



Committee: PLANNING REGULATORY COMMITTEE

Date: MONDAY, 25 MARCH 2024

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 26th February 2024 (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	A5 23/00793/FUL	5 - 11 Brock Street Lancaster Lancashire LA1 1UR	Castle Ward	(Pages 6 - 18)
		Conversion of retail and storage building (E) into ground floor retail unit (E) and student accommodation (Sui Generis) to first, second, third and fourth floors comprising of four cluster flats and 20 studio flats with construction of dormer roof extensions to front and rear elevations.		
6	A6 23/01380/FUL	95 Main Road Bolton Le Sands Carnforth Lancashire	Bolton and Slyne	(Pages 19 - 27)
		Proposal Part retrospective application for change of use of former public house to 2 dwellings and erection of 1 dwelling on former car park, construction of boundary walls and creation of associated car parking.		
7	A7 Associated with 23/01380/FUL	95 Main Road Bolton Le Sands Carnforth Lancashire LA5 8EQ	Bolton and Slyne	(Pages 28 - 30)
		To permanently divert a Public Footpath reference: BW0106023 in Bolton Le Sands to enable the implementation of residential		

development pursuant to the proposals set out in application 23/01380/FUL for change of use of former public house to 2 dwellings and erection of 1 dwelling on former car park, construction of boundary walls and creation of associated car parking.

8	A8 23/01296/LB	95 Main Road Bolton Le Sands Carnforth Lancashire	Bolton and Slyne	(Pages 31 - 35)
		Listed building application for the demolition of existing side and rear extensions and slated roof, erection of single storey rear extension and two storey side extension, alterations to openings, installation of new windows/doors, removal of toilets/bar/fixed seating, installation of partition walls, erection of new and raising of existing boundary walls.		
9	A9 23/01283/FUL	Land South Of The Bungalow Westcliffe Drive Morecambe Lancashire	Westgate	(Pages 36 - 40)
		Erection of a storage building (B8) and construction of a boundary wall.		
10	A10 Associated with 23/01283/FUL	Land South Of The Bungalow Westcliffe Drive Morecambe Lancashire LA3 3NP	Westgate	(Pages 41 - 43)
		Proposal To permanently divert a Public Footpath reference: FP0102023 in Morecambe to enable the implementation of development pursuant to the proposals set out in application 23/01283/FUL for the erection of a storage building (B8) and construction of a boundary wall.		
11	A11 23/01441/FUL	87 King Street Lancaster Lancashire LA1 1RH	Castle Ward	(Pages 44 - 50)
		Proposal Change of use of an existing office building (Class E) into 4 self-contained flats (C3), installation of roof lights, alterations to window/door openings and replacement windows to all elevations, a new stone window head to the front elevation,		

installation of vents to the side and the roof, new rainwater goods and change of use of part of adjacent car park to site bin store.

- 12 A12 [23/01442/LB](#) **87 King Street Lancaster
Lancashire LA1 1RH** **Castle
Ward** **(Pages 51 -
54)**

Proposal Listed building application for alterations to window/door openings, installation of two upper floor windows to the side elevation and replacement windows to all elevations, a new stone window head to the front elevation, installation of vents to the side and to roof, new rainwater goods, fixing of timber boarding to boundary wall, removal and construction of internal partition walls and installation of new ceiling to basement and drop ceilings to ground, first and second floor.

- 13 A13 [24/00088/FUL](#) **Abbeyfield House 78 Beech Road
Halton Lancaster** **Halton-with-
Aughton
and Kellet
Ward** **(Pages 55 -
60)**

Change of use of dwellinghouse (C3) to housing co-operative (Sui Generis) installation of solar panels to the south facing roof slope, air source heat pump (2 no. units) to the west facing elevation and reconfiguration of parking.

- 14 **Delegated List (Pages 61 - 71)**

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Sandra Thornberry (Chair), Claire Cozler (Vice-Chair), Louise Belcher,
Dave Brookes, Keith Budden, Roger Dennison, Martin Gawith, Alan Greenwell,
John Hanson, Jack Lenox, Sally Maddocks, Joyce Pritchard, Robert Redfern,
Sue Tyldesley and Paul Tynan

(ii) Substitute Membership

Councillors Mandy Bannon (Substitute), Martin Bottoms (Substitute), Phil Bradley
(Substitute), Tom Fish (Substitute), Paul Hart (Substitute), Colin Hartley (Substitute) and
Paul Newton (Substitute)

(iii) Queries regarding this Agenda

Please contact Eric Marsden - Democratic Support: email emarsden@lancaster.gov.uk.

(iv) Changes to Membership, substitutions or apologies

Please contact Democratic Support, telephone 582000, or alternatively email democracy@lancaster.gov.uk.

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

Published on 12th March 2024.

Agenda Item	A5
Application Number	23/00793/FUL
Proposal	Conversion of retail and storage building (E) into ground floor retail unit (E) and student accommodation (Sui Generis) to first, second, third and fourth floors comprising of four cluster flats and 20 studio flats with construction of dormer roof extensions to front and rear elevations
Application site	5 - 11 Brock Street Lancaster Lancashire LA1 1UR
Applicant	Mr Inayat Munshi
Agent	Mr David Morse
Case Officer	Mr Andrew Clement
Departure	None
Summary of Recommendation	Approval

1.0 Application Site and Setting

- 1.1 The application site is located in the heart of Lancaster City Centre at the junction of Brock Street and Mary Street. The site is the former Oddfellows Hall, built in 1844 as a meeting room with terraced back-to-back residential accommodation below. The building is not listed, but is considered to be a non-designated heritage asset of local heritage importance, and lies within the nationally designated heritage asset of Lancaster Conservation Area, making a positive contribution to this wider heritage area (Character Area 3 – City Centre). The building is stone built under a gabled slate roof, and is four storeys in height. The building has random coursed stone to the Brock Street elevation, with a more formal ashlar gable elevation to Mary Street including a pediment to the upper gable, more ornate window surrounds, horizontal banding to the third floor, corner quoins and a date stone. The building is currently in a poor condition, disused for approximately a decade.
- 1.2 The ground and first floor of the premises were last used as a retail shop, specifically a bedroom showroom, with the remaining upper floor space used for informal storage in connection with the retail unit. Externally, the retail unit had an oversized fascia above a shop frontage running along both the Brock Street and Mary Street elevations, although these have been boarded up for a number of years, and more recently removed. To the west of the building is a three-storey property used as retail unit terminating with a bank on the corner of Penny Street. A narrow alley runs along the rear of the building, which serves the application site and several adjacent units to the west as a footpath right of way and fire escape route. To the north of the building and this alley is a long established restaurant, with a takeaway on the opposite eastern side of Mary Street. Opposite on the south side of Brock Street is a dentist, nightclub, retail and other city centre uses in the vicinity.
- 1.3 The site is within an Article 4 Directive, removing permitted development rights for conversions to small housing in multiple occupancy (HMO) uses from residential (Use Class C3) uses, and regulation 7 directive relating to control the display of 'To Let' signs. The surrounding streets are within parking permit zones, on an aspirational cycle route along Brock Street, with existing cycle

routes in the immediate vicinity. The site is close to public open space in Dalton Square, just beyond the air quality management area along the Lancaster gyratory road, within a smoke control area. The site is covered by a medium groundwater flood risk, with surrounding streets at low (1in1000 year event) risk of surface water flooding. The site is within the impact risk zone for impact from residential development upon Morecambe Bay Special Area of Conservation (SAC), Special Protection Area (SPA), Ramsar site and the Lune Estuary Site of Special Scientific Interest (SSSI). The site is within Lancaster City Centre primary shopping area, but along a secondary retail frontage, part of the wider central Lancaster regeneration priority area.

2.0 Proposal

2.1 The application seeks to redevelop/restore the entire former Oddfellows Hall building. The proposals will change the use of the upper floors of the building into student accommodation, comprising 19 student studios and 4x 4-bed cluster flats, introducing a new floor within the upper floor open hall plus the creation of an additional floor within the roof space through mansard dormer extensions to the front and rear roof pitches. The upper floors will be accessed via a new entrance, reinstating the location and design of an original opening centrally on the Mary Street gable frontage. Two windows are to be reintroduced either side of the door to the Mary Street elevation, albeit with walls behind rather than clear glazed windows. New windows are to be reintroduced and extended to upper floors to ensure outlook and natural light to proposed student accommodation, with the taller top floor windows split internally to serve both the second and third floor residential uses. The dormers to facilitate the fourth-floor student accommodation is to be finished in grey aluminium cladding, with aluminium framed windows to these dormers directly inline above the windows below.

2.2 The ground floor will remain primarily as a single large retail unit (Use Class E) with part of the northeast section of the building to provide a staircase and lift to serve the upper floor proposed student accommodation. Access doors to the rear are to be retained and provide access to the rear alley and for fire escape to the ground floor retail unit only, and as a refuse and bike storage area for both the retail unit and the upper floor accommodation. The oversized fascia has been removed, with a new timber shop frontage is proposed, which incorporates reduced fascia exposing the cills to the first-floor windows, and column feature evenly spaces across the frontage and fascia. The shop frontage would reintroduce an active street elevation through large grey powder-coated aluminium framed glazing unit between columns.

2.3 Internally, the proposal seeks to redevelop and reintroduce circa 230sq.m of commercial (Use Class E) ground floor space. There are 4 studios to the first floor, with a communal lounge for studios, with all other upper floors providing 5 studios within each floor, and every floor including a 4-bed cluster flat, all for student occupation. The proposed studio units are all wholly self-contained, comprising a living area including a bed space, kitchen, dining area and study area with en-suite bathroom. The accessed via a central corridor leading form the communal stairwell and lift. The floor area of the studios vary from just over 19sq.m to 28.3sq.m, and have access to a 25.3sq.m first floor communal area. The proposed cluster flats are at the far end of the corridors, with en-suite bedrooms measuring at least 12.5sq.m, and communal lounges for the cluster flats just under 18sq.m to just over 21sq.m.

3.0 Site History

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

Application Number	Proposal	Decision
20/00063/ADV	Advertisement application for the display of three non-illuminated hoarding panels	Permitted
14/00961/CU	Change of use of upper floors from retail and storage to student accommodation comprising 35 studio apartments, creation of a fourth floor with alterations to the roof including new dormer windows to the front and rear, alterations to fenestration and installation of new retail frontages on the ground floor	Permitted
07/01008/FUL	Replacement shop front and windows at first floor level	Refused

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objection , subject to construction management plan (including hours of construction), provision of cycle store, a scheme for footway improvements, and survey of impact of construction on existing pavements.
Environmental Health	No objection , subject to a scheme for dust control, full details of proposed ventilation, and unforeseen contamination planning conditions.
Strategic Housing	No observation received
Planning Policy	HMO density 53% within 100 metres
Fire Safety Officer	No observation received
Lancashire Constabulary	No objection , advice regarding secure by design principles
Conservation Section	Unable to support the original submission , as whilst bringing the building back into use is clearly a positive aspect of the scheme, the form and appearance of the building would suffer in the process. Elongation of windows would cause harm, remaining chimney should be retained. Originally proposed shop front and mansard dormers to horizontal in emphasis, overall causing a medium level of harm to the conservation area that lacks clear and convincing justification.
Archaeology	Concern with submitted building record and heritage statement deficient, harm from loss of internal features (wall stubs, roof structure) and further lengthened of windows to the second floor, although previously lengthened to south elevation likely reflecting its secondary use as a place of entertainment. The provision of large-block ashlar framing around them increases their significance and echoes the ashlar work of the east gable. The details of works to Mary Street elevation are not of sufficient quality to reflect the former status of this end of the building. Insertion of the new floor, mansard and dormers would have a significant negative impact that is not matched by the small improvements made to the scheme so far. Recommend planning condition for a full formal building record to level 3 as set out in "Understanding Historic Buildings"
NHS	No objection , unless £11,016 contribution provided to new infrastructure at Lancaster Medical Practice. Objection if not paid.
County Strategic Planning	No observation received
Natural England	No objection , subject to ecological homeowner pack mitigation measure controlled through planning condition.
University Of Cumbria Accommodation	No observation received
Public Realm	No objection , subject to contributions of £2,378 and £4,200 to Dalton Square and Williamsons Park for improved access and surfacing projects.
LUSU Housing	No observation received
Lancaster University	Concern regarding lack of social space and size of dining areas. Adequate air quality, noise mitigation, and fire safety should be provided, and recommend adherence to LU Homes remit.
Lancaster Civic Society	Support , but would strongly oppose rendering to gable elevation onto Mary Street, and would like to see refurbishments carried out promptly.
Engineering Team	No observation received
Waste And Recycling	3 x 1100 Euro bins for General Refuse 8 x 360L wheelie bins for recycling (4 x Glass,tins,plastics, 4 x Paper/Cardboard) In a well illuminated area
County Active Travel	No observation received

4.2 **Two objections** have been received from members of the public, raising the following concerns:-

- Dormers would significantly damage the aesthetic of this heritage asset, poor design

- Poor outlook from proposed studios
- Lack of accessible student accommodation
- No amenity space to studios
- Windows should not be blocked up
- Overdevelopment to the detriment of amenity and heritage assets
- Deficient bin storage
- Bins and bike store would obstruct fire escape route and right of way to neighbouring properties through rear alleyway.

5.0 Analysis

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

- Principle of development
- Design, scale and streetscene impact upon heritage assets
- Residential amenity, noise, pollution and security
- Accessibility, transport and waste
- Energy efficiency, employment and skills
- Ecology, flood risk and drainage
- Open space and contributions

5.2 **Principle of development (Development Management DPD Policies DM7 (Purpose Built Accommodation for Students), DM13 (Residential Conversions), DM16 (Town Centre Development), Strategic Policies and Land Allocations DPD Policies SP1 (Presumption in Favour of Sustainable Development), SP2 (Lancaster District Settlement Hierarchy), SG4 (Lancaster City Centre), EC5 (Regeneration Priority Areas), Residential Conversions and Houses in Multiple Occupation SPD, National Planning Policy Framework Section 2. (Achieving sustainable development), Section 4. (Decision-making), Section 5. (Delivering a sufficient supply of homes), Section 6. (Building a strong, competitive economy), Section 7. (Ensuring the vitality of town centres), Section 11. (Making effective use of land)**

5.2.1 The application site has been unused for circa a decade, progressively falling into a dilapidated state, within the long-standing regeneration priority area of central Lancaster. Whilst the building itself falls short of being listed as a nationally heritage asset, it is clearly of local heritage importance, contributing positively to the wider Conservation Area in a prominent location of the city centre, with large degree of pedestrian and public transport traffic. Whilst a similar redevelopment to the current proposal has been granted previously in 2014, this permission expired due to lack of commencement within the stipulated timeframes on the decision notice, resulting in the continuing deterioration of the condition and appearance of the building. The regeneration priority area for Lancaster central seeks to enhance the visual, historic and cultural environment within the city centre.

5.2.2 The principle of renovated and reusing the building is considered to align with the regeneration aspirations of the wider area, reintroducing a main town centre usage to a prominent frontage within the city centre, and reestablishing an active frontage along the entire Brock Street ground floor elevation of the property. This would stimulate economic activity within the building itself, and instil greater confidence in the wider commercial area to see a prominent large unit reoccupied for a commercial/retail usage. The proposal would benefit the vibrancy and vitality of the city centre, making effective use of the site and upper floors by ensuring this space above ground floor level is well used for student residential use, which is encouraged above shops in secondary frontage areas such as this.

5.2.3 Student accommodation comprises an important component of the district's housing market, and contributes towards the Council's housing supply. Currently, the Council cannot demonstrate a 5-year land supply, with only 2.4 years supply of deliverable housing. Policies relating to the provision of student accommodation direct this to such city centre locations, or on campus. Provision of such accommodation directly within the city centre ensures accessibility to public transport and local services, helping to increase activity and custom in the commercial centre. The consequences of not having a 5-year housing supply means paragraph 11d of the NPPF is engaged ("the presumption

in favour of sustainable development’) unless policies in the Framework that protect areas or assets of particular importance (including heritage impacts) provides a clear reason for refusing the development; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessment against the policies in the Framework taken as a whole.

- 5.2.4 There is a general presumption against new housing in multiple occupancy (HMO) within the district, with an Article 4 direction to manage this provision through removing permitted development rights for such uses converted from dwellinghouses to HMO. This presumption is due to the importance and prioritising the maintenance of an appropriate housing mix and safeguarding the character of residential area. There are exceptional circumstances, to justify such circumstance where the proposal for HMO accommodation could be supported, and then additional criteria with DM DPD policy DM13 to minimise noise and disturbance, storage for refuse and cycles, not harm character of built form, avoid unacceptable parking and not create sub-standard living conditions.
- 5.2.5 The proposal is located within Lancaster city centre, with the proposed cluster flat HMO accommodation accessed at the far end of corridors, beyond proposed student studio accommodation. Whilst an entirely student studio alternative has been discussed, it is understood the proposed would require a second stairwell to facilitate this due to corridor distances, which is why the end cluster flats have been proposed. Whilst these could be rented open market, given the location of the development within the heart of the city centre, and sharing an access with predominantly student studios within the proposal, the location and layout would not be conducive to open market or family occupation as 4-bed apartments. The associated Residential Conversions and Houses in Multiple Occupation SPD details exceptional circumstances of struggling to sell premises within high density HMO area as suitable reason to allow further HMO.
- 5.2.6 The density of HMO’s within 100 metres of the site is just over 50%. Whilst no marketing has been undertaken for the proposed cluster flats, it is clear that the location and provision sharing access with the proposed student studios would be prohibitive to letting these cluster flats open market as 4-bed apartments, as opposed to HMO occupation. Issues of noise, amenity and provision will be assessed in following sections of this report. However, the character of the area is primarily commercial, and as such the proposed HMO would safeguard residential areas by being located outside of a residential area, where such occupation and concentrations of HMO would be far more noticeable and have greater impact upon housing mix than in such a city centre. The alternative for an entire student studio scheme would have no change upon character compared to the proposed inclusion of HMO cluster flats, but would necessitate a more convoluted access and development arrangement, having to provide additional stairwell and access. Furthermore, providing HMO cluster flats as part of a wider student accommodation conversion within such a city centre location would provide a greater variety of accommodation offer, to accommodate a broader demographic and budget level of students, and has the potential to modestly reduce demand for such accommodation in residential locations. As such, providing HMO student accommodation in the city centre, away from residential areas, as part of a wider student accommodation offer, is considered to be suitable in this instance, and meets exceptional circumstance. This is subject to achieving the criteria stipulated in policy DM13, assessed in following sections of this report.
- 5.2.7 Given the proposal relates to the conversion and extension of a local heritage asset within a national heritage asset area and regeneration priority area within the city centre, provision of a large prominent retail use at ground floor with student accommodation above is considered to be appropriate at the site. This should be delivered to an appropriate high standard of finish at this prominent and sensitive heritage site. Such matters will be assessed in the following section of this report, however the principle of the proposal is considered to be acceptable and policy compliant. The provision of student residential accommodation above the reintroduced commercial space covering the majority of the ground floor, and associated social and economic benefits of this, weigh moderately in favour of the proposal, with significant weight given to residential accommodation within the district. The proposal is considered to comply with the regeneration aspirations for Lancaster city centre.

5.3 **Design, scale and streetscene impact upon heritage assets** Development Management DPD Policies DM29 (Key Design Principles), DM38 (Development affecting Conservation Areas), DM39 (The Setting of Designated Heritage Assets), DM41 (Development Affecting Non-Heritage Assets or their settings), DM42 (Archaeology), DM46 (Development and Landscape Impact), and DM57 (Health and Wellbeing), Strategic Policies and Land Allocations DPD Policy SP7 (Maintaining

- 5.3.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed building, a Conservation Area or their setting, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the heritage asset or its setting. This is reiterated by policies DM37 and DM38. DM38 sets out that development within Conservation Areas will only be permitted where it has been demonstrated that:
- Proposals respect the character of the surrounding built form and its wider setting in terms of design, siting, scale, massing, height and the materials used; and,
 - Proposals will not result in the loss or alteration of features which contribute to the special character of the building and area; and,
 - Proposed uses are sympathetic and appropriate to the character of the existing building and will not result in any detrimental impact on the visual amenity and wider setting of the Conservation Area.
- 5.3.2 The application site is not a listed building, but is a heritage asset of local importance (non-designated heritage asset NDHA), which positively contributes towards the national heritage asset of Lancaster Conservation Area. The Oddfellows Hall dates from 1844, and originally consisted of two storey cottages, which were arranged back-to-back, with the hall above this on the upper floor. Designed in classical style in ashlar and dressed stone, it retains a fine east gable facing Mary Street, with stone coping, three upstairs sash windows and stone plaque with "Hall 1844", the "Oddfellow's" element having previously been removed. There is evidence of a simple portico entrance to the building in the centre of this elevation, since replaced with a modern shop frontage and more recently blocked up.
- 5.3.3 Such local heritage assets have less protection than those that are nationally designated, and policy does not attach great weight to such impacts, but weighs this within the overall planning balance, in accordance with NPPF paragraph 203. The effect of a proposal on the significance of a non-designated heritage asset will be taken into account, and in weighing proposals a balanced judgement should be made having regard to the scale of any harm or loss and the significance of the heritage asset. The Conservation Area is a national heritage asset, and any loss of harm to this designated area should require clear and convincing justification, with great weight given to the assets conservation. There are nationally designated listed buildings in the vicinity, with Grade II of 42 Penny Street and 18 Brock Street within 50 metres, and further afield Grade II and II* listed buildings around Dalton Square.
- 5.3.4 In terms of impact, the effect of the proposed alterations through the changes to the windows and the addition of dormers would cause harm to the architectural character of the Hall. Amended plans have been received, reducing the level of harm generated by the proposed dormers through improved design, materials and addressing issues of overt horizontal emphasis. The amended mansard dormer design has improved the relationship with the existing architecture, aligning with openings beneath, which is less intrusive and introduces some skyline interest through the architectural merit of these amendments. Whilst the impact on the traditional pitched roof form of the building causes harm, this is minimised through the amended design. The recently revised NPPF seeks to allow mansard roof extensions to suitable properties, and whilst such roof forms are not prevalent in Lancaster, and were not in 1844, there are several examples in the city centre and within Lancaster Conservation Area. As such, this extension on this property would not appear conspicuous or incongruent, particularly given the height of the existing building and tight urban grain focusing views from closer and lower perspectives, rather than broader vistas. With the amendments submitted, this intervention would cause a moderate level of less than substantial harm to the NDHA, and much more limited harm upon the wider Conservation Area and its significance.
- 5.3.5 Other interventions to upper floors includes windows to serve the proposed student accommodation. The tall, and previously elongated, windows to the top floor hall south elevation facing Brock Street are proposed to be elongated further, upwards towards the eaves, and matched with similar elongated opening to the more visually contained north elevation. Whilst this would introduce intervention and harm, given the more prominent elevation windows have been extended downwards previously, this harm would be limited and is justified to provide suitable living standards

and outlook to future occupants of the proposed apartments. This would continue to differentiate the upper floors from lower use of the building, as originally occurred with lower floors residential and hall above. At first floor level, just above the shop frontage, reducing the fascia, exposing the full extent of these openings, and reopening some previously blocked windows to the rear offer potential design and heritage benefits. These benefits would depend on the precise details and materials of proposed timber frames windows to be installed, which could be controlled through planning condition.

- 5.3.6 At ground floor level, further heritage, design and streetscene benefits are proposed. The lack of active frontage and boarding to this prominent city centre location has cause harm for a significant number of years, and before this the previous retail frontage had an oversized fascia to both Brock Street and Mary Street, in a colour and design that was not befitting of this positive building within the Conservation Area. The proposed new timber shop frontage is much more sympathetic, with a reduced height fascia, broken horizontally with columns across this and to pavement level, presenting a rhythm and pattern more coherent with the openings above. The greatest improvements are to Mary Street, to be finished in natural stone to match this remaining original elevation, and reintroducing a portico entrance with look-alike glazing units either side, akin to the historic gable end of the Hall facing Mary Street. The detailing and architecture of the Mary Street elevation is important to this building, as the Brock Street elevation has less detailing and would have original provided frontages to the more modest back-to-back dwellinghouses, whereas the upper floor hall would have been accessed from Mary Street. The level of benefit would be dependant upon precise detailing, again controllable through planning condition, but that has the potential to offer limited to moderate level of heritage and design benefits to this NDHA, providing a tangible street level benefit and helping to reintroduce the differentiation and importance of the Mary Street elevation within the Conservation Area.
- 5.3.7 Bringing the building back into use is clearly a positive aspect of the scheme. Whilst some aspects of the form and appearance of the building would suffer in the process of development, particularly to the roof and top floors, subject to suitable high-quality materials and detailing to the proposed dormers, windows, shop frontage and St Mary elevations, the physical interventions could balance benefits to harm. Other aspects of fire escape stairwell removal and installation of a canopy for bike storage are negligible to very limited benefits and harm respectively, given the highly concealed location in the rear alleyway. There is archaeological interest in the site, and whilst the building is currently restricted to effectively the external building envelope, there is still historic interest that should be recorded and reported upon, controllable through pre-commencement planning condition.
- 5.3.8 The benefits to the lower levels are considered to be more tangible and immediately experienced than the harm to upper levels and roof, although these would be noticed within the roofscape and broader views further east and west along Brock Street. Overall, subject to precise details and samples for the proposed external developments, these physical interventions finely balance to limited harm to the NDHA hall, with negligible overall impact upon the significance of the Conservation Area. The site is sufficiently separated from neighbouring listed buildings that such intervention would have no adverse impact upon the setting of listed buildings. The proposal is considered to present clear and convincing justification for the harmful interventions, and largely offset these with benefits, including the optimal viable retail and residential use of the building, and ensuring the longevity and maintenance of the building. This is of particular importance to this building, the future of which is far from certain without such intervention given the duration that this has been left idle and in a deteriorating conditions. The harm identified is considered to be justified in heritage terms, and subject to conditions controlling precise details and samples of high quality external developments and works, the scheme would preserve an important historic building and NDHA within Lancaster Conservation Area, whilst limiting the harm to these assets.
- 5.4 **Residential amenity, noise, pollution and security** Development Management DPD Policies DM29 (Key Design Principles), DM32: (Contaminated Land, Strategic Policies), Appendix G (Purpose Built Student Accommodation), Strategic Policies and Land Allocations DPD Policy EN9: (Air Quality Management Areas), and National Planning Policy Framework Section 8. Promoting healthy and safe communities
- 5.4.1 Each proposed studio all exceed 19sq.m, and whilst none of these studios meet nationally described space standards, the studio apartments are policy compliant with DM DPD Policy DM7 and Appendix G, subject to planning condition to ensure single full-time student occupation only. These

are considered to be acceptable for the more transient occupancy of students whilst studying. Given the location off-campus and predominantly self-contained studio accommodation within, a first floor communal area is proposed to allow socialising and alternative communal space for occupants of studios who would otherwise be confined to a single studio apartment space. This is considered to be a positive and important inclusion for socialising within the building given the distance from campus, and at circa 25sq.m this is considered to be a good size to allow a good number of occupants to use this at a given time, without facilitating particularly large gatherings. The cluster flats offer good sized bedrooms, and whilst the floor plans only show 3x sofa seating spaces in the living/kitchen areas, at almost 18sq.m to 21sq.m these are considered to be an appropriate size to accommodate 4 individual student residents, in addition to the good sized en-suite bedrooms available to such occupants.

- 5.4.2 The first floor north facing studio, one cluster flat bedroom and communal lounge to the cluster flat have window outlook across and towards the roof slope of the neighbouring restaurant, with a north facing aspect shadowed by the application building itself. However, given the proposal must work within the existing confines of the site and area, combined with the relatively squat height of this neighbouring building and increasing view distance with height, the outlook and light from these openings is considered appropriate for residential occupation in the urban grain of Lancaster city centre for student accommodation. Similarly, to the south the apartment above the public house on the corner of Brock Street and Penny Street is within 11 metres of the application site, as are other properties along Brock Street, however this interrelationship is reflective of the dense urban and historic environment of the city centre, which is considered appropriate for conversion of existing buildings in this environment. The existing hall is taller than the surrounding built form, and as such with the elongated upper floor windows, there is a good level of privacy, outlook and natural light to 2nd, 3rd and 4th floor residential units, particularly for such a city centre location. The proposed student accommodation apartments, with ensuite bathrooms, in addition to communal areas, is considered to meet the standards of residential amenity for future occupants, subject to controlling single full-time student occupation through planning condition.
- 5.4.3 To protect future residents from noise, odour and air quality, standard double glazing and ventilation mitigation is required. Given the heritage sensitivity of the site and avoiding sources of odour and air quality, this would need to be suitable mitigation measures in the form of Positive Input Ventilation (PIV) Systems to ensure no adverse impact on the future occupants, as recommended in the relevant reports submitted as part of this application. This can be controlled through planning condition for details of windows and PIV System, including details of ventilation ducts, fans and motors. The greater impacts in terms of dust and disturbance would likely occur during construction, particularly given the proximity to existing neighbours. As such, a construction management plan (CMP) should be controlled through planning condition. Subject to these measures and an unforeseen contaminated land planning condition to protect workers and future occupants, Environmental Health have no objection to this proposal, which is considered to offer safe and suitable amenity to future student occupants.
- 5.4.4 Lancashire Constabulary recommends a number of security measures. Security details of surveillance, lighting, window opening restrictions and other security measures could be adequately controlled through planning condition, to ensure suitable security for the proposed development and uses.
- 5.5 **Accessibility, transport and waste** Development Management DPD DM29 (Key Design Principles), DM57 (Health and Well-being), DM61 (Walking and Cycling), DM62: (Vehicle Parking Provision), Appendix E (Car Parking Standards), Strategic Policies and Land Allocations DPD T2: Cycling and Walking Network, PAN08 (Cycling and Walking), National Planning Policy Framework Section 9. (Promoting sustainable transport)
- 5.5.1 Waste and recycling bins for both proposed commercial and student accommodation uses are to be stored externally within the rear alleyway, and accessed by a gate onto Mary Street between the application site building and the restaurant to the north. The provision of bins is slightly less than would be expected for collection by the Council, however it is understood that these would be collected privately, and likely more frequently, the arrangements for which can be controlled through planning condition. The bins are to remain uncovered, but they would be visually contained within the rear alleyway. Subject to appropriate lighting, collections, surfacing and management

arrangements, suitable waste and recycling provision can be provided at the site, and controlled through planning condition.

- 5.5.2 The rear alleyway is to provide a fire escape route to the ground floor commercial unit, and it is understood that there is a legal right of footway, drainage and fire escape for neighbouring commercial units to the west. The application details a route largely 900mm wide, with a very localised obstruction to 850mm, to be kept free from obstacles to ensure this right of footway is maintained at all times. The dimensions provided on plan provide widths for fire escape and M4(2) accessibility widths. Furthermore, the existing the alleyway contained an external stairwell, to be removed entirely through this proposal, which narrowed to a greater degree, and it appears bins have been stored in this area historically through the retail use of the site. Subject to planning conditions regarding maintenance of a clear escape route, in addition to the condition regarding waste and recycling, the proposed is considered to provide satisfactory and accessible provisions for both. Given there are private legal matters of right of way, details of waste and recycling provision should be controlled through condition given possibility to explore alternatives within the site, should those detailed on plan ultimately prove unimplementable. Bins should only be beyond the site area when practically required for collections and emptying, again controllable through planning condition, to prevent any undue blocking of pavements.
- 5.5.3 The application site is within the heart of the city centre, with no access to off nor on-street parking in the vicinity. However, the site is extremely well served by public transport, with Common Garden Street bus stops and the train station short walks away. Private transport arrangements are to be provided within the rear alleyway for student accommodation. Externally stored and accessed beyond bins is far from ideal, and a weak point of this proposal. 14 spaces are to be provided under canopy, and whilst this falls short of one for every student, given the proximity to public transport this is considered suitable quantity. However, the quality is poor, less secure and weathertight stored externally, albeit under canopy. The external access is circa 100mm wider than mountain bike handle bar width, which must be wheeled past the proposed bins area via the external alleyway, which would be discouraging of this form of sustainable transport. Whilst provision is provided is suitable in quantity, the poor quality of this weighs against the proposal, albeit to a limited level of harm given the highly sustainable location due to the city centre location. Precise details of the bicycle parking can be controlled through planning condition, and should include a minimum of 14 spaces as proposed.
- 5.6 **Energy efficiency, employment and skills Development Management DPD Policies DM28 (Employment and Skills Plans), DM30 (Sustainable Design), PAN09: Energy Efficiency in New Development**
- 5.6.1 In the context of the climate change emergency that was declared by Lancaster City Council in January 2019, the effects of climate change arising from new additional development in the District and the possible associated mitigation measures will be a significant consideration in the assessment of the proposals. The Council is committed to reducing its own carbon emissions to net zero by 2030 while supporting the district in reaching net zero within the same time frame. Buildings delivered today must not only contribute to mitigating emissions, they must also be adaptable to the impacts of the climate crisis and support resilient communities. One of the primary areas for emissions reductions for development in supporting the transition to net zero is in building to high fabric standards and supplying the new buildings with renewable and low carbon energy. This is highlighted in the Local Plan in policies DM29: Key Design Principles and DM30: Sustainable Design and supported by PAN9 – Energy Efficiency in new Development Planning Advisory Note.
- 5.6.2 Whilst this proposal includes elements of new construction through roof extensions, importantly this retains the majority of the existing building, with savings in embodied carbon when compared to an entirely new build development. The submitted Energy Statement details measures to reduce energy demand, through specific measures such as building management system and automated control of LED lights, panel heater controls, ventilation and air tests. Other aspects, such as how the commitment to 10% savings in energy over standards stipulated in Part L of the Building Regulations and 15% saving in CO2 and primary energy demand would need to be detailed through planning condition, which can also control the implementation of this and the specific mitigation already proposed in the aforementioned statement. Furthermore, the mansard dormer roof extensions propose PV solar panels, and subject to the details and implementation of these, this offers sustainable energy generation through the proposal, again controllable through planning condition.

Subject to such planning condition, the proposal is considered to provide suitable energy efficiency and sustainability credentials, compliant with policy, and significant weight is attributed to the benefits of such sustainable energy generation, albeit public benefits are limited due to the modest scale of the proposal.

- 5.6.3 During the construction phases, an employment skills plan will be required through planning conditions to support local people sure experience and upskilling in the construction and design sector. Implementation of measures to be agreed would provide opportunities for, access to and upskilling local people through the construction phase of the development proposal, proportionate to the scale of the development.
- 5.7 **Ecology, flood risk and drainage** Development Management (DM) DPD Policies DM7 (Purpose Built Accommodation for Students), DM33 (Development and Flood Risk), DM34 (Surface Water Run-off and Sustainable Drainage), DM35 (Water Supply and Waste Water), DM36 (Protecting Water Resources and Infrastructure), DM44 (The Protection and Enhancement of Biodiversity), DM57 (Health and Wellbeing), and the Flood Risk Sequential Test and Exception Test Planning Advisory Note 6, Strategic Policies and Land Allocations (SPLA) DPD Policies SP8 (Protecting the Natural Environment), EN7 (Environmentally Important Areas), and EC5 (Regeneration Priority Areas); National Planning Policy Framework (NPPF) Section 14. (Meeting the challenge of climate change, flooding and coastal change) and Section 15. (Conserving and enhancing the natural environment)
- 5.7.1 With regards to ecology and biodiversity, the vast majority of the site is developed land and sealed surfaces, and the ecological value of the site is negligible. Morecambe Bay is very important for many species of birds, and the application site is within the impact risk buffer zone of the Morecambe Bay and its environmental designations. As such, there is the potential for development and recreational use close to the designated sites to have impacts on birds associated with the SPA and Ramsar designations. It is considered that these impacts could be avoided, but only through mitigation. In light of the People Over Wind ruling by the Court of Justice of the European Union, likely significant affects cannot be ruled out without mitigation and therefore an Appropriate Assessment (AA) is required. This is contained within a separate document and concludes that, with the implementation and retention, where appropriate, of mitigation the development will have no adverse effects on the integrity of the designated sites, their designation features or their conservation objectives, through either direct or indirect impacts either alone or in-combination with other plans and projects. Subject to the implementation of the mitigation measures within the AA, including homeowner packs including details of adjacent designated sites and alternative for recreation to mitigate such recreation pressure, the proposal is considered to have an acceptable impact upon the environment, habitats and protected species and sites. Subject to these planning conditions, the proposal is considered to adequately mitigate the impacts upon ecology and risk of contamination, compliant with relevant policies, with no objection from Natural England.
- 5.7.2 The site falls within Flood Zone 1, over 200 metres from Flood Zone 2 and at a higher topography than the northern section of the city centre that is more liable to flooding from the River Lune and Mill Race. Whilst surface water flooding impacts surrounding streets, and the majority of those within the city centre during 1in1000 year events, this is not a flood risk within the site itself. The site is at medium risk of groundwater flooding. New development in areas vulnerable to flood risk are required to meet the Sequential and Exception Tests as appropriate, and provide site-specific Flood Risk Assessments (FRA) to demonstrate the site is not at risk of flooding and would not increase the risk of flooding elsewhere.
- 5.7.3 The sequential test is to be applied to steer development to area with the lowest risk of flood from any source. A sequential assessment and exceptions test has been submitted as part of this application to address this matter. The proposal is located within an area which is in specific need for regeneration through priority area EC5.2, where the Council is supportive of the regeneration of the Lancaster central area. The proposal is for retail/commercial space to the ground floor and student accommodation above, the latter of which policy DM7 directs to university campus', within or directly adjacent to Lancaster city centre. The application site is in the heart of Lancaster city centre, but looking for alternative sites beyond those directed by policy DM7 would not be policy compliant, and therefore the sequential test is limited to the areas stipulated in DM7. The application site is considered to be immediately deliverable in terms of timeframe for development, with strip out and remediation works currently being undertaken to facilitate the development of the site.

5.7.4 The submitted sequential test has assessed various sites both within and beyond the above agreed parameters for the sequential assessment for the development. The sequential test concludes that none are suitable, either due to site size, policy constraints, implemented permissions being delivered already or ongoing use rendering them unavailable. This included sites within the strategic housing land assessment and various online marketing and property searches. Furthermore, the proposal offers particular circumstances that are extremely difficult to replicate elsewhere, particularly the retention and conversion of a non-designated heritage assets falling into disrepair through circa a decade of inactivity, and achieving the aspirations of the regeneration priority area and addressing a prominent building in poor and worsening condition, which could not be delivered elsewhere. For these reasons, and no identified sites appropriate for the scale and type of student accommodation similar to that proposed, development of the application site for this purpose is considered to pass the sequential assessment. For these reasons, and no identified sites appropriate for the scale and type of commercial and student accommodation proposed, development of the application site for this purpose is considered to pass the sequential assessment.

5.7.5 In terms of the exception test, the floor level of the ground floor is over 16 metre AOD, outside of flood risk areas from the River Lune, and 0.15 metres above the adjacent pavement, which is considered to be suitable mitigation to ensure the development will be safe for its lifetime. The proposal would not exacerbate flood risk to surrounding properties, being largely impermeable as existing and proposed, subject to planning conditions for drainage arrangements. As such, the proposal is considered acceptable in terms of flood risk without further mitigation. Whilst there is a basement proposed to the site, as there is as existing, this is to be used as storage only, and a sequential approach within the site places more vulnerable uses (residential) to upper floors, elevated above and away from the medium risk of groundwater flooding. These risks are given limited weight, however the economic and social benefits to the community of this proposal within a regeneration priority area, contributing to addressing the under provision of housing supply cumulative carry significant weight, and outweigh the limited flood risk from the proposal designed to minimise this impact.

5.7 **Open space and contributions** Development Management DPD DM27 (Open Space, Sports and Recreation Facilities), DM29 (Key Design Principles), DM57 (Health and Wellbeing) and Appendix D: Open Space Standards and Requirements

5.7 The application site does not benefit from any external amenity space, with the rear alleyway to provide access and functional provision. Contributions can be sought towards the provision of open space facilities to meet the demands of population growth arising from the development. Following the Councils' accepted methodology, a contribution towards amenity green space and park and garden provisions has been identified. The Public Realm team have calculated a contribution of £2,378 towards improved accessibility and surfacing projects at Dalton Square and £4,200 for similar projects at Williamsons Park, both short walking distance for future student occupants of the proposal. This should be sought and controlled through legal agreement, to mitigate the impacts of the development. An NHS contribution is also sought, however the contribution to a new build medical practice at King Street surgery is unfortunately not CIL compliant, due to lack of specifics regarding projects this would contribute towards, nor justification for contribution to this particular practice given the healthcare services available to students on campus. The omission of the NHS contribution is not at the request of the applicant, but unfortunately because this is considered to fail to meet the requirements of the CIL regulation tests and could not therefore be supported at this time.

6.0 Planning Obligations

6.1 A Section 106 Legal Agreement is sought to secure the following:

- £6,574 to the amenity green space and parks and gardens contributions to access and surfacing projects at Dalton Square (£2,378) and Williamsons Park (£4,200).

7.0 Conclusion and Planning Balance

7.1 The proposal would renovate and bring a prominent local heritage asset back into use, with moderate weight afforded to the social and economic benefits of re-establishing a retail use of the

site, with student accommodation above making best use of the land. The reuse of this brownfield site within a regeneration priority area and positively contributing to addressing provision of housing within the district are afforded significant weight, as is the sustainable energy generation provision, albeit limited to the scale of the proposal. This would deliver retail and student accommodation, in a sustainable city centre location benefitting from a related land and regeneration allocations. The development of student accommodation would positively contribute to the District's acute housing supply needs, and should be considered in the context of the presumption in favour of sustainable development. Permission should be granted, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the proposal, when assessed against the policies in the NPPF taken as a whole.

7.2 To facilitate the proposed developments and use, overall the alterations have limited adverse impact to the non-designated heritage asset building, with positive alterations largely offsetting the harm of the mansard dormer extensions and other alterations to the historic fabric, with harm to the wider Conservation Area even more limited, but attached great weight. Given the proposal brings the longstanding dilapidated property back into optimal viable use, the proposal is considered to be justified and acceptable in heritage terms. The bike storage is unideal but offers suitable quantity of provision in a highly sustainable location, and again harm is limited by these factors. Cumulatively, these adverse impacts are limited, and need to be considered as to whether the adverse impacts outlined would significantly and demonstrably outweigh the benefits

7.3 Whilst there remains limited harm to the non-designated heritage asset, this has been justified and minimised through positive engagement during the application process, reducing the levels of harm to a limited and justified degree. Whilst a more usable and palatable solution to cycle storage could not be reached, negotiations have provided suitable quantity of cycle provision, and concerns regarding quality of these only generate limited harm in such a sustainable central location. Importantly, the harm identified does not individually nor cumulatively significantly and demonstrably outweigh the identified economic, social, sustainable energy and accommodation provision benefits, which is the key balance when considering such proposal that deliver contributions to addressed the acute housing need whilst avoiding a clear reason for refusal. As such, it is recommended that consent is granted, subject to the assessed and below obligations and planning conditions

Recommendation

That Planning Permission **BE GRANTED** following the satisfactory completion of a Legal Agreement within 3 months of the date of this Committee meeting or delegated to the Chief Officer – Planning and Climate Change should exceptional circumstances exist beyond the period of 3 months and subject to the following conditions noted below.

Condition no.	Description	Type
1	Standard 3 year timescale	Control
2	Development in accordance with the amended approved plans	Control
3	Scheme for building recording	Pre-commencement
4	Precise details and samples (including precise external materials, vents, rainwater goods and openings)	Pre-commencement
5	Construction environmental management plan CEMP (including pollution control, noise and vibration mitigation, construction hours, dust control, vehicle movement, protection of pedestrian movements and ecology)	Pre-commencement
6	Employment Skills Plan	Pre-commencement
7	Security measures and external lighting	Prior to occupation
8	Drainage connections	Prior to occupation
9	Noise mitigation details of mechanical ventilation and implementation of secondary glazing	Pre-installation and prior to student occupation

10	Waste and recycling arrangements (including precise provision, space, lighting, collections, management and surfacing)	Prior to student occupation
11	Precise details of the cycle store and trigger for full implementation (including precise storage method, security and cover)	Prior to student occupation
12	Ecological homeowner pack – HRA mitigation	Prior to student occupation
13	Details and installation of PV solar panels	Pre-installation
14	Energy efficiency measures	Control
15	Clear alleyway accessway maintained	Control
16	Unforeseen contamination	Control
17	Single student occupation only	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

Agenda Item	A6
Application Number	23/01380/FUL
Proposal	Part retrospective application for change of use of former public house to 2 dwellings and erection of 1 dwelling on former car park, construction of boundary walls and creation of associated car parking
Application site	95 Main Road Bolton Le Sands Carnforth Lancashire
Applicant	Mr Geoff Harris
Agent	Mr Michael Harrison
Case Officer	Mr Robert Clarke
Departure	No
Summary of Recommendation	Approval

(i) **Procedural Matters**

This planning application would normally be determined in accordance with the scheme of delegation, however, as the proposal includes the diversion of a public right of way (which must be authorised by Planning Committee), it is considered prudent that the associated planning application be determined by Planning Committee also.

1.0 Application Site and Setting

1.1 This application relates to a large two storey building which is currently in use as a residential dwellinghouse in one half of the building whilst the remaining half is in a deteriorated condition and is currently vacant. The building was previously in use as a public house, known as the Packet Boat. It is a Grade II listed property located in a prominent position at the corner of Main Road and Packet Lane in Bolton Le Sands. It abuts the pavement on Main Road and the carriageway on Packet Lane. There is a former car park area located to the north of the building, parts of which are enclosed by timber hoardings. To the north of this is a small commercial property which fronts onto Main Road. There are residential dwellings further to the north and to the east of the site on the opposite side of Packet Lane. The site is located within the historic core of the village and is within the Bolton Le Sands Conservation Area designation. The Bolton Turnpike Canal Bridge is a Grade II listed structure, whilst almost all the buildings surrounding the site are identified as non-designated heritage assets. The site is located within the designated Open Countryside and it is also located approximately 17 metres to the east of the Lancaster Canal which is a Biological Heritage Site. A public right of way passes through the car park and links Main Road with Packet Lane.

2.0 Proposal

2.1 Part retrospective planning permission is sought for the change of use of the former public house building into two residential dwellinghouses (use class C3) along with the demolition of modern rear and side elevation extensions and erection of a single storey rear extension and a two-storey side extension in their place. The proposal also includes the formation of garden areas, parking spaces and boundary walls. In addition to this, the proposal also seeks planning permission for the erection of a two-storey dwelling (use class C3) within the former car park towards the northern end of the site along with associated parking spaces and residential garden enclosed by boundary walls.

3.0 Site History

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

Application Number	Proposal	Decision
15/00696/CU	Change of use of public house (A4) to a 4-bed dwelling (C3), demolition of part of the existing single and 2 storey rear extension, new pitched roof over retained part of single storey rear extension, and installation of new raised terrace, new windows, new boundary treatment and gates	Approved
15/00697/LB	Listed building application for the demolition of part of the existing single and 2 storey rear extension, new pitched roof over retained part of single storey rear extension, removal of roof terrace and lift platform, reorientation of raised terrace, replacement and new windows and external doors, new staircase, new and replacement internal partition walls, and erection of new sections of boundary wall and gates	Approved
16/00705/CU	Change of use of public house (A4) to two three bed dwellings (C3), demolition of existing single storey and two storey rear extension, erection of small single storey extension to the rear, erection of a detached garage and erection of new and raising of existing boundary walls	Approved
16/00706/LB	Listed Building application for the demolition of existing single storey and two storey rear extension, erection of single storey rear extension, erection of a detached garage, erection of new and raising of existing boundary walls, installation of new windows to the side, reinstated door to the side, new partition walls and a new staircase	Approved
16/00179/DIS	Parts 1 to 7 and 9 of discharge of condition 3 on approved application 16/00705/CU	Split decision
16/00180/DIS	Parts 1 to 7 and 9 of discharge of condition 3 on approved application 16/00706/LB	Split decision
17/00167/DIS	Part discharge of condition 3 on approved application 16/00705/CU	Split decision
23/01296/LB	Listed building application for the demolition of existing side and rear extensions and slated roof, erection of single storey rear extension and two storey side extension, alterations to openings, installation of new windows/doors, removal of toilets/bar/fixed seating, installation of partition walls, staircase, erection of new and raising of existing boundary walls	Pending consideration

4.0 Consultation Responses

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

Consultee	Response
Conservation Officer	Initial comments made regarding design alterations to the proposed two storey extension and new build dwelling. No formal consultation response provided.
Historic England	Does not require consultation on this application.
Bolton Le Sands Parish Council	No response provided.
County Highways	No objection , conditions requested relating to Construction Management Plan, construction delivery time restrictions, surface water drainage, off road parking and provision of vehicular access points.
Canal And River Trust	No objection , conditions requested relating to Construction Environment Management Plan and drainage. Further comments made regarding heritage considerations and construction traffic routing over canal bridges.
Fire Safety Officer	No response received.
Lancashire Constabulary	No response received.
Public Rights of Way Officer	No objection , a formal diversion order to the existing public right of way is required to facilitate development.
Ramblers Association	No response received.
Natural England	No comment, refer to standing advice.

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

- 1 letter of support and which expresses concern with the initial Public Right of way designation within the site
- 1 letter indicating an objection to the development, though which indicates the objection relates to the previous and current condition of the site, as opposed to the development proposed.

5.0 Analysis

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

- Principle of development
- Design and heritage
- Residential amenity
- Highways and public right of way
- Ecology
- Drainage

5.2 **Principle of development** National Planning Policy Framework (NPPF) Section 2. Achieving sustainable development, Section 4. Decision-making, Section 5. Delivering a sufficient supply of homes, Section 6. Building a strong, competitive economy; Strategic Policies and Land Allocations

DPD (SPLA DPD) Policy SP1: Presumption in Favour of Sustainable Development, Policy SP2: Lancaster District Settlement Hierarchy, Policy SP3: Development Strategy for Lancaster District; Review of the Development Management DPD (DM DPD) Policy DM1: New Residential Development and Meeting Housing Needs , Policy DM4: Residential Development outside Main Urban Areas, Policy DM13: Residential Conversions, Policy DM56: Protection of Local Services and Community Facilities.

- 5.2.1 Policy SP2 of the Strategic Policies and Land Allocations DPD sets out the settlement hierarchy within the Lancaster District. As part of this Policy, Bolton Le Sands is identified as a sustainable rural settlement, which are settlements within which the provision of dwellings will be supported in principle provided that they are of a nature and scale that is proportionate to the role and function of that settlement. Policy DM1 of the Review of the Development Management DPD details the Councils approach in supporting new residential development stating that proposals must ensure that available land is used effectively, reflect the characteristics of different locations and the specific circumstances of individual sites. Development must also be located where the natural environment, services and infrastructure can or could be made to accommodate the impacts of development in accordance with other relevant policies, particularly Policy DM44.
- 5.2.2 The site which forms the subject of this application is located within the historic core of the village, surrounded by residential dwellings and small scale commercial development. In this location, the principle of residential development, subject to an appropriate design and layout, is considered to be acceptable.
- 5.2.3 This application follows on from previously approved applications 15/00696/CU and 16/00705/CU which both granted consent for the change of use of the public house to residential uses. Since the granting of permission 16/00705/CU, some works have been undertaken to implement this consent and part of the public house now forms a residential dwelling identified as No. 95. The remaining half (No. 93) is vacant and in a poorer overall condition. It is accepted that No. 95 has been occupied as a residential dwelling for a number of years and, on this basis, it is accepted that permission 16/00705/CU was lawfully implemented. However, due to the recent formalisation of a public right of way (PROW) through the centre of the site, the approved site layout for 16/00705/CU is now no longer capable of being implemented and it is not possible for the development to comply with the conditions imposed on permission 16/00705/CU. It is for this reason that a new holistic planning application which is able to incorporate the PROW into the layout of the site has been submitted. This application is in part retrospective as it includes the works already undertaken to the Packet Boat to facilitate its change of use to form No. 95.
- 5.2.4 The use of the property as a public house would in most cases trigger the requirements of Policy DM56 which seeks to protect existing local services and communities facilities such as pubs. However, in this case, the Council has already approved the change of use of the building on two separate occasions and part of the building has already been converted into residential accommodation in accordance with one of those permissions. For this reason, the requirements of Policy DM56 are not a material consideration in this case.
- 5.3 **Design and heritage National Planning Policy Framework (NPPF) Section 12. Achieving well-designed and beautiful places, Section 16. Conserving and enhancing the historic environment; Strategic Policies and Land Allocations DPD (SPLA DPD) Policy SP7: Maintaining Lancaster District's Unique Heritage, Policy EN3: The Open Countryside; Review of the Development Management DPD (DM DPD) Policy DM4: Residential Development outside Main Urban Areas, Policy DM13: Residential Conversions, Policy DM29: Key Design Principles, Policy DM30: Sustainable Design, Policy DM37: Development affecting Listed Buildings, Policy DM38: Development affecting Conservation Areas, Policy DM39: The Setting of Designated Heritage Assets, Policy DM41: Development Affecting Non-Designated Heritage Assets or their settings, Policy DM46: Development and Landscape Impact.**
- 5.3.1 The Packet Boat Hotel is a Grade II Listed Building, said to date from the early 19th century. It was associated with the adjacent canal wharf and the (now demolished) canal stables for the canal packet boat service. The site is also located within the Bolton-le-Sands Conservation Area and is in a prominent position on the corner of Main Road and Packet Lane, within the historic core of the settlement. Numerous other buildings within the vicinity of the site are identified as Non-Designated

Heritage Assets, whilst the Bolton Turnpike Canal Bridge located to the north of the site is a Grade II listed structure.

- 5.3.2 Local Plan Policy DM29 sets out that new development should make a positive contribution to the surroundings and will be expected to contribute positively to the identity and character of the area through good design, having regard to local distinctiveness, appropriate siting, layout, orientation and scale. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a special duty on Local Planning Authorities to consider the desirability of preserving the (listed) building or its setting or any features of special architectural or historic interest which it possesses. This is reinforced by Local Plan Policy DM37 regarding development affecting listed buildings, and which requires any development proposals which affect these nationally significant heritage assets to conserve and, where appropriate enhance those elements which contribute to their significance.
- 5.3.3 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a special duty on local planning authorities to consider the desirability of preserving or enhancing the character or appearance of conservation areas. This is reflected within Local Plan Policy DM38 regarding development affecting conservation areas, and which requires any development proposals and alterations to buildings and open spaces in conservation areas to preserve or enhance its character. The appearance and setting, in terms of design, siting, height, should not have an unacceptable impact on open spaces and setting including important views into and out of the area, and should not result in the loss or alteration of features which contribute to the special character of the buildings and area. There are further special duties in relation to designated and non-designated heritage assets within Section 16 of the NPPF, which states that great weight should be given to the conservation of heritage assets. Account should also be given to the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
- 5.3.4 The Packet Boat building had been subject to modern and inappropriate alterations and extensions including a flat roof extension with roof terrace to the rear elevation and a side extension with an asymmetrical pitched roof. The flat roof extension with roof terrace has since been demolished and replaced with a smaller lean-to extension and boundary wall, in accordance with 16/00705/CU. Other works to No. 95 including replacement windows have also been undertaken in accordance with details agreed through a subsequent discharge of condition application. This latest proposal also includes the demolition of the asymmetrical pitched roof structure and subsequent replacement with a two-storey side extension in its place. The removal of this extension is welcomed as the asymmetrical pitched roof structure is particularly unattractive and jarring to both the form of the listed building and within the conservation area. The proposed replacement two storey side extension is taller than the current asymmetrical pitched roof structure, but it features a more sympathetic and coherent form and features a stepped ridge height to reflect that of the existing building. This structure is to be finished in lime render with exposed quoins and slate roof which will serve to reflect the character of the listed building. Subject to a condition requiring the submission and agreement of details and samples of materials relating to the main building and extensions, this aspect of the proposal is considered to both conserve and enhance the character and appearance of the listed building and conservation area.
- 5.3.5 In addition to the formation of two dwellings within the former public house, a new detached dwelling is now proposed within what was the car park. At present, the car park area represents a numb void space within the centre of the village and which jars with the historic dense pattern of development. The presence of a two-storey detached dwelling here would serve to regenerate this part of the site and introduce a built form which reflects the character of this historic village centre. The dwelling would be over two storeys, featuring rendered walling and exposed quoins underneath a slate roof. The appearance and material palette would complement those which are commonplace within the village. Subject to a condition requiring the submission of details and samples of materials pertaining to this dwelling, the aspect of the proposal is considered to both conserve and enhance the setting and appearance of the listed building and conservation area.
- 5.3.6 Alterations to the wider site are required in order to facilitate the development proposed. These include the formation of new boundary walls to enclose private gardens, the creation of parking spaces and extension of a pedestrian pavement and kerb line along Packet Lane, and new surfacing materials. Given tall and well-proportioned stone boundary walls are a key component within the village, their use within the site to form the boundaries to gardens is supported. Final details of

boundary walls and all surfacing materials should be secured by condition to ensure that the materials/construction methods used are suitable within this historically sensitive location.

- 5.3.7 On the basis of the above, it is considered that the proposal will not harm the significance of the building and will improve its overall condition, character and setting. It is also considered that the proposal would provide the opportunity to regenerate a key building and prominent site within the Bolton Le Sands Conservation area. The removal of the car park and introduction of a dwelling in this space is wholly supported.
- 5.4 **Residential amenity** National Planning Policy Framework (NPPF) Section 12. Achieving well-designed and beautiful places; Review of the Development Management DPD (DM DPD) Policy DM2: Housing Standards, Policy DM29: Key Design Principles.
- 5.4.1 Policy DM2 requires that all new dwellings must meet the Nationally Described Space Standards (NDSS). Within the two dwellings contained within the Packet Boat, all bedrooms with the exception of bedroom 3 within No. 93 meet these requirements. The conversion of the building is restricted by the historic plan form, the retention of which is of great importance. For that reason, whilst one room falls below required space standards, this is supported in the interests of securing the restoration and redevelopment of this listed building. It is noted that bedroom 3 within No. 93 falls only marginally below the required space standard for a single room, whilst it also benefits from being of regular proportion and benefits from acceptable outlook and daylight, as do all other rooms.
- 5.4.2 The dining room windows of No. 93 look directly onto the private garden area of No. 95. This is an unfortunate relationship, however, it is an arrangement which has already been found acceptable by the Council and was approved as part of the previous planning application. It is important that a condition be imposed to ensure that the lower half of the glazing of both windows are finished with obscure glazing and that these are non-opening windows, to prevent views into the neighbouring garden.
- 5.4.3 The property which abuts the carpark to the north is used for commercial purposes, understood at present to be a funeral director. There is a window within this building at first floor facing the car park, which will face the blank gable of the proposed new dwelling. It will not provide overlooking into the proposed dwelling and would not result in a significant loss of privacy to the future occupiers of this new dwelling. As this building is a commercial use, the construction of the new dwelling as proposed would not be detrimental to their amenity.
- 5.4.4 There are a number of residential properties on the opposite side of Packet Lane, however, most of the section facing the building comprises a garden enclosed by a large stone wall and vegetation. Number 4 Packet Lane faces the east elevation of No. 95, however, only the stair window is positioned in this part of the rear elevation, this does not result in a loss of privacy for No. 4. No. 5 Packet Lane faces into the northern edge of the carpark. The separation distance between the west elevation windows of No. 5 and the rear elevation windows of the proposed new build dwelling would be approximately 15.3 metres. This is below the usual recommended distance of 21 metres where habitable windows face each other, however, given the character of the dense historic village core, reduced separation distances are commonplace. Therefore, the relationship of the new build dwelling with No. 5 Packet Lane is suitable in this instance. Enclosing the rear garden of the new build dwelling with stone boundary walls to a height of 1.8 metres will ensure acceptable levels of privacy are provided. A condition requiring the final details including heights of boundary walls, and their construction is recommended.
- 5.5 **Highways and public right of way** National Planning Policy Framework (NPPF) Section 8. Promoting healthy and safe communities, Section 9. Promoting sustainable transport, Section 12. Achieving well-designed and beautiful places; Review of the Development Management DPD (DM DPD) Policy DM29: Key Design Principles, Policy DM61: Walking and Cycling, Policy DM62: Vehicle Parking Provision.
- 5.5.1 Each of the 3 dwellings will benefit from 2 parking spaces accessed from Packet Lane. In addition to this, the pedestrian pavement located on the west side of Packet Lane is to be extended along the site frontage, providing a safer pedestrian environment within a constrained and often busy lane. The new length of pavement will then connect with the public right of way which passes through the site and links with Main Road. The provision of these highway works will require a Section 278

agreement with the Highways Authority. The County Highways Officer has reviewed this proposed layout and has confirmed that they are supportive of the proposal. They have recommended conditions requiring the submission and agreement of a Construction Management Plan, construction delivery time restrictions, surface water drainage strategy for hardstanding areas, off road parking and provision of vehicular access points. Given the constrained nature of the local highway network within the vicinity of the site, and the proximity to the village school and community centre, those conditions requested by the County Highways Officer are reasonable and so are recommended.

5.5.2 Public right of way BW0106023 runs from east to west through the former car park. It measures approximately 19.5 metres in length and links Packet Lane to Main Road. Due to the location of the proposed new build dwelling, the PROW requires a diversion order under Section 257 of the Town and Country Planning Act 1990. The extent of change is limited and involves a minor adjustment of the PROW to the south. The PROW would then be maintained at a width of 3 metres through the centre of the development site to maintain the pedestrian connection between Packet Lane and Main Road. The County Council PROW Officer is supportive of the proposed alterations.

5.6 **Ecology** National Planning Policy Framework (NPPF) Section 15. Conserving and enhancing the natural environment; Strategic Policies and Land Allocations DPD (SPLA DPD) Policy SP8: Protecting the Natural Environment; Review of the Development Management DPD (DM DPD) Policy DM29: Key Design Principles, Policy DM44: The Protection and Enhancement of Biodiversity.

5.6.1 By reason of the nature of the buildings on site in terms of their age, condition and method of construction as well as the wider habitat provision within the locality, there is potential for protected species in particular bats to be present at the site. The application is supported by a bat survey which consisted of a preliminary bat roost assessment survey carried out in June 2023. No physical evidence to suggest use by bats was observed during the preliminary assessment. A single emergence survey was also carried out in June 2023, during this survey no bats were observed to emerge from the building and general bat activity in the local area was characterised by a low level of common and soprano pipistrelle bat foraging activity along the Lancaster Canal to the south of the property. The presence of bat roosts present at the development site is unlikely. Precautionary mitigation measures are provided, and which can be conditioned.

5.6.2 In accordance with the Conservation of Habitats and Species Regulations 2017 the Council have undertaken a Habitat Regulations Assessment in order to assess the impact of the development proposal upon the special characteristics of the European Designated habitat sites protecting Morecambe Bay. In consultation with Natural England, it has been determined that likely significant effects upon these designations can be mitigated through the provision of 'Homeowner Information Packs' to be supplied to each unit of accommodation. This can be controlled through planning condition.

5.6.3 The development site is located approximately 20 metres from Lancaster Canal which lies on the opposite side of Main Road. Lancaster Canal is a designated Biological Heritage Site. In light of this proximity and the nature of the development, there is potential for construction activity to impact upon the canal environment such as through accidental pollution, dust emissions, water run-off or other contamination. In order to ensure that this is avoided, a Construction Environmental Management Plan, as highlighted by the Canal and River Trust, can be secured by condition.

5.7 **Drainage** National Planning Policy Framework (NPPF) Section 14. Meeting the challenge of climate change, flooding and coastal change; Review of the Development Management DPD (DM DPD), Policy DM29: Key Design Principles, Policy DM34: Surface Water Runoff and Sustainable Drainage.

5.7.1 The site lies within Flood Zone 1, that is one with a low probability of a river or sea flooding. However, flooding can occur from all sources, including that running off housing sites if that water run-off is not disposed of effectively. The development of the Packet Boat to provide two dwellings represents a change of use, therefore with respect to drainage, the property will continue to drain to the combined sewers.

5.7.2 The new build dwelling and the associated landscaping works and parking areas represent new development, it is therefore necessary for the drainage of this part of the development to be considered further. Policy DM34 sets out the Council's approach to managing surface water and

sets out the requirement for a positive approach towards sustainable drainage solutions which can be incorporated into the design of development. The Council advocates the use of the SuDS hierarchy which is set out in Policy DM34 of the Development Management DPD. Any proposed development should consider how the surface water arising from the site should be managed with SuDS measures given priority as any solution. Policy DM34 sets out the SuDS hierarchy which follows wider best practice. The SuDS hierarchy order the preferential destination of surface water as follows:

1. Into the ground (i.e. infiltration at source)
2. Attenuated discharge to a surface water body, for instance a watercourse
3. Attenuated discharge to surface water sewer, highway drain or another drainage system
4. As a last resort, attenuated discharge to a combined sewer.

5.7.3 In this constrained environment, it is unlikely that the new development could be discharged via infiltration due to the limited space within the site to provide soakaways. Moreover, there are no other waterbodies or surface water sewers into which the new development could be directed. Therefore, the drainage of surface water captured from the new dwelling and hardstanding areas is likely to need to be directed towards the combined sewer. A condition to secure the final surface water drainage strategy is recommended.

5.7.4 Foul drainage for the site is proposed to connect to the mains United Utilities drainage system, which is located below the road, this is considered a viable drainage proposal for foul drainage.

6.0 Conclusion and Planning Balance

6.1 The proposed development seeks part retrospective planning permission for the change of use of the former Packet Boat public house to two dwellings along with the construction of a new dwelling within the former car park. The principle of the change of use of the Packet Boat has already been found acceptable by the Council in 2015 and 2016 and the southern part of the building has already been converted to a dwelling. However, due to the designation of a PROW through the site, it is no longer possible to implement those previously granted planning permissions. The site is located within an identified sustainable settlement within which the provision of housing is supported. Moreover, the proposal would deliver some notable benefits in terms of contributing towards the Councils requirement to deliver housing, meeting an identified housing need, continued restoration and provision of a viable use for the Grade II listed building and the regeneration of a poor-quality former car park site within the Conservation Area. The design of the scheme is also considered to be acceptable as are the other matters with respect to amenity, highways, ecology and drainage.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Approved plans	Control
2	Construction Traffic Management Plan	Prior to commencement
3	Construction Environmental Management Plan	Prior to commencement
4	Surface water drainage strategy	Prior to commencement
5	Submission of details and samples for No. 93/95 and extensions	Prior to commencement
6	Submission of details and samples for new dwelling	Prior to commencement

7	Submission of details and samples for boundary treatments and external surfacing/hard landscaping materials	Prior to commencement
8	Prior to occupation of No. 93 dining room windows are to be obscure glazed and fixed	Prior to occupation
9	Prior to occupation provision of boundary treatments	Prior to occupation
10	Prior to occupation provision of parking spaces	Prior to occupation
11	Prior to occupation provision of homeowner Information Pack	Prior to occupation
12	Construction deliveries outside peak traffic	Control
13	Bat mitigation	Control

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

In accordance with Article 35 of the above Order, your decision notice contains reasons for the imposition of planning conditions (where planning conditions are imposed), and in the case of each pre-commencement condition, a justification for the pre-commencement nature of the condition(s). Lancaster City Council has made the decision 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 decision has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None

Agenda Item	A7
Application Number	Associated with 23/01380/FUL
Proposal	To permanently divert a Public Footpath reference: BW0106023 in Bolton Le Sands to enable the implementation of residential development pursuant to the proposals set out in application 23/01380/FUL for change of use of former public house to 2 dwellings and erection of 1 dwelling on former car park, construction of boundary walls and creation of associated car parking.
Application site	Public Footpath No: BW0106023
Applicant	Mr Geoff Harris
Agent	Mr Michael Harrison
Case Officer	Mr Robert Clarke
Departure	N/A
Summary of Recommendation	<ol style="list-style-type: none"> 1) That, subject to planning permission being granted for planning application 23/01380/FUL, an Order be made pursuant to Section 257 of the Town and Country Planning Act 1990 to divert Public Footpath BW0106023 in Bolton Le Sands in the manner set out in the report and the subsequent Order to enable the development to be carried out in accordance with the planning permission, and in the event of no objections being received or any objections being received are withdrawn, the Order be confirmed. 2) That the Chief Officer Planning and Climate Change be granted delegated powers to take or authorise any action considered necessary in respect of the making and confirmation of the Order duly authorised to be made.

(i) Procedural Matters

Planning application 23/01380/FUL (and associated listed building consent 23/01296/LB) relates to the change of former public house to 2 dwellings and erection of 1 dwelling on former car park, construction of boundary walls and creation of associated car parking. Both applications are reported to and recommended to be approved at this Planning Committee meeting. In accordance with the Councils constitution, approval for the making of a diversion order has to be made via Planning Committee.

1.0 Application Site and Setting

1.1 Public Footpath BW0106023 is a public right of way that lies within the Bolton & Slyne Ward in the Parish of Bolton Le Sands. The footpath runs from east to west through the former car park of the

former Packet Boat pub. It measures approximately 19.5 metres in length and links Packet Lane to Main Road.

- 1.2 Public Footpath BW0106023 comprises tarmac surfacing and is at present bordered by timber hoardings on both sides.

2.0 Background

- 2.1 Planning application 23/01380/FUL which is recommended to be approved, subject to conditions, is a full planning application for the change of use of former public house to 2 dwellings and erection of 1 dwelling on the former car park, construction of boundary walls and creation of associated car parking.

- 2.2 In order to secure an acceptable and safe development layout and to deliver a new detached dwelling within the site, it is necessary to divert the existing public right of way.

- 2.3 Section 257 of the Town and Country Planning Act 1990 (the Act) provides that the local planning authority authorised to grant planning permission may, by Order, authorise the stopping up or diversion of any footpath or bridleway if they are satisfied that it is necessary to do so in order to enable development to be carried out in accordance with planning permission granted under Part III of the Act.

- 2.4 When an Order is made by a local planning authority under Section 257, it is necessary for the local authority to give notice of the Order by publishing a notice in a local newspaper, displaying a notice on site and notifying specified persons and bodies. In the event that objections are made and not withdrawn, the Order will need to be referred to the Secretary of State for consideration and confirmation. If there are no objections or all objections are withdrawn or resolved, the Order can be confirmed by the local planning authority.

3.0 The Proposal

- 3.1 The applicant has applied to divert BW0106023. The submitted diversion route plan shows the way in which the PROW would be relocated to the south in order to accommodate the detached new build dwelling. The final position of the alternative route is a matter that shall be addressed and formalised through the diversion order process.

- 3.2 Fundamentally, the alternative route for the diverted BW0106023 shall maintain the connection between Packet Land and Main Road which run either side of the development site. It must also have a minimum width of 2 metres, have a firm properly constructed surface with no gates or stiles crossing the new route. The precise position of the diverted route shall be provided on an amended Diversion Route Plan before the Order is made and publicity takes place. Part of the consultation and publicity will involve the County Council's public right of way team who are already aware of the development proposals and the need for the diversion order.

4.0 Advice

- 4.1 The existing footpath provides an important and well used connection between Packet Lane and Main Road and subsequently to the footpath which then connects to Bolton Le Sands Primary School. The existing path is presently bordered by timber hoarding and is made of tarmac which previously formed the car park to the Packet Boat.

- 4.2 The critical part of this proposal is to ensure that the public right of way is legally protected through the site and that the alternative route maintains connection between Packet Lane and Main Road. The level of change is relatively minor and would involve the slight repositioning of the public right of way in light of the conflict with the siting of the new detached dwelling proposed through planning application 23/01380/FUL. The final position shall be determined before the Order is made and in consultation with the County Council Public Rights of Way team.

4.3 Section 257 of the Act gives local planning authorities a power to change the route of a public footpath where a diversion is necessary to enable development to be carried out in accordance with a planning permission (the test). In view of the circumstances set out above and the suitability and availability of an alternative route through the development site, it is considered that the test set out in Section 257 is satisfactorily met. Further, it is considered the future developer who proceeds with implementing planning permission 23/01380/FUL should pay the costs of diverting BW0106023.

5.0 Recommendation

5.1 That the Local Planning Authority proceeds to make an Order pursuant to Section 257 of the Town and Country Planning Act 1990 to divert BW0106023 in Bolton Le Sands to enable the development to be carried out in accordance with the planning permission 23/01380/FUL. In the event of no objections being received to the Order, or any such objections received being withdrawn, the Order be confirmed. This is on the terms the developer pays the cost of diverting the footpath and providing the alternative route in accordance with the requirements of the confirmed Order.

5.2 That the Chief Officer of Planning and Climate Change be granted delegated powers to take or authorise any action considered necessary in respect of the making and confirmation of the Order duly authorised to be made.

Background Papers

None

Agenda Item	A8
Application Number	23/01296/LB
Proposal	Listed building application for the demolition of existing side and rear extensions and slated roof, erection of single storey rear extension and two storey side extension, alterations to openings, installation of new windows/doors, removal of toilets/bar/fixed seating, installation of partition walls, erection of new and raising of existing boundary walls
Application site	95 Main Road Bolton Le Sands Carnforth Lancashire
Applicant	Mr Geoff Harris
Agent	Mr Michael Harrison
Case Officer	Mr Robert Clarke
Departure	No
Summary of Recommendation	Approval

(i) **Procedural Matters**

This planning application would normally be determined in accordance with the scheme of delegation, however, as the associated full planning application includes the diversion of a public right of way (which must be authorised by Planning Committee), it is considered prudent that the associated listed building consent be determined by Planning Committee also.

1.0 Application Site and Setting

1.1 This application relates to a large two storey building which is currently in use as a residential dwellinghouse in one half of the building whilst the remaining half is in a deteriorated condition and is currently vacant. The building was previously in use as a public house, known as the Packet Boat. It is a Grade II listed property located in a prominent position at the corner of Main Road and Packet Lane in Bolton Le Sands. It abuts the pavement on Main Road and the carriageway on Packet Lane. There is a former car park area located to the north of the building, parts of which are enclosed by timber hoardings. To the north of this is a small commercial property which fronts onto Main Road. There are residential dwellings further to the north and to the east of the site on the opposite side of Packet Lane. The site is located within the historic core of the village and is within the Bolton Le Sands Conservation Area designation. The Bolton Turnpike Canal Bridge is a Grade II listed structure, whilst almost all the buildings surrounding the site are identified as non-designated heritage assets. The site is located within the designated Open Countryside and it is also located

approximately 17 metres to the east of the Lancaster Canal which is a Biological Heritage Site. A public right of way passes through the car park and links Main Road with Packet Lane.

2.0 Proposal

2.1 This application seeks listed building consent for works to facilitate the continued restoration of the building and subsequent change of use to two dwellinghouses. The proposal incorporates both external and internal works including the demolition of existing extensions, erection of a single storey extension, erection of a two-storey side extension, alterations to and creation of new openings and installation of new windows, erection of boundary walls, formation of new internal partition walls and installation of a staircase.

3.0 Site History

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

Application Number	Proposal	Decision
15/00696/CU	Change of use of public house (A4) to a 4-bed dwelling (C3), demolition of part of the existing single and 2 storey rear extension, new pitched roof over retained part of single storey rear extension, and installation of new raised terrace, new windows, new boundary treatment and gates	Approved
15/00697/LB	Listed building application for the demolition of part of the existing single and 2 storey rear extension, new pitched roof over retained part of single storey rear extension, removal of roof terrace and lift platform, reorientation of raised terrace, replacement and new windows and external doors, new staircase, new and replacement internal partition walls, and erection of new sections of boundary wall and gates	Approved
16/00705/CU	Change of use of public house (A4) to two three bed dwellings (C3), demolition of existing single storey and two storey rear extension, erection of small single storey extension to the rear, erection of a detached garage and erection of new and raising of existing boundary walls	Approved
16/00706/LB	Listed Building application for the demolition of existing single storey and two storey rear extension, erection of single storey rear extension, erection of a detached garage, erection of new and raising of existing boundary walls, installation of new windows to the side, reinstated door to the side, new partition walls and a new staircase	Approved
16/00179/DIS	Parts 1 to 7 and 9 of discharge of condition 3 on approved application 16/00705/CU	Split decision
16/00180/DIS	Parts 1 to 7 and 9 of discharge of condition 3 on approved application 16/00706/LB	Split decision
17/00167/DIS	Part discharge of condition 3 on approved application 16/00705/CU	Split decision
23/01380/FUL	Part retrospective application for change of use of former public house to 2 dwellings and erection of 1 dwelling on former car park, construction of boundary walls and creation of associated car parking	Pending consideration

4.0 Consultation Responses

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

Consultee	Response
Bolton Le Sands Parish Council	No response provided.
Historic England	Does not require consultation on this application.
Conservation Team	Initial comments made regarding design alterations to the proposed two storey extension and new build dwelling. No formal consultation response provided.
National Amenity Society	No response provided.

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

5.0 Analysis

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

- Design, scale and impact upon heritage assets
- Ecology

5.2 **Design, scale and impact upon heritage assets** National Planning Policy Framework Section 12. Achieving well-designed and beautiful places, Section 16. Conserving and enhancing the historic environment, Listed Building and Conservation Areas Act 1990; Strategic Policies and Land Allocations DPD (SPLA DPD) Policy SP7: Maintaining Lancaster District's Unique Heritage; Review of the Development Management DPD (DM DPD) Policy DM29: Key Design Principles, Policy, Policy DM37: Development affecting Listed Buildings, Policy DM38: Development affecting Conservation Areas, Policy DM39: The Setting of Designated Heritage Assets, Policy DM41: Development Affecting Non-Designated Heritage Assets or their settings, Policy DM46: Development and Landscape Impact.

5.2.1 The Packet Boat Hotel is a Grade II Listed Building, said to date from the early 19th century. It was associated with the adjacent canal wharf and the (now demolished) canal stables for the canal packet boat service. The site is also located within the Bolton-le-Sands Conservation Area and is in a prominent position on the corner of Main Road and Packet Lane, within the historic core of the settlement. Numerous other buildings within the vicinity of the site are identified as Non-Designated Heritage Assets, whilst the Bolton Turnpike Canal Bridge located to the north of the site is a Grade II listed structure.

5.2.2 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a special duty on Local Planning Authorities to consider the desirability of preserving the (listed) building or its setting or any features of special architectural or historic interest which it possesses. This is reinforced by Local Plan Policy DM37 regarding development affecting listed buildings, and which requires any development proposals which affect these nationally significant heritage assets to conserve and, where appropriate enhance those elements which contribute to their significance. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a special duty on local planning authorities to consider the desirability of preserving or enhancing the character or appearance of conservation areas. This is reflected within Local Plan Policy DM38 regarding development affecting conservation areas, and which requires any development proposals and alterations to buildings and open spaces in conservation areas to preserve or enhance its character. There are further special duties in relation to designated and non-designated heritage assets within Section 16 of the NPPF, which states that great weight should be given to the conservation of heritage assets. Account should also be given to the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

- 5.2.3 The Packet Boat building had been subject to modern and inappropriate alterations and extensions including a flat roof extension with roof terrace to the rear elevation and a side extension with an asymmetrical pitched roof. The flat roof extension with roof terrace has since been demolished and replaced with a smaller lean-to extension and boundary wall, in accordance with 16/00705/CU. Other works to No. 95 including replacement windows have also been undertaken in accordance with details agreed through a subsequent discharge of condition application. This latest proposal also includes the demolition of the asymmetrical pitched roof structure and subsequent replacement with a two-storey side extension in its place. The removal of this extension is welcomed as the asymmetrical pitched roof structure is particularly unattractive and jarring to both the form of the listed building and within the conservation area. The proposed replacement two storey side extension is taller than the current asymmetrical pitched roof structure, but it features a more sympathetic and coherent form and features a stepped ridge height to reflect that of the existing building. This structure is to be finished in lime render with exposed quoins and slate roof which will serve to reflect the character of the listed building. Subject to a condition requiring the submission and agreement of details and samples of materials relating to the main building and extensions, this aspect of the proposal is considered to both conserve and enhance the character and appearance of the listed building and conservation area.
- 5.2.4 Other external works include alterations to existing window openings, creation of a new window opening and installation of replacement windows and doors. Replacement timber sash windows have been installed to No. 95 since the granting of 16/00705/CU and 16/00706/LB in accordance with details approved through subsequent discharge of condition application 17/00167/DIS. Windows and doors to be installed to the remaining openings within No. 93 and within the two-storey side extension are to be in accordance with these already approved details. The formation of new boundary walls to enclose private gardens and facilitate the creation of parking spaces. Given tall and well-proportioned stone boundary walls are a key component within the village, their use within the site to form the boundaries to gardens is supported. Final details of boundary walls and all surfacing materials should be secured by condition to ensure that the materials/construction methods used are suitable within this historically sensitive location. Internal works include the formation of new partition walls, installation of a floor within No.93 to facilitate the creation of residential accommodation.
- 5.2.5 Overall, it is considered that the proposal will not harm the significance of the building and will improve its overall condition, character and setting. It is also considered that the proposal would provide the opportunity to regenerate a key building and prominent site within the Bolton Le Sands Conservation area.
- 5.3 **Ecology National Planning Policy Framework (NPPF) Section 15. Conserving and enhancing the natural environment; Strategic Policies and Land Allocations DPD (SPLA DPD) Policy SP8: Protecting the Natural Environment; Review of the Development Management DPD (DM DPD) Policy DM29: Key Design Principles, Policy DM44: The Protection and Enhancement of Biodiversity.**
- 5.3.1 By reason of the nature of the buildings on site in terms of their age, condition and method of construction as well as the wider habitat provision within the locality, there is potential for protected species in particular bats to be present at the site. The application is supported by a bat survey which consisted of a preliminary bat roost assessment survey carried out in June 2023. No physical evidence to suggest use by bats was observed during the preliminary assessment. A single emergence survey was also carried out in June 2023, during this survey no bats were observed to emerge from the building and general bat activity in the local area was characterised by a low level of common and soprano pipistrelle bat foraging activity along the Lancaster Canal to the south of the property. The presence of bat roosts present at the development site is unlikely therefore the works can proceed. Precautionary mitigation measures are provided, and which can be conditioned.

6.0 Conclusion and Planning Balance

- 6.1 The proposal represents on an opportunity to secure the restoration of the listed building and provision of a viable use for this prominent and historically significant structure. Importantly, through appropriate design, massing and materials sympathetic to the fabric, character and appearance of the building, the proposal will ensure the conservation and enhancement of this designated heritage

asset, subject to planning conditions ensuring suitably high-quality details and samples. As such, this application is recommended for approval.

Recommendation

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

Condition no.	Description	Type
1	Approved plans	Control
2	Submission of details and samples for No. 93/95 and extensions	Prior to commencement
3	Submission of details and samples for boundary treatments and external surfacing/hard landscaping materials	Prior to commencement
4	Details of windows and doors for No. 95 and No. 93 (not side extension) in accordance with already approved details (17/00167/DIS)	Control

Background Papers

None

Agenda Item	A9
Application Number	23/01283/FUL
Proposal	Erection of a storage building (B8) and construction of a boundary wall
Application site	Land South Of The Bungalow Westcliffe Drive Morecambe Lancashire
Applicant	Mr William Daw
Agent	Mr Lee Fenton
Case Officer	Mr Robert Clarke
Departure	No
Summary of Recommendation	Approval

(i) Procedural Matters

This planning application would normally be determined in accordance with the scheme of delegation, however, as the proposal includes the diversion of a public right of way (which must be authorised by Planning Committee), it is considered prudent that the associated planning application be determined by Planning Committee also.

1.0 Application Site and Setting

1.1 The site which forms the subject of this planning application is a parcel of land located adjacent to the junction between Westcliffe Drive and Sunderland Drive in Morecambe. It measures approximately 970m² and is presently enclosed by block walling and a large conifer hedge to the north. The site is used as a storage yard and depot for a groundworks business. The site is located within flood zone 2, the northeastern corner of the site is located within flood zone 3. A public right of way passes through the development site. Residential development surrounds the site.

2.0 Proposal

2.1 This application seeks planning permission for the erection of a storage building falling within the B8 use class along with the construction of a boundary wall around the site perimeter. The building is to be used for the storage of vehicles and machinery associated with the groundworks business. It will be located close to the northern boundary of the site, requiring the removal of part of the existing hedgerow. It will measure 16 metres wide, 11 metres in depth and 7.3 metres in height to the ridge of the pitched roof. It will consist of yorkstone lower walls with brown metal cladding above to the elevations, brown metal sheet roof with solar panels and rooflights and roller shutter doors. The proposed boundary wall will measure 1 metre in height with 1.25 metre piers and will be finished in yorkstone.

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
99/00187/FUL	Erection of a boundary wall and entrance gate to site	Permitted
10/00897/FUL	Proposed development of eight 2 bedroom flats on land adjacent to the Bungalow	Permitted
14/01301/FUL	Erection of 4 dwellings	Refused

4.0 Consultation Responses

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

Consultee	Response
Morecambe Town Council	No response received.
Environmental Health	EV charging condition requested.
County Highways	No objection subject to conditions regarding access gateposts, surface materials, visibility splays.
Natural England	No response received.
Environment Agency	No objection subject to condition that development be carried out in accordance with Flood Risk Assessment.
PROW Officer	No objection, public footpath modification required.
United Utilities	No objection, advice provided regarding drainage.

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

5.0 Analysis

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

- Principle of development
- Flood risk
- Design
- Amenity
- Highways and Public right of way
- Drainage

5.2 **Principle of development** (National Planning Policy Framework Section 2. Achieving sustainable development, Section 4. Decision-making, Section 6. Building a strong, competitive economy; Strategic Policies and Land Allocations DPD (SPLA DPD) Policy SP1: Presumption in Favour of Sustainable Development, Policy SP3: Development Strategy for Lancaster District; Review of the Development Management DPD Policy DM15: Small Business Generation)

5.2.1 The subject site falls within the same ownership as the bungalow located immediately to the north. Ever since this dwelling was erected in the mid to late 1980s, the subject site has been used by the occupants of this property as a depot for a groundworks business. The applicant currently lives in

the bungalow and operates this business from the yard. An operator's licence is registered to the site. The use has been ongoing and uninterrupted for well in excess of 20 years as clearly visible on Google Earth historical imagery.

- 5.2.2 The proposed development will enable the storage of vehicles and machinery, which are presently stored in the open, within a secure building. The proposal will support the continued operation of an established B8 business at this site, the principle of which is supported. The operation of the use and building is functionally linked to the adjoining dwelling, and the proposed building will have an access to the adjoining dwelling to its rear elevation. Given the proximity and functionally linked nature between the proposed building and the adjacent dwelling, it is considered reasonable that a condition be imposed to ensure the site is not sold off and operated separately from this property, as this would lead to an unfavourable relationship and concerns regarding residential amenity. Furthermore, in order to prevent possible changes of use of the proposed building in the future, such as through Class P to residential C3 dwellings, which would be inappropriate given the sites flood risk, a condition is recommended to ensure the proposal remains in the approved use.
- 5.3 **Flood risk** (National Planning Policy Framework Section 14. Meeting the challenge of climate change, flooding and coastal change; Review of the Development Management DPD Policy DM33: Development and Flood Risk)
- 5.3.1 The majority of the development site falls within Flood Zone 2, though the north eastern corner falls within Flood Zone 3. A small area within the site falls within flood zone 1. The application is supported by a flood risk assessment which the Environment Agency has reviewed and has confirmed is satisfactory. Mitigation measures include specified finish floor levels, the use of the flood warning service, and flood resilience measures for flooring and electrical services. A condition is recommended to ensure the development is undertaken in accordance with the flood risk assessment.
- 5.3.2 With respect to the sequential test, in this instance given the established use at this site, a pragmatic approach is appropriate. It is established in such instances that it would not be reasonable to undertake a sequential assessment of other sites outside the context of the blue edge, given this is considered to form an extension/improvement of an existing business which is established on land within the applicant's ownership. To this end, the applicants established business operates entirely from this site, and there are no other landholdings within their ownership towards which such a development could be directed. The majority of the site falls within flood zone 2 with the northeastern corner within flood zone 3. A small portion of the site falls within flood zone 1, however, it would not be possible to direct development solely to this flood zone 1 area of the site. Given the inability to direct development to an area at a lower risk of flooding, in accordance with the pragmatic approach as advocated within the NPPG, it is considered that the proposal satisfies the Sequential test. In this instance, due to the development falling within the 'less vulnerable' category, the Exception Test is not required.
- 5.4 **Design** (National Planning Policy Framework Section 12. Achieving well-designed and beautiful places; Review of the Development Management DPD Policy DM29: Key Design Principles, Policy DM30: Sustainable Design, Policy DM45: Protection of Trees, Hedgerows and Woodland)
- 5.4.1 There are no other industrial type buildings within the immediate locality of this site, the area is predominantly residential consisting of a mix of dwelling types and sizes as well as large caravan parks. Despite this, the B8 use of the site is well established, the design of the building is considered to be acceptable. The use of yorkstone to both the lower parts of the building and the boundary walling will provide a consistent design approach and improve the current appearance of the site. The proposal will also require the removal of shipping containers which appear to have been present for a notable length of time which is a benefit. Their removal, which can be secured by condition, would be a visual enhancement.
- 5.5 **Amenity** (National Planning Policy Framework Section 12. Achieving well-designed and beautiful places; Review of the Development Management DPD Policy DM29: Key Design Principles)
- 5.5.1 Whilst close to residential dwellings, the proposal is set within an existing B8 storage and distribution site which is well established. The proposal for a building to enhance this existing business is supported in principle and would provide an opportunity for vehicles and machinery to be stored in

a secure building out of the weather. The use of this building for ongoing B8 uses would not impact further the standard of residential amenity that nearby residents currently enjoy. However, the maintenance of machinery and fleet vehicles within would not be appropriate in this location and would result in a change of use to a B2 type development, which by their nature are not suitable close to residential receptors. To ensure the development remains within the B8 use class, a condition is recommended.

5.6 **Highways and Public right of way** (National Planning Policy Framework Section 12. Achieving well-designed and beautiful places; Review of the Development Management DPD Policy DM29: Key Design Principles, Policy DM61: Walking and Cycling)

5.6.1 The County Highways Officer has reviewed the proposal and raised no objection to the development subject to conditions. The gated access into the site is well established, it is present on imagery from 2009 and likely predates this by some years. Therefore, the request to site gates 5 metres back into the site, which would render a large portion of the site unusable and make internal manoeuvrability more difficult for larger vehicles and trailers, is not recommended.

5.6.2 The site access is presently tarmacked, although gravel materials from nearby storage piles has spread over the access area. However, given the access surface is already finished with a bound tarmac material, a condition to require the access to be finished with a bound material is not recommended.

5.6.3 The site access is visually open and excellent visibility is provided in both directions onto Sunderland Drive. The proposed 1 metre boundary walling including the piers which measure 1.2 metres would not significantly hinder visibility when egressing the site. The erection of boundary walls or gates in the future which are larger than 1 metre would equally require planning permission. Therefore, there is confidence that suitable visibility can be retained into the future. For this reason, the final condition requested by the County Highways Officer regarding visibility splays of 45 degrees is not recommended.

5.6.4 A public right of way passes through the site. The location of the proposed building will require a diversion order under Section 257 of the Town and Country Planning Act 1990, and this is highlighted within the consultation response from the County Council PROW Officer. The extent of change is limited and involves the removal of the existing PROW from within the development site and its relocation to the adopted pedestrian pavement on Sunderland Drive and making a connection with the existing PROW which is located immediately to the east of the site and which follows the course of the small stream. The applicant is aware that a formal diversion order is required before planning permission can be implemented.

5.7 **Drainage** (National Planning Policy Framework Section 14. Meeting the challenge of climate change, flooding and coastal change; Review of the Development Management DPD Policy DM33: Development and Flood Risk, Policy DM34: Surface Water Runoff and Sustainable Drainage)

5.7.1 Policy DM34 sets out the Council's approach to managing surface water and sets out the requirement for a positive approach towards sustainable drainage solutions which can be incorporated into the design of development. The Council advocates the use of the SuDS hierarchy which is set out in Policy DM34 of the Development Management DPD. Any proposed development should consider how the surface water arising from the site should be managed with SuDS measures given priority as any solution. Policy DM34 sets out the SuDS hierarchy which follows wider best practice. The SuDS hierarchy order the preferential destination of surface water as follows:

1. Into the ground (i.e. infiltration at source)
2. Attenuated discharge to a surface water body, for instance a watercourse
3. Attenuated discharge to surface water sewer, highway drain or another drainage system
4. As a last resort, attenuated discharge to a combined sewer.

5.7.2 The application is not accompanied by a detailed drainage strategy, however, the proposed plan sets out that surface water from the proposed building would be directed to an existing outfall within the site which then leads to the watercourse to the east. Drainage via this method would be acceptable if the principle, providing that drainage via infiltration is found not to be feasible. Failing

that, there are combined sewers in the area towards which surface water could be directed. On this basis, there are multiple options which could be adopted for the dispersion of surface water from the proposed development. For this reason, a condition is recommended to secure a final detailed surface water drainage strategy to be in accordance with the drainage hierarchy.

6.0 Conclusion and Planning Balance

6.1 The use of the site as a B8 storage and distribution facility associated with a groundworks business has been established at this site for a significant period of time. The proposed development will support the continued operation of this established business, providing facilities for the storage of vehicles, machinery and materials within a building, rather than outdoors. The proposal will also secure the removal of shipping containers which would be a visual enhancement to the locality. The principle of the development proposed is supported. Subject to the recommended conditions, the proposal is also considered to be acceptable with respect to the material considerations discussed within this report.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Timescale	Control
2	Approved plans	Control
3	Surface water drainage strategy	Prior to commencement
4	Removal of shipping containers	Prior to commencement
5	Development in accordance with flood risk assessment	Control
6	Use linked to The Bungalow	Control
7	Use to remain B8/removal of permitted development rights	Control

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

In accordance with Article 35 of the above Order, your decision notice contains reasons for the imposition of planning conditions (where planning conditions are imposed), and in the case of each pre-commencement condition, a justification for the pre-commencement nature of the condition(s). Lancaster City Council has made the decision 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 decision has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None

Agenda Item	A10
Application Number	Associated with 23/01283/FUL
Proposal	To permanently divert a Public Footpath reference: FP0102023 in Morecambe to enable the implementation of development pursuant to the proposals set out in application 23/01283/FUL for the erection of a storage building (B8) and construction of a boundary wall.
Application site	Public Footpath No: FP0102023
Applicant	Mr William Daw
Agent	Mr Lee Fenton
Case Officer	Mr Robert Clarke
Departure	N/A
Summary of Recommendation	<ol style="list-style-type: none"> 1) That, subject to planning permission being granted for planning application 23/01283/FUL, an Order be made pursuant to Section 257 of the Town and Country Planning Act 1990 to divert Public Footpath FP0102023 in Morecambe in the manner set out in the report and the subsequent Order to enable the development to be carried out in accordance with the planning permission, and in the event of no objections being received or any objections being received are withdrawn, the Order be confirmed. 2) That the Chief Officer Planning and Climate Change be granted delegated powers to take or authorise any action considered necessary in respect of the making and confirmation of the Order duly authorised to be made.

(i) Procedural Matters

Planning application 23/01283/FUL relates to the erection of a storage building (B8) and construction of a boundary wall. Planning application 23/01283/FUL is reported to and recommended to be approved at this Planning Committee meeting. In accordance with the Councils constitution, approval for the making of a diversion order has to be made via Planning Committee.

1.0 Application Site and Setting

1.1 Public Footpath FP0102023 is a public right of way that lies within Morecambe. The footpath runs from south to north. Its southern most section commences on Sunderland Drive and passes through the development site subject of planning permission 23/01283/FUL before then navigating between neighbouring caravan sites and connecting with Westgate to the north. In total it measures approximately 350 metres, though the section which passes through development site subject of

planning permission 23/01283/FUL and which is subject to the diversion order measures around 25 metres.

- 1.2 Within the development site subject of planning permission 23/01283/FUL, Public Footpath FP0102023 comprises tarmac surfacing.

2.0 Background

- 2.1 Planning application 23/01283/FUL which is recommended to be approved, subject to conditions, is a full planning application for the erection of a storage building (B8) and construction of a boundary wall.

- 2.2 In order to secure an acceptable and safe development layout, it is necessary to divert the existing public right of way.

- 2.3 Section 257 of the Town and Country Planning Act 1990 (the Act) provides that the local planning authority authorised to grant planning permission may, by Order, authorise the stopping up or diversion of any footpath or bridleway if they are satisfied that it is necessary to do so in order to enable development to be carried out in accordance with planning permission granted under Part III of the Act.

- 2.4 When an Order is made by a local planning authority under Section 257, it is necessary for the local authority to give notice of the Order by publishing a notice in a local newspaper, displaying a notice on site and notifying specified persons and bodies. In the event that objections are made and not withdrawn, the Order will need to be referred to the Secretary of State for consideration and confirmation. If there are no objections or all objections are withdrawn or resolved, the Order can be confirmed by the local planning authority.

3.0 The Proposal

- 3.1 The applicant has applied to divert the section of Public Footpath FP0102023 which passes through the development site. The submitted diversion route plan shows the way in which Public Footpath FP0102023 would be relocated to the pedestrian pavement along Sunderland Drive before making a connection with the footpath already established along the eastern periphery of the development site and which follows the course of the small stream. The diverted section of Public Footpath FP0102023 would then connect with the extant route along the boundary of the neighbouring caravan site. The final position of the alternative route is a matter that shall be addressed and formalised through the diversion order process.

- 3.2 Fundamentally, the alternative route for the diverted Public Footpath FP0102023 shall maintain the connection between Sunderland Drive and Westgate. As confirmed by the PROW Officer at the County Council, the diverted route must have a minimum width of 2 metres, have a firm properly constructed surface with no gates or stiles crossing the new route. The precise position of the diverted route shall be provided on an amended Diversion Route Plan before the Order is made and publicity takes place. Part of the consultation and publicity will involve the County Council's public right of way team who are already aware of the development proposals and the need for the diversion order.

4.0 Advice

- 4.1 The existing footpath provides pedestrian connectivity between Sunderland Drive and Westgate. The critical part of this proposal is to ensure that the public right of way is legally maintained to ensure that the pedestrian movements between Sunderland Drive and Westgate can continue to be provided. The level of change is relatively minor, and would in effect involve the removal of the section of the public footpath from within a storage and distribution yard, and its re-routing around the periphery of the yard before connecting with its extant route. The final position shall be determined before the Order is made and in consultation with the County Council Public Rights of Way team.

4.2 Section 257 of the Act gives local planning authorities a power to change the route of a public footpath where a diversion is necessary to enable development to be carried out in accordance with a planning permission (the test). In view of the circumstances set out above and the suitability and availability of an alternative route, it is considered that the test set out in Section 257 is satisfactorily met. Further, it is considered the future developer who proceeds with implementing planning permission 23/01283/FUL should pay the costs of diverting Public Footpath FP0102023.

5.0 Recommendation

5.1 That the local planning authority proceeds to make an Order pursuant to Section 257 of the Town and Country Planning Act 1990 to divert a section of Public Footpath FP0102023 in Morecambe to enable the development to be carried out in accordance with the planning permission 23/01283/FUL. In the event of no objections being received to the Order, or any such objections received being withdrawn, the Order be confirmed. This is on the terms the developer pays the cost of diverting the footpath and providing the alternative route in accordance with the requirements of the confirmed Order.

5.2 That the Chief Officer of Planning and Climate Change be granted delegated powers to take or authorise any action considered necessary in respect of the making and confirmation of the Order duly authorised to be made.

Background Papers

None

Agenda Item	A11
Application Number	23/01441/FUL
Proposal	Change of use of an existing office building (Class E) into 4 self-contained flats (C3), installation of roof lights, alterations to window/door openings and replacement windows to all elevations, a new stone window head to the front elevation, installation of vents to the side and the roof, new rainwater goods and change of use of part of adjacent car park to site bin store
Application site	87 King Street Lancaster Lancashire LA1 1RH
Applicant	Mrs Jo Wilkinson
Agent	Mason Gillibrand Architects
Case Officer	Mr Andrew Clement
Departure	None
Summary of Recommendation	Approval

(i) Procedural Matters

This form of development would normally be dealt with via the scheme of delegation. However, the landowner and applicant is Lancaster City Council, therefore the application must be determined by the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 The property that forms the subject of this application relates to a three-storey end terrace, which is a Grade II Listed Building located on King Street within the Lancaster Conservation Area. The building is adjacent to a city Council car park, located on the corner of Spring Garden Street. The property was most recently leased as offices until November 2021. The property is constructed of stone walls externally and timber stud walls with lath and plaster finish internally with timber windows and doors, under a gable natural slate roof. The majority of buildings fronting Queen Square are Grade II Listed Buildings, whilst the nearby Ring O'Bells is Grade II* listed.

1.2 The site is located within the air quality management area for Lancaster gyratory road, in an area at medium risk of groundwater flooding, located in the primary shopping area of Lancaster City Centre, but beyond any designated primary or secondary retail frontages. The Lancaster gyratory road is a designated cycle network and public transport corridor, located with the regeneration priority area for central Lancaster. The site is within the impact risk zone for impact from residential development upon Morecambe Bay Special Area of Conservation (SAC), Special Protection Area (SPA), Ramsar site and the Lune Estuary Site of Special Scientific Interest (SSSI). The site is within Lancaster City Centre primary shopping area, but along a secondary retail frontage, part of the wider central Lancaster regeneration priority area.

2.0 Proposal

- 2.1 This application seeks planning permission for the conversion of the office building (Use Class E) to 4x 1-bed apartments. The apartments are intended to be used as short-term supported housing for single homeless persons across the district, and envisaged to provide the final stage supported accommodation, where support will eventually taper off and provide a more independent setting for the client group. The units form 1-bed single occupancy self-contained apartments, with some communal areas and bike storage within the building. The ground floor apartment will benefit from circa 15sq.m of external garden area, with the remaining circa 15sq.m of rear garden space communal amongst other occupants.
- 2.2 To facilitate the proposed change of use, internal and external alterations are proposed. New windows are to be installed in place of modern equivalents to the ground and second floor frontage and, whilst historic windows at first floor are to be repaired, retained and secondary glazing installed proud of the architrave. Rear elevation windows are to be repaired and restored with secondary glazing installed. To the side elevation, a second floor opening previously blocked is to be reinstated with a new double glazed sash window, with a new double glazed sash window also installed to the side gable at third floor level. Three new heritage style rooflights are to be installed to the rear facing roof pitch, with roof vents to the front and rear pitches and new slate vents to the lower side elevation.

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
23/01442/LB	Listed building application for alterations to window/door openings, installation of two upper floor windows to the side elevation and replacement windows to all elevations, a new stone window head to the front elevation, installation of vents to the side and to roof, new rainwater goods, fixing of timber boarding to boundary wall, removal and construction of internal partition walls and installation of new ceiling to basement and drop ceilings to ground, first and second floor	Concurrent
22/01043/PRETWO	Conversion of existing vacant office building to 4no. residential 1bed self contained flats, to include a communal support office, kitchen and provision of external bin store	Advice provided
14/00351/LB	Listed Building application for internal alterations to create new partition to form lobby and wheelchair accessible toilet facilities	Approved
11/00264/LB	Erection of a non-illuminated fascia sign	Approved
11/00101/LB	Internal alterations to create accessible toilet facilities	Approved
92/0528/LB	Construction of a ramp access	Approved

4.0 Consultation Responses

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

Consultee	Response
Conservation Team	No objection , subject to planning conditions controlling precise details of doors, windows, natural stone lintel, vents, rainwater goods and secondary glazing.
County Highways	No objection , subject to planning conditions regarding a construction management plan
Environmental Health	No objection , subject to planning conditions regarding acoustic level glazing and mechanical extract ventilation details, and unforeseen contamination.
Property Service	No observation received

Fire Safety	No objection , advice informative regarding emergency vehicle and water access
Lancashire Constabulary	No observation received

4.2 No responses have been received from members of the public to the site notice, newspaper publication or neighbour letters.

5.0 Analysis

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

- Principle of development
- Design, scale and streetscene impact upon heritage assets
- Residential amenity, noise and pollution
- Accessibility, transport and waste
- Ecology, flood risk and drainage

5.2 **Principle of development** Development Management DPD Policies Policy DM1 (New Residential Development and Meeting Housing Needs), DM2 (Housing Standards), DM8 (Accommodation for Older People and Vulnerable Communities), DM13 (Residential Conversions), DM14 (Proposals involving Employment Land and Premises), DM16 (Town Centre Development) and DM56 (Protection of Local Services and Community Facilities), Strategic Policies and Land Allocations DPD Policies SP1 (Presumption in Favour of Sustainable Development), SP2 (Lancaster District Settlement Hierarchy), SP6 (The Delivery of New Homes), SG4 (Lancaster City Centre), EC5 (Regeneration Priority Areas) and TC2 (Town Centre Designations), National Planning Policy Framework Section 2. (Achieving sustainable development), Section 4. (Decision-making), Section 5. (Delivering a sufficient supply of homes), Section 6. (Building a strong, competitive economy), Section 7. (Ensuring the vitality of town centres), Section 11. (Making effective use of land)

5.2.1 The application site is within the long-standing regeneration priority area of central Lancaster, and seeks reuse from offices to form 4x 1-bed apartments. In certain circumstance, such a change of use would benefit from General Permitted Development Order Schedule 2 Part 3 Class MA for change of use of commercial buildings to dwellinghouses, however this is not applicable for Listed Buildings such as this. The previous office use of the site was Citizens Advice Bureau, which vacated this premises a year and a half ago, moving to an alternative site nearby on George Street, operating this community service more centrally within Lancaster City Centre. In planning terms this is an office use, within Use Class E, not a Local community use in Use Class F.2 or defined in the local plan as such, and in any case this valuable community use has found an alternative site nearby, but the application site has remained vacant since. Whilst within the primary shopping area of Lancaster City Centre, the site is beyond any designated retail frontage, and the area is characterised as mixed residential and commercial. Immediately adjacent to this end terrace property is understood to be a 9-bed house in multiple occupancy (HMO), with student apartments opposite facing Queen Square, amongst a number of professional services for registry office, medical practice, computer repairs, accountants, engineers, recruitment professionals and a religious centre. Whilst there are retail and restaurant uses with more active frontages, the majority of properties in the vicinity have low key professional and domestic frontages, including the application site, which has two largely obscure glazed ground floor windows, a domestic scale door and relatively modest signage.

5.2.2 DM DPD Policy DM16 supports residential development within city centre locations, although this is when they are above ground floor, and maintain an active street frontage, and this applies particularly to designated retail frontages. The application site is beyond any designated retail frontage, and whilst just within the primary shopping area and Lancaster gyratory road, the character of the area is clearly mixed, with the opposite side of King Street having a number of apartments, and Queen Street just beyond becoming primarily residential. Furthermore, the long-standing office use of the building did not present an active frontage, with obscure glazing of domestic scale and viewed beyond an access ramp, presenting an inactive frontage. The proposed replacement windows with clear glazing would be more active, albeit domestic rather than commercial.

5.2.3 City centres have evolved from places of work and retail to have more mixed and complimentary uses, included the nighttime economic, leisure and dining enterprises alongside residential uses

within the centre. This diversification of uses helps create longer periods and greater variety of activities in the city centre, to the benefit of vibrancy and vitality of such centres. This evolution has been reflected in national general permitted development rights, and the flexibility to change use from commercial to residential to boost the supply of much needed residential properties. This need is even more acute for this proposed, with a pressing need to increase the number of bedspaces available to bring all rough sleepers indoors despite the current lack of suitable move on accommodation becoming available within the existing social housing stock, resulting in people being placed in bed and breakfast accommodation within the district. The proposal would provide more suitable and much needed supported housing stock to help address the current capacity issues, with all existing schemes at capacity and further individuals currently awaiting placement. This demand is anticipated to remain in the medium to long term. As such, whilst the proposed would result in the loss of current unused office space, this would meet an acute need for supported housing. The proposal is considered to be policy compliant, outside of a retail frontage designation and having no adverse impact upon active frontages through the proposal.

5.3 **Design, scale and streetscene impact upon heritage assets** Development Management DPD Policies DM29 (Key Design Principles), DM37 (Development affecting Listed Buildings), DM38 (Development affecting Conservation Areas), DM39 (The Setting of Designated Heritage Assets), DM41 (Development Affecting Non-Heritage Assets or their settings), DM46 (Development and Landscape Impact), and DM57 (Health and Wellbeing), Strategic Policies and Land Allocations DPD Policy SP7 (Maintaining Lancaster District's Unique Heritage), National Planning Policy Framework Section 12. (Achieving well-designed places) and Section 16. (Conserving and enhancing the historic environment), and Listed Building and Conservation Areas Act 1990

5.3.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed building, a Conservation Area or their setting, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the heritage asset or its setting. This is reiterated by policies DM37 and DM38. DM38 sets out that development within Conservation Areas will only be permitted where it has been demonstrated that:

- Proposals respect the character of the surrounding built form and its wider setting in terms of design, siting, scale, massing, height and the materials used; and,
- Proposals will not result in the loss or alteration of features which contribute to the special character of the building and area; and,
- Proposed uses are sympathetic and appropriate to the character of the existing building and will not result in any detrimental impact on the visual amenity and wider setting of the Conservation Area.

5.3.2 The application site forms a national heritage asset Grade II Listed Buildings, making a strong positive contribution to the city scape and Conservation Area, particularly when viewed in the context of other Grade II Listed Buildings fronting Queen Square, which is identified as a positive space of the Conservation Area. The site is a late 18th century house with 19th century alterations, with significance is derived from its aesthetic, illustrative and evidential values as a house of its era of typically classical design and locally characteristic material palette. The proposal seeks the installation of two upper floor side facing windows, one reinstating a previously blocked up opening, plus three rooflights to the rear facing roof pitch and vents to the roof and lower side elevation. A bound bin store within the adjacent carpark is to be provided, with modern windows replaced with new slimline double glazed timber framed units to match existing design. The ground floor front facing windows are proposed to be modified to form 2x new double glazed sash 4 over 4 design either side of a new central mullion, with historic windows repaired and secondary glazing installed to those units.

5.3.3 The Conservation Officer originally raised objection to the proposal, primarily due to internal alterations assessed within the concurrent Listed Building application. However, amended plans have addressed these concerns, with no objection to these amendments, subject to details and samples of developments and works proposed. The proposed installation of three rooflights to the rear elevation would be harmful, as it would reduce the aesthetic value of the building, although this is mitigated to some degree through the conservation style rooflights proposed, located to the less prominent rear roof slope and staggered layout. As such, this harm, and the addition of sympathetically designed windows to the side elevation, would be cumulatively limited. The replacement windows to the front elevation are considered to be a limited heritage benefit,

introducing narrower sash windows, mullion and raised cill. Combined with returning the property to the optimal viable heritage use of residential for this historic house, the heritage benefits are considered to mitigate and outweigh the limited harm caused by other justified alterations proposed to facilitate this use. The amended proposal has no objection from the Conservation Officer, subject to planning conditions regarding precise details and samples for developments and works, and the proposal would ensure a suitable use of the vacant property, providing a scheme for the refurbishment and long term use and maintenance of this national heritage asset.

- 5.4 **Residential amenity, noise and pollution** Development Management DPD Policies DM29 (Key Design Principles), DM31 (Air Quality Management and Pollution), DM32 (Contaminated Land, Strategic Policies), Appendix G (Purpose Built Student Accommodation), Strategic Policies and Land Allocations DPD Policy EN9: (Air Quality Management Areas), and National Planning Policy Framework Section 8. Promoting healthy and safe communities
- 5.4.1 All proposed apartments are one-bedroom units covering a floor each, with additional amenity benefits of some modest external space, individual ground floor storage within the existing single storey outrigger, and some communal areas to the first and second floors as part of support to future occupants. Three of these apartments comfortably achieve and exceed to Nationally Described Space Standards (NDSS), benefits from good levels of outlooked and natural light from improved (repaired or upgraded) window openings. The top floor attic room apartment provides circa 40sq.m of floorspace, but some of this is forms entrance ways and space with under 1.5 metre headroom, not habitable space. Excluding the entrance areas and low height areas (less than 1.5-metre-tall ceiling), the proposal provides circa 32 sq.m, beneath the 37sq.m minimum for such accommodation. Being within the roof space, top floor apartment cannot achieve over 75% of floorspace with at least 2.3 metre height, a further NDSS requirement.
- 5.4.2 Whilst this top floor apartment is beneath minimum standards for unfettered occupation, the proposal is not unfettered, but for short-term supported housing for single homeless across the district, envisaged to provide the final stage supported accommodation with greater independence. It is understood that the maximum period of occupancy would be 2 years, but hopefully even shorter term to facilitate moving on into permanent housing. The top floor apartment has good levels of natural light and outlook from new windows and rooflights, and far exceeds the amenity accepted for student studios, albeit the occupancy of these is often less than a year being student occupied. Subject to the top floor apartment being controlled for single occupancy for no more than two years, the proposal is considered to offer suitable amenity for this duration for the intended end user. This should be controlled through planning condition for the top floor flat only, as whilst the other three apartments are also intended to be occupied in this fashion, they offer ample provision and amenity for unfettered occupation, so in planning terms there would be no justification to restrict occupation of these larger apartments.
- 5.4.3 The application site fronts the Lancaster gyratory road in Lancaster city centre, located within the noise and air quality environment of this trafficked and active area of Lancaster. In terms of air quality, concentrations of NO₂ and PM₁₀ are likely to be below their respective long and short-term objectives at the proposed development site, which is considered suitable for residential use with regards to air quality. Noise levels within the current building exceed those required to be considered habitable, and therefore mitigation is required in the form of secondary glazing, double and triple glazing, plus ventilation to ensure windows do not need to be open to ventilate rooms. Whilst sympathetic trickle vents could be incorporated into new double/triple glazed sliding sash windows, given the retention of historic windows to the front first floor, mechanical ventilation to these rooms at least is anticipated, as trickle vents to historic windows would likely cause unjustifiable harm. The details and implementation of glazing and ventilation can be controlled through planning condition, and subject to such details being agreeable in consultation with the Conservation Team, along with occupancy restriction to the top floor apartment, it is considered that the proposal would offer suitable residential amenity for the intended use.
- 5.4.4 In addition to ventilation and glazing requirements to ensure noise and air quality impacts are mitigated as recommended in reports submitted as part of this application, Environmental Health have recommended an unforeseen contaminated land planning condition to protect workers and future occupants. However, given that the minimal developments breaking ground as part of the proposal, and the previous office use of the site, it is considered that contamination risk is extremely unlikely, and it is not reasonable or necessary to attach this planning condition.

- 5.5 **Accessibility, transport and waste** Development Management DPD DM29 (Key Design Principles), DM57 (Health and Well-being), DM61 (Walking and Cycling), DM62: (Vehicle Parking Provision), Appendix E (Car Parking Standards), Strategic Policies and Land Allocations DPD T2: Cycling and Walking Network, T4 (Public Transport Corridors), PAN08 (Cycling and Walking), National Planning Policy Framework Section 9. (Promoting sustainable transport)
- 5.5.1 Waste and recycling bins for the proposed accommodation are to be stored externally within the far corner of the carpark adjacent towards the rear of the building. Whilst this area is visible within the Conservation Area, and would conceal an area of tall natural sandstone wall, this would be inconspicuously located in a shadowed corner at the far end of the carpark. Subject to suitable dark painted timber materials, this would cause no undue harm to the Conservation Area. This provision provides suitable and accessible waste and recycling services for future residents and for collections, which is considered to be acceptable provision in the absence of externally accessible curtilage within the existing site.
- 5.5.2 The application site is within the city centre, with no access to private off nor on-street parking in the vicinity. However, the site is extremely well served by public transport, with Common Garden Street bus stops and the train station short walks away. Private transport arrangements are to be provided within the rear outrigger, with individual storage spaces for bicycles for each apartment. This is considered to be very good provision to encourage sustainable and individual transport, not solely reliant on public transport in the absence of car parking. The provision of this secure cycle storage will encourage uptake in cycle travel amongst future occupants and those that may visit the site. County Highways have no objection to the proposal, but have requested a construction management plan. However, given the proposed physical developments relates just boundary treatment to a bin area, new openings and internal works, it is considered that such a planning condition cannot be justified as necessary and reasonable in this instance, as planning conditions should be kept to a minimum.
- 5.6 **Ecology, flood risk and drainage** Development Management (DM) DPD Policies DM7 (Purpose Built Accommodation for Students), DM33 (Development and Flood Risk), DM34 (Surface Water Run-off and Sustainable Drainage) and DM57 (Health and Wellbeing), Strategic Policies and Land Allocations (SPLA) DPD Policies SP8 (Protecting the Natural Environment), EN7 (Environmentally Important Areas), and EC5 (Regeneration Priority Areas); National Planning Policy Framework (NPPF) Section 14. (Meeting the challenge of climate change, flooding and coastal change) and Section 15. (Conserving and enhancing the natural environment)
- 5.6.1 With regards to ecology and biodiversity, the vast majority of the site is developed land and sealed surfaces, and the ecological value of the site is negligible. Morecambe Bay is very important for many species of birds, and the application site is within the impact risk buffer zone of the Morecambe Bay and its environmental designations. As such, there is the potential for development and recreational use close to the designated sites to have impacts on birds associated with the SPA and Ramsar designations. It is considered that these impacts could be avoided, but only through mitigation. In light of the People Over Wind ruling by the Court of Justice of the European Union, likely significant affects cannot be ruled out without mitigation and therefore an Appropriate Assessment (AA) is required. This is contained within a separate document and concludes that, with the implementation and retention, where appropriate, of mitigation the development will have no adverse effects on the integrity of the designated sites, their designation features or their conservation objectives, through either direct or indirect impacts either alone or in-combination with other plans and projects. Subject to the implementation of the mitigation measures within the AA, namely for homeowner packs including details of adjacent designated sites and alternative for recreation to mitigate such recreation pressure, the proposal is considered to have an acceptable impact upon the environment, habitats and protected species and sites. Subject to this planning condition, the proposal is considered to adequately mitigate the impacts upon ecology and risk of contamination, compliant with relevant policies, with no objection from Natural England.
- 5.6.2 The site falls within Flood Zone 1, over 200 metres from Flood Zone 2 and at a higher topography than the northern section of the city centre that is more liable to flooding. Whilst surface water flooding impacts surrounding streets, and the majority of those within the city centre during 1in1000 year events, this is not a flood risk within the site itself. The site is at medium risk of groundwater flooding, in a class that has potential for groundwater flooding of property situated below ground

level. The proposal seeks a change of use within the existing built form, with no extensions to this, and as such is exempt from the Sequential and Exception Tests. Whilst no specific flood risk mitigation is proposed, given the proposal is impacted by groundwater flooding only, and the basement is to remain unused in this proposal other than for services whilst the ground floor level is elevated above the external land, this is considered to be suitable in this instance. The proposal will use existing drainage arrangements unchanged, and will therefore not exacerbate any flood risk beyond the site. As such, the proposal is considered to be acceptable in terms of flood risk.

6.0 Conclusion and Planning Balance

6.1 The proposal would change use from a commercial office space to residential within the city centre. However, this would return this national heritage asset back to the optimal viable use of residential for this historic residential end terrace. The change of use sought would have no adverse impact upon activity of the streetscene, whilst providing 4x units of supported housing to address homelessness in the district, a social benefit of significant weight, albeit limited by the modest scale of the proposal. The proposal includes sympathetic developments and alterations to cause no undue harm to the national heritage assets, and provides suitable provisions and amenity for the future occupants, controlled as such for the top floor apartment. In the absence of any identified undue harm, and with public benefits of addressing an acute local housing need, particularly for the intended end user group, the proposal is considered to weigh in favour of approval, subject to planning condition.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Standard 3 year timescale	Control
2	Development in accordance with the amended approved plans	Control
3	Precise details and samples external materials	Prior to works above ground, implement prior to first use
4	Details of ventilation and secondary, double and triple glazing	Prior to installation and first use
5	Implementation of bike and bin stores, including details of the enclosure	Prior to first use
6	Ecological homeowner pack – HRA mitigation	Prior to first use
7	Single occupation for up-to 2 years top floor apartment only	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

Agenda Item	A12
Application Number	23/01442/LB
Proposal	Listed building application for alterations to window/door openings, installation of two upper floor windows to the side elevation and replacement windows to all elevations, a new stone window head to the front elevation, installation of vents to the side and to roof, new rainwater goods, fixing of timber boarding to boundary wall, removal and construction of internal partition walls and installation of new ceiling to basement and drop ceilings to ground, first and second floor
Application site	87 King Street Lancaster Lancashire LA1 1RH
Applicant	Mrs Jo Wilkinson
Agent	Mason Gillibrand Architects
Case Officer	Mr Andrew Clement
Departure	None
Summary of Recommendation	Approval

(i) **Procedural Matters**

This form of development would normally be dealt with via the scheme of delegation. However, the landowner and applicant is Lancaster City Council, therefore the application must be determined by the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 The property that forms the subject of this application relates to a three-storey end terrace, which is a Grade II Listed Building located on King Street within the Lancaster Conservation Area. The building is adjacent to a city Council car park, located on the corner of Spring Garden Street. The property was most recently leased as offices until November 2021. The property is constructed of stone walls externally and timber stud walls with lath and plaster finish internally with timber windows and doors, under a gable natural slate roof. The majority of buildings fronting Queen Square are Grade II Listed Buildings, whilst the nearby Ring O'Bells is Grade II* listed.

1.2 The site is located within the air quality management area for Lancaster gyratory road, in an area at medium risk of groundwater flooding, located in the primary shopping area of Lancaster City Centre, but beyond any designated primary or secondary retail frontages. The Lancaster gyratory road is a designated cycle network and public transport corridor, located with the regeneration priority area for central Lancaster. The site is within the impact risk zone for impact from residential development upon Morecambe Bay Special Area of Conservation (SAC), Special Protection Area (SPA), Ramsar site and the Lune Estuary Site of Special Scientific Interest (SSSI). The site is within Lancaster City Centre primary shopping area, but along a secondary retail frontage, part of the wider central

Lancaster regeneration priority area.

2.0 Proposal

- 2.1 This application seeks planning permission for the conversion of the office building (Use Class E) to 4x 1-bed apartments. The apartments are intended to be used as short-term supported housing for single homeless persons across the district, which are envisaged to provide the final stage supported accommodation, where support will eventually taper off and provide a more independent setting for the client group. The units form 1-bed single occupancy self-contained apartments, with some communal areas and bike storage within the building. The ground floor apartment will benefit from circa 15sq.m of external garden area, with the remaining circa 15sq.m of rear garden space communal amongst other occupants.
- 2.2 To facilitate the proposed change of use, internal and external alterations are proposed. New windows are to be installed in place of modern equivalents to the ground and second floor frontage and, whilst historic windows at first floor are to be repaired, retained and secondary glazing installed proud of the architrave. Rear elevation windows are to be repaired and restored with secondary glazing installed. To the side elevation, a second floor opening previously blocked is to be reinstated with a new double glazed sash window, with a new double glazed sash window also installed to the side gable at third floor level. Three new heritage style rooflights are to be installed to the rear facing roof pitch, with roof vents to the front and rear pitches and new slate vents to the lower side elevation. Internally, works will take place to modern internal partitions to form the proposed domestic layout, with a communal staircase and individual ground floor bike storage areas. Fire proofing and noise mitigation is to be provided with intumescent paint and floorboard lifting, with ground floor cycle storage to be provided within the existing rear outrigger.

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
23/01441/FUL	Change of use of an existing office building (Class E) into 4 self-contained flats (C3), installation of roof lights, alterations to window/door openings and replacement windows to all elevations, a new stone window head to the front elevation, installation of vents to the side and the roof, new rainwater goods and change of use of part of adjacent car park to site bin store	Concurrent
22/01043/PRETWO	Conversion of existing vacant office building to 4no. residential 1bed self contained flats, to include a communal support office, kitchen and provision of external bin store	Advice provided
14/00351/LB	Listed Building application for internal alterations to create new partition to form lobby and wheelchair accessible toilet facilities	Approved
11/00264/LB	Erection of a non-illuminated fascia sign	Approved
11/00101/LB	Internal alterations to create accessible toilet facilities	Approved
92/0528/LB	Construction of a ramp access	Approved

4.0 Consultation Responses

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

Consultee	Response
Conservation Team	No objection , subject to planning conditions controlling precise details of doors, windows, natural stone lintel, vents, rainwater goods and secondary glazing.

County Highways	No objection , subject to planning conditions regarding a construction management plan
Environmental Health	No objection , subject to planning conditions regarding acoustic level glazing and mechanical extract ventilation details, and unforeseen contamination.
Property Service	No observation received
Fire Safety	No objection , advice informative regarding emergency vehicle and water access
Lancashire Constabulary	No observation received

4.2 No responses have been received from members of the public to the site notice, newspaper publication or neighbour letters.

5.0 Analysis

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

- Design, scale and streetscene impact upon heritage assets

5.2 **Design, scale and streetscene impact upon heritage assets** Development Management DPD Policies DM29 (Key Design Principles), DM37 (Development affecting Listed Buildings), DM38 (Development affecting Conservation Areas), DM39 (The Setting of Designated Heritage Assets), DM41 (Development Affecting Non-Heritage Assets or their settings), DM46 (Development and Landscape Impact), and DM57 (Health and Wellbeing), Strategic Policies and Land Allocations DPD Policy SP7 (Maintaining Lancaster District's Unique Heritage), National Planning Policy Framework Section 12. (Achieving well-designed places) and Section 16. (Conserving and enhancing the historic environment), and Listed Building and Conservation Areas Act 1990

5.2.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed building, a Conservation Area or their setting, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the heritage asset or its setting. This is reiterated by policies DM37 and DM38. DM38 sets out that development within Conservation Areas will only be permitted where it has been demonstrated that:

- Proposals respect the character of the surrounding built form and its wider setting in terms of design, siting, scale, massing, height and the materials used; and,
- Proposals will not result in the loss or alteration of features which contribute to the special character of the building and area; and,
- Proposed uses are sympathetic and appropriate to the character of the existing building and will not result in any detrimental impact on the visual amenity and wider setting of the Conservation Area.

5.2.2 The application site forms a national heritage asset Grade II Listed Buildings, making a strong positive contribution to the city scape and Conservation Area, particularly when viewed in the context of other Grade II Listed Buildings fronting Queen Square, which is identified as a positive space of the Conservation Area. The site is a late 18th century house with 19th century alterations, with significance is derived from its aesthetic, illustrative and evidential values as a house of its era of typically classical design and locally characteristic material palette. The proposal seeks the installation of two upper floor side facing windows, one reinstating a previously blocked up opening, plus three rooflights to the rear facing roof pitch and vents to the roof and lower side elevation. A bound bin store within the adjacent carpark is to be provided, with modern windows replaced with new slimline double glazed timber framed units to match existing design. The ground floor front facing windows are proposed to be modified to form 2x new double glazed sash 4 over 4 design either side of a new central mullion, with historic windows repaired and secondary glazing installed to those units.

5.2.3 The Conservation Officer originally raised objection to the proposal, primarily due to internal alterations assessed within the concurrent Listed Building application. However, amended plans have addressed these concerns, with no objection to these amendments, subject to details and samples of developments and works proposed. The proposed installation of three rooflights to the rear elevation would be harmful, as it would reduce the aesthetic value of the building, although this

is mitigated to some degree through the conservation style rooflights proposed, located to the less prominent rear roof slope and staggered layout. As such, this harm, and the addition of sympathetically designed windows to the side elevation, would be cumulatively limited. The replacement windows to the front elevation are considered to be a limited heritage benefit, introducing narrower sash windows, mullion and raised cill. Combined with returning the property to the optimal viable heritage use of residential for this historic house, the heritage benefits are considered to mitigate and outweigh the limited harm caused by other justified alterations proposed to facilitate this use.

5.2.4 Internally the proposal has been amended to address original heritage objection to the proposal. The sought fire measures now avoid impact upon historic cornices, which was an area of harm previously identified. Similarly, avoiding works to box off part of the historic internal stairwell and fire windows within historic openings avoids such harm through the proposed amendments, and historic alcoves are now to be retained. Precise details of internal works and secondary glazing will be required through planning condition, including precisely how these will avoid historic fabric such as window architraves, however subject to such planning conditions the proposal avoids undue heritage harm. The amended proposal has no objection from the Conservation Officer, and the proposal would ensure a suitable use of the vacant property, providing a scheme for the refurbishment and long-term use and maintenance of this national heritage asset.

6.0 Conclusion and Planning Balance

6.1 The proposal for the refurbishment and alteration of offices to residential accommodation is considered to be policy compliant, facilitating the conversion to the optimal viable use of the site whilst bringing renovations and a future use and maintenance of the site. Importantly, through sympathetic alterations and details to be controlled through planning condition, the amended proposal results in no undue harm to heritage assets, subject to ensuring suitably high-quality details and samples. As such, the proposal is considered to be acceptable from a heritage perspective, with no objection from the Conservation Officer, and therefore this application is recommended for approval subject to conditions.

Recommendation

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

Condition no.	Description	Type
1	Standard 3 year timescale	Control
2	Development in accordance with the amended approved plans	Control
3	Precise details and samples external materials and internal works	Prior to works above ground

Background Papers

None

Agenda Item	A13
Application Number	24/00088/FUL
Proposal	Change of use of dwellinghouse (C3) to housing co-operative (Sui Generis) installation of solar panels to the south facing roof slope, air source heat pump (2 no. units) to the west facing elevation and reconfiguration of parking
Application site	Abbeyfield House 78 Beech Road Halton Lancaster
Applicant	Miss Anna Clayton
Agent	Miss Jo Clark
Case Officer	Mr Andrew Clement
Departure	None
Summary of Recommendation	Approval

(i) **Procedural Matters**

This form of development would normally be dealt with via the scheme of delegation. However, the applicant is in receipt of grant support from Lancaster City Council, therefore the application must be determined by the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 The property that forms the subject of this application relates to a detached corner plot on the inside corner of Beech Road and Waltham Court, north of High Road in the village of Halton. The site is currently a large 10-bed detached dwellinghouse, with previous consents for 'housing association for 8 (or 9) residents (86/0950 and 87/00162/HST) and extension to Abbeyfield Society Norman Howarth House, which provided accommodation with support and meal provision for older people. The site appears to have been more recently used as a single dwellinghouse, which benefits from a detached outbuilding to the rear and off-street parking. The site is within the setting of the Halton Conservation Area and Grade II Listed Building 1 Houghton Court, which area circa 35 metres to the south. The site and majority of the district outside of towns and cities is within the designated Open Countryside. Roads around the site have a low risk of surface water flooding, and the wider area has limited risk of groundwater flooding.

2.0 Proposal

2.1 This application seeks planning permission for the conversion of the dwellinghouse to a 10-bed co-housing housing in multiple occupancy (HMO), offering co-housing rooms for affordable rent (set at Local Housing Allowance LHA rate) in perpetuity, as an alternative form of affordable housing provision within the district. No physical alterations are necessary to facilitate the proposed use within the existing built form and internal layout, however the application includes the addition of

sustainable energy measures in the form of solar panels to the south and southeast facing roof pitches, and air source heat pump (ASHP) to the internal west facing elevation.

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
23/01029/PRENG2	Pre application advice for the change of use to 10 affordable housing spaces	Advice Provided
00/00046/FUL	Erection of a single storey extension to form guest sitting room	Permitted
87/01091/HST	Amendment to condition 1 on 87/162 for UPVC windows at Abbeyfield	Permitted
87/00162/HST	Res matters for Abbeyfield house for 9 persons	Permitted
86/0950	Outline application for residential development including housing association for 8 residents	Permitted

4.0 Consultation Responses

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

Consultee	Response
Halton-with-Aughton Parish Council	No observations received
County Highways	No objection , subject to planning conditions for construction hours and management plan
Environmental Health	No observations received
Fire Safety Officer	No objection , recommend an informative regarding fire safety vehicle access and water provision
Natural England	No observations received
Conservation Section	No observations received
Strategic Housing	No observations received
Planning Policy	No observations received

4.2 The **one objection** has been received from members of the public:

- Concern regarding air source heat pump potentially adjacent to adjoining boundary, and potential noise from this unit at close proximity
- Question affordability, and potentially subsequent uses
- Exacerbate parking issues on cul-de-sac
- Site unsuitable for livestock, bee hives or other potential growing activities.

5.0 Analysis

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

- Principle of development and affordable housing
- Design, scale and streetscene impact upon heritage assets
- Residential amenity and noise
- Accessibility, transport waste, and energy efficiency

- 5.2 **Principle of development and affordable housing** Development Management DPD Policies DM3 (The Delivery of Affordable Housing), DM13 (Residential Conversions, Strategic Policies and Land Allocations DPD Policies SP1 (Presumption in Favour of Sustainable Development), SP2 (Lancaster District Settlement Hierarchy), National Planning Policy Framework Section 2. (Achieving sustainable development), Section 4. (Decision-making), Section 5. (Delivering a sufficient supply of homes), Section 11. (Making effective use of land)
- 5.2.1 This proposal seeks a change of use from a dwellinghouse to large co-housing HMO, which is Sui Generis, or 'of its own', beyond the defined use classes. The site has previously been occupied in alternative fashions to a standard dwellinghouse, including permission in the mid-80's and at the turn of the millennium for circa 8 residents. The proposal would be occupied as a shared house, occupied by unrelated individuals as their only or main residence, who share basic amenities such as a kitchen or bathroom. There is a general presumption against new housing in multiple occupancy (HMO) within the district. This presumption is due to the importance and prioritising the maintenance of an appropriate housing mix and safeguarding the character of residential area. Whilst the application site is beyond the Article 4 direction area to manage this provision through removing permitted development rights for such uses converted from dwellinghouses not in multiple occupancy, due to the scale of HMO (more than 6 unrelated occupants), planning permission is required.
- 5.2.2 There are currently no known HMO properties within 100 metres of the site, and given the relatively low density housing in the vicinity, the proposal would result in just 3.64% concentration of HMO, well beneath the 10% policy position against such proposals. As such, it is clear there would not be an over concentration of HMO locally through this proposal. In terms of exceptional circumstances to justify such circumstance where the proposal for HMO accommodation could be supported, there are additional criteria with DM DPD policy DM13 to minimise noise and disturbance, storage for refuse and cycles, not harm character of built form, avoid unacceptable parking and not create sub-standard living conditions. Such matters will be assessed in the following section of this report, and whilst it is unclear whether the property has been marketed for unfettered occupation for 6 months, it is considered that the affordable housing credentials of the proposal are a clear exception circumstance, addressing an acute housing need within the district.
- 5.2.3 The proposal has received Lancaster City Council Cabinet support to obtain the property for alternative affordable housing within the district. Whilst co-housing is outside of the usual affordable housing provision offered within the district, the property would operated by Lapwing Housing Co-operative, with a democratic organisation where no member individually owning or making profit at the expense of another. People would live collectively within the property, but the grant agreement approved by Cabinet controls the provision as affordable rent of rooms in perpetuity, capped at Local Housing Allowance affordable rent for a single room, with bills shared amongst a number of occupants to reduce costs. The proposal also proposes sustainable energy and heating measures proposed to reduce ongoing costs further. The grant agreement offers suitable legal control of the affordable provision, which is attached significant weight in addressing the acute affordable housing need, providing new and an alternative type of provision to existing stock, albeit on a modest scale of 10 bedrooms. This is considered to be a suitable exceptional circumstance against the presumption against such accommodation in the district, with a very low concentration of HMO locally through the proposal. Subject to achieve the additional criteria with DM DPD policy DM13, the principle of the proposal is considered to be acceptable and policy compliant.
- 5.3 **Design, scale and streetscene impact upon heritage assets** Development Management DPD Policies DM29 (Key Design Principles), DM39 (The Setting of Designated Heritage Assets), DM46 (Development and Landscape Impact), and DM57 (Health and Wellbeing), Strategic Policies and Land Allocations DPD Policy SP7 (Maintaining Lancaster District's Unique Heritage), National Planning Policy Framework Section 12. (Achieving well-designed places) and Section 16. (Conserving and enhancing the historic environment), and Listed Building and Conservation Areas Act 1990
- 5.3.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed building, a Conservation Area or their setting, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the heritage asset or its setting. This is reiterated by policies DM37 and DM38. DM38

sets out that development within Conservation Areas will only be permitted where it has been demonstrated that:

- Proposals respect the character of the surrounding built form and its wider setting in terms of design, siting, scale, massing, height and the materials used; and,
- Proposals will not result in the loss or alteration of features which contribute to the special character of the building and area; and,
- Proposed uses are sympathetic and appropriate to the character of the existing building and will not result in any detrimental impact on the visual amenity and wider setting of the Conservation Area.

5.3.2 The application site is not a listed building nor within a Conservation Area, but is within the setting of 1 Houghton Court, a converted late 18th century barn, within the Halton Conservation Area. The change of use proposed would be unnoticeable from a heritage setting perspective, and the proposed ASHP would be visually contained within the rear garden. The proposed solar panels would be visible from the heritage assets, with a narrow footpath between the application site and these heritage assets circa 35 metres to the south. The proposal includes solar panels so the south and southeast front elevations of the property, facing towards these heritage assets.

5.3.3 The intervening setting is car parking and more modern dwellinghouses outside the Conservation Area, and panels would project less than 20cm from the modern concrete tile roof. In this setting and context, the proposed solar panels would have no adverse impact upon the setting of heritage assets of the streetscene beyond the Conservation Area. Whilst these are not sited in a fashion to minimise impacts, as they're facing the streetscene, due to the nature of the site and character of the area, no undue harm would be caused by the installation of solar PV panels, nor any other aspect of this proposal in terms of design, streetscene and setting of heritage assets.

5.4 **Residential amenity and noise Development Management DPD Policies DM2 (Housing Standards), DM29 (Key Design Principles) and National Planning Policy Framework Section 8. Promoting healthy and safe communities**

5.4.1 The existing dwellinghouse offers 10 bedrooms. An existing ground floor bedroom with poor dimensions and outlook is sought to be used as a sitting room, with an upper floor store room renovated to a bedroom, but beyond this the proposed layout is largely the same as existing. The new upper floor bedroom is the only one without an en-suite bathroom and the only bedroom to fall beneath the 11.5sq.m minimum as a double bedroom under NDSS requirements. However, this smaller bedroom far exceeds the minimum for a single bedroom (7.5sq.m), benefits from a separate smaller room space with a separately access bathroom between. This bedroom and all other rooms within the house are considered to be habitable for the use proposed, with future occupants also benefitting from multiple communal living spaces, kitchen and separate utility areas. All habitable rooms have windows providing suitable outlook and natural light. Whilst the garden would be shared amongst all residents, at over 200sq.m this is ample for the proposed use. As such, it is considered that the proposal would offer good standards of residential amenity to all future occupants.

5.4.2 The property is detached, towards the end of a relatively quiet cul-de-sac location in the village of Halton. The proposed change of use would largely go unnoticed by most neighbours, although the neighbour to the west is in particularly close proximity, and changes to occupancy and development would be more tangible. The original plans included potential for ASHP infrastructure adjacent to this near neighbour's boundary. However, amended plans have moved this more centrally within the site, over 12 metres from curtilage boundaries, which is considered to be acceptable. One neighbour objection also raised concern regarding parking, which will be explored in the following section of this report, and potential use of the garden space. The garden could be used in such a manner whether approved or occupied as a single dwellinghouse. The amendments to the location of ASHP has addressed concern regarding noise from such sustainable heating units immediately adjacent to a neighbouring conservatory, and it is considered that through these amendments the proposal will have no adverse impact upon neighbouring residential amenity standards, whilst offering good standards of amenity to future occupants.

5.5 **Accessibility, transport, waste and energy efficiency Development Management DPD DM29 (Key Design Principles), DM30 (Sustainable Design), DM57 (Health and Well-being), DM61 (Walking and Cycling), DM62: (Vehicle Parking Provision), Appendix E (Car Parking Standards), Strategic Policies and Land Allocations DPD T2: Cycling and Walking Network, PAN08 (Cycling and**

- 5.5.1 The application site is within the village of Halton, with very frequent bus service to Lancaster between 6am and 9pm. The Lune Valley up to Halton and beyond to Caton has a direct and largely off-road cycleway to Lancaster, Morecambe and Heysham, which makes Halton a very sustainable settlement, with services and infrastructure that actively encourage sustainable transport options. This is to be encouraged further within the proposal, with a number of measures within the application to reduce private car trips. The site benefits from an existing bike shed containing Sheffield stands for up to 12 bicycles and e-bike charging points, which is a positive aspect of encouraging this transport option. Alterations to the forecourt area off Beech Road are proposed to provide 2x off-street car parking spaces to the site. Whilst measures within the travel plan to discourage car ownership amongst occupants cannot be controlled through the planning process, the site benefits from multiple sustainable transport options, and it is considered that occupants would not be solely dependent on car ownership. Given the cul-de-sac location, lack of passing traffic and general availability of on-street parking in the vicinity, subject to the proposed 2x parking space associated with the proposed use being provided, it is considered that the proposal would not generate a severe highway impact nor highway safety issue in this location, and the proposal is considered to be acceptable from this perspective.
- 5.5.2 County Highways have no objection to the proposal, but have requested a construction management plan and construction hours, primarily due to the proximity to the local school. However, given the proposal relates to minor developments to solar panels and ASHP, with any over works internal refurbishments beyond the control of planning, it is considered that such a planning condition cannot be justified as necessary and reasonable in this instance, as planning conditions should be kept to a minimum. There is no details of waste and recycling provision within this proposal, but given the site benefits from ample rear garden space, and the fact waste arrangements would be very similar to that of the existing large dwellinghouse, there is no concern with this regard.
- 5.5.3 Whilst the proposal seeks to use the existing built form with few developments, sustainable design has been incorporated into this proposal and application, which seeks permission for solar panels and ASHP. Whilst these are not essential to facilitate the proposed use, they're certainly beneficial to future occupants, particularly for rooms rented at Local Housing Allowance rates, and to help prevent fuel poverty for future occupants. These sustainable energy and heating aspects are supported by local planning policy, and will modestly help in addressing the climate change emergency, declared by Lancaster City Council in January 2019. These developments demonstrate commitment to reducing carbon emissions at the site, and recent national planning policy updates now give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings. Whilst such public benefits are limited to this single site, significant weight is attached to these.

6.0 Conclusion and Planning Balance

- 6.1 There is a presumption against new Houses in multiple occupation within the district, however the location and nature of the application is considered to meet exemptions and criteria within Policy DM13, and would not result in an overt concentration of such occupancy, with no undue impact on residential character, and would maintain an appropriate housing mix. Furthermore, the proposal is for a co-housing arrangement where rents would be controlled to affordable Local Housing Allowance rates in perpetuity through a legal agreement with an associated grant, which has been progressed as alternative affordable housing provision within the district. There is an acute affordable housing need locally, and the proposal would offer 10 bed spaces, as an alternative and additional provision to that currently available. This is considered suitable exception, the benefits of which are attributed significant weight, albeit limited to this single site. Similar significant weight is given to the sustainable credentials of the proposal, again the scale of the proposal is limited in terms of public benefit. However, this is considered to be a sympathetic proposal to the site and its surroundings, with no undue harm identified to outweigh benefits of sustainable energy and affordable provision at the site. As such this application is considered to weigh in favour of approval, subject to planning conditions.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Standard 3 year timescale	Control
2	Development in accordance with the amended approved plans	Control
3	Parking provision	Implement prior to occupation

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

LIST OF DELEGATED PLANNING DECISIONS

LANCASTER CITY COUNCIL

APPLICATION NO	DETAILS	DECISION
23/00494/FUL	Land To The South Of Meadow View Leisure Park, Long Dales Lane, Nether Kellet Change of use of land for the siting of 19 static holiday caravans and construction of associated areas of hardstanding and an internal access road for Mr A Ward (Kellet Ward 2015)	Application Permitted
23/00511/VCN	Land At Mill Lane, Low Mill, Mill Lane Erection of 9 dwellinghouses with associated access, engineering works to provide sustainable drainage, construction of internal roads and provision of a package treatment plant (pursuant to the variation of condition 2 on planning permission 22/00244/VCN to alter the design of plots 2 and 3) for Mr Michael Stainton (Lower Lune Valley Ward)	Application Permitted
23/00583/FUL	Dam Head Farm, Procter Moss Road, Ellel Partially retrospective application for the conversion of existing barn and shippoon to a dwelling (C3) and holiday cottage including reroofing of the barn, rebuilding of the shippoon and erection of a double garage to the rear for Mr J Fox (Lower Lune Valley Ward)	Application Permitted
23/00584/LB	Dam Head Farm, Procter Moss Road, Ellel Listed building application for the demolition of existing outbuildings to the rear, removal and relaying of stone flag floor, re roofing of the barn, rebuilding of the shippoon, erection of a double garage and high stone wall, installation of new window/door openings, rooflights, concrete yard, planting and new gate access to field for Mr J Fox (Lower Lune Valley Ward)	Application Permitted
23/00695/FUL	Willodene, Shore Road, Silverdale Construction of new access and dropped kerb and rebuilding of boundary wall for Ms S Crossley (Silverdale Ward)	Appeal Against Non Determination
23/00855/OUT	Land Off, Willey Lane, Cockerham Outline application for the erection of dwelling (C3) with associated access for Mr P Hewitt (Ellel Ward)	Application Permitted
23/00859/FUL	Newland Cottage And Adjoining Stables, Starbank, Bay Horse Change of use of stable block into 3 units of holiday accommodation (C3) with associated gardens and replacement windows and doors to Newland Cottage, creation of parking area and installation of a package treatment plant and attenuation pond for Mrs Catherine Halhead (Ellel Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

23/00930/FUL	Red Bank Farm, The Shore, Bolton Le Sands Change of use and conversion of existing agricultural buildings to two holiday cottages, installation of new and replacement windows/doors, installation of rooflights to the front/rear elevations, construction of raised decking area and associated parking and landscaping for Mr Mark Archer (Bolton And Slyne Ward)	Application Permitted
23/00945/LB	West Lodge , Quernmore Road, Lancaster Listed building application for the replacement of existing external single glazed windows with timber casement windows to existing bathroom and dormer windows, removal of existing modern partition/skirting/doors/sanitary fittings/pipework within existing bathrooms, installation of internal stairs, new partitions and insulated studwork lining for Mr & Mrs Mark Stuart (Bulk Ward)	Application Permitted
23/00986/FUL	26 Longmeadow Lane, Heysham, Morecambe Erection of a single storey rear extension incorporating a veranda for Mr And Mrs P Gardner (Heysham South Ward)	Application Permitted
23/01025/FUL	17 Williamson Road, Lancaster, Lancashire Demolition of existing ground floor rear extension and erection of a single storey rear extension for Mr Clarke (Bulk Ward)	Application Permitted
23/01011/FUL	Land And Buildings West Of Pheasantfield Farm, Borwick Road, Borwick Demolition of agricultural building, conversion of barn into two dwellings (C3), conversion of outbuilding into two associated storage buildings and erection of one dwelling (C3) for Mr N Taylor (Warton Ward)	Application Refused
23/01047/FUL	39 Marine Drive, Hest Bank, Lancaster Construction of a replacement roof with front and rear extensions to create dual pitched roof and a raised terrace to the front, and works to existing garage to include erection of a single storey extension to rear, a first-floor extension above and construction of a replacement roof for Mrs Bev Modley (Bolton And Slyne Ward)	Application Permitted
23/01069/FUL	Silver Sapling Camp Site, Park Road, Silverdale Erection of a single storey bunkhouse and side extension to existing amenity block for Elaine Clare (Silverdale Ward)	Application Refused
23/01103/FUL	Land To The Rear Of Old Hall Farm, Kirkby Lonsdale Road, Over Kellet Erection of 5 dwellings and garages, construction of internal access roads, driveways and associated landscaping for Mr Mark Drinkall (Halton-with-Aughton And Kellet Ward)	Application Refused
23/01114/FUL	Heaton Hall , Morecambe Road, Lancaster Change of use and conversion of the tavern into five dwellinghouses (C3), demolition of conservatory and associated motel building and the erection of nine dwellinghouses (C3) with associated landscaping and vehicular parking for Britaniacrest Ltd (Scale Hall Ward)	Application Refused

LIST OF DELEGATED PLANNING DECISIONS

23/01115/LB	Heaton Hall , Morecambe Road, Lancaster Listed building application for the demolition of the existing conservatory and associated motel building, erection of extension, alterations to windows, removal and construction of a chimney, and alterations to internal layouts for Britaniacrest Ltd (Scale Hall Ward)	Application Refused
23/01136/LB	Red Bank Farm, The Shore, Bolton Le Sands Listed building application for the installation of new and replacement windows/doors, installation of rooflights to the front/rear elevations, partial replacement of roof, guttering, fencing, re paint existing shutter, construction of raised decking area and associated parking and landscaping, re point stonework, replacement roof timbers, installation of partition walls, internal doors and a new staircase for Mr Mark Archer (Bolton And Slyne Ward)	Application Permitted
23/01151/VCN	Land Off, Ashton Road, Lancaster Erection of 59 dwellings (C3) with associated vehicular and cycle/pedestrian access, parking, land regrading, landscaping, provision of open space and equipped play area and construction of an attenuation basin (pursuant to the variation of conditions 2,12 and 21 on planning permission 21/00784/FUL to amend layout, site levels, housing mix, house types, materials, and drainage) for J Beardsell (Scotforth West Ward)	Application Withdrawn
23/01215/FUL	Batty Hill Farm, Lancaster Road, Cockerham Retrospective application for the construction of a roof over existing silage pit for Mr Peter Hewitt (Ellel Ward)	Application Refused
23/01220/FUL	Kings Lee Chapel, Ellel Grange , Lancaster Installation of a replacement roof, windows and doors, removal of front step and creation of a new ramp and access road and installation of a sewage treatment plant for Mr Andy Taylor (Ellel Ward)	Application Permitted
23/01221/LB	Kings Lee Chapel, Ellel Grange , Lancaster Listed building application for the installation of a replacement roof, windows, internal and external doors, repairs to masonry, removal of front step and creation of a new ramp and access road, installation of flooring, partition walls, ceiling and boarding of internal walls, the fitting of new kitchen and toilet facilities and installation of a sewage treatment plant for Mr Andy Taylor (Ellel Ward)	Application Permitted
23/01240/FUL	Caton Baptist Church, 2 Artlebeck Road, Caton Installation of solar panels to the south facing roof slope for Rev Alan Wadsworth (Lower Lune Valley Ward)	Application Permitted
23/01243/FUL	58 North Road, Lancaster, Lancashire Change of use of shop with storage above (Class E) to mixed use unit comprising of ground floor commercial unit (Class E) with 3 flats above (C3), installation of door, replacement windows to front and rear elevation for Mr M Patel (Castle Ward)	Application Permitted
23/01246/FUL	10 Hornbeam Road, Lancaster, Lancashire Change of use of building into cafe (Use Class E) and erection of rear extension for Mr Michael Jenner (Marsh Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

23/01248/FUL	66 Kellet Road, Carnforth, Lancashire Erection of a dwelling (C3) and associated access for Mr Matthew Fox (Carnforth And Millhead Ward)	Application Refused
23/01250/FUL	Bare Hall, 20 Bare Lane, Morecambe Installation of roof mounted solar panels for Mark Wainwright (Bare Ward)	Application Permitted
23/01251/LB	Bare Hall, 20 Bare Lane, Morecambe Listed building application for installation of roof mounted solar panels for Mark Wainwright (Bare Ward)	Application Permitted
23/01309/FUL	Richmond Hall, Lancaster Road, Cockerham Excavation of land to create slurry lagoon with ground level cover and construction of fence for Richard & Victoria Walmsley (Ellel Ward)	Application Permitted
23/01330/FUL	Old Parkside Farm, Denny Beck Lane, Quernmore Part retrospective extension to existing agricultural building and erection of a plant room building for Mr Paul Metcalfe (Lower Lune Valley Ward)	Application Permitted
23/01350/VCN	Land Adjacent 26 Moorside Road, Brookhouse, Lancaster Erection of a detached dwelling (C3) and creation of a new vehicular access (pursuant to the variation of conditions 3,4,5 and 6 on approved application 23/00486/VCN to reword conditions 3 and 5 to amend the trigger for submission of details and agree details relating to conditions 4 and 6 (access construction details and landscaping) for Mr Brian Pinington (Lower Lune Valley Ward)	Application Permitted
23/01351/FUL	Scott Wilkinson, Bulk Street, Lancaster Alterations and renovation of existing property for the addition of extra office space for Scott & Wilkinson (Castle Ward)	Application Permitted
23/01352/LB	Scott Wilkinson, Bulk Street, Lancaster Listed building application for internal and external works to facilitate the renovation of the property for Scott & Wilkinson (Castle Ward)	Application Permitted
23/01388/VCN	Land Southwest Of Springfield House, Ball Lane, Caton Reserved matters application for the erection of a dwelling (C3) (pursuant to the variation of conditions 2, 3 and 4 on reserved matters consent 18/01596/REM to alter the design and agree details of materials and landscaping) for Mr Mark Pye (Lower Lune Valley Ward)	Application Permitted
23/01360/FUL	1 And 2 Cross Hill Court, Bolton Le Sands, Carnforth Erection of two storey side extension, with ground floor set into embankment, incorporating glazed link and canopy, terrace to existing upper garden level and external steps to allow access, re-rendering of properties, renewal of fascias and rainwater goods, replacement of timber framed windows with grey framed casements, and construction of replacement front porch to 2 Cross Hills Court for Mr & Mrs Myers (Bolton And Slyne Ward)	Application Permitted
23/01381/FUL	Eric's Cafe, 245 Marine Road Central, Morecambe Conversion of three existing flats into four flats (C3) for Mrs Sarah Hurst (Poulton Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

23/01398/FUL	21 Morecambe Road, Morecambe, Lancashire Retrospective application for the erection of a two storey side extension, demolition of existing rear conservatory and erection of replacement single storey rear extension and front porch extension for Mrs J Sedgwick (Torrisholme Ward)	Application Permitted
23/01404/LB	Lancaster Railway Station, Westbourne Road, Lancaster Listed building application for alterations to mains power, cable trays and containment over station footbridge for Network Rail (Castle Ward)	Application Permitted
23/01405/LB	Rectory Lodge, Rectory Gardens, Cockerham Listed building application for the installation of rooflights for Ms Rosie Ware (Ellel Ward)	Application Permitted
23/00207/DIS	Land At Grid Reference E350941 N468518, Laithbutts Lane, Nether Kellet Discharge of conditions 3, 4, 5, 7, 8, 10 and 11 on approved application 22/01589/FUL for Astin + Ellison (Halton-with-Aughton And Kellet Ward)	Application Permitted
23/01419/FUL	12 Grasmere Road, Morecambe, Lancashire Demolition of existing garage, erection of a two storey side extension and erection of a single storey rear extension for Mr & Mrs Gauntlett (Bare Ward)	Application Permitted
23/01424/ELDC	17 Gladstone Terrace, Lancaster, Lancashire Existing lawful development certificate for the use of property as HMO (C4) for up to 6-persons for Wakmoor (Assets) Limited (Bulk Ward)	Lawful Development Certificate Granted
23/01427/FUL	Westfield Farm, Kellet Road, Nether Kellet Retrospective application for excavation and engineering works to form an earth banked haylage clamp for Mr Allan Riley (Halton-with-Aughton And Kellet Ward)	Application Permitted
23/01452/FUL	Westerdale, Moor Close Lane, Over Kellet Retrospective application for the erection of a detached outbuilding to the front elevation for Ms and Mr C+M Procter + Clift (Halton-with-Aughton And Kellet Ward)	Application Permitted
23/01465/FUL	27 Manor Road, Slyne, Lancaster Demolition of existing rear porch, erection of a single storey rear extension including construction of a flat roof to existing extension, construction of rear dormer extension and insertion of a first floor window to the side for Mr Philip Warwick (Bolton And Slyne Ward)	Application Permitted
23/00216/DIS	78 Main Street, Warton, Carnforth Discharge of condition 4 on approved application 23/00838/LB for Mr Christopher Atherton (Warton Ward)	Application Permitted
23/01469/FUL	24 Leachfield Road, Galgate, Lancaster Demolition of existing conservatory and garage, erection of a single storey rear extension to form garden room, porch and garage for Mr and Mrs Otto (Ellel Ward)	Application Permitted
23/01473/FUL	139 St Leonards Gate, Lancaster, Lancashire Installation of replacement windows, replacement roof and repairs to shopfront for Mr A Friel (Castle Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

23/01479/FUL	49 Lymm Avenue, Lancaster, Lancashire Demolition of existing detached garage and erection of a new detached garage for Mr Lee Whittaker (Scale Hall Ward)	Application Permitted
23/01481/FUL	4 Cleveland Avenue, Morecambe, Lancashire Erection of a detached annex to existing building for Mr R. Miles (West End Ward)	Application Refused
23/01493/FUL	4 The Nook, Bolton Le Sands, Carnforth Demolition of existing rear conservatory, erection of a rear single storey extension, installation of rooflights to the front and rear elevation and replacement windows for Mr Sam Wallbank (Bolton And Slyne Ward)	Application Permitted
24/00001/LB	Flat 5, 2 Castle Park, Lancaster Listed building application for installation of replacement window to the West elevation for Mr Stephen Adams (Castle Ward)	Application Refused
24/00003/FUL	56 Church Street, Lancaster, Lancashire Change of use of ground floor and basement from professional services to tattoo parlour (Sui Generis) for Miss Alice Metcalfe (Castle Ward)	Application Withdrawn
24/00005/ADV	Nationwide, 14 - 16 Market Street, Lancaster Advertisement application for display of one externally illuminated fascia sign, one externally illuminated protecting sign, one non illuminated logo sign, replace ATM surround and vinyl internally applied to the windows for Nationwide Building Society (Castle Ward)	Application Permitted
24/00006/FUL	Morecambe Winter Gardens , 209 Marine Road Central, Morecambe Replacement windows to the rear elevation for MWG Preservation Trust (Poulton Ward)	Application Permitted
24/00007/LB	Morecambe Winter Gardens , 209 Marine Road Central, Morecambe Listed building application for replacement windows to the rear elevation for MWG Preservation Trust (Poulton Ward)	Application Permitted
24/00010/LB	Stirzakers Farm, Saltoake Road, Bay Horse Listed building application for the re-roofing of rear roof slope including the installation of PV solar slate effect tiles for Mr K Drinkwater (Ellel Ward)	Application Refused
24/00017/FUL	25 Heysham Park, Heysham, Morecambe Erection of a single storey side extension for Mr Neil Kelly (Heysham South Ward)	Application Permitted
24/00018/ELDC	32 Wallings Lane, Silverdale, Carnforth Existing lawful development certificate for the use of the property as a single unit holiday let for Mr Jules Ross (Silverdale Ward)	Lawful Development Certificate Refused
24/00020/PLDC	2 Strickland Drive, Morecambe, Lancashire Proposed lawful development certificate for the construction of a hip to gable extension and construction of a dormer extension to the rear elevation for M Johnson And C Whitehead (Bare Ward)	Lawful Development Certificate Granted

LIST OF DELEGATED PLANNING DECISIONS

24/00025/FUL	18 Greenwood Crescent, Bolton Le Sands, Carnforth Retrospective application for retention of wall and fence and erection of new wall and gate posts for Mr And Mrs D Lawson (Bolton And Slyne Ward)	Application Refused
24/00026/FUL	Silverdale Village Institute, Spring Bank, Silverdale Erection of a single storey side extension for SVI Trustees (Silverdale Ward)	Application Permitted
24/00031/NMA	4 Edenbreck , Sunnyside Lane, Lancaster Non material amendment to planning permission 22/00430/FUL to build only the rear single storey extension and porch for Mrs Fiona Payne (Marsh Ward)	Application Withdrawn
24/00035/FUL	1 West View, Glasson Dock, Lancaster Installation of air source heat pump for Ms Laura Fletcher (Ellel Ward)	Application Withdrawn
24/00036/FUL	2 Devon Place, Lancaster, Lancashire Demolition of outbuilding and erection of a single storey rear extension for Ms Lucy Gemelli (Scotforth East Ward)	Application Permitted
24/00038/FUL	Co-operative Funeralcare, 7 George Street, Lancaster Alteration to shop front to remove recess for Co-operative Funeralcare (Castle Ward)	Application Permitted
24/00039/PLDC	30 Main Road, Galgate, Lancaster Proposed lawful development certificate for the erection of a single storey rear extension for Elizabeth Knappett (Ellel Ward)	Lawful Development Certificate Granted
24/00044/FUL	1 Redvers Street, Lancaster, Lancashire Renovations to roof including an increase in height, alterations to chimney, fascias and barge boards, alterations to existing front dormer including installation of cladding, installation of solar panels to the rear roof slope and installation of replacement rainwater goods for Jennifer Woodward (Marsh Ward)	Application Permitted
24/00045/FUL	5 Rennie Court, Lancaster, Lancashire Erection of a single storey front extension for Mr and Mrs Celine Germond-Duret (Scotforth West Ward)	Application Permitted
24/00047/PLDC	20 Nuns Street, Lancaster, Lancashire Proposed lawful development certificate for the construction of a dormer extension to rear elevation for Mr And Mrs R Standen (Bulk Ward)	Lawful Development Certificate Refused
24/00048/PLDC	10 Rosedale Avenue, Heysham, Morecambe Proposed lawful development certificate for the demolition of existing side and rear extension and erection of a single storey rear extension for Mr And Mrs A Dempsey (Heysham South Ward)	Lawful Development Certificate Granted
24/00049/NMA	5 Prospect Drive, Hest Bank, Lancaster Non-material amendment to planning permission 21/01229/FUL to adjust the flat roof height and glazing design to rear extension for Mr & Mrs Collins (Bolton And Slyne Ward)	Application Refused
24/00053/FUL	5 Prospect Drive, Hest Bank, Lancaster Erection of a front canopy for Mr & Mrs Collins (Bolton And Slyne Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

24/00062/EIR	Lower Barn, Aughton Brow, Aughton Screening request for the erection of 2 general purpose agricultural buildings and construction of retaining wall for Mr Andrew Talbot (Halton-with-Aughton And Kellet Ward)	ES Not Required
24/00063/FUL	18 Coleman Drive, Lancaster, Lancashire Erection of a rear extension for Mr Cartledge (Bulk Ward)	Application Permitted
24/00013/DIS	63 Main Street, Warton, Carnforth Discharge of part of condition 3 on approved application 22/01436/LB for Dr and Mrs Kathrin and Tim Stallard (Warton Ward)	Split Decision
24/00069/FUL	Lock House, Burton Road, Tewitfield Demolition of conservatory and erection of single storey rear extension for Mr & Mrs. A. Gonzalez (Warton Ward)	Application Permitted
24/00075/PLDC	82 Wyresdale Road, Lancaster, Lancashire Proposed Lawful Development Certificate for the construction of hip to gable extension and construction of a dormer extension to the rear elevation for Miriam Jenkinson (John O'Gaunt Ward)	Application Permitted
24/00083/PLDC	11 Slaidburn Drive, Lancaster, Lancashire Proposed lawful development certificate for the demolition of existing garage and erection of a single storey rear and side extension for Mr Zubeir Mister (Scotforth East Ward)	Lawful Development Certificate Refused
24/00090/PLDC	32 Africa Drive, Lancaster, Lancashire Proposed lawful development certificate to alter the internal layouts at ground and first floor level and alteration of window to front elevation for Mr Mark Hughes (Marsh Ward)	Lawful Development Certificate Refused
24/00095/AD	Quarry House Farm, Quarry Road, Brookhouse Agricultural determination for the concreting of yard areas for Mr David Gardner (Lower Lune Valley Ward)	Prior Approval Not Required
24/00100/PLDC	480 Marine Road East, Morecambe, Lancashire Proposed lawful development certification for construction of dormer extension to side elevation of roof for Mrs A Grove (Bare Ward)	Lawful Development Certificate Granted
24/00103/FUL	26 The Roods, Warton, Carnforth Demolition of existing conservatory and erection of a single storey rear extension for Mr And Mrs Taylor (Warton Ward)	Application Permitted
24/00016/DIS	Land To The South Of Middleton Clean Energy Plant, Middleton Road, Heysham Discharge of condition 9 on approved application 22/00668/FUL for Senior Construction Project Manager Robert Sanders (Overton Ward)	Application Permitted
24/00017/DIS	Land To The South Of Middleton Clean Energy Plant , Middleton Road, Heysham Discharge of condition 9 on approved application 22/00839/FUL for Senior Construction Project Manager Robert Sanders (Overton Ward)	Application Permitted
24/00018/DIS	Lancaster Music Co-op, 1 Lodge Street, Lancaster Discharge of condition 3 on approved application 23/01072/LB for Mrs Holly Blackwell (Castle Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

24/00109/PRENG2	Land To The West Of, Middleton Business Park, Middleton Road Pre-application advice request for erection of 3 buildings to provide 30 no. industrial units for use under Class B following demolition of Unit 2 Middleton Business Park and creation of new access for Adrian Gravell (Overton Ward)	Closed
24/00111/FUL	89 Bowland Road, Heysham, Morecambe Retrospective application for the erection of a single storey side and rear extension for Mr & Mrs N Miles (Heysham Central Ward)	Application Permitted
24/00118/ELDC	65 Blades Street, Lancaster, Lancashire Existing Lawful Development Certificate for use of property as House in Multiple Occupation (C4) for Wakmoor (Assets) Limited (Castle Ward)	Lawful Development Certificate Granted
24/00020/DIS	Middleton Clean Energy Plant, Middleton Road, Heysham Discharge of condition 4 on approved application 22/00839/FUL for Miss Aaida Mohammadi (Overton Ward)	Application Permitted
24/00128/PLDC	26 Glentworth Road East, Morecambe, Lancashire Proposed lawful development certificate for hip to gable roof extension and construction of rear dormer extension for Mr A Dawson (Westgate Ward)	Lawful Development Certificate Granted
24/00024/DIS	Holly Bank, Melling Road, Melling Discharge of condition 4 on approved application 22/01504/FUL for Mr Steve Sutton (Upper Lune Valley Ward)	Request Completed
24/00134/NMA	44 Twemlow Parade, Heysham, Morecambe Non material amendment to planning permission 23/00558/FUL for amendment to the position and size of side window to rear extension for Mr J Easthope (Heysham Central Ward)	Application Permitted
24/00026/DIS	Croftlands, Cantsfield Road, Cantsfield Discharge of part of condition 3 on approved application 22/01483/FUL for Mr And Mrs G Atkinson (Upper Lune Valley Ward)	Application Permitted
24/00141/PLDC	40 Newlands Road, Lancaster, Lancashire Proposed lawful development certificate for the construction of a dormer extension to the rear elevation and installation of a rooflight to the front for Mr & Mrs C Rodgers (Bowerham Ward)	Lawful Development Certificate Granted
24/00142/ELDC	Glasson Basin Marina, School Lane, Glasson Dock Existing lawful development certificate for the lawful commencement of planning permission 21/01207/VCN for Mr John Priest (Ellel Ward)	Lawful Development Certificate Granted
24/00027/DIS	Lune Aqueduct Car Park, Caton Road, Lancaster Discharge of condition 3 and 4 on approved application 23/00627/FUL for Ionity GmbH (Lower Lune Valley Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

24/00160/NMA	HM Prison Lancaster Farms, Far Moor Lane, Lancaster Non-material amendment to planning permission 23/00818/GOV for increase in width of plant compound, relocation of houseblocks, alterations to internal prison fence, reduction in size of storage building, increase height of workshop roof, reconfiguration of rooftop, removal of retaining wall and instead grading of land, increase height of louvres above doors on S elevation of workshop for Ministry Of Justice (Bulk Ward)	Application Permitted
24/00165/NMA	3 East View Court, Lancaster, Lancashire Non material amendment to planning permission 23/00804/FUL for amend colour of windows, doors and rainwater goods for Mr Barry Shuttleworth (Scale Hall Ward)	Application Permitted
24/00166/HLDC	23A Queen Street, Lancaster, Lancashire Certificate of lawfulness for proposed works to a Listed Building for the removal of infill brickwork and installation of a new double glazed timber framed window to the rear elevation for Ms Jane Wolstencroft (Castle Ward)	Lawful Development Certificate Refused
24/00180/EIR	Scale House Farm, Scale House Lane, Wray Screening opinion for the erection of a livestock building for cattle for Mr Daniel Towers (Upper Lune Valley Ward)	ES Not Required
24/00186/EIR	Wolf House Gallery, Lindeth Road, Silverdale Screening opinion for the change of use of workshop/studio to a holiday accommodation unit, installation of rooflights and solar panels to the south elevation for Denise Dowbiggin (Silverdale Ward)	ES Not Required
24/00188/EIR	Bellhurst, Harterbeck, Roeburndale Screening opinion for the part retrospective application for the siting of temporary caravan and erection of dwelling for agricultural worker for Mr Graham Wright (Lower Lune Valley Ward)	Closed
24/00193/NMA	5 Meadow Drive, Bolton Le Sands, Carnforth Non-material amendment to planning permission 23/00761/FUL to change dormer wall material and window colour and to alter position of dormer away from neighbour boundary for Mr and Mrs Spurr (Bolton And Slyne Ward)	Application Permitted
24/00042/DIS	Diviny Livery Stables, Middleton Road, Middleton Discharge of condition 3 on approved application 22/01488/VCN for Ms Hazel Diviny-Day (Overton Ward)	Application Permitted
24/00232/EIR	25 Townsfield, Silverdale, Carnforth Screening opinion for the erection of a two storey dwelling and erection of detached garage for Mr Sam Mason (Silverdale Ward)	ES Not Required
24/00233/EIR	Greywalls Bungalow, Lindeth Road, Silverdale Screening opinion for the demolition of existing dwelling and erection of a new dwelling with associated package treatment plant and widening of existing access for Mr M Roberts (Silverdale Ward)	ES Not Required

LIST OF DELEGATED PLANNING DECISIONS

24/00272/EIR

Greenbank Farm, Hornby Road, Claughton Screening request for the erection of an agricultural livestock building, silage clamp and midden for Mr David Platts (Lower Lune Valley Ward)

ES Not Required