced by Halton Senior Cohousing Ltd. Their planning application (20/00614/FUL) has been reported to planning committee with a resolution to approve subject to the completion of the legal agreement (a matter that is still outstanding). The Local Plan allocates the wider Halton Mills site for housing.

## 2.0 Proposal

2.1 The applicant has made an application under Section 106A of the Town and Country Planning Act to discharge and modify the legal agreement that relates to the site's comprehensive redevelopment including demolition of existing Mill, erection of houses, industrial units, construction of new access and provision of associated open space and landscaping pursuant to outline planning permission 00/00920/OUT and the subsequent renewal permission.

2.2 For the avoidance of doubt, the applicant, Halton Mills Limited (hereafter referred to as the first applicant) was dissolved in December 2018. However, this application, which was received before the company was dissolved, remains to be determined and is now supported by Town End Way Estate No.1 Limited (hereafter referred to as the second applicant).

2.3 A summary of the main terms of the original legal agreement are as follows:

1. No occupation of any dwelling until the building to replace Elro Products (Lancaster) Limited has been erected and available for use;
2. To obtain a covenant from any future owner of any of the land not to use that section of Mill Lane between points A and B (narrow section of Mill Lane) to access and egress the land;
3. To provide at least 17.5% of the total dwellings on the land as Affordable Housing to be disposed to an Approved Person at no more than 80% of the open market value of the dwelling;
4. Provision of public open space and maintained either in accordance with a scheme approved by the Council to provide for future management and maintenance if retained by the Owners or after a period of 12 months to transfer the public open space to the Council with a maintenance contribution; and
5. Provision of industrial buildings within 18 months of development commencing on site.

2.4 The first applicant acquired a small part of the wider Halton Mills complex in 2012 and subsequently implemented the extant consent for residential development within the central core of the complex. Prior to the submission of this application, the applicant had originally explored providing the affordable housing based on the terms of the original legal agreement. However, recognising the shortfalls in the original legal agreement and the fact that it did not provide a type of affordable housing that the Council now regards suitable, the first applicant engaged with the local planning authority to consider suitable, alternative mechanisms to deliver the affordable housing requirements associated with the development.

2.5 In summary, the proposed application seeks to modify the existing agreement as follows:

1. Provide an off-site contribution in lieu of on-site affordable housing in relation to the applicant's land only.
2. To complete Mill Lane to adoptable highway standards with the costs of such off-set against the agreed affordable housing contribution.

3. Remove the obligation in relation to obtaining a covenant from any future owner of any land not to use a section of Mill Lane to access and egress the site.
4. Discharge the obligations in relation to the industrial buildings.
5. Discharge the obligation in relation to the provision of public open space.

2.6 The Planning and Highways Regulatory Committee has previously resolved to vary the original legal agreement in relation to each of the points above. Full details of this are set out in the early Committee report provided as a background paper. The application was reported back to the Planning Committee in December 2020 to deal with a further modification to the affordable housing provisions by the second applicant. Full details are provided in the second report provided as a background paper. To avoid unnecessary duplication, this additional report (third report) shall focus on the changes since this resolution in relation to the public open space maintenance provisions (point 5 above).

### 3.0 Site History

3.1 Halton Mills has an extensive and complex planning history, compounded by the commercial difficulties experienced on site back in the late 1990s/2000s when the land had been subdivided with numerous land owners. Halton Mills was envisaged to have been comprehensively redeveloped under two separate outline permissions; one covering the western part of the site (which covers the sites now in question) and the other covering the eastern part of the site. In order to keep matters as succinct as possible, the most relevant planning history is reported in the table below:

Application Number	Proposal	Decision
00/00920/OUT	Outline application for proposed redevelopment including demolition of existing Mill, erection of houses, industrial units, construction of new access and provision of associated open space and landscaping.	Approved
05/00562/REM	Erection of two new B1/B2 commercial units	Approved
05/01305/FUL	Amendments to elevations to housing scheme approved as 04/01301/REM	Approved
05/01432/OUT	Renewal of application 00/00920/OUT for proposed redevelopment including demolition of existing mill, erect houses, industrial units, construct new access and provision of associated open space and landscaping	Approved
04/01301/REM	Reserved Matters application for the erection of 47 houses and 27 apartments, associated access road and play area	Approved
14/01350/FUL	Erection of 20 residential dwellings with associated access road.	Approved (lapsed)
15/00510/OUT	Outline application for the erection of a nursing home and associated access	Approved (lapsed)
20/00613/FUL	Erection of 16 affordable residential dwellings and 2 residential buildings comprising a total of 4 affordable apartments, with associated parking and hard landscaping.	Approved
20/00614/FUL	Erection of 4 dwellings, a block of 16 self-contained flats and a shared ancillary accommodation building for the residents over the age of 55, with associated access, internal roads and parking areas	Resolved to be approved subject to s106

### 4.0 Consultation Responses

4.1 Under s106A of the Town and Country Planning Act, there is no requirement to publicise the proposed amendments to the agreement. Notwithstanding this, when the application was reported in June 2015, some comments had been received from the Council’s Strategic Housing Officer and Lancashire County Council as the Highway Authority. Whilst the Case Officer has maintained

dialogue with the Strategic Housing Officer and the County Council in respect of the affordable housing obligation there have been no formal or material changes to the original comments received.

**5.0 Analysis**

**5.1 Consideration 1 – Previous Recommendation and the Legal Agreement** (NPPF paragraphs 55-57: Planning Conditions and Planning Obligations and paragraphs 60-63: Section 5 Delivering a Sufficient Supply of Homes, Policy H2 (Housing Delivery in Rural Areas of the District) of the SPLA DPD and policies DM3 (Delivery of Affordable Homes), DM27 (Open Space, Sports and Recreational Facilities), DM 58 (Infrastructure Delivery and Funding) and DM60 (Enhancing Accessibility and Transport Linkages) of the DM DPD)

5.1.1 The key assessment is whether the proposed variations to the legal agreement meet the requirements of sub-paragraph 6 of S106A, which states where an application is made to modify an Agreement, the authority may determine:-

- a. That the planning obligation shall continue to have effect without modification;
- b. If the obligation no longer serves a useful purpose, that it shall be discharged; or
- c. If the obligation continues to serve a useful purpose, but would serve that purpose equally well if it had effect subject to the modifications specified in the application, that it shall have effect subject to those modifications.

5.1.2 The original recommendation (provided as a background paper) addresses each of the proposed changes against the above tests under each of the relevant schedules of the legal agreement. This report does not intend to repeat the recommendations where the material considerations and the proposal remain unchanged and acceptable. Instead, a summary is set out below:

<b>S106 Schedule reference and proposal.</b>	<b>Legal Agreement Terms</b>	<b>Recommendation</b>
Paragraph 1, Third Schedule.  To discharge the obligation.	No occupation of any dwelling until the building to replace Elro Products (Lancaster) Limited has been erected and available for use	No change from original recommendation (June 2015) (see paragraphs 7.9, 7.10 of the first background paper).  <i>Obligation to be discharged.</i>
Paragraph 2, Third Schedule.  To remove the obligation.	To obtain a covenant from any future owner of any of the land not to use that section of Mill Lane between points A and B (narrow section of Mill Lane) to access and egress the land;	No change from the December 2020 recommendation (see Paragraphs 5.2.1-5.2.3 of the second background paper).  <i>Obligation removed in relation to the second applicants land only.</i>
Paragraph 1, Fourth Schedule.  To remove the existing obligation and to replace with new clauses to provide an off-site financial affordable housing contribution in lieu of on-site provision.	To provide at least 17.5% of the total dwellings on the land as Affordable Housing to be disposed to an Approved Person at no more than 80% of the open market value of the dwelling;	The principle of accepting an off-site affordable housing contribution remains unchanged and acceptable (see paragraph 7.13 of the first background paper).  No change from the December 2020 recommendation (see paragraphs 5.3.1-5.3.4).  <i>Obligation to be varied removing clauses relating to on-site provision and to include new provisions for an off-site financial contributions towards affordable housing totalling £141,218.</i>
Paragraphs 2 -5, Fourth Schedule.  To discharge paragraph 2 (provision of POS)	To provide public open space in accordance with local plan policy and a phasing scheme to be agreed with the Council. Upon completion of each phase to maintain the	The original recommendation and the later recommendation (June 2015 and December 2020) sought to vary the public open space obligations to remove the requirement for the Council to maintain the open space and to secure a management

and to vary the remaining terms to for the management and maintenance of the existing POS.	POS for 12 months and thereafter transfer the POS to the Council and to agree a contribution towards future maintenance for a period of 10 years.	company to secure the ongoing provision and maintenance of such land (see paragraph 7.15 of the first background paper). The application is being reported back to the Planning Regulatory Committee because the second applicant's offer to secure a management company to maintain the open space has been revoked. Further details on this matter are set out in the report below.
Paragraph 7, Fourth Schedule. To discharge this obligation.	Provision of industrial buildings within 18 months of development commencing on site.	No change from original recommendation (see paragraphs 7.16 of the first background paper).  <i>Obligation to be discharged.</i>

5.2 Consideration 2 - Paragraph 2 -5 , Fourth Schedule Public Open Space obligations

5.2.1 Paragraph 7.15 of the first background paper sets out the initial position which fundamentally sought to remove the original provisions requiring the public open space to be transferred to the council with new provisions included requiring the owner of the land to maintain the public open space land (through the setting up of a management company). These changes were supported by both the second applicant and the Council but following the Planning Regulatory Committee's resolution, this offer has now been revoked.

5.2.2 The Public Open Space Obligations included a scheme for open space to be agreed with the council included phasing and future management and maintenance if the public open space was to be retained by the owners of the land. The existing provisions included a mechanism to transfer the public open space to the Council with a commuted sum for maintenance. The earlier recommendations and subsequent resolutions sought to remove this mechanism. This would have been replaced by a clause requiring the owner to maintain the public open space via a management company (funded by maintenance costs imposed on residents).

5.2.3 Regretfully, the second applicant has confirmed they are unable to set up a management company to manage and maintain the public open space. This is because there is no legal obligation (under separate contractual arrangements with residents) to incur service charges (after dwellings have been purchased and occupied), which would have been the source of funding for the public open space maintenance.

5.2.4 Consequently, the option to transfer the land back to the Council (as originally drafted in the s106) remains the only feasible option. However, given the financial circumstances associated with this development, the legal agreement would still need to be varied to remove the requirement for a commuted sum for maintenance. Since the last resolution, Officers have been working with colleagues to reach a solution in respect of the retention, management and maintenance of the existing on-site public open space. The Council's Public Realm team and Property Group have now confirmed agreement to take on the existing amenity greenspace and equipped play area with no commuted sum. The second applicant has been approached with this proposal, but not confirmed the position. Although in an effort to proceed, if the second applicant was not to accept the amendment proposed and recommended for approval under this Report, they would be required to discharge the obligations without amendment. This would be a greater financial burden on the second applicant and for that reason, with a view to getting an expedited decision on this matter to help deliver the scheme sooner rather than later, this proposal seeks to provide an amicable solution to the second applicant whilst also providing long-term deliverability of a space that will be protected for public use by the Council for the future.

5.2.5 Subsequently, clauses 2 to 6 of Schedule 4 shall be deleted and replaced with alternative provisions requiring the Public Open Space (identified by a plan) to be transferred to the Council within a prescribed time period to be agreed as part of the Deed of Variation.

**6.0 Conclusion and Planning Balance**

- 6.1 The proposed changes to the public open space provisions do remove some of the betterment gained during earlier negotiations and subsequent resolutions. However, with the Council now accepting it will take on the existing open space, the proposed changes to the agreement ensures the community of Halton Mills will retain access to a small but pleasant play space alongside the River Lune in the long term. The failure not to maintain this play area and amenity greenspace would not be in the public interest. Furthermore, in reaching this position, it allows the council to recover the commuted sum for affordable housing agreed in the earlier resolutions and enables the application to be determined, which has been pending for a considerable period. It is concluded that the relevant terms of the obligation continue to serve a useful planning purpose, but would serve that purpose equally well if it had effect subject to the modifications specified in the application. Consequently, the Planning Regulatory Committee are recommended to support these further changes to the deed of variation.

**Recommendation**

In accordance with S106(A) of the Town and County Planning Act, Officers recommend that the proposed application to modify and discharge the terms of the original agreement in relation to the applicant's land only can be supported, subject to the changes set out below being executed by a legal of a Deed of Variation.

Paragraph 1, Third Schedule - to remove (discharge) this clause.
Paragraph 2, Third Schedule - to remove this clause.
Paragraph 1, Fourth Schedule - to remove this clause and to replace with new clauses to provide an off-site financial affordable housing contribution in lieu of on-site provision totalling £141,218.
Paragraphs 2 -5, Fourth Schedule - to remove clause 2 – 5 and replace with amended provisions to transfer to the public open space to the Council within a prescribed period to be set out in the Deed.
Paragraph 7, Fourth Schedule - to remove (discharge) this obligation.
Additional clauses to be included requiring (best endeavours) the applicant to put Mill Lane forward for adoption under s38 of the Highways Act.

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

First Background Paper - 5 June 2015	Planning Committee Agenda Item 10 – Application 14/00713/VLA Halton Mill, Mill Lane, Halton
Second Background Paper – 7 December 2020	Planning Committee Agenda Item A9 - Application 14/00713/VLA Halton Mill, Mill Lane, Halton

## LANCASTER CITY COUNCIL

APPLICATION NO	DETAILS	DECISION
20/01198/VCN	New England Caravan Park, Capernwray Road, Capernwray Revised layout of seasonal caravan site and extend to 182 caravans (pursuant to the variation of condition 1 of planning permission 2/5/3360 to allow for year round occupancy) for Mr Chippendale (Kellet Ward 2015 Ward)	Application Permitted
21/00358/LB	Old Hall Farm, Kirkby Lonsdale Road, Over Kellet Listed building application for the demolition of rear outriggers, erection of single storey rear extensions, removal of internal walls and installation of partition walls and wall linings, installation of insulated concrete floors, installation of insulated timber floor to roadside barn, re-instatement of internal cart store wall with stonework within attached barn, removal of timber first floor and installation of steel and timber replacement floor within attached barn, installation of heating and drainage services and insulation, repairs to damaged roof structure in roadside barn, treatment of existing timber beams and trusses, removal of external staircase, alterations to and installation of window and door openings and installation of new windows, doors, cills, rooflights and flues, repointing of elevations, replacement roof slates and stone flags, installation of cast iron rainwater goods, erection of boundary walls and gates for Mr Drinkall (Kellet Ward 2015 Ward)	Application Permitted
21/00363/FUL	Old Hall Farm, Kirkby Lonsdale Road, Over Kellet Relevant demolition of existing outriggers and agricultural buildings and change of use of agricultural buildings to 4 dwellings (C3) including the erection of single storey rear extensions, installation of windows, doors, rooflights, flues, erection of garages with associated parking, creation of internal access road and turning head and erection of boundary treatments for Mr Drinkall (Kellet Ward 2015 Ward)	Application Permitted
21/00511/FUL	Bridge End Farm, Brookhouse Road, Brookhouse Demolition of outbuildings, alterations and extensions to the existing farmhouse comprising, erection of a single storey side and two storey side extension, replacement and alterations to windows and doors, conversion of barn to a single dwelling (C3) erection of one new dwelling (C3)with associated access, driveways and areas of hardstanding for Mr P Kershaw (Lower Lune Valley Ward 2015 Ward)	Application Withdrawn
21/00566/FUL	Land Adjacent To, Grab Lane, Lancaster Erection of 167 dwelling houses, construction of new accesses, regrading of land, creation of open space and installation of an equipped play area and drainage infrastructure for Miss Siobhan Sweeney (John O'Gaunt Ward 2015 Ward)	Application Withdrawn

LIST OF DELEGATED PLANNING DECISIONS

21/00632/OUT	Land At, Middleton Business Park, Middleton Road Outline application for the erection of industrial buildings (B2 and B8) with associated access for Hargreaves & Pilkington (Overton Ward 2015 Ward)	Application Refused
21/01011/FUL	Bambers Farm, Moss Lane, Thurnham Erection of replacement single storey outbuilding comprising double garage, office and store for Mr and Mrs Ayrton (Ellel Ward 2015 Ward)	Application Permitted
21/01069/FUL	Land North Of A683 And Heysham Substation, Lancaster Morecambe Bypass, Morecambe Installation of a 200MW energy storage facility, including 122 energy storage units and ancillary development including fencing, substation, transformers, underground cabling, inverters, switchgear, control room, office, storage container, security gates, seven no. 3m high CCTV columns, creation of an access with associated parking, landscaping, swale and balancing pond for Andy Willis (Heysham South Ward 2015 Ward)	Application Permitted
21/01218/FUL	Hoggetts Lane Farm, Kirkby Lonsdale Road, Over Kellet Demolition of existing garage, erection of an agricultural workers dwelling (C3) and installation of a package treatment plant for John Robinson (Kellet Ward 2015 Ward)	Application Permitted
21/01304/FUL	Old Waterslack Farmhouse, Waterslack Road, Silverdale Change of use and conversion from former agricultural shippon to holiday cottage with associated parking space (sui generis) and installation of a sewage treatment plant for Mr Brian Hevey (Silverdale Ward 2015 Ward)	Application Permitted
21/01356/FUL	The Bath, 5 - 7 Northumberland Street, Morecambe Change of use from ground floor pub with managers accommodation above to mixed use of ground floor pub with 11 holiday let serviced apartments (sui generis) above, erection of a first floor extension with decking above, a third floor extension and installation of rooflights for Mr Robinson (Poulton Ward 2015 Ward)	Application Permitted
21/01440/FUL	36 Pottery Gardens, Lancaster, Lancashire Construction of a balcony to the rear of existing garage for Dr. A. Ahmed (John O'Gaunt Ward 2015 Ward)	Application Permitted
21/01578/ELDC	65 Coulston Road, Lancaster, Lancashire Existing lawful development application for use as house in multiple occupation (C4) for Wakmoor (Assets) Limited (John O'Gaunt Ward 2015 Ward)	Application Withdrawn
21/01584/EIR	Land Adjacent , 26 Moorside Road, Brookhouse Screening request for the erection of a detached dwelling (C3) and creation of a new vehicular access for Mr And Mrs Brian Pinington (Lower Lune Valley Ward 2015 Ward)	ES Not Required
22/00002/FUL	A1 Cold Stores, Whams Lane, Bay Horse Erection of a building to provide a cold store for Mr. Stephen Smith (Ellel Ward 2015 Ward)	Application Refused

LIST OF DELEGATED PLANNING DECISIONS

22/00007/DIS	Brookhouse Old Hall, Brookhouse Road, Brookhouse Discharge of conditions 5f, 5g, 6c, 6e, 7d, 7e, 8a and 8b and partial discharge of condition 7b on approved application 18/00035/LB for Martin Horner (Lower Lune Valley Ward 2015 Ward)	Application Permitted
22/00009/DIS	Brookhouse Old Hall, Brookhouse Road, Brookhouse Discharge of condition 4c on approved application 18/00034/FUL for Martin Horner (Lower Lune Valley Ward 2015 Ward)	Application Permitted
22/00014/FUL	3 Church Brow, Bolton Le Sands, Carnforth Demolition of existing garage and erection of a single storey side and rear extension incorporating two Juliette balconies to the rear elevation for Mr.&Mrs. A. Whittaker (Bolton And Slyne Ward 2015 Ward)	Application Permitted
22/00027/DIS	Hill Top Farm, Hill Lane, Nether Kellet Discharge of conditions 3 and 4 on approved application 21/00850/FUL for Mrs M Cornthwaite (Kellet Ward 2015 Ward)	Split Decision
22/00039/DIS	49 Main Street, Cockerham, Lancaster Discharge of conditions 3,7,8 and 9 on approved application 21/01105/FUL for Bob Martin (Ellel Ward 2015 Ward)	Application Permitted
22/00042/DIS	14 Queen Street, Lancaster, Lancashire Discharge of conditions 3, 4, 5 and 6 on approved application 21/00021/FUL for Mr K Jayousi (Castle Ward 2015 Ward)	Application Permitted
22/00043/DIS	14 Queen Street, Lancaster, Lancashire Discharge of condition 3 on approved application 21/00022/LB for Mr K Jayousi (Castle Ward 2015 Ward)	Application Permitted
22/00045/DIS	Field Barn , Adjacent To Thwaite Lodge, 25 Crag Bank Crescent Discharge of conditions 3, 7 and 8 on approved application 21/00495/VCN for Mrs Adelaide Ireland and Sandra Robinson (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
22/00046/DIS	Carnforth House Farm , 109 North Road, Carnforth Discharge of condition 3 on approved application 21/01057/FUL for Steven Richmond (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
22/00047/DIS	Carnforth House Farm , 109 North Road, Carnforth Discharge of condition 3 on approved application 21/01058/LB for Steven Richmond (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
22/00053/DIS	South Lodge , Greaves Road, Lancaster Discharge of condition 3 on approved application 21/01186/FUL for Mrs Wendy Cardiff (Scotforth West Ward 2015 Ward)	Application Permitted
22/00054/DIS	Swarthdale Farm Stables, Swarthdale Road, Over Kellet Discharge of conditions 4, 5 and 6 on approved application 19/00820/FUL for Mr F Huddleston (Kellet Ward 2015 Ward)	Application Permitted
22/00059/DIS	Slyne With Hest Recreation Field, Hanging Green Lane, Hest Bank Discharge of conditions 3 and 6 on approved application 21/00408/FUL for Slyne With Hest Parish Council (Bolton And Slyne Ward 2015 Ward)	Application Permitted



LIST OF DELEGATED PLANNING DECISIONS

22/00060/DIS	Barnfield Farm, Tunstall Road, Tunstall Part discharge of condition 4 on approved application 21/00812/VCN for Mr and Mrs A Stephenson (Upper Lune Valley Ward 2015 Ward)	Application Permitted
22/00061/DIS	Banton Farmhouse, Chipping Lane, Dolphinholme Discharge of condition 3 on approved application 21/00136/LB for The Duchy of Lancaster (Ellel Ward 2015 Ward)	Application Permitted
22/00068/DIS	67 And 69 Slyne Road And Land To The Rear, Lancaster, Lancashire Discharge of condition 22 on approved application 21/00515/FUL for Mr Jake Whittaker (Skerton East Ward 2015 Ward)	Application Permitted
22/00102/FUL	Brookhouse Old Hall, Brookhouse Road, Brookhouse Installation of two Air Source Heat Pumps to the south elevation, installation of two electric vehicle charging points and associated external paving and lighting for Martin Horner (Lower Lune Valley Ward 2015 Ward)	Application Permitted
22/00103/LB	Brookhouse Old Hall, Brookhouse Road, Brookhouse Listed building application for the installation of two Air Source Heat Pumps and associated service runs to the south elevation, retention of fireplace in vestibule, relocation of a soil vent pipe, installation of bulkhead in first floor bedroom, works to partition walls, internal lining of internal wall, installation of insulation to walls, alterations to openings and associated external paving and lighting for Martin Horner (Lower Lune Valley Ward 2015 Ward)	Application Permitted
22/00124/FUL	Purbeck House, Farleton Old Road, Farleton Conversion of attached garage to habitable room, removal of garage door and installation of replacement window, removal of first floor window and installation of Juliet balcony to the front elevation, removal of existing porch roof and construction of replacement lean-to roof for Mr & Mrs Iian Lightfoot (Upper Lune Valley Ward 2015 Ward)	Application Permitted
22/00133/FUL	22 Oxcliffe Road, Heysham, Morecambe Construction of a dormer extension and rooflight to the front elevation for Terence Kipps And Sheila Freeman (Heysham Central Ward 2015 Ward)	Application Permitted
22/00136/FUL	Lower Barn, Littledale Road, Littledale Part retrospective application for the erection of an agricultural storage building and associated hardstanding, access track and alterations to land levels for Mr Andrew Riley (Lower Lune Valley Ward 2015 Ward)	Application Refused
22/00140/FUL	2 Lingard Gate, Main Street, Hornby Installation of replacement uPVC windows and doors to the south/east/west elevations and installation of new windows and rooflights to the east/west elevations for Jane Thomson and Ashley Errington (Upper Lune Valley Ward 2015 Ward)	Application Permitted
22/00152/FUL	2A Bay View Crescent, Slyne, Lancaster Erection of a single storey front extension for Mr Simon Knight (Bolton And Slyne Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

22/00156/FUL	Hazelwood, High Road, Halton Erection of a single storey front extension, single storey rear extension, two storey side extension, construction of hip to gable extensions, construction of a dormer extension to the rear elevation and installation of external steps to the rear for Mr & Mrs Hubbard (Halton-with-Aughton Ward 2015 Ward)	Application Withdrawn
22/00157/FUL	166 Lancaster Road, Carnforth, Lancashire Demolition of detached garage and erection of two storey side extension for Mr and Mrs Simpson (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
22/00164/FUL	Netherby, Aughton Road, Gressingham Alterations to land levels to create a lake for Mcguiness (Upper Lune Valley Ward 2015 Ward)	Application Refused
22/00171/FUL	32 Kingfisher Drive, Heysham, Morecambe Erection of a single storey rear extension for Mr & Mrs Darren Lees (Heysham South Ward 2015 Ward)	Application Permitted
22/00201/FUL	Land At, Doe Holme, Doeholme Rake Excavation and engineering works to create extension to existing pond for Mr Declan Hoare (Ellel Ward 2015 Ward)	Application Permitted
22/00221/FUL	Lower Kit Brow Farm, Kit Brow Lane, Ellel Demolition of an agricultural building for Mr Robert Rhodes (Ellel Ward 2015 Ward)	Application Permitted
22/00223/FUL	63 Canterbury Avenue, Lancaster, Lancashire Erection of a two storey side extension for Mr & Mrs I Kolev (John O'Gaunt Ward 2015 Ward)	Application Permitted
22/00225/FUL	3 Fenham Carr Lane, Lancaster, Lancashire Erection of single storey rear extension for Mr. & Mrs. Shaw (John O'Gaunt Ward 2015 Ward)	Application Permitted
22/00229/FUL	2 Pointer Grove, Halton, Lancaster Erection of a two storey side extension and single storey rear extension for Mr Dan Caton (Halton-with-Aughton Ward 2015 Ward)	Application Permitted
22/00249/FUL	8 Langdale Road, Morecambe, Lancashire Erection of a part single storey and part two storey rear extension, erection of a second storey side extension, construction of a hip to gable extension and construction of a dormer extension to the rear elevation for Mr Vedat Samiloglu (Bare Ward 2015 Ward)	Application Permitted
22/00258/FUL	7 Wagon Road, Dolphinholme, Lancaster Erection of a single storey rear extension for Mr C Newness (Ellel Ward 2015 Ward)	Application Permitted
22/00264/FUL	31 Spruce Avenue, Lancaster, Lancashire Installation of roof light to the rear elevation for Mr Simon Shipman (Scotforth West Ward 2015 Ward)	Application Permitted
22/00266/RCN	6 Quernmore Road, Caton, Lancaster Extension for Dining/Kitchen with 1st Floor Bedroom & Access (pursuant to the removal of condition 4 on planning permission 91/1287 which relates to means of enclosure) for Dr Josie Pearce (Lower Lune Valley Ward 2015 Ward)	Application Withdrawn

LIST OF DELEGATED PLANNING DECISIONS

22/00267/FUL	51 Regent Street, Lancaster, Lancashire Erection of a single storey rear extension for MR & MRS MADEN-WEINBERGER (Castle Ward 2015 Ward)	Application Permitted
22/00272/VCN	Highwood, Bay Horse Road, Quernmore Change of use of dwellinghouse (C3) to a children's care home (C2) (pursuant to the variation of conditions 2 and 4 on planning permission 20/01372/FUL to amend the surfacing of the car park area and to amend the phrasing of the specified occupancy criteria) for Mr P Watson (Lower Lune Valley Ward 2015 Ward)	Application Permitted
22/00278/FUL	7 Hatlex Drive, Hest Bank, Lancaster Erection of a single storey rear extension and a first floor front extension, construction of a raised roof and a dormer extension to the rear, construction of a raised decking area with balustrade, installation of external steps, installation of windows to all elevations, and a Juliet balcony to the side elevation for Mr and Mrs Wright (Bolton And Slyne Ward 2015 Ward)	Application Permitted
22/00283/FUL	St Peters Church Of England Primary School, School Road, Heysham Demolition of two existing storage sheds and erection of a single storey outbuilding for School Governors (Heysham Central Ward 2015 Ward)	Application Withdrawn
22/00301/VCN	Barn At Green Hill, Borwick Lane, Borwick Prior approval for the change of use of agricultural building into dwelling (C3) (pursuant to the variation of condition 1 on prior approval 21/00453/PAA to amend plans to include solar panels and rooflights) for Mr And Mrs Greenwood (Kellet Ward 2015 Ward)	Application Permitted
22/00302/FUL	Field South Of Halton Green House, Green Lane, Halton Creation of area of hardstanding, installation of cattle grid and erection of gate to southern boundary and construction of an internal driveway for Mr and Mrs Cadman (Halton-with-Aughton Ward 2015 Ward)	Application Refused
22/00303/ELDC	4 South Road, Lancaster, Lancashire Existing lawful development certificate for the existing and continued use of 4 South Road, Lancaster as an 8 person HMO (Sui Generis) for Mrs Brenda Darlington (Scotforth West Ward 2015 Ward)	Lawful Development Certificate Granted
22/00305/FUL	Ashton House Farm, Main Road, Slyne Installation of a replacement roof for Mrs Catherine Fish (Bolton And Slyne Ward 2015 Ward)	Application Permitted
22/00315/FUL	1 Beechfield , Westbourne Road, Lancaster Construction of dormer extensions to the front elevation, construction of terrace to the side, installation of new windows to the front, side and rear elevations and installation of solar panels on the south west (rear) facing roof for Mr and Mrs Marshall (Marsh Ward 2015 Ward)	Application Permitted
22/00328/FUL	13 Seymour Avenue, Heysham, Morecambe Erection of a front extension to existing garage to form utility area/garden room and construction of external steps for Mr.& Mrs. R. Harding (Heysham South Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

22/00330/FUL	59 Gringley Road, Morecambe, Lancashire Erection of a single storey rear extension and construction of a dormer extension to the front elevation for Mr.& Mrs. A. Cross-Rainford (Westgate Ward 2015 Ward)	Application Refused
22/00331/FUL	Flat 1, Farringford Court, 405 Marine Road East Construction of a replacement balcony to the rear for Mr.& Mrs. J. Smith (Poulton Ward 2015 Ward)	Application Permitted
22/00333/FUL	Crystal Ts , Victoria Street, Morecambe Construction of pitched roofs above ground floor entrance to front elevation, installation of enlarged windows to front and doors to front/rear elevations, installation of timber cladding and pitched roof detail to upper section of front elevation, and removal of render to expose original features for Mr Nick Smith (Poulton Ward 2015 Ward)	Application Permitted
22/00334/LB	Ashton House Farm, Main Road, Slyne Listed Building consent for the installation of a replacement roof for Mrs Catherine Fish (Bolton And Slyne Ward 2015 Ward)	Application Permitted
22/00339/FUL	Barn Adjacent To Hillam Farm, Hillam Lane, Cockerham Change of use of agricultural barn into two dwellings with associated parking and gardens and installation of a package treatment plant for Bobby Gardner (Ellel Ward 2015 Ward)	Application Permitted
22/00345/FUL	39 Low Lane, Morecambe, Lancashire Erection of a single storey side/rear extension with associated steps to the side elevation for Mr & Mrs Whiddington (Torrisholme Ward 2015 Ward)	Application Permitted
22/00350/LB	Ellel Hall, Ellel Hall Gardens, Galgate Listed building application for works to internal walls and excavation of land to form a subterranean extension to the front elevation for Mr & Mrs Smith & Hewitt-Smith (Ellel Ward 2015 Ward)	Application Permitted
22/00351/FUL	Land Rear Of Cemetery, Back Lane, Carnforth Erection of one detached dwelling (C3) with associated access, alterations to boundary wall, and alterations to existing watercourse for Mr Graham Wallbank (Carnforth And Millhead Ward 2015 Ward)	Application Refused
22/00361/FUL	8 Ashmeadow Road, Nether Kellet, Carnforth Erection of a single storey side extension, construction of external steps to the front and rear, installation of cladding to the front elevation, installation of new windows and doors and Juliet balconies to the front and rear elevations for Mr Eamon Howard (Kellet Ward 2015 Ward)	Application Permitted
22/00365/FUL	42 Walker Grove, Heysham, Morecambe Construction of a raised roof to create first floor accommodation, including a dormer extension to the side elevation and erection of a two storey rear extension for Mr J. Watson (Heysham South Ward 2015 Ward)	Application Permitted

## LIST OF DELEGATED PLANNING DECISIONS

22/00374/VCN	Ellel Hall, Ellel Hall Gardens, Galgate Excavation of land to form a subterranean extension to the front elevation (pursuant to the variation of condition 2 on planning permission 21/00402/FUL to include a rooflight and amend the internal floor layout) for Mr&Mrs Smith & Hewitt-Smith (Ellel Ward 2015 Ward)	Application Permitted
22/00379/VCN	Land East Of 61 Stankelt Road, Silverdale, Carnforth Demolition of existing garage and erection of a detached dwelling (C3) with associated driveway and landscaping, erection of a garden shed, and installation of drainage infrastructure (pursuant to the variation of condition 2 and 4 on planning permission 21/01277/FUL to amend the plans and roof materials) for Ripley (Silverdale Ward 2015 Ward)	Application Permitted
22/00380/FUL	The Snab, Aughton Road, Gressingham Installation of two ground mounted solar arrays for Mr Ivan Sedgwick (Upper Lune Valley Ward 2015 Ward)	Application Permitted
22/00401/FUL	Fleets Farm, Fleet Lane, Gressingham Erection of a field shelter and excavation of land to form storage area underneath for Mr Leonard Metcalfe (Upper Lune Valley Ward 2015 Ward)	Application Withdrawn
22/00403/FUL	Wm Morrison Supermarkets Plc, Hilmore Way, Morecambe Siting of a retail pod for Wm Morrison Supermarkets (Harbour Ward 2015 Ward)	Application Permitted
22/00405/ADV	Wm Morrison Supermarkets Plc, Hilmore Way, Morecambe Advertisement application for the display of four non-illuminated fascia signs for Wm Morrison Supermarkets (Harbour Ward 2015 Ward)	Application Permitted
22/00408/CU	Manor House Farm, Manor House Road, Farleton Change of use of dwelling (C3) to children's home (C2) for Mr Alex Nuttall (Upper Lune Valley Ward 2015 Ward)	Application Withdrawn
22/00411/FUL	9 Clarksfield Road, Bolton Le Sands, Carnforth Construction of a raised roof over existing two storey side extension, conversion of garage into habitable room, alterations to land levels including the installation of new external steps at the rear and erection of a single storey outbuilding to the side for Mr and Mrs Evans (Bolton And Slyne Ward 2015 Ward)	Application Permitted
22/00424/FUL	9 Caton Green Road, Brookhouse, Lancaster Erection of a first floor side extension over existing garage with juliet balcony to the rear, construction of two pergolas to the rear, extension of raised patio with associated steps, and the installation of solar panels to the south side elevation for Mr and Mrs Richard Mews (Lower Lune Valley Ward 2015 Ward)	Application Permitted
22/00427/FUL	74 Hornby Road, Caton, Lancaster Erection of a single storey rear extension for Kath Southworth (Lower Lune Valley Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

22/00431/VCN	Wennington Institute, Bentham Road, Wennington Change of use and conversion of the existing village hall to a residential dwelling (C3) including alterations to existing openings, the insertion of new openings and changes to the roof arrangement to provide first floor accommodation, together with an associated access and installation of package treatment plant (pursuant to the variation of condition 2 on planning permission 20/00812/FUL to amend plans in respect of the formation of a single garage in place of study and ground floor front bedroom to dual role as bedroom/office and study) for MR M Chapman (Upper Lune Valley Ward 2015 Ward)	Application Permitted
22/00433/PLDC	11 Artlebeck Road, Caton, Lancaster Proposed Lawful Development Certificate for the installation of rooflights for Mr & Mrs C & P Harrison (Lower Lune Valley Ward 2015 Ward)	Lawful Development Certificate Granted
22/00435/FUL	8 St Patricks Walk, Heysham, Morecambe Demolition of existing side and rear extensions, erection of single storey side and rear extension and installation of new window to the rear elevation for Miss J. Broadley (Heysham Central Ward 2015 Ward)	Application Permitted
22/00440/PAH	34 Derwent Road, Lancaster, Lancashire Erection of 5.00 metre deep, single storey rear extension with a maximum roof height of 3.10 metres and a maximum eaves heights of 2.80 metres for Mr Ben Smith (Bulk Ward 2015 Ward)	Prior Approval Not Required
22/00444/PAM	Car Park At Farm Gate Vets, Lancaster Farmers Auction Mart, Wyresdale Road Prior approval for the installation of a 25 metre monopole telecommunications mast to support 6 apertures, 4 dishes, and ancillary ground level equipment and erection of 2.4m high palisade boundary fencing for MBNL (EE (UK) Ltd And H3G (UK) Ltd) (John O'Gaunt Ward 2015 Ward)	Prior Approval Refused
22/00447/PLDC	45 Vernon Crescent, Galgate, Lancaster Proposed lawful development certificate for the erection of a single storey side extension for Mr.& Mrs. D. Sandiford (Ellel Ward 2015 Ward)	Lawful Development Certificate Granted
22/00448/FUL	254 Heysham Road, Heysham, Morecambe Demolition of existing store and erection of a single storey rear extension for Mr.& Mrs. E. Parkinson (Heysham Central Ward 2015 Ward)	Application Permitted
22/00456/PLDC	15 Barley Cop Lane, Lancaster, Lancashire Proposed lawful development for the erection of a single storey extension to the rear elevation for Mr.& Mrs. S. Trafford (Skerton East Ward 2015 Ward)	Lawful Development Certificate Granted
22/00464/HLDC	Moore And Smalley, Lonsdale And Partners, Priory Close Certificate of Lawfulness for proposed works to a Listed Building for the repair and redecoration of cast iron rainwater pipes and soil pipes, repairs to slates, replacement of felt roof covering to small flat roof area and repair and rebuild small stone buttress to the right elevation for Ms Jo Davies (Castle Ward 2015 Ward)	Lawful Development Certificate Granted

LIST OF DELEGATED PLANNING DECISIONS

22/00465/FUL	34 Mayfield Drive, Morecambe, Lancashire Demolition of existing conservatory and erection of a single story rear and side extension for Mr & Mrs Tim Cross (Bare Ward 2015 Ward)	Application Permitted
22/00470/NMA	Land To The South Of Lawsons Bridge Site, Scotforth Road, Lancaster Non material amendment to planning permission 19/00332/OUT to amend condition 10 to remove the requirement for the development to be carried out in accordance with the submitted and approved Arboricultural Implications Assessment (AIA) and for a new AIA to be provided with anu subsequent full planning application or application for reserved matters approval for Northstone Developments Ltd. (Scotforth West Ward 2015 Ward)	Application Refused
22/00471/FUL	Silverdale Village Institute, Spring Bank, Silverdale Erection of a detached storage unit for Mr Terry Bond (Silverdale Ward 2015 Ward)	Application Withdrawn
22/00475/FUL	Scotforth St Pauls C Of E Primary And Nursery School , Scotforth Road, Lancaster Erection of a single storey extension to the main entrance, construction of a canopy to the side, installation of bi-fold doors, installation of a balustrade and erection of a fence for Mr Josh Alty (Scotforth West Ward 2015 Ward)	Application Permitted
22/00488/PAH	4 Brentlea Avenue, Heysham, Morecambe Erection of a 5.9m deep, single storey rear extension with a maximum roof height of 3.5m and a maximum eaves height of 2.95m for Mr H Pearson (Heysham South Ward 2015 Ward)	Prior Approval Refused
22/00489/FUL	54 Sandylands Promenade, Heysham, Morecambe Construction of a dormer extension to the front elevation, installation of rooflights to front and rear elevations, installation of solar panels to rear eleavtion, and installation of cladding to rear elevation for Mr David Hewitt (Heysham North Ward 2015 Ward)	Application Permitted
22/00500/FUL	Land Adjacent Fell View, Littlefell Lane, Lancaster Retrospective application for the retention of tracks, hardstanding areas and freestanding solar panels for Mr & Mrs Gardner (University And Scotforth Rural Ward)	Application Refused
22/00505/PAH	9 Michaelson Avenue, Morecambe, Lancashire Erection of a 2 metre deep, to create an overall 5.71 metre deep single storey rear extension with a maximum roof height of 2.80 metres and a maximum eaves height of 2.80 metres for Mr & Mrs Brodie (Torrisholme Ward 2015 Ward)	Prior Approval Refused
22/00506/PAH	3 Hadrian Road, Morecambe, Lancashire Erection of a 8.00 metre deep, single storey rear extension with a maximum roof height of 2.81 metres and a maximum eaves heights of 2.31 metres for Mr David Reay (Torrisholme Ward 2015 Ward)	Prior Approval Not Required
22/00513/EIR	Little Wood, Blackwood End Farm, Bay Horse Road Screening request for the removal of caravan and ancillary buildings and erection of a dwelling (C3) for Ms Joanne Whitaker (Lower Lune Valley Ward 2015 Ward)	ES Not Required

LIST OF DELEGATED PLANNING DECISIONS

22/00514/PAH	5 Lymm Avenue, Lancaster, Lancashire Erection of a 5.9 metre deep, single storey rear extension with a maximum roof height of 4 metres and a maximum eaves heights of 2.85 metres for Mr S Perkins (Skerton West Ward 2015 Ward)	Prior Approval Not Required
22/00516/NMA	Old Hall Farm, Kirkby Lonsdale Road, Over Kellet Non-material amendment to planning permission 20/00405/REM for changes to plots 1,3,4,5,11,12,13,15,16,17,18,23,25,44,45,47,49,50,51,52,53,54,55 to substitute house types and adjust plot boundaries for Oakmere Homes (Northwest) Limited (Kellet Ward 2015 Ward)	Application Permitted
22/00517/FUL	71 Chequers Avenue, Lancaster, Lancashire Construction of a dormer extension to the front elevation for Miss S. Naz (John O'Gaunt Ward 2015 Ward)	Application Permitted
22/00518/FUL	Lancashire Fire And Rescue Service, Fire Station, Bye-pass Road Erection of a new alerter mast for Clare Hedingham (Bolton And Slyne Ward 2015 Ward)	Application Permitted
22/00525/PLDC	25 Morecambe Road, Morecambe, Lancashire Construction of a hip to gable extension and construction of a dormer extension to the rear elevation for Mr. D. Bould (Torrisholme Ward 2015 Ward)	Lawful Development Certificate Granted
22/00527/FUL	103 Twemlow Parade, Heysham, Morecambe Erection of a two storey rear extension and construction of a replacement balcony to the rear for Mr G. Moore (Heysham Central Ward 2015 Ward)	Application Permitted
22/00534/AD	Aikengill, Aikengill Road, Tatham Agricultural determination for the erection of a multi-purpose agricultural building for Mr Stephen Harrison (Lower Lune Valley Ward 2015 Ward)	Prior Approval Refused
22/00548/FUL	11 Norwood Drive, Morecambe, Lancashire Erection of a single storey rear extension for Mr & Miss G & H Hellier & Curwen (Torrisholme Ward 2015 Ward)	Application Permitted
22/00554/PAH	17 Clevelands Avenue, Morecambe, Lancashire Erection of a 4.68 metre deep, single storey rear extension with a maximum roof height of 3.42 metres and a maximum eaves heights of 2.93 metres for Mr Gregory (Harbour Ward 2015 Ward)	Prior Approval Not Required
22/00563/PLDC	1 Bellamy Avenue, Morecambe, Lancashire Proposed lawful development certificate for the erection of a single storey rear extension for Mr S. Hamer (Harbour Ward 2015 Ward)	Lawful Development Certificate Granted
22/00569/PLDC	35 Rossall Road, Lancaster, Lancashire Proposed lawful development certificate for erection of single storey side extension for Mr D. Powell (Skerton West Ward 2015 Ward)	Application Permitted
22/00589/PLDC	13 Langdale Road, Lancaster, Lancashire Proposed lawful development certificate for erection of single storey rear extension for Mr. & Mrs. K. Gifford (Bulk Ward 2015 Ward)	Application Permitted



LIST OF DELEGATED PLANNING DECISIONS

22/00591/PLDC	178 Torrisholme Road, Lancaster, Lancashire Proposed lawful development certificate for the erection of a single storey rear extension for Mr D. Cochrane (Skerton West Ward 2015 Ward)	Application Permitted
22/00593/EIR	Gibsons Farm, Bay Horse Road, Quernmore Screening opinion for extension of existing slurry lagoon for Mr Richard Gibson (Lower Lune Valley Ward 2015 Ward)	ES Not Required
22/00603/NMA	Fairfield Millenium Orchard, Sunnyside Lane, Lancaster Non-material amendment to planning permission 12/00678/FUL to alter the roof covering for H. Short (Marsh Ward 2015 Ward)	Application Withdrawn
22/00617/AD	Field West Of, Woodlands View, Over Kellet Agricultural determination for alterations to existing field access for Mr Mark Drinkall (Kellet Ward 2015 Ward)	Application Withdrawn
22/00672/EIR	Lower Barn, Littledale Road, Littledale Screening opinion for part retrospective application for the erection of an agricultural storage building and associated hardstanding, access track and alterations to land levels for Mr Andrew Riley (Lower Lune Valley Ward 2015 Ward)	ES Not Required