Committee: PLANNING AND HIGHWAYS REGULATORY COMMITTEE

Date: MONDAY, 16TH OCTOBER 2006

Venue: MORECAMBE TOWN HALL

Time: 10.30 A.M.

A G E N D A

1 Apologies for Absence
2 Minutes of the Meeting held on 18th September 2006 (previously circulated)
3 Items of Urgent Business authorised by the Chairman
4 Declarations of Interest

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 the proposed development has particular implications for Community Safety, this issue is fully considered within the main body of the report on that specific application.

Category A Applications

Applications to be dealt with by the District Council without formal consultation with the County Council.

5 A5 06/00666/FUL Former St Patrick’s Catholic Church, St John’s Road, Heysham, Heysham Central Ward
   Erection of 14 affordable houses for Northern Affordable Homes Ltd (Pages 1 - 4)

6 A6 06/00972/FUL Land off Mill Lane (Opp Greendale Drive), Mill Lane, Warton Ward
   Erection of 18 affordable houses for Northern Affordable Homes Ltd (Pages 5 - 14)
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<th>A7 06/00755/FUL</th>
<th>Plaza Shopping Arcade, Queen Street, Morecambe</th>
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<td>Demolition of existing buildings and erection of new ground floor retail units, first floor office accommodation, and 3 floors of residential accommodation comprising 22 No 2 bed flats for Norman Jackson Ltd</td>
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<td>(Pages 75 - 78) Revised design proposal for previously approved application 03/00532/FUL for a single dwelling for Daffodil Homes (Lancashire) Ltd</td>
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20  **A20 06/01070/CU**  
Music Room, Sun Street, Lancaster  
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(Pages 79 - 80)

Change of use application to accommodate a mixed use of a jewellery shop (class A1) and coffee shop with outdoor seating (class A3) for Alex Zawadzki

21  **A21 04/01534/CU**  
Storrs Gate Farm, Main Road, Kellet Ward  
Arkholme-with-Cawood  
(Pages 81 - 86)

Change of Use and conversion of barn to two holiday cottages for Mr & Mrs Archer

22  **A22 06/00964/FUL**  
Lancaster Royal Grammar School, Gardyner House, Quernmore Road  
Bulk Ward  
(Pages 87 - 92)

Refurbishment and extension to Gardyner House to create 60 place boarding house and staff accommodation and external play and amenity spaces for the Governors

Background Papers (Pages 93 - 94)

23  **Delegated List** (Pages 95 - 102)

List of Delegated Planning Applications

**ADMINISTRATIVE ARRANGEMENTS**

(i)  **Membership**

Councillors Roger Sherlock (Chairman), Eileen Blamire (Vice-Chairman), Ken Brown, Abbott Bryning, Keith Budden, Maggie Chadwick, Anne Chapman, Susie Charles, Chris Coates, Sheila Denwood, John Gilbert, Mike Greenall, Helen Helme, Jean Jones, David Kerr, Pat Quinton, Robert Redfern, Sylvia Rogerson, Joyce Taylor and Paul Woodruff

(ii)  **Substitute Membership**

Councillors James Airey, Evelyn Archer, Evelyn Ashworth, Jon Barry, Janice Hanson, Emily Heath, Tony Johnson, Stuart Langhorn, Joyce Pritchard and Peter Robinson

(iii)  **Queries regarding this Agenda**

Please contact Jane Glenton, Democratic Services - telephone (01524) 582068 or email jglenton@lancaster.gov.uk.
(iv) Changes to Membership, substitutions or apologies

Please contact Members’ Secretary, telephone 582170, or alternatively email memberservices@lancaster.gov.uk.

MARK CULLINAN
CHIEF EXECUTIVE
TOWN HALL,
LANCASTER LA1 1 PJ

Published on Tuesday, 3rd October 2006
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DECISION DATE
25 July 2006

APPLICATION NO.
06/00666/FUL A 5

PLANNING COMMITTEE:
16 October 2006

DEVELOPMENT PROPOSED
ERECITION OF 14 AFFORDABLE HOUSES

SITE ADDRESS
FORMER ST PATRICKS CATHOLIC CHURCH
ST JOHNS ROAD
HEYSHAM
MORECAMBE
LANCASHIRE
LA3 1EX

APPLICANT:
Northern Affordable Homes Ltd
Bellgate Farm
Casterton
Kirkby Lonsdale
LA6 2LF

AGENT:

REASON FOR DELAY
Awaiting consultation replies and amended plans.

PARISH NOTIFICATION
Heysham Neighbourhood Council - no observations received.

LAND USE ALLOCATION/DEPARTURE
Within the urban area defined in the Lancaster District Local Plan. There are no specific proposals affecting the site.

STATUTORY CONSULTATIONS

County Council Highways - The access to the site is very close to the junction of St John's Road, with limited visibility, and this is exacerbated by the layout of the St John's Road/Fairfield Road junction. Parked cars add to the visibility problems. Concerned that the parking provision originally put forward was substandard. This has been addressed in the amended plans - they regard the latest layout as acceptable subject to the developer funding the junction improvements shown and also a Traffic Regulation Order to control parking along the adjoining section of St Johns Road, to improve visibility. If permission is granted, they also suggest a contribution by the developer of £10,100 towards public transport improvements.

Environmental Health - Recommend a construction hours condition. A contaminated land study should be carried out, and any remedial measures completed before the development is commenced.

Strategic Housing - The Housing Needs Survey undertaken in Heysham in 2004 shows a demand for 133 dwellings over a three year period. Of these 104 would need to be "affordable" homes. Shared equity housing of the type proposed would meet a demand; however they are also concerned that developing low cost housing in Heysham could prejudice the City Council's objectives for the renewal of
the West End. They argue that the provision of low cost housing within the renewal area can best be met by renovating existing houses there, and that new build affordable housing just outside it would undermine this.

**United Utilities** - No objections. A separate metered water supply will be needed for each dwelling, and existing water mains may need to be extended in order to serve the development. The site adjoins an existing electricity substation and care should be taken working close to underground services.

**OTHER OBSERVATIONS RECEIVED**

In total 17 letters and e-mails have been received from neighbours who object to the proposal, on the following grounds:

- Traffic danger/parking problems
- Loss of privacy/overlooking
- Overdevelopment of a small site
- Lack of open space in the area
- Loss of trees
- Noise and disturbance
- Enough affordable housing already available nearby
- The site should be developed with sheltered housing for the elderly instead
- Insufficient places in local schools
- Design of the buildings is inappropriate for the area
- The existing building should be converted, not pulled down
- Loss of habitat for bats with the demolition of the church
- Demolition of the church will result in asbestos being released
- Loss of property value (this is not a planning consideration).

Several of the objectors indicate that they would not object if the site was developed with accommodation designed for elderly people.

Two residents of St John's Road have written to indicate that they do not object to the proposal in principle, but are concerned about the access arrangements. They would also like to see the buses serving the area rerouted away from St John's Road, on the basis that it is unsuitable for them.

A resident of St John's Grove has not objected to the proposal, but is also concerned that asbestos was used in the construction of the church and asks that appropriate safety measures be taken when it is demolished.

A representative of the North Lancashire Bat Group has raised the issue of bats nesting in the church. She recognises that the demolition of the building does not of itself require consent, but suggests that the applicants should be required to carry out a survey to ensure that no protected species are adversely affected.

**REPORT**

St Patrick's Roman Catholic Church is at the junction of Fairfield Road and St Johns Road. It was built around 1960 in order to cater for large summer congregations. With the decline in popularity of traditional British seaside holidays it has become too large for present day requirements. The diocese has therefore made it redundant, and the parish has reverted to using the original building next door which was used for many years as a church hall.

The surrounding area is entirely residential, and the present proposal involves redeveloping the site to provide low cost shared equity housing. As submitted it was for twelve houses and four flats, but the
present version is for fourteen two bedroom houses. Northern Affordable Housing have developed a financial "package" based on their being able to acquire the site relatively cheaply which enables them to fund schemes of this kind. Approval would be subject to a section 106 Obligation to prevent the houses from being offered for sale on the open market. Their intention is that 70% of the houses would be offered for sale while the remainder would be rented from Northern Affordable Homes. The initial sale price is expected to be £80,000 for a two bedroom house and £85,00 for a three bedroom one.

Apart from a group of three at the end the houses would be arranged as two terraces looking towards Fairfield Road, with an access road from St John's Road on the south side. There is effectively no alternative point from which an access road could be taken. The land rises quite steeply to the south so the site is around 1.5 metres above the level of Fairfield Road, with a retaining wall at the back of the footway.

The policy has to be considered in relation to policy H19 of the Lancaster District Local Plan. This states that new residential development within existing housing areas will be permitted which:

- Would not result in the loss of green space or other areas of locally important open space
- Would not have s significant adverse effect on the amenities of nearby residents
- Provides a high standard of amenity
- Makes adequate provision for the disposal of sewage and waste water, and
- Makes satisfactory arrangements for access, servicing and cycle and car parking.

At the same time, to meet the requirements of SPG16, the proposal has to assist with the City Council's regeneration objectives, secure the future of a historic building, or meet a specific local housing need.

The objections raised by local residents will be noted. They are particularly concerned about parking and traffic problems, and the kind of housing proposed. These are echoed in some of the consultation replies.

The immediate concern of the County Council as highway authority was with relationship of the access into the site with the Fairfield Road/St Johns Road junction. The amended plans overcome this. At the same time the reduction in the number of dwellings from 16 to 14 allows parking provision to meet the 150% level of provision normally expected for schemes of this type.

On the traffic issue, it must be accepted that in this case the traffic associated with the development will be in addition to, not instead of the church use. This is because the church will continue to operate in the original smaller building. However for the City Council to take the view that the site is incapable of accommodating any other use would be to say, in effect, that it is only suitable for use as open space. No funding is available for its purchase as such. The existing building could also be used, without planning permission, for a variety of purposes within the same use class which would also have a significant traffic generation potential including a separate place of worship used by another denomination, for education purposes, or as a public hall or a museum.

It will be noted that the County Council as highway authority has also requested a contribution from the developer of £10,100 towards the improvement of public transport facilities in the area. Such a condition would require a section 106 agreement rather than a planning condition. The approach of imposing a public transport levy on new housing developments of this type is favoured by Lancashire County Council but it has not been accepted by this authority as standard practice. In this case there is already a frequent bus service nearby and it is difficult to see how the levy would be of any immediate benefit to residents of the new houses.
So far as the appropriateness of the site for affordable housing is concerned, it is just outside the West End Renewal Area. It will be seen that Strategic Housing have indicated that they do not support the proposal, on the basis that providing affordable housing in this location would prejudice the regeneration of the area.

The regeneration of the West End, in accordance with the principles set out in the West End Masterplan, is a major priority of the City Council. If the proposal submitted is considered to be incompatible with it, it is difficult to justify the scheme as meeting the criteria required to treat it as a category A site for the purposes of SPG16.

The case is to some extent a marginal one but in the light of this, it has been concluded that the site is for policy purposes a category B one and that permission should be refused.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to two sections of the Human Rights Act: Article 8 (privacy/family life), and Article 1 of the First Protocol (protection of property). There are no issues arising from the proposal which appear 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.

RECOMMENDATIONS

That PERMISSION BE REFUSED for the following reasons:-

1. Approving additional residential development would add to the supply of housing land in the Lancaster District at a time when its strategic housing targets are catered for – prejudice the need to regenerate declining urban areas, in conflict with the Joint Lancashire Structure Plan and the urban renaissance policies of Regional Policy Guidance.

2. Contrary to West End Masterplan – would prejudice renewal of the area to the north of the site by reason of offering alternatives to housing renewal based developments within it.
## DECISION DATE
18 October 2006

## APPLICATION NO.
06/00972/FUL A 6

## PLANNING COMMITTEE:
16 October 2006

### DEVELOPMENT PROPOSED
ERECITION OF 18 AFFORDABLE HOUSES

### SITE ADDRESS
LAND OFF MILL LANE (OPP GREENDALE DRIVE)
MILL LANE
WARTON
LANCASHIRE

### APPLICANT:
Northern Affordable Homes Ltd
Bellgate Farm
Casteron
Kirkby Lonsdale
Cumbria
LA6 2LF

### AGENT:

### REASON FOR DELAY
Not applicable.

### PARISH NOTIFICATION
Warton Parish Council - Support the provision of affordable housing in villages but have extreme concern about the use of this particular site and the scale of the development proposed. A copy of the letter setting out their views appears at the end of this report.

Carnforth Town Council - Observations awaited.

### LAND USE ALLOCATION/DEPARTURE
Arnside/Silverdale Area of Outstanding Natural Beauty.

### STATUTORY CONSULTATIONS
County Council Highways - Observations awaited.

Environmental Health - Observations awaited.

**Strategic Housing** - The Housing Needs Survey undertaken in 2004 identified a demand from concealed households in the villages north of Lancaster amounting to 67 dwellings over a three year period. Of these 52 would need to be affordable homes, as most of those in housing need would not be able to purchase at market prices. District wide, the survey found that around one third of the affordable housing needed is in the form of low cost ownership/shared equity/discounted market rent and two thirds is in the form of rented accommodation at the level of social housing rents. They consider that on this basis, the survey identified a need for around 14 shared equity homes. As house prices have risen
sharply since 2004 while incomes have risen only moderately, it is reasonable to assume that the need has risen. On this basis they consider that there is likely to be a demand for 18 shared equity homes. They would however wish to discuss the precise terms of the section 106 agreement (this has been referred to them for their comments).

Arnside/Silverdale AONB executive - Observations awaited.

Environment Agency - As surface water is to be discharged to a soakaway there should be no impact on the watercourse downstream of the site. It is recommended that the developer should consider the following within the scheme:
- Water management, including dealing with grey waters
- Use of sustainable forms of construction including recycling of materials
- Energy efficient buildings.

United Utilities - No objections in principle subject to the site being drained using a separated system. A water supply can be provided; a separate metered supply will need to be provided for each dwelling. Information on the capacity of the present sewerage system to follow.

OTHER OBSERVATIONS RECEIVED

In total 28 letters and e-mails have been received from people living nearby who object to the application on the following grounds:

- Loss of a green field site
- Loss of open land separating Millhead from Warton
- Development should take place on previously developed land nearby
- Unnecessary development within an Area of Outstanding Natural Beauty
- Erosion of the character and identity of Millhead
- Hazard from extra traffic as a result of the development
- The mini-roundabout proposed would be dangerous
- Inadequate off street parking
- Permission has been refused for building on this land in the past
- Possible foul drainage problems because of inadequate sewers
- Local residents do not support the scheme
- There are enough small affordable houses in Millhead already.

Warton Village Society also object to proposal on similar grounds - they draw attention to brown field sites nearby which they consider would be more suitable for this kind of development.

A resident of Hazelmount Drive has written to say that he does not object to the proposal in principle, on the basis that there is a need for affordable housing in the area and the development would have a limited effect on the AONB. However he asks that occupation of the houses concerned should be controlled to ensure that they go to local people. He also suggests that the mini-roundabout at the site access should have a domed centre to ensure that traffic slows down when crossing the junction.

A further letter has been received from a resident of Carnforth who does not object in principle to the development, but argues that as the site is at the entrance to Carnforth the open space within it should extend along the whole of the Mill Lane frontage.

Any other representations received will be reported orally at Committee.
REPORT

Background

This site, with an area of 0.4 hectares, is on the edge of Millhead, just outside Carnforth. It is at present used for grazing sheep and is separated from Mill Lane by a substantial hedge. In 1999 it was the subject of an application for residential development (99/00972), which was refused on the grounds that it was contrary to the Structure Plan and the Carnforth Local Plan and was within the Arnside/Silverdale AONB, not allocated for development; and also that the development would have an adverse impact on the character of the area and the AONB. A subsequent appeal was dismissed. A copy of the Inspector's decision letter appears at the end of this report.

The application site is not exactly the same as the one which was the subject of the 1999 proposal. An important difference is that an area at the southern end of the site has been excluded; this is for the most part low lying, and liable to flood after heavy rainfall. The present proposal is for eighteen "affordable" houses which would be made available for purchase under a shared equity scheme. As with the applicants' scheme on the site of St Patrick's Roman Catholic church in Heysham, reported previously, their price would be regulated under a section 106 agreement. The company responsible for the scheme has carried out similar developments elsewhere in the country, including one at Kirkby Lonsdale.

The houses would be two and three bedroom ones and would be arranged in three terraces of six along a cul-de-sac. The external finishes specified are west dash render for the walls, and slate for the roofs. The windows would be constructed using softwood. The development would be served by mains drainage. A total of thirty parking spaces would be provided of which three would be laid out with wheelchair access in mind.

Vehicular access would be taken from a mini-roundabout at the junction of Mill Lane with Greendale Drive. This is the arrangement proposed at the time of the previous application and as will be seen from the Inspector's decision letter, it was regarded as satisfactory from a highway safety point of view at the time of the appeal.

Policy Considerations

The development has to be considered in relation to Policy 1 of the Structure Plan which seeks to direct most development to the main urban areas and the following policies in the Lancaster District Local Plan:

- E3, which requires that development within Areas of Outstanding Natural Beauty should respect their landscape and character
- H8, which states that within the rural area outside existing settlements new dwellings in the countryside will only be permitted which are essential to agriculture, forestry or other uses appropriate to the rural area; sited to minimise their impact; consistent with meeting essential employment needs; appropriate in terms of design, materials and landscaping; and make adequate provision for the disposal of sewage and waste water.
- H11, which says that exceptionally, permission may be granted for affordable housing on small sites of less than 0.4 ha in the rural area which would not otherwise be released. This requires that the applicant shows that there is a local need and that there are no other suitable sites. It is also necessary that a local occupancy condition is imposed, and that the site adjoins a defined settlement (as set out in policy H7 of the Local Plan), and that the development does not have an adverse impact on the rural landscape.
At the same time SPG16 on the release of land for residential development is relevant. While there is a three year supply of consents for new housing within the District, it restricts new consents to those which assist with regeneration, secure the future of a historic building, or meet a specific local housing need.

**Considerations**

In determining this application the need for affordable housing has to be balanced against the City Council's responsibility to protect green field land, particularly when it is within a designated Area of Outstanding Natural Beauty.

The need for affordable housing within the District is well established, but this location would meet the local needs of Carnforth as much as of the villages within the AONB and this raises questions about the appropriateness of releasing the site for development. There is underused land at the southern end of Millhead which would appear much more suitable for this kind of development and it is considered that this should be explored before the release of a "greenfield" site can be justified as an exceptions site.

Another important consideration is that if permission were to be granted, it would be much more difficult in future to resist residential development on the adjoining sites fronting Mill Lane. Two parcels of land are involved. One is the relatively small site between the site and The Nib public house; the other is the much more extensive area to the north west, up to the boundary with the dwelling known as Braddan. The cumulative effect would be the loss of a significant area of open landscape within the AONB.

The case is to some extent a marginal one, because of the evident need to provide more affordable housing in the northern part of the District. However there is no evidence that the applicants have made a serious effort to find a brown field site capable of meeting their needs. With this in mind, it is not considered that a case can be made to treat this as an “exceptions” site in the context of policy H11 and as such, it is recommended that permission be refused.

**HUMAN RIGHTS IMPLICATIONS**

This application has to be considered in relation to two sections of the Human Rights Act: Article 8 (privacy/family life), and Article 1 of the First Protocol (protection of property). There are no issues arising from the proposal which appear 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.

**RECOMMENDATIONS**

That **PERMISSION BE REFUSED** for the following reasons:

1. Contrary to policy E3 of the Lancaster District Local Plan - loss of open land within the Arnside/Silverdale AONB.
2. Development contrary to policy H8 of the Lancaster District Local Plan - site proposed does not minimise impact on the rural area.
3. Site involves loss of green field land – contrary to policy H11 of the Lancaster District Local Plan - insufficient evidence to show that no suitable brown field land is available in the area.
4. Precedent for development of adjoining land fronting Mill Lane - would make further proposals difficult to resist.
5. Approving additional residential development would add to the supply of housing land available for development in the Lancaster District at a time when its strategic housing targets are already more than adequately catered for by existing planning permissions. This would add to the over supply of housing in the District which would prejudice the need to regenerate declining urban areas of the region and conflict with policies 12 and 13 of the deposited Joint Lancashire Structure Plan 2001-2016 and the urban renaissance policies of Regional Planning Guidance.
Planning Advice Team
Lancaster City Council
Palatine Hall
Dalton Square
LANCASTER
LA1 1PW

8th September 2006

Dear Sirs

RE: PLANNING APPLICATION No. 06/00972/FUL
ERECTION OF 18 AFFORDABLE HOUSES
NORTHERN AFFORDABLE HOMES LTD

Councillors considered the above application at their recent meeting and discussed the development with Mr Drummond – Hay of Northern Affordable Homes Ltd.

Councillors were able to highlight their concerns to Mr Drummond - Hay who was able to give some assurances on long term ownership of the houses and other issues. In principle councillors support the view that affordable housing is needed in the village particularly with the current trend for housing associations to outbid first time buyers when suitable housing becomes available. However, extreme concern was expressed about the site chosen for the development and its size (12 to 14 houses were considered to be a more suitable number).

Concerns were also expressed about the inability of the existing sewage pumping station to cope with additional waste as at present regular spillages take place with loadings at current levels, the adverse affect of additional traffic generated by the development, the loss of a greenfield site currently forming a barrier at the end of the village and the risk of further developments in fields behind and at the Warton end of the proposed site.

Yours faithfully

J W Ball
Clerk to the Council
Application 06/00972
Land off Mill Lane, Millhead, Warton

Scale: 1:2500

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<td>Date</td>
<td>07 September 2006</td>
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<td>SLA Number</td>
<td>078379 2003</td>
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Apex Decision
site visit held on 22 February 2000

by Paul Taylor BSc(Hons) DipTP MRTPI
an Inspector appointed by the Secretary of State for the
Environment, Transport and the Regions

Appeal: T/APP/A2335/A/99/1034754
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a
  refusal to grant planning permission.
- The appeal is brought by M P & E A Barker against Lancaster City Council.
- The site is located at Millhead, Carnforth (part OS 6862)
- The application (ref:99/00438/OUT), dated 7 May 1999, was refused on 21 June 1999
- The development proposed is residential and nature conservation area with adjacent highway
  improvements

Decision: The appeal is dismissed

The appeal site
1. The appeal site is part of a grass field, adjacent to Mill Lane, at the northern edge of a
   settlement called Millhead. It is nearly one hectare in extent. Opposite there is a small estate
   of bungalows, Greendale Drive. To the north is a short roadside row of 6 dwellings and then
   beyond them is open countryside. To the east the land is open and rural.

The planning application
2. The application was made in outline with all detailed matters reserved for later consideration. An illustrative plan shows a possible layout with 12 semi-detached houses on
   the southern 0.4 ha of the site. Between this and the row of dwellings to the north there
   would be a ‘nature conservancy’. A new ‘traffic calming’ roundabout is shown at the
   junction of Mill Lane and Greendale Drive. The appellant indicates that Mill Lane could be
   widened and provided with a new pavement on its eastern side adjacent to the site in
   accordance with suggestions made by the local highway authority.

The main issue
3. Having regard to all the evidence and to my site inspection observations I consider that the
   main issue raised by this appeal is the impact that the proposed development would have on
   the appearance and character of the northern edge of Millhead. I have borne in mind local
   planning policies and taken into account the benefits associated with the proposal.

Planning policies
4. The appellant considers that policy H7 of the well-advanced Lancaster District Local Plan,
   Deposit Version October 1997, is relevant. This indicates that within small settlements,
   including Millhead, the development of suitable small sites for housing will be permitted
   subject to certain criteria. The appellant maintains that the appeal site is within Millhead
   and, at 0.4 ha, is ‘small’, based on terminology used in PPG3, Housing.
5. In my view, however, the appeal site is not within Millhead but is part of the countryside to the north of the settlement. The northern boundary to Millhead appears to me to be formed by the development in Grange View to the south. The row of houses to the north of the appeal site is, in my view, just a small detached group of dwellings within the countryside. The appeal site is too large and too peripheral to be regarded as a small gap within the settlement. Both it and the row of dwellings to the north are, unlike Millhead, within the Arnside/Silverdale Area of Outstanding Natural Beauty (AONB), as defined in the Carnforth Local Plan.

6. Because the appeal site is not within the settlement of Millhead policy H7 of the Lancaster Local Plan does not apply. Even though the proposed housing area can be regarded as 'small’ policy H7 does not apply because it is only relevant to sites within settlements.

7. Policy H8 applies to housing proposals, of any size, outside settlements. It is the policy relevant to this proposal. It says that new dwellings in the countryside will only be permitted if they meet 4 certain defined criteria. These include being essential to the needs of agriculture or other uses appropriate to a rural area. The proposed development is not for these needs and is, therefore, not in accordance with policy H8. Policy E3 indicates that development which would intrude upon the character of the AONB, and harm its landscape, will not be permitted.

Visual Impact

8. In my view the appeal site forms part of an attractive sloping field which has, in itself, a degree of beauty. It is not just a technicality that it is within the AONB, as the appellant argues. It has landscape merit in its own right. It is readily seen from nearby housing areas and from Mill Lane as a pleasant open, green, mound. More than that, however, it features in the foreground of various local views across it to the fells beyond.

9. The erection of new houses on the site would fundamentally alter it and, in my opinion, spoil its pleasant, open, rural character. Furthermore, the proposed development would reduce the amount of countryside between Millhead and Walton, to the north, giving it a more built-up appearance. I consider, therefore, that the proposed housing would be harmful to the appearance and character of the northern edge of Millhead, would significantly harm the landscape of the AONB and would be contrary to policy E3 as well as H8.

10. The fact that the proposed housing would not extend eastwards up to the summit of the field, and would not therefore be visible from the east, is to my mind little consolation.

Benefits

11. The suggested benefits of the proposals are, I believe, unconvincing. There is very little to indicate that the proposed nature conservation area is needed by the community or is based on anything natural that needs conserving. It could have some manufactured, educational value but no details have been put before me to show what it would contain, who would look after it on a permanent basis or how vehicular access to it would be obtained. If it were to fail there would probably be pressure for it to be developed as an infill plot and a refusal could well then be difficult to justify.

12. The suggested highway alterations might, in my view, have some benefit in terms of highway safety. While no past accident data has been put before me I do note that at present the road is relatively narrow with a pavement on only one side. On the other hand the proposed highway works would significantly urbanise this stretch of Mill Lane leading
to additional loss of rural character. In this particular case I do not consider that the highway safety benefit is so clear-cut as to justify setting aside the significant harm to the landscape.

13. I have borne in mind the general need for a range of housing sites, as referred to in PPG3, Housing, and I acknowledge that the AONB designation does not automatically preclude new housing development (as PPG7, The Countryside, indicates). In this particular case however the harm to the landscape would be significant and any benefits are insufficient to justify the grant of planning permission.

14. I have considered all the other matters raised, including the proposed tree planting scheme, but none lead me to alter my conclusions on this appeal.

Conclusion

15. For the reasons given above I conclude, on balance, that the appeal should not succeed and I have exercised the powers transferred to me accordingly.

Paul Taylor
### DEVELOPMENT PROPOSED
DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF NEW GROUND FLOOR RETAIL UNITS, FIRST FLOOR OFFICE ACCOMMODATION, AND 3 FLOORS OF RESIDENTIAL ACCOMMODATION COMPRISING 22 NO 2 BED FLATS.

### SITE ADDRESS
PLAZA SHOPPING ARCADE
QUEEN STREET
MORECAMBE
LANCASHIRE
LA4 5YJ

### APPLICANT:
Norman Jackson Ltd
Directors Pension Scheme
C/o Mr R Jackson
Norman Jackson (contractors) Ltd
Scotland Road
Carnforth
LA5 9JZ

### AGENT:
JMP Architects Ltd

### REASON FOR DELAY
Awaiting additional information in support of the application, including a Flood Risk Assessment.

### PARISH NOTIFICATION
Morecambe Neighbourhood Council - Opposed to the application, on the grounds that no parking spaces would be available for residents. They also consider that Morecambe has an overabundance of accommodation. They do not regard the design as in keeping with the Conservation area.

### LAND USE ALLOCATION/DEPARTURE
The site is just outside Morecambe Town Centre as defined in the Lancaster District Local Plan. It is also within the Morecambe Conservation Area, and the Poulton Regeneration Area.

### STATUTORY CONSULTATIONS
**County Council Highways** - Observations awaited.

**Engineering Services** - The main highway issue is the absence of any off street parking for any of the proposed uses. Given the fact that there are nearby retail and residential uses relying on on-street car parking and nearby car parks there may be an argument for accepting the scheme as presented. Any alterations to the existing highway will need to be agreed with the highway authority. Bicycle parking will need to be included within the scheme.
Environmental Health - Recommend a construction hours condition if consent is granted. Care should be taken to prevent noise from extract ventilation equipment.

Strategic Housing - Observations awaited.

Environment Agency - Objected to the proposal as submitted, because the site is considered be at risk from flooding and no Flood Risk Assessment was provided. They regard the Flood Risk Assessment which has been prepared as satisfactory and have withdrawn their objection, subject to appropriate mitigation measures as recommended in it. They also ask for conditions requiring a contaminated land study and any measures recommended as a consequence of it.

Police - No observations received.

United Utilities - No objections. There is an existing sewerage system serving the site. If possible, surface water should be arranged to discharge to a watercourse, soakaway or surface water sewer; this may require the consent of the Environment Agency. A water supply can be provided. A separate metered water supply will be required for each unit. Appropriate care should be taken when working close to United Utilities' electrical apparatus.

County Council Archaeology - The site is occupied by a group of nineteenth century buildings with the elevation to Back Queen Street shown as occupied on the 1844-5 Ordnance Survey map. The proposal will result in the loss of some of the historic fabric of the Conservation Area. An archaeological recording programme should be carried out by a suitably qualified contractor before the development is commenced.

English Heritage - Required the provision by the applicants of a plan showing the existing buildings on the site. No objections.

OTHER OBSERVATIONS RECEIVED

Two letters have been received from people living close to the site, who object to the proposal on the following grounds:
- Loss of light to neighbouring buildings (on the other side of Back Queen Street)
- Loss of privacy, from windows overlooking the site
- Possible interference with access for the emergency services, particularly the fire brigade
- Lack of off street parking to serve the development
- Noise and pollution while demolition and construction work is in progress
- Additional housing is not needed in Morecambe at present
- Design not in keeping with traditional style architecture of Morecambe.

Councillor Gerrard objects to the application on the grounds that the site is close to Queen Street where a substantial number of flats has already been approved, and no off street car parking would be available on the site.

A complaint has been received from the proprietors of the taxi business at 53A Queen Street that they were not notified in advance of the redevelopment proposal by their landlord - this is a matter between the applicants, as the site owners, and their tenants.

Any other representations received will be reported orally at committee.
REPORT

The site is on the edge of Morecambe Town Centre, at the junction of Queen Street and Pedder Street. At present it is occupied by group of two, three and four storey buildings containing retail accommodation on the ground floor and a variety of uses, mainly offices and storage, above. There is a small shopping arcade at the centre of the site but the main entrance to it faces away from the town centre.

The existing buildings date from the late nineteenth century and are in need of substantial renovation. Despite their location within a Conservation Area, none of them appears to be of any significant architectural interest. At present they provide approximately 750 sq metres of retail floorspace on the ground floor, 750 sq metres of office space above and some 1902 sq metres allocated for other uses. This includes some floorspace which may be nominally residential, though none of it is recorded as such in the electoral roll.

The applicants' proposal involves complete redevelopment, to provide a five storey building. The amended version would provide the following accommodation:

Ground Floor:-
Eight retail units (750 sq metres), four on each street frontage, together with the entrance stairs and lift to the upper floors.

First Floor:-
Offices (750 sq metres) - these are shown with an open plan on the drawings, but are capable of subdivision as required.

Second, Third and Fourth Floors
A total of 22 apartments, some on two levels, arranged around a central courtyard. Each would have two bedrooms.

A lift is to be provided and the living accommodation will be accessible to people with disabilities.

The design is an interesting and attractive one, faced in natural stone but with substantial areas of glazing. The proposal is accompanied by a design statement which argues that the site is a prominent one in a part of the town which has become run down, and therefore calls for bold contemporary building to act as a catalyst for further regeneration. It is recognised that the site will require remediation works after demolition is complete. Although the site is not known to be of any special archaeological significance, the developers are willing to carry out an assessment if required.

The following policies in the Lancaster District Local Plan are relevant to the application:

- S1, which states that major new retail development should be permitted only in the city, district and local centres identified in the Local Plan
- S2, which allows for retail development in edge of centre locations where the need cannot be met elsewhere and the site is within easy walking distance of the existing shopping centre, served by public transport, and will have no significant adverse effect on the existing centre
- EC17, which indicates that within the District's shopping centres, proposals for office (B1) uses will be accepted where they are consistent with the retail policies of the Local Plan
- H19, which deals with proposals for new residential development in established urban areas of Lancaster, Morecambe, Heysham and Carnforth
- E11, which states that development within areas known to be at risk from flooding will only be permitted where appropriate flood prevention measures are in place, or can be provided without adverse environmental impact
- E35, which states that development which would have an adverse effect on views into and within a Conservation Area will not be permitted
- E37, which says that the demolition of an unlisted building within a Conservation Area will only be permitted where it does not make a positive contribution to it
- E38, which requires that new development within Conservation Areas should respect the scale and style of surrounding buildings and use complementary materials
- R21, which requires that new development should where appropriate meet the needs of people with disabilities.

The residential element of the proposal has also to be assessed against the criteria set out in SPG16 on the release of land for residential development.

So far as the retail uses on the ground floor are concerned, the site is on the edge of the existing town centre and a substantial amount of the floorspace involved is a straight replacement for what is there already. This part of the proposal is consistent with policy S2. Office use is similarly a logical use of the first floor. The scheme as submitted included windows which would have overlooked the roof garden at the rear of the adjoining public house but the design has been amended to overcome this problem.

The flats raise more complex issues. The first is the absence of any off street parking. The possible problems associated with this have been raised with the applicants. They point out that it is impracticable to provide any parking on the ground floor. It would be extremely difficult to provide an access to the land with adequate pedestrian/vehicular sightlines. It has been suggested that they could acquire another site nearby for use as a car park but the options available for this are very limited. The site has no dedicated off-street parking at present and it is pointed out on behalf of the applicants that car free development in town centres accords with national, regional and local planning policy. This emphasises encouraging the use of public transport and means of travel other than the private motor car.

It would be possible to impose a "car free" condition on a development of this type requiring residents to enter into a commitment that they do not own a vehicle. However it is unlikely that such a formal agreement is necessary; a flat in the centre of Morecambe is unlikely to appeal to somebody for whom a parking space is a significant priority.

The second argument against flats is that the area already has enough units of this kind of living accommodation. Approval has recently been given for flats on the Queen Street garage site, but this does not of itself provide a case against the provision of more. There is a strong regeneration argument in favour of providing town centre living accommodation in that a captive market assists in securing the vitality and viability of the retail area. The scheme as submitted included a proportion of one bedroom units, which have been seen as a problem in the West End regeneration area, but these have been eliminated from the scheme. Overall, the kind of accommodation proposed is likely to enhance the attractiveness of Morecambe as a place in which to live. It is therefore concluded that the residential accommodation within the scheme meets the regeneration criteria set out in SPG16.

Some of the criticisms of the scheme are based on the appropriateness or otherwise of the building proposed for the Conservation Area. It is true that the style of the building is different from what exists on the site but the present group is of no great quality and has suffered from a succession of minor alterations. The new block offers an interesting and innovative design which uses materials appropriate to Morecambe. Overall the scheme will enhance the area.
Taking these factors into account, it is recommended that permission should be granted.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to two sections of the Human Rights Act: Article 8 (privacy/family life), and Article 1 of the First Protocol (protection of property). There are no issues arising from the proposal which appear 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.

RECOMMENDATIONS

That PERMISSION BE GRANTED subject to conditions as follows:

1. Standard three year condition.
2. Amended plans.
3. Development to be carried out in accordance with the approved plans.
4. Samples of materials to be agreed.
5. Archaeological recording programme to be carried out before any demolition work takes place.
6. Mitigation measures in Flood Risk Assessment to be implemented before any part of the development is occupied.
7. Contaminated land study to be carried out and any relevant recommendations implemented.
8. Construction work to take place only 08:00 - 18:00 Mondays to Saturdays - no work on Sundays or officially recognised public holidays.
9. Retail use to be class A1 only.

ADVICE

1. Naming/numbering to be agreed.
2. List of archaeological contractors can be obtained from Lancashire County Council.
3. List of contaminated land contractors can be obtained from Environmental Health.
4. United Utilities advice.
**DEVELOPMENT PROPOSED**

Conservation Area Consent for demolition of existing buildings and erection of new ground floor retail units, first floor office accommodation, and 3 floors of residential accommodation comprising 22 no 2 bed flats.

**SITE ADDRESS**

Plaza Shopping Arcade
Queen Street
Morecambe
Lancashire
LA4 5YJ

**APPLICANT:**

Norman Jackson Ltd
Directors Pension Scheme
C/o Mr R Jackson
Norman Jackson (contractors) Ltd
Scotland Road
Carnforth
LA5 9JZ

**AGENT:**

JMP Architects Ltd

**REASON FOR DELAY**

Awaiting additional information in support of application 06/00755.

**PARISH NOTIFICATION**

Morecambe Neighbourhood Council - No observations received at the time this report was drafted.

**LAND USE ALLOCATION/DEPARTURE**

The site is just outside Morecambe Town Centre as defined in the Lancaster District Local Plan. It is also within the Poulton Regeneration Area, and in the Morecambe Conservation Area.

**STATUTORY CONSULTATIONS**

See 06/00755.

**OTHER OBSERVATIONS RECEIVED**

See 06/00755.

Any other representations received will be reported orally at Committee.
REPORT

This application is associated with 06/00755, reported previously.

Although the site is within the Morecambe Conservation Area none of the buildings concerned is of any special architectural significance. The block as a whole is in poor condition and the development proposed to replace it, while very different in style, is of considerably greater quality. Consequently there is no objection in this case to the complete clearance of the site.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to two sections of the Human Rights Act: Article 8 (privacy/family life), and Article 1 of the First Protocol (protection of property). There are no issues arising from the proposal which appear 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.

RECOMMENDATIONS

That PERMISSION BE GRANTED subject to conditions as follows:

1. Standard three year condition.
2. Archaeological recording programme to be carried out before any demolition work takes place.
3. Demolition work to take place only 08:00 - 18:00 Mondays to Saturdays - no work on Sundays or officially recognised public holidays.
DEVELOPMENT PROPOSED
REMOVAL OF CONDITION 4 ON APPLICATION NO 2/4/5975 RESTRICTING THE OCCUPANCY TO AN AGRICULTURAL WORKER

SITE ADDRESS
GEIRANGER BEAUMONT GATE FARM LANCASTER ROAD SLYNE LANCASTER LANCASHIRE LA2 6AR

APPLICANT:
Mr And Mrs D Casson Geiranger Beaumont Gate Farm Lancaster Road Slyne Lancaster Lancashire LA2 6AR

AGENT:
Richard Turner And Son

REASON FOR DELAY
Not applicable.

PARISH NOTIFICATION
Slyne-with-Hest Parish Council - objected to the previous application, on the basis that the need for accommodation for an agricultural worker is the only justification for the presence of this house within the Green Belt. They do not consider that the information provided with the present proposal contains anything to change their views. In this particular area there is an ongoing issue with the impact of the A6/Heysham Link Road and the Parish Council wishes to see as much as possible of the Green Belt retained. They are concerned that approval of this application could set a precedent.

LAND USE ALLOCATION/DEPARTURE
North Lancashire Green Belt.

STATUTORY CONSULTATIONS
County Council Estates - A copy of their observations on the previous application is attached. Observations on the current proposal to follow.

OTHER OBSERVATIONS RECEIVED
Any representations received will be reported orally at Committee.
REPORT

This application is effectively a resubmission of application 06/00459, which was refused permission in July. A copy of the relevant report is attached, together with the County Council Land Agent's report.

It has come to light that the application previously submitted was technically incorrect. It referred to a condition attached to a planning permission which was not implemented, rather than to the one referring to the house which was later built on the site. The terms of the condition are however the same: they require that the occupation of the dwelling should be limited to a person employed, or last employed, in agriculture or in forestry. This is consistent not only with policy H9 of the Lancaster District Local Plan, but also with central government advice as currently set out in PPS7 (Planning Policy Statement: Sustainable Development in Rural Areas). It is of particular significance here as the dwelling is within the North Lancashire Green Belt.

As the previous committee report pointed out the case is a little unusual because of the size of the dwelling. It has a swimming pool at the rear and a "granny annexe" in the form of a lodge in the front garden, near the main entrance. This means that it is somewhat different from the usual agricultural worker's dwelling that national guidance seeks to control.

As before the Local Plan policies most relevant to the application are:

- H8, which restricts new dwellings outside in the countryside to those essential for the needs of agriculture, forestry or other uses appropriate to a rural location
- H9, which states that occupancy restrictions will not be removed unless it can be demonstrated that the dwelling is not needed to meet the existing and future needs of any agriculture or forestry enterprise in the area
- E2, which states that within the North Lancashire Green Belt new buildings will not be permitted except for the purposes of forestry or agriculture.

The report on the previous application by the County Council's Property Service pointed out that although there was no immediate need for a dwelling on the adjoining farm, the holding has an employee who lives locally and there is a continuing need for a farm worker's dwelling of some kind in the vicinity. Part of the function of dwellings with agricultural occupancy restrictions is to maintain a stock of houses that farm workers can afford and the present asking price for the property of £400,000 is difficult to reconcile with this, even allowing for the relatively lavish accommodation on offer.

The County Council also commented that no "For Sale" Board had been placed on the building and this is still the case. Mr and Mrs Casson's agent has responded to this criticism by saying that most sales of this kind of property are conducted through the internet. They have provided full details of their specification for the property and argue that as over 36,000 people have viewed their web site while the property has been listed on it that should be regarded as a more than adequate attempt to market it.

Notwithstanding this the issues involved are exactly the same as for the previous application. No evidence has been provided to show that Mr and Mrs Casson have made further attempts by other means to market the property with the condition attached. It is therefore recommended that permission should be refused, for the same reasons as before.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to two sections of the Human Rights Act: Article 8 (privacy/family life), and Article 1 of the First Protocol (protection of property). There are no issues arising from the proposal which appear 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.
RECOMMENDATIONS

That PERMISSION BE REFUSED for the following reasons:

1. Contrary to policy E2 of the Lancaster District Local Plan - site is in the North Lancashire Green Belt where consent would not normally be granted for a dwelling unless required for agriculture or forestry.

2. Contrary to policy H9 of the Lancaster District Local Plan - insufficient evidence that the dwelling is not required for occupation by an agricultural worker.

3. In the opinion of the local planning authority, the property has not been marketed widely or offered for sale at a price appropriate for an affordable dwelling for an agricultural worker - fails to meet the requirements of policy H9.
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DEVELOPMENT PROPOSED

REMOVAL OF CONDITION 3 ON APPLICATION NO 1/78/00149
REstricting the Occupancy to an AGRICULTURAL worker

SITE ADDRESS

GEIRANGER BEAUMONT GATE FARM
LANCASTER ROAD
SLYNE
LANCASTER
LANCASHIRE
LA2 6AR

APPLICANT:

Mr And Mrs D Casson
Geiranger Beaumont Gate Farm
Lancaster Road
Slyne
Lancaster
Lancashire
LA2 6AR

AGENT:

Richard Turner And Son

REASON FOR DELAY

Awaiting consultation replies.

PARISH NOTIFICATION

Slyne-with-Hest Parish Council - It is the Parish Council's understanding that the reason a condition was put on the property in the first place was because this was the only way that a property of this nature was allowed to be built on agricultural land within the green belt. Its removal could set a precedent for further building. They draw attention to the impact of the Heysham link road on the area and wish to see as much as possible of the green belt retained. They also note that although the property is intended for occupation by an agricultural worker it has not been put on the market at a price commensurate with the average income of such workers. It is hardly surprising that it has not been sold.

LAND USE ALLOCATION/DEPARTURE

North Lancashire Green Belt.

STATUTORY CONSULTATIONS

County Council Estates - Consider that there is a continuing need for a second dwelling to serve the farm. At present the employee who replaced Mr Casson lives elsewhere but the need for suitable accommodation exists, even though the present house is not a typical agricultural worker's dwelling. They also consider that the price quoted for the existing house with the condition attached is unreasonably high, and that insufficient effort has been made to market it. They point out that no "For Sale" board has been attached to the property even though it is on a busy main road. They conclude that insufficient effort has been made to market the property. A copy of the letter setting out their comments in full is attached.
OTHER OBSERVATIONS RECEIVED

None, at the time this report was drafted.

REPORT

The property known as "Geiranger" is a large detached house dating from 1982 on the west side of A6 road between Lancaster and Carnforth. There is a substantial garden which contains a one bedroom "granny annexe" at the front, and a swimming pool at the rear.

The house is the subject of an agricultural occupancy restriction, imposed when the original planning permission was granted. This requires that it should be occupied by somebody employed, or last employed, in farming. The present owners, a retired couple, now wish to move into a small house or bungalow which will be easier for them to maintain. The property is of no interest to their son, who farms the adjoining land, as he has a modern house on the opposite side of the road.

The applicants' agents state that while they have attempted to market the property on this basis over the last twelve months they have been unable to sell it. The asking price for the property is £400,000.

The applicants' agents argue that this is reasonable for a house of the kind concerned. They draw attention to their successful sale of a similar sized property in Tunstall three years ago for £510,000. However the two cases are not identical. The house in Tunstall was, according to the details supplied by the applicants, a traditional stone built one, converted from a barn, in a relatively quiet location in the Lune Valley. The present application involves a modern house of no special architectural character close to a busy main road and it is in the North Lancashire Green Belt, where extra restrictive policies on new development apply.

The relevant policies in the Lancaster District Local Plan are:

- H8, which indicates that outside specified settlements, new dwellings in the countryside will only be permitted where they are essential to the needs of agriculture, forestry or other uses in the rural area;
- H9, which states that proposals for the removal of agricultural or other key worker occupancy conditions from dwellings in the countryside will not be permitted. Exceptions will only be permitted where it can be demonstrated that the dwelling is not required to meet the existing and future needs of any agricultural or forestry enterprise in the locality for key worker housing;
- E2, which states that within the North Lancashire Green Belt new buildings will not be permitted except for the purposes of agriculture or forestry. It does however allow the limited extension, alteration or replacement of existing dwellings and it permits the reuse of existing buildings where the proposal will not have a materially greater impact than the present use on the openness of the Green Belt.

The purpose of agricultural occupancy restrictions is primarily to prevent the building of unnecessary new houses in the countryside but it also helps to maintain the stock of affordable dwellings for people who have bona fide reasons for living there. It is argued on behalf of the vendors that the difficulties in marketing the house are associated with the current depressed state of farming. In fact this can also be seen as an argument for keeping the price of the house as low as possible: it is hardly surprising that few people employed in agriculture have the money to buy a house at this price at present.

A practical difficulty with applying this approach to the present dwelling is that the generous facilities it offers are considerably in excess of what a family with a limited income could normally be expected to support. A household of this kind is unlikely to be in a position to maintain a swimming pool in the back garden. The granny annexe alone contains a kitchen, lounge, bedroom and bathroom and is almost large enough to be credible as a dwelling in its own right.
However as Slyne-with-Hest Parish Council point out, the price quoted by the applicants as appropriate for a dwelling of this kind is high. This is confirmed in the letter from the County Council's Property Service. They also consider that the applicants have shown little sign of a serious attempt to market the house with the present restrictive condition attached. On this basis it cannot reasonably be argued that the applicants have shown that there is no demand for it from somebody employed in agriculture.

It is therefore recommended that permission should be refused.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to two sections of the Human Rights Act: Article 8 (privacy/family life), and Article 1 of the First Protocol (protection of property). There are no issues arising from the proposal which appear 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.

RECOMMENDATIONS

That PERMISSION BE REFUSED for the following reasons:

1. Contrary to policy E2 of the Lancashire District Local Plan - site is in the North Lancashire Green Belt where consent would not normally be granted for a dwelling unless required for agriculture or forestry.

2. Contrary to policy H9 of the Lancaster District Local Plan - insufficient evidence that the dwelling is not required for occupation by an agricultural worker.

3. In the opinion of the local planning authority, the property has not been marketed widely or offered for sale at a price for an affordable dwelling for an agricultural worker. As such it is contrary to Policy H9.
Planning Advice Team  
Lancaster City Council  
Palatine Hall  
Dalton Square  
LANCASTER  
LA1 1PW  
(FAO Mr P Rivet)

Dear Sir

APPLICATION NUMBER 1/06/459  
GEIRANGER BEAUMONT GATE FARM, LANCASTER ROAD, SLYNE  
GRID REFERENCE 476 642

I refer to your consultation letter concerning the above planning application and have the following observations to make.

Introduction

A planning application has been submitted by Mr and Mrs D Casson for removal of the agricultural occupancy condition from their property “Geiranger”. I undertook an inspection of the application site on 5 May whilst Mr and Mrs Casson were also present. The information provided forms the basis of this appraisal.

Background Information

The applicants were granted planning permission in 1972 to provide a second dwelling for their agricultural unit Beaumont Gate Farm. The second dwelling was to provide separate accommodation for the applicants’ son who worked full time with his parents on the unit. At the time the applicants occupied the farm on an agricultural tenancy forming part of the Levens Hall Estate.

The applicants subsequently acquired the freehold of the farm in 1994 but excluding the original farmhouse and farm building which were retained by the Estate. However, in 1973/74 the farmstead had been relocated to the east side of Lancaster Road a short distance to the north from the original farmstead site.

Nick Bower  
Land Agent  
Resources Directorate, Property Group  
PO Box 26 • County Hall • Preston • PR1 8RE
A replacement farmhouse which was also approved at the time which was erected in 1980.

The running of the farm operations by the applicants and their son continued through to Mr Casson's (senior) retirement in 1993 when he reached 65 years of age. Following on from this Mr Casson (junior) employed one person full time who has remained working on the farm ever since. I was advised the farm employee lives locally and does not require to live on the farm.

The reason why the applicants wish to sell their property is essentially to find a smaller dwelling and also to realise some capital for their retirement.

**Present Situation Beaumont Gate Farm.**

I understand 'Geiranger' and Beaumont Gate Farm are legally separated. Beaumont Gate Farm extends to 80.6 hectares (224 acres) and operates an organic system of farming keeping 80 cow dairy herd and a ewe flock of 150 breeding ewes.

**Application Property**

This constitutes a detached dwelling set in approximately 0.75 acres of land. I note a copy of the sales particulars are included within this written submission at the time when the application was made. I am aware that the adjoining field extending to 5.79 hectares (14.33 acres) is also included within the applicants' ownership but is not included with the sale details.

**Assessment**

Guidance is provided in Paragraph 17 of Annex A of PPS 7 on the removal of agricultural occupancy condition clauses. In addition, I am also aware of your Council's Local Plan Policy H9 on the same issue.

I propose in my assessment of this application to apply a series of tests used by a Planning Inspector when deciding upon an appeal in respect of refusal of planning permission for the lifting of an occupancy condition. At the time of this appeal National Planning Policy Guidance was provided in Annex I of PPG 7 (revised). However, I feel the advice provided in PPS 7 and PPG 7 (revised) are comparable with each other and as such, I feel it is applicable to apply the same tests to the assessment of this application and these include the following:
1. **The Local Plan Policy in for the imposition and removal of agricultural occupancy conditions:**

   I am aware your Council’s Local Plan Policies H8 and H9 are concerned with the imposition and removal of agricultural occupancy conditions.

2. **Was the condition properly imposed?**

   The County Council was not consulted upon the initial application the date of which is not clear i.e. 1972 as provided by the applicants or 1975 as per Mr Turner’s letter dated 7 April 2006.

   The circumstances surrounding the submission of the application seems clear i.e. in that the farm was being run by the applicants and their son and the applicants dwelling provided a second dwelling for the unit. I feel the occupancy condition clause has been met over this period of time.

3. **Is there a need for a dwelling to serve the holding?**

   As referred to above, the Geiranger was approved as a second dwelling for the farm unit which was being run by Mr and Mrs Casson and their son. At the time the farm extended to 89 hectares (220 acres) and was operating a 50 cow dairy herd and small scale ewe breeding flock. Whilst the size of the land holding has not changed over time it is evident that scale of the farm operations have increased as well as the farm changing to organic production. I expect the relocation of the farmstead i.e. to new facilities enabled the size of the farm operations to expand.

   The guidance in Paragraph 17 refers to: “changes in the scale and character of farming may affect the longer term requirement for dwellings for which permission has been granted”. I feel that there has not been a change in the agricultural circumstances at Beaumont Gate Farm since planning permission was approved to demonstrate that a second dwelling is not required for the unit. It is clear that when Mr Casson (senior) retired he was replaced by a paid employee who I understand has worked on the farm since then. I am aware from my discussions that the existing worker lives locally and as such, does not require accommodation on the unit, but feel without the existing arrangement that an agricultural workers dwelling would assist when looking for a replacement worker. I am conscious that ‘Geiranger’ is larger than a typical agricultural workers dwelling but feel this should not be a reason for removal of the condition.
4. **Is there a need for a dwelling to be retained for a wider area?**

I am not aware of any applications within the last five years for new agricultural workers dwellings within the locality of the application property. I feel the closeness of the application property to Lancaster and Slyne will have an influence upon the need for dwellings. However, I consider that the above does not provide an indication whether there is a demand from retired farmers.

5. **Measure taken by the applicants to ascertain lack of demand for the subject property with its condition attached.**

I am aware that the applicants through their agent have undertaken a 12 month marketing programme using the firm's website as well as consecutive single monthly advertisements in the Farmer's Guardian newspaper. The advertisement price is intended to reflect the occupancy condition.

I feel unable to provide specific advice upon whether the basis of valuation is representative of the condition but assuming that a 30% reduction has been applied then the unencumbered valuation would be approaching £700K. I have checked a local property search for the locality to find if there is evidence of values for large detached properties sold during the marketing period, and I was able to find three large detached properties within the Slyne settlement area which were sold at between £300-450K (see copies enclosed). Whilst they may not be directly comparable with 'Geiranger' I feel the value attributed to Geiranger could be constituted as being excessive.

I am critical of the marketing procedure owing to the lack of a 'For Sale' board on the road side. I feel in view of 'Geiranger' location being adjacent to the busy A6 highway it provides an ideal situation to assess whether there is demand in the locality. I recognise why the applicants may feel they have met the marketing procedure requirements referred to in your Local Plan Policy, but feel that nationally the recognised procedure in this respect is more onerous.

**Conclusion**

I am of the opinion that there has not been any significant changes to the agricultural operations undertaken on the unit since the dwelling was approved permission, as such I consider this it is not demonstrated that the dwelling is no longer needed for the unit. I also feel that a 'For Sale' board should have been erected which is in view from Lancaster Road.
Planning Advice Team 21 June 2006

I would be obliged to receive a copy of your Decision Notice in due course.

Yours faithfully

Land Agency Manager
On behalf of the Director of Property
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<th>DECISION DATE</th>
<th>APPLICATION NO.</th>
<th>PLANNING COMMITTEE:</th>
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<tr>
<td>20 October 2006</td>
<td>06/01047/CU A10</td>
<td>16 October 2006</td>
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<td>CHANGE OF USE OF LAND TO CARAVAN STORAGE/SERVICE AREA.</td>
<td>OXCLIFFE NEW FARM GYPSY CARAVAN PARK OXCLIFFE ROAD HEATON WITH OXCLIFFE LANCASHIRE LA3 3EF</td>
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<tr>
<th>APPLICANT:</th>
<th>AGENT:</th>
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<tbody>
<tr>
<td>Mr S Maloney Oxcliffe New Farm Caravans Oxcliffe Road Heaton With Oxcliffe Lancashire LA3 3EF</td>
<td>Mr. H.R. Wheatman</td>
</tr>
</tbody>
</table>

REASON FOR DELAY

Not applicable.

PARISH NOTIFICATION


LAND USE ALLOCATION/DEPARTURE

Countryside area.

STATUTORY CONSULTATIONS

County Council Highways - Observations awaited.
Environmental Health - No comments on this application.
Environment Agency - Observations awaited.

OTHER OBSERVATIONS RECEIVED

None, at the time this report was drafted.

REPORT

This application is one which was expected to be determined by the Head of Planning Services under delegated powers. It has been referred to Committee because of the policy issues associated with the site.
The proposal involves land at the southern end of the caravan site, which is to the east of the Morecambe - Heysham railway line. It is enclosed by a fence and a substantial amount of screen planting. A letter from Mr Maloney’s agent states that he owns five holiday caravan sites and that accommodation is needed to store surplus and replacement caravans, all of which are held in his wife’s name. It also claims that there is no intention to store anyone else’s caravans on the land.

The authorised use of the site at Oxcliffe New Farm is as accommodation for gypsies and travellers. Planning permission was granted for it on that basis, and in view of its location it is unlikely that permission would have been given in any other circumstances. However complaints have been received that under its present owner caravan plots on it have been sold to and occupied by people who have little or no connection with a gypsy or traveller lifestyle. All but one of the caravans stored on the site are static ones, which indicates that the residents do not habitually travel around the country. Although the register kept by the site owner purports to show that all the residents have some connection with gypsy or traveller families, informal discussions with people living on the site indicate that this is not the case and many of them were until recently unaware of the restriction on its use. Plots within the site have been advertised for sale without reference to the planning conditions affecting their occupation.

Policy E4 of the Lancaster District Local Plan states that within the area identified as countryside development will only be permitted which is:

- In scale and keeping with the character and natural beauty of the landscape
- Is appropriate to its surroundings in terms of siting, scale, design, materials, external appearance and landscaping
- Would not result in a significant adverse effect on nature conservation or geological interests, and
- Makes satisfactory arrangements for access, servicing, cycle and car parking.

Policy H15 says that the City Council will refuse proposals which would result in the loss of existing approved gypsy sites, unless it can be shown that the site is no longer needed or alternative provision has been made of a comparable standard on an appropriate site. Policy H16 sets out criteria for the establishment of additional sites and states that exceptionally, proposals which involve the carrying out of a trade by the occupants in a reasonable manner without significantly harming the amenity of nearby residents will be permitted.

So far as policy E4 is concerned, the site is reasonably well screened but this does not overcome the objection to a storage use unrelated to neighbouring uses being located in the countryside. The means of access is also less than ideal, as the only way into the area proposed for caravan storage is along the access road through the middle of the existing site.

It is also evident from the information supplied that the use is unrelated to the authorised use of the site. Although Mr Maloney comes from a travelling background he is not based at Oxcliffe New Farm, nor are the caravans he wishes to store intended for use there. If the proposal were related to a trade or business carried out by somebody based at the site it could be regarded as consistent with policy H16 but this is clearly not the case. At the same time the transfer of caravans to and from the site, however infrequent, would inevitably have some impact on people based on the site.

There is a wider issue to be considered, which is the use of the Oxcliffe New Farm site by people who are not bona fide gypsies or travellers and how the City Council wishes to respond to it. This however falls outside the scope of the present application but is the subject of continuing enforcement investigation.

It is recommended that permission for the present application should be refused, on the basis that it is incompatible with both the protection of the countryside within which it is situated and the authorised use of the adjoining gypsy site.
HUMAN RIGHTS IMPLICATIONS

This proposal has to be considered in relation to two sections of the Human Rights Act. These are Article 8 (privacy/family life), and Article 1 of the First Protocol (protection of property). The present application affects accommodation which was approved for the specific use of gypsies and travellers, who frequently have difficulty finding sites suitable for their needs. In this context the provisions of Article 8 are particularly relevant. However the issues arising do not appear to be of such magnitude that they 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.

RECOMMENDATIONS

That PERMISSION BE REFUSED for the following reasons:

1. Contrary to policy E4 of the Lancaster District Local Plan - the site is in the countryside, unrelated to adjoining land uses, and the only access to it is through a gypsy caravan site.
2. Contrary to policy H15 of the Lancaster District Local Plan - proposed use is unrelated to and incompatible with the authorised use of the site as a gypsy and traveller caravan site.
3. Contrary to policy H16 of the Lancaster District Local Plan - business to which the proposed use is related is not carried on by a person or persons resident on the site.
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<thead>
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<th><strong>DEVELOPMENT PROPOSED</strong></th>
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<tr>
<td>OUTLINE APPLICATION FOR THE CREATION OF A NEW BUILDING FOR INDUSTRIAL USE, ACCESS ROAD, CAR-PARKING AND OTHER ASSOCIATED WORKS</td>
<td>LAND ADJACENT LUNE INDUSTRIAL ESTATE (OPPOSITE KEYLINE BUILDERS) NEW QUAY ROAD LANCASTER LANCASHIRE</td>
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<th><strong>APPLICANT:</strong></th>
<th><strong>AGENT:</strong></th>
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<tr>
<td>Lune Industrial Estate Ltd C/o Agent</td>
<td>G L Hearn</td>
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**REASON FOR DELAY**

None.

**PARISH NOTIFICATION**

None.

**LAND USE ALLOCATION/DEPARTURE**

The site is unallocated for development but lies immediately adjacent to an Area of Urban Greenspace and land designated as Outdoor Playing Space in the Lancaster District Local Plan 1996-2006. Part of the site lies within an Area of Woodland Opportunity. Lune Industrial Estate bounds the site to the east and is identified as an “Existing Employment Area”.

New Quay Road is part of the Strategic Cycle Network, forms part of a bridleway and also constitutes an Informal Recreation Area.

**STATUTORY CONSULTATIONS**

**County Planning** - Considers that the development is contrary to Structure Plan Policy because the site is not allocated for business and industrial use. It is up to the Local Planning Authority to assess whether viable alternative sites exist, whether the case merits an exceptional case due to the relocation argument, or whether additional business windfall sites are justified at the present time.

The land is located on an area at high risk from flooding and flood alleviation measures should be adopted.

The proposal accords with the parking provision standards, although a financial contribution is required to improve accessibility to the site.
**County Highways** - Recommends refusal of the application on the basis that the development would have an unacceptable effect on the Air Quality Management Area and the gyratory highway network. They also dispute the applicant’s vehicular estimations and suggest it could be as high as 120 vehicles as opposed to the 35 identified by the applicant.

If the application is recommended for approval the following matters require attention either via a legal agreement or, where appropriate, planning conditions:

- Contribution to fund improved bus services into New Quay Road;
- Provision of a new footway in New Quay Road;
- No development until highway improvements are agreed;
- Cycle storage to be agreed;
- Parking and loading facilities to be agreed;

**Environment Agency** - The land is within Flood Zone 3. The EA had previously objected to the application on the basis that no adequate Flood Risk Assessment (FRA) has been submitted. However the applicants have submitted a FRA and are committed to incorporate mitigation measures into a development. The objection is therefore withdrawn. Conditions relating to the provision of the mitigation measures, land contamination and surface water drainage are all requested.

**Environmental Health Service** - due to the proximity of former industrial uses a contaminated land planning condition is recommended.

**United Utilities** - No objections subject to the site being drained on a separate system. General advice is provided in respect of the connection of discharges to the foul sewer, fuel and chemical storage tanks and building over the rising main.

**County Public Rights of Way** - Views awaited.

**OTHER OBSERVATIONS RECEIVED**

None.

**REPORT**

**The Site and Its Surroundings**

The site that is the subject of this application is located at the western end of New Quay Road, immediately adjacent to Lune Industrial Estate.

It comprises a triangular piece of open, overgrown land fronting the cycleway network. To the south lies an area of protected Urban Greenspace and areas of Outdoor Playing Space, consisting of a former football and cricket pitch.

**Planning History and Background**

Outline planning permission has recently been granted for the redevelopment of the adjacent Industrial Estate (Reference: 05/01628/OUT). A full planning application for the change of use and redevelopment of Thetis House, the mill building bordering this site, was also approved recently (Reference: 05/01629/CU). It is anticipated that these approvals will pave the way for the enhancement of the physical quality of the Estate and will provide a much-needed and wide range of industrial buildings.
There have been no previous planning applications for the site in question.

The occupants are intended to be Quay Equestrian, who are a significant local employer. They are required to vacate their current premises on St George’s Quay due to the comprehensive redevelopment of Luneside East. Quay Equestrian have investigated the possibility of relocating within the district for some considerable time and have failed to find a suitable site. They have now identified this site as a possible area for the relocation of their business.

**The Proposed Development**

The application is submitted in outline form with siting and the means of access applied for. All other matters such as design and landscaping will be determined at the reserved matters stage, should this application be successful.

The building will measure almost 100m in length and 40m in depth. It will occupy a roadside frontage with a small car park for 20 spaces located at the front of the building. Large industrial vehicles will use an internal access road to deliver and turn round at the rear of the site.

This provides a total floorspace of approximately 3960 square metres, which represents an increase of a 1024 square metres when compared to their current premises on St George’s Quay.

It is envisaged that staff numbers will remain constant at 44.

Given that a small part of the site is located within a Woodland Opportunity Site, the applicants have indicated areas of landscaping to the south that could contribute to a new woodland area.

**Planning Policy**

Policy 1 of the Joint Lancashire Structure Plan 2001-2016 advises that priority should be given to the re-use or conversion of existing buildings and then the use of previously-developed sites, before any greenfield sites are considered.

With regard to the Lancaster District Local Plan 1996-2006, the site is unallocated for development. Policy EC15 states that business and light industrial uses (Use Class B1) are accepted outside established employment areas where they are well-served by public transport and there are no adverse amenity impacts. General, more intensive industrial uses (Use Class B2) can also be considered favourably on the proviso that the permission is limited to the specific use applied for.

At the present time the site has become overgrown. Whilst land to the south benefits from greenspace and recreational designations, the application site does not appear to have any current recreational value and provides only a limited visual amenity function given the orientation and shape of the land.

It may be argued that development on this site could form a ‘rounding-off’ of the Industrial Estate. This would provide an opportunity to provide the planting areas shown on the submitted plan, which would create a softer boundary to the Estate, especially given its location adjoining the well-used cycle network.

Policy E27 indicates that the Council will pursue the establishment of new woodlands and tree planting on sites designated as Woodland Opportunity Areas (WOA). The south-west tip of this site is included within a wider WOA designation.
The Traffic & Highway Implications

The applicants estimate that 35 vehicles will visit the site each day. This view is disputed by the County Highways Department, who estimate a much larger number, potentially amounting to over 100 vehicular movements.

The considerable difference between the two figures has been attributed to the County Highway’s use of a trip generation database to estimate the figure. The applicant’s figures arise from their current working arrangements, which they say will remain unaltered.

A misprint contained within the applicant’s statement (Paragraph 2.12) suggests that traffic movements will increase as a result of extended working premises. This is later corrected at paragraph 4.9, which advises that “there is no anticipation that any trips, vehicular or otherwise to the site will increase. In particular HGV movements to the site are limited and there is no intention for these to increase”. In the context of this application this is an important statement.

They maintain that the additional floorspace will provide more comfortable working conditions and that the proposal is merely a relocation of existing staff. However it is recognised that there would be no effective planning control over future increases in staff numbers, and therefore potentially future increase in vehicle movements.

Cycle parking will be provided inside the building, and details of this matter can be conditioned on any planning permission.

The applicant has agreed to provide a new footway at New Quay Road and is prepared to contribute to improving public transport services, although they dismiss the much higher contribution proposed by County as “unreasonable” because there would be no additional vehicular impact upon the existing network.

The Local Planning Authority is of the view that the public transport figure proposed by the applicant is acceptable in the circumstances and the footway works are also welcome. This new application also provides an opportunity to agree (via a planning condition) a route for HGVs and commercial vehicles. The use of St George’s Quay, rather than Willow Lane, is preferred in this case.

The Environmental Implications

One of the facets of national planning policy is the sequential preference for brownfield redevelopment. In this case the adjacent Lune Industrial Estate offers a substantial area of brownfield land upon which the applicant could potentially relocate.

Despite the applicant’s assertions on this matter, the site in question is a greenfield site. The fact that it was used for leisure purposes by private members associated with the Industrial Estate does not affect its greenfield status.

The site has become overgrown and has a scrubby appearance. The rear elevations of the existing industrial buildings are clearly visible beyond the site. In general, the area has the appearance of a forgotten parcel of land.

The fact that the site is unallocated in the District Plan is a key factor here. This is not an area of designated countryside or urban greenspace on the fringe of the city. It is a site that abuts an industrial area that is in need of environmental improvement. This application would assist in delivering the environmental benefits. A woodland planting scheme, comprising of native English species, will be planted in the south west corner and a large-scale landscaping scheme will be provided to the south and
east. This landscaped buffer would have three positive impacts: it would screen the new building from the cycle network to the south; it would help screen the existing boundary of the industrial estate, and it would provide a more pleasing and secure route adjacent in both directions of the district cycle network.

The important areas of playing space and greenspace would remain unaltered. As a consequence, the Local Planning Authority believes that the proposal offers an opportunity to improve the existing, neglected environment.

A Flood Risk Assessment has been drafted and agreed in principle with the Environment Agency.

If the applicant’s transport figures are correct then there will be no further environmental impact upon the Air Quality Management Area declared within the city centre.

The Economic Implications

The applicant has declared that this application effectively represents a final opportunity “to prevent the loss of 44 jobs”. Clearly this is a material consideration.

The search for alternative premises has failed to provide appropriate sites. Whilst the application does not detail the site search process, Planning Officers have repeatedly been consulted by Quay Equestrian concerning potential sites around the city. Most, if not all of the sites suggested have been unacceptable because of their geographical location in terms of vehicular impact or visual impact. The redeveloped Lune Industrial Estate is likely to occur too late to provide a viable and available location for the business. Other sites fail to provide the scale of building required by the business, and therefore this new build proposal is considered the most effective solution.

The applicants have stated that they have no desire to relocate outside the district and have reiterated their commitment to the city of Lancaster in particular.

Conclusion

Whilst the Luneside East land acquisition affects this proposal, it should be stated that this application must be considered upon the planning merits of the case alone.

The critical issue in this case is whether the benefit of retaining an existing local employer within the district outweighs the potential environmental and highway disadvantages.

The District Plan permits (B2) industrial development on sites that are well-served by public transport and where there is no detrimental effect upon existing businesses. Whilst the latter would be true in this case, there is no public transport provision at this end of New Quay Road. Whilst the financial sum proposed by the applicant would contribute to public transport, it would not be sufficient to provide a new service.

However this is not a typical planning application. This is a like-for-like (in terms of number of employees) relocation proposal and does not constitute a brand new industrial enterprise. It is well located on the cycle network. There is the long-term potential for linkage to public transport nodes on Willow Lane and throughout the Industrial Estate, although it is recognised that this will not be delivered in the short term.

Whilst the site is less geographically sustainable in transport terms, it is still located within the city and will not give rise to additional traffic. The retention of Quay Equestrian will safeguard 44 jobs within the district and the development provides the opportunity to enhance the peripheries of the industrial environment.
The Local Planning Authority concludes therefore that the physical environment will not be adversely affected. It also believes that the retention of employment outweighs the highway considerations.

In recommending this application for approval, it is considered prudent to condition the consent specifically to Quay Equestrian. This is because there are exceptional considerations that have affected this recommendation, and these circumstances are unlikely to be replicated by any other potential applicant.

Members are advised that the application can be considered favourably, given the unique conditions that apply to this case. If approved, the permission would require a legal agreement to provide the financial contribution to bus services.

**HUMAN RIGHTS IMPLICATIONS**

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to the principles of proportionality, it has been concluded that there are no issues arising from the proposal which appear 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.

**RECOMMENDATIONS**

That subject to the signing of a Section 106 Agreement to cover the public transportation measures, **OUTLINE PLANNING PERMISSION BE GRANTED** subject to the following conditions:

1. Standard outline planning consent.
2. Submission of reserved matters.
3. Development as per approved plans.
4. Permission made personal to Quay Equestrian.
5. All commercial deliveries including those made by HGVs shall be made via St George’s Quay and not any other route.
6. No development until highway improvements are agreed. Highway improvements shall then be implemented prior to first occupation of the building.
7. Cycle storage and parking (within the building in a secure, lockable area) to be agreed.
8. Parking and loading facilities to be agreed.
10. Implementation of Flood Risk Assessment and flood mitigation measures.
12. Surface water drainage condition.
13. Separate sewerage system.
15. As required by consultees.
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<td>ERECTION OF 83 RESIDENTIAL DWELLINGS, CONSISTING OF 2 BED APARTMENTS AND 3-4 BED DWELLINGS.</td>
<td>FORMER BUS DEPOT HEYSHAM ROAD HEYSHAM MORECAMBE LANCASHIRE LA3 1DB</td>
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<tr>
<td>Harron Homes (North West) Limited Unit 2 Birchwood One Dewhurst Road Birchwood Warrington WA3 7GB</td>
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**REASON FOR DELAY**

None.

**PARISH NOTIFICATION**

There has been no formal response from the Neighbourhood Councils.

**LAND USE ALLOCATION/DEPARTURE**

The site is allocated as a Housing Opportunity Site in the Lancaster district Local Plan 1996-2006.

**STATUTORY CONSULTATIONS**

**County Planning** - Considers the development to be contrary to Policy 12 of the Joint Lancashire Structure Plan 2001-2016 because the district already a sufficient numbers supply of dwellings up to and beyond 2006. Even allowing for the existence of the current planning consent, the application proposes an increase of 2 dwellings over that permission and if this were replicated elsewhere in the district this would compromise the ability to manage housing land release.

A planning contribution figure has been provided on the basis of the County Council’s `Accessibility Questionnaire”.

**County Highways** - The access point should be relocated away from the junction opposite. Sightlines are also required and the developer will be required to dedicate land to become highway to accommodate a relocated bus shelter at the back of the footway. Alterations to the parking layout will be
required. 10% of all spaces should be to mobility standards and there should be secure, lockable parking at a rate of 1 per apartment. Parking for 2 motorcycles is also required.

Both arms of the internal access road shall be to adoptable standards and the developer should be asked to contribute to transport improvements.

There is good accessibility to the site by bicycle. A crossing would help pedestrians access the promenade, although installing an extra crossing may be unpopular, it may not be justified in terms of pedestrian flows and would lead to a loss of parking. Direct cycle access from within the site to side streets would be desirable.

**United Utilities** - No objections subject to the site being drained on a separate sewerage system and surface water being drained to a soakaway/surface water sewer. General advice is also provided.

**City Council (Direct) Services** - There is no requirement for a formal children's play area serving this particular development, given other existing play commitments in the West End close to the site. The Waste Management System must be agreed with CCS and suggested refuse capacities have been provided for the applicant.

**Environment Agency** - Objects to the proposal on the grounds that it is not accompanied by a Flood Risk Assessment.

**Environmental Health Service** - Views awaited.

**Strategic Housing** - Views awaited.

**OTHER OBSERVATIONS RECEIVED**

6 letters have been received from local residents. The following comments have been made:

- High density of the scheme;
- Impact of the height and orientation of properties upon amenity and privacy;
- The sub-station should be incorporated into the layout;
- High levels of noise and nuisance associated with the provision of car parks on the peripheries of the development.
- Impact on school numbers;
- Internal size of properties is insufficient;
- Absence of any detailed study into the stability of Heysham Road;
- Lack of environmental and energy efficiency measures;
- Lack of support services and facilities for more housing;

Councillor Robinson has also commented in his role as the Chairman of the West End Partnership. He has made the following observations:

- Lack of community consultation;
- Pressures on economic, environmental and social infrastructure;
- Possibility that the site could attract buy-to-let speculators;
- Flat-roofed nature of Heysham Road frontage;
- Queries regarding the emptying of bins;
- No information regarding boundary treatments;
- The sub-station should be incorporated into the scheme;
REPORT

The Site and Its Surroundings

The Former Heysham Bus depot site is located on Heysham Road and has its origins in the nineteenth century as a depot for horse trams. It is surrounded by residential roads on all sides (Stanley Road, Granville Road and Cumberland View Road). The surrounding housing stock varies from traditional two-storey terraced properties, to similar height semi-detached dwellings, to larger scale terraces to the east and west.

The site has been cleared of buildings and lies derelict, used only for the storage of demolished materials.

Planning History

The site has been the subject of a recent planning application for 47 apartments and 35 mews houses (Reference: 05/00473/FUL), which was approved by this Authority in October 2005.

Application 05/00473/FUL proposed a mix of two, three and four-bedroomed properties around a central open space area. Whilst the two and three-storey dwellings would be traditional in form, the Heysham Road frontage would be occupied by a more contemporary five-storey, flat-roofed apartment block. Car parking was to be provided in the corners of the site and underneath the apartment block.

The application now before Members seeks to supersede the approved layout.

The Proposed Development

Given the recent planning approval, it is accepted that the principle of residential re-use has been established, and that this application constitutes an alternative scheme in terms of layout and design.

The proposal now before Members is for 83 dwellings, 32 of which are two-bedroomed roadside apartments and a further 8 (two-bedroomed) apartments within the site; the remainder are three/four-bedroomed dwelling houses. The properties are predominantly located around a central, formal grassed area to create a square. Car parking is provided around three sides of the square with further parking available on each corner of the development.

The existing sub-station in the north-eastern corner of the site is now included in the scheme and will be enclosed by a boundary treatment (to be agreed) and landscaping. This should prevent further flytipping around the site.

36 cycle parking spaces will be provided close to the apartment blocks. Refuse storage areas sited around the apartments have previously been agreed with City Council (Direct) Services.

Landscaping is an important feature given the heavily urbanised location. The Heysham Road frontage and the spine road into the site will be grassed and planted. Every opportunity has been taken to provide planting on the peripheries of the site, including small landscaped areas around the car parks and the planting of single trees at the back of car parking spaces.

Planning Policy

The proposal has to be assessed in relation to three policies in the Lancaster District Local Plan (LDLP). Policy H3 identifies the land concerned as a Housing Opportunity Site (along with a small additional area to the south which is in separate control), with a capacity of around 40 dwellings assuming a density of 35.1 dwellings per hectare.
Policy H19 requires that new residential development within existing housing areas should:

- Not result in the loss of green space or other areas of locally important open space;
- Not have a significant adverse effect on the amenities of nearby residents;
- Provide a high standard of amenity;
- Make adequate provision for the disposal of sewage and waste water; and,
- Make satisfactory arrangements for the disposal of sewage and wastewater.

Policy T9 of the Lancaster District Local Plan requires that all new housing and other development which would significantly increase the demand for travel should be designed to maximise the opportunities for public transport and should be located as close as possible to existing or proposed bus services. It states that where appropriate pedestrian and cycle links to bus stops should be provided. It also makes provision for developers to contribute to the cost of improving public transport services. This issue is considered under the Planning Contributions section of this report.

Supplementary Planning Guidance Note 16, "The Phasing of New Residential Development" provides advice regarding the release of land for residential development during this period of housing oversupply. It indicates that housing schemes may be considered exceptionally where the proposals would assist in the City Council's regeneration objectives, secure the future of a historic building, or meet a specific local housing need. In this case the site is within the West End Regeneration Area. It will provide a substantial amount of housing suitable for family occupation, as well as bringing a derelict site back into beneficial use. It therefore meets the tests set out.

Finally the proposal has to be considered in relation to the West End Masterplan. The Policy Map appears to indicate a general principle of housing around a central open space, which accords with the previous approved scheme and the current proposal. However the configuration shown is different from that in the applicant's scheme and the density envisaged is much lower. The density previously approved (and again currently proposed) is approximately twice as high as that envisaged in the Lancaster District Local Plan.

During consideration of the last application objectors expressed a view that the site should comprise low-density development consisting purely of family housing. Of particular concern was the amount of accommodation in flats rather than family dwellings. However it is generally recognised that the thrust of central government housing policy encourages high-density housing on brownfield sites, and that this may take the form of a variety of housing types.

This approach was seemingly endorsed by the Masterplan Map, which advocates maximising development on brownfield sites with a diversity in the size and type of residential units.

The Masterplan also advises that development should consider the potential for incorporating sustainable and renewable technologies.

Alterations Made During the Planning Process

The scheme has been significantly amended during the planning application process. The amendments include:

- The re-design and reorientation of the Heysham Road apartments;
- Re-siting of the spine road to alleviate highway concerns;
- Reorientation of the car parking areas;
- Amended positions of the dwellinghouses to improve privacy distances;
- Reduction in scale of some of the dwellings around the peripheries of the site;
- Inclusion of the sub-station within the scheme;
- Provision of greater areas of landscaping.
The House Types and The Impacts upon Residential Amenity

The apartments on Heysham Road are four-storey in height. In terms of distance they are relatively close to the properties on the opposite side of the road, but it is considered that setting the apartment blocks further back into the site would significantly weaken the Heysham Road frontage and would create a potentially problematic and unused area of open space.

They will be constructed in brick to the third storey with a white rendered fourth storey above. The protruding four-storey bays will be rendered to break up the elevations. The roofing detail will be similar to that previously approved on the site, namely grey concrete tiles.

Units 17-20 and 51-54 are also four-storey and these have been deliberately located within the main body of the site away from existing residential property. They too will be constructed from brick and render, although the precise arrangement of materials was still being discussed at the time of compiling this report.

The T5 house types are three-storey with brick being used at the ground and first floors and render above. Juliette balconies will be provided on the second floor of the front elevation and the first floor of the rear elevation. These taller properties have been sited within the centre of the scheme and on the southern boundary, where the distances to the Cumberland View Road properties are greater. A pair of T5 properties are also provided on the Heysham Road frontage, adjacent to the existing detached dwelling.

The T5A types are similar in scale but remove the rear balcony. There are only three such properties in this scheme and they have been sited on the eastern boundary facing the spine road.

The remaining house types still offer three levels of accommodation but the second floor is provided in the roofspace, with the dormers on the front elevation. This has helped lessen the impact on surrounding property to Stanley Road and Granville Road.

In most cases a distance of 21 metres has been maintained between the existing properties and the proposed dwellings. In the case of Cumberland View Road, this increases upto 30m. The original layout was intrusive in terms of its neighbour impact due to the closer positioning of the properties, but these concerns have been alleviated by the concessions made by the applicant.

Impacts Upon the Highway Network

The applicant has consulted the County Highways Department during the redesign of the scheme.

The main vehicular access has been relocated north to avoid the existing access opposite the site. Whilst this alleviates the potential traffic conflict, it has weakened the scheme slightly in that the development is no longer symmetrical, with the square acting as a focal point.

The visibility splay has been improved and there are no highway safety objections.

There is no other access into the site. All of the car parking areas will be screened from existing properties by either boundary fencing or boundary walls. 83 parking spaces are provided for residents with a further 43 visitor parking spaces. This satisfies the County’s parking standards.

The applicant has acknowledged the district’s cycling demonstration town status and 3 cycle stores will provide secure accommodation.
The site is served by a frequent bus service along Heysham Road. The bus stop on Heysham Road will be relocated at the developer’s expense and the agreed position is shown on the amended plan.

Social, Economic and Environmental Impacts

The provision of good quality three/four-bedroomed family accommodation is an important element of this proposal. It will contribute to improving the social balance of the West End and its surroundings. It follows national planning guidance in providing a considerable density of development on a brownfield site, with a range of accommodation types.

There is an argument that the provision of new housing here and on other recently-approved schemes in close proximity will lead to an oversupply of housing. Whilst this is a valid point, it is not one that can be argued on this application. The site already benefits from a valid consent for 82 dwellings; this proposal adds only 1 further property to the scheme. Technically the previous consent could still be implemented. In any case the regeneration of the site is considered a critical factor in lifting the physical quality of this part of the West End.

It is closely located to a local retail service provider and has excellent public transport linkage. One resident has cited the lack of other support services such as medical care and employment opportunities in the immediate vicinity. This may well be true but this is not a justifiable planning reason for opposing what is essentially an amended scheme to a site already benefiting from a residential consent.

There is a currently a general absence of open space within the dense urban area. The provision of a formal area of open space - enclosed by railings to allow young families to use it, is a major feature of this scheme. Consideration was given to providing a children’s play area, and the reasons for dismissing this proposal are discussed in the Planning Contributions Section.

The absence of renewable energy initiatives is disappointing. However insisting on the provision of renewable technologies would not be consistent with the previous decision and would add to the cost of developing the site. These increased costs could render redevelopment uneconomic. Additional costs associated with redeveloping contaminated land have already been absorbed into the scheme and as a consequence a high density is proposed to cover the costs of redevelopment.

Given the desire of both the Council and the local community to redevelop this derelict site, it is considered that the proposal can proceed on the basis proposed.

Planning Contributions

It is normally a requirement of any residential planning application of this scale to require some form of planning contribution to improve highway infrastructure, deliver affordable housing or provide for a play area.

Application 05/00473/FUL was approved on the basis that all financial contribution requirements were waived. It was argued at the time that the risk of developing the site to an acceptable architectural quality was “high in commercial terms”.

The application report also states that an affordable housing requirement could be “counterproductive in achieving the City Council’s regeneration objectives” by exacerbating the West End’s perception as “an area of cheap housing”.

A play area was deemed not to be required because there was an existing play area at the nearby Battery site. There are proposals for two new play areas as part of the West End redevelopment and therefore the Authority’s City Council Services consider a further play area in this location to be unnecessary.
Given the approach taken a year ago, it would appear inconsistent if financial contributions were now requested.

Conclusion

The applicant has undertaken a comprehensive redesign of the scheme to alleviate a number of concerns arising via the consultation process. The scheme now before Members is, in the view of the Local Planning Authority, superior to the one first proposed in this submission and also the scheme approved in 2005. It delivers more appropriate housing types, in positions which respect the position of existing properties, and provides an attractive area of open space to serve the family dwellings.

The benefits of securing this improved development on a high profile derelict site are the determining factor. As a consequence Members are advised that this application can be supported.

HUMAN RIGHTS IMPLICATIONS

The applicant's right to develop the land in question has been balanced against the views and rights of objectors. However, for the reasons set out in this report and having regard to the principles of proportionality, the objections do not outweigh the applicant's right to use and redevelop this site subject to the recommended conditions.

RECOMMENDATIONS

That **PLANNING PERMISSION BE APPROVED** subject to the following conditions:

1. Standard 3 year consent.
2. Details as per approved plans.
3. Amended plan condition.
4. All external materials to be agreed.
5. Precise details of windows, heads, cills, doors, balcony rails, dormers, porch canopies, flues, eaves, verge and rainwater goods to be agreed.
6. All highway and footway surfaces to be agreed.
7. Standard landscaping condition.
8. Boundary treatments (including garden fencing and capping to boundary walls) to be agreed.
9. Position, type and colour of railings to public open space to be agreed.
10. Precise refuse storage areas and refuse screening details to be agreed.
11. Waste management systems to be agreed.
12. Secure and lockable cycle storage details to be agreed.
13. Car parking spaces to be maintained for the parking of cars.
14. Development should be in accordance with the mitigation measures proposed via the Flood Risk Assessment.
15. Separate sewerage system.
16. Surface water details to be agreed.
17. Removal of permitted development rights.
18. As required by consultees.
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DECISION DATE
2 October 2006

APPLICATION NO.
06/00994/FUL A13

PLANNING COMMITTEE:
16 October 2006

DEVELOPMENT PROPOSED
ERECTION OF TWO STOREY EXTENSION

SITE ADDRESS
BURROWBECK GRANGE NURSING HOME
SCOTFORTH ROAD
LANCASTER
LANCASHIRE
LA1 4TU

APPLICANT:
Optima Care
Colechurch House
1 London Bridge Walk
London

AGENT:
Grimshaw Townsend Ltd

REASON FOR DELAY
Not applicable.

PARISH NOTIFICATION
None

LAND USE ALLOCATION/DEPARTURE

The site is located within a residential area as defined by the Lancaster District Local Plan 1996 - 2006. Scotforth Road is an Access Corridor and a Primary Bus Corridor (Policies T5 and E47 of the Lancaster District Local Plan 1996- 2006).

STATUTORY CONSULTATIONS

County Highways - initially requested that a Travel Plan, Comprehensive Transport Assessment and a completed Accessibility Questionnaire be submitted for additional comments.

Environmental Health Services - condition and advice note requested in relation to the hours of construction and noise from construction equipment.

Tree Protection Officer - No objection subject to the provision on site for the protection of boundary trees established within 10 metres of the proposed development. The ornamental Cherry tree to be removed from the site in order to accommodate the development is not subject to a TPO and it’s removal is acceptable.
OTHER OBSERVATIONS RECEIVED

1 letter has been received from Burrowbeck Copse, referring to:
- a dispute over the actual position of the boundary to the north of the site. The applicant is aware of this.
- Possible loss of privacy
- Overlooking
- Height differences between Burrowbeck Copse and the nursing home.
- Land level differences and the risk of subsidence due to excavation works.
- Risk of future use of the nursing home as a hotel

REPORT

Site Background

The nursing home is a large detached building set in its own grounds, on the east side of Scotforth Road. The nursing home is well established and has been the subject of a number of planning permissions since its initial permission in 1987. It currently accommodates 23 residents as a maximum. The grounds are well wooded with a mixture of species around the whole of the perimeter of the site and there is substantial tree screening along the rear boundaries to the site. The majority of these trees are covered by Tree Protection Order No:67 (1981).

There are residential dwellings to the north, south and east of the site, with the dwellings to the rear on Beechwood Gardens being approximately 40 meters from the site.

The Proposed Development

The application is to provide a substantial extension comprising of 1,134 sq m of floor space, which would more than double the size of the existing nursing home (actual increase of 65%). A number of outbuildings, and the bungalow known as The Mallards which is ancillary office and accommodation use to the nursing home, would be demolished as part of the development. The extension would be a mixture of single storey and two storey building and would in effect create a square shaped footprint of development with an inner courtyard area as amenity space.

The footprint would encompass the existing outbuildings, the site of a previous planning permission for a two storey extension, and The Mallards. This previously approved extension (01/1039/FUL) was to provide a further 12 en-suite bedrooms and was sited at the rear of the nursing home, being two and single storey along the north elevation. Although sited on the footprint of the previous approval, this application differs in that it is completely two storey along the north elevation.

There are a number of issues that need to be considered with regards to this application, and these are:

- Design and appearance
- Parking and highway safety
- The impact on neighbouring residential amenity
- Trees

Design and Appearance

The existing nursing home is characterised as a large red brick and concrete tile building of a fairly traditional style. There have been a number of alterations and extensions to the building that have been of a design that reflects the materials and style of the building. This extension would use the same materials and window detail as the original building, with the addition of modern glazed areas to form a feature and an area of flat roof. The roof on the whole has been designed to follow a common ridgeline, joining the main building at the roof point and rejoining the
existing lounge extension with a modern glass link corridor. The stretch of extension that is sited nearest to Aroona, the adjacent property to the south, has been designed as a mixture of single storey/ two storey extensions, with differing roof pitches, including an area of flat roof. This design is an attempt by the applicant to reduce the impact of this part of the proposal on the residential amenity of Aroona. The inner courtyard that would be formed as a result of this would be landscaped and accessible to residents. The extension would provide additional accommodation for a further 26 residents (increasing the number to 49 persons) and the single storey extension would form a 2nd lounge.

On the whole, although to the maximum scale that the existing building could possibly take, the design is generally in keeping with the existing nursing home. There are however certain areas of the proposal that do not reflect the same "good design" and although the applicant has sought to reduce the dominant impact of the southern stretch of the extension by making it part single/part two storey, this has been done at the cost of good design, with the scheme now looking disjointed at this point. A better and more attractive scheme would be to reduce the whole of the stretch directly to the north of Aroona to single storey, thereby creating a uniform apex roof line instead of a collection of differing roof types.

Parking and Highway Safety

Access is from Scotforth Road and a 6 metre width driveway serves the nursing home and the parking areas. Parking provision is currently for 10 spaces with areas being used but not marked out on the ground as spaces. This number would be increased to 16 spaces. At present the nursing home employs 12 staff. This would be increased to 24 staff. Scotforth Road is a Primary Bus Corridor however and the site is well provided with public transport links. The Lancashire County Council Adopted Parking Standards require 1 space per 5 residents. At present the requirement is therefore 5 spaces, which is currently exceeded. The increase in resident numbers would require a total of 10 spaces which is also exceeded on site. There is therefore clearly no shortfall in parking provision on site. The Highway Authority initially requested that a Travel Plan, Comprehensive Transport Assessment and a completed Accessibility Questionnaire be submitted for additional comments. A Transport Assessment and Travel Plan has now been submitted and any further comments from the Highway Authority will be reported verbally at the Committee Meeting.

The Impact on Neighbouring Residential Amenity

Residential properties are on 3 sides of the site, with the furthest away being nos:1 and 2 Beechwood Gardens, approximately 40 metres to the east of the site. There are well established trees along the eastern boundary of the site that would screen these occupiers from the two storey extension to an acceptable degree. Due to the trees and the separation distance there would be no possibility of overlooking from any of the 1st floor windows in the extension.

Burrowbeck Copse is set approximately 10 metres to the north of the site for the proposed two storey extension. The occupiers of this property are concerned about loss of privacy and overlooking from windows, as a result of this proposal, however there is already an existing planning permission (01/01039/FUL) for a similar extension in this same position on the site that could be implemented. As is evident on site and has also been raised by this neighbour, the land level rises substantially to the north of the site. Burrowbeck Copse is raised approximately 2.5 metres above the ground level of the application site. This raised land level, coupled with the screening provided by the close boarded fencing of approximately 2 metres in height and the trees of 4 - 5 meters in height on the party boundary, reduces the impact that the proposed extension and associated windows would have on the occupiers of Burrowbeck Copse to an acceptable level. Therefore although the comments from Burrowbeck Copse are noted, there are insufficient grounds to warrant a recommendation of refusal on that basis, for the reasons given above.

The dwelling sited 20 metres to the south of the site is Aroona. This detached bungalow is set at a ground level of 5 metres lower than the application site. The applicant has stated that this property is not currently in use as a residential dwelling. Although this may be the case as present, the bungalow has not been abandoned and is therefore still classed as a residential dwelling and could be lived in by the
owners or tenants at any time. It must therefore still be considered as such by members. The rear windows of the bungalow would look towards the single storey and 2 storey part of the extension. This property would be most affected due to its ground level being so much lower and the impact of the 2 storey part of the extension in terms of its bulk and dominance. The separation distance would be approximately 20 metres and although there are trees along the party boundary, they are fairly sparse in places and do not provide total screening of the development. The question is whether the extension would have a detrimental impact on the residential amenity of the occupants of Aroona that would be of sufficient level to warrant a refusal of the application. In this instance it is considered that a 2 storey extension of this height at this distance from Aroona given the land level differences would be of sufficient detriment and this has been conveyed to the applicant. The applicant does not wish to amend the scheme to single storey at this point however.

Trees

There are large, mature trees established around the perimeter of the whole site, with the trees on the north, west and eastern boundaries being covered by TPO No:67 placed in 1981. Species on the site include fruit trees, Beech, Pine, Maple, Sycamore, Acacia, Chestnut, Oak and Hawthorn. The trees on this site provide significant visual amenity to a wide area and also form a screen boundary. There are no trees established within the footprint of the proposed extension that are covered by a TPO however provision must be made on site for the protection of any of the boundary trees within 10 metres of the development. This requires the provision of protective barrier fencing prior to any activity on site, including the movement of construction vehicles. There is an ornamental cherry tree that would need to be removed in order to build the lounge and the glass link, however this tree is not covered by any TPO and the Tree Protection Officer has no objection to the removal of this tree.

Conclusion

This application cannot be supported by the Council due to its detrimental impact on the occupiers of Aroona and the proposed design of the extension for the southern wing of the building. Any further response from the Highway Authority will also be taken into consideration.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to its sections of the Human Rights Act: Article 8 (privacy/family life), and Article 1 of the First Protocol (protection of property). There are no issues arising from the proposal which appear 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.

RECOMMENDATIONS

That PLANNING PERMISSION BE REFUSED for the following reasons: -

1. The two storey element of the southern wing of the extension to the nursing home would have a detrimental impact on the residential amenity of the occupiers of Aroona, by reason of the excessive height, bulk and dominance of this part of the extension.
2. The two storey element of the southern wing of the extension to the nursing home would form an incongruous and disjointed addition to the main building by reason of the differing range of roof styles, contrary to the key principles of Planning Policy Statement 1 “Delivering Sustainable Development” which requires all development to be of a suitable design that will improve the character and quality of an area.
**APPLICATION NO.**
06/01022/FUL A14

**PLANNING COMMITTEE:**
16 October 2006

**DEVELOPMENT PROPOSED**
ERECTION OF A SINGLE STOREY EXTENSION TO REAR

**SITE ADDRESS**
1 ST OGGS ROAD
MORECAMBE
LANCASHIRE
LA4 4RJ

**APPLICANT:**
Mr And Mrs J Taylor
1 St Oggs Road
Morecambe
Lancashire
LA4 4RJ

**AGENT:**
Building Plan Services

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**REASON FOR DELAY**
N/A

**PARISH NOTIFICATION**
N/A

**LAND USE ALLOCATION/DEPARTURE**
Lancaster District Local Plan - No specific proposals

**STATUTORY CONSULTATIONS**
N/A

**OTHER OBSERVATIONS RECEIVED**
None to date, any comments will be reported verbally to Committee

**REPORT**

This form of application would normally be dealt with under the scheme of delegation, however, as the applicant is a Councillor, the application has been placed before the Planning Committee for determination.

The application site relates to a semi detached bungalow sited at the junction of St Oggs Road and Rochester Avenue, Westgate. The proposal seeks to develop a small side extension to the property fronting onto Rochester Avenue. The extension is approximately 3.3m square and is to be constructed of a design and in materials to match those of the main dwelling. The development will provide for an enlarged kitchen dining area to the dwelling to allow improved arrangements and accessibility for the applicant’s mother.
The proposed extension stands forward of the building line along Rochester Ave, however, the garden area has a number of substantial mature shrubs and small trees which effectively screen and break up views of the gable of the building and would similarly help to screen the proposed extension.

This situation is not a unique one and similar proposals for small-scale side extensions have been determined to be acceptable to the local planning authority, particularly when the site is partially screened by existing planting. Subject to appropriate conditions, the proposal is considered to be acceptable and should be supported.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to the principles of proportionality, it has been concluded that there are no issues arising from the proposal which appear 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.

RECOMMENDATIONS

That PERMISSION BE GRANTED subject to the following conditions: -

1. Standard time limit.
2. Development to be built in accordance with the approved plans.
3. Materials to match those of the main dwelling.
4. Existing tree planting to be maintained.
5. Protection of trees.
6. Hours of construction.
DEVELOPMENT PROPOSED
CHANGE OF USE AND CONVERSION OF
COACH HOUSE TO 2 BEDROOM
DWELLING WITH EXTENSIONS AND
ALTERATIONS

SITE ADDRESS
83 MAIN ROAD
BOLTON LE SANDS
CARNFORTH
Lancashire
LA5 8DL

APPLICANT:
Mrs Violet Lloyd
83 Main Road
Bolton Le Sands
Carnforth
Lancashire
LA5 8DL

AGENT:
Bywater And Tweedale

REASON FOR DELAY
Not applicable.

PARISH NOTIFICATION
Bolton Le Sands Parish Council - Observations awaited.

LAND USE ALLOCATION/DEPARTURE
Inset village within the North Lancashire Green Belt.

STATUTORY CONSULTATIONS
County Council Highways - Observations awaited.

OTHER OBSERVATIONS RECEIVED
Any representations received will be reported orally at Committee.

REPORT
This application is for the change of use of a former Coach House to a two-bedroom cottage. The building is separate from the main dwelling but sits within the curtilage of number 83, which is a much larger property on a triangular plot between Main Road, Bolton Le Sands that passes through the village, and Bolton Turnpike Bridge on the Lancaster Canal.
The site is opposite the local Post Office and other facilities, including the local primary school, which are only a short distance away. A local bus route links the village with Lancaster, Morecambe and Carnforth.

The existing coach house is currently split at ground floor level; part of it is used as a single garage and the remainder as storage from the main house. There is also a shower room at ground floor level. The submitted drawings suggest that it has been used as a residential annexe of the main dwelling at some time in the past but this has not been the case for some time.

The building is a traditional stone built one with stone lintels over windows and doors and quoin detail to the corners. There has been an addition to the original building by way of the 'lean to' extension along the north elevation, which has been incorporated into the boundary wall using matching stonework. Both the original Coach House and extension are slate roofed. There are three doorways within the east elevation as well as the garage doorway. All are painted black timber and look traditional and in keeping with the design, completing the historical character of the building. Unfortunately the windows have been changed to an unsuitable white upvc pattern. The windows within the existing extension are timber frame but are in poor condition and need replacing.

To enable the change of use the proposal is to extend the floor space at ground floor level. The existing extension itself will be extended and will house the kitchen dining room. There will also be a 'conservatory' (more accurately described as a bay window) added to the east elevation simply to provide increased living space. Externally both extensions will have sloping 'lean to' roofs to protect the character of the building. A canopy above the east entrance will also be sloping to match the others proposed. All are to be finished in slate. The building materials are to be a mixed stone to match that of the existing external elevations.

To the first floor a main double bedroom will be provided as well as a guest bedroom and a practical size bathroom. A window and door are to be placed within the west elevation giving a more symmetrical and 'cottage-like' appearance when viewing from Main Road.

The application as submitted does not show a clearly defined curtilage for the new dwelling. It is intended that in the short term, the accommodation will be occupied by Mr Lloyd's daughter and son-in-law but it will eventually be a separate dwelling. The applicant's agent has been asked to provide a plan showing this, which is expected to be available in time for the committee meeting. At the same time he has agreed to substitute wooden windows consistent with the character of the building for the upvc ones shown on the original drawings.

There is no history of any recent planning applications involving the outbuilding. It has been used in recent years as a garage and store.

A number of policies in the Lancaster District Local Plan refer to small-scale developments within villages and Conservation Areas:

- Policy H7 sets out criteria for new residential development in villages, including Bolton Le Sands
- Policy E38 refers to development proposals within conservation areas
- Policy E39 deals with alterations and/or extensions to buildings within conservation areas.

Both the Conservation Area policies state that applications will only be permitted that take into account the 'scale and style of surrounding buildings' and that materials to be used must be 'sympathetic to the character of the building and area.'

The proposal has also to be considered in relation to SPG16 on the release of land for residential development. This requires that while there is a three year supply of consents for new dwellings within the district, new houses will only be approved which assist with the City Council's regeneration programme, secure the future of a historic building, or meet a specific local housing need. However it also allows for the conversion of suitable buildings within specific catagioy 'B; settlements, , one of which is Bolton le Sands as and exception to the housing supply restrictions.
There is sufficient space around the former coach house to meet the needs of a modest sized house and the building is in many ways well suited to its intended purpose. Although it is not listed, it is also a significant feature of the Conservation Area and its conversion to a dwelling will safeguard its future.

The recommendation that permission should be granted is subject to the receipt of satisfactory amended plans defining the curtilage of the dwelling and showing the use of wooden windows in place of upvc ones.

**HUMAN RIGHTS IMPLICATIONS**

This application has to be considered in relation to two sections of the Human Rights Act: Article 8 (privacy/family life), and Article 1 of the First Protocol (protection of property). There are no issues arising from the proposal which appear 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.

**RECOMMENDATIONS**

That **PERMISSION BE GRANTED** subject to conditions as follows:

1. Standard three year condition.
2. Amended plans defining the curtilage of the dwelling and showing wooden windows in place of upvc ones.
3. Development to be carried out in accordance with the approved plans.
4. Existing upvc windows to be replaced with wooden ones before the dwelling is made available for occupation.
5. Two off street parking spaces to be provided for occupants of the dwelling.
6. Construction work to take place only between 08.00 - 18.00 Monday - Saturday - No work on Sundays or officially recognised Public Holidays.

**ADVICE**

Naming/numbering of dwelling to be agreed.
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DECISION DATE
18 October 2006

APPLICATION NO.
06/01067/FUL A16

PLANNING COMMITTEE:
16 October 2006

DEVELOPMENT PROPOSED
VARIATION OF CONDITION 1 OF PLANNING PERMISSION 03/01372/OUT TO ALLOW AN EXTENSION OF THE TIME LIMIT BY 3 YEARS.

SITE ADDRESS
BUILDINGS AND LAND AT BULK ROAD, BACK CATON ROAD AND PARLIAMENT STREET LANCASTER LANCASHIRE

APPLICANT:
Workshop (Lancaster) Ltd C/o Agent

AGENT:
Turley Associates

REASONS FOR DELAY
Not applicable.

PARISH NOTIFICATION
Not applicable.

LAND USE ALLOCATION/DEPARTURE
The Lancaster District Local Plan identifies the overall Kingsway site for a mixed-use development incorporating uses such as business, retail, leisure and residential uses. It is adjacent to the Caton Road Access Corridor and across a busy thoroughfare from the Newton Residential estate.

STATUTORY CONSULTATIONS
County Environment Director (Planning) – No objections - previous comments apply.

County Environment Director (Highways) - Views on the current application to extend the time limit for commencement are still awaited. However, the majority of highway measures requested as part of the original submission proposals including the adjacent leisure/retail scheme have been implemented including the site access arrangements.

All the responses from the other statutory consultees arising from the original outline application still stand and the consequent conditions remain unaffected by this application.

OTHER OBSERVATIONS
None received to date.
REPORT

Background

This application relates to the modification of consent of application ref: 03/01372/OUT, which is an outline approval for the residential development (100 units), associated access and car parking incorporating part of the façade of the former Kingsway bus depot. Members will recall that the application formed one of three inter-related applications that covered the redevelopment of the northern end of the Kingsway site and were approved in May 2003. The first two relating to planning and listed building issues concerning the first phase of development involving the retail and leisure developments on the sites of the former Kingsway Baths and Bridge Houses have now been implemented.

A reserved matters application for the residential details for this site was made in June 2005 although this has subsequently been withdrawn following opposition from your officers and a generally negative response from most quarters.

Application Proposal

This current application is simply a request under Section 73 of the Town & Country Planning Act to extend the time period for the commencement of development for a further three years.

Policy Position

There are no new policy issues arising from this application, the site remaining to be seen as a priority "A" site in terms of SPG no 16 concerning the phasing of residential development, and there being clear environmental and regeneration benefits arising from its redevelopment. Obviously the site meets the general thrust of all other key national, regional and local policies, which support the provision of housing on sustainable brownfield sites.

Issues Arising

This application is a bit unusual in that it has been made whilst there is still a considerable period before the present consent runs out in May 2007. However, based on the experience of the abortive first attempt to secure reserved matters, the applicants wish to ensure that they allow sufficient time to allow negotiations to continue and the necessary resubmission and approval of a revised scheme. Detailed discussions are ongoing on this and whilst these are proving to be promising, there are still a number of detailed matters to be finalised before an application is formally submitted. It is also expected that the applicants will need to carry out fresh consultations with the local community beforehand and also seek an input from CABE.

In the circumstances, the applicant's motives are fully understood and given that there are no fresh issues which would suggest otherwise, the renewal of consent is supported.

Conclusion

That planning permission to extend the time period by a further 3 years be granted.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to the principles of proportionality, it has been concluded that there are no issues arising from the proposal which appear 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.
RECOMMENDATIONS

That **PLANNING PERMISSION BE GRANTED** subject to

1. Standard 3 year time period for implementation.

Advice note: all other conditions attached to outline consent 03/0172/OUT continue to apply.
DEVELOPMENT PROPOSED
CONSTRUCTION OF 11 NO B1 UNITS

SITE ADDRESS
STRANDS FARM
STATION ROAD
HORNBY
LANCASTER
LANCASHIRE
LA2 8JP

APPLICANT:
Dalesmoor Homes
Old Masons Yard
Clapham
LA2 8EB

AGENT:
Harrison Pitt Architects

REASON FOR DELAY
Awaiting revised proposals from applicant.

PARISH NOTIFICATION
Hornby Parish Council - Objects - Looks too easily converted to residential use if B1 demand fails, first two units should be completed first to test demand, existing access road and pavements not yet completed.

LAND USE ALLOCATION/DEPARTURE
Lancaster District Local Plan - The site is within the Forest of Bowland Area of Natural Beauty.

STATUTORY CONSULTATIONS
County Highways - No objection in principle - observations on amended proposals awaited - has requested a £20,000 contribution to improve bus shelters in Hornby but it is not felt that this can be justified because one new one has just been provided west bound outside the Village Hall and it would be difficult to site one on the other side of the road.

United Utilities - No objection.

County Archaeological - No comment.

Ramblers - Concerned about outside lighting and screening.

Environmental Health Officer - No objection, subject to controls over hours of use and construction.
OTHER OBSERVATIONS RECEIVED

Thirteen letters have been received objecting to the submitted proposals on the following grounds:

- Inappropriate location for B1 units.
- Impact on neighbouring residential amenities and outlook.
- Impact on the character and appearance of the locality, conservation area and the A.O.N.B.
- Over intensive development for the site with an excessive number of units.
- Inadequate parking will result in visitor overspill onto estate roads.
- Poor and inappropriate design and materials out of keeping with the locality.
- Lack of screening from residential properties.
- Danger to children from commercial traffic.
- No demand for this type of accommodation in this area.
- Detrimental to the interests of tourism in this area.
- Conflict with Local Plan policies on use, design and materials.
- Any further observations in relation to the amended proposals will be reported at Committee.

REPORT

This site is located on the western edge of Hornby village and is part of the previously approved Strands Farm development. The residential part of which has now been completed. To the south lies the Station Yard Industrial Estate, to the east lies the residential area of Hornby while to the north and west lie open fields.

The development of this site for B1 industrial/office purposes was originally approved in outline in 2000 under application No. 00/00055/OUT and again in outline in 2002 under application No. 02/00723/OUT in association with the present residential development. One two storey B1 unit adjacent to the rear of the site was approved in detail as part of the residential approval No. 02/00676 and reserved matters for a second similar two storey unit, adjacent to the first was approved in 2004 under application No. 04/00397/REM. These units are in the early stages of construction on site.

This application is a full application for the development of the rest of the B1 site with a further similar two storey unit and three single storey units, all of similar footprints to those previously approved. These buildings would be arranged around a central parking and servicing courtyard to create a loose U shape with its open end facing the residential development and access road. The site boundary would be planted with a field hedge and the space between it and the buildings would be occupied by screen tree planting. A screen wall would separate the B1 development from the residential development. The materials would be stone on all elevations visible from outside the site and on those facing the residential area, while the roofs would be metal cladding similar to that generally found on industrial and office buildings.

The outline proposals for the whole site indicated a total six separate units in two rows of three with a total footprint of 1391.5 sq. metres, but the permission did not specifically limit the development to these sizes, layouts or to the number of floors or individual number units created.

This proposal would give total footprint of 1140.5 sq. metres in six separate units, in three pairs of two, to give a total floor space of 1710.5 sq. metres. However, in order to provide a range of accommodation these proposals indicate that these last four units could be let in the form of up to 11 single room/space units of varying sizes, or in multiples of these as required. Twenty two parking spaces and covered cycle spaces would be provided to serve the second phase of the development.

It is not considered therefore, that this proposal differs fundamentally from that which was originally intended nor does it raise any new land use policy issues. The original consent was intended to provide a mixed use development of both residential and employment uses. Approval of this scheme would assist in ensuring this aim was achieved.
In terms of its impact on the Conservation Area, the A.O.N.B. and neighbouring amenities and its access and servicing arrangements, the proposal conforms with the requirements of policies E3, E4, E35 and EC4 of the Local Plan.

It is considered therefore, that this proposal can be supported subject to the existing Section 106 Agreement being modified to include this application and to the conditions imposed on the previous permission.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to the principles of proportionality, it has been concluded that there are no issues arising from the proposal which appear 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.

RECOMMENDATIONS

That subject to the Section 106 Agreement being modified to include this application PERMISSION BE GRANTED subject to conditions covering the following issues:-

1. Standard full permission.
2. Amended plans.
3. Development in accordance with approved plans.
4. Use limited to offices and light industry within class B1.
5. Landscaping and screening to be provided.
6. Samples of stone, render and roof coverings to be agreed.
7. Hard surface treatments to be agreed.
8. External walls of the development to be random second hand stone brought to courses, sample to be agreed.
9. Parking and cycle spaces to be provided and retained.
10. Drainage details to be agreed.
11. Floor levels to be agreed.
12. Hours of construction.
13. Hours of use 8.00 a.m. - 6.00 p.m. Monday to Saturday - no use on Sundays or Bank Holidays.
14. No working display or storage outside.
15. As may be required by consultees.
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DEVELOPMENT PROPOSED
ERECT A NEW WORKSHOP,
TRAINING AND OFFICE BUILDING.

SITE ADDRESS
LAND OFF
PENROD WAY
HEYSHAM
LANCASHIRE

APPLICANT:
Lancaster Training Services
St Georges Quay
Lancaster
LA1 5QJ

AGENT:
Fisher Wrathall

REASON FOR DELAY
N/A

PARISH NOTIFICATION
Heysham Neighbourhood Council - To date no observations received

LAND USE ALLOCATION/DEPARTURE
Lancaster District Local Plan - Existing Employment Area

STATUTORY CONSULTATIONS
County Highways - Views awaited.

Environmental Health Services - Views awaited, recent comments upon neighbouring plots have resulted in a demand from Environmental Health that a site investigation be undertaken, as hydrocarbons have been detected on the site. The tanks, which were the source of this contamination, have been removed but it is possible that spillages from the tanks are present below the site and additional work should concentrate on their position. Gas protection measures will need to be incorporated into the design of buildings.

Economic Development - Lancaster Training Services are currently located within the Luneside East project area and are required to vacate the site by April 2007. We have been in touch with the company since 2005 to help identify alternative locations. The site which is the subject of the planning application is the best option for them in meeting their requirements for a manoeuvring area as well as training facilities. Few, if any, realistic alternative options within the District have been open to the company and, as well as helping to safeguard existing employment, development at this site will enable a valuable training service to be retained within the area.
It is also worth noting that both the Luneside East site and the Port of Heysham Industrial Park site are projects under the City Council’s Economic Development Zone programme and that the EDZ Employment Access and Cycling Co-ordinator will liaise with the company regarding travel planning matters.

Health and Safety Executive - Views awaited

OTHER OBSERVATIONS RECEIVED

To date a single letter has been received from a neighbouring residential occupier concerned that the proposal does not maintain an informal footpath across the site which currently links the northern end of Money Close Lane with Penrod Way. It is considered that the footpath, currently across rough ground should be improved and a formal route developed rather than using the adopted footpath along Penrod Way. In addition, concerns have been raised over the potential disturbance to residential properties from engine noise generated by lorries training on the open area of land.

REPORT

Site and its Surroundings

This site is to the north of the Port of Heysham. Outline consent for its development for industrial and warehouse use, together with details of the access road, has already been granted (application 04/00886/OUT). The road into the site has been completed and the present application seeks to develop two adjoining plots to the southern side of the new access road.

The land to the north forms part of the land allocated as an employment area. The land to the south comprises a substantial tree planting belt and further south a number of residential properties, the closest being those of Moneyclose Grove. Land to the south east of the plot is open grassland, identified as an SSSI and lies outside the application site.

The Proposal

The current proposal seeks to develop office/training accommodation for Lancaster Training Services, a heavy goods training centre currently based on St Georges Quay. The current premises fall within the Luneside redevelopment scheme and the applicants are required to vacate the St Georges Quay site by April 2007.

This proposal develops an ‘L’ shaped building comprising a two storey office/training area and a large single storey workshop/training area. Externally, areas are set aside for vehicle training and lorry parking. The office accommodation is located alongside Penrod Way with the workshop building running north south across the depth of the plot. The gable to the workshop is sited close to the blank gable of number 1 Moneyclose Grove with a substantial mature tree belt in between.

Planning History

The application site forms part of a much larger area which was redeveloped from the former petroleum works. The lower area has been occupied as industrial land for many years. This upper area originally housed large storage tanks and has remained open and unused for many years following removal of the tanks and land contamination. As indicated early in the report, this upper part of the works gained outline consent under 04/00886/OUT for the development of the access road and use as an employment site.

This application has been submitted as a ‘Full’ application by the prospective purchaser of the site but could have been submitted as a ‘Reserved Matters’ application to complement the existing outline planning approval.
Planning Policy

The following policies in the Lancaster District Local Plan are particularly relevant:

- EC5, which allocates the site for employment related use
- EC6, which sets out criteria for employment related development
- EC9, which states that development which would worsen environmental conditions in South Heysham will not be permitted
- T9, which requires Green Travel Plans in support of development which would significantly increase the demand for travel
- E10, which addresses the issues associated with contaminated land.

Comments

The principle of this development is consistent with that of the original outline consent which provides for general employment uses within class B1, B2 and B8. The main issues relate to the scale and massing of the building and the relationship/use of the external vehicle training areas. In response to general concerns raised over the scale and massing of the building the agent has sought to modify the scheme. A revised form has been developed which lowers the main workshop building by 1.0m, introduces a hipped roof closest to the residential properties and shortened the building to allow additional planting along the southern boundary of the site.

The amended plans have also removed a small number of parking spaces along the southern boundary, again with a view to allowing additional planting to take place, strengthening the current mature tree belt.

The applicant has provided additional information in respect of the nature of the site operation, in particular, the use of the external training areas. It is understood that the external areas are only used approximately 50% of the day and only by two vehicles at once. The training is to practice manoeuvring and reversing. The nature of this form of training is low speed (less than walking pace) and involves movement of tractor and trailer unit under very little loading. As a consequence engine noise is relatively low and does not need to be high revving and torque producing, as would be the situation if the vehicle were on the road and under load.

Working hours are normally restricted to 8am to 5pm five days a week although occasional weekend seminars take place, again these are usually classroom based with no use of the external training areas. However, given the distance to the dwellings from the open training areas and the tree belt it is considered that restriction of the training hours to the current level would be overly restrictive.

Overall, it is considered that the proposal accords with planning policy for the employment site and subject to appropriate conditions controlling landscaping, materials and use of the property the development should be supported.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to the principles of proportionality, it has been concluded that there are no issues arising from the proposal which appear 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.

RECOMMENDATIONS

That PERMISSION BE GRANTED subject to conditions as follows:

1. Standard three year condition.
3. Development to be carried out in accordance with the approved plans.
4. Details of materials to be agreed.
5. Landscaping scheme to be agreed and implemented.
6. Contaminated land study to be undertaken.
7. Drainage details to be agreed.
8. Car parking to be provided and maintained
9. Cycle and motorcycle parking to be provided and maintained.
10. Insulation scheme for buildings to be agreed.
11. No overnight parking of lorries running refrigeration or charging units.
12. Construction work to take place only 08:00 - 18:00 Mondays to Saturdays.
13. No materials or equipment to be stored outside the buildings.
14. Business Travel Plan to be agreed before the premises are occupied.
15. Boundary details to be agreed.
16. As may be required by the consultees.

ADVICE
1. Naming/numbering of industrial units to be agreed.
2. Developer should contact the Environmental Health Service about contaminated land issues.
DEVELOPMENT PROPOSED
REVISED DESIGN PROPOSAL FOR PREVIOUSLY APPROVED APPLICATION 03/00532/FUL FOR A SINGLE DWELLING

SITE ADDRESS
BROOKLANDS
KIRKBY LONSDALE ROAD
HALTON
LANCASTER
LANCASHIRE
LA2 6PG

APPLICANT:
Daffodil Homes (Lancashire) Ltd
C/o 25 Hest Bank Lane
Hest Bank
Lancaster
LA2 6DG

AGENT:
JMP Architects Ltd

REASON FOR DELAY
Not applicable

PARISH NOTIFICATION
No objections

LAND USE ALLOCATION/DEPARTURE
Lancaster District Local Plan - Countryside Area.

STATUTORY CONSULTATIONS
County Highways - Views awaited

Environmental Health Officer - Hours of work condition required during the construction period in view of the close proximity of other residential properties.

OTHER OBSERVATIONS RECEIVED
None received at the time of writing this report

REPORT

Background

Outline planning permission was granted originally in May 2001 for the redevelopment of the application site involving the removal of some seven properties comprising a mixture of three houses with unrestricted occupancy and four others restricted to either holiday use or student occupation, and a number of other outbuildings. These were of extremely poor quality and appearance and there were
clear benefits from their replacement with a more co-ordinated development for which there were significant environment improvements, both in terms of the new buildings themselves and also surrounding landscape. The intention was to create a more traditional rural grouping incorporating a large "manor house", a farmhouse, and a converted barn.

Subsequently a full approval was given in November 2001 (ref 01/01089/FUL) for the detailed scheme for three dwellings, which incorporated a lake and stream and extensive new landscape planting following the input from the Environment Agency and the landscape architects.

Condition 20 attached to this permission stated:
"All existing buildings indicated as being demolished on the submitted plan shall be demolished and the site made good to the reasonable satisfaction of the Local Planning Authority prior to the occupation of the corresponding dwelling".

The reason for this condition was to ensure that the new development reflected national and local policies concerning replacement dwellings in such locations and to reflect the negotiations, which led to the total new floor space being similar to that being demolished.

Development subsequently commenced with the construction of the two northerly properties resembling the farmhouse and converted barn. However, a problem arose with the sub-division of the original estate, which meant that two of the holiday units most closely linked to Brooklands at the southern end of the site (Pine Lodge and Rosewood) ceased to be in the control of the then applicants. These were to be retained in holiday use and were seen as capable of standing alone outside the new scheme having their own access and being relatively well hidden by existing landscaping.

To regularise this situation, a modification to the original permission was approved in June 2003 (ref:03/00532/FUL), which reflected the changed circumstances and reduced the floor area of unit 1 to some 2,500 square feet, to equate with the revised floor area of the properties being demolished to make way for it. This was designed as a more ordinary country dwelling rather than a "manor house" but all the original design principles, materials, and landscape improvements remained the same. The only difference being the building would be reduced in scale and relocated to a less dominant position within the building group.

The Proposal

The current applicants wish to revise the details of the dwelling approved in 2003 under planning reference 03/00532/FUL whilst still respecting the terms of both this and the original consents. Whilst this involves a marginal increase in the floor area to 2626 square feet, this is felt to be immaterial in the context of the planning history for the site.

It involves the construction of a split-level dwelling, the majority of which is single storey, located towards the south-east corner and frontage of the site adjacent to existing buildings in such a way as to lessen its impact on the surrounding landscape. The dwelling is to be of a more contemporary design but using traditional materials including local random coursed stone, dressed quoins and a natural slate roof. The combination of these, the design, and the manner in which the dwelling "hugs" the land-form would reinforce the informal character of the building and reflect a group of agricultural buildings as intended.

The house has been organised internally to respond to the sun path with habitable rooms facing south and west and by the dwelling’s orientation, maximum use is made of the sun’s energy to assist the sustainable design process. As with previous approvals, an extensive landscaping scheme is proposed incorporating the existing stream and creating a small lake in the non-domestic curtilage area as defined on the submitted plans. A new orchard area is also proposed along the southern boundary with Brooklands and the remaining holiday cottages.
Conclusions

Overall it is considered that the latest proposal is still within the spirit of the original approval and the replacement of one dwelling type for another has no policy implications, the original consent being permanently extant. The number of dwellings with unrestricted occupancy has not changed and the floorspace created still reflects that lost by the demolished buildings. All the significant visual and environmental benefits remain, whilst the revised house design for unit 1, is of a much improved quality and will be of significant benefit to the overall scheme and the appearance of the locality.

In summary it is recommended that approval be granted. All other conditions attached to the parent approval (ref 01/01089/FUL) continue to apply and will cover the detailed considerations as requested by consultees with the original scheme.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to the principles of proportionality, it has been concluded that there are no issues arising from the proposal which appear 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.

RECOMMENDATIONS

That **PLANNING PERMISSION BE GRANTED** subject to:

1. Standard time limit
2. Development to strictly accord with approved plans
3. All conditions attached to the parent consent (ref 01/01089/FUL) continue to apply
4. Hours of working during construction 08.00 to 18.00 Monday to Saturday only. No Bank Holiday working.
5. As requested by consultees.
DEVELOPMENT PROPOSED
CHANGE OF USE APPLICATION TO ACCOMMODATE A MIXED USE OF A JEWELLERY SHOP (CLASS A1) AND COFFEE SHOP WITH OUTDOOR SEATING (CLASS A3)

SITE ADDRESS
MUSIC ROOM
SUN STREET
LANCASTER
LANCASHIRE
LA1 1EW

APPLICANT:
Alex Zawadzki
Music Room
Sun Street
Lancaster
Lancashire
LA1 1EW

AGENT:

REASON FOR DELAY
Not applicable

PARISH NOTIFICATION
None

LAND USE ALLOCATION/DEPARTURE
The property is a Grade II* Listed Building which lies within the Lancaster Castle Conservation Area and a Key Townscape Feature.

STATUTORY CONSULTATIONS
Chief Engineer - No objections.
Conservation Officer - No objections.
Environmental Health Officer - No objections but requires conditions.

OTHER OBSERVATIONS RECEIVED
A letter of objection received from R. Stafford Charles & Son who represent the Landmark Trustee Company who own the property. Their main reasons for objection are on business grounds and are not considered a planning issue.
REPORT

It has been necessary to bring this application before Members as one aspect of the proposal is for the change of use of land, which is in City Council Ownership.

The property that is the subject of this application is known as the Music Room and is a Grade II* Listed Building. It is also designated within the Lancaster District Local Plan as a Key Townscape Feature within the Castle Conservation Area.

The Music Room is situated in a square at the end of Sun Street and there are a number of other listed buildings in the vicinity. Presently the square is an underused area, which is mainly used as a short cut between China Street, Market Street and Church Street. There are a number of retail, office and restaurant uses occupying positions on Sun Street.

The application refers to the ground floor of this property, which has been in A1 (retail) use for some time, while the Landmark Trust rents out the upper floors as a holiday apartment.

This is a retrospective application for a change of use from A1 to a mixed-use unit comprising jewellery shop (A1) and coffee shop (A3 use - cafeteria) with outdoor seating. The applicant currently uses the space immediately adjacent to the front elevation as an outdoor seating area. This is considered to be an appropriate area for outdoor seating due to the low pedestrian flows in the vicinity. The mixed use of this listed building will also contribute to the vitality of the area in terms of enhancing its retail and leisure offer. Hours of opening are 10.00 a.m. until 5.30 p.m., Monday to Saturday, and therefore impact upon the occupants of the upper floors will be minimal.

In conclusion, this proposal will not adversely affect the setting of the listed building or compromise the quality or character of the Castle Conservation Area. In fact the uses proposed are generally encouraged in urban centres, where there is unlikely to be any adverse amenity impacts. This is a positive use of one of the district's most important listed buildings. Therefore, it is on this basis that Members are advised that this application can be supported.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to the principles of proportionality, it has been concluded that there are no issues arising from the proposal, which appear 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.

RECOMMENDATIONS

That PLANNING PERMISSION BE GRANTED subject to the following conditions:

1. Use as per approved plans.
2. Details of table and chair areas and furniture to be submitted and agreed.
3. A scheme for odour control to be submitted and agreed.
4. A1 and A3 use only.
5. Scheme for storage of refuse.
6. Condition opening hours 10.00 a.m. till 5.30 p.m., Monday - Saturday.
DEVELOPMENT PROPOSED
CHANGE OF USE AND CONVERSION OF BARN TO TWO HOLIDAY COTTAGES.

SITE ADDRESS
STORRS GATE FARM
MAIN ROAD
ARKHOLME WITH CAWOOD
LANCASHIRE
LA6 1BB

APPLICANT:
Mr And Mrs Archer
C/o Agents

AGENT:
De Pol Associates Ltd

REASON FOR DELAY
Negotiations with the agent over the overall form of the development following consultation responses.

PARISH NOTIFICATION

Arkholme Parish Council - No objections in principle although it is doubtful that the development will be an asset to the village. There is a need for low cost rental accommodation in the village. The Parish question the logic in restricting conversion of barns to permanent dwellings whilst allowing holiday conversion when the locality is short of low cost residential accommodation.

LAND USE ALLOCATION/DEPARTURE

Lancaster District Local Plan - Within the Countryside Area

STATUTORY CONSULTATIONS

Environment Agency - No objections in principle subject to conditions in respect of drainage - separate system required.

United Utilities - No objections to the proposals.

Lancashire Wildlife Trust - Initially raised concerns over the potential loss of habitat for a known bat/barn owl roost and probable nest site. Detailed investigation required with a holding objection to the development as originally submitted. Following submission of an ecological survey welcomes the detailed site analysis and the recommendation of compensatory provision in accordance with the consultants recommendations.

County Ecologist - The consultants report identifies the presence of protected species. In his opinion, provided that the recommendations of the consultants report are implemented, it seems unlikely that there would be a significant impact upon bat population.
**English Nature** - Recommend the undertaking of a detailed survey for bats/birds, including a method statement and the provision of mitigation measures. Following receipt of the ecological report, recommends that if the local authority was minded to approve the application, full adherence to the mitigation proposals contained within the report.

**Rural Land Agent** - The building is currently unused and remotely sited from the main farm building and dwelling. It is considered that the use of the field barn is limited, primarily due to its distance from the farm group. Does not consider there to be a conflict with the agricultural operations if the barn were to be converted to holiday accommodation, although it is considered that the development of an estate office would be better located within the main farm complex and not within the field barn.

**Lancashire Archaeology Unit** - Whilst the building is not listed it is recommended that an archaeological record be taken of the building prior to any works being commenced.

**County Highways** - Concerned that the current access and highway sight lines are poor and would recommend refusal unless the access arrangements are upgraded to provide adequate sight lines and access width.

**OTHER OBSERVATIONS RECEIVED**

Lancashire Environmental Fund - The barn is a known bat and barn owl roost, a full ecological survey needs to be undertaken to assess the potential impact of any development.

The Barn Owl Trust - The barn is believed to be the roosting site for Barn Owls and may also be used as a nest site. Concerns are raised over the detrimental impact of development upon resident owls.

Local resident concerned over the potential for disturbance from construction traffic and the need to restrict the hours of construction.

Local resident concerned that the barn is the permanent residence of a barn owl, the development would despoil open views within the landscape the building is visible at a distant from Arkholme and the Lune Valley. Potential for increased traffic hazard from increased use of the access onto the main road.

**REPORT**

**Site and its Surroundings**

This application site is located within the land holding of Storrs Hall Estate, approximately ½ mile south west of the Village of Arkholme. The estate has a holding of over 100 hectares including some woodland and fishing rights along the banks of the River Lune. The field barn lies approximately 350 metres from the main farm group known as Storrs Gate Farm. The site is access via a stoned track through the farm complex and across open pastoral land. The building is located within a natural hollow and is completely screened on approach from the farm but has open distant panorama to the east across the Lune valley.

Storrs Gate Farm is currently vacant and many of the farm buildings have been demolished following vacation of the farm by the previous tenant.

The application site currently comprises an original stone field barn which has been raised in height by approximately one metre by the introduction of concrete block walls and a prefabricated cement fibre roof. In addition, a single storey modern lean-to construction has been attached to the side wall of the barn. Again, constructed in concrete blockwork with a cement fibre roof sheeting.

A small level forecourt has been developed in front of the main barn door. This is partially enclosed by the natural topography of the land and a mature hawthorn hedgerow.
The Proposal

The application as originally submitted sought to improve the vehicle access from the farm to the barn and convert the barn to two holiday cottages and an estate office for Storrs Hall. The conversion would involve the demolition of the ‘modern’ elements of the barn, including the raised section of roof to the main building and the reintroduction of a slate roof to the barn. Internally, the conversion would create a one bed unit and a two bed unit together with an estate office in the stone built within in the single storey element of the original building.

Ongoing discussions following consultation responses have resulted in the omission of the Estate Office from the scheme, utilising this area for storage. The scheme now also introduces the construction of a purpose built bat barn alongside the original barn. This building is of a large single storey construction with storage in the lower element and purpose designed accommodation for bat roosting/breeding within the roof space. The building is sited approximately 7.0m from the barn and is cut into the rising ground to the north of the site. The bat barn is constructed on stone and slate with timber cladding mounted to allow access/egress for bats.

Planning History

The site and wider farm have a very limited planning history relating mainly to the development of the farm complex.

Planning Policy

The application should be considered against the following policies within the Lancaster District Local Plan.

Policy E4 – Countryside Area
Seeks to allow development which is appropriate to the character of the area and its surroundings. The development should not adversely impact on nature conservation and provide for a satisfactory access arrangement.

Policy E20 – Development in the Countryside
Again seeks to allow development which is appropriate to the character of the area and its surroundings. The development would not destroy architectural features and will protect roosting and nesting habitat of any protected species.

Policy E21 – Agricultural Diversification
Seeks to develop business and tourism development which support and form part of an existing agricultural unit, wherever possible utilising existing buildings. The overall development should not have an undue impact on the landscape or local traffic generation.

Furthermore, guidance within Planning Policy Statement 7 - Sustainable Development in Rural Areas is generally supportive of tourist accommodation by the conversion of existing rural buildings which add to farm diversification, are of appropriate scale and are sensitive to local landscape, wildlife and the building to which they relate.

Comments

In general planning terms it is considered this development accords with policies to limit development to that appropriate to the rural area. In addition this application has been the subject of much discussion and in particular with reference to the impact of the development upon protected species, in particular bats and owls. Following the initial response from concerned local residents and the statutory consultees, it become apparent that the site was used at least as a roost for bats. The details ecological report determined that bats effectively used the site all year round but no barn owls were present at the
site. In order to develop the scheme it was suggest that mitigation in the form of a new roost/breeding building was constructed. This would allow the conversion of the barn whilst having already provided alternative purpose built accommodation for the bats. This approach has received a favourable response from the wildlife organisation consulted during the application process.

However, the landscape impact of an additional building also needs to be considered. The bat barn is to be sited in a position which is excavated into the rising ground and well screen by the natural topography in addition the building has traditional form and is to be constructed from complementary materials. Overall it is considered that the introduction of an additional building would not have a detrimental impact upon the landscape of the area.

Turning to the existing barn and attached buildings. The building is in a reasonable state of repair but now serve a limited function in respect of the overall agricultural need of the holding. In addition, their current form the original character has been lost by the addition of modern accretions and the raising of the roof. This proposal represents an opportunity to remove the modern elements, restore traditional materials to the built form. It is also considered that the conversion has been sensitively approached utilising existing opening and introducing rooflights to the upper storey. Externally, it is not proposed to define a formal curtilage, the open grassland running up to the rear of the barn. A small car parking area for three vehicle is to be provided to the front of the barn within a flattened area historically used to access the main barn doors. Rising land and a mature hedgerow effectively screen the parking area from any wider views.

Access to the site is via an existing vehicle access from Main Road. The present walled junction forms part of the curtilage to Storrs Hall Farm a grade II listed building. County Highways have identified a need to improve the highway junction both sight lines and access width. In principle this would not raise any significant issues in respect of the setting of the listed building, although precise details will need to be agreed via planning condition and a separate listed building consent.

The route from Main Road to the barn is via an existing part stone/grass track, it is not intended to upgrade the track, keeping the route low key and subdued. A passing place may be required to avoid driving onto the soft grass alongside the track, precise details of the track will need to be secured by condition.

Conclusion

Overall it is considered that the redevelopment of this redundant field barn to holiday accommodation can be developed in accordance with the outlined planning policy and subject to the conditions and controls set out below the application should be supported.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to the principles of proportionality, it has been concluded that there are no issues arising from the proposal which appear 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.

RECOMMENDATIONS

That PERMISSION BE GRANTED subject to the following conditions: -

1. Standard three year time limit.
2. Development to be built in accordance with the approved plans.
3. Amended plans dated 11 August 2006, indicating omission of the estate office.
4. Work should not be carried out on the conversion of the barn during the bat breeding season (March to August).

5. Programme of building recording and analysis be undertaken prior to work commencing.

6. Bat barn provision in accordance with the submission drawing and consultants recommendations shall be undertaken prior to development of the barn.

7. The development shall be limited to holiday accommodation only.

8. The holiday accommodation shall be tied to Storrs Hall Estate only.

9. Not to be used as a second home

10. Not to be occupied by the same person for more than 8 weeks in any year

11. Provision of a holiday register

12. Precise details of the following to be agreed:
   a. Samples of the stone and slate
   b. Construction and external finish to the windows and doors
   c. Eaves and fascia details
   d. Rainwater goods
   e. Rooflights
   f. Treatment of the main barn door enclosure and entrance form.

13. Precise details of the access track to be agreed.

14. As may be required by consultees.

Advice

1. DEFRA licence required before any works can commence on site.

2. Listed building consent will be required for the works to the curtilage.
DECISION DATE
27 September 2006
APPLICATION NO.
06/00964/FUL A22
PLANNING COMMITTEE:
16 October 2006

DEVELOPMENT PROPOSED
REFURBISHMENT AND EXTENSION TO GARDYNER HOUSE TO CREATE 60 PLACE BOARDING HOUSE AND STAFF ACCOMMODATION AND EXTERNAL PLAY AND AMENITY SPACES

SITE ADDRESS
LANCASTER ROYAL GRAMMAR SCHOOL GARDYNER HOUSE QUERNMORE ROAD LANCASTER LANCASHIRE LA1 3EB

APPLICANT:
The Governors Lancaster Royal Grammar School Lee House East Road Lancaster Lancashire LA6 3EF

AGENT:
Thomas Worthington Design

REASON FOR DELAY
None.

PARISH NOTIFICATION
None.

LAND USE ALLOCATION/DEPARTURE
The site lies within the urban area of Lancaster and does not benefit from any specific land designation.

The woodland site immediately to the north is an area of Urban Greenspace as defined by the Lancaster District Local Plan 1996-2006.

East Road/Quernmore Road is an Access Corridor.

STATUTORY CONSULTATIONS

County Highways - The proposal does not add any significant traffic movements to East Road and therefore there is no objection.

County Archaeologist - No further archaeological response is necessary.

United Utilities - No objections.

Environmental Health Service - Conditions regarding land contamination and hours of construction are requested
Environment Agency - Pleased to note the use of sustainable drainage systems. They have no objections but do provide general advice regarding best practice.

Lancaster Civic Society - The development is appropriate in scale but there are a number of concerns relating to roof design, relationship to Gardyner House, the use of zinc, artificial stone, white render, aluminium windows and cladding, and the number of window openings. The Housemaster’s dwelling is considered to be an unsympathetic addition. The Arboricultural Impact Study is accepted.

OTHER OBSERVATIONS RECEIVED

Councillor John Whitelegg has commented on the application. He acknowledges that the development will be constructed to a very higher environmental standard and incorporates excellent energy management ideas. The removal of the car park and replacement with a games area is also supported. The removal of trees was an initial concern but the replanting proposals justify the methodology adopted. In summary Councillor Whitelegg supports the application.

A letter has been received from a local resident. The issues raised include:

- Incongruous design style and siting of the Housemaster's accommodation;
- Grey render would be preferable to white;
- A slated roof would be preferable to zinc;

REPORT

The Site and It's Surroundings

Gardyner House is an unlisted Victorian villa set within a walled garden on the northern side of Quernmore Road at its junction with Derwent Road. It forms part of the Lancaster Royal Grammar School’s (LRGS) sixth form accommodation but has historically been used for teaching.

The grounds are extensive and comprise of a number of trees, some of which are protected by Tree Preservation Order (TPO) 364. Beyond the northern boundary lies a pleasant but underused area of planted open space. To the west lies residential property to Quernmore Road and, at a lower level, to Park Road. The southern and eastern boundaries of the site abut the highway network.

The Background to the Proposal

LRGS operates a system of boarding for almost 20% of its pupils. As part of a programme of phased redevelopment of the boarding facilities, a 60-place boarding house now known as Storey House was constructed on the southern side of Quernmore Road in 2001.

Boarding accommodation is also provided at Ashton House, which is located opposite the Derwent Road junction, and at School House, which is sited within the old school buildings on East Road and is a Grade II listed building. Ashton House can be maintained and upgraded to provide modern boarding facilities, but the constraints posed by the internal arrangements and general orientation of School House means that renewal of this building for boarding facilities is no longer viable or desirable. The need to provide single study rooms with en suite showers to replace long dormitories is a main driver of change.

Therefore this proposal seeks to replace the accommodation at School House, which could in turn be utilised for the sixth form centre now occupying Gardyner House.
The benefits of improving the standard of accommodation also extend to the more preferable location of the development. Providing the boarding accommodation at the upper end of the school's site, close to the other two boarding houses and the evening dining hall, reduces the distance travelled by pupils and their need to cross the road at the Moorgate junction. In pedestrian safety terms it is a more acceptable location for the facility, especially during dark winter months.

The Proposed Development

The built forms of the proposal are best described as four inter-related structures that will effectively create a ‘horseshoe’ of buildings with Gardyner House remaining prominent and largely unaltered in its physical external form on the southern side of that horseshoe.

On the left of Gardyner House will be a two-storey monopitched structure providing accommodation for the Housemaster, connected to the villa by a lightweight glazed link. The property will be constructed from facing stone at the ground floor level with render above and will have a standing seam metal (zinc) roof.

On the right of Gardyner House is a single-storey entrance and reception area which is also predominantly glazed but enclosed by a slightly curved stone wall. This reception provides direct access to the two boarding accommodation wings; the adjacent two-storey East Wing and the three-storey North Wing. The height of the North Wing takes advantage of the drop in land levels at this end of the site.

Both Wings will have standing seam zinc roofs and will be connected in the north-eastern corner by a three-storey glazed link. The proposed materials will match the Housemaster’s dwelling in that facing stone will be used at the ground floor with render the predominant material above. However the elevations are large and the architect has sought to break up the expanse of render by inserting areas of zinc rainscreen cladding, in a colour to match the roof, rainwater goods and the proposed aluminium windows. On a light render, this could be successful and provide an interesting contrast. The applicant proposes a ‘near white’ render, citing the render colour used on part of the Roundhouse development as an example of a similar colour being recently introduced into the Lancaster townscape.

There is some debate as to whether quoins should be used on the new wings. The applicant has proposed to reflect the dressed stone quoins and window surrounds of Gardyner House, although there is a view that a modern development incorporating dressed quoins as opposed to the traditional ashlar quoins used on Gardyner House would not compare well, and that as a consequence quoins should be omitted altogether. This is a design detail that can be agreed via a planning condition should approval be forthcoming.

Due to the sloping nature of the site the western elevation of the North Wing appears as 3.5 storeys when viewed from Park Road. Care has been taken to avoid overlooking windows at this height, and the sole long, narrow window in this elevation serves the internal corridor.

The development necessitates the removal of a number of trees and the specific details are referred to in the Arboricultural Section of this report.

The existing parking area, which is located beneath the high boundary walls to Derwent Road, is removed and replaced with a play area and ball-court. The fencing to this court will be 3m in height, but will not protrude beyond the existing height of the Derwent Road wall due to the significant increase in land levels. Perimeter fencing to the northern elevation will measure 1.8m in height. The boundaries to the west and south are untouched, except for new steel railings at the site entrance, to be built off the existing stone gateposts.

The play area court will be used for the contractor’s compound during the construction period, should this application be successful.
The changes to Gardyner House include the construction of an access across the ‘secret valley’ that currently exists on the roof. This over-roofing will allow for improved maintenance and the most prominent feature of the construction, the bulky access hatch, has been removed from the plans. In turn this has removed the Local Planning Authority’s objection to this element of the scheme.

The two elevational chimney stacks to the front elevation will be retained but the applicant proposes the removal of the two stacks at the rear of the building is proposed due to complications arising during maintenance of the nearby roof timbers and lead flashings behind the chimneys.

Assessment of the Built Forms

The design of the scheme has prompted concerns from the Lancaster Civic Society, who advocate the use of materials to match Gardyner House and the replication of roof forms to reflect the existing structure.

The large wings will have pitched roofs and will have subservient glazed links. The shape of the roofs is acceptable and not uncommon in Lancaster, although it is accepted that the shape does not match the steep pitch of Gardyner House and the hipped roof that protrudes on the front elevation. However the eaves and ridge will be lower than their equivalents on Gardyner House and despite the scale of the extensions the villa will retain its visual significance.

The shape of the Housemaster’s accommodation provides a different challenge. Because of its relationship with the most visible part of Gardyner House, the architect chose to avoid any replication of the existing built forms and proposes a shallow monopitched design, interrupted by the glazed link. The presence of glazing is key here and is not an unusual feature on Gardyner House; an Orangery used to occupy a position on the western elevation.

Once the shape of the buildings has been established, the range of materials can be assessed. There are two competing views in this instance. It is generally accepted that a contemporary approach can be undertaken in a wide palette of materials, including the use of natural stone and slate or, as is proposed in this case, more modern alternatives such as facing stone, render and zinc. The former is a safer option although this approach has often been criticised in Lancaster as leading to ‘pastiche’ development. Whilst this is an unfair criticism, the Local Planning Authority is of the view that in this particular case the use of natural stone and slate on most, if not all of the new buildings now proposed would lead to a heavy appearance and would weaken the appearance of Gardyner House. By preferring the lighter materials, the villa will retain its prominence because of its striking use of darker stone and slate.

The setting of the buildings is a determining factor. The Housemaster’s property is set back behind the line of Gardyner House by over two metres whilst the reception entrance is also recessed. The most visible part of the entrance will be the natural stone curved wall, which is almost flush with the existing front elevation.

A curved domestic fence measuring 1250mm in height would provide a domestic curtilage to the Housemaster’s dwelling. The type and detail of boundary treatment can be conditioned on any planning permission.

The local planning authority has concerns regarding the removal of the two chimney stacks at the rear of the site. However it does not believe that this is sufficient reason alone to resist this largely beneficial proposal. It is therefore suggested that a condition be placed on any consent requiring further investigation of the two rear chimney stacks and a schedule of works to be agreed with the authority.
Neighbour Amenity

The applicant engaged in pre-application discussions with interested members of the public and advises that these comments were fed into the development process.

The western elevation of the Housemaster’s property is the nearest elevation to existing domestic property. There is a paved terrace that provides access to the living room patio doors. A secondary family room window and kitchen window is also proposed on this elevation, with two secondary bedroom windows and 2 obscure glazed bathroom windows above.

The minimum amenity distances advocated in the Lancaster District Local Plan are maintained and in addition the belt of trees on the western boundary provides a perfect screen for this dwelling. It is therefore considered that the residential impact is acceptable.

Arboricultural Impact

The applicant has been proactive in involving the Authority’s Tree Protection Officer in the application process. They have developed an Arboricultural Impact Study, which has been amended during the lifespan of this application.

At the time of compiling this report the latest letter from the applicant (dated 21 September 2006) clarifies that 25 trees will be removed to facilitate the development, four of which are specifically protected (3 aspens and 1 sycamore) and two areas of sycamore protected under a general group designation. A 28-metre length of conifer hedge is also to be removed.

The replanting proposals far exceed those to be removed; a total of 100 trees comprising of 25 heavy standard species and 75 ‘whips’ are proposed. The heavier trees comprise of 5 limes, 10 mountain ash, 5 ash and 5 birch specimens, whilst the whips will comprise 25 hazels, 25 hawthorns and 25 holly trees.

The landscaping proposals will improve the variety of species on the site and provide useful and attractive areas of planting to replace the current specimens.

Renewable Energy

The scheme has always adopted an impressive strategy for sustainable development. Aside from the benefits of increased tree planting, the design of the extensions allows for solar panels ground-source heat recovery for space heating, extremely high levels of insulation and, where possible, rainwater harvesting.

The proposals rate as ‘very good’ on the BREEAM (Building Research Establishment Environmental Assessment Method) Schedule.

Conclusion

The proposal aims to repeat the success of the Storey House boarding accommodation. This site is less visible from the wider public area than Storey House although it still occupies a visually prominent position.

There are difficulties associated with developing this site, not least the status of the trees and the impressive façade of Gardyner House. By devising a positive replanting strategy and insisting on a totally contemporary approach to the design and shape of the extensions, the prominence of the villa is safeguarded. The local planning authority believes that the design approach adopted is the right one for this site.
LRGS already has an excellent reputation for its pastoral care and the wellbeing of boarders, which is reflected in the latest Commission for Care Standards Inspectorate report. The investment in boarding facilities will ensure that the infrastructure will match those very high standards.

It is on this basis that the application can be supported.

**HUMAN RIGHTS IMPLICATIONS**

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to the principles of proportionality, it has been concluded that there are no issues arising from the proposal which appear 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.

**RECOMMENDATIONS**

That **PLANNING PERMISSION BE GRANTED** subject to the following conditions: -

1. Standard three year consent.
2. Amended plan condition.
3. Development as per approved plans.
4. Samples of all external elevational materials (including rainscreen cladding and Kalwall system) to be submitted and agreed.
5. Details of windows, doors, eaves verge and rainwater goods to be submitted and agreed (including a 100mm setback of all new windows and the use of RAL 7023 on the aluminium windows and all rainwater goods).
6. Render colour to be agreed.
7. Quoin detail to be clarified and agreed.
8. Over-roofing to secret valley to Gardyner House to be agreed.
9. Schedule of works to be agreed regarding the rear chimney stacks.
10. Details of solar panels to be agreed.
11. Landscaping proposals as per approved Arboricultural Impact Study.
12. Tree protection fencing to be agreed and implemented at all times during the land preparation and construction phases.
13. Details of the colour, type, appearance and precise height all boundary treatments (including the front gateposts, play area fencing and domestic timber fencing) to be agreed.
14. Schedule of a Level II Building and Garden recording to be undertaken prior to the commencement of work.
15. Land contamination (Desktop Study) condition.
16. Hours of construction condition.
17. As required by consultees.
LOCAL GOVERNMENT ACT 1972

List of Background Papers

Schedule of Planning Applications for Consideration by Planning Committee on 16 October 2006

For each of the planning applications being considered, the planning file, including any relevant correspondence, consultation and neighbour responses, is part of the relevant background papers.

More particularly, in addition to the above, the following documents are relevant:

A5  SPG16
      PPG3
      Morecambe West End Masterplan
      Joint Lancashire Structure Plan 2001 - 2016

A6  Planning Application No. 99/972
      SPG16
      Regional Planning Guidance

A7  SPG16

A9  Planning Application No. 06/459
      PPS7

       Planning Application Nos: 05/1628 and 05/1629

       Planning Application No: 05/473
       SPG16
       West End Masterplan

A13 Planning Application No. 01/1039

A15 SPG16

A16 Planning Application No. 03/1372, SPG16

A17 Planning Application Nos. 00/555, 02/723, 02/676 and 04/397

A18 Planning Application No. 04/886

A19 Planning Application No. 03/532 and 01/1089

A21 SPG7
<table>
<thead>
<tr>
<th>APPLICATION NO</th>
<th>DETAILS</th>
<th>DECISION</th>
</tr>
</thead>
<tbody>
<tr>
<td>06/00463/LB</td>
<td>Higher Moor Head Farmhouse, Rakehouse Brow, Quernmore Application for Listed Building Consent to demolish dangerous west wall of outside toilet and rebuild wall incorporating enlargement of toilet building for J R Backhouse</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>06/00546/ELDC</td>
<td>Raisbeck, Kellet Road, Over Kellet Application for lawful development certificate for use of land to park commercial vehicles, storage and sale of caravans and in respect of breach of conditions on application 85/00617 for Mr B Woods</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>06/00641/ELDC</td>
<td>Land Between Carlow Wood And, Woodman Lane, Burrow With Burrow Application for Certificate of Lawfulness for the use of the site for agriculture for Mayfield Chicks Limited</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>06/00642/ELDC</td>
<td>Land Between Carlow Wood And Woodman Lane, Burrow With Burrow Application for Certificate of Lawfulness for the retention of Units 1, 2 (including 2a and 2b), 5 and 6 (including 6a and 6b) for Mayfield Chicks Limited</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>06/00643/PLDC</td>
<td>Land Between Carlow Wood And Woodman Lane, Burrow With Burrow Application for certificate of lawfulness of proposed construction of units 3 and 4 for Mayfield Chicks Limited</td>
<td>Permitted Development</td>
</tr>
<tr>
<td>06/00652/CPA</td>
<td>Morecambe Road School, Morecambe Road, Morecambe Erection of a single storey extension to the main entrance for Director For Children And Young People</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>06/00668/FUL</td>
<td>13 Thornfield, Ashton Road, Lancaster Erection of a single storey rear extension for Mr D Hampsey &amp; Ms L Morris</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>06/00674/FUL</td>
<td>32 Severn Court, Morecambe, Lancashire Replacement of wooden boundary fence with a stone built wall and wooden access gates to carport for Mr Barry Davies</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>06/00698/CCC</td>
<td>Downeyfield Farm Cottage, Downeyfield Road, Heaton With Oxcliffe Variation of condition no. 2 on application no. 03/00498/CCC to allow for continued tipping and site restoration until 13 June 2007 for Stephen Hancock</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>06/00758/CU</td>
<td>Beechfield, Yealand Road, Yealand Conyers Retrospective application for the creation of a pond for B Paine And RA Paine</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>06/00781/FUL</td>
<td>1 St Michaels Crescent, Bolton Le Sands, Carnforth Erection of a dormer extension to front for Mr S Howard</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>06/00788/ADV</td>
<td>Doctors Surgery / Chemist, James Street, Morecambe Erection of illuminated fascia sign and projecting sign for D Martindale</td>
<td>Application Permitted</td>
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<tr>
<td>Application Number</td>
<td>Address Details</td>
<td>Description</td>
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<tr>
<td>06/00814/FUL</td>
<td>34 Greenways, Over Kellet, Carnforth</td>
<td>Erection of front and rear dormers, erection of single storey extension to rear and erection of a detached garage for Mr &amp; Mrs Metcalfe</td>
</tr>
<tr>
<td>06/00826/FUL</td>
<td>22 Tranmere Crescent, Heysham, Morecambe</td>
<td>Erection of a two storey extension to the side for Mr L Gallagher</td>
</tr>
<tr>
<td>06/00831/CU</td>
<td>Arndale Shopping Centre, Royalty Mall, Morecambe</td>
<td>Change of use of vacant kiosk to retail use combined with adjacent retail unit No 4 Market Street (A3 use), for Boultree (Morecambe) Group</td>
</tr>
<tr>
<td>06/00832/FUL</td>
<td>9 Melling Brow, Melling, Carnforth</td>
<td>Erection of an extension to the rear for Mr &amp; Mrs Adamson</td>
</tr>
<tr>
<td>06/00833/FUL</td>
<td>The Italian Job, Cromwell Buildings, 1/3 Rosemary Lane</td>
<td>Change of planning condition No 3 on planning permission 95/00158/CU to permit opening hours 17:00 to 04:00 daily for Mr Okkes Ozmicco</td>
</tr>
<tr>
<td>06/00834/ADV</td>
<td>John Wilding Ltd, Middlegate, Morecambe</td>
<td>Erection of various signs for Citroen UK</td>
</tr>
<tr>
<td>06/00847/AD</td>
<td>Lodge Farm, Wennington, Lancaster Agricultural</td>
<td>Determination as to whether further details are required for the erection of steel portal framed cattle cubicle building for Mr M Parker</td>
</tr>
<tr>
<td>06/00850/FUL</td>
<td>The Old Coach House, Mount Pleasant Lane, Bolton Le Sands</td>
<td>Erection of a garage for Mr B C Mulholland</td>
</tr>
<tr>
<td>06/00862/CU</td>
<td>Wellington View Farm, Bay Horse Road, Ellel</td>
<td>Change of use application from a general purpose farm building to fabrication and assembly of light engineering products for DST Group Ltd</td>
</tr>
<tr>
<td>06/00864/FUL</td>
<td>Land To The Rear Of 85, Thornton Road, Morecambe</td>
<td>Erection of a block of 3 garages for Mr E J Harris</td>
</tr>
<tr>
<td>06/00867/FUL</td>
<td>40 Greenwood Avenue, Bolton Le Sands, Carnforth</td>
<td>Erection of a two storey extension to the side and rear, construction of a dormer window to the rear and erection of a new double garage to the rear with creation of a new access for Mr &amp; Mrs A Jackson</td>
</tr>
<tr>
<td>06/00870/FUL</td>
<td>12 Meadowcroft Grove, Heysham, Morecambe</td>
<td>Erection of a single storey side extension and creation of a doorway to the front for Dave Allen</td>
</tr>
<tr>
<td>06/00872/FUL</td>
<td>45 Slyne Road, Morecambe</td>
<td>Erection of a two storey extension to the side for Mr &amp; Mrs Gates</td>
</tr>
<tr>
<td>06/00876/FUL</td>
<td>4A Prospect Drive, Hest Bank, Lancaster</td>
<td>Extension and alteration to existing detached garage to form studio and bedroom over with link to house for Mr D Clarke</td>
</tr>
<tr>
<td>06/00884/FUL</td>
<td>24 Lister Grove, Heysham, Morecambe</td>
<td>Erection of a two storey rear extension with balcony for Mr &amp; Mrs E Hamilton</td>
</tr>
</tbody>
</table>
06/0086/FUL  176 Kingsway, Heysham, Morecambe  Erection of new dormer roof extension for Mr P Taylor  Application Permitted

06/0090/FUL  15 St Johns Avenue, Silverdale, Carnforth  Installation of roof lights/gable window/patio door and balcony for Mr J Booth  Application Permitted

06/0091/FUL  Land North Of Beaumont Grange Off Green Lane Bottomdale Road Slyne With Hest Lancashire, Bottomdale Road, Slyne  Alteration and retention of livery building and alterations to access for C Hill  Application Permitted

06/0092/FUL  23 West Street, Morecambe, Lancashire  Erection of a new shop front for Mr Jonathan Ratter  Application Permitted

06/0093/FUL  5 Hawthorn Road, Bolton Le Sands, Carnforth  Erection of a two-storey side and rear extension to form garage/store and kitchen with bedroom and bathrooms over for Mr J Dickson  Application Refused

06/0094/FUL  72 Coastal Road, Hest Bank, Lancaster  Amendments and alterations to roof/dormer previously approved on application number 04/01708/FUL for Mr & Mrs Kenyon  Application Permitted

06/0095/FUL  9 Eldon Grove, Heysham, Morecambe  Erection of a two-storey side extension to create a car port area to ground floor and 2 bedrooms and 1 bathroom to first floor for Mrs L Murray  Application Permitted

06/0096/FUL  150 North Road, Carnforth, Lancashire  Erection of first floor extension to form extra living area and bedrooms. for Mr & Mrs Rawnsley  Application Permitted

06/0097/FUL  149 High Road, Halton, Lancaster  Erection of a dormer window to rear for Mr And Mrs M Thornton  Application Permitted

06/0098/FUL  38 Dalesview Crescent, Heysham, Morecambe  Erection of a two storey extension to side and single storey extension to the rear for Mr & Mrs Roberts  Application Permitted

06/0099/FUL  Haversham House Farm, Star Bank Lane, Dolphinholme  Renewal of a temporary permission for use of existing portable building as an office for Mr J Gardner  Application Permitted

06/0100/FUL  15 Pinewood Avenue, Brookhouse, Lancaster  Installation of velux windows for Mr & Mrs Faichney  Application Permitted

06/0101/FUL  Pye Motors Ltd, Ovangle Road, Morecambe  Installation of various signs for Pye Motors Ltd  Application Permitted

06/0102/FUL  10 Heron Syke, Lancaster, Lancashire  Erection of a conservatory to rear for Mr & Mrs G D Crane  Application Permitted

06/0103/FUL  Heaton Park House, Lancaster Road, Heaton With Oxcliffe  Erection of a stable block conversion of existing garage to granny flat and erection of a triple garage for Mr A Wall  Application Permitted

06/0104/FUL  4 Market Street, Morecambe, Lancashire  Erection of 3 fascia signs and 1 projecting sign for Mr Alan Carradus  Application Permitted
06/00938/FUL  71 Main Road, Galgate, Lancaster Retrospective application for the installation of a cash machine for Bank Machine Ltd  Application Permitted

06/00939/ADV  71 Main Road, Galgate, Lancaster Retrospective application for illuminated signage in association with cash machine for Bank Machine Ltd  Application Permitted

06/00940/FUL  23 Vicarage Avenue, Brookhouse, Lancaster Construction of front and rear dormer windows, a canopy over garage door and erection of a rear conservatory for Mr & Mrs L Richardson  Application Permitted

06/00941/CPA  33 Hornby Road, Caton, Lancaster Erection of a single storey demountable office unit with associated access steps and ramp together with a new ramp approach to the adjacent existing building for Lancashire County Council  Application Permitted

06/00942/LB  4 Castle Park, Lancaster, Lancashire Listed Building application for spiral staircase at head of stairs to gain access to the roof storage area and installation of sky satellite dish to the rear for Mr & Mrs D Sykes  Application Permitted

06/00947/FUL  2 Maplewood Gardens, Lancaster, Lancashire Erection of a conservatory to the north elevation for Mr Arnold Ashton  Application Permitted

06/00952/FUL  1 Camborne Avenue, Carnforth, Lancashire Erection of two storey side extension and single storey rear extension for Mr H Begh  Application Permitted

06/00959/CU  Land To The Rear Of The Vicarage, St Johns Church, Church Lane, Tunstall, Carnforth Change of use and works to facilitate the creation of a car park and wc for St Johns Baptist Church  Application Permitted

06/00960/CU  118 Thornton Road, Morecambe, Lancashire Change of use of therapy centre to office (class A2) for Alan Peter Bracewell  Application Permitted

06/00962/FUL  80 Main Road, Slyne, Lancaster Installation of solar water heating panels on south facing roof for R W Gill  Application Permitted

06/00965/FUL  Rose Cottage, Kirkby Lonsdale Road, Arkholme Erection of a two storey side extension for Mr N Charlesworth  Application Permitted

06/00968/FUL  Foundary Barn, Foundry Lane, Halton Erection of new stable and tack room, erection of a new detached garage and conversion of existing garage to playroom/study and erection of porch for Mr & Mrs Norfolk  Application Permitted

06/00969/FUL  65 Sand Lane, Warton, Carnforth Demolition of existing conservatory and erection of sun room for Mr And Mrs D Morphy  Application Permitted

06/00973/FUL  10 Needham Avenue, Morecambe, Lancashire Erection of a two storey side and rear extension for Mrs Lewis  Application Refused
06/00974/FUL  St Johns Mews, Lancaster, Lancashire Erection of new security fencing and access gates for The Residents Association  
Application Permitted

06/00975/FUL  31 Mayfield Drive, Morecambe, Lancashire Erection of a two storey extension to the side and a single storey extension to the rear for Dave Wearing  
Application Permitted

06/00978/FUL  7 Belle Vue Terrace, Lancaster, Lancashire Erection of a single detached garage to rear with terrace above for Mr & Mrs Rix  
Application Permitted

06/00979/FUL  1 Railway Street, Lancaster, Lancashire Amendment to original consent no. 05/01077/CU to form extension to first floor flat study area for Mr Duncan Lawrenson  
Application Permitted

06/00980/FUL  Westgate Caravan Park, Westgate, Morecambe Erection of a new front boundary wall and associated landscaping for Mr I Makinson  
Application Permitted

06/00981/FUL  60 Lancaster Road, Carnforth, Lancashire Erection of a two storey rear extension and new fire escape for Dr R A Paine  
Application Refused

06/00982/FUL  19 Slyne Road, Bolton Le Sands, Carnforth Erection of a single storey extension to rear for Mr P Ogden  
Application Permitted

06/00983/FUL  4 Raikes Hill Drive, Hest Bank, Lancaster Construction of dormer and erection of a ground floor extension to South elevation and other various alterations for Mr J Teasdale  
Application Permitted

06/00985/CU  38 Lancaster Road, Carnforth, Lancashire Change of use to sandwich bar - eat in and takeaway for Mrs Sarah Grice  
Application Withdrawn

06/00987/FUL  12 The Nook, Bolton Le Sands, Carnforth Erection of a two storey rear extension for Mr & Mrs R Bowker  
Application Permitted

06/00988/LB  12 The Nook, Bolton Le Sands, Carnforth Listed building consent for the erection of a two storey rear extension for Mr & Mrs R Bowker  
Application Permitted

06/00989/FUL  Regent Leisure Park, Westgate, Morecambe Erection of a swimming pool and changing facilities and the formation of an external sports ground with safety/security fencing for South Lakeland Caravans  
Application Permitted

06/00991/CU  73 Sandylands Promenade, Heysham, Morecambe Change of use from hotel to 5 self-contained flats for Grange View Ltd  
Application Refused

06/00995/FUL  Wilpena Pound, Wennington/Wray Road, Tatham Alterations to existing glazed screen to incorporate central glazed door, installation of demountable fabric parasel and minor alterations to patio area at front of house for Mr D Highley  
Application Permitted

06/00996/FUL  19 St Patricks Walk, Heysham, Morecambe Erection of a two storey side extension and single storey extension to rear for Mr M Gill  
Application Permitted
<table>
<thead>
<tr>
<th>Ref</th>
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<tbody>
<tr>
<td>06/00999/FUL</td>
<td>44 - 48 North Road, Lancaster, Lancashire</td>
<td>Retrospective application for the installation of two air conditioning units for Mr George Kenneth Burt</td>
<td>Application Permitted</td>
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<tr>
<td>06/01007/ELDC</td>
<td>133 Euston Road, Morecambe, Lancashire</td>
<td>Application for a Certificate of Lawful Use for ground floor self contained flat for Mr C S Povey</td>
<td>Application Refused</td>
</tr>
<tr>
<td>06/01008/ADV</td>
<td>25 Market Street, Carnforth, Lancashire</td>
<td>Erection of new fascia sign for Done Brothers (Cash Betting) Ltd</td>
<td>Application Permitted</td>
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<tr>
<td>06/01009/FUL</td>
<td>25 Market Street, Carnforth, Lancashire</td>
<td>Erection of new shop front for Done Brothers (Cash Betting) Ltd</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>06/01010/FUL</td>
<td>86 Torrisholme Road, Lancaster, Lancashire</td>
<td>Erection of a single storey rear extension with pitched roof and velux window for Mrs M Birch</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>06/01011/FUL</td>
<td>42 Hest Bank Lane, Hest Bank, Lancaster</td>
<td>Erection of a conservatory to the rear for Mr &amp; Mrs Boothman</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>06/01016/FUL</td>
<td>22 Mayfield Drive, Morecambe, Lancashire</td>
<td>Erection of a two storey extension to the rear for Mr &amp; Mrs R Hall</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>06/01019/FUL</td>
<td>27 Pemberton Drive, Morecambe, Lancashire</td>
<td>Erection of a single storey extension to the side to form garage and utility room and porch to the front for Mrs S Moore</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>06/01021/ADV</td>
<td>Unit 2 Total Fitness, Caton Road, Quernmore</td>
<td>Relocation of existing tower sign for Total Fitness</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>06/01024/FUL</td>
<td>61 Masonfield Crescent, Lancaster, Lancashire</td>
<td>Erection of a conservatory to the rear for Mr Ansari</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>06/01025/FUL</td>
<td>10 Severn Court, Morecambe, Lancashire</td>
<td>Erection of a conservatory to the rear for Mr &amp; Mrs Chapman</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>06/01026/FUL</td>
<td>12 Severn Court, Morecambe, Lancashire</td>
<td>Erection of a conservatory to the rear for Mr S Tracey</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>06/01029/FUL</td>
<td>24 Greenwood Crescent, Bolton Le Sands, Carnforth</td>
<td>Erection of a conservatory for Mr &amp; Mrs Smalley</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>06/01035/FUL</td>
<td>25 Hall Park, Lancaster, Lancashire</td>
<td>Erection of single storey extension and balcony to the rear and dormer window and porch to the front for Mrs L Kinley</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>06/01036/FUL</td>
<td>3 Lime Avenue, Galgate, Lancaster</td>
<td>Demolition of existing garage and erection of two storey extension to the side and rear for Mr T Nuttall</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>06/01037/FUL</td>
<td>57 Parkfield Drive, Lancaster, Lancashire</td>
<td>Erection of a single storey rear extension for Mr And Mrs N Townson</td>
<td>Application Permitted</td>
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<tr>
<td>06/01038/FUL</td>
<td>21 Vincent Street, Lancaster, Lancashire</td>
<td>Erection of a conservatory to the rear for Mr &amp; Mrs Dakin</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>06/01040/FUL</td>
<td>11 Yealand Drive, Lancaster, Lancashire</td>
<td>Demolition of existing car port and erection of a single storey side extension, two dormer windows and installation of velux window to the front for Miss L Davies</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>Application Refusal Number</td>
<td>Address</td>
<td>Description</td>
<td>Decision</td>
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<tr>
<td>06/01041/ELDC</td>
<td>131 Euston Road, Morecambe, Lancashire</td>
<td>Application for a Certificate of Lawful use for ground floor self-contained flat for Mr C S Povey</td>
<td>Application Refused</td>
</tr>
<tr>
<td>06/01042/FUL</td>
<td>33 Hexham Road, Morecambe, Lancashire</td>
<td>Erection of a dormer window to the north side elevation for Mr &amp; Mrs M Stones</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>06/01052/FUL</td>
<td>2 Mill Lane, Warton, Carnforth</td>
<td>Erection of a conservatory to the rear for Mrs S Clegg</td>
<td>Application Permitted</td>
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</tbody>
</table>