



Committee: PLANNING AND HIGHWAYS REGULATORY COMMITTEE

Date: MONDAY, 8TH OCTOBER 2007

Venue: MORECAMBE TOWN HALL

Time: 10.30 A.M.

A G E N D A

1 Apologies for Absence

2 Minutes

Minutes of the Meeting held on 3rd September 2007 (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.

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|----------|------------------------|--|---------------|-----------------|
| 5 | A5 07/01118/FUL | Land to the West of Middleton Road, Overton | Overton Ward | (Pages 1 - 20) |
| | | Erection of an Equestrian Centre with associated access and car parking for Lanquestrian | | |
| 6 | A6 07/00933/FUL | Land off Northgate, Northgate, Morecambe | Westgate Ward | (Pages 21 - 24) |
| | | Erection of new industrial unit including office/service space for Brakewell Properties | | |

7	A7 07/00488/FUL	Halton Youth & Community Centre, Low Road, Halton	Halton-with- Aughton Ward	(Pages 25 - 26)
		Creation of a recreation area and car park for Halton-with-Aughton Parish Council		
8	A8 07/00976/CU	The Alhambra Buildings, 52 - 54 Marine Road West, Morecambe	Harbour Ward	(Pages 27 - 30)
		Change of use from ground floor amusement arcade to an indoor market for Adult Gaming Centre Ltd		
9	A9 07/00938/FUL	Former Moll Industries Site, Northgate, Morecambe	Westgate Ward	(Pages 31 - 34)
		Erection of commercial laundry with associated offices, plant rooms, car parking and service yard for Lancaster Property Network Ltd		
10	A10 07/00812/CU	The Hermitage, Low Road, Halton	Halton-with- Aughton Ward	(Pages 35 - 44)
		Change of use of land for the siting of three log cabins for Mr P Bellwood		
11	A11 07/01125/CU	Marlborough Hotel, 89 - 90 Marine Road West, Morecambe	Harbour Ward	(Pages 45 - 46)
		Change of use from vacant hotel to 4 two bed flats for Redbrick Renovations Ltd		
12	A12 07/00726/HYB	Vale of Lune RUFC, Powderhouse Lane, Lancaster	Skerton West Ward	(Pages 47 - 52)
		Outline application for redevelopment of existing land to include 19 dwellings, rugby clubhouse, squashcourts, groundman's store and associated landscaping for Vale of Lune RUFC		

13	A13 07/01252/CU	20 Marine Road West, Morecambe	Heysham North Ward	(Pages 53 - 54)
		Change of use of ground floor shop to flat for Mr D Helm		
14	A14 07/01000/FUL	Static Caravan and Chicken Unit , Kirkby Lonsdale Road, Over Kellet	Kellet Ward	(Pages 55 - 58)
		Erection of an egg laying unit with new access for Mr R Walker		
15	A15 07/00991/CU	Static Caravan and Chicken Unit, Kirkby Lonsdale Road, Over Kellet	Kellet Ward	(Pages 59 - 68)
		Change of use of land to site a static caravan to be used as an agricultural dwelling for Mr R Walker		

Category C Application

Application which involves County Matters and falls to be determined by the County Council, and proposals for redevelopment by the County Council.

16	A16 07/01233/CCC	Ellel Crag Quarry, Bay Horse Road, Ellel	Ellel Ward	(Pages 69 - 72)
		Retrospective change of use of land to inert recycling facility, erection of new building and ancillary parking in association with transfer station for Eurowaste UK Ltd		

Category A Applications

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

17	A17 07/01144/FUL	Slynedales, Lancaster Road, Slyne	Slyne-with- Hest Ward	(Pages 73 - 78)
		Proposed demolition of single storey flat roofed extension and replacement with 3 storey pitched roof extension, erection of an Arts and Crafts studio and change of use of land to form new car parking area for Cancercare		

- 18 **A18 07/00556/OUT** Lancaster Moor Hospital, John O'Gaunt Ward (Pages 79 - 88)
 Quernmore Road, Lancaster
- Outline application for residential use (up to 440 dwellings) involving the residential conversion of the Annexe and Campbell House, demolition of existing buildings and associated access, car parking and landscaping for English Partnerships
- 19 **A19 07/00560/LB** Lancaster Moor Hospital, John O'Gaunt Ward (Pages 89 - 90)
 Quernmore Road, Lancaster
- Listed Building application for partial demolition, relocation and reinstatement of listed boundary wall, railings and gates for English Partnerships

20 Delegated List (Pages 91 - 100)

21 Enforcement Schedule (Pages 101 - 108)

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Eileen Blamire (Chairman), Roger Sherlock (Vice-Chairman), June Ashworth, Ken Brown, Abbott Bryning, Keith Budden, Anne Chapman, Chris Coates, John Day, Jane Fletcher, John Gilbert, Mike Greenall, Janice Hanson, Helen Helme, Andrew Kay, Bob Roe, Sylvia Rogerson, Keith Sowden and Joyce Taylor

(ii) Substitute Membership

Councillors John Barnes, Susie Charles, Sheila Denwood, Tony Johnson, Geoff Marsland, Joyce Pritchard, Robert Redfern, Catriona Stamp and Jude Towers

(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

DECISION DATE 29 October 2007	APPLICATION NO. 07/01118/FUL A5	PLANNING COMMITTEE: 8 October 2007
DEVELOPMENT PROPOSED ERECTION OF AN EQUESTRIAN CENTRE WITH ASSOCIATED ACCESS AND CAR PARKING		SITE ADDRESS LAND TO THE WEST OF MIDDLETON ROAD OVERTON LANCASHIRE
APPLICANT: Lanquestrian C/o Trailholme Farm Trailholme Road Overton Nr Morecambe LA3 3HW		AGENT: C A Planning

REASON FOR DELAY

Not applicable.

PARISH NOTIFICATION

Overton Parish Council - No objections to this application.

LAND USE ALLOCATION/DEPARTURE

Countryside area.

STATUTORY CONSULTATIONS

County Council Highways - Notes that the new application provides overspill parking, as requested at the time of the last proposal. In highway terms the proposal is otherwise identical to the previous one. No objections, subject to some parking being reserved for disabled users. Conditions should be attached to any consent to cover the provision of the access and the parking shown.

Environmental Health - Comments as for previous application. Note that the site is previously undeveloped land.

County Council Property Services - Observations awaited.

OTHER OBSERVATIONS RECEIVED

Two letters have been received from residents of Middleton, who object on the following grounds:

- The development is in open countryside
- The access on to Middleton Road is already proving dangerous
- The use proposed is a leisure one, not an agricultural one
- The applicants are trying to obtain permission for residential use "by the back door".

They also allege that the site is on Green Belt land, but this is incorrect.

Any other representations received will be reported at Committee.

REPORT

This is a resubmission, with additional supporting material, of application 07/00259 which was refused consent in July this year. A copy of the relevant report is attached. The reasons for refusal, in full, were as follows:

1. The proposal is contrary to policy R10 of the Lancaster District Local Plan and paragraphs 31 and 32 of the central government advice note PPS7 (Planning Policy Statement: Sustainable Development in Rural Area) in that the proposal involves isolated development encroaching into the countryside.
2. The proposal, if approved, would be likely to result in a demand for isolated housing on a green field site in order to supervise the stables, which would be conflict with policy H8 of the Lancaster District Local Plan and Annex A of Planning Policy Statement 7.

As before, the proposal involves the erection of a large building with a floor area in the order of 2000 sq metres in fields on the west side of Middleton Road, between Middleton and Overton. This is intended to accommodate an indoor riding school with 13 stables, together with a reception area, classroom, tack room, feed store, saddlery and other ancillary facilities. It is shown as finished externally with concrete blockwork at the base, timber boarding on the walls, and a metal cladding roof. Access will be provided via a driveway off Middleton Road, which will be widened. A car park is to be constructed along with an overspill area surfaced in "grasscrete" or a similar material. In line with the suggestions of the County Council as highway authority, provision is included for overspill parking when required for major events. Unusually for this kind of development, foul drainage can be taken to the mains as there is a sewage treatment plant a short distance to the south of the site.

The applicants have provided a lengthy supporting statement in support of their new proposal. They argue that the proposal is consistent with both national and local planning policies for the area. In particular, it is stated that the quality of the agricultural land involved is poor, and that the siting chosen for the building will minimise its impact on the surrounding landscape.

In response to the suggestion that they should have found an existing complex of farm buildings in which to base their equestrian centre, they have provided a list of fifteen such sites in the Morecambe/Overton area. These include Trailholme Farm, to the south west of Overton, where the business has been based in the past. It is rejected as unsuitable both because the area is prone to flooding and because no land or buildings there are currently available for sale or for rent. Another site rejected is Woodburn Farm, on the north western edge of the applicants' land holding. They say that this is not available for use, even though a recent enquiry indicates that its owners would like to build houses on the site. Manor House Farm in Overton, which has recently been sold in lots, is rejected on the grounds that the sites available were too expensive. The other sites are rejected primarily on the basis that they are not available, though in some cases other factors, particularly accessibility and flood risk, are also mentioned. The Middleton Road site is therefore put forward as the best option available within the area of search.

The supporting papers include a Design and Access Statement, a Flood Risk Assessment and a series of letters and a petition from past customers of the riding school and others who support the proposal. Although some of these give addresses in Overton the bulk of them are in Morecambe and Heysham.

As before, the policy has to be considered in relation to the following policies in the Lancaster District Plan:

- E4, which sets out criteria for considering development in the area identified as Countryside
- R10 which sets out criteria for equestrian related development.

Account also needs to be taken of the central government advice note PPS7 (Planning Policy Statement: Sustainable Development in Rural Areas) which draws attention to the significance of horse riding and other equestrian activities to the rural economy.

A decision on this application rests essentially on whether the issues which led the rejection of the previous application have been satisfactorily addressed. The case for an isolated block of stables depends on no alternative accommodation being available. The information supplied by the applicants appears to indicate that this is the case, provided that they are correct in saying that Woodburn Farm on the edge of Middleton is not available to them. This issue has been raised with the applicants' agents and it is expected that a full response will be available by the time of the committee meeting. A preliminary approach by officers of the City Council to the agents acting for Woodburn Farm indicated that they would be extremely reluctant to dispose of it other than as an infill residential site, for which it undoubtedly has potential.

A car park in open countryside is inevitably intrusive when it is in use. The applicants propose to surface it in materials which will minimise its impact when it is empty. In addition, tree planting around it can be made a condition of consent being granted. With this, its impact on the landscape can be kept to an acceptable minimum.

The recommendation below is subject to Lanquestrian Ltd being able to provide evidence that they have attempted unsuccessfully to acquire the Woodburn Farm site in Middleton. It is also subject to appropriate conditions; it is particularly important, with a building of this type, that the external finish is a dark colour to minimise its impact on the landscape.

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** provided that the applicants can produce evidence to show that they have attempted to acquire the Woodburn Farm site for their use, subject to conditions as follows:

1. Standard three year condition.
2. Development to be carried out in accordance with the approved plans.
3. External finishes to be agreed.
4. Vehicular access to be completed before the building is brought into use.
5. Off-street car park to be hard surfaced in accordance with details to be agreed before the building is brought into use.
6. Cycle parking to be provided.
7. 2.4 x 90 metre visibility splays either side of access to be provided.
8. Foul and surface water drainage details to be agreed.
9. Permission does not grant or imply permission for the siting of a caravan on any part of the land.
10. Tree planting to be provided around car park.

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DECISION DATE 28 June 2007	APPLICATION NO. 07/00259/FUL A9	PLANNING COMMITTEE: 2 July 2007
DEVELOPMENT PROPOSED ERECTION OF AN EQUESTRIAN CENTRE WITH ASSOCIATED ACCESS AND CAR PARKING		SITE ADDRESS LAND WEST OF MIDDLETON ROAD OVERTON LANCASHIRE
APPLICANT: Lanquestrian Ltd C/o Trailholme Farm Trailholme Road Overton Near Morecambe LA3 3HW		AGENT: CA Planning

REASON FOR DELAY

Deferred by Committee

PARISH NOTIFICATION

Overton Parish Council - No objection in principle, but they consider that the car parking provision for the day to day operation of the facility may prove inadequate, leading to roadside parking which will damage verges and create a traffic hazard. In the past some of the fields covered by the application have been used for harness racing events. This may happen again in the future; it would be helpful to identify the additional parking areas when special events are held, and their capacity. They also draw attention to the fact that the applicants have already implemented some of the works associated with the development.

LAND USE ALLOCATION/DEPARTURE

Countryside area

STATUTORY CONSULTATIONS

County Council Highways - It is difficult to assess the likely traffic impact of this type of use and it is likely that the vehicle numbers estimated by the applicant may be exceeded. On balance, no objection but it is recommended that an area for overspill parking is identified, possibly surfaced in grasscrete. At least one parking space should be laid out to mobility standards. Provision should also be made for secure bicycle parking. Conditions should be attached to any consent covering the construction of the access, car parking, visibility splays and cycle storage.

Environmental Health - Observations awaited.

County Council Property Services - The building is generally appropriate for the scale of activity proposed but the amount of stabling provided is insufficient for the number of horses suggested. Does not support the provision of a caravan. A copy of their letter appears at the end of this report.

Environment Agency - Comments on the Flood Risk Assessment awaited.

OTHER OBSERVATIONS RECEIVED

A resident of Overton has written to support the application, on the basis that it will provide a much needed facility which will give horse riders an opportunity to experience good quality competition; at present they have to travel outside Lancashire for this. It will also provide better facilities for the local Pony Club. For those horse riders who do not wish to enter competitions it will open up an area for off road riding, without the hazards associated with motor traffic.

In addition a letter of support has been received from a resident of Torrisholme whose daughter has riding lessons at the existing Lanquestrian Riding Centre. The provision of an indoor arena will allow her to participate in Pony Club events all year, regardless of weather conditions. The writer argues that participation in all sports should be encouraged in the run-up to the London Olympics in 2012.

A letter from a firm of Chartered Accountants supports the proposal and states that they see no reason why the business should not be financially successful.

A series of similar letters from customers of the applicants' equestrian centre has been included in an appendix to the statement provided by their agents.

Any other representations received will be reported verbally at Committee,

REPORT

This application was considered by Committee at its meeting on 4 June. A copy of the relevant report is attached. A decision was deferred, to allow further consideration of the applicant's offer to withdraw the caravan from the proposal.

Without the caravan, the proposal has to be considered purely in relation to the establishment of riding stables on what was formerly agricultural land.

The building concerned would have a floorspace of 2000 square metres, and a maximum height of 10 metres. It would be finished externally in concrete blockwork and timber boarding. Inside, it would contain:-

- an indoor riding school
- thirteen stables
- a reception area
- a classroom
- a tack room
- a feed and tool store
- a saddlery
- toilet facilities
- a manager's office
- a general utility area.

It is intended that the facility will operate 9:00 - 21:00 hours Mondays to Tuesdays, 9:00 - 17:00 hours on Saturdays and 9:30 - 16:00 on Sundays. It would be closed to the public on Thursdays and Fridays. No indication is provided of the intended opening hours on Wednesdays.

Unusually for a rural location of this kind, the development would be served by mains drainage. This is possible because of the position of the sewage works serving Overton, immediately to the south. Access to the site would be obtained by means of a private drive off Middleton Road. Part of it has already been constructed without planning permission; in addition a caravan has been placed on the site proposed for the car park, though the applicants state that they are using it for administrative purposes only and are not living there.

The proposal involves land which is not itself at risk from flooding, but is surrounded by an area which is; it is therefore what the Environment Agency describes as a 'dry island'. In recognition of this, the applicants have provided a Flood Risk Assessment. There are some minor details missing from the building plans as submitted, involving the provision of a flue to the kitchen area and the point at which the foul drainage can be connected to mains drainage. The applicant's agents recognise that these points need to be addressed but suggest that they could be dealt with by means of a condition, rather than amended plans.

As before the following policies in the Lancaster District Local Plan are particularly relevant to the application:

- E4, which requires that development within the Countryside Area identified in the Plan should be in scale with and in keeping with the landscape; 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.
- R10, which indicates that the City Council will permit proposals for equestrian development in the countryside which are appropriate to their surroundings in terms of design, scale, materials, landscaping and means of enclosure. It also requires that the proposal should not have an unacceptable impact on rural roads and contains suitable access and car parking provision, not have a significant adverse effect on any wildlife habitat or the best and most versatile agricultural land or any public right of way, and be conveniently sited for an adequate network of bridleways and/or safe riding routes. The policy also states that in considering such proposals, the Council will have regard to the advantages of locating equestrian development close to existing settlements.
- H8, which states that proposals for new dwellings in the countryside will only be permitted where they are essential to the needs of agriculture, forestry or other uses appropriate in the rural area.

Account also needs to be taken of advice in the central government advice note PPS7 (Planning Policy Statement: Sustainable Development in Rural Areas). Paragraph 31 supports diversification which does not expand or encroach into the countryside. Paragraph 32 points out that horse riding and other equestrian activities are popular forms of recreation in the countryside which can fit in well with farming activities and help to diversify rural economies. PPS7 also encourages the re-use of farm buildings for small-scale horse enterprises, and defines 'small-scale' as involving up to 10 horses. Annex A sets out the functional and financial criteria which should be applied when considering proposals of new dwellings associated with agricultural or similar development in the countryside. (This must still be considered because of the implications of approving such an isolated use).

The principle of a riding centre on the land is partially consistent with national and local policy. Although the site is some distance outside the built up area of Morecambe it is easily accessible from it. The area is served by a network of relatively lightly trafficked rural roads. In accessibility terms, it represents an improvement on the previous location of the stables at Trailholme Farm, to the south west of Overton which is some distance from the nearest bus route but it is not replacing existing buildings or close to an existing complex.

The applicant has indicated that as many as 23 horses are used by the riding school, 18 of which are owned by or loaned to the riding school. As the comments from Lancashire County Council's Property Service point out, the accommodation currently proposed does not appear to be sufficient to accommodate all of these.

However, this is a large new development on a Greenfield site. Whilst the principle of the use is acceptable in the countryside, no attempt has been made to justify why it has to occupy a Greenfield site or to show that re-using redundant buildings elsewhere in the countryside has been considered.

Although the caravan has been removed from the application the development, if approved, would lead to animal welfare issues that would probably require attention overnight. Again, there is no proven justification for choosing a site away from other buildings or an existing unit of accommodation in the countryside.

It is for these reasons that a recommendation of refusal has been reached.

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. Isolated development encroaching into the countryside. Conflict with Policy R10 of the Lancaster District Local Plan and Paragraphs 31 and 32 of Planning Policy Statement No. 7.
2. Proposal would lead to demand for isolated housing on a Greenfield site in conflict with Policy H8 of the Lancaster District Local Plan and Annex A to Planning Policy Statement No. 7.

DECISION DATE 28 June 2007	APPLICATION NO. 07/00259/FUL A11	PLANNING COMMITTEE: 4 June 2007
DEVELOPMENT PROPOSED ERECTION OF AN EQUESTRIAN CENTRE WITH ASSOCIATED ACCESS AND CAR PARKING, ALONG WITH TEMPORARY SITING OF A RESIDENTIAL CARAVAN FOR THE PERIOD OF 3 YEARS		SITE ADDRESS LAND WEST OF MIDDLETON ROAD OVERTON LANCASHIRE
APPLICANT: Lanquestrian Ltd C/o Trailholme Farm Trailholme Road Overton Near Morecambe LA3 3HW		AGENT: CA Planning

REASON FOR DELAY

Not applicable.

PARISH NOTIFICATION

Overton Parish Council - No objection in principle, but they consider that the car parking provision for the day to day operation of the facility may prove inadequate, leading to roadside parking which will damage verges and create a traffic hazard. In the past some of the fields covered by the application have been used for harness racing events. This may happen again in the future; it would be helpful to identify the additional parking areas when special events are held, and their capacity. They also draw attention to the fact that the applicants have already implemented some of the works associated with the development.

LAND USE ALLOCATION/DEPARTURE

Countryside area.

STATUTORY CONSULTATIONS

County Council Highways - It is difficult to assess the likely traffic impact of this type of use and it is likely that the and it is likely that the vehicle numbers estimated by the applicant may be exceeded. On balance, no objection but it is recommended that an area for overspill parking is identified, possibly surfaced in grasscrete. At least one parking space should be laid out to mobility standards. Provision should also be made for secure bicycle parking. Conditions should be attached to any consent covering the construction of the access, car parking, visibility splays and cycle storage.

Environmental Health - Observations awaited.

County Council Property Services – Do not consider that an adequate case has been made for on-site residential accommodation. A copy of their letter explaining the reasons for this appears at the end of the report.

Environment Agency - Comments on the Flood Risk Assessment awaited.

OTHER OBSERVATIONS RECEIVED

A resident of Overton has written to support the application, on the basis that it will provide a much needed facility which will give horse riders an opportunity to experience good quality competition; at present they have to travel outside Lancashire for this. It will also provide better facilities for the local Pony Club. For those horse riders who do not wish to enter competitions it will open up an area for off road riding, without the hazards associated with motor traffic.

In addition a letter of support has been received from a resident of Torrisholme whose daughter has riding lessons at the existing Lanquestrian Riding Centre. The provision of an indoor arena will allow her to participate in Pony Club events all year, regardless of weather conditions. The writer argues that participation in all sports should be encouraged in the run-up to the London Olympics in 2012.

A letter from a firm of Chartered Accountants supports the proposal and states that they see no reason why the business should not be financially successful.

A series of similar letters from customers of the applicants' equestrian centre has been included in an appendix to the statement provided by their agents.

Any other representations received will be reported orally at Committee.

REPORT

The Proposed Development

The applicants have operated an equestrian centre in the area for the last eight years, based on a site to the east of Overton. They now wish to provide larger and better facilities. They have acquired a group of five fields for this purpose, in open countryside on the west side of the road between Middleton and Overton.

The development proposed is a large building with a floorspace of 2000 square metres, and a maximum height of 10 metres. It would be finished externally in concrete blockwork and timber boarding. Inside, it would contain:

- an indoor riding school
- thirteen stables
- a reception area
- a classroom
- a tack room
- a feed and tool store
- a saddlery
- toilet facilities
- a manager's office
- a general utility area.

It is intended that the facility will operate 09:00 - 21:00 hours Mondays to Tuesdays, 09:00 - 17:00 hours on Saturdays and 09:30 - 16:00 on Sundays. It would be closed to the public on Thursdays and Fridays. No indication is provided of the intended opening hours on Wednesdays.

Unusually for a rural location of this kind, the development would be served by mains drainage. This is possible because of the position of the sewage works serving Overton, immediately to the south.

In addition to this it is proposed to site a caravan at the side of the main building, to provide accommodation for the operators of the business.

Access to the site would be obtained by means of a private drive off Middleton Road. Part of it has already been constructed without planning permission; in addition a caravan has been placed on the site proposed for the car park, though the applicants state that they are using it for administrative purposes only and are not living there although the Land Agent's report indicates they are.

The proposal involves land which is not itself at risk from flooding, but is surrounded by an area which it is; it is therefore what the Environment Agency describes as a 'dry island'. In recognition of this, the applicants have provided a Flood Risk Assessment. There are some minor details missing from the building plans as submitted, involving the provision of a flue to the kitchen area and the point at which the foul drainage can be connected to mains drainage. The applicant's agents recognise that these points need to be addressed but suggest that they could be dealt with by means of a condition, rather than amended plans.

Planning Policies

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

- E4, which requires that development within the Countryside Area identified in the Plan should be in scale with and in keeping with the landscape; 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.
- R10, which indicates that the City Council will permit proposals for equestrian development in the countryside which are appropriate to their surroundings in terms of design, scale, materials, landscaping and means of enclosure. It also requires that the proposal should not have an unacceptable impact on rural roads and contains suitable access and car parking provision, not have a significant adverse effect on any wildlife habitat or the best and most versatile agricultural land or any public right of way, and be conveniently sited for an adequate network of bridleways and/or safe riding routes. The policy also states that in considering such proposals, the Council will have regard to the advantages of locating equestrian development close to existing settlements.
- H8, which states that proposals for new dwellings in the countryside will only be permitted where they are essential to the needs of agriculture, forestry or other uses appropriate in the rural area.

Account also needs to be taken of advice in the central government advice note PPS7 (Planning Policy Statement: Sustainable Development in Rural Areas). Paragraph 32 points out that horse riding and other equestrian activities are popular forms of recreation in the countryside which can fit in well with farming activities and help to diversify rural economies. Annex A sets out the functional and financial criteria which should be applied when considering proposals of new dwellings associated with agricultural or similar development in the countryside.

Planning Considerations

The principle of a riding centre on the land is consistent with national and local policy. Although the site is some distance outside the built up area of Morecambe it is easily accessible from it. The area is served by a network of relatively lightly trafficked rural roads. Although the proposed building is large it could be accommodated within the landscape in this location without undue detriment to the wider environment.

The proposed residential caravan on the site raises more complex issues. It is argued in the applicants' supporting statement that residential accommodation on the premises is essential in order for them to meet the terms of their licence but this is not the case (see the licensing conditions which appear at the end of this report). The terms of the City Council's licences for riding establishments specify that the horses should be adequately supplied with suitable food, drink and, where appropriate, bedding material. They also require that an evacuation procedure should be arranged in the event of fire, with the name, address and telephone number of the responsible person displayed outside. They do not however require that the supervising person lives on the site.

The view of the County Council's Property Service is that a functional need for on site accommodation has not been made. The scale of the operation with 13 stables, is below the level at which it would normally be regarded as appropriate. The licensing requirements could be met satisfactorily if the person responsible for managing the site lived in either Middleton or Overton, both of which are less than a mile from the site.

It is not considered that the applicants have made any convincing case for living accommodation on the site. Approval in these circumstances would inevitably in the future lead to an application for a permanent dwelling which would then be difficult to resist. This would establish a working precedent for the many other small scale riding establishments approved throughout the district in recent years.

So far as the financial test set out in PPS7 is concerned, the applicants have not provided any financial information. All they have produced is a letter from their accountants stating that the riding stables business is viable.

As the buildings and the caravan have been submitted as part of the same application, it is necessary to determine both together. 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. Proposal is contrary to policy H8 of the Lancaster District Local Plan and PPS7, in that there is no functional need for living accommodation to be provided on the site and no financial information has been provided to indicate that a viable business could be developed at this site.
2. Precedent for on site living accommodation at other small and medium sized riding stables, making other similar proposals more difficult to resist.

The licensee shall ensure:

1. That paramount consideration will be given to the condition of horses and that they will be maintained in good health, and in all respects physically fit and that, in the case of a horse kept for the purpose of its being let out on hire for riding or a horse kept for the purpose of its being used in providing instruction in riding, the horse will be suitable for the purpose for which it is kept;
2. That the feet of all animals are properly trimmed and that, if shod, their shoes are properly fitted and in good condition.
3. That there will be available at all times, accommodation for horses suitable as respects construction, size, number of occupants, lighting, ventilation, drainage and cleanliness and that these requirements be complied with not only in the case of new buildings but also in the case of buildings converted for use as stabling.
4. That in the case of horses maintained at grass there will be available for them at all times during which they are so maintained adequate pasture and shelter and water and that supplementary feeds will be provided as and when required;
5. That horses will be adequately supplied with suitable food, drink and (except in the case of horses maintained at grass so long as they are so maintained) bedding material, and will be adequately exercised, groomed and rested and visited at suitable intervals;
6. That all reasonable precautions will be taken to prevent and control the spread among horses of infectious or contagious diseases and that veterinary first aid equipment and medicines shall be provided and maintained on the premises;
7. That appropriate steps will be taken for the protection and extrication of horses in case of fire and, in particular, that the name, address and telephone number of the licence holder or some other responsible person will be kept displayed in a prominent position on the outside of the premises and that instructions as to action to be taken in the event of fire, with particular regard to the extrication of horses, will be kept displayed in a prominent position on the outside of the premises;
8. That adequate accommodation will be provided for forage, bedding, stable equipment, and saddlery;
9. A horse found on inspection of the premises by an authorised officer to be in need of veterinary attention shall not be returned to work until the holder of the licence has obtained at his own expense and has lodged with the local authority a veterinary certificate that the horse is fit for work;
10. No horse will be let out on hire for riding or used for providing instruction in riding without supervision by a responsible person of the age of 16 years or over unless (in the case of a horse let out on hire for riding) the holder of the licence is satisfied that the hirer of the horse is competent to ride without supervision;
11. The carrying on of the business of a riding establishment shall at no time be left in the charge of any person under 16 years of age;
12. The licence holder shall hold a current insurance policy which insures him against liability for any injury sustained by those who hire a horse from him for riding and those who use a horse in the course of receiving from him, in return for payment, instruction in riding and arising out of the hire or use of a horse as aforesaid and which also insures such persons in respect of any liability which may be incurred by them in respect of injury to any person caused by, or arising out of, the hire or use of a horse as aforesaid;

STANDARD CONDITIONS ATTACHED TO THE ISSUE OF

Riding Establishments Licence RE02

13. A register shall be kept by the licence holder of all horses in his possession aged three years and under and usually kept on the premises which shall be available for inspection by an authorised officer at all reasonable times;
14. Two 'No Smoking' Notices are prominently on display, one at each end of the premises;
15. Two notices are prominently displayed, one at each end of the premises, advising what action should be taken in the event of a fire;
16. Adequate fire precautions have been taken after seeking advice from the Fire Prevention Officer.



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Planning Advice Team
Lancaster City Council
Palatine Hall
Dalton Square
LANCASTER
LA1 1PW
(FAO Mr P Rivet)

Your ref 1/07/0259/FUL
Our ref PG/LA/INB/PA/1/19/6998/LK
Date: 18 May 2007

Dear Sir

APPLICATION NUMBER 1/06/259
LAND WEST OF MIDDLETON ROAD, OVERTON, LANCASHIRE
GRID REFERENCE 432484

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 Lanquestrian Limited for the erection of a building to provide an 'equestrian centre' facility and temporary siting of a mobile home to provide accommodation for the proprietor of the equestrian operation. I undertook an inspection of the application site on 15 May whilst Mrs O'Callaghan was also present and the information provided together with the written submissions made in support of the application form the basis of this appraisal.

Background Information

Lanquestrian is a company with four Directors which constitutes Mr and Mrs O'Callaghan and Mrs O'Callaghan is the proprietor of the equestrian enterprise. Mr O'Callaghan has employment off the site and the other two Directors do not have an involvement in the day to day operational duties. Lanquestrian is the parent company of a number of subsidiary companies also created by the Directors to operate a multi-functional equestrian enterprise, providing a riding school, private lessons in dressage, show jumping, showing, stable management as well as holding regular shows/competitions under the umbrella of Lanquestrian Riding Club and hiring out the land to other equestrian organisations.

Mrs O'Callaghan has recently moved her operations from her original site based at Trail Holme Farm to the land which is the subject of this application. The site at Trail Holme Farm offers limited equestrian facilities and is occupied by the applicant on a rental basis. It is Mrs O'Callaghan's intention to cease any connection with Trail Holme Farm and as such, re-establish the business on the land forming the subject of this application. As a consequence of the land having no existing permanent facilities i.e. buildings the applicant is proposing an all encumbering horse use building and siting of a caravan for a temporary period with a view to creating a permanent dwelling in due course.

Application Site

This constitutes 20 hectares (48 acres) of agricultural land divided into five fields and all contained within a ring fence. The applicants acquired the site consisting of bare land in October 2006 following the fragmentation of a local farm. Since acquiring the site some of the land has been sub-divided into small paddocks for horse grazing and a perimeter fence has been erected by the applicants creating a field margin used by the applicants' clients for a cross country ride.

I was informed that the application site now provides the base for the applicants' enterprise and whilst Mrs O'Callaghan continues to rent the facilities at Trail Holme Farm these have not been utilised for some time. It was evident at the time of my inspection that within the field 1 identified on the plan submitted with the application that two rings have been created, one for show jumping and the other for riding. I was advised these are used by clients and on show dates.

Whilst there are no buildings erected on the site I was informed a mobile stable has been brought onto the land which is used by one grass livery client. In addition, there is a mobile home located in the south-east corner of field 2 which is lived-in by Mr and Mrs O'Callaghan since approximately two weeks ago.

Applicants' Enterprise

Mrs O'Callaghan is one of four Directors of Lonquestrian and it is Mrs O'Callaghan who is the figure head of the operation which undertakes the following activities:

- a) riding school which constitutes the principle activity and it is this which forms the foundation of the business. There are 23 horses utilised by the riding school consisting of 18 horses which are either owned or are loaned to the applicant. The applicants' owned horses comprise of mostly native breeds including Exmoor, Welsh, Fell, Dales and New Forest as well as some non-native. All but four of these horses are under 15.3 hands high given that they are ridden mostly by children. In addition to the owned horses there are five working liveries i.e. horses owned by others but used in the applicants' Riding School. I was advised the applicant has 100 riding school clients providing group and individual tuition. Tuition takes place on most days and especially at weekends;

In addition to ridden tuition Mrs O'Callaghan is intending to undertake stable management tuition to assist people to achieve qualifications;

- b) provision of a grass livery service, currently the applicant has one horse on grass livery and provide a mobile field shelter in conjunction with the occupation of the land;
- c) organising riding events on the site e.g. show jumping as well as hiring out their land for other riding organisations to use e.g. a local branch of the Pony Club;
- d) providing a temporary holding facility for the R.S.P.C.A. and Police horse rescue cases.

Labour

Mrs O'Callaghan's role is as the proprietor of the above operation and is actively involved in the daily responsibilities. She informed me she is registered disabled as she suffers from arthritis which has the effect that there can be times within the day when she has to rest.

I was advised that there are six people employed in the business, although I had not been informed I assume these are only employed on a part time basis.

Proposed Development

The application is proposing the erection of building and formation of car parking and internal road to service the building from the highway and these will provide the new centre of operations for the riding school operation.

The proposed building will be a steel portal frame building with lean-to measuring 57m x 36m (wide) x 7.0m eaves height. The building will be fully enclosed comprising of a concrete block wall 0.5m high and close boarded timber above to roof height. The roof will comprise of profile steel sheets with provision of natural roof lights. Internally, the building will be sub-divided to provide the following functions.

1. A riding arena measuring 42m x 22m.
2. 13 loose box stables 3.6m x 3.6m.
3. Storage areas for horse feed, bedding tack/saddlery.
4. Grooming/treatment area for horses.
5. Visiting public associated facilities and office.

In addition to the building and car parking etc a mobile home is proposed to provide on site living accommodation for the proprietor of the business.

Assessment

I note the relevant Local Plan policies applicable to the determination of this application are Policies: E4 – “The Open Countryside”, R10 “Equestrian Development” and H8 – “Housing in the Countryside”. National Planning Policy guidance in respect of the proposed development is provided by PPS 7 and I feel Annex A is particularly relevant for assessing the need for the provision of a temporary dwelling and I intend to apply the conditions and criteria referred to in the Annex to form the basis of assessment for provision of the caravan.

With reference to the proposed building and associated works I intend to comment specifically on the suitability of the building for the proposed use. I am aware that the applicant has operated the equestrian business to date having only very limited facilities which included an all-weather manege and 2 acres of land at Trail Holme Farm and latterly i.e. since October 2006, 48 acres of unequipped land. I feel the proposed development will significantly alter the profile of the equestrian operation undertaken by Mrs O’Callaghan up to date. This facility will enable the applicant to undertake an all-year round enterprise providing the same service as at present. I feel the scale of the proposed building is generally relative to the scale of the operation she operates and as such, I feel this would be appropriate. I feel generally the design of the building is also appropriate with regard to the nature of cladding materials although fibre cement sheets to the roof may be more preferable to steel as fibre cement avoid the possibility of a mirroring effect.

As far as the siting of the building is concerned I recognise you will have your own views upon this.

With reference to the siting of a caravan, I refer to paragraph 12 of Annex A which provides specific criteria for assessing temporary agricultural dwellings and refer to the contents of paragraph 12 below:

If a new dwelling is essential to support a new farming activity, whether on a newly-created agricultural unit or an established one, it should normally, for the first three years, be provided by a caravan, a wooden structure which can be easily dismantled, or other temporary accommodation. It should satisfy the following criteria:

- (i) clear evidence of a firm intention and ability to develop the enterprise concerned (significant investment in new farm buildings is often a good indication of intentions);
- (ii) functional need;

- (iii) clear evidence that the proposed enterprise has been planned on a sound financial basis;
- (iv) the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
- (v) other normal planning requirements, eg on siting and access, are satisfied.

With reference to the above, I have the following comments to make:

1. The provision of temporary dwelling is aimed towards new enterprises whereas the applicant is proposing to relocate the existing business. I feel technically the applicants' circumstances do not comply with the temporary dwelling provisions, but as the proposed development would constitute a significant investment in a new facility with the ability to expand the operation, then I feel only a temporary period would be the most appropriate way to assess the application.
2. Clearly, the proposed investment in the new facility would be a significant financial outlay. It is evident though that the proposed stabling is significantly less than the number of horses kept i.e. stabling provision for 13 whereas the number of horses kept are 23. I was informed that some ponies would 'double-up' in some of the stables, but I feel the size of the proposed stables would make this restrictive unless the ponies are very small.

In view of this, I have reservations that the applicant is able to operate the scale of business as existing base upon the prize of the proposed facility.
3. I feel there are aspects of the applicants' equestrian operation which are relevant when assessing whether the nature and scale of the enterprise constitute a functional need for someone to be readily available. However, I feel if the enterprise were operated at the scale which the application building will provide housing for, then I do not consider this would constitute a functional need. I would advise if the applicant were able to demonstrate that the facilities could accommodate the number of horses kept by her then this would add to the functional need although based upon the scale of the operation I consider the need would be marginal based upon the scale of the operation.
4. There have not been any information provided showing the company's accounts over the past three years and/or projected accounts of how the business could perform if planning permission were granted for the application building. In view of this, I feel the applicant has not satisfied the criteria (iii) of paragraph 12 Annex A.

5. I feel the settlements of Middleton and Overton are reasonably close to the application site and could provide alternative accommodation to run the enterprise. I consider based upon the scale of the number of stables identified with the application that living off the premises would be reasonable. Were the applicant able to demonstrate that the scale of her existing enterprise could be sustained and a functional need is established, then I feel it would be most appropriate that the proprietor should live on the premises.
6. I feel following my discussions with Mrs O'Callaghan that she portrayed a quite significant scale operation being undertaken however, I feel the scale of stabling and generally the provision made for on site parking does not portray the same picture.

Conclusion

I feel the proposed building is generally appropriate for the scale of activity proposed except for the provision of stabling. I do not feel sufficient justification exists for the temporary siting of a mobile home.

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

DECISION DATE 14 November 2007	APPLICATION NO. 07/00933/FUL A6	PLANNING COMMITTEE: 8 October 2007
DEVELOPMENT PROPOSED ERECTION OF NEW INDUSTRIAL UNIT INCLUDING OFFICE/SERVICE SPACE		SITE ADDRESS LAND OFF NORTHGATE NORTHGATE MORECAMBE LANCASHIRE LA3 3PA
APPLICANT: Brakewell Properties White Lund Morecambe Lancashire		AGENT: Thomas Associates

REASON FOR DELAY

N/A

PARISH NOTIFICATION

None to date - any comments will be reported to committee.

LAND USE ALLOCATION/DEPARTURE

Lancaster District Local Plan - Within the White Lund Employment Area

STATUTORY CONSULTATIONS

County Highways- Planning Obligations in Lancashire Policy Paper- This Paper reflects guidance laid down under Circular 5/2005 which seeks developer contributions for a number of identified aims. The development falls above the threshold for a developer contribution to improve transport facilities in the area. It is considered that contributions should be sought from developers to improve the accessibility and sustainability of this application site. On the basis of the proposed floor area of the building and its projected use, Lancashire County Council have identified a contribution figure of £33,488 towards the provision/improvement of transport facilities into the White Lund Estate. This figure is higher than that projected by the agent as the Accessibility Questionnaire contain an error in respect of the assessment of trains. As the development is further than 1.0km from a station a score of zero should be entered. This has changed the accessibility score and result in the project contribution figure rising from £26,546 to £33,488.

Environmental Health Officer - The applicant has submitted a Contaminated Land Desk Study. An initial review of the study has been undertaken which has raised a number of comments which will require further information.

OTHER OBSERVATIONS RECEIVED

None to date - any comments will be reported to committee.

REPORT

Site and its Surroundings

The application site is located within the White Lund Industrial Estate at the junction of Ovangle Road with Northgate. The site forms part of the larger Moll industry (former Souplex) complex which was demolished and has subsequently seen a number of industrial buildings being developed in recent years.

The application site fronts Northgate with vehicular access being gained via a recently constructed private road which already serves Spacefinder and Water Sculptures. The land immediately to the ear of this application site is currently the subject of a planning application 07/00938/FUL seeking consent for the development of a laundry building.

The proposal

The application seeks consent for the erection of an industrial building with associated office accommodation and external service yard. The building is orientated with its axis along Northgate with the parking and service area immediately to the rear of Northgate. The building measures 52m long by 35m deep and rises with a shallow pitched roof to an overall height of 10.5m. The building is proposed to be set back 30m from the footpath to Northgate on a building line similar to the neighbouring Spacefinder building.

The main internal space of the building is primarily put over to industrial space with a two storey mezzanine office area being developed at the southern end of the building facing Northgate. Materials for the development reflect those of the neighbouring (and recently constructed) Spacefinder building. They are light grey profile sheeting with blue trimming, artificial stone walling and a blue aluminium framed glazing system. The glazing system is proposed around the whole of the office section of the development.

Externally, the yard area provides for vehicle servicing/turning, parking for 33 cars (including 3 mobility spaces), secure cycle parking and a motorcycle space.

Planning History

The site has a long planning history dating back to the days of the Souplex development but nothing that is directly relevant to the current application.

Planning Policy

Policy EC5 identifies White Lund Estate as a one allocated for business use within Class B1, B2 and B8.

Policy EC6 - allows development of new employment uses which: -

- makes satisfactory access, serving, and parking provision
- is readily accessible to mean of transport other than the private motor car
- is appropriate in scale form and external appearance
- provides screening of servicing area and open storage form public frontages
- makes a satisfactory drainage arrangements is not unduly unneighbourly
- upgrades environmental conditions where these are unsatisfactory.

Planning Obligations in Lancashire Policy Paper

This Paper reflects guidance laid down under Circular 5/2005 which seeks developer contributions for a number of identified aims. The location of this development and the results of the accessibility questionnaire rate the location as medium. The area does have a bus service running close by on Ovangle Road but it is relatively infrequent and does not serve the industrial estate as a whole. It is considered that contributions should be sought from developers to improve the accessibility and sustainability of the White Lund Industrial area and this application site. On the basis of the proposed floor area of the building and its projected use, Lancashire County Council have identified a contribution figure of £33,488 towards the provision/improvement of transport facilities into the White Lund Estate.

Comments

Development of the site, in principle, raises no specific planning concerns, the land is designated as an Employment Area in the Lancaster District Local Plan and the employment use is encouraged in this location. The building is located in a prominent position at the entrance to the industrial area. The proposed materials reflect those of recently constructed buildings on neighbouring plots. Clarification will be needed over the precise details of the large glazed system which provides natural light to the two storey office section but these could be addressed by condition. The plot has been the subject of a contaminated land desk study which requires additional information; this again could be addressed by a planning condition together with any mitigation that may be required.

The service yard and car parking area is located in front of the building and will be exposed to public view. This is not an uncommon arrangement throughout the estate but given the location of the development at the entrance to the estate and the long frontage it is considered that the landscape area immediate to the rear of the site boundary should be developed with tree planting in addition to the usual feature of a grassed verge. These details again could be addressed via planning conditions.

As indicated earlier in the report the scale and use of the building has attracted the need for a contribution from the developer to aid accessibility to the site under Planning Obligations in Lancashire Policy Paper. The applicant has already discussed these issues and has indicated that a draft Section 106 Agreement for the contributions is currently in preparation.

Conclusion

Overall, the development is one which, in principle, is considered acceptable and subject to entry into a Section 106 agreement for transport contributions and appropriate conditions over materials and landscaping, the proposal 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 subject to a Section 106 Planning Agreement, **PERMISSION BE GRANTED** with the following conditions: -

1. Standard Time Limit
2. Development to be built in accordance with the approved plans
3. All external materials to be agreed
4. Separate drainage system
5. Boundary treatments to be agreed.
6. Secure cycle parking areas to be provided and maintained.
7. Car parking spaces to be provided and maintained.
8. Contaminated land study to be clarified and any mitigation agreed/implemented
9. Landscaping scheme to be agreed/implemented
10. As may be required by the consultees

ADVICE :-

In respect of condition 8 above, the developers are recommended to contact the City Council's Environmental Health Service (telephone 01524.582935).

The White Lund Industrial Estate occupies the site of a First World War ordnance factory. The risks associated with this are considered to be low. There is however, a possibility of ordnance related material being uncovered in the course of site works and appropriate precautions should be taken. A Technical Advice Note on the subject is available from the City Council's Environmental Health Service (telephone 01524.582935).

DECISION DATE 31 May 2007	APPLICATION NO. 07/00488/FUL A7	PLANNING COMMITTEE: 8 October 2007
DEVELOPMENT PROPOSED CREATION OF A RECREATION AREA AND CAR PARK		SITE ADDRESS HALTON YOUTH & COMMUNITY CENTRE LOW ROAD HALTON LANCASTER LANCASHIRE LA2 6NB
APPLICANT: Halton With Aughton Parish Council C/o 3 Meadowfield Halton Lancaster LA2 6PT		AGENT:

REASON FOR DELAY

Awaiting amended plans in response to concerns about highway issues.

PARISH NOTIFICATION

Halton with Aughton Parish Council are in this case the applicants.

LAND USE ALLOCATION/DEPARTURE

Village within countryside defined in the Lancaster District Local Plan. The site is outside the Halton Conservation Area.

STATUTORY CONSULTATIONS

County Council Highways - the scheme as at first submitted was unsatisfactory, because of the layout of the vehicular access off Low Road. This and other issues have been addressed in the amended plans.

OTHER OBSERVATIONS RECEIVED

None.

REPORT

This application involves enlarging and upgrading the car park serving Halton Youth and Community Centre. The site is on the north side of Low Road. It is linked to the upper part of the village by means of a recently upgraded footpath.

Policy R17 of the Lancaster District Local Plan states that proposals for community buildings in the rural area will be permitted where they are located in or on the edge of identified villages, are of a design appropriate to their surroundings, are capable of use without significant harm to the amenities of residents, and make satisfactory arrangements for access, servicing, cycle and car parking. Policy R21, which requires that new development proposals should make appropriate provision for people with disabilities, is also relevant.

The scheme as submitted did not meet the requirements of the County Council as Highway Authority but it has now been amended to their satisfaction. This has involved modifying the access off Low Road and widening the pathway through the car park so that it is fully accessible to wheelchair users.

One problem that arose with the planning application for the upgrading of the path was that the new street lighting was over intense for a rural location. A condition is recommended to cover this aspect of this development.

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 12 September 2007.
3. Development to be carried out in accordance with the approved plans.
4. Sight lines of 2.4 x 70m to be provided at entrance.
5. Additional tree planting to be provided.
6. Full details of street lighting within the site to be agreed.

DECISION DATE 17 October 2007	APPLICATION NO. 07/00976/CU A8	PLANNING COMMITTEE: 8 October 2007
DEVELOPMENT PROPOSED CHANGE OF USE FROM GROUND FLOOR AMUSEMENT ARCADE TO AN INDOOR MARKET		SITE ADDRESS THE ALHAMBRA BUILDINGS 52 - 54 MARINE ROAD WEST MORECAMBE LANCASHIRE LA4 4EU
APPLICANT: Adult Gaming Centre Ltd The Alhambra Buildings 52 - 54 Marine Road West Morecambe Lancashire LA4 4EU		AGENT: Land Logic Ltd

REASON FOR DELAY

N/A

PARISH NOTIFICATION

None to date any comments will be reported directly to committee

LAND USE ALLOCATION/DEPARTURE

Lancaster District Local Plan- No specific allocation but lies alongside the West End Local Shopping Centre.

STATUTORY CONSULTATIONS

County Highways- no objections in principle but raises concern over the indication that the forecourt of the premises could be used for car parking as this would create a potential highway hazard with vehicle manoeuvring onto Marine Road and the adjacent traffic control junction. Suggests the location of bollards within the forecourt to prevent parking.

Environment Agency- Views awaited

OTHER OBSERVATIONS RECEIVED

Conservation Officer- no objections to the proposal

Letter of support received from **Strategic Housing Services** (Winning back Morecambe's West End initiative). Considers that the proposal fits in well with the vision for the area and will add to the program of improvements both ongoing and proposed for the immediate area.

REPORT

Site and its Surroundings

The application site fronts Marine Road West and lies at the junction of Marine Road West with Regent Road and Lancashire Street. The site comprises a large multi storey building originally designed and built as a theatre. The application site comprises the internal ground floor until recently used as an amusement arcade. The external perimeter of the ground floor has a series of small lock-up retail units fronting the respective streets.

The site runs alongside the West End Local Centre with retailing on the Regent Road frontage and Yorkshire Street. Access to the site can be gained via Marine Road, Regent Road and Yorkshire Street East. It is anticipated that only the Marine Road frontage will be accessible to members of the public with the side entrances being available as a means of escape and only the Yorkshire Street entrance used for servicing. The frontage to the site includes part of a larger concreted forecourt area but not the area immediately in front of the entrance to the Carlton Rooms or the retail unit to the southern end of the building.

The proposal

The current application seeks to change the use of the amusement arcade into a retail indoor market. The market is to comprise a number of stalls which are leased to individual stall holders but managed by the applicants. It is anticipated that the stall holders will not be present on a daily basis and all sales are undertaken at a central location. This system of operation closely reflects the system operating at Lancaster Leisure Park as GB Antiques. Further afield the applicant cited Bygone Times near Chorley as a similar style of operation. However, it is understood in the case before members, that an entrance fee is not proposed to be charged.

Planning History

The site has a limited planning history all relating to the installation of advertisements on the building.

Comments

The application does not propose to undertake any external alterations, the main entrance to the building being glazed doors covered by a roller shutter. As indicated earlier in the report, the applicant has indicated that the forecourt area could be available for the parking of vehicles. However, this approach has raised concerns with the County Highways as a source of conflict between pedestrian and other road users. In addition it is considered that the prevention of vehicle parking on the forecourt area will enhance the appearance on the site frontage.

Following discussions, the applicant has agreed to restrict vehicle parking within the forecourt area under his control but points out that the area of forecourt fronting Regent Road and Lancashire Street is not within his control and will still be liable to be the subject of parking.

It is considered that the development is one which should be encouraged. The proposal will help to strengthen the local centre retailing and provide a trip destination which is likely to attract more than just local shoppers/visitors. Subject to appropriate conditions, the application should be supported.

Conclusion

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 3 Year Time Limit
2. Development to be built in accordance with the approved plans.
3. Any external alterations to the building will require the benefit of a planning consent.
4. Details of design/location of forecourt bollards to be agreed and erected.

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DECISION DATE 7 November 2007	APPLICATION NO. 07/00938/FUL A9	PLANNING COMMITTEE: 8 October 2007
DEVELOPMENT PROPOSED ERECTION OF COMMERCIAL LAUNDRY WITH ASSOCIATED OFFICES, PLANT ROOMS , CAR PARKING AND SERVICE YARD		SITE ADDRESS FORMER MOLL INDUSTRIES SITE NORTHGATE MORECAMBE LANCASHIRE LA3 3AZ
APPLICANT: Lancaster Property Network Ltd 1-3 Cable Street Lancaster LA1 1HD		AGENT: Harrison Pitt Architects

REASON FOR DELAY

N/A

PARISH NOTIFICATION

None to date - any comments will be reported to committee.

LAND USE ALLOCATION/DEPARTURE

Lancaster District Local Plan- Within the White Lund Employment Area

STATUTORY CONSULTATIONS**County Highways-** Views awaited**Environmental Health Officer-** View awaited**Untied Utilities-** No objection in principle, development to be drained on a separate system. Yard areas, washing areas, loading and unloading areas to be drained to the foul system**OTHER OBSERVATIONS RECEIVED**

None to date - any comments will be reported to committee.

REPORT**Site and its Surroundings**

The application site is located within the White Lund Industrial Estate at the junction of Ovangle Road with Northgate. The site forms part of the larger Moll Industry (former Souplex) complex which was demolished and has subsequently seen a number of industrial buildings being developed in recent years.

The application site has a flank frontage to Ovangle Road and is to be accessed via a newly constructed private access road currently serving Space Finder and Water Sculptures. The frontage facing towards Northgate abuts another separate plot which is the subject of another application (07/00933/FUL) seeking consent for the development of an office building.

The proposal

The application seeks consent for the relocation of the Sunlight Laundry building which is currently located on Back Caton Road, Lancaster. Relocation of the laundry will allow development proposals to progress on the remaining site on Back Cable Road.

The development comprises a large single building measuring some 50m X 60m and 14m in height. The building has a parapet wall detail and gives the building a flat roof appearance. A 20m high chimney is proposed rising from a lower level boiler room. Internally, the main floor space is single storey other than a small area of mezzanine floor space for office accommodation which runs across the north western (front) elevation. The site entrance and building is orientated towards the new access road with car parking along the frontage. The side and rear of the building face the Ovangle Road frontage together with the service yard. A landscaped area is proposed to run alongside the site boundary with Ovangle Road to aid screening of the building and the service yard.

Planning History

The site has a long planning history dating back to the days of the Souplex development but nothing that is directly relevant to the current application

Planning Policy

Policy EC5 identifies White Lund Estate as a one allocated for business use within Class B1, B2 and B8.

Policy EC6- allows development of new employment uses which: -

- makes satisfactory access, serving, and parking provision
- Is readily accessible to mean of transport other than the private motor car
- is appropriate in scale form and external appearance
- provides screening of servicing area and open storage from public frontages
- makes a satisfactory drainage arrangements is not unduly unneighbourly
- upgrades environmental conditions where these are unsatisfactory.

Planning Obligations in Lancashire Policy Paper- This Paper reflects guidance laid down under Circular 5/2005 which seeks developer contributions for a number of identified aims. The location of this development and the results of the accessibility questionnaire rate the location as medium. The area does have a bus service running close by on Ovangle Road but it is relatively infrequent and does not serve the industrial estate as a whole. It is considered that contributions should be sought from developers to improve the accessibility and sustainability of this application site. On the basis of the proposed floor area of the building and its projected use, Lancashire County Council have identified a contribution figure of £56,280 towards the provision/improvement of transport facilities into the White Lund Estate.

Comments

Development of the site, in principle, raises no specific planning issues, because the land is designated as an Employment Area in the Lancaster District Local Plan. However, some concerns arise over the scale and design of the building and the orientation of the building and service yard to the main public aspects, in this case both Ovangle Road and Northgate.

Discussions have taken place with the agent over the siting of the building and it is considered that from an operational aspect, the location of the building within the plot is most appropriate. The relationship of the service yard to Ovangle Road has been acknowledged and the proposal seeks to develop a landscaped buffer along the frontage to aid screening of the yard/building. It is considered that whilst accepting the orientation of the building, the landscaping proposals need to be enhanced. Following discussion with the agent it is agreed in principle that the landscaping will need to include an earth bunding to further screen the service yard. Conditions would need to be attached to address this issue.

The building itself is substantial in size and the parapet roof form is considerable in terms of construction. Whilst helping to reduce the overall height of the building this creates the appearance of a large flat roofed structure. The design and the materials employed on the building need to be reconsidered and generally upgraded from the proposed simple profile steel sheeting. The agent has agreed to look at the design/materials and will be providing additional information in time for the committee meeting.

As indicated earlier in the report the nature of the building has attracted the need for a contribution from the developer to aid accessibility to the site under Planning Obligations in Lancashire Policy Paper. The applicant has already discussed these issues and the application is accompanied by a draft Section 106 Agreement for the contributions.

Conclusion

Overall, the development is one which, in principle, is considered acceptable and subject to entry into a Section 106 agreement for transport contributions and appropriate conditions over design/materials and landscaping, the proposal 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 subject to a Section 106 Planning Agreement, **PERMISSION BE GRANTED** with the following conditions: -

1. Standard Time Limit
2. Development to be built in accordance with the approved plans
3. Revised plans
4. All external materials (including those of the chimney) to be agreed
5. Separate drainage system precise details to be agreed.
6. Boundary treatments to be agreed.
7. Secure cycle parking areas to be provided and maintained- details to be agreed.
8. Car parking spaces to be provided and maintained.
9. Contaminated land study to be undertaken and mitigation agreed/implemented
10. Landscaping scheme including additional earth bunding to be agreed/implemented
11. As may be required by the consultees

ADVICE :-

In respect of condition 7 above, the developers are recommended to contact the City Council's Environmental Health Service (telephone 01524.582935).

The White Lund Industrial Estate occupies the site of a First World War ordnance factory. The risks associated with this are considered to be low. There is however, a possibility of ordnance related material being uncovered in the course of site works and appropriate precautions should be taken. A Technical Advice Note on the subject is available from the City Council's Environmental Health Service (telephone 01524.582935).

DECISION DATE 26 July 2007	APPLICATION NO. 07/00812/CU A10	PLANNING COMMITTEE: 8 October 2007
DEVELOPMENT PROPOSED CHANGE OF USE OF LAND FOR THE SITING OF THREE LOG CABINS		SITE ADDRESS THE HERMITAGE LOW ROAD HALTON LANCASTER LANCASHIRE LA2 9HU
APPLICANT: Mr P Bellwood The Hermitage Low Road Halton Lancaster Lancashire LA2 9HU		AGENT: Mr A Atkinson

REASON FOR DELAY

Awaiting additional information

PARISH NOTIFICATION

Halton Parish Council are aware of widespread concern expressed by residents in respect of this proposal and its potential impact upon the natural habitat of this attractive area. Considered that there is no pressing commercial benefit to the development. Policy E3 of the Lancaster District Local Plan states "*Development will normally be directed to identified rural settlements. Exceptionally appropriate development may be allowed adjacent to or outside villages if it meets a clear local need*". It is considered that there is no such need and development of this site in the AONB and that it will set a precedent.

LAND USE ALLOCATION/DEPARTURE

Within the Forest of Bowland Area of Outstanding Natural Beauty

STATUTORY CONSULTATIONS

Tree Protection Officer - Landscape proposals to the north of the site are acceptable. Proposal in relation to the construction of the cabin foundations are acceptable, method statement required for the works around the protected tree and car parking area. Details require for the works to the protected Weeping Willow.

County Highways - Access improvements require a planning condition to ensure that the wall set back is sufficient to remove the current blind spot on emergence onto Low Road. Cycle parking shall be provided for the benefit of the cabin occupiers to a ratio of two per cabin. Developer to fund highway improvements to develop a 'painted footway' between the entrance to the Crook 'O' Lune picnic area and the footpath network to the south side of the bridge (approx 40m). Suggest conditions to ensure that these elements are in place prior to occupation of the development.

Environment Agency - Withdrawal of objection to the scheme subject to the protective measures outlined in the additional information and implementation in line with the flood risk assessment.

Lancashire County Ecologist - The proposed mitigation measures have been discussed with Natural England and the Environment Agency; providing that all the proposed protection measures are the subject of planning conditions, then significant impacts on the otter population seem reasonably unlikely.

Further letter expressing a need to ensure that the mitigation can be provided and maintained via robust planning conditions. It is understood that the mitigation measures and the impact of the development are currently being discussed further with Natural England and the International Otter Survival Fund as concerns have been raised over the otter protection measures.

Natural England - Natural England is not objecting to the application providing that the mitigation measures detailed on the 27/07/07 are made as conditions to the granting of planning permission. These are vital and required as mitigation according to the Habitats Regulations for Protected Species. The measures are as follows;

1. The exclusion of dogs from the Hermitage site and the cabins.
2. The levels of fishing will not exceed 10 rods per day over a 180 day/season using the river at the Hermitage.
3. An exclusion area is created on the western bank around the closest otter holt, with the necessary fencing and signage.
4. 20 metre exclusion on the eastern bank.
5. A code of conduct is implemented.

Lancashire Wildlife Trust - The Wildlife Trust do not wish to object to the application providing that the mitigation measures are incorporated into planning condition of any consent that may be granted.

OTHER OBSERVATIONS RECEIVED

Lune Habitat Group - Is a voluntary environmental group within the Lune catchment area and has partial funding from the Environment Agency and takes advice from Cumbria and Lancashire Wildlife Trusts. Strong concerns raised over the potential of development close to the otter holts at the Crook 'O' Lune. The development is considered to have an adverse effect upon the otters and may even drive them away from the area.

It is considered that the development may undermine many hours of work and large amounts of public funds used to develop and improve habitats for otters and or protected species in the Lune Catchment.

Further letter from The Lune Habitat Group raising strong concerns over the joint decision of Natural England, the County Ecologist and Environment Agency withdrawing their objection to the scheme, subject to the provision of the outlined mitigation measure. It is considered that the mitigation measures are inadequate and will still lead to disturbance of otter at the site.

Letter from 'The Ottersite' on behalf of the International Otter Survival Fund - concerns that the development will lead to the demise of the otter population in the area. The nature of otter and behaviour patterns will be seriously affected by the development and the encouragement of additional people/activity at the site.

International Otter Survival Fund - The site has been surveyed by a representative (Mr McMinn of Ottersite), a person of experience in the local area. The development of fencing on the site will encourage otters to take alternative routes across the land, including across the adjacent road. The development will cause additional disturbance on the site in general and close to the natal holt. Queries the evidence which describes the holt as a less important one and not a natal holt. Evidence would appear to contradict this opinion and the site is an important, regularly used holt. The development would appear to contravene the Wildlife and Countryside Act.

12 letters of objection have been received during the initial consideration of the application. The main grounds of concerns are as follows: -

- The site has a number of active otter holts close by, development of the cabins would lead to the disturbance of the otters in contravention of wildlife legislation. The otter have been present on the river for a number of years and have been sighted at regular intervals, particular in the spring/summer months. Habitat Regulations and guidance within PPS9 indicate that development proposal affecting European Protected Species need to pass three tests before being approved:-

- The development is of overriding public interest
- There is no satisfactory alternative
- Populations of the species concerned will be maintained at a favourable conservation status

It is not considered that the development meets any of these criteria.

- The development is sited within the Forest of Bowland Area of Outstanding Natural Beauty and should not be permitted under polices E3, E12, E17, E18, T03, T05 and possibly E11 of the Lancaster District Local Plan.

- The objections question the comprehensiveness and accuracy of the ecological submissions, particularly in relation to the nature of the impact upon the otters and possible bat colonies. It is considered that the areas used by otters is larger than that indicated on the Confidential annex map.

- The site has been habituated by otters for over 40 years and is a strategically important site for allowing a secure, safe natal holt.

- Approval of the development would set a precedent for future similar development within the AONB. Considered that other households within the AONB could seek to develop consent for tourist parks.

- Development of cabins will permanently change the character of the area and the landscape particularly when viewed from the public footpaths which follow the outer path of the river Lune.

- Little benefit to the local community, only a limited amount of employment is generated by the proposal.

- The development will lead to additional traffic movements from the site. The overall site already has six residential units contained within it the development will exacerbate existing highway problems relating to the site.

- Concerns over the drainage system for the development and the potential to overload and cause pollution issues in times of power failure.

- The development is considered to adversely effect the aesthetics of the area, will be harmful to the ecology and will increase traffic to the area.
- The Lune Valley already has tourist facilities and development close to the river will only have a negative impact. The form of the log cabins is not in keeping with the architecture of Caton or the Lune Valley.
- The Crook 'O' Lune is a famous beauty spot painted by Turner and should be left alone.
- The existing site access is poor and has a blind bend on exiting the site and will pose a considerable hazard.
- Development will detract from the setting and use of the recently upgraded Millennium cycle way which enjoys views across the river and the site.

7 further letters have been received in response to the additional information, The main grounds of concern are as follows: -

- The numbers of fishermen currently using the site has been exaggerated
- The fence exclusion area does not fully protect the otter holts
- The otters domain will be restricted by the development
- The otter issue is not the only source of concern over the development, the proposals are still considered to be contrary to landscape protection policies
- The mitigation is inadequate and the development will still lead to the disturbance of otters in the area.
- The fencing off of part of the site could encourage the otters to climb the site and cross over the road - a source of danger and road kill.
- Strong opposition to the development as it will seriously affect the otter population in this part of the River Lune.

Councillor Langhorn (Lower Lune Valley) would wish to object to the planning application on the grounds of its potential impact on the otters at the site. It seems inappropriate to place fishing cabins adjacent to places where otters - which like quiet prefer and to remain undisturbed will be making their breeding site. The tourist potential for the Lune Valley as an AONB with otters in the river far outweighs any commercial advantage gained by the three log cabins. Given that there are already log cabins adjacent to the Scarthwaite Hotel it would seem to be unnecessary to site three more nearer the river.

Can I also draw your attention to the Caton-with-Littledale Parish Plan which highlights protection of the natural environment as being a priority for the area. It would not fit with this plan to allow the tourist development at this site.

In response, a letter of explanation from the Applicant was received and they commented on some of the observations raised.

The otter population is known have been present for a long period of time around the Crook 'O' Lune certainly during the 16 years of the applicant's occupation of the dwelling. The North Lancashire Bat Group has worked extensively with the applicant in developing and maintaining a thriving colony in the area. The development is considered by Dr. S Bradley (Bat Group) to have little effect upon the colony. The local parish council has been invited to examine the site but have so far declined the offer to examine the site.

REPORT

Site and its Surroundings

The application site is located within the Forest of Bowland Area of Outstanding Natural Beauty (AONB) on a promontory of the River Lune immediately north of the bend in the river known as The Crook 'O' Lune. The overall site comprises of a large dwelling known as The Hermitage and a number of smaller units, with six residential properties in total. The higher ground on the site is made over to formal gardens with a number of large specimen trees located within it. The land around the edge of the site falls to the river. The eastern frontage has steep banking falling from the higher level gardens down to the river bank. The western frontage comprises of falling land deeper into the site with a shallower area of open grass between the river bank and the riding land. The edge of the river bank and the lower land around the banking contains a large number of mature trees. The lower area of land and the river bank is subject to flooding throughout the year.

Vehicular access to the main site and the application site is gained via an existing access arrangement off Low Road and is located approx 50m to the south of the Crook 'O' Lune car parking area. This access serves all the development within the Hermitage curtilage and a neighbouring residential property known as The Hermitage Lodge.

The application site is located within the grounds of The Hermitage and is located on the banking between the higher formal garden and the lower land level alongside the river.

The applicant enjoys fishing rights along the full frontage to the River Lune and this is enjoyed, without planning restriction, by a number of fishermen (maximum of 12 at any one time) who are part of a club with rights to fish this stretch of the river. The river in this area and immediately downstream is actively used by otters. Both river banks contain holts with two known holts contained within the river frontage of The Hermitage. One holt is sited close to the southern end of the promontory on its eastern side and the other is on the western side of the promontory and is approximately 30m, horizontally from the siting of the cabins with the cabins approximately 6m higher than the level of the river bank.

Immediately north of the site is the Crook 'O' Lune picnic area and car parking area. The Millennium cycle route runs close to the car parking area, north of the application site. The river fronting the site and the grass parkland to the southern bank of the river is identified as part of the Lune Riverside and is one of six parking and picnic sites along the Millennium cycle route.

The proposal

The application seeks consent to site three log cabins within the grounds of The Hermitage. The log cabins are of a timber external cladding with a tiled roof and are to be set onto the banking between the level formal grounds and the lower ground leading to the river bank.

Each log cabin measures 9.5m long and 6.1m wide. Internally, the cabins contain two bedrooms and could accommodate up to a maximum of six persons if the lounge is occupied as an additional bedroom. A small veranda is located to the front of the cabin. The orientation of the cabins is angled to face the river on an east-west axis.

As indicated earlier in the report, the site has a number of large specimen trees around the site including those immediately surrounding the proposed development. The cabins have been located and positioned to minimise the trees on the site most of which have preservation orders placed upon them. The cabins are sited with the rear at ground level and the front elevation raised above the banking. In addition, the support for the cabins is limited to six small concrete pads which further reduces disturbance to the ground and possible root systems. Installation of the cabins will require the removal of a single limb to a weeping beech tree.

Vehicular access to the site is gained via an existing entrance onto Low Road. The access currently has limited sight lines and it is proposed to realign the existing stone wall to the south of the entrance to improve visibility. On entering the main site, access to the cabins has been limited to pedestrian only as the development of a vehicular access to the cabins could be detrimental to the trees in the area. A small car parking area is to be developed close to the entrance of the site within a small clearing and behind a screen of evergreen shrubs and smaller immature trees.

The nearest cabin will be sited approximately 60m from Hermitage Lodge, a separately owned residence and a similar distance from The Hermitage. The remaining dwellings within the curtilage of The Hermitage are sited further from the cabins.

An open area of grassland currently exists between the site of the cabins and the lower garden area to Hermitage Lodge. The land falls between the upper part of the garden and the tree lined river bank. It is proposed to landscape this area with a large number of trees species to supplement those already around the perimeter of the site and reduce any visibility of the cabins. A pedestrian route is to be kept alongside the boundary wall for maintenance and a diagonal footpath route is to be provided linking the pedestrian route to the cabins to the river bank at its northern most point.

Planning History

The application site has a long planning history dating back to when the site was owned by Lancashire County Council and was used as a residential home. 1992 saw consent for the site to be converted to housing with approval under 1/92/0253 for the change of use of the coach house and stable to two dwellings. Application 1/92/0254 gained consent for a change of use of the home to two maisonettes, three self-contained flats and a house. It is understood that there are currently six separate residential units on the site.

There have been three more recent applications relating to the development of log cabins. Planning application 06/00437/CU was submitted in April 2006 and subsequently withdrawn in order to address issues raised via the consultation process. A subsequent application 06/01456/CU, submitted in November 2006 was again withdrawn following the applicant's concern over issues arising from the consultation process.

The latest and current application (07/00812/CU) relating to the development of three log cabins on the site was submitted in May 2007.

Planning Policy

It is considered that there are a number of planning policies which relate to this development - E3, E11, E12, E17, E18 and T03 of the Lancaster District Local Plan.

E3 - Areas of Outstanding Natural Beauty - Identifies that development within the AONB that directly or indirectly has significant adverse effect upon the landscape quality, nature conservation and or interests or features of geological importance will not be permitted. Development which is permitted must be of an appropriate scale and form.

E11 - Development in Flood Plains - Development within areas at risk of flooding are only to be permitted where protection is in place or any mitigation will not have an adverse environmental impact.

E12 - Nature Conservation in the Wider Environment - Development should take account of any impacts upon wildlife, protected species and important geological features. Any approved development will be required to minimise any adverse impacts and/or provide compensatory habitats.

E17 - Sites of County Conservation Importance - Development which is likely to damage or destroy a County Biological or Geological Heritage Site will not be permitted unless the need for the development demonstrably outweighs the need to protect the site. Any development permitted will be required to minimise adverse impacts and to compensate for these by appropriate habitat creation or enhancement measures.

E18 - Development Affecting Protected Species - Development likely to destroy protect species or habitat will not be permitted unless the need for the development demonstrably outweighs the need to protect the site. Any development permitted will be required to minimise adverse impacts and to compensate for these by appropriate habitat creation measures to sustain the current levels of population.

TO3 - Rural Tourism - Proposal for small-scale tourism related development within rural settlement, farm building groups and existing buildings in the countryside will be permitted where: -

- The development is appropriate in terms of design, scale landscaping and its surroundings,
- Would not result in adverse impact upon amenities of adjoining residents,
- Would not cause traffic likely to have an adverse effect upon the character of the area,
- Makes arrangement for adequate access, parking and servicing,
- Is easily accessible to pedestrians and cyclist.

R9 - Informal Recreation - The Lune Riverside Park is identified as one of the informal recreation areas and the local authority will seek to concentrate opportunities within the recreation areas. The local authority will seek to improve safety and foot, cycle and public transport access to these areas.

The Joint Lancashire Structure Plan provides guidance at a more strategic level and considers tourism at a strategic and national level. Policies 20 and 21 seek to protect Lancashire's landscapes and natural/man-made heritage. Policy wording is similar to those detailed above and reflects Government guidance within the related PPG/PPS's.

Regional Guidance/Spatial Strategy - Policy ER5 requires planning authorities to afford the strongest protection to protected species and their habitat.

Comments

The current proposal has been the subject of much debate and has raised a number of issues which are addresses below: -

Highways - Access to the site already exists and serves the current residential properties and to a lesser degree the fishermen who currently fish the river bank on The Hermitage frontage, although it is understood that most fishermen park at the neighbouring Crook 'O' Lune car parking area. It is acknowledged that the application will increase the level of traffic to the site and in order to improve the current restricted arrangement the boundary wall is to be realigned to meet the requirements of the County Highways. In addition, the applicant has indicated his willingness to fund a 'painted footway'. The footway will link the site up to the Crook 'o Lune Picnic site and the public footpath network. The development is considered to be acceptable in terms of its impact upon the local highway network and highway safety and the related policies.

Flood Risk - The application site is defined as falling within a Zone 2 and 3 Flood Risk Area. As a consequence the application has been submitted with a Flood Risk Assessment. The Environment Agency are satisfied with the Flood Risk assessment and raise no objection subject to the development being undertaken in line with the assessment (i.e. the siting of the cabins should be well above worst known flooding levels). The development is considered to satisfy policy E11.

Location of a Small Scale Tourism Development- The location of this development has raised strong objection from many local residents and the Parish Council. Much of the argument relate to policy TO5 which seeks to resist the development of caravan site within the AONB. The development is not a caravan or mobile home. It is permanently constructed on formal foundations and needs to be considered as building rather than a caravan. In considering the development against policy TO3 it is considered that the development lies close to the settlement of Caton and within a developed site. The development is small scale, relates closely with other tourism site in the area (cycle way and informal recreation areas). The scale of the development is low key with a small unobtrusive car parking area. The implementation of additional planting with help to minimise impact from visitors at the site from the neighbouring property.

The issue of visibility outside the site is one which concerns both the local planning authority and many of the consultees. Of particular concern was the impact of the proposal upon the historic landscape defined by artist and enjoyed by many. As indicated earlier in the report the site has numerous trees over the whole of the site which enjoy protection under TPO 205. The tree cover throughout the site is extensive with a strong belt of trees along the full river frontage of the site including the western side. It is considered that the development will be screened in both the summer and winter months. The main public aspect of the development is from the extensive footpath network around the river banks and the neighbouring bridge crossing on the Millennium cycle way. The additional tree planting to the north of the cabins will further aid screening both from a public aspect and from the neighbouring garden. The development is not considered to be detrimental to the character of the immediate area or the wider landscape within the AONB.

Impact upon Protected Species - The application submissions sought to address a number of protected species, including bats, badgers and otters. No evidence was found of badger presence at the site. The Lune is identified as a valuable feeding area for bats with known roosts in the wider area. The site has been the subject of long-term monitoring by local bat groups in addition to the survey undertaken as a part of the Ecological report. Some objection have been received over the potential impact of the development upon bat population in the area but no concerns have been raise by the statutory consultees (Lancashire Wildlife Trust, County Ecologist, Natural England and the Environment Agency) or informally via The North Lancs. Bat Group. The application site was not found to be used for roosting or breeding and is considered to be of low foraging value. It is considered that the development will not impact upon bats in the area.

Otters - Strong concerns have been raised via the consultation process over the potential of the development to disturb and impact upon the national protected otter population which is known to reside on both banks of the River Lune in this location.

The presence of otters is not debated by the applicant, although some issue has been raised as to whether the holt closest to the development is a natal one or not. The impact of the development upon the protected species is the key to the consideration of the application. The initial submission provided an assessment of the development and its potential to impact upon the otter population in the area. The consultation process raised a number of issues and concerns which required additional information and clarification. Following a meeting of the applicant, his agent and the ecology based consultees, a statement was provided which outlined the current situation in respect of fishing from the site and put forward a series of mitigating proposals.

As outlined earlier in the report there is already a substantial level of activity at the site relating to the residential occupation and fishermen using the river banks and river. The fishing is restricted to no more than 12 fishermen at anyone time. During the main fishing salmon and trout season (1st Feb 31 Oct) this averages out at 5 per day on the river. The river is fished outside these period for other fish and can result in up to 10 fishermen a day depending upon whether and river conditions. In addition night fishing also takes place in the sea trout season (June-Aug) and can result in up to 4 fishermen on the river.

The number of salmon fishing days varies from year to year and the applicant has estimated that through weather and river conditions together with availability approximately 80 days of the 280 days are good fishing days.

The mitigation proposed put forward by the applicant include the following: -

- Level of fishing along the unrestricted 600m section of river bank will not exceed 10 rods at a given time over a maximum of 180 fishing days per year.
- A formal fishing exclusion zone developed around each of the two otter holts. The eastern holt would be demarcated by posts whilst the more sensitive western holt will be formally fenced off with a post and netting fence along the length of the exclusion zone and post/rail square to the river. The exclusion around the western holt is to be greater than the 20m around the eastern holt. The gradient of the river bank and the vegetation provide an exclusion area to within 30m of the northern boundary of the site. This area is considered suitable for fishing and at a sufficient distance away from the otter holt.
- No dogs are allowed at the site i.e. in the log cabins or at the river bank.
- Construction to be subject to seasonal timing but this is not considered a significant issue.
- A formal Code of Conduct is established for anyone visiting the site either as a fishermen or occupant of the cabins.

The additional information has resulted in further consultation responses from both local residents, the international otter organisation and the statutory consultees. The main consultees have studied the proposal and not raised objection to the development subject to the provision and maintenance of the mitigation measure. The other consultation responses have all been objections to the development due its potential impact upon the protected otters.

In terms of policy, European legislation, National legislation/guidance and Regional, County and Local Planning guidance all carry a similar direction over protection of habitat and species to ensure that development does not have an undue impact.

The key issue is the impact of the development over and above current unrestricted situation and whether that is considered to have an additional impact upon the protected species. As outlined earlier the site has a residential use and a more open access arrangement for the fishermen. The view of the main statutory consultees (Lancashire Wildlife Trust, County Ecologist, Natural England and the Environment Agency) is not to raise objection to the development subject to the provision and maintenance of the mitigation measures.

The legislation and planning policies relating to European Protected Species seeks to resist development which is considered to affect the species or its habitat, only allowing development which is of overriding public interest. . Given the view of the consultees that the development will not affect the species or habitat it is considered that the development does not conflict with planning policy.

Conclusion

Overall, the proposal has been a contentious one which has raised strong comments from local residents and internationally recognised organisations alike. The statutory consultees have been aware of the representations received by individuals both through consultation process and by direct representation. It is considered that full consideration has been given to the many policy issues arising from the application. The development is considered not to have an unacceptable impact upon the highway network, flood risk areas, the landscape and character of the AONB or affect the habitat of protective species and should be supported subject to appropriate conditions.

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 completed in accordance with the approved plans
3. Holiday accommodation only
4. Not to become a permanent residence.
5. Development not to be occupied until the 'painted footpath' is provided - precise details to be agreed.
6. Mitigation measures to be implemented prior to occupation and maintained.
7. Register of fishing number and days to be provided and maintained
8. Hours of construction
9. Details of wall realignment to be agreed.
10. Visibility splays to be provided and maintained
11. External material/colours of the cabins
12. Detail of the car parking access/surfacing
13. Secure Cycle storage to be provided
14. Method statement required for the foundation works in proximity to protect trees.
15. Landscaping to be implemented.
16. As may be required by the consultees (if any)

Advice

1. Legal agreement will be required for the off site highway works.

DECISION DATE 3 October 2007	APPLICATION NO. 07/01125/CU A11	PLANNING COMMITTEE: 8 October 2007
DEVELOPMENT PROPOSED CHANGE OF USE FROM VACANT HOTEL TO 4 TWO BED FLATS		SITE ADDRESS MARLBOROUGH HOTEL 89 - 90 MARINE ROAD WEST MORECAMBE LANCASHIRE
APPLICANT: Redbrick Renovations Ltd 19 Croftlands Gardens Bolton Le Sands Carnforth LA5 8FB		AGENT: Building Plan Services

REASON FOR DELAY

Referred to Committee at the request of a Councillor.

PARISH NOTIFICATION

Not applicable.

LAND USE ALLOCATION/DEPARTURE

Within the area covered by the West End Masterplan. The site is also within the West End Conservation Area.

STATUTORY CONSULTATIONS

County Council Highways - No objections from a highway point of view.

Strategic Housing - A flat conversion is likely to be the most satisfactory use for this particular building. Detailed observations to follow.

City Council Direct Services - No comments to make on this proposal.

OTHER OBSERVATIONS RECEIVED

None, at the time this report was drafted.

REPORT

This application is one that would normally be determined by the Head of Planning Services under delegated powers. It has been referred to Committee at the request of Councillor Robinson. He points out that the site is an exceptionally prominent one, and is concerned that the space available for bin storage is very limited.

The former Marlborough Hotel occupies four floors above a shop, at the corner of Marine Road West and West End Road. It occupies a key position in the West End Conservation Area, as it incorporates one of the "pepperpot" turrets either side of the road junction. It is currently vacant, but it was last used without planning permission as a hostel. It is in need of substantial renovation inside but externally it appears to be in fair condition.

The proposal involves the conversion of the accommodation into four two bedroom flats, one on each floor. The conversion scheme involves major internal reconstruction including the removal of some of the internal stairs, which will require changes in the floor levels, and the provision of a lift. A ground floor room which has in the past been used as a store is shown as a communal laundry and drying area.

The proposal has to be assessed in relation to Policy H21 of the Lancaster District Local Plan, which requires that flat conversions should meet the standards set out in Appendix 2 of the Plan. In addition Policy E36 states that planning permission to change the use of a building which makes a positive contribution to a Conservation Area will not be granted if it fails to preserve or enhance the character and appearance of that area. The development also has to be considered in relation to the West End Masterplan, which sets out the Council's strategy for the regeneration of the area.

The four flats created will have generous sized rooms and will easily meet the space standards set out in Appendix 2 of the Lancaster District Local Plan. From a Conservation viewpoint, it is clearly desirable that the building should be brought back into beneficial use. Some of the original windows have been replaced with UPVC ones, which is to be regretted and it is important that any further new windows should be in keeping with the character of the building.

The West End Masterplan seeks to encourage family sized accommodation. However it is difficult to see this very large building, consisting of four floors of accommodation above a shop with a minimal back yard, being of use for this purpose. Its greatest asset is the outlook over Morecambe Bay and the scheme put forward makes the best use of it, with each unit having a living area incorporating the bay windows on the corner.

As Councillor Robinson points out the back yard available for the use of residents is a very small one. The applicant's agent has been asked to provide an additional drawing indicating its exact dimensions. It is likely that the ground floor store room will be needed as an area for recycling boxes more than as a laundry.

Notwithstanding this, the proposal put forward appears to represent the best way of bringing this important building back into beneficial use. It is recommended that details of the arrangements for the storage and disposal of refuse should be addressed by means of a condition.

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. Development to be carried out in accordance with the approved plans.
3. Details of all replacement windows to be agreed.
4. Details of the arrangements for the storage and disposal of refuse to be agreed.

DECISION DATE 7 September 2007	APPLICATION NO. 07/00726/HYB A12	PLANNING COMMITTEE: 8 October 2007
DEVELOPMENT PROPOSED OUTLINE APPLICATION FOR REDEVELOPMENT OF EXISTING LAND TO INCLUDE 19 DWELLINGS, INCLUDING RESERVED MATTERS APPLICATION FOR RUGBY CLUBHOUSE, SQUASHCOURTS, GROUNDMANS STORE AND ASSOCIATED LANDSCAPING		SITE ADDRESS VALE OF LUNE R U F C POWDERHOUSE LANE LANCASTER LANCASHIRE LA1 2TT
APPLICANT: Vale Of Lune R U F C Powder House Lane Lancaster Lancashire LA1 2TT		AGENT: JMP Architects Ltd

REASON FOR DELAY

Awaiting revised proposals from applicant and consultation responses.

PARISH NOTIFICATION

N/A

LAND USE ALLOCATION/DEPARTURE

Lancaster District Local Plan - The rugby pitches are allocated as Outdoor Playing Space which Policy R1 applies whilst the club house area is allocated as Urban Green Space to which Policy E29 applies.

CONSULTATIONS

County Highways - No objections subject to conditions relating to the detail and provision of the roads and parking and cycle storage areas.

Environmental Health Officer - No objections subject to conditions relating to hours of construction, flood and security lighting and contamination.

United Utilities - No objections subject to surface water discharge to soakaway and only foul discharge to sewer.

Police - No objections - recommends "Secured by Design for New Homes".

Leisure - Observations awaited.

Strategic Housing - Observations awaited.

OTHER OBSERVATIONS RECEIVED

Three letters have been received objecting to the proposals on the following grounds:-

- Impact on the outlook, view and sunlight of adjacent properties on Pendle Road;
- Impact on and proximity to rear of properties on Ingleborough Road and raised ground levels;
- Loss of privacy to Powder House Cottage and increased noise nuisance and disturbance from the proposed parking areas to the side and rear and from the increased use of the access road;
Concern about drainage, increased parking on Ingleborough Road and noise from the residential access rumble strip.

REPORT

The Site and its Surroundings

This site is located at the southern most tip of the North Lancashire Green Belt adjacent to the rear (north) of properties fronting Ingleborough Road, Pendle Road and Powder House Lane. It is a large rectangular shaped site containing a club house at its southern end, a first pitch, with car parking and a small stand along its western side and two second pitches across its northern half. To the east of the site are open fields rising steeply over a small hill/ridge which runs north/south along that side of the site. To the north lies the crematorium and its open, landscaped grounds, while the west side is bounded by Powder House Lane and its roadside hedges with an even larger area of open and flat sports fields beyond. Halfway along the sites frontage to Powder House Lane lies a small bungalow whose small curtilage projects into the side of the site. Although this site and that on the opposite side of Powder House Lane, project into the Green Belt both geographically and visually, they do not actually form part of its designated area.

The Proposal

This proposal does not involve the loss of any area of the site designated in the Local Plan or presently used as Outdoor Playing Space.

It does however, seek a full planning permission for the replacement of the existing club house facility, and the existing stand, with a new combined facility at the western end of the first pitch centre line together with the relocation/re-arrangement of the parking and access facilities along the western and northern sides of the first pitch, together with outline consent for the siting of two squash courts and a groundsman's hut on the land between pitches 1 and 2.

The application also seeks, in its revised form, outline permission (with only external appearance and landscaping reserved) for the re-development of the southern end of the site with 19 dwelling houses all accessed from the existing Powder House Lane access.

Policy Considerations

The major area of the site which is to be retained as the rugby ground falls to be considered in the light of Policy R1 of the Lancaster District Local Plan which states that:-

"The areas identified on the Local Plan proposals map as outdoor playing space will be protected from development. Exceptionally where there is clear justification for development which would result in the loss of such space, this will be permitted only where sport and recreation facilities can best be retained and enhanced through the re-development of a small part of the site or alternative provision of equivalent community benefit is made available".

The area of the site currently occupied by the existing club house and car parking falls to be considered under Policy E29 of the plan which states that:-

"The areas identified on the Local Plan proposals map as Urban Greenspace will be protected from development and where appropriate enhanced. Exceptionally, essential education or community related development or the limited expansion of existing uses will be permitted".

In this case the area allocated as Urban Green Space is not at all green, being almost entirely covered by the building and hard surface car park area. It does however afford some limited views from the neighbouring dwellings, around the extensive club house building and across the green rugby pitches.

It is considered that this is an anomaly in the Plan and that the whole site should more appropriately be considered as a single entity under Policy R1 of the Plan.

The residential element of the proposal, which is necessary to provide approximately 1/3 of the funding for the new facilities, must also be considered in the light of SPG16 of the Plan. In this case, the southern end of the site is a previously developed site in a sustainable location within the major urban area of the District. Its re-development would provide clear local benefits by the removal of the present tired and architecturally poor club house complex and facilitating its replacement by a well designed modern facility in a more appropriate location within the site. As such the proposed residential development would aid local regeneration and can be regarded as a Category A site and proposal.

The Proposals in Detail

The application seeks a full permission for a new club house/stand. This would be a two storey building 44.7m long by 18.2m wide. It would have a more pitched roof 6.5m high at the rear of the building and 8.2m high at the front (facing the pitch). The building has a contemporary design with an exposed steel frame in dark grey and dark grey rendered walls with a combination of timber and grey UPVC cladding panels and a light grey standing seam roof with white structural supports for the overhangs at each end. The fixed window frames would be black aluminium while the doors and sliding windows would be timber framed.

The existing car park between the pitch and Powder House Lane would be formally laid out around the new building to create 68 spaces with access only from the southern (existing) access and exit only via the upgraded access to the north of Powder House Cottage. A further 45 spaces would be provided in a grass covered overflow car park between pitches 1 and 2. This proposal will intensify the use of the existing access and parking areas surrounding Powder House Cottage to some extent but this property has few windows facing the site and is presently heavily screened from it. The hedge to the north of the exit onto Powder House Lane will need to be reset behind the visibility splay for a distance of 70m.

These facilities will be constructed and brought into use before the existing club house and surrounding parking areas are demolished and cleared for contractual reasons relating to the many third party users of the site and its facilities.

No details of the proposed squash courts or the groundsman's store are provided other than their siting in between pitches 1 and 2, at either end of the overflow parking area. These are logical and reasonable locations in relation to the other uses on the site and the remaining spaces available for such buildings and uses and in these positions will have little detrimental impact on their surroundings. Both buildings would be the subject of further detailed reserved matters applications.

The application also seeks an outline approval for the erection of 19 residential units. However this is a tight and awkwardly shaped site, whose development could have a significant impact on both the playing pitch and the surrounding residential development. Full details have therefore been submitted of the access road, the layout and siting of the dwellings together with their internal layouts and window positions. This has enabled some of the space standards between the proposed dwellings and the garden sizes adjacent to the pitch to be reduced slightly in order to achieve an appropriate layout while

maximising the development potential of the site and maintaining full standard spacing to existing neighbouring properties.

The layout comprises a terrace of 11 no. 2 ½ storey, 3 bedroom houses backing onto the southern end of the pitch, with integral garages and lounges on the first floor. A further terrace of 5 similar units would cross the head of the new cul-de-sac, aligned with the centre of Pendle Road and be set into the hillside with terraced gardens. A pair of 2 storey semi-detached 3 bedroomed houses would face the centre of the main terrace and back onto the existing houses fronting Ingleborough Road, with reduced ground floor levels to reduce their visual impact. A further single detached house would be set in the existing site access from Ingleborough Road and with access taken from that road.

Floor layout plans with room functions and window positions for all of these dwellings have been submitted to secure the viability of the site layout and it would therefore only remain for the external appearance of the buildings and landscaping of the housing site to be approved at the reserved matters stage.

Comments and Conclusion

The revised proposals have addressed the issues of planning detail raised in the representations by neighbours and as a result the number of units has fallen from 20 to 19.

The scheme has been developed in conjunction with and will be part funded by the National Sports Federation and will provide much improved rugby facilities for a wide range of local community users. The existing facilities, built in 1951 are now in poor condition structurally and no longer meet minimum requirements, particularly for mini, junior and ladies teams, with very poor and ill equipped changing facilities. This combined with poor drainage of the pitches, prevents the club from providing the appropriate coaching and training, particularly for young people and restricts the use of the ground by the local collages and university all of whom currently use the clubs facilities for games and training. This proposal is therefore crucial to the regeneration of the club and the continued development of the use of the site as a sports/recreation facility.

It is considered therefore, that in their revised form these proposals 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 OUTLINE PERMISSION BE GRANTED subject to the following conditions:

1. Standard outline permission.
2. Amended plan condition.
3. Development in accordance with approved plans.
4. Submission of reserved matters (external appearance and landscaping in respect of the residential development and all matters except siting in respect of the squash courts and groundsman's store)
5. Samples of all materials to be agreed.
6. Provision of adequate highway facilities.
7. Speed reduction markings to Powder House Lane.
8. Visibility splay to north at site exit.
9. Provision and retention of garage and parking spaces.
10. Details of car parking layout.

11. Provision and retention of cycle storage.
12. Details of floodlighting to be agreed.
13. Removal of Permitted Development Rights.
14. Hours of construction.
15. Only foul water sewerage – surface water to be via soakaways.
16. Desk top contamination study.
17. No development to commence until new clubhouse and car park/access is operational.

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DECISION DATE 15 November 2007	APPLICATION NO. 07/01252/CU A13	PLANNING COMMITTEE: 8 October 2007
DEVELOPMENT PROPOSED CHANGE OF USE OF GROUND FLOOR SHOP TO FLAT		SITE ADDRESS 20 MARINE ROAD WEST MORECAMBE LANCASHIRE LA3 1BU
APPLICANT: Mr D Helm Brock Vale Farm Sowerby Road St Michaels Preston PR3 0TT		AGENT: Ron Valovin

REASON FOR DELAY

Not applicable.

PARISH NOTIFICATION

Not applicable - Morecambe Neighbourhood Council is only consulted on major applications.

LAND USE ALLOCATION/DEPARTURE

Within the area covered by the West End Masterplan.

STATUTORY CONSULTATIONS

County Council Highways - Observations awaited.

Strategic Housing - Observations awaited.

OTHER OBSERVATIONS RECEIVED

None.

REPORT

This application involves the conversion of a former shop unit to a flat, and would normally be determined by the Head of Planning Services. It has been referred to Committee for decision at the request of Councillor Robinson, because of the policy issues involved in relation to the objectives set out in the West End Masterplan.

The property concerned is a vacant shop unit at the junction of Marine Road West with West Street. In 1999 permission was granted for its conversion into a one bedroom flat (application 99/00779) but this was never implemented. The owner of the premises has applied to carry out the conversion scheme, using the same plans as before.

The proposal has to be considered in relation to policy H21 and Appendix 2 of the Lancaster District Local Plan, which set out criteria for assessing planning applications for self contained flats. It also has to be assessed in relation to the regeneration strategy contained in the West End Masterplan, and the restrictions on new housing in the District set out in SPG 16 on the release of land for residential development.

The flat proposed is a one bedroom one. While the living room and kitchen are somewhat irregular in shape, it meets the required internal space standards. It has access to a back yard which is of little use as a sitting out area, but is adequate for bin storage. To replace the existing shop front the applicant has submitted the same external frontage as that approved in 1999, which replicates many of the features of the adjoining building.

The block bounded by Marine Road West, West Street, Parliament Street and Alexandra Road comes within Area 7 as defined in the West End Masterplan. This is identified as one requiring a high level of intervention. However no proposals have been brought forward for its redevelopment, nor given other priorities within the West End is there any immediate prospect of any. Almost all the other shop units in the vicinity are vacant and there is little prospect of finding a tenant for this one.

The original consent predated not only the Masterplan, but also the restrictions which led to SPG 16. It is therefore reasonable to treat it as an existing commitment rather than a new one. The proposal does involve a further one bedroom unit rather than one suitable for family occupation. However, bringing the accommodation back into beneficial use, rather than leaving it vacant, should assist rather than hinder the regeneration of the area. It is therefore recommended that consent should be granted.

HUMAN RIGHTS IMPLICATIONS

Two sections of the Human Rights Act are relevant: 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 be of such significance as 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. Development to be carried out in accordance with the approved plans.

DECISION DATE 4 October 2007	APPLICATION NO. 07/01000/FUL A14	PLANNING COMMITTEE: 8 October 2007
DEVELOPMENT PROPOSED ERECTION OF AN EGG LAYING UNIT WITH NEW ACCESS		SITE ADDRESS STATIC CARAVAN AND CHICKEN UNIT KIRKBY LONSDALE ROAD OVER KELLET LANCASHIRE
APPLICANT: Mr R Walker 2 The Maltings Whittington Carnforth Lancashire LA6 2NJ		AGENT: Ian Pick Associates Ltd

REASON FOR DELAY

Not applicable.

PARISH NOTIFICATION

Over Kellet Parish Council - Consider that the development will have an adverse impact on the character of the landscape. They also have concerns about the proposed access to the site, in view of the undulating nature of the road at this point. They ask how waste products from the site are to be disposed of, and whether this will affect watercourses in the area. They note that the caravan to the west of the site is unconnected with the present application and that enforcement action is being taken against it.

LAND USE ALLOCATION/DEPARTURE

Countryside area.

STATUTORY CONSULTATIONS

County Council Property Services - Question the suitability of the site for a chicken farm (see their letter which appears as an appendix to application 07/00991- which is also considered at this committee). They point out that it is in an elevated position which can be expected to have relatively high rainfall and poorly drained soil.

County Council Highways - Pre-application discussions have been held with the applicant. The access will require significant lengths of boundary wall realigning with the removal of some self seeded trees to achieve the required sight lines. It will also be important to ensure that adequate sight lines are maintained by cutting back the verge growth on a regular basis. No objection subject to appropriate conditions to ensure that the access is constructed to a suitable standard and the existing substandard one closed off.

Environmental Health - The egg packing and egg storage parts of the proposal would require approval by the local authority under EU regulations and the developer would need to discuss this. If permission is granted, they suggest a construction hours condition and also controls over extract ventilation equipment.

OTHER OBSERVATIONS RECEIVED

A letter signed by the occupiers of seven addresses in Swarthdale recognises the benefits of free range poultry rearing, but considers that the reassurances offered in the applicant's supporting material are insufficient. It therefore objects to the application, on the following grounds:

- Possible smell problems
- Possible dust problems
- Noise from the poultry
- Vermin on the site
- Flies associated with chicken dung
- Loss of biodiversity
- Risk of disease
- Possible future expansion
- Loss of screening between the site and the road
- Piecemeal development in the countryside
- Damage to tourist related development.

The Ramblers Association also have concerns about the impact of the chicken shed on the area - see application 07/00991.

Any other representations received will be reported orally at Committee.

REPORT

This site is on the north side of the road between Over Kellet and Arkholme. The applicant wishes to establish a new agricultural unit producing free range eggs, for which there is a growing demand.

The building proposed is a large one with a floorspace of 1400 sq metres. This is intended to provide accommodation for 11,500 birds. Its siting in the middle of the field, rather than on the edge of it, is a requirement of the free range egg production system for which it is designed. An existing field access is to be closed and a new one, the siting of which has been the subject of discussions with the County Council as highway authority, is proposed a short distance to the east.

A second application (no. 07/00991) has been submitted for a caravan to provide accommodation for the site owner; this is reported separately. To the west of the site, on the brow of the hill, a caravan has been sited without planning permission. It should be made clear that this has nothing to do with Mr Walker and is unconnected with the present planning application.

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

- E4, which requires that development in areas identified as countryside in the Plan should be in scale and in keeping with it, appropriate to its surroundings, not have an adverse effect on nature conservation of geological interests, and make satisfactory arrangements for access, servicing, cycle and car parking.
- E19, which states that new agricultural development required for the operational needs of a farm unit or to meet improved animal welfare, environmental or hygiene standards will be permitted where the proposal would not have a significant adverse effect on the landscape, nature conservation interests or the amenities of nearby residents, and is of a design and scale appropriate to its surroundings.

The location proposed for the building is in a hollow and because of this it will be reasonably unobtrusive. The applicant's agent has confirmed that an underground, rather than an overhead electricity supply line will be installed. He has also provided details of a percolation test to show that ground conditions are suitable for septic tank drainage.

The recommended access improvements will, in contrast, inevitably have some impact on the landscape in the short term. The section of road past the site is undulating and more intensive use of the access to the field in its present form would be hazardous, so the sight lines recommended by the County Council's highway engineers are undoubtedly needed. Because of their impact on the appearance of the site frontage, it is recommended that new tree planting should be required behind the new boundary wall.

The County Council's letter has been referred to the applicant's agent for his comments. He has produced an email from Nobles Foods for whom the eggs would be produced. They say that they have inspected the site and consider it suitable for egg production. They obtain their supplies from over 500 free range sites, from Aberdeenshire to Cornwall, and are confident that this one is suitable for the purpose.

The objections received will be noted but it should be pointed out that the site is 0.5 km from the village. The prevailing wind is from the south west so the development is unlikely to lead to smell and dust nuisance in Swarthdale. The bulk of the issues raised would apply with any chicken farm, irrespective of where it was located.

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. Development to be carried out in accordance with the approved plans.
3. Details of materials to be agreed.
4. Access to be constructed to the satisfaction of the highway authority before the use is commenced.
5. Existing site access off Kirkby Lonsdale Road to be closed off.
6. Tree planting along southern boundary to be provided.
7. Underground electricity supply to be provided.
8. Details of deliveries to and from the site including size and frequency of vehicles to be agreed as part of a traffic management plan.
9. Details of odour control and ventilation measures to be arranged.
10. Site to be used as breeder operation only (no broiler activity)

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DECISION DATE 27 September 2007	APPLICATION NO. 07/00991/CU A15	PLANNING COMMITTEE: 8 October 2007
DEVELOPMENT PROPOSED CHANGE OF USE OF LAND TO SITE A STATIC CARAVAN TO BE USED AS AN AGRICULTURAL DWELLING		SITE ADDRESS STATIC CARAVAN AND CHICKEN UNIT KIRKBY LONSDALE ROAD OVER KELLET LANCASHIRE
APPLICANT: Mr R Walker 2 The Maltings Whittington Carnforth Lancashire LA6 2NJ		AGENT: Ian Pick Associates Ltd

REASON FOR DELAY

Awaiting consultation replies.

PARISH NOTIFICATION

Over Kellet Parish Council - Concerned about problems with the access into the site and the impact of the development on the landscape. They note that the proposal is unconnected with the unauthorised caravan to the west of the site.

LAND USE ALLOCATION/DEPARTURE

Countryside area.

STATUTORY CONSULTATIONS

County Council Property Services- A copy of their letter appears at the end of this report. They accept that the business plan associated with the proposal is sound, but they query the suitability of the site for a free range poultry unit. They comment that the applicant does not appear to have experience of managing a poultry undertaking of this kind. They recognise that a free range poultry unit requires a regular presence by the operator to check on the welfare of the birds, and that it would be useful to have on site residential accommodation. However they do not agree that it is essential. The site is close to Over Kellet and Carnforth and using modern technology, it would be possible to monitor conditions on the site without living there. Attention is drawn to the Mayfield Chicks poultry breeding unit at Overtown, elsewhere in the Lune Valley. This is much larger, with 50,000 birds, but it does not have any on site living accommodation.

County Council Highways - If the static caravan is intended as accommodation for an agricultural worker's dwelling, no objections, provided that it is not occupied until the sight line improvements required in association with the remainder of the development have been carried out.

Environmental Health - Observations awaited.

OTHER OBSERVATIONS RECEIVED

The occupier of a house in Over Kellet has written to object to the proposal on the grounds that the site adjoins the brow of a hill and the access to it would be dangerous. He also asks about the static caravan to the west of the site (this has no connection with the current proposal).

The Ramblers Association also object to the proposal, noting that the chicken shed is a large one in a quiet and undeveloped area. They are particularly concerned about the caravan, on the basis that this is an unsuitable area for new residential accommodation. The caravan is likely to lead to requests for a permanent dwelling.

Any other representations received will be reported at Committee.

REPORT

This application is associated with no. 07/01000, which is also being considered at this committee. In order to supervise the chicken unit, the applicant wishes to site a caravan on land adjoining the building. The position proposed for it, to the south of the chicken shed, is reasonably unobtrusive given the lie of the land. The intention is that it would provide temporary accommodation while the business is being established.

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

- H8, which restricts new dwellings in the countryside to those required in connection with agriculture, forestry or other uses appropriate to the rural area. It requires that they should be sited to minimise their impact on the rural area, be consistent with meeting the essential employment needs of the occupier, be appropriate in terms of design, materials and landscaping, and make adequate provision for the disposal of sewage and waste water.
- E4, which states that development within countryside areas should be in scale with the character and natural beauty of the landscape, be appropriate to its setting in terms of siting, design, materials, external appearance and landscaping, and make satisfactory arrangements for access, servicing, cycle and car parking.

Account has also to be taken of the criteria for considering new housing in the District set out in SPG16 on the release of land for residential development. In this case the argument put forward for additional accommodation is clearly that it would meet a specific local need, for on site accommodation for a farm worker.

Advice on development in the countryside is contained in the central government document PPS7 (Planning Policy Statement: Sustainable Development in Rural Areas). Annex A of PPS7 sets out criteria under which proposals for agricultural, forestry and other occupational dwellings should be considered. They have to fulfil both a functional need - there has to be a genuine requirement for a full time worker to live on the site. Which cannot be met by an existing dwelling - and a financial one, in that the activity has to provide sufficient income to pay the equivalent of the minimum agricultural wage. Where a dwelling is required in connection with a new agricultural enterprise, it advises that a temporary dwelling should be provided in the first instance and that a permanent one should only be allowed after a three year period during which the business has been proved to be viable.

It is clear that in this case the applicant's intention would be to submit a proposal for a permanent dwelling once the business is fully established, and the proposal needs to be considered in the light of this.

The advice of the County Council's Property Service will be noted. Their view is that while it might be convenient for the operator to live on the site, it is not essential. It would be possible to operate a

chicken farm of this size without on site residential accommodation, provided that the person responsible for supervising it lived reasonably close at hand.

In response, the applicant's agent has provided details of a number of recent appeal decisions involving similar cases in other parts of the country. These indicate that the Planning Inspectorate is sympathetic to the needs of the operators of this kind of farm unit provided that it is large enough to provide an adequate agricultural income. He states that the applicant, Mr Walker, is at present the manager of a broiler breeding unit and while this is not free range, it has provided him with experience of poultry management and stockmanship. Deans Foods, who have contracted to purchase the eggs, provide training and technical support for new entrants into free range production. While the mechanical ventilation of the building can be monitored effectively from off the site this is not true of other problems which can arise including intrusions by wild birds, foxes and dogs. He considers that there is a functional need for the manager to live within an audible distance (50 metres) of the building.

So far as Mayfield Chicks are concerned, he argues that this is a broiler breeder unit and an entirely different system of operation. However as members are aware, the Mayfield site is a breeder operation only and part of the recent appeal decision relating to that site prohibits use for broiler activities. The buildings at Mayfield are completely sealed and the birds are not let out; consequently hazards associated with foxes and dogs cannot arise.

The decision in this case is clearly a marginal one but it should be noted that there used until quite recently to be a similar free range chicken farm at Capernwray. This ceased to operate some time ago and the premises are now used as riding stables. In that instance the City Council accepted that there was a genuine need for its operator on site living accommodation. It is important in these cases to be consistent. The applicant's agent has been asked to provide evidence that there is no existing farm complex within the area which could be used to accommodate the business.

He has responded by pointing out that the requirements for a free range chicken building of this kind are very specific ones. To comply with the RSPCA Freedom Foods and Lion Code Standards (these are necessary to sell eggs in the UK) the range must equate to 1 Hectare per 1000 birds. Therefore this proposal needs 11.5 Hectares (28.5 acres) of range area. No part of the range area can be more than 350m from the building itself. Finding a parcel of land and/or buildings which can comply is difficult and it is unlikely that a redundant farmhouse/yard area would in many cases be suitable. 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. Temporary consent - to expire 31 October 2010.
2. Caravan not to be occupied until the associated chicken shed is completed.
3. Caravan not to be occupied until improvements to the site access have been completed.
4. Occupation restricted to a person employed in agriculture and their immediate family.

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Your ref 07/0991/CU
Our ref PG/LA/INB/PA/1/22/7145 - JCET
Date 14 September 2007

Dear Mr Rivet

**APPLICATION NUMBER 07/00991/CU
LAND NORTH-WEST OF REDWELL FISHERIES,
REDWELL ROAD, OVER KELLETT
GRID REFERENCE 540 698**

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

Introduction

The applicant Mr Walker has submitted a planning application for the siting of a mobile home to provide a temporary agricultural workers dwelling for use in conjunction with a free range egg laying unit proposed on the same site. I have discussed the application with Mr Pick (Agent) concerning the applicant's circumstances surrounding the submission of the application and it was agreed that a site meeting with the applicant would not be necessary. The information provided together with the written submissions made in support of the application form the basis of this appraisal.

Background Information

The applicant has recently acquired 11.5 hectares (28.4 acres) of bare (unequipped) agricultural land to the north of Redwell Road. Currently the applicant manages a broiler hen enterprise unconnected to the development proposed by this application. His intention is to establish and operate a free range egg laying unit on this area of unequipped and through the erection of a purpose built poultry house building and siting of a mobile home to provide residential accommodation.

Continued ...

Nick Bower, Land Agent
Property Group • PO Box 26
County Hall • Preston • PR1 8RE

Proposed Development

Two planning applications have been submitted by the applicant with regard to the free range egg enterprise proposed on this site:-

- 1 Application 07/0991 to site a mobile home to provide temporary agricultural worker accommodation. The proposed site is close to that proposed for the poultry shed.
- 2 Application 07/01000 to erect an agricultural building to house 11,500 birds, equipped with the necessary facilities associated with a laying flock and to create a new vehicular access off the road and yard area within the site.

The proposed building will measure 76.2m x 18.2m x 2.0m eaves height. The building will be fully enclosed consisting of timber boarded sides with provision for access through the gable ends and a series of "pop" hole along each side elevation together with ventilation inlets. The roof will be clad using plastic coated steel sheets with ventilation exhausts along the ridge line. Two tower feed hopper extending to approx 4.5m tall will be sited adjoining one gable end. The proposed site has been chosen where the land is locally lower within the field although close to the southern boundary.

Proposed Enterprise

The intention is to undertake a free range egg enterprise keeping 11500 birds and will be farmed in accordance with the RSPCA's Freedom Food Standards.

The system of farming will be in line with a conventional egg laying enterprise where the birds are purchased at point of lay ie approx 16 weeks of age and then kept for approx 60 weeks upto the time when the birds first moult when they are then sold. The birds will be managed as a single flock and will have access to agricultural land on a daily basis in accordance with prescribed stocking densities.

The applicant will supply the eggs to an egg packing company "Deans Food" and they will be collected each week.

Labour

It is envisaged the enterprise will be managed by the applicant with one employee who will be involved with collecting and packing the eggs.

Assessment

Annex A of PPS 7 provides the national planning policy framework for determining planning applications for agricultural workers dwellings. Paragraph 12 of Annex A sets out specific criteria to be satisfied for applications for a temporary dwelling and I refer to this below:

If a new dwelling is essential to support a new farming activity, whether on a newly-created agricultural unit or an established one, it should normally, for the first three years, be provided by a caravan, a wooden structure which can be easily dismantled, or other temporary accommodation. It should satisfy the following criteria:-

- i) clear evidence of a firm intention and ability to develop the enterprise concerned (significant investment in a new farm buildings is often a good indication of intentions);
- ii) functional need (see paragraph 4 of this Annex);
- iii) clear evidence that the proposed enterprise has been planned on a sound financial basis;
- iv) the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
- v) other normal planning requirements, e.g. on siting and access, are satisfied.

With reference to the above 5 criteria I have the following comments to make:-

- 1 In addition to the application made by the applicant for a temporary agricultural dwelling an application has been submitted for the erection of a poultry house building. This application 07/01000 is proposing a purpose built design structure of a size which I consider is appropriate for housing the number of birds (ie 11500) which is the maximum number which the area of land owned can be operated in accordance with the RSPCA's Freedom Foods Standards. If this application is approved then I consider the applicant can demonstrate a firm intention to develop the enterprise concerned. As far as the applicant's ability to develop the enterprise I have two reservations:
 - a. The applicant does not have a background experience in the management of a free range poultry unit.
 - b. I am concerned that the location of the application site is not the most appropriate to operate a free range unit given its relatively high location, high rainfall and poorly drained soils. I am aware that a free range poultry enterprise had operated at a site at Capemwray located only a short distance away by road but I feel this site had an advantage being relatively low lying and sheltered by woodland. In addition the scale of the operation was less than proposed at this site ie 7000 birds as opposed to 11500. I note from the Defra guidance associated with free range units that it advises sites should be free draining. I am concerned that this land could not sustain the proposed stocking density.

- 2 In order to assess whether the enterprise constitutes a functional need for someone to be readily available at most times to ensure the proper running of the enterprise then this will need to have regard to the nature and scale of the operation.

I consider the management of a free range unit as proposed requires a regular presence by the operator to check on the welfare of the birds. Clearly whilst housed ie between dusk and dawn the welfare of the birds is determined by the managed environment within the building ie heat and ventilation and availability of water and feed. I am aware from the information provided that the proposed building will be equipped so that feeding is undertaken mechanically and ventilation will also be mechanically controlled. I recognise therefore that the bird's welfare is vulnerable to mechanical failures and given the type of enterprise undertaken the response to such mechanical failures would need to be relatively instant. I consider in situations such as the one proposed it would be most desirable to live on the unit but I am aware through the use of modern technology that mechanical systems can be monitored off site and if a failure occurs then an operator can be alerted through the same system. I feel this is relevant in this applicant's situation given that site is located within half a mile (800 metres) of Over Kellett Village and a mile from Carnforth. You may be aware of a Mayfield chicks poultry breeding unit operated at Woodman Lane, Overton which does not have a dwelling on the premises and system is monitored off the site.

This unit is a much larger operation (50,000 birds) to those proposed by the applicant. I note the planning appeal decision submitted by the applicant's agent in respect of a proposed 9000 bird free range unit shows that the Inspector felt that nearby towns and villages were not appropriate to house a worker and instead considered the needs of the enterprise required someone to live on the site.

I am of the opinion that in spite of the free range enterprise providing full-time work for at least one worker that the functional test is not conclusive that a worker is required to reside on the unit in particular in view of the close proximity of nearby settlement.

- 3 Included with the supporting information submitted with the application is a financial budget showing the annual profit/loss for the enterprise. The budget identifies a reasonable profit which I consider to be representative for budget purposes and sufficient to show the business "has been planned on a sound financial basis".

Conclusion

I am of the opinion when assessing the circumstances of the application and operational issues against the criteria for the provision of temporary accommodation I do not consider an agricultural justification is conclusive.

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

Yours sincerely

Land Agency Manager
on behalf of the Director of Property

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DECISION DATE 12 October 2007	APPLICATION NO. 07/01233/CCC A16	PLANNING COMMITTEE: 8 October 2007
DEVELOPMENT PROPOSED RETROSPECTIVE CHANGE OF USE OF LAND TO INERT RECYCLING FACILITY, ERECTION OF NEW BUILDING AND ANCILLARY PARKING IN ASSOCIATION WITH TRANSFER STATION		SITE ADDRESS ELLEL CRAG QUARRY BAY HORSE ROAD ELLEL LANCASTER LANCASHIRE
APPLICANT: Eurowaste UK Ltd C/o Nans Nook Bay Horse Lancaster LA2 9DF		AGENT: ML Planning Services Ltd

REASON FOR DELAY

Committee Cycle

PARISH NOTIFICATION

None

LAND USE ALLOCATION/DEPARTURE

The application site is allocated within the Lancaster District Local Plan (1996 - 2006) as designated Countryside Area and is protected by Policy E4.

STATUTORY CONSULTATIONS

All consultations have been undertaken by Lancashire County Council.

Environmental Health Service - No objections in principle. Advice notes to be attached to the decision letter informing the applicant to contact the Environment Agency with regards to obtaining a Waste Management Licence and Lancaster City Council with regards to necessary permits to operate under the Pollution, Prevention and Control Regulations 2000.

OTHER OBSERVATIONS RECEIVED

None

REPORT

This is a County application seeking the District Council's views for the retrospective change of use of land to inert recycling facility, erection of a new building and ancillary parking in association with the transfer station.

Ellel Quarry lies within the designated Countryside Area equidistant between the village of Dolphinholme due east and Galgate due west. The application site is well contained within the curtilage of the quarry and is surrounded by dense mature trees. As such, the existing works and buildings on site are not visible from the adjacent highway or neighbouring land. The access to the site already exists and is accessed off Bay Horse Lane.



The application proposes the provision of a large building measuring 30 x 24 metres giving a total floor area of 720 square metres. The height to the eaves measures 7.2m with a ridge height of 10.4m. The purpose for such a large building on site is to allow vehicles to enter the building and tip waste to ensure the prevention of dust emissions and dirty water run off. The use of the site shall not be open for public use and shall be used by the applicants, Eurowaste, or other associated waste transfer stations within Lancaster, such as Supaskips. The hours of operation are intended to be between 06:00 and 18:30 seven days a week.

The purpose of the development is to provide an undercover area to provide a facility to recycle mixed commercial, industrial and domestic waste. The waste will be physically sorted and then separated into either land fill waste or recyclable waste. A Trommell Screener will be situated within the building to prevent dust emissions.

The average numbers of vehicular movements at the site per day, as indicated by the application, are 20 HGVs and 12 Light vehicles/private cars. Lancashire County Council has indicated that the extant permission for landfilling allows for approximately 60 HGVs to leave the site in any one day. They have informed the local planning authority that in order for the application to be supported they would be recommending a Section 106 to allow for no more than 60 combined to leave the site so the local highway network would not be any more affected than at present.

Conclusion

Given that the large building proposed by the application is unlikely to adversely affect the character and appearance of the landscape and that the number of vehicular movements shall be controlled by a potential Section 106 Agreement, Members are advised that 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

The local planning authority has **NO OBJECTIONS**, subject to the following condition and advice notes:

Condition:

1. Prior to the commencement of the development, details of all materials to be used on the external elevations of the building shall be submitted to, and approved in writing, by the local planning authority.

Advice Notes:

1. The applicant is advised to contact the Environment Agency to discuss obtaining a Waste Management Licence, or amending an existing one.
2. The crusher, and any associated screeners, cannot operate without the relevant permit issued to the operator under the provisions of the Pollution, Prevention and Control Regulations 2000. The applicant should contact Lancaster City Council's Environmental Health Pollution Control for more information.

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DECISION DATE 1 November 2007	APPLICATION NO. 07/01144/FUL A17	PLANNING COMMITTEE: 8 October 2007
DEVELOPMENT PROPOSED PROPOSED DEMOLITION OF SINGLE STOREY FLAT ROOFED EXTENSION AND REPLACEMENT WITH 3 STOREY PITCHED ROOF EXTENSION, ERECTION OF AN ARTS AND CRAFTS STUDIO AND CHANGE OF USE OF LAND TO FORM NEW CAR PARKING AREA		SITE ADDRESS SLYNEDALES LANCASTER ROAD SLYNE LANCASTER LANCASHIRE LA2 6AW
APPLICANT: Cancercare Slynedales Slyne Road Hest Bank Lancaster Lancashire LA2 6ST		AGENT: Michael A Harrison

REASON FOR DELAY

None

PARISH NOTIFICATION

No comment received at the date of writing the report, comments will be reported verbally.

LAND USE ALLOCATION/DEPARTURE

The Lancaster District Local Plan indicates that the application site is within a Countryside Area and forms part of the North Lancashire Green Belt.

STATUTORY CONSULTATIONS

County Highways Department - The additional parking provisions are in accordance with the parking standards in the Lancashire Joint Structure Plan. It is important that additional on-site parking is provided in this location as there are issues with on-street parking on the A6. In accordance with the submitted Travel Plan a condition relating to the provision of bicycle and motorcycle parking is recommended.

Environmental Health - No objections to the proposal in principle but recommend appropriate conditions be imposed to control hours of construction and prevent burning of waste on site should planning permission be granted.

OTHER OBSERVATIONS RECEIVED

No representations received at the date of writing the report.

REPORT

Site Description & Proposed Development

The application site is Slynedales, a detached three storey property of stone construction with slate roof over, situated approximately 140m to the west of Slyne Road on higher ground at the end of a shared driveway. The property has a significant amount of associated external space which for the most part is established garden, housing a large proportion of mature trees. There is also an existing parking area immediately to the south of the building which accommodates 33 vehicles.

The application property operates as a Cancer Care Service offering patient/ family support and specialist professional therapies. The area is mixed in character with the land to the south of the site access road occupied by St Johns Hospice and the land to the north by Beaumont College, a residential further education centre.

The application seeks to expand and improve the current facilities to create an additional 388 sqm of floorspace. The proposed works involve the demolition of a single-storey flat roofed extension within the courtyard to the north of the main building, and its replacement with a three storey pitched roofed extension to form a reception and waiting area, administration office and toilets to ground floor, therapy rooms to first floor, with a bridge link to the adjoining garden area at the rear of the site, and a further office room within the roof space. A linking covered walkway is also proposed within the confines of the courtyard to the north of the main building, this will be of slate roofed construction and will provide a covered access from the main building to the existing child therapy unit sited immediately to the north.

In addition to this, the application also involves the creation of a new parking area on garden land adjoining the northern boundary of the child therapy unit and the replacement of a detached timber arts and crafts portakabin to the rear of the site with an new arts and crafts studio providing larger studio facilities that will enable storage of materials and archives.

The planning application has been accompanied by a Supporting Planning Statement and a Travel Plan.

Planning History

Slynedales was originally built as a private residence set in the middle of approximately 14 acres of open pasture. In the early 1960's it operated as a Convent Primary School followed by a Residential Secure Unit for girls with educational and emotional difficulties between 1970 and 1999. The site was then acquired by the applicant in 1990 in a semi derelict condition and was opened as a Support Centre for cancer patients, their carers and families in 1991 following refurbishment.

Relating to the current use the most relevant planning applications are as follows;

91/01039/HST Creation of a car park area for Patient Support Centre

95/00726/FUL Erection of a temporary portable type building for use as a Craft therapy centre. This permission was subsequently renewed.

04/01120/FUL Erection of a first floor extension to the courtyard therapy centre.

Planning Policy

The following Lancaster District Local Plan Policies are particularly relevant to this application;

Policy E1 sets out the criteria for assessment of development proposal within areas of Green Belt and will not allow development that will result in the expansion of settlements beyond their present boundaries into open countryside. Within the Green Belt itself new development will only be allowed in exceptional circumstances.

Policy E2 relates to the erection of new buildings within the Green Belt, stating that limited extension and alterations may be permitted where there is not a materially greater impact than the present use on the openness of the Green Belt.

Policy E4 sets out the criteria for assessment of development within the Countryside Area. Stating that proposal must be in scale and keeping with the character of the landscape.

Lancashire Structure Plan Policy 6 - Development within Green Belts is also relevant to this case.

Assessment

Local Plan policies seek to protect the openness of the Green Belt in order to safeguard the character of the countryside and check the unrestricted sprawl of large built up areas.

The principle of extending the main building and replacing the arts and crafts studio in the manner proposed is considered acceptable in relation to Green Belt and Countryside Area policies of the Local Plan, in so far as the proposal relates to previously developed section of the site that fall well within the established curtilage of the property meaning the development will not adversely effect the quality of the landscape or the openness of the green belt.

The alterations to the main body of the building will result in the removal of an existing unsympathetic flat roofed extension sited within the courtyard to the north of the building and will secure it replacement with a larger but more sympathetic addition that has been designed to respect the character of the main property and the wider countryside area. The proposal is considered appropriate in terms of its scale and massing, utilising external materials of natural stone and slate to match existing, as well as, vertical sliding sash windows with details to match those existing on-site. The extension will result in the removal of one of the three stone chimney stacks on site, and whilst this is regrettable the removal of this stack is essential to the viability of the proposal and given its siting to the rear of the building, on balance, its loss is not considered to have a detrimental impact on the character of the application property.

A more contemporary design solution has been chosen for the new entrance, which consists of a fully glazed curtain wall formed behind the existing stone courtyard archway. This access will form the main entrance to the centre and has been sensitively designed to enable effective use and access to this area whilst maintaining the appearance of archway, which forms an important architectural feature of the building. In the interest of the appearance of the building appropriate conditions are recommended to ensure that all external materials and surface finishes are agreed by the LPA, as well as, all window/door recesses.

The proposed arts and crafts studio whilst larger in scale constitutes a replacement structure and utilises the same site as the exiting structure, adjacent what is at present the main car park. Due to the significant difference in land levels to the rear of the application site this building is part single storey, part two-storey in height. The change in levels between the car park and the garden enables a basement to be formed which will provide the main entrance to the studio from the car park and accommodate an archive store and toilets. The upper floor will form the main studio space which will have a level access to the lawn area and footpath to the north.

For the most part the external materials proposed for the studio contrast with the main building but are complementary in nature. The basement is of render finish with vertical timber boarding and metal window frames. The roof is pitched and hipped in order to reduce the overall bulk of the building and finished in natural slate in order to maintain a visual link with the main building.

As a whole the site benefits from extensive tree cover with a number of individual, mature tree specimens and groups of trees established in and around the boundaries of the proposed development area. Following an Arboricultural assessment of the site the arts and craft building was re-sited approximately 1.9 metres to the west to ensure that the replacement structure does not threaten the health or viability of the mature trees on site. In light of this and in the interest of appearance of the locality a condition is recommended to ensure the protection of trees during construction works including

the mature Purple Leaf Beech tree to the east of the arts and crafts building and a group of Board Leaf Sycamores between the existing building, proposed development and the car park area. Further to this a condition is also recommended requiring a landscaping scheme for the site, relating particularly to the area of banking and footpaths surrounding the arts and crafts studio and the new parking areas.

The site is considered to be of low accessibility and has a current parking provision of 33 spaces, 3 of which are disabled bay. The application proposes at total of 50 spaces, 6 of which are disabled bays, these will be accommodated within the existing area of hardstanding to the south of the main building and within a garden area immediately to the north of the property.

There is a significant need to provide improved access and additional parking spaces for Cancer Care clients, most of whom can only reasonable gain access by car. The increase in referrals to the unit in recent years has resulted in more visitors to the site which has in turn increase parking pressures. Provisions are also needed for staff that are required to use their vehicles to perform their job role.

The new parking area is sited to the north of the building on an area of garden within the established curtilage of the property. Whilst its construction in this location will result in the removal of a large proportion of garden area, local plan policy enables the expansion of facilities within Green Belt in exceptional circumstances. In this instance the proposed parking area is sited within the established curtilage of the property and is not considered to materially affect the openness of the Green Belt, nor will it result in the unrestricted extension of development into the open countryside. The additional parking provision are in accordance with the Lancashire Structure Plan parking standards and in light of the exceptional need for additional parking it is considered that in this instance there is sufficient justification for the creation of additional parking facilities in this location. In the interest of highway safety appropriate conditions are recommended to ensure implementation of the Travel Plan and the provision of bicycle and motorcycle stands on site.

Conclusion

The application seeks to improve the existing facilities on site and provide enhanced access through the development. The proposal is well screened and contained within the established curtilage of the property. The Local Planning Authority is satisfied that the proposed extensions, alterations and the new parking area are acceptable in relation to their impact upon the Green Belt and Countryside Area. Members are therefore advised that this application can be supported, subject to appropriate conditions.

HUMAN RIGHTS IMPLICATIONS

This application has been considered in relation to the provision 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 3 year consent.
2. Development as per approved amended plans.
3. External materials and surface finishes to be agreed.
4. Provision and retention of parking layout in accordance with plans.
5. Prior to the commencement of the development the implementation of the Approved Travel Plan (or implementation of those parts identified in the Approved Travel Plan as capable of being implemented prior to occupation). Those parts of the Approved Travel Plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable therein and shall continue to be implemented as long as any part of the development is occupied.

6. Bicycle and Motorcycle parking to be provided in accordance with a scheme to be submitted to and agreed in writing with the local planning authority.
7. Tree protection scheme to be submitted to and agreed in writing by the local planning authority.
8. Development to be carried out in accordance with a submitted Agriculture Report.
9. Submission and implementation of landscaping scheme.
10. A scheme for surface water shall be submitted and agreed.
11. Restricted hours of construction.
12. No materials produced as a result of the site development or clearance shall be burned on site.

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DECISION DATE 23 July 2007	APPLICATION NO. 07/00556/OUT A18	PLANNING COMMITTEE: 8 October 2007
DEVELOPMENT PROPOSED OUTLINE APPLICATION FOR RESIDENTIAL USE (UP TO 440 DWELLINGS) INVOLVING THE RESIDENTIAL CONVERSION OF THE ANNEXE AND CAMPBELL HOUSE, DEMOLITION OF EXISTING BUILDINGS AND ASSOCIATED ACCESS, CAR PARKING AND LANDSCAPING		SITE ADDRESS LANCASTER MOOR HOSPITAL QUERNMORE ROAD LANCASTER LANCASHIRE LA1 3JR
APPLICANT: English Partnerships Arpley House 110 Birchwood Boulevard Warrington WA3 7QH		AGENT: GVA Grimley

REASON FOR DELAY

Awaiting consultation responses and amended proposals from applicant.

PARISH NOTIFICATION

N/A

LAND USE ALLOCATION/DEPARTURE

Lancaster District Local Plan - The site is allocated primarily as a Housing Opportunity Site by Policy P13. The Annexe building is also identified as a Business Opportunity Site by Policy EC17. The existing cricket ground and bowling greens are identified as Outdoor Playing space by Policy R1 and the east and north margins of the site are identified as Urban Green Space by Policy E29. SPG2 sets out a Development Brief for the site.

STATUTORY CONSULTATIONS

County Highways- No objection in principle, final observations on offsite investigation works and travel plan awaited and will be verbally reported to members.

County Planning - Conforms to Policy 12 of Joint Lancashire Structure Plan - but concerned about loss of historic landscape and trees. Requested £814k contribution to accessibility and a Travel Plan; £102.4k for a Children's Outreach Centre; £124.96k for Library Services; £211.2k for Waste Management and £260.92k for Youth and Community services. The total planning gain contribution requested = £1,513,480. A reduction in this contribution has been agreed to recognise the unusual costs associated with developing this site.

Environmental Health Officer - No objection in principle, subject to conditions regarding Air quality.

United Utilities - No objection.

Fire Services - No objection subject to separate system with surface water to soakaways or watercourse.

Lancaster Civic Society - No objection in principle, but concerned that the extent of enabling development must really be necessary and that the heritage asset must not be materially harmed by it.

Health Safety Executive - No objection.

English Heritage - No objection to the limited enabling demolition and proposed conversion of the Listed Building and no comment in respect of the enabling development within the grounds.

Environment Agency - No objection subject to conditions regarding regulation of surface water run off to existing flow rates preferably by a SUDS system; unexpected contamination and Japanese Knotweed control.

Conservation Officer - No objection, subject to the approval of details and the retention of the cricket pavilion if at all possible, a 'level 2' recording of all existing buildings and the re-use of the demolition stone in the new development.

National Grid (Gas) - No objection in principle.

North Lancs Bat Group - Observations awaited, any views will be reported at Committee.

Natural England - Observations awaited, any views will be reported at Committee.

County Ecologist - Observations awaited, any views will be reported at Committee.

Tree Officer - No objection in principle to revised proposals, further specific considerations needed at the detail stage.

Ramblers - No response received.

Policy - No response received.

Housing Policy Officer - No response received.

OTHER OBSERVATIONS RECEIVED

Several letters of objections have been received covering the following points:-

- Increased traffic and congestion on Grab Lane, Derwent Road, Ullswater Road and Quernmore Road.
- Loss of wild flora and fauna.
- Loss of rural outlook.
- Lack of affordable housing.
- No on site shop, school, healthcare or employment to reduce traffic generation.
- Ignores sustainable community agenda (mixed development).
- Conflicts with PPG13
- No trip generation mitigation proposals.
- Does not encourage walking, cycling or public transport.
- Building heights too high, will compromise the Listed Building.
- Traffic data collected at non representative times.
- No pedestrian/cycle links to local school.

One letter of support has been received subject to no significant loss of trees and no main access to the site via the Social Club.

REPORT

Introduction

This site was acquired in 2006 by English Partnerships, the National Regeneration Agency, as part of a land transfer between the Department of Health and the Office of the Deputy Prime Minister, involving the transfer of 96 former NHS hospital sites, in line with the government's policy to create sustainable communities and make the best use of surplus public sector land.

The buildings on the site have been unoccupied since 2000 and the NHS made two attempts to dispose of the site in 1998 and 2000, but there were no serious bidders in either case due to planning uncertainty and the cost of converting the Listed Annexe building.

Since that time the condition of the Annexe building has deteriorated considerably despite the efforts of the NHS and English Partnership, and the restoration and conversion of the building to new uses now represents considerable development challenges.

Following a review of the available options and soft market testing, English Partnership concluded that the most appropriate way of bringing the site back into productive use was through residential conversion of the Annexe building, cross subdivided by the development of the adjoining land for residential purposes, broadly in line with the Council's long standing development brief for the site set out in Supplementary Planning Guidance (SPG) Note 2 to the Lancaster District Local Plan and originally adopted in 1998.

The application therefore seeks to obtain an Outline Planning Permission for three elements in order to remove the planning uncertainty surrounding the site and improve the chances of a successful disposal to the private sector. Following any such approval, English Partnership will seek a development agreement with a developer or consortium of developers to ensure the delivery of the scheme in accordance with English Partnership's "exacting" residential development quality standards.

The Site and its Surroundings

The site is located on the very eastern fringe of Lancaster approximately 1.5 miles from the City Centre to the west, on the north side of Quernmore Road, from which it is accessed. The site is generally bounded by stone walls and mature trees and hedgerows and covers an area of approximately 16 hectares.

To the east of the site lies an unsurfaced but walled field access track with open agricultural pastures beyond, extending north, east and south east to the nearby M6 motorway and then beyond into the rising land of an open, drumlin field, pastoral landscape.

To the south and on the same side of Quernmore Road lies an area of land owned by the Hospital Trust, comprising a Social Club, a bowling green and Primary Care Trust Offices, while on the south side of the road lies an extensive area of recently developed housing within the grounds of the original Lancaster Moor Hospital grounds.

To the west lie areas of play fields, open ground and immature woodland with a cemetery, the Ridge Lea Hospital and Lancaster Farm Young Offenders Prison beyond.

The site falls significantly from west to east and is dominated by the massive Listed Annexe building. This is prominently located on the high ground at the western side of the site, with commanding views towards the east and high visibility from the M6, Quernmore Road and the rising land in that direction. A further 10 former hospital buildings are grouped within the western side of the site, to the north of the Annexe. These are mostly of stone under slate construction, date from the early 1900's and are relatively uninspired traditional designs. The best and most prominent of these is Campbell House which frames

the northern side of the open, eastern foreground to the Annexe. The eastern side of the site consists mostly of grassed areas, incorporating a discussed cricket pitch, and a large open space.

The whole site contains a large number of mature trees, but the heaviest concentrations and the oldest and largest trees are located around the buildings. There is also an area of dense, immature woodland in the north east corner of the site. A blanket Tree Preservation Order No. 381 (2006) covers the site and all of its trees.

Access to the site is through two road junctions onto Quernmore Road, one at each end of the site frontage and a pedestrian access in the centre of the frontage. Two main access roads run through the site either side of the Annexe building and a network of smaller roads give access to the other buildings. None of these are adequate at present to serve a major residential development on the site and the access junction with Quernmore Road presently has poor visibility.

The boundary wall along the Quernmore Road frontage, its railings, gates, gateposts and steps forming the original entrances to the Annexe building are also separately Listed at Grade II status.

Planning History

The main building on this site was constructed in 1882 as an Annexe to the Lancaster Moor Psychiatric Hospital located on the opposite side of Quernmore Road. The palisade walls and gates on the Quernmore Road frontage date from 1883. When psychiatric use of the hospital ceased, the site was used as a general hospital until vacated by the NHS in 2000. In its heyday the site cared for over 3000 patients at any one time and employed around 2000 people.

There have been a number of previous applications relating to its former use. These were largely for minor alterations and are not considered to be of relevance to the consideration of this application.

In 1999 an outline application was submitted on behalf of the NHS for the redevelopment of the site for predominantly residential uses. The scheme involved the creation of between 300 to 400 dwellings, with the areas attached for new housing broadly similar to those proposed in this application. The Annexe was to be converted to housing and Campbell House to a club house to replace the existing facility on the adjacent Hospital Trust land. The remaining buildings were to be demolished to make way for the new development while a woodland area at the north end of the site and the cricket pitch were to remain as amenity space. The proposals also earmarked land for a primary school and a small scale retail use.

The key concerns that prevented this scheme from securing planning permission related to the proximity of the animal rendering plant at Nightingale Hall Farm. The odours associated with the plant were considered to present a significant threat to residential amenity, to the extent that acceptable living standards may have been unachievable. These concerns were to some extent ameliorated by a landmark legal ruling in 2004 that placed liability for any loss of amenity due to odour from the rendering plant with its operator. However, by this time the ownership of the site was in the process of being passed from the NHS to the OPDM and was in such a state of flux that no instruction could be given to further revise the proposals to take account of changed circumstances over the life of the application. This application has not progressed further and was therefore effectively abandoned at the time.

In 2006 the animal rendering plant closed due to extensive fire damage and a subsequent Outline Permission No. 06/00661/OUT for the redevelopment of that site for residential use has been granted. It would appear unlikely therefore that the previous odour issues will re-emerge.

The Proposed Development

This proposal is an outline application for the residential conversion of the historic Annexe building and Campbell House and the construction of new build residential dwellings across the northern section of the site. This would involve up to 440 units, including the conversions. Access would be from Quernmore

Road via the upgrading of the existing junctions and routes into the site. The scheme includes the retention and restoration of the cricket pitch and the woodland at the northern end of the site.

The application includes access as a detailed matter, but all other matters are reserved for future consideration. As well as detailed plans relating to the site access junctions, plans have also been submitted defining the area proposed for development and the areas of landscape to be retained. An illustrative master plan for the layout of the site and feasibility proposals showing the likely form the conversions would take (and identifying those parts of the buildings that would need to be demolished), have also been submitted.

A separate Listed Building application for the detailed alterations to the historic boundary wall, gates and railings to facilitate access junction improvements has also been submitted and appears elsewhere on this schedule.

The proposals for the Annexe building indicate that its historic character would be enhanced by the selective demolition of later additions that currently detract from its appearance and the opening up of the central courtyard. In addition, the imposing central hall would be restored to accommodate ancillary uses. The proposal also indicates that some selective demolition at the rear of Campbell House will also be necessary to make it suitable for residential conversion.

The illustrative master plan indicates that the new dwellings would be built on the northern section of the site on land vacated by the demolition of existing buildings, the open land at the north east side of the site and on a small section of overgrown filled land, in the north east corner of the site adjacent to Moor Lane.

The application suggests that the scheme is likely to incorporate a mix of residential dwellings, ranging from 1 and 2 bedroomed apartments to family homes with the Annexe building being converted predominantly into flats and townhouses and the more family orientated dwellings being incorporated within the new build housing. However, a finalised plan for the mix of dwelling types and designs would be submitted as part of a reserved matters application.

The illustrative master plan and the Design and Access Statement describe indicative storey heights and densities for the new build areas. Buildings to the north of the Annexe, adjacent to the western boundary of the site would be likely to consist of a higher number of storeys to take advantage of the contours of the site, the screening afforded by the very large trees in this area and the proximity to the playing field, open land and woodland to the west. Further down the slope to the north and east, new dwellings would be of lower density, with fewer storeys and would more likely to take the form of more traditional family homes facing out towards the surrounding countryside. The master plan also indicates proposals to provide for pedestrian access at various points and an illustrative network of pathways and cycle ways to facilitate pedestrian movement through the site.

The upgrading of the site accesses would include the provision of mini roundabouts at each one, together with improved visibility which will further calm traffic speeds and improve highway and pedestrian safety. However, to make room for these improvements a limited number of mature trees will need to be removed. The historic gates, walls and railings at the western access and the wall at the eastern access will also need to be repositioned slightly but revised proposals for the layout of both of these have reduced their impacts and the impacts upon associated trees considerably.

The application proposes that a high quality public realm will be encouraged throughout the development. The majority of existing mature trees will be retained and incorporated within the scheme, and additional trees will be planted at locations throughout which will more than compensate for any necessary losses. In addition, the majority of the wooded area at the northern end of the site will be retained and enhanced. Detailed landscaping proposals would however form part of any reserved matters application.

Site Specific Planning Policies

Within the Lancaster District Local Plan there are a number of site specific policies which relate to this site and these are set out below:-

The majority of this site benefits from a long standing designation within the majority of this Local Plan under Policy H3 as a "Housing Opportunity Site". This policy recognises that residential uses are likely to predominate in any redevelopment of the site and that ancillary buildings to the hospital may need to be demolished. Policy concerns relating to the operation of the animal rendering plant have been overtaken by events as has the requirement for a 1 form entry primary school.

The Annexe building itself and the immediately adjacent land is also designated as a "Business Opportunity site" under Policy EC17, within which the Council will permit office development as part of a mixed use development. This is intended as a permissive policy, additional to the housing opportunity designating to give flexibility.

The cricket pitch within the site, the bowling green on the adjacent Hospital Trust land and the Council owned playing field to the west of the site are all designated "Outdoor Playing Space" under Policy R1, whereby the retention of facilities is promoted and strict criteria is placed on any redevelopment unless there are exceptional circumstances.

The wooded shelter belt to the north of the cricket pitch, the eastern margin and the wooded area at the northern end of the site, together with the Council owned open space and woodland adjacent to the north west of the site are designated as "Urban Green Space" under Policy E29. This policy seeks to protect these areas from development and secure their enhancement where appropriate.

Policy E47 designates Quernmore Road as an "Access Corridor" within which the Council will only permit proposals that enhance the local environment and retain existing landscape features wherever possible.

The open countryside between the eastern boundary of the site and the M6 motorway is designated as an area of "Key Urban Landscape" under Policy E31, within which the landscape will be conserved and important natural features safeguarded. Development will only be permitted which preserves the open nature of the area and the character and appearance of its surroundings. This land is also designated as a "Woodland Opportunity Site" by Policy E27 of the Plan.

Policy H10 (Affordable Housing) states that the Council will seek to ensure that up to 20% of new dwelling completions on this identified development site are affordable.

Policy T9 (providing for buses in new developments), makes specific reference to this site requiring that the road layout within any development should allow for the operation of a full bus service through the site, on either an existing or planned route.

Policy E28 (Woodland in New Housing Areas) requires that development at Lancaster Moor Hospital North should ensure that areas of woodland are included as part of the overall development and states that development will not be permitted which does not:- incorporate sufficient new woodland planting to achieve an attractive transition between town and country; softens the landscape impact of the proposed development; secure adequate amenity areas for local residents; protect and enhance nature conservation interests and; provide a framework for the safeguarding of the existing mature trees.

Policy R16 (Primary and Secondary Schools) states that development proposals for the Lancaster Moor Area must contain provision for a primary school. However, this requirement has since been overtaken by events and such need is no longer perceived by the Education Authority to exist in this locality.

SPG2 (Lancaster Moor Development Brief June 1998) is the adopted development brief for this site and the Lancaster Moor South site, which has already been developed, as well as the Hospital Trust land on the north side of Quernmore Road which lies outside the boundary of this application. At the time of its incorporation into the present Local Plan, it was given the caveat that due to changes in circumstances

since its original adoption it is recognised that aspects of the document will by now be out of date. Nevertheless this document still provides the Council's adopted general guidance for the development of this site, the aim of which is to provide a new use for the main buildings, protect their setting, and retain an attractive edge to the built environment.

In respect of outline proposals for this site, the brief identifies the Annexe building, Campbell House and De Vitre House as contributing to the overall character of the area and earmarks them for retention. The open land to the Annexe and Campbell House is identified as being suitable for development but the cricket pitch and bowling green to the east of the Annexe building should be retained as amenity space. The redevelopment of the Annexe site should maintain the building's historic character and appearance and new buildings within the site should be designed to an appropriately high standard and reflect the design advice within the Local Plan. It goes on to identify Quernmore Road as having sufficient capacity to accommodate likely traffic flows from the site. However, developments that could significantly increase traffic volumes within the area will be required to provide suitable road safety measures at Lancaster Royal Grammar School, on Quernmore Road, to the west.

Other General Planning Policies

There are also a number of general policies within the Local Plan that are of relevance to the consideration of this proposal as set out below:-

Policy H1 (New Residential Development and Land Recycling) outlines the Council's commitment to provide at least 50% of new dwellings on previously developed land or through the conversion of existing buildings. Planning permission for large residential developments will only be granted on accessible and Brownfield sites.

Policy H12 (Layout, Design and the Use of Materials) stipulates that schemes should exhibit a high standard of design, layout and landscaping and use materials and features which are appropriate to, and retain the distinctive local identity of their surroundings.

Policy H13 (Sustainable Living) requires that the housing proposals have full regard for energy efficiency, waste reduction and recycling considerations and that on out of centre sites, a net density of at least 30 dwellings per hectare is achieved.

Policy T1 (The City Council's Transport Strategy) underlines the council's commitment to reduce the dependency on the private car and maximise opportunities to use other means of transport.

Policy E13 (Trees and Woodland) seeks to prevent development which would result in an adverse effect or loss of significant trees or areas of woodland.

Policy E32 (Demolition of Listed Buildings) states that demolition of all or part of a Listed Building will only be permitted where it can be demonstrated that rehabilitation is impracticable, and that reasonable attempts here been made to find viable new uses.

Policy E33 (Alterations and Extensions to Listed Buildings) states that alterations to the exterior of a Listed Building which would have an adverse effect on the special architectural or historic character or interest of the buildings or their surroundings will not be permitted. However, the policy justification recognises that many listed buildings can sustain some degree of sensitive alteration or extension to accommodate new uses.

Policy E34 (Listed Buildings at Risk) encourages appropriate new uses for Listed Buildings at risk, where this would secure the future of the building and retain its historic and architectural integrity.

Policy R11 (Open Space and Children's Play Areas in New Housing Areas) requires developers to provide open space and playgrounds in accordance with adopted standards. Developments of 20 or more family dwellings should contain at least 15 square metres of useable and conveniently located open space per dwelling, within which 4 square metres per dwelling should be surfaced and equipped for the

needs of pre school children. Developments of 40 or more family dwellings should also provide 11 square metres per dwelling of grassed kickabout areas suitable for all year round use in an appropriate location.

SPG 16 (The Phasing of New Residential Development December 2004), sets out the current position with regards to housing supply in Lancaster. The guidance sets down strict evidence for the development of new residential schemes and unless there are exceptional circumstances residential development will only be permitted in accordance with a well established sequential approach favouring the most sustainable located brownfield sites first. Sites considered to be high priority exceptions to this approach include heavily contaminated sites and those that provide the means to restore and bring into beneficial use an important historic building at risk.

SPG 10 (Affordable Housing March 2002) This guidance has now been almost completely overtaken by events since its adoption and the majority of its advice is of little relevance to current circumstances. However, further to information on housing needs provided by the Council's Housing Needs Study, the Council's current practice is to require the provision of 30% of new dwellings in each major development to be of affordable rented tenure through a registered social landlord. Only in exceptional cases will such provision be accommodated off site.

SPG 12 (Residential Design Code June 1998) sets out the general design principles for new residential development and focuses mainly on the detail design issues of housing layouts and the appearance of individual buildings, which would all be considered in more depth at the reserved matters stage. Of greater relevance to this application is the suggestion that housing schemes should be designed to minimise their impact on the surrounding area, and protect and retain features such as trees, hedges and ponds. All new developments should be screened from sources of noise such as roads and railways.

Issues and Considerations

This is a very important landmark building on the Lancaster skyline and creates an impression of the city from the M6 motorway. Its restoration is justified as a Category A Scheme under SPG 16.

This scheme, as submitted, essentially follows the Council's adopted design guide for the site, taking into consideration the changes in circumstances since its adoption. It follows on from and develops the scheme originally submitted by the NHS in 1999, to reflect current planning concerns and the rapidly increasing costs involved in the restoration and conversion of the annex building. As such, these proposals are the result of two years continuous consultation and negotiation with your Planning Officers and Officers from the County Council.

It is considered that the submitted scheme conforms with the thrust of the policy framework set out above and meets most of the detailed policy requirements relevant to an outline application.

There are however a number of areas where the scheme has not been able to meet these requirements due to the growing financial burden of preserving the annex building and Campbell House. These principally relate to the accessibility of the site and the need for investment in public transport services and off-site related infrastructure, the provision of affordable housing and recent requirements to contribute to other community services.

These concerns are fully recognised by the applicant but they have to be balanced against the wider considerations relating to the successful redevelopment of the site. In this respect it is considered that the priority must be to bring the Listed Annex and Campbell House buildings back into viable use and to do so will require a very high level of investment.

It has always been recognised that this investment could only be delivered by means of cross-subsidisations from the residential development of the wider site and that the scale of development proposed would not relate directly to the level of cross subsidy required. The scale of the development now proposed in this application is considered by both the applicant and your Officers to be the maximum that this sensitive site could appropriately accommodate, bearing in mind all of its many constraints. Given this finite limit to the level of cross subsidy available for the restoration of the existing buildings,

English Partnership's process of developing this scheme continually raised concerns that any additional cost burden upon the development could render the whole scheme unviable and discourage the private sector from becoming involved.

In order to address these outstanding concerns and further mitigate the impact of the development on the surrounding area the applicant has managed to secure the use of part of EP1 Regional First-Time-Buyers Initiative allocation to provide 20% of FTBI units on each phase of the scheme. This would produce a total of 88 FTBI units if 440 dwellings are provided by the whole development and would need external funding to subsidise house prices to qualifying key workers and qualifying groups by up to 50%, without affecting the return to the developer and therefore the viability of the scheme. It is considered that in the circumstances of this ease, when combined with the significant planning gain of restoring the historic buildings, this proposal can be accepted. Members should however be aware that this is a low cost market housing scheme rather than true affordable housing and that the subsidy/discount does not pass to subsequent purchasers.

In the response to highway and transport issues raised by the Highway Authority and local residents further traffic data has been assembled and modelled. This has added further validation to the conclusions and recommendations of the submitted Transport Assessment that the volume of traffic associated with the proposals can be adequately accommodated on the local road network subject to the improvements to the Quernmore Road/Derwent Road junction.

After further discussions with City and County Planning Officers, English Partnerships have agreed to provide a £500,000 commuted sum to be ring fenced for use in relation to the following:

- (a) The provision or enhancement of a bus service linking the development with Lancaster City Centre, including increased peak hour services and potential evening and Sunday services.
- (b) New cycle/footpath routes linking the site to the Nightingale Hall Farm development and onwards to the Derwent Road and Crag Road.
- (c) A 20mph limit road safety scheme in the East Road area in the vicinity of the Grammar School.

In addition to the above the applicant has submitted a Travel Plan Framework as part of the application. This framework document would inform the preparation of a detailed Travel Plan at the reserved matters stage and identifies a service of measures that should be implemented. It also makes a commitment to a Travel Plan Coordinator being in place to deal with the preparation, management and monitoring of the plan. This, alongside the measures that will be involved in implementing the Travel Plan represents a significant cost to the development. Together with the commuted sum referred to above and the identified works of off-site highway improvement it is considered that the application makes a sustained commitment to addressing the accessibility issues identified and satisfies the requirements of the Council's Transport Strategy as set out in Policies T1 and T9 of the Local Plan.

As an outline proposal with all matters except for the site access reserved for subsequent detailed approval, it is considered that this scheme will achieve the objectives set out in the primary objections set out in the Council's Brief and satisfy the thrust and spirit of all those adopted policies which are still of relevance. Furthermore it is considered that this scheme provides the best chance that is likely to be available to secure the restoration and continued maintenance of the historic listed annexe building and Campbell House, which are such prominent, important and memorable Lancaster landmarks.

For those reasons therefore it is considered that the proposal should be supported subject to a Section 106 obligation relating to:

- 1) Phasing of conversion works
- 2) Development by an SPV company which binds all parties to deliver
- 3) Off site highway improvements
- 4) Travel Plan and commuted sum for cycle way and public transport improvements
- 5) Landscaping and public open space
- 6) First time buyer's initiative

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.

RECOMMENDATION

That **SUBJECT TO THE SUBMISSION OF AN APPROPRIATELY NEEDED SECTION 106 OBLIGATION, FINAL COMMENTS FROM THE HIGHWAY AUTHORITY AND ECOLOGY CONSULTEES, OUTLINE PERMISSION BE GRANTED** subject to the following conditions;

1. Standard Outline Permission.
2. Amended proposals.
3. Development in accordance with approved proposals.
4. Reserved matters to be submitted and approved.
5. No demolition other than that specified or to be agreed.
6. All demolished materials to be shall be retained and reused.
7. Equipped play facilities to be provided within the site.
8. Arboriculture Implication Assessments to be agreed for each phase.
9. Scheme for the future management and maintenance of the centre section, tower and main hall of the annexe building to be agreed.
10. Separate drainage systems- foul to public sewer, surface water to soakaways and/or watercourses using the SUDS principle.
11. Programme of building recording of all buildings on site.
12. Japanese Knotweed control.
13. Unexpected land contamination condition.
14. Cricket pavilion to be retained unless otherwise agreed in writing by the local planning authority.
15. Scheme for off site highways work to be agreed.
16. Scheme for off site highway works to be completed in a timescale to be agreed in writing by the local planning authority.
17. All new build designs to respect the setting of the Listed Building in their form and materials and the local distinctiveness of the area.
18. As may be further requested by consultees.

DECISION DATE 18 June 2007	APPLICATION NO. 07/00560/LB A19	PLANNING COMMITTEE: 8 October 2007
DEVELOPMENT PROPOSED LISTED BUILDING APPLICATION FOR PARTIAL DEMOLITION, RELOCATION AND REINSTATEMENT OF LISTED BOUNDARY WALL, RAILINGS AND GATES		SITE ADDRESS LANCASTER MOOR HOSPITAL QUERNMORE ROAD LANCASTER LANCASHIRE LA1 3JR
APPLICANT: English Partnerships Arpley House 110 Birchwood Boulevard Warrington WA3 7QH		AGENT: GVA Grimley

REASON FOR DELAY

Awaiting consultation response and revised proposals from applicant.

PARISH NOTIFICATION

N/A

LAND USE ALLOCATION/DEPARTURE

Lancaster District Local Plan- the site is allocated primarily as a Housing Opportunity Site.

STATUTARY CONSULTATIONS

English Heritage- No comment

Conservation Officers- No objection in principle subject to condition regarding details

OTHER OBSERVATIONS RECEIVED

One letter of support received subject to no loss of trees.

REPORT

This application should be considered in conjunction with application No 07/00556/OUT which appears elsewhere in this schedule.

The Proposed Development

Application for Listed Building consent for alterations to the palisade walls, gates and railings fronting Quernmore Road at Lancaster Moor North. These alterations are to enable access with mini roundabouts and adequate visibility splays to be provided to serve the residential conversion and development of the site as described in application 07/00556/OUT.

The proposal in their revised form involves widening the western side of the west access and the repositioning of the existing walls, pillars, gates and railings to suit, these alterations have been kept to the minimum necessary and have been amended specifically to avoid the loss of significant trees.

At the eastern access a short length of the wall will be realigned behind the visibility splays and raised to original height.

Conclusion

These works are necessary to enable the development described in application 07/00556/OUT to take place and are considered to be acceptable from the Listed Building point of view in this consent. It is considered that this proposal can be accepted.

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.

RECOMMENDATION

That **LISTED BUILDING CONSENT BE GRANTED** subject to conditions covering the following issues;

1. Standard Listed Building Application
2. Amended plan condition
3. Development in accordance with approved plans
4. Colours and coating specification for the gates and railings to be agreed
5. Surfacing and landscape treatment of new entrance including pavings and road kerbs to be agreed
6. Railing fixing details to be agreed
7. Sample of any new stonework and copings to be agreed

LIST OF DELEGATED PLANNING DECISIONS

LANCASTER CITY COUNCIL

APPLICATION NO	DETAILS	DECISION
06/01154/ADV	4 Newton Terrace, Caton Road, Lancaster Installation of shop sign to front bay window with freestanding sign on forecourt for Mr H Sidhu	Application Refused
07/00527/FUL	Springfield Retirement Home, 14 Elms Road, Morecambe Alterations and extensions including erection of two storey extension, dormer windows and external fire escape for Mrs M Grosse	Application Permitted
07/00580/ADV	Royal Hotel, 27 Main Road, Bolton Le Sands Retrospective application for the retention of various signs for Mitchells Of Lancaster	Application Refused
07/00627/FUL	Land At Mossgate Park, Heysham Mossgate Road, Heysham Substitution of dwelling types for plots 13, 18, 45, 54, 55, 59, 60, 84, 85, 94, and 95 for Persimmon Homes Lancashire Limited	Application Permitted
07/00682/FUL	1 Lawson Close, Lancaster, Lancashire Erection of a rear single storey extension, a two storey extension to the east and alterations and extensions to the west of property to form a further two storey extension for Mr And Mrs S Vause	Application Permitted
07/00714/FUL	The Bungalow, Conder Green Road, Galgate Erection of extension and re-roofing of existing bungalow to create new first floor accommodation for Mr & Mrs Edward Gorton	Application Permitted
07/00799/FUL	Pontins Holiday Camp, Carr Lane, Middleton Application for amended details of the layout, road and parking layout, landscaping and indicative elevation details of the Former Pontins Holiday Village as approved under outline planning application 00/00165/OUT and reserved matters application 05/00740/REM for Prestigious Living Group	Application Permitted
07/00814/LB	Ring O Bells, 52 King Street, Lancaster Installation of a fire escape to the rear for Mitchell Ltd (Brewers)	Application Permitted
07/00819/FUL	63 Victoria Street, Morecambe, Lancashire Replacement of ground and first floor windows for Wright And Lord Solicitors	Application Refused
07/00822/FUL	Carnegie House, Chatsworth Road, Lancaster Installation of velux roof lights on the north and south elevations for Mr A Hodge	Application Permitted
07/00829/FUL	Ridge Lea Hospital, Quernmore Road, Lancaster Erection of fencing at various locations of the site for Lancashire Care NHS Trust	Application Permitted
07/00830/ADV	Kilnview, 15 B Main Street, Warton Erection of sign for Mr And Mrs Holmes	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

8 OCTOBER 2007

07/00843/LB	Left Bank Of River Lune, St Georges Quay, Lancaster Application for Listed Building Consent for works to Quay Wall for Environment Agency	Application Permitted
07/00846/CU	8 Beech Avenue, Galgate, Lancaster Change of use from house with ground floor shop area to a single dwelling for Adactus Housing Group Ltd	Application Permitted
07/00855/FUL	43 And 45 Devonshire Road, Morecambe, Lancashire Retrospective application for the retention of wooden fencing on top of existing wall and gate for S Everett	Application Refused
07/00871/FUL	131 Heysham Road, Heysham, Morecambe Erection of a smoking shelter for Mr T Caden	Application Permitted
07/00875/FUL	29 Hall Drive, Caton, Lancaster Erection of utility room for Mr C Hill	Application Permitted
07/00881/CPA	Heysham Youth And Community Centre, Emmaus Road, Heysham Erection of a single storey extension to form children's centre, two external stores, play area and new pedestrian access for Lancashire County Property Group	Application Permitted
07/00896/FUL	73 Sandylands Promenade, Heysham, Morecambe Alteration of approved layout on application no. 07/00036/CU to create basement and ground floor maisonette and relocation of bin storage to the front for Grange View Ltd	Application Permitted
07/00901/FUL	The Lounge, Marton Street, Lancaster Installation of retractable awning to front for Lancaster Lounge And Bars Ltd	Application Refused
07/00903/FUL	Hustle, Spring Garden Street, Lancaster Installation of 3 retractable awnings to front for Lancaster Lounge And Bars Ltd	Application Refused
07/00904/FUL	8 Tern Grove, Heysham, Morecambe Erection of a conservatory to the rear for Mr And Mrs A Taylor	Application Refused
07/00911/FUL	Alfa Aesar (Formerly Avocado Research Chemicals Ltd), Field Road, Heysham Resurfacing of piece of land to the rear of the premises, remove section of fencing and fit new gate to form new entrance to compound for Alfa Aesar (Avocado Organics)	Application Permitted
07/00913/FUL	Springfields, Brettargh Drive, Lancaster Erection of a single storey extension and erection of a balcony at first floor level for Mr And Mrs P H Clarke	Application Permitted
07/00916/FUL	46 Bridge Road, Nether Kellet, Carnforth Erection of a single storey extension and conservatory to the side for Mr And Mrs Barnes	Application Withdrawn
07/00923/LB	Wray Methodist Church, Hornby Road, Wray Application Listed Building Consent for Installation of various new windows for Wray Methodist Church	Application Permitted
07/00925/FUL	18 Keats Avenue, Bolton Le Sands, Carnforth Erection of a garage to the side for Mr John David Parkinson	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

8 OCTOBER 2007

07/00926/ADV	Central Lancaster High School, Crag Road, Lancaster Erection of a non-illuminated banner sign for Central Lancaster High School	Application Refused
07/00928/CU	96 West End Road, Morecambe, Lancashire Retrospective application for the change of use of land adjoining 96 West End Road to domestic curtilage for Mr C Howard & Miss S George	Application Permitted
07/00929/FUL	St Johns Hospice, Lancaster Road, Slyne Erection of a perimeter fence for St Johns Hospice	Application Permitted
07/00931/FUL	The Pavilion, Dental Practice, Church Street Replacement of timber windows with UPVC to all 3 floors and 4 external air conditioning units for Mr D Andrew	Application Refused
07/00943/FUL	25 Townsfield, Silverdale, Carnforth Erection of various extensions and alterations including single storey extension to south west elevation and two storey granny annexe and new detached garage for Mr And Mrs T Mason	Application Permitted
07/00954/FUL	Telephone Exchange, Market Street, Morecambe Removal of two windows and installation of steel louvers for air conditioning units for Telereal	Application Permitted
07/00958/ADV	12 Marketgate, Lancaster, Lancashire Erection of a shop fascia sign and projecting sign for Shoe Zone	Application Permitted
07/00962/FUL	51 Haws Hill, Carnforth, Lancashire Erection of a conservatory for Mr And Mrs Baldwin	Application Permitted
07/00963/FUL	93 Regent Road, Morecambe, Lancashire Construction of new 2nd floor to form new film studio and erection of new escape stairs to the rear for Regent Park Studios	Application Permitted
07/00964/LB	John O Gaunt, 55 Market Street, Lancaster Demolition of part of bottle store in the rear yard for Mr Edmondson	Application Permitted
07/00965/FUL	12 Marketgate, Lancaster, Lancashire Installation of a new shop front for Shoe Zone Ltd	Application Permitted
07/00967/FUL	Paddock House, Back Lane, Wennington Erection of a single storey extension to side for Mr And Mrs R Parsons	Application Permitted
07/00968/FUL	Whinney Hill Farm, Aughton Road, Aughton Erection of a horse walker for Thoroughbred Rehabilitation Centre	Application Permitted
07/00969/FUL	Middleton Business Park, Middleton Road, Middleton Erection of a new warehouse and workshop building and ancillary hardstanding and landscaping for Roll Tec / Fuel Proof	Application Withdrawn
07/00971/FUL	60 Artlebeck Road, Caton, Lancaster Erection of a 2 storey extension to the side for Miss Crossley	Application Permitted
07/00972/FUL	Schonerwald, Deer Park Lane, Hornby Erection of extension and alterations for Mr And Mrs P King	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS	8 OCTOBER 2007
07/00974/RENU 1, 2, 3, And 4 Packet Lane, Bolton Le Sands, Carnforth Renewal of application 02/00849/FUL for the erection of two storey extensions to rear of cottages for Mr A Hough	Application Permitted
07/00977/FUL Canford, Caton Green Road, Brookhouse Erection of two storey extension to side and front and single storey extension to rear. for Mr. P Hearne	Application Permitted
07/00983/FUL Lancaster & Morecambe College, Morecambe Road, Lancaster Erection of 3 no. smoking shelters to rear for Lancaster & Morecambe College	Application Withdrawn
07/00984/FUL 1 Lindeth Road, Silverdale, Carnforth Erection of porch to rear for Mr A And Mrs J Greenwell	Application Permitted
07/00985/FUL Old Mill House, Marsh Lane, Cockerham Erection of two storey extension, various alterations including a construction of a balcony for Mr Roy Scott	Application Permitted
07/00987/FUL 51 Clarence Street, Lancaster, Lancashire Erection of a first floor extension to the rear for Mr P Engl	Application Permitted
07/00988/FUL Battery Hotel, Sandylands Promenade, Heysham Construction of a covered area for Daniel Thawites Brewery	Application Permitted
07/00989/FUL 67 Winchester Avenue, Lancaster, Lancashire Erection of a garage to the side for Mr T E And Mrs C V C Nichol	Application Permitted
07/00992/FUL 33 Meadow Park, Galgate, Lancaster Erection of an extension to side and rear for Mr M Eccles	Application Refused
07/00994/FUL 30 Greaves Drive, Lancaster, Lancashire Erection of two storey side extension for Richard Camp	Application Permitted
07/00995/FUL 8 Dunkenshaw Crescent, Lancaster, Lancashire Erection of a two storey extension to south of house for Mr And Mrs Roberts	Application Permitted
07/00997/FUL 3 Leighton Drive, Lancaster, Lancashire Erection of a conservatory to rear for Mr And Mrs Matthews	Application Permitted
07/00998/FUL Ring O Bells, 52 King Street, Lancaster Erection of a fire escape staircase for Mitchells (Brewers) Ltd	Application Permitted
07/00999/LB 26 Sun Street, Lancaster, Lancashire Application for listed building consent to erect a sign for Storey Gallery And Litfest	Application Permitted
07/01002/FUL The Parrock, Main Street, Arkholme Extensions and alterations to existing dwelling for Mr And Mrs Collingwood	Application Permitted
07/01004/VCN 98 Prospect Street, Lancaster, Lancashire Variation of condition number 2 on 97/00744 to allow opening on a Monday and Sunday until 22.30 for Mr Kai Ming Kwan	Application Permitted
07/01007/FUL 3 Hampson Mews, Hampson Lane, Ellel Conversion of shed to garage, erection of stable and erection of balcony to existing dwelling for Mrs Y Dickinson	Application Permitted
07/01009/ADV Hargreaves Car Showroom Garages, Middlegate, Morecambe Display of various signs for Hargreaves	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

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07/01010/FUL	5 Windsor Avenue, Lancaster, Lancashire Single-storey side extension and part two-storey part single-storey rear extension for Mr T Patterson And Miss E Ferguson	Application Permitted
07/01011/FUL	17A Milking Stile Lane, Lancaster, Lancashire Erection of a conservatory to rear for J Radcliffe	Application Refused
07/01012/FUL	22 Pinewood Avenue, Bolton Le Sands, Carnforth Alterations to roof including dormer windows to rear and velux widows to front and rear for Mr And Mrs D Park	Application Permitted
07/01015/LB	Walnut Cottage, Main Street, Wray Application for listed building consent for alteration to windows and doors and erection of a conservatory for Mr And Mrs T Huddleston	Application Permitted
07/01016/FUL	28 Stankelt Road, Silverdale, Carnforth Erection of a detached garage to house three cars for Arthur Holgate And Son	Application Permitted
07/01017/FUL	4 Carr Wood Gardens, Galgate, Lancaster Erection of a conservatory for T. E. Sneesby	Application Permitted
07/01018/FUL	2 Seaborn Road, Morecambe, Lancashire New entrance door to front elevation for Mrs M A Hodgson	Application Permitted
07/01020/CU	28 And 30 Clarendon Road East, Morecambe, Lancashire Conversion of existing flats to two dwellings for Adactus Housing Association	Application Permitted
07/01026/ADV	14 - 16 Cheapside, Lancaster, Lancashire Display of an advertisement for Mr Malcolm Bampton	Application Refused
07/01027/FUL	15 Foxfield Avenue, Morecambe, Lancashire Erection of a conservatory for Philip North	Application Permitted
07/01030/FUL	Land At Rear Of 85-91, North Road, Carnforth Erection of a new dwelling for Paddle Ltd	Application Refused
07/01031/CU	12 - 14 Alexandra Road, Morecambe, Lancashire Change of use from house in multiple occupation to seven self contained flats for KDH Property Services	Application Permitted
07/01032/FUL	Sugar House Nightclub, Sugar House Alley, Lancaster Erection of a smoking shelter for Lancaster University Students Union	Application Permitted
07/01033/RENU	111 Sandylands Promenade, Heysham, Morecambe Renewal of planning permission 02/00812/FUL for extension to side for Mr And Mrs P Duxbury	Application Permitted
07/01034/FUL	29 Sizergh Road, Morecambe, Lancashire Erection of an extension to rear for Mrs S Arkwright	Application Permitted
07/01039/CU	St Johns Parochial Hall, 2 Norton Road, Heysham Change of use to A2 offices including planning centre for business start up and counselling service for The Business Support Team	Application Permitted
07/01041/CU	Uptown Farm, Willy Lane, Cockerham Change of use from barn to holiday accommodation for Mr P Hewitt	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

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07/01043/CU	Boon Town Farm House, Main Street, Warton Conversion of redundant barn into two dwellings, erection of detached garages and creation of a new access for Mr J Atkinson	Application Permitted
07/01044/FUL	97 Silverdale Road, Yealand Redmayne, Carnforth Demolition of existing conservatory and erection of replacement porch, utility room and toilet facility for Mr And Mrs D Wrigley	Application Permitted
07/01045/FUL	115 Slyne Road, Bolton Le Sands, Carnforth Erection of two storey side extension. for Mr And Mrs A Broster	Application Permitted
07/01046/FUL	Coach House, Kirkby Lonsdale Road, Arkholme Erection of a porch to front for Mr And Mrs J. Benson	Application Permitted
07/01047/FUL	278 Heysham Road, Heysham, Morecambe Erection of a two storey extension to the rear for Mr C. Garbutt	Application Permitted
07/01048/CU	Blea Tarn Farm, Hazelrigg Lane, Ellel Amendment to approved layout (03/00226/CU) to allow retention of structure to form accommodation for unit 2 for Loxam Riley	Application Permitted
07/01049/FUL	49 Stankelt Road, Silverdale, Carnforth Erection of a replacement garage. for Mr A. Bowers	Application Permitted
07/01051/FUL	Lowlands, The Shore, Hest Bank Conversion of an existing coaching horse barn into a ground floor bedroom with ensuite and first floor playroom and WC room. for Mr C Harker And Ms Bell	Permitted Development
07/01053/FUL	142 Bare Lane, Morecambe, Lancashire Erection of single storey extensions for Mr And Mrs P. O'Connor	Application Permitted
07/01055/FUL	Dragons Head Hotel, Main Street, Whittington Erection of retractable canvas awning for Mitchells Of Lancaster	Application Refused
07/01057/FUL	75 Silverdale Road, Yealand Redmayne, Carnforth Proposed car ports with store/domestic workrooms above. for Mr And Mrs P. Darlington	Application Permitted
07/01058/CU	New Inn, Hornby Road, Wray Change of use at first floor to provide dining rooms with guest/staff bedrooms and erection of a single storey extension to kitchen for Character Properties Ltd	Application Permitted
07/01060/FUL	94 Osborne Road, Morecambe, Lancashire Single storey extension to the rear for Mr A Henley And Miss P Canning	Application Permitted
07/01061/FUL	54 Dallas Road, Lancaster, Lancashire Installation of two velux windows (front and rear) for Dr Neil Manson	Application Permitted
07/01062/FUL	4 Fairbank Grove, Morecambe, Lancashire Erection of single storey extension to the side for Mr And Mrs Robertson	Application Permitted
07/01064/FUL	Scaleford Care Home, Lune Road, Lancaster First floor extension to south end, two storey extension to rear, alteration to central link with two storey extension at front and rear for Mr G Owen	Application Withdrawn

LIST OF DELEGATED PLANNING DECISIONS

8 OCTOBER 2007

07/01065/LB	Hilderstone House, Hilderstone Lane, Yealand Redmayne Listed building application for the erection of a garage for Mr And Mrs B Rhodes	Application Permitted
07/01067/FUL	Border Aggregates, Scotland Road, Carnforth Extension to office building for Border Aggregates	Application Permitted
07/01068/CU	126 Ulleswater Road, Lancaster, Lancashire Change of use of basement area to office and provision of new entrance steps for Mr And Mrs Wilson	Application Permitted
07/01069/FUL	7 Levens Way, Silverdale, Carnforth Erection of an extension to rear and construction of dormer to rear roof slope for Mr And Mrs S. Farrer	Application Permitted
07/01071/FUL	Walnut Cottage, Main Street, Wray Alterations to windows and doors and erection of a conservatory for Mr And Mrs T. Huddleston	Application Permitted
07/01073/FUL	The Blue Anchor Hotel, 68 Main Road, Bolton Le Sands Erection of a retractable canvas awning for Mitchells (Brewers) Lancaster	Application Permitted
07/01074/FUL	30 Claughton Drive, Lancaster, Lancashire Erection of a two storey side and rear extension with single-storey extension to rear. for Mr M Wiggins And Ms Horn	Application Permitted
07/01077/FUL	99 Croftlands, Warton, Carnforth Erection of conservatory to rear for Mr A Allan	Application Permitted
07/01078/FUL	2 Seymour Avenue, Heysham, Morecambe Demolition of existing garage and erection of replacement garage. for Miss M E Crowe	Permitted Development
07/01079/FUL	Hilderstone House, Hilderstone Lane, Yealand Redmayne Erection of garage for Mr And Mrs Rhodes	Application Permitted
07/01082/FUL	31 Homfray Avenue, Morecambe, Lancashire Erection of a two storey extension to side for Mr And Mrs S. Jordan	Application Permitted
07/01083/CU	108 Alexandra Road, Morecambe, Lancashire Change of use from self contained ground floor flat with House of Multiple Occupancy to 3 self contained flats for Mr A Gardner	Application Refused
07/01084/FUL	53 South Road, Morecambe, Lancashire Proposed dormer to side for Mr And Mrs Dockerty	Application Permitted
07/01086/FUL	Wray Methodist Church, Hornby Road, Wray Installation of various new windows for Edmund Park	Application Permitted
07/01093/FUL	9 Oxcliffe Road, Heysham, Morecambe Installation of two windows to western elevation, creation of pitched roof over existing extension on north elevation and installation of an additional flue for Mr Fu	Application Permitted
07/01095/FUL	50 Lymm Avenue, Lancaster, Lancashire Erection of a single storey extension to the rear for Miss J Hall	Application Permitted
07/01096/FUL	7 Rochester Avenue, Morecambe, Lancashire Erection of various extensions and dormers to front for Mr Jim Quigley	Application Refused

LIST OF DELEGATED PLANNING DECISIONS

8 OCTOBER 2007

07/01097/FUL	4 Albany Road, Morecambe, Lancashire Conversion of existing detached garage to ancillary living accommodation and erection of a conservatory to the north east elevation of the garage for Mr Andrew Schofield	Application Permitted
07/01101/FUL	1 Westbourne Road, Middleton, Morecambe Erection of a single storey extension to the rear for Mr And Mrs A Long	Application Permitted
07/01103/FUL	36 Camborne Avenue, Carnforth, Lancashire Erection of a conservatory to side for Mr And Mrs P. Parker	Application Permitted
07/01104/FUL	Toll Cottage, Hornby Road, Farleton Retrospective application for the retention of a fence and the erection of gates for Mr William Nixon	Application Refused
07/01106/ADV	Junction Of Scale Farm Road, And Winster Walk, Heaton-w-Oxcliffe Erection of a public information board for Mr Joe Reynolds	Application Permitted
07/01107/FUL	3 Stanley Place, Lancaster, Lancashire Retrospective application for the erection of dormer window to the rear for Mr John Mercer	Application Permitted
07/01108/FUL	13 Clifton Drive, Morecambe, Lancashire Erection of a two storey extension to side and rear for Mr J And Mrs A Fletcher	Application Permitted
07/01109/FUL	16 Lordsome Road, Heysham, Morecambe Demolition of existing single storey rear extension and erection of new single storey rear extension for Mr Peter Charnley	Application Permitted
07/01110/FUL	Mill Bank, Mill Lane, Whittington Erection of a single storey extension for Mr And Mrs T Altham	Application Permitted
07/01113/LB	Boon Town Farm House, Main Street, Warton Listed Building consent for conversion of redundant barn into two dwellings, erection of detached garages and creation of a new access for J Atkinson	Application Permitted
07/01115/CU	22 St Margarets Road, Morecambe, Lancashire Change of use of house in multiple occupancy to single dwelling for Mr And Mrs R. Mutch	Application Permitted
07/01119/FUL	46 Oak Drive, Halton, Lancaster Erection of a rear porch/conservatory for Mr D Taylor	Application Permitted
07/01120/FUL	Heron Chase, Shore Road, Silverdale Erection of various extensions and alterations for Mr Palmer And Mrs Dillon	Application Permitted
07/01124/LB	New Inn, Hornby Road, Wray Listed Building application for extension to kitchen, provision of external stair and landing and internal alterations at first floor level for Character Properties Ltd	Application Permitted
07/01126/FUL	50 Winchester Avenue, Lancaster, Lancashire Proposed dormer extension to front elevation for Mr And Mrs Clinton	Application Permitted
07/01130/FUL	30 Anstable Road, Morecambe, Lancashire Erection of a single storey extension to the rear for Mr O'Connor	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

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07/01140/CPA	Sandylands County Primary School, Hampton Road, Heysham Erection of a single storey 6 classroom teaching block with toilet accommodation and single storey link corridor to main school for Director For Children And Young People	Application Withdrawn
07/01143/FUL	22 Longfield Drive, Carnforth, Lancashire Erection of a rear conservatory for Mr And Mrs Walker	Application Permitted
07/01150/FUL	35 Fulwood Drive, Morecambe, Lancashire Demolition and removal of existing garage and erection of new garage for Mr And Mrs Humpage	Application Permitted
07/01157/FUL	Meadowside, Lancaster Road, Slyne Erection of a two-storey side extension for Mr And Mrs Curwen	Application Permitted
07/01158/FUL	4 Lonsdale Road, Morecambe, Lancashire Erection of a single storey extension to the side and rear for Mr D Higgens	Application Permitted
07/01161/RCN	8 Damside Street, Lancaster, Lancashire Modification of condition number 1 on application 02/01485/CU to allow an extension to opening hours to 0300 daily for Mr Azad Ali	Application Withdrawn
07/01169/FUL	27 Queen Street, Lancaster, Lancashire Conversion of basement including basement windows and re-modelling of rear outrigger for Ms A Holden And Dr C Boxall	Permitted Development
07/01201/FUL	49 Hest Bank Lane, Hest Bank, Lancaster Erection of a single storey extension to the side, with a canopy over front entrance for Mr Parkinson	Application Permitted
07/01204/FUL	2 Greenwood Drive, Bolton Le Sands, Carnforth Erection of a conservatory to the rear for Mr And Mrs Hollingdrake	Application Permitted
07/01208/FUL	9 Challan Hall Mews, Ford Lane, Silverdale Erection of a second floor balcony to front for Robin Sowerby	Application Permitted
07/01301/LB	The Old Rectory, Hornby Road, Claughton Retrospective listed building application for the cleaning and repointing of the stonework to the north east and north west elevations for Mr Mark Rees	Application Withdrawn
07/01302/FUL	Former T P Aspinall And Sons Ltd , Aspinall Way, Middlegate Creation of landscaped bunding and planting to south west and south of the site for Roll-Tec Safety Ltd	Application Withdrawn

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PLANNING ENFORCEMENT SCHEDULE

DISTRICT	FILE REF.	DESCRIPTION OF PROPERTY	NATURE OF BREACH	PRESENT POSITION
Lancaster	109/2/182	The embankment on the west side of the Lancaster canal and land north west of Ashton Road (Field 1579) Lancaster	Unauthorised engineering operations involving construction of linear moorings. Use of land for siting a static caravan used for residential purposes & creation of decked area. Breach of Conditions	Occupiers/ owners accepted a formal caution for offence. Compliance achieved.
	109/2/183	Toll Bar Garage	Breach of Conditions	Considering appropriate action on other outstanding conditions.
	109/2/194	Higher Moorhead, Quernmore	Erection of a building & unauthorised use.	S330 issued 4/01/06. Planning Application refused 26/06/06. Enforcement Notice issued. Appeal submitted.
	109/2	The Waterwitch, Canal Towpath (adj. Footbridge)	Use of land for bin storage.	Planning application approved 28/04/06. Yet to be implemented. Land ownership issues.
	109/2/190	Land north of Ashford House, Ashton Road, Lancaster	Erection of stables & use of site for livery purposes.	Enforcement Notice issued 02/03/06 Planning Application refused 09/05/06. Appeal upheld – details agreed for conditions.
	109/2/191	108 St. Leonardgate, Lancaster	Unauthorised work to a listed building.	S330 issued 09/01/06. Conservation Officer monitoring situation.
	109/2/185	Bowling Green Petrol Station, Scotforth Road, Lancaster	Breach of condition – Hours of operation	Planning application received to vary the hours – Refused. Instructions sent to Legal 02/08/06 to prosecute for continued breach. Appeal lodged.
	109/2	Sun Inn, Church Street, Lancaster	Failure to comply with condition no. 8 – stone boundary wall.	S330's issued 31/10/06 & 21/11/06. Conservation Officers monitoring.
	109/2	Cuba, Mary Street, Lancaster	Unauthorised advertisements.	S16 Requisition for information issued 18/06/07. Not returned- considering appropriate action.
	109/2/196	21 Brock Street, Lancaster	Breach of conditions- hours of operation and use of café as café/restaurant.	Instructions sent to Legal. 17/9/07 to serve Breach of Condition notice.

PLANNING ENFORCEMENT SCHEDULE

DISTRICT	FILE REF.	DESCRIPTION OF PROPERTY	NATURE OF BREACH	PRESENT POSITION
Morecambe & Heysham	109/3/301	20 Lonsdale Avenue, Morecambe	Erection of a building.	Application refused. EN issued – not complied with – instructions sent to Legal to prosecute – structure demolished – awaiting confirmation of removal of debris.
	109/3/308	10 Queen Street, Morecambe	Unauthorised roller shutters.	Enforcement Notice served 24/10/05. Appeal dismissed. Conservation officer negotiating new scheme. Ongoing policy review.
	109/3	Trinity Methodist Church, Marine Rd West, Morecambe	Unauthorised works to a listed building.	S330 issued 10/01/06. Planning application and Listed Building Application refused – awaiting further application. Conservation Officer in discussions.
	109/3	14 Middleton Road, Middleton	Unauthorised extension & boundary wall.	Planning permission granted for retention of wall. Action to be taken re: building not in accordance with approved plans. S330 issued 03/01/06. Breach of condition notice served 17/10/06. Compliance April 2007. Further action being considered.
	109/3	14 Middleton Road, Middleton	Unauthorised use of property for commercial business.	S330 issued 27/07/06. EN issued. Need to visit re: compliance. Considering prosecution.
	109/3	221 Marine Road, Morecambe.	Unauthorised works to Listed Building – works not in accordance with approved plan.	S330 issued and returned. Considering what further action is required. Planning permission granted – awaiting implementation but continue consideration of formal action.

PLANNING ENFORCEMENT SCHEDULE

DISTRICT	FILE REF.	DESCRIPTION OF PROPERTY	NATURE OF BREACH	PRESENT POSITION
Morecambe & Heysham	109/3	126A West End Road, Morecambe	Unauthorised erection of dog kennels.	S330 issued. Considered not expedient to pursue.
	109/3	23 Sugham Lane, Heysham.	Change in levels.	S330 issued. Planning permission granted. Awaiting compliance.
	109/3.	Unit 5 Maple Works, Northgate, White Lund.	Use of Industrial unit for retail purposes.	S330 issued – Certificate of lawful use application granted.
	109/3/312	20 Dudley Street, Morecambe	Use of residential property in connection with operation of a business.	Planning Contravention Notice served and returned. Monitoring and considering action

PLANNING ENFORCEMENT SCHEDULE

DISTRICT	FILE REF.	DESCRIPTION OF PROPERTY	NATURE OF BREACH	PRESENT POSITION
Carnforth	109/4/23	Landscape at Canal Turn, Lancaster Road, Carnforth	Failure to implement planning condition 5 relating to landscaping.	Instructions to prosecute for non-compliance with BCN. Sent to Legal 5/4/06. Company search undertaken (new owners / tenants). Legal in correspondence with solicitors acting for landlords of the site.
	109/4/27	30 Main Road, Bolton le Sands	Unauthorised illuminated advertising signs.	Successfully prosecuted. Fined £400 with £400 costs. Monitoring for removal of structure.
	109/4	9 Grosvenor Court, Carnforth.	Non compliance with Condition re: obscure glazing and opening windows.	S330 issued – not returned. Considering further action.
	109/4	Blue Anchor, Main Road, Bolton-le-Sands.	Unauthorised works to a TPO'd tree in beer garden.	Referred to Legal Services. Prosecution proceedings commenced. Defendant pleaded not guilty. Trial 08/06/07. Defendant convicted & fined £2,250.00 & ordered to pay Council's costs of £750.00. Appeal trial at Preston Crown Court 12/10/07

PLANNING ENFORCEMENT SCHEDULE

DISTRICT		FILE REF.	DESCRIPTION OF PROPERTY	NATURE OF BREACH	PRESENT POSITION
Rural Areas	25.	109/5/296	Kindercare, Ovangle Road, Heaton-with-Oxcliffe	Failure to comply with conditions 3 and 4 relating to highway works and landscaping.	Held in abeyance Planning Service to advise. Applicants unable to comply – pursuing County Council for compliance. Requested update from County Council.
	26.	109/5	Greendales Farm, Middleton	Unauthorised construction of vehicular access.	S330 Notice served and returned. Awaiting remedial works to be carried out.
	27.	109/5/315	Jumpers/Bridge Mill, Ingleton Road, Cowan Bridge	Breach of Conditions – non-submission of landscaping details and failure to construct boundary wall to car park and other matters concerning lighting.	Prosecuted and fined £650 and £884 costs. Compliance for most part – in correspondence re: landscaping.
	28.	109/5/311	Ireby Hall Farm, Ireby	Siting of a caravan	Enforcement Notice issued 7/1/05. Not complied with – instructions to prosecute sent to Legal. Held in abeyance pending further negotiations with the owners. Site visit needed.
	29.	109/5/320	Lot 2, Hampson Farm, Stoney Lane, Galgate.	Removal of hedgerow.	Instructions to prosecute sent to Legal re: hedgerow. PCN issued regarding use of building. Planning application submitted in attempt to regularise unauthorised works. Planning permission granted but use of site is unauthorised. Enforcement Notices issued. Appeal submitted- Inquiry date January 2008
	30.	109/5/319	Sefton Farm, Bay Horse Road, Ellel.	Siting of static caravan.	S330 hand delivered. S330 returned. Awaiting planning application. Planning permission refused. Site visit now required. Further S330 issued 17/05/06. Monitoring.

Rural Areas	31.	109/5	Land between Carlow Wood and Woodman Lane, Burrow with Burrow (Mayfield Chicks)	Unauthorised erection & retention of 2 poultry breeder houses & an egg storage building, hard standing & landscaping areas.	S330 issued 11 01 06. 3 new applications received 22/05/06. Pending consideration. Appeals lodged with Planning Inspectorate against non-determination. Appeal upheld. Awaiting compliance of conditions. Negotiations ongoing regarding costs.
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PLANNING ENFORCEMENT SCHEDULE

DISTRICT		FILE REF.	DESCRIPTION OF PROPERTY	NATURE OF BREACH	PRESENT POSITION
Rural Areas.	32.	109/5/341	Lancaster Road Garage, Lancaster Road, Cockerham	Untidy land.	S330 issued 11/07/06. Some improvement – Planning considering course of action. S215 notice served.
	33.	109/5/344	Raisbeck, Over Kellet	Storage of caravans & creation of bund.	S330 issued 24/05/06 & returned 20/06/06. Enforcement notice issued 24/11/06. Awaiting compliance. Appeal lodged with Planning Inspectorate against refusal. Awaiting Inspector's decision.
	34.	109/5/346	Redwell Fisheries, Arkholme	Change in levels.	S330 issued. Planning permission submitted but refused –new application now approved.
	35.	109/5/345	Blackthorne Cottage, Capernwray	Unauthorised occupation of dwelling.	PCN issued. Planning permission granted. Close file.
	36.	109/5	Bridge House Farm Tea Rooms, Wray	Failure to comply with condition no. 6 details of western boundary.	S330 issued and returned.
	37.	109/5/347	Land at Crookhey Hall, Garstang Road, Cockerham	Erection of fencing.	S330 issued. Instructions to issue Breach of Condition Notice. Notice served. Compliance 08/06/07.
	38.	109/5	Hynning Home Farm, Warton	Unauthorised use of site as trekking centre.	S330 issued. Planning application approved – new complaints re: breach of conditions to be investigated. Use ceased- close.
	39.	109/5/346	Redwell Fisheries, Arkholme	Breach of condition re: occupation of caravans.	S330 issued. Instructions sent to Legal for Breach of Condition Notice. Notice served.
	40.	109/5	Near Moss Farm, Gulf Lane, Cockerham	Breach of condition re: limit of season for caravan occupancy.	S330 issued and returned.
	41.	109/5	Land North of Beaumont Grange, Slyne-with-Hest.	Erection of a building in connection with commercial / equestrian / livery.	Monitoring for compliance with Enforcement Notice and conditions.

PLANNING ENFORCEMENT SCHEDULE

DISTRICT.	FILE REF.	DESCRIPTION OF PROPERTY.	NATURE OF BREACH.	PRESENT POSITION.
Rural Areas.	109/5/349	Brooklands Buildings, Addington Road, Halton	Unauthorised use as a contractor's depot.	Enforcement notices issued (3 in total). Currently awaiting compliance.
	109/5	Lune View Caravan Park, Station Road, Halton	Hoardings still in site following re-development of park home site.	Referred to Legal 06/03/07 for serving of S330. S330 returned but site owner has now changed. Instruction for further S330 to be served sent to Legal.
	109/5/348	Greenlands Farm, Burton Road, Priest Hutton	Use of site as grass / mountain boarding centre.	Enforcement notice issued. Appeal lodged.
		Woodside, Ashton-with-Stodday	Change of use of land to form car park	S330 served. Two applications received, both refused. Appeal expected.
	109/5/350	Land at B6254 Kirkby Lonsdale Road, Over Kelleet	Change of use of land for siting of a residential caravan.	Enforcement notice served for its removal. Time for compliance 27/12/07
	109/5/352	Kilross House, Flat Lane, Yealand Conyers	Columns and window frames.	Failure to return s330, instructions sent to Legal to prosecute re non-return. Instructions sent to issue Breach of Conditions notice.
	109/5/351	Swarthdale Cottage, Swarthdale, Over Kelleet	Unauthorised building works. Unauthorised use. Breach of conditions.	Planning Contravention Notice served. Use for events ceased and awaiting planning application for works. In discussion re breach of conditions.