



Committee: PLANNING AND HIGHWAYS REGULATORY COMMITTEE

Date: MONDAY, 1 SEPTEMBER 2008

Venue: LANCASTER TOWN HALL

Time: 10.30 A.M.

A G E N D A

- 1 Apologies for Absence.
- 2 Minutes of the Meeting held on 28th July 2008 (previously circulated).
- 3 Items of Urgent Business authorised by the Chairman.
- 4 Declarations of Interest.

Planning Applications for Decision

Community Safety Implications

In preparing the reports for this agenda, regard has been paid to the implications of the proposed developments on Community Safety issues. Where it is considered the proposed development has particular implications for Community Safety, this issue is fully considered within the main body of the report on that specific application.

Category A Applications

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

- | | | | | |
|---|------------------------|---|-----------------|----------------|
| 5 | A5 08/00154/CU | Land Adjacent To, Middleton Road,
Middleton | Overton
Ward | (Pages 1 - 8) |
| | | Siting of caravan adjacent to stable
for Miss Hazel Diviny-Day | | |
| 6 | A6 08/00910/FUL | Ash Tree Farm, Blea Tarn Road,
Lancaster | Ellel Ward | (Pages 9 - 11) |
| | | Erection of a detached bungalow for
Mr And Mrs Pattinson | | |

7	A7 08/00722/FUL	Unit 3, Stevant Way, Morecambe New Speculative Warehouse / Industrial Unit (Use Classes B1,B2,B8) for Mr Andrew Brakewell	Westgate Ward	(Pages 12 - 15)
8	A8 08/00721/RCN	Silverdale Golf Club, Red Bridge Lane, Silverdale Removal of condition no. 6 on application 04/00217/FUL requiring implement store to have rendered walls and slate or dark tiled roof for Silverdale Golf Club	Silverdale Ward	(Pages 16 - 17)
9	A9 08/00947/FUL	Land Adjacent 64 Winchester Avenue, Lancaster, Lancashire Amendments to approved application 07/01620/FUL incorporating internal re-arrangements to the second floor plan to form a third bedroom and the addition of a conservatory to the rear (east side) at second floor level for Norman Jackson Contractors Ltd	John O'Gaunt Ward	(Pages 18 - 20)
10	A10 08/00838/CU	Warton Grange Farm, Farleton Close, Warton Retrospective application for the retention of use of land for siting of a temporary agricultural workers caravan for Mr M. Barker	Warton Ward	(Pages 21 - 23)
11	A11 08/00921/CU	Bolton Holmes Farm, Dertern Lane, Bolton Le Sands Change of use of redundant agricultural building to form restaurant and bar facility (A3) for Mr Michael Holgate	Bolton-Le-Sands Ward	(Pages 24 - 27)

12	A12 08/00922/LB	Bolton Holmes Farm, Dertern Lane, Bolton Le Sands	Bolton-Le-Sands Ward	(Pages 28 - 30)
		Listed Building consent for the change of use of redundant agricultural building to form restaurant and bar facility, demolition of the south-east and north-east lean-to structures and reconstruction of these in stone to match the main building element for Mr Michael Holgate		
13	A13 08/00812/FUL	The Old Rectory, Hornby Road, Claughton	Lower Lune Valley Ward	(Pages 31 - 33)
		Erection of a garden room and glazed link to existing house for Mr M Rees		
14	A14 08/00813/LB	The Old Rectory, Hornby Road, Claughton	Lower Lune Valley Ward	(Pages 34 - 35)
		Listed building application for the erection of a garden room and glazed link to existing house for Mr M Rees		
15	A15 08/00851/FUL	2 Bowland Close, Carnforth, Lancashire	Bolton-Le-Sands Ward	(Pages 36 - 37)
		Erection of an extension to side over garage and utility room to form bedroom for Mr And Mrs Thompson		
16	A16 08/00749/FUL	Webbers Post, Croftland Gardens, Bolton Le Sands	Bolton-Le-Sands Ward	(Pages 38 - 39)
		Conversion of existing garage to form additional living accommodation and erection of single storey bathroom extension for Miss Barlow		

17	A17 08/00902/VCN	Kingsway Retail Park, Caton Road, Lancaster Variation of condition 15 regarding solar power in communal areas on application no. 07/00005/REM for Worksharp (Lancaster) Ltd	Bulk Ward	(Pages 40 - 42)
18	A18 08/00934/FUL	Palatine House, Scotforth Road, Lancaster Installation of a radio base station facility comprising of a 6.9m guyed flagpole antenna with devon cabinet on steel support grillage on roof of building for Orange Personal Communications Services	Scotforth East Ward	(Pages 43 - 45)
19	A19 08/00174/HYB	Westgate Wanderers Football Field, Langridge Way, Morecambe Hybrid Application for development of a football stadium and related accommodation, outdoor multi-sports area for club and community use, associated car parking and vehicular access and outline proposals for commercial development on Westgate frontage including hotel, food and drink, drive through restaurant, Morecambe FC club shop, associated car parking and amenity space for Morecambe Football Club	Westgate Ward	(Pages 46 - 64)
20	A20 08/00835/RCN	Former Police Station, Heysham Road, Heysham Removal of condition 7 on app no. 08/00327/FUL regarding affordable housing for Daffodil Homes Ltd	Heysham South Ward	(Pages 65 - 67)
21	A21 08/00803/FUL	119 Main Road, Bolton Le Sands, Carnforth Construction of 14 no. apartments for Daffodil Homes Ltd	Bolton-Le-Sands Ward	(Pages 68 - 72)

22 **A22 08/00801/FUL** Laneside, Kit Brow Lane, Ellel Ellel Ward (Pages 73 - 74)

Erection of a log cabin for
Miss R. Helme

23 Delegated List (Pages 75 - 84)

24 Minute 211, Lundsfield Quarry (Pages 85 - 88)

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Roger Dennison (Chairman), Eileen Blamire (Vice-Chairman), Ken Brown, Abbott Bryning, Keith Budden, Anne Chapman, John Day, Sheila Denwood, Mike Greenall, Emily Heath, Helen Helme, Val Histed, Andrew Kay, Joyce Pritchard, Bob Roe, Sylvia Rogerson, Roger Sherlock, Catriona Stamp, Joyce Taylor and Paul Woodruff

(ii) Substitute Membership

Councillors June Ashworth, Chris Coates, John Gilbert, Tony Johnson, Karen Leytham, Ian McCulloch, Geoff Marsland, Robert Redfern and Malcolm Thomas

(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,
DALTON SQUARE,
LANCASTER LA1 1PJ

Published on 20th August 2008

DECISION DATE 28 July 2008	APPLICATION NO. 08/00154/CU A5	PLANNING COMMITTEE: 1 September 2008
DEVELOPMENT PROPOSED SITING OF CARAVAN ADJACENT TO STABLE	SITE ADDRESS LAND ADJACENT TO MIDDLETON ROAD MIDDLETON LANCASHIRE	
APPLICANT: Miss Hazel Diviny-Day Heaton Park House Lancaster Road Overton Morecambe LA3 3EX	AGENT:	

REASON FOR DELAY

Awaiting consultation replies.

PARISH NOTIFICATION

Middleton Parish Council - Concerned that through an oversight they did not have an opportunity to comment on the original proposal for the stables. They would like to see additional tree planting around the site.

Overton Parish Council - No objections.

LAND USE ALLOCATION/DEPARTURE

Countryside area.

STATUTORY CONSULTATIONS

County Council Highways - No objections.

Environmental Health - No objections, but they point out that a caravan site licence will be required if consent is granted.

County Council Property Services - The nature and scale of the operation does not satisfy the functional test and the financial information submitted is not representative of the scale of operation which is sustainable at this site. They do not consider that the business has been planned on a sound financial basis. A copy of the letter setting out their views appears at the end of this report.

Environment Agency - The site is within an area considered to be at risk from flooding. As the proposal is accompanied by a Flood Risk Assessment, no objections in principle provided that a condition is attached to any consent covering the arrangements for foul and surface water drainage.

OTHER OBSERVATIONS RECEIVED

None at the time this report was drafted.

REPORT

This site is on the west side of the road between Middleton and Overton, immediately to the north of the "Lanquestrian" stables. At its meeting on 2 June Committee granted a limited period consent for a residential caravan to serve Lanquestrian. In that instance the view of the County Council's Property Services was that the enterprise was large enough to justify on-site living accommodation.

The present development is broadly similar, in so far as permission has been granted for an American style barn with 16 stables, one of them a double size "mother and foal" one, and hay storage (application 07/01551). This building is at present under construction. The applicant wishes to site a caravan measuring 8.9 x 3.7m on the site. The position proposed for it is to the south east of the barn, but in a letter the applicant indicates that she would be prepared to amend its precise location if an alternative location is considered more appropriate.

The applicant argues that the provision of on site living accommodation would enable her to provide 24 hour supervision of the horses. It would be particularly useful for mares with young foals, and would take account of the security needs associated with high value horses. It would also make it easier to provide overnight accommodation for horses being ferried via Heysham to and from Ireland and the Isle of Man. Reference is made to vandalism problems which have been experienced in the area.

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

- **E4**, which deals with development in areas identified as Countryside
- **H8**, which allows for residential accommodation in the countryside where it is essential for the needs of agriculture, forestry or other uses appropriate to the rural area.

Both of these are 'saved' policies for the purpose of the new development framework and are carried forward into the Core Strategy.

The application has also to be assessed in relation to the criteria in the central government advice note PPS7 (Planning Policy Statement: Sustainable Development in Rural Areas). This sets out financial and functional criteria which have to be met in order to justify a new dwelling in the countryside. Where, as in this case, a new business is established it advises that a caravan or other form of temporary accommodation should be provided in the first instance, to allow the operator a chance to establish the enterprise and show that it is capable of being profitable. Although the advice relates primarily to the needs of agriculture, mention is made of the significant contribution made by equestrian activities to the rural economy.

It should be noted that the City Council's licensing requirements for stables do not require on site living accommodation. All that is needed is a notice on the stable building giving a contact telephone number for emergencies. The relevant criteria are therefore those set out in Annex A of PPS7. These are a functional test - a need for somebody to live on site - and a financial one, that the enterprise should generate sufficient income to pay a full time worker the minimum agricultural wage.

From the County Council's comments on the proposal it is clear that they do not consider that the business is of sufficient size to meet the functional and financial tests set out in PPS7. They do not believe that the business plan provided is sound for the scale of operation involved. It should be noted that the capacity of the stabling under construction is roughly half that envisaged at the adjoining Lanquestrian enterprise.

While the applicant has mentioned security as one of the arguments in favour of the proposal, PPS7 makes it clear that this by itself does not provide a justification for somebody living on a site. In the circumstances it would be difficult to justify granting planning permission for on site living accommodation.

It is therefore recommended that permission should be refused.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to two sections of the Human Rights Act: Article 8 (privacy/family life), and Article 1 of the First Protocol (protection of property). There are no issues arising from the proposal which appear to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

RECOMMENDATIONS

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

1. Contrary to Policy H8 of the Lancaster District Local Plan and PPS7 - it has not been satisfactorily demonstrated that on site living accommodation is needed to meet the operational needs of the stables.
2. Precedent for provision of living accommodation in other small stable complexes in the area, making such proposals progressively more difficult to resist.

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

(01772) 533895

(01772) 533165

nick.bower@property.lancscc.gov.uk

Your ref 08/00154/CU
Our ref PG/LA/INB//PA/1/19/7412 - JCET
Date: 6 August 2008

Dear Mr Rivet

APPLICATION NUMBER 08/0154/CU
LAND ADJACENT TO MIDDLETON ROAD, OVERTON
GRID REFERENCE 432 584

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 Miss Diving-Day for the siting of a caravan to provide residential accommodation in conjunction with the keeping of horses. I undertook an inspection of the application site on 14 July whilst the applicant and her partner were also present and this information provided together with the written submissions made in support of the application form the basis of this appraisal.

Background Information

The applicant purchased 9.7 hectares (24 acres) of bare land approximately 2 years ago as a consequence of the fragmentation of a locally sited farm unit. She has been granted planning permission to erect a steel portal frame building which is currently under construction which will be utilized for commercial equestrian purposes as well as stabling the applicants' own horses.

The purpose of the proposed caravan is to provide on site living accommodation for a full-time employee of the proposed equestrian business.

Continued ...

Agricultural Land

There are 24 acres of land owned by the applicant all of which is contained within a ring fence. The land has been utilised for producing haylage bales as currently the land is not utilised for equestrian purposes.

Proposed Enterprise

The applicant is proposing an equestrian use of the site in the following ways:-

- 1 Liveries consisting of:
 - a. Full – Food and bedding to be provided by proprietor.
 - b. Half board – Food and bedding to be provided by horse owner.
 - c. DIY – Proprietor to provide turnout only, feed, bedding and stable management to be provided by horse owner.
 - d. Grass Livery – No stabling only paddock grazing provided.
- 2 Mare in foal care on the basis of providing round the clock monitoring of mare upto and including foaling. There will be provision to have mare and foal within the new building as well as provision will be made to provide grazing paddocks.

I note within the supporting information submitted by the applicant she has provided anticipated numbers of horses she expects to have on site on a weekly basis which I have assessed to consist of 17Nos increasing 23Nos being stabled and a further 8Nos increasing to 15Nos at grass.

Currently the applicant derives her livelihood unconnected to an equestrian activity but does have 3 horses she owns which she keeps for her own private/recreational use. The applicant is intending to employ one full-time person to undertake the day to day management duties associated with the proposed enterprise. I note from the supporting information the credentials of the person she intends to employ have been provided. This individual (Hannah Webster) is a qualified instructor dealing with riding and stabling management aspect of equine care but it is not stated whether she has the expertise to operate the horse breeding aspects of the proposed enterprise.

Buildings

The applicant is currently in the process of constructing an 8 bay steel portal frame building on site which I am informed measures 37.7m x 18.6m x 3.0m (eaves) height. Internally the building will provide loose box stabling along each side elevation and there will also be provision for a horse shower facility and personnel/hospitality facility i.e. toilet, wash and brew facilities and 2 bays are designated for storage related uses. A further 3 loose boxes will be provided along the centre line of the building those being larger than those proposed along the side elevations.

In addition to the building I note a standard size all-weather horse exercise manage is to be built.

Employment

The applicant anticipates employing one full-time worker with the appropriate level of expertise to take on the responsibility to undertake the day to day management requirements. In addition upto 2 full-time workers are planned to undertake the manual aspects of the daily responsibilities.

Proposed Accommodation

It is proposed to site a caravan measuring 8.9m x 3.7m on land adjacent to the east elevation of the equestrian building. This site is the area designated for vehicle parking area.

Existing Accommodation

I have assessed that the applicant's existing residential address is located within 1.5 miles of the application site.

Assessment

Applications for the siting of caravans to provide occupational dwellings should be assessed against the advice/criteria provided on Annex A of PPS 7. Paragraph 12 of the annex provides specific advice/criteria when considering applications for temporary dwellings such as caravans and I refer to this criteria 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:

- 1 clear evidenced of a firm intention and ability to develop the enterprise concerned (significant investment in new farm buildings is often a good indication of intentions);**
- 2 functional need;**
- 3 clear evidence that the proposed enterprise has been planned on a sound financial basis;**
- 4 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**
- 5 other normal planning requirements, e.g. on siting and access, are satisfied.**

With reference to the above I have a number of comments to make when considering these in respect of this application:

- 1 I consider the applicant has a clear intention to utilise the land she owns together with the portal frame constructed building for equestrian purposes. I am not familiar with the basis upon which the building was applied for i.e. commercial / private and whether the use of the internal area was specified in detail. Clearly the applicant owns her own horses and these will be kept on the site and I was advised she has had enquiries from local horse owners wishing to use her facilities on a livery basis and has had enquiries from 3 owners of mares whose horses are in foal and are looking to bring their horses to the site foal there. On this basis I envisage a mixed private and commercial use of the site with particular emphasis for commercial aspect being concerned with livery use. I am of the opinion though that the applicant in her written submission has over stated the number of horse she expects to keep there as I do not feel either the building or land could sustain this number on a year round basis.
- 2 I consider a key aspect of most successful equestrian enterprises is the ability to have someone with the relevant experience to manage the business on hand to deal with emergency situations and someone who is present to provide security against theft and vandalism. I am aware from previous planning applications that commercially managed stabling operations can function without on site accommodation but these operations tend to be small scale and not providing a specialist service such as breeding related. I am of the opinion the scale of the applicant's enterprise is comparatively small when considering the functional need and the predominant type of service she intends to provide is non specialist. I would advise you that the applicant's circumstances do not justify a functional need.
- 3 Included within the applicant's written submissions are projected income and expenditure figures. I feel the applicant has overstated the number of horses which the site could sustain given the type of service and use of the land she intends to undertake. I feel the applicant has underestimated some of the variable costs or aspects of the enterprise and I have reservations whether the expected salaries are representative for instance the figure referred to for the full-time worker is less than the minimum agricultural workers wage and which I do not feel is representative of the Grade of the responsibility for the type of intended employee.
- 4 Whilst I recognize that the applicant does not live within sight or sound of the premises I do not feel where she lives could be considered remote from the site. Clearly the application site is located on the outskirts of Middleton if the applicant felt a closer location was necessary.

Conclusion

I do not consider the circumstances of this application satisfy the criteria for providing a temporary dwelling.

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

DECISION DATE 9 September 2008	APPLICATION NO. 08/00910/FUL A6	PLANNING COMMITTEE: 1 September 2008
DEVELOPMENT PROPOSED ERECTION OF A DETACHED BUNGALOW		SITE ADDRESS ASH TREE FARM BLEA TARN ROAD LANCASTER LANCASHIRE LA2 0RD
APPLICANT: Mr And Mrs Pattinson 18 St Pauls Drive Lancaster LA1 4SR		AGENT: Building Plan Services

REASON FOR DELAY

None

PARISH NOTIFICATION

No comments received at the date of writing the report, any comments will be reported verbally at the committee meeting.

LAND USE ALLOCATION/DEPARTURE

The application site is situated within an area designated as Countryside by the Lancaster District Local Plan 1996-2006.

STATUTORY CONSULTATIONS

County Highways - No comments received at the date of writing the report, any comments will be reported verbally at the committee meeting

OTHER OBSERVATIONS RECEIVED

Arising from the public notifications there were no comments regarding this application at the date of writing the report.

REPORT

The site is located on the north-east side of Blea Tarn Road approximately 400 metres from the Bowerham Road/Hala Road junction, to the east of the M6. It is situated within the open countryside and is surrounded by fields apart from the gas regulator station opposite. The site is part of a small complex of agricultural buildings which serve as a smallholding, and was formerly known as Brindle Barn Farm

but now comprises only one field. There is a very small two-storey stone barn on the site frontage, with a small range of modern agricultural buildings to the rear.

Site History

Over the years the site has been the subject of a number of applications for agricultural buildings.

In 1990 an application (reference number 01/90/629) for the change of use and extensions of the building behind the stone barn to create a dwelling, was refused on policy due to a lack of special justification and on precedent grounds.

In 1994 council records show that the site had changed hands and become part of a larger farm complex attached to Barker House Farm, Bailrigg, which was to be repossessed by the University for their European Program. An outline application (reference number 94/00236) to erect a detached bungalow for an agricultural worker on a site immediately to the east of the present application site was therefore approved as part of a larger package to relocate the farm complex to Brindle Brow. This scheme was not implemented and a subsequent application (reference number 96/00797) to renew this outline permission was refused in 1997 on the grounds that the original justification no longer existed, and that the proposal would therefore conflict with development plan policies and set a precedent for similar non essential development.

By 1999 an application (reference number 99/0976) was approved for the change of use of one of the modern farm buildings on the western side of the site to a workshop for a welding engineer. This was a low-key use connected to agriculture and was confined within the building and to the applicant.

In 2002 an application (reference number 02/00187/CU) to demolish the existing small two storey stone farm on the site frontage and erect a new two storey, two bedroom house of about two and a half times its volume, on the same site was refused on the grounds that no special need has been claimed in this case and in these circumstances the proposed development would contribute to the incidence of sporadic development in the countryside

Proposal

The current application seeks to demolish the road side barn and erect a detached, two bedroom bungalow (floor space 146sqm) and a detached garage (floor space 42sqm) on land to the south east corner of the site. Both the dwelling and the garage would be constructed in part natural stone and part Derbyshire spar, with tile over and UPVC window frames and fascias.

The dwelling will be for the occupancy of the current owners to enable them to live on the site where they work and spend a good deal of their leisure time. No agricultural or other special need is claimed as the applicant currently lives locally in Lancaster, nor is there any supporting justification submitted with the application

Assessment

Policy 1 of the Joint Lancashire Structure Plan and Policy H8 of the Lancaster District Local Plan clearly indicate that new dwellings in the Countryside will only be permitted where they are essential to the needs of agriculture or forestry or other uses appropriate to the rural area. No special need has been claimed in this case and in these circumstances the proposed development would contribute to the incidence of sporadic development in the countryside. The gradual accretion of such development engenders fundamental change in the nature of the countryside, which would be both contrary to the development plan and detrimental to the character and appearance of the area. To permit such a development without sound and proper justification would also set a precedent for future similar developments in the urban fringes of the district which would become progressively more difficult to resist.

Members are advised that for the reason outline above the development should be resisted.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to the principles of proportionality, it has been concluded that there are no issues arising from the proposal which appear to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

RECOMMENDATIONS

That **PLANNING PERMISSION BE REFUSED** for the following reasons.

1. Conflict with Development Plan Policies
2. Sporadic Development in the Countryside.
3. Precedent.

DECISION DATE 8 September 2008	APPLICATION NO. 08/00722/FUL A7	PLANNING COMMITTEE: 1 September 2008
DEVELOPMENT PROPOSED NEW SPECULATIVE WAREHOUSE/ INDUSTRIAL UNIT (USE CLASSES B1,B2,B8)		SITE ADDRESS UNIT 3 STEVANT WAY MORECAMBE LANCASHIRE LA3 3PU
APPLICANT: Mr Andrew Brakewell Grange Court Hasty Brow Road Hest Bank Lancaster LA2 6AF		AGENT: Thomas Associates Architects

REASON FOR DELAY

N/A

PARISH NOTIFICATION

None received within statutory time period.

LAND USE ALLOCATION/DEPARTURE

Lancaster District Local Plan - Within the designated White Lund Employment Area

STATUTORY CONSULTATIONS

County Highways – In terms of planning contributions, 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, Lancashire County Highways have identified a contribution figure of £42,804 towards the provision/improvement of transport facilities into/at the White Lund Estate.

In addition to the contribution figure, County Highways have suggested a number of conditions relating to parking provision, cycle storage provision and servicing areas.

Environmental Health Officer - Some concerns have been raised over the speculative nature of the development which could include all uses within Class B2 and the potential to impact upon the nearby nursery use and more distant residential properties. In addition, 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 investigation and consideration.

Environment Agency - Concerns over the results of the initial contaminated land study. Identifies a need for further investigation and appropriate conditions.

OTHER OBSERVATIONS RECEIVED

None within the statutory time period.

REPORT

Site and its Surroundings

The application site is located within the White Lund Industrial Estate on Stevant Way, which is a new cul-de-sac close to 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 Stevant Way with vehicular access being gained off this recently constructed private road. The road already serves Spacefinder Storage and Water Sculptures. The land immediately to the front of this application site is currently was the subject of a planning application 07/00933/FUL seeking consent for an industrial/office building

The Proposal

The application seeks retrospective consent for the erection of speculative warehouse/industrial unit (Use Classes B1, B2 and B8). Construction of the building commenced simultaneously with the submission of the planning application.

The building is simple in form developing a single-storey industrial building measuring 71.5m by 35m in footprint, with a small area of mezzanine office accommodation to its northern end. Externally, the building provides a limited amount of car parking (18 spaces) which includes 2 mobility specification spaces and an area of dedicated cycle parking. The yard area is large enough to accommodate a small increase in parking spaces should the speculative nature of the use demand additional parking.

The building is to be predominantly clad in steel sheeting with lower areas made of artificial stone. Glazing is in aluminium frames all of which reflect the material and design used in the neighbouring 'Spacefinder' building and the adjacent industrial/office building currently under construction, again without the benefit of planning consent. 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 office section of the development.

Planning History

The site has a long planning history dating back to the days of the Souplex development but there are no applications which have relevance to the current submission. An earlier application encompassing this site for the erection of a laundry building has recently been withdrawn

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 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 have identified a contribution figure of £42,804 towards the provision/improvement of transport facilities at 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 desk study which requires additional information, but this again could be addressed by the standard planning condition together with any mitigation measures 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 sought be developed with tree planting in addition to the usual feature of a grassed verge. These details could again be addressed via planning condition.

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 the 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 the imposition of appropriate planning 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.

DECISION DATE 25 August 2008	APPLICATION NO. 08/00721/RCN A8	PLANNING COMMITTEE: 1 September 2008
DEVELOPMENT PROPOSED REMOVAL OF CONDITION NO. 6 ON APPLICATION 04/00217/FUL REQUIRING IMPLEMENT STORE TO HAVE RENDERED WALLS AND SLATE OR A DARK TILED ROOF		SITE ADDRESS SILVERDALE GOLF CLUB RED BRIDGE LANE SILVERDALE CARNFORTH LANCASHIRE LA5 0SP
APPLICANT: Silverdale Golf Club Red Bridge Lane Silverdale Carnforth Lancashire LA5 0SP		AGENT: JMP Architects Ltd

REASON FOR DELAY

Awaiting consultation replies.

PARISH NOTIFICATION

Silverdale Parish Council - Observations awaited.

LAND USE ALLOCATION/DEPARTURE

Arnside/Silverdale Area of Outstanding Natural Beauty. The Golf Course is identified as a County Council Biological Heritage Site.

STATUTORY CONSULTATIONS

County Council Planning - Were concerned at the time of the original application about the impact of the development on the landscape and ecology of the area; pointed out that the Golf Course is identified as a Biological Heritage Site, and were concerned that insufficient weight had been given to this. Observations on the present proposal awaited.

Arnside/Silverdale AONB Executive - Wish to see the materials condition retained. Formal observations to follow.

OTHER OBSERVATIONS RECEIVED

A resident of one of the dwellings in Silverdale Railway Station comments that a slate or tile roof would be more appropriate to the character of the area, but accepts that the development may be affected by financial constraints.

REPORT

This application was originally identified as one which could be dealt with under delegated powers. It has been placed on this agenda as the condition concerned was one added by the Committee.

In 2004 the Golf Club obtained permission (Ref: 04/00217/FUL) for a maintenance building on part of their site, at the back of the block of garages associated with The Quillet. The plans showed a building similar in appearance to a small industrial unit, with a floorspace of 216 sq metres. Its purpose was to provide a storage area for lawn mowers and other maintenance equipment, replacing a rather unsightly group of sheds at the northern end of the Golf Club car park.

The submitted plans indicated that it was to be constructed of concrete blockwork and dark grey metal sheeting. Committee approved the proposal, but Members added a condition requiring the use of rendered blockwork and a slate or tile roof instead. The terms of the condition reflected, at least in part, the views of the Lancashire County Council's Environment Directorate who were concerned about the impact of the development on the landscape and ecology of the Area of Outstanding Natural Beauty (AONB).

The Golf Club wishes to see this condition removed, so that the building can be constructed in the form originally envisaged. Their architects argue that:

- The application as submitted was based on close consultation with their clients;
- Silverdale Golf Club is not wealthy and cannot afford the extra cost of slates for what is in essence an agricultural building;
- There are plenty of other buildings with profiled metal roofs in the area;
- The colour is a suitably dark one, the site is screened and not visible from long range;
- They are willing to accept rendered walls rather than the blockwork ones specified.

The Lancaster District Local Plan policies relevant to the application are E3 which deals with development in and adjoining AONBs, and R5 which allows for golf course development in AONBs only where it conserves the natural beauty or the landscape. In addition policy E17 safeguards County Biological Heritage Sites from development except where it can be shown that the need for development outweighs the significance of the site. Where development is permitted, developers are required to minimise its impact.

The Arnside/Silverdale AONB Management Plan identifies a need to prevent the suburbanisation of the appearance of the area, by maintaining standards appropriate to it, but it is not specific about materials. It could be argued that making a modest building of this kind look like something it is not - a traditional barn - is a form of pastiche.

The site is a relatively unobtrusive one. The building will be visible in winter when the trees along the side of Red Bridge Lane are not in leaf, but for much of the year it will be very well hidden.

Members will wish to give particular consideration to the views of the AONB Executive and the County Council on the proposal. However in the circumstances it is recommended that in this case the applicant's offer to render the blockwork walls should be regarded as an adequate concession to the special character of the AONB, and that permission should be granted.

RECOMMENDATIONS

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

1. Standard three year condition.
2. Blockwork walls to be rendered in accordance with details to be agreed.

DECISION DATE 16 September 2008	APPLICATION NO. 08/00947/FUL A9	PLANNING COMMITTEE: 1 September 2008
DEVELOPMENT PROPOSED AMENDMENTS TO APPROVED APPLICATION 07/01620/FUL INCORPORATING INTERNAL RE-ARRANGEMENTS TO THE SECOND FLOOR PLAN TO FORM A THIRD BEDROOM AND THE ADDITION OF A CONSERVATORY TO THE REAR (EAST SIDE) AT SECOND FLOOR LEVEL		SITE ADDRESS LAND ADJACENT 64 WINCHESTER AVENUE LANCASTER LANCASHIRE LA1 4HX
APPLICANT: Norman Jackson Contractors Ltd Scotland Road Carnforth Lancashire LA5 9JZ		AGENT: Mr Michael Rich

REASON FOR DELAY

None

PARISH NOTIFICATION

Not Applicable

LAND USE ALLOCATION/DEPARTURE

The Lancaster District Local Plan indicates that the application site is situated within the urban residential area of Lancaster, with no specific designation.

STATUTORY CONSULTATIONS

County Highways - No comments received at the date of writing the report comments, any comments will be reported verbally at the committee meeting.

OTHER OBSERVATIONS RECEIVED

Arising from the public notifications no representations have been received.

REPORT

The application refers to a steeply sloping site lying between Winchester Avenue and Farndale Road, the land is currently being developed to provide eight semi detached two bedroom houses. The surrounding area is residential in character comprising of properties which differ in terms of their scale,

design, form and materials. The surrounding dwellings include a detached bungalow, two storey dwellings and stepped two storey properties with lower level garages. The application site is separated from the adjoining dwellings on either side boundary by a line of mature trees.

History

The site has a lengthy planning history relating to residential developments of differing forms with the most recent (application reference number 07/01620/FUL), for the erection of eight detached dwellings, approved by Planning Committee in March 2008. This proposal has been partly implemented to date. Prior to this the previous applications can be summarised as follows,

1978: 01/78/318	Approval for 8 dwellings.
1981: 01/81/865	Approval for 2 bungalows.
1984: 01/84/228	Approval for 7 dwellings.
1989: 01/89/604	Outline application for the erection of 3 dwellings. This gained support in principle but Members required more detail to the structured design of the development. The applicant was unwilling to provide such details and the application was subsequently refused due to lack of information.
1991: 91/667/FUL	Application for 7 dwellings, withdrawn.
2001: 01/01283/FUL	Approval for 4 dwellings.
2004: 04/00487/FUL	Approval for four detached dwellings
2007: 07/00281/FUL	Approval for four detached dwellings

Proposal

This application seeks to amend the current planning permission, reference, 07/1620/FUL through a modification to reconfigure the internal layout of the second floor to create a 3rd bedroom and WC in the space currently occupied by the kitchen. The application also seeks to create additional living accommodation by the addition of a conservatory measuring 13.5sqm to the rear elevation of each unit.

Assessment

The modifications to the internal layout and the addition of a conservatory to the rear of each property are considered acceptable amendments to the scheme in order to improve the saleability of the properties in what is at present a difficult housing market.

The scale, massing and external appearance of the main dwellings remain unaltered by the modifications to the internal arrangement which will result in the dwellings changing from 2 bedroom to 3 bedroom semi detached units. This increase in bedroom numbers will not conflict with Joint Lancashire Structure Plan parking standards which set out that the maximum level of parking for a three bedroom units is akin to that for two bedroom units. Therefore the current level of off street parking provided at two spaces per dwelling would accord with this policy.

The addition of a modest single-storey lean-to conservatory to the rear of each unit will provide additional living room accommodation and will not have a significant impact on the adjoining residential properties in terms of loss of light or privacy due to the significant separation distances involved, as such this aspect of the proposal is also considered to be acceptable.

Conclusion

Members are advised that the modest alterations to the development can be supported as they will not adversely affect residential amenity or parking within the locality.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to the principles of proportionality, it has been concluded that there are no issues arising from the proposal which appear to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

RECOMMENDATIONS

That **PLANNING PERMISSION BE GRANTED** subject to the following conditions;

1. Three year consent
2. Development in accordance with approved plans
3. All planning conditions previously-imposed on 07/01620/FUL remain unaltered

DECISION DATE 28 August 2008	APPLICATION NO. 08/00838/CU A10	PLANNING COMMITTEE: 1 September 2008
DEVELOPMENT PROPOSED RETROSPECTIVE APPLICATION FOR THE RETENTION OF USE OF LAND FOR SITING OF A TEMPORARY AGRICULTURAL WORKERS CARAVAN.	SITE ADDRESS WARTON GRANGE FARM FARLETON CLOSE WARTON CARNFORTH LANCASHIRE LA5 9PE	
APPLICANT: Mr M. Barker 1 Farleton Close Warton Carnforth LA5 9PE	AGENT: Graham Salisbury	

REASON FOR DELAY

Committee cycles

PARISH NOTIFICATION

None to date - any comments will be reported to committee

LAND USE ALLOCATION/DEPARTURE

Within the Arnside and Silverdale Area of Outstanding Natural Beauty.

STATUTORY CONSULTATIONS

County Land Agent - The application is seeking consent for the siting of a workers caravan on a temporary (2 year) basis with the conclusion being the development of a workers dwelling. The lands agent considers that the agricultural enterprise creates a functional need for two workers to be readily available, but considers that a second dwelling can be serviced by existing accommodation within the village.

Environment Agency - The site lies within Flood Zone 3. the application is supported by a flood risk assessment which is not fully compliant with Annex E of PPS 25 but given the nature of the development - no objections to the proposal providing the caravan is securely anchored to the ground.

County Highways - No highway objections to the proposal

OTHER OBSERVATIONS RECEIVED

None to date - any comments will be reported to committee

REPORT

Site and its Surroundings

The site is located within the farm complex known as Warton Grange Farm on the south eastern edge of the village of Warton. The farm holding comprises 111 hectares of agricultural land for a working dairy herd. The farm buildings are all located on the edge of the village with the farmhouse being one of a group of terraced dwellings at the edge of the village. The complex has been operational for many years. The new farmhouse has an occupancy restriction and was developed as part off the conversion and construction of the Farleton Close development. The application site is within a small copse of deciduous trees on the southern edge of the farm complex alongside the group and modern portal framed agricultural buildings.

The proposal

The application seeks retrospective consent for the retention of an agricultural workers caravan and seeks to keep the unit on site for a further period of two years.

Planning History

This retrospective development has been the subject of two earlier application 07/00576/CU and 07/01652/CU both of which were refused. The initial application was submitted retrospectively by the applicant without action being initiated by the local planning authority. The applicant had been in a position where he could gain a non-national farm worker but was required to provide residential accommodation as part of the contract through the agency who supplied the personnel. The previous applications have sought to gain permanent consent for the siting of an agricultural workers residential caravan.

Application 07/01652/CU was refused for the following reasons: -

1. The applicant failed to provide evidence of 'special needs' requirement for housing. As such the dwelling would add to the over supply of housing in the District.
2. The site lies within the Arnside and Silverdale AONB, siting of a residential caravan would be detrimental to the character of the landscape and lead to a precedent for other such development.

Planning Policy

The application needs to be considered against the following policies: -

E3 - Seek to resist development which would directly or indirectly have a significant adverse effect upon the character or harm the landscape quality.

E4 - Countryside Area, permits development within the area which is in scale and keeping with the landscape, is appropriate to its surroundings and makes adequate arrangements for access, servicing and parking.

Comments

The land agent has identified a need for a second full time worker to be readily available at most times to serve the enterprise. The land agent concluded that this worker would not have to be located in the farm unit but should be close by. The applicant has a clear opinion that that the second worker should be within 'sight and sound' of the farming operation to allow the farm unit to function most effectively. The applicant is also of the opinion that a worker can not afford to buy a property in the village as they are too expensive and that a caravan provided a solution to accommodation needs.

The land agent considers that the enterprise should provide the residential accommodation and not the low paid agricultural worker. The local planning authority, on the basis of comment from the land agent, refused the earlier application as alternative affordable accommodation was considered to be available in Millhead which close to the site and abut the applicants' farm land and the siting of a permanent caravan would harm the character of the Arnside and Silverdale AONB.

This current application now seeks temporary two year consent for the caravan to allow a permanent solution to be sought. The applicant has indicated that an application will be forthcoming for an additional agricultural workers dwelling at the unit although the precise timing for development of a solution is somewhat vague in the Design and Access Statement. Following further clarification the agent has indicated that the applicant will be seeking a permanent residential solution in the next 6-9 months.

The caravan is well screened from road level during the summer months by tree but will be visible during the winter period. In addition, the whole area is overlooked by rising ground at Warton Crag and cannot be effectively screened. In landscape terms the development of an isolated caravan site could not supported by planning policy which seeks to resist development which would harm the character of the Arnside and Silverdale AONB.

Conclusion

Whilst this arrangement is not one which could be supported on a long term basis, it is consider that approval of a two year consent for this temporary caravan will provide a short term solution to the accommodation and employment of the agricultural worker and an opportunity to allow a permanent solution to be consideration at the farm unit or close by. Given the above circumstances, it is considered that a temporary consent could be supported.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to the principles of proportionality, it has been concluded that there are no issues arising from the proposal which appear to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

RECOMMENDATIONS

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

1. Temporary 2 year consent
2. The caravan and any ancillary structures shall be removed and the site made good.
3. As may be required by consultees.
4. Occupation to be limited to a full time agricultural worker and dependents employed on the Warton Grange Farm.

DECISION DATE 9 September 2008	APPLICATION NO. 08/00921/CU A11	PLANNING COMMITTEE: 1 September 2008
DEVELOPMENT PROPOSED CHANGE OF USE OF REDUNDANT AGRICULTURAL BUILDING TO FORM RESTAURANT AND BAR FACILITY (A3)		SITE ADDRESS BOLTON HOLMES FARM DERTERN LANE BOLTON LE SANDS CARNFORTH LANCASHIRE LA5 8ES
APPLICANT: Mr Michael Holgate Holgates Caravan Park Limited Middlebarrow Plain Cove Road Silverdale LA5 0SH		AGENT: Mr Paul Schofield

REASON FOR DELAY

N/A

PARISH NOTIFICATION

None to date any comments will be reported verbally to Committee

LAND USE ALLOCATION/DEPARTURE

Within the North Lancashire Green Belt

STATUTORY CONSULTATIONS

Environmental Health Officer – None received at the time of compiling this report, any comments will be verbally reported.

County Highways - None received at the time of compiling this report, any comments will be verbally reported.

Lancashire Constabulary - None received at the time of compiling this report, any comments will be verbally reported.

OTHER OBSERVATIONS RECEIVED

Licensing Section - None received at the time of compiling this report, any comments will be verbally reported.

REPORT

Site and its Surroundings

The application site forms part of the larger Bolton Homes Farm which is located adjacent to Detrongate Farm they are located between the A6 main road and the foreshore of Morecambe Bay just north of the village of Bolton-le-Sands. Access to both farms can be gained directly off the A6 or via the residential highway network leading to the foreshore immediately south of the site.

The application site relates directly to the farm buildings forming Bolton Homes Farm. The barn, the subject to the application is one of a small number of curtilage listed buildings relating to the original farmstead and the grade II listed Bolton Homes Farmhouse.

Planning History

The site has been used as a small cattle and sheep farm for a considerable period. The static and touring caravan site providing additional income to this small unit and alongside the day to day farming activities. This site and its neighbour, Detrongate Farm which also has a camping and caravanning operation has recently been bought by Holgates Caravan Park Ltd. The current caravan site licence combined operation over the two farm units allows for 90 static caravans, 220 touring and a small area for tents. The location of both the static caravans and touring units are in clearly defined areas via historical planning consents. In addition to the land made over to leisure/caravanning the current land ownership includes 44.5 hectares (110 acres) made over to summer grazing serving other farms in the locality. The farm complex around Bolton Homes Farmhouse is now redundant and unused. The complex includes two stone barns and a large number of 'modern' agricultural buildings many in poor condition and spread over a large farm group to the west and north of the farmhouse.

Since purchasing the sites, the applicant has already undertaken a series of site improvements, upgrading the road network, improving pitches and layouts. This application is considered to be part of the continuing upgrade of the site as a whole. Historically, both sites have had little inward investment, particularly the Bolton Homes Farm side. The current owner is actively upgrading the whole of the complex and has a programme of investment over the near future.

The Proposal

The application seeks to change the use of the main stone/slate barn in the complex into a restaurant, bar and shop to serve the caravan site. The proposal seeks to demolish the poorer quality and more modern lead to extensions to the barn and rebuild on a similar footprint with the original barn being refurbished and converted.

The building has a number of differing levels across the various elements and the conversion absorbs these level changes to develop differing areas and uses within the structure. The main open body of the barn is converted to the main barn. The lower are of the barn develops a games area with access onto an open terraced on the south side. The lean-to additions are converted to kitchen/store area, toilets and a shop/reception area.

Planning Policy

The application needs to be considered against the following policies: -

The North Lancashire Green Belt - Development of new buildings is resisted other than for agricultural/forestry purposes or essential facilities for outdoor sport and recreation and for other use which preserve the openness of the Green Belt. The re-use of existing buildings is permitted providing that the conversion does not a materially greater impact than the present use on the openness of the Green Belt and the purpose of including land within it

E4 - Countryside Area, permits development within the area which is in scale and keeping with the landscape, is appropriate to its surroundings and makes adequate arrangements for access, servicing and parking.

E20 - Re-Use of Buildings in the Countryside, the policy is encouraging of building for business and tourism uses where suitable arrangements are available for services, the proposal would not result in major reconstruction or loss of historic features or architectural character and would not impact upon the character of the area or local amenities.

E32 - Demolition of Listed Building - Total of partial demolition is only permitted where it is demonstrated that rehabilitation is not practical. The demolition would provide substantial benefit and a detailed planning consent has been granted to ensure early completion.

E33 - Alteration to listed buildings are acceptable which would not adversely affect the special architectural or historic character of the building or their surroundings.

Comments

The application seeks to retain the original portion of the barn and a large lean-to structure to the western elevation. Two lean-to structures to the eastern elevation are to be demolished and rebuilt on a similar footprint. One of the structures (the larger of the two) is relatively modern and built of brick which is unsympathetic to the remaining building the other smaller structure is in poor condition both the roof and part of the walls. The replacement structures are to be faced in natural stone and slated to reflect the materials and form of the original barn. It is considered that the principle of partial demolition and reconstruction will not impact upon the architectural character of the listed barn and in the longer term help to aid its future protection. A wildlife survey has also confirmed that the barn is not used as a habitat for bats.

The re-use of the building together with the development of a very minor extension is considered to accord with the principles set out in Green Belt policy, in particular the development is not considered to encroach upon the openness of the Green Belt. In addition, the re-use of the building is actively encouraged by the policy providing the conversion does not have a materially greater impact than the present use on the openness of the Green Belt and the purpose of including land within it.

As submitted, the development raised a number of practical issues over the precise nature of the conversion, the detailing of reconstruction and development of openings etc. Negotiations and discussions have taken place with the applicant and it is anticipated that acceptable plans will be available for consideration at the time of the committee meeting.

The principle of reusing this barn for tourism use is addressed under policy E20. The use is considered to be acceptable in principle; the barn will serve the occupiers of the caravan site and provide a valuable central facility within this upgraded site. The conversion, subject to revised plans, is considered to maintain the important agricultural characteristics of the building.

A second complementary application which is currently invalid (08/00823/FUL) will be brought forward for consideration by committee seeks to complete the clearance of the modern agricultural buildings within the farm complex and introduce a small number of additional static caravans close to the main farm group.

Conclusion

Overall, it is considered that the development represents an opportunity to provide a useful facility to complement the current investment in this tourism whilst providing an opportunity to invest in the physical form of the structure to ensure its longevity. Subject to receipt of amended plans and appropriate conditions, the application should be supported.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to the principles of proportionality, it has been concluded that there are no issues arising from the proposal which appear to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

RECOMMENDATIONS

That subject to receipt of appropriate revised plans **PERMISSION BE GRANTED** with the following conditions: -

1. Standard time limit.
2. Development to be constructed in accordance with the approved plans.
3. Amended plans.
4. Use restricted to the occupants of the caravan site and visitors only.
5. Additional details required: -
 - a. Terrace and external area construction
 - b. a/c units attachment, finishes
 - c. finishes to all timberwork
 - d. changes in level to the yard area
 - e. replacement rain water goods
 - f. roof lights location and size
 - g. stonework samples and coursing details
6. As may be required by consultees and amended plans.

DECISION DATE 9 September 2008	APPLICATION NO. 08/00922/LB A12	PLANNING COMMITTEE: 1 September 2008
DEVELOPMENT PROPOSED LISTED BUILDING CONSENT FOR THE CHANGE OF USE OF REDUNDANT AGRICULTURAL BUILDING TO FORM RESTAURANT AND BAR FACILITY, DEMOLITION OF THE SOUTH-EAST AND NORTH-EAST LEAN-TO STRUCTURES AND RECONSTRUCTION OF THESE IN STONE TO MATCH THE MAIN BUILDING ELEMENT		SITE ADDRESS BOLTON HOLMES FARM DERTERN LANE BOLTON LE SANDS CARNFORTH LANCASHIRE LA5 8ES
APPLICANT: Mr Michael Holgate Holgates Caravan Park Limited Middlebarrow Plain Cove Road Silverdale LA5 0SH		AGENT:

REASON FOR DELAY

N/A

PARISH NOTIFICATION

No comments to date, any comments will be reported verbally to Committee.

LAND USE ALLOCATION/DEPARTURE

Within the North Lancashire Green Belt.

STATUTORY CONSULTATIONS

None.

OTHER OBSERVATIONS RECEIVED

None.

REPORT

This application should be read and considered in conjunction with the previous agenda item, 08/00921/CU which seeks consent for the change of use of the building to bar and restaurant facility.

Site and its Surroundings

The application site forms part of the larger Bolton Homes Farm which is located adjacent to Detrongate Farm they are located between the A6 main road and the foreshore of Morecambe Bay just north of the village of Bolton-le-Sands. Access to both farms can be gained directly off the A6 or via the residential highway network leading to the foreshore immediately south of the site.

The application site relates directly to the farm buildings forming Bolton Homes Farm. The barn, the subject to the application is one of a small number of curtilage listed buildings relating to the original farmstead and the grade II listed Bolton Homes Farmhouse.

Planning History

The site has been used as a small cattle and sheep farm for a considerable period. The static and touring caravan site providing additional income to this small unit and alongside the day to day farming activities. This site and its neighbour, Detrongate Farm which also has a camping and caravanning operation has recently been bought by Holgates Caravan Park Ltd. The current caravan site licence combined operation over the two farm units allows for 90 static caravans, 220 touring and a small area for tents. The location of both the static caravans and touring units are in clearly defined areas via historical planning consents. In addition to the land made over to leisure/caravanning the current land ownership includes 44.5 hectares (110 acres) made over to summer grazing serving other farms in the locality. The farm complex around Bolton Homes Farmhouse is now redundant and unused. The complex includes two stone barns and a large number of 'modern' agricultural buildings many in poor condition and spread over a large farm group to the west and north of the farmhouse.

Since purchasing the sites, the applicant has already undertaken a series of site improvements, upgrading the road network, improving pitches and layouts. This application is considered to be part of the continuing upgrade of the site as a whole. Historically, both sites have had little inward investment, particularly the Bolton Homes Farm side. The current owner is actively upgrading the whole of the complex and has a programme of investment over the near future.

Planning Policy

The application needs to be considered against the following listed building and conservation based policies: -

E32 - Demolition of Listed Building - Total of partial demolition is only permitted where it is demonstrated that rehabilitation is not practical. The demolition would provide substantial benefit and a detailed planning consent has been granted to ensure early completion.

E33 - Alteration to listed buildings are acceptable which would not adversely affect the special architectural or historic character of the building or their surroundings.

Conclusion

The application is considered to allow the conversion of this listed barn without undue impact upon its character and agricultural heritage. The development represents an opportunity to protect the long term future of this redundant agricultural barn and provide valuable facilities to help support this established tourism use. As such the application should be supported subject to receipt of revised plans and 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 subject to receipt of appropriate revised plans **PERMISSION BE GRANTED** with the following conditions: -

1. Standard time limit.
2. Development to be constructed in accordance with the approved plans.
3. Amended plans.
4. Additional details required: -
 - a. Terrace and external area construction
 - b. a/c units attachment, finishes
 - c. finishes to all timberwork
 - d. changes in level to the yard area
 - e. replacement rain water goods
 - f. roof lights location and size
 - g. stonework samples and coursing details
5. As may be required by consultees and amended plans.

DECISION DATE 20 August 2008	APPLICATION NO. 08/00812/FUL A13	PLANNING COMMITTEE: 1 September 2008
DEVELOPMENT PROPOSED ERECTION OF A GARDEN ROOM AND GLAZED LINK TO EXISTING HOUSE		SITE ADDRESS THE OLD RECTORY HORNBY ROAD CLAUGHTON LANCASTER LANCASHIRE LA2 9LA
APPLICANT: Mr M Rees The Old Rectory Hornby Road Claughton Lancaster Lancashire LA2 9LA		AGENT: JMP Architects Ltd

REASON FOR DELAY

Late request for application to be presented to the Planning Committee

PARISH NOTIFICATION

No comments received at the date of writing the report, any comments will be reported verbally at the committee meeting.

LAND USE ALLOCATION/DEPARTURE

The Lancaster District Local Plan indicates that the application site is situated within the Forest of Bowland Area of Outstanding Natural Beauty

STATUTORY CONSULTATIONS

Environment Agency - No objections to the proposal

OTHER OBSERVATIONS RECEIVED

Arising from public notification the following observations have been received:

The Coach House (Adjoining The Old Rectory), Claughton - Concerns to the proposed garden room extension related to the design and height of the slated roof structure which raised issues of a possible detrimental impact on the quality of light and views into and from their property.

New Woodlands, Claughton - Raised concerns that the proposed garden room extension is not in keeping with the character of The Old Rectory and also the height of the roof will be significantly higher than the existing conservatory and will affect the views from their property.

REPORT

This application has been referred to the Planning Committee at the request of Councillor Langhorn.

History

The application site is a mid-19th Century Grade II Listed Building which has formerly been a Rectory. The Old Rectory is subject to lengthy planning permissions relating to the listed building including internal alterations, maintenance and the change of use from a hotel to form living accommodation.

The history relevant to this planning application is for the erection of a rear conservatory, which was granted Planning Permission and Listed Building Consent in 1986 (86/0114 & 86/0115/LB).

Proposal

The applicant seeks planning permission to replace a large Victorian style conservatory with a small link extension leading to a garden room with a slate roof. This application runs in conjunction with the Listed Building application (08/00813/LB) and is the resubmission of a previous scheme which was withdrawn and re-designed in accordance with advice from the Senior Conservation Officer and Planning Officer. The proposed garden room will be contained under a pitched slate roof with large eaves; the glazed north and east elevations will be polyester powder-coated dark grey aluminium glazing framing with an internal oak structure. The south and west walls are to be natural stone to match the existing building.

Relevant District Plan Policies

- E3:** Development within the Forest of Bowland Area of Outstanding Natural Beauty;
E33: Impact on Listed Buildings.

Assessment

The proposed extension is considered to have an acceptable impact on residential amenity and will not result in undue loss of privacy or loss of light.

In reaching this conclusion consideration has been given to the orientation of the site and neighbouring properties. In particular The Old Rectory benefits from a large rear garden which consists of excellent screening by large mature trees to the north, east and west which prevent any overlooking. To the South there is a large 2.3m high natural stone wall which runs along the boundary, separating the Old Rectory and the adjoining property known as The Coach House. This large wall currently prevents any visual intrusion or loss of privacy to both properties.

As such the existing (and rather run down) Victorian-style conservatory currently sits 1.8m above the boundary wall; and this will be replaced by the small link section of the proposed garden room which will not be easily visible from The Coach House given its height of 3m and set-back of 4m from the boundary wall.

The existing conservatory fails to relate to the listed building, therefore it is fully supported to remove this unsympathetic addition and replace it with a minimal glazed link from the house to a new garden room. Modifications to the scheme have been secured to reduce the height of the structure and the revised design is seen as acceptable in terms of massing.

The new submission is now considered to be acceptable as it is predominantly glazed with lightweight internal frame which provides a more sympathetic appearance. The proposal is seen to respect the architectural and historical appearance of The Old Rectory.

CONCLUSION

Members are advised that the proposed development can be supported as it will not adversely affect residential amenity or cause any detrimental impact on the Listed Building.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to the principles of proportionality, it has been concluded that there are no issues arising from the proposal which appear to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

RECOMMENDATIONS

That **PLANNING PERMISSION BE GRANTED** subject to the following conditions;

1. Standard time limit
2. Development as per approved plans
3. Standard Amended Application Condition (8th August 2008)
4. Submission of stone details
5. Slate roof required
6. Details of eaves, verge, ridges and rainwater goods to be submitted

DECISION DATE 20 August 2008	APPLICATION NO. 08/00813/LB A14	PLANNING COMMITTEE: 1 September 2008
DEVELOPMENT PROPOSED LISTED BUILDING APPLICATION FOR THE ERECTION OF A GARDEN ROOM AND GLAZED LINK TO EXISTING HOUSE		SITE ADDRESS THE OLD RECTORY HORNBY ROAD CLAUGHTON LANCASTER LANCASHIRE LA2 9LA
APPLICANT: Mr M Rees The Old Rectory Hornby Road Cloughton Lancaster Lancashire LA2 9LA		AGENT: JMP Architects Ltd

REASON FOR DELAY

Late request for application to be presented to the Planning Committee.

PARISH NOTIFICATION

No comments received at the date of writing the report, any comments will be reported verbally at the committee meeting.

LAND USE ALLOCATION/DEPARTURE

The Lancaster District Local Plan indicates that the application site is situated within the Forest of Bowland Area of Outstanding Natural Beauty.

STATUTORY CONSULTATIONS

None.

OTHER OBSERVATIONS RECEIVED

Comments from The Coach House and New Woodlands are incorporated into the previous report and their concerns also apply to this listed building application, in respect of the impact on the character of the building.

REPORT

Proposal

The applicant seeks Listed Building Consent to replace a large Victorian style conservatory with a small link extension leading to a low profile garden room with a slate roof. This application is submitted in conjunction with an earlier agenda item for Full Planning Permission (08/00812/FUL) and is the resubmission of a previous scheme which was withdrawn and re-designed in accordance with the Senior Conservation Officers and Planning Officers advice.

The history of this site has been discussed in the previous application on this agenda.

Relevant District Plan Policies

E33: Impact on Listed Buildings.

Assessment

The existing conservatory fails to relate to the listed rectory building therefore it is fully supported to remove this unsympathetic addition and replace it with a minimal glazed link from the house to a new garden room. Modifications to the scheme have been secured to reduce the height of the structure.

The new submission is now considered to be acceptable as it is predominantly glazed with lightweight internal frame which provides a more sympathetic appearance. The proposal is seen to respect the architectural and historical appearance of The Old Rectory

CONCLUSION

The proposal will not have an adverse effect on the special architectural or historic character or interest of the building or its surroundings, members are therefore advised that the proposed development can be supported and that it is compliant with listed building policy.

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

1. Standard planning building time limit
2. Development as per approved plans
3. Standard Amended Application Condition (8th August 2008)
4. Submission of stone details
5. Slate roof required
6. Details of eaves, verge, ridges and rainwater goods to be submitted
7. Details of the glazing to be submitted.

DECISION DATE 27 August 2008	APPLICATION NO. 08/00851/FUL A15	PLANNING COMMITTEE: 1 September 2008
DEVELOPMENT PROPOSED ERECTION OF AN EXTENSION TO SIDE OVER GARAGE AND UTILITY ROOM TO FORM BEDROOM		SITE ADDRESS 2 BOWLAND CLOSE CARNFORTH LANCASHIRE LA5 9UP
APPLICANT: Mr And Mrs Thompson 2 Bowland Close Carnforth Lancashire LA5 9UP		AGENT: Building Plan Services

REASON FOR DELAY

Not applicable.

PARISH NOTIFICATION

Carnforth Parish Council - Approve in principle.

LAND USE ALLOCATION/DEPARTURE

Within the urban area defined in the Lancaster District Local Plan 1996-2006.

STATUTORY CONSULTATIONS

None.

OTHER OBSERVATIONS RECEIVED

None.

REPORT

The application is one which would normally be dealt with under delegated powers but has been placed on committee as the applicant is an employee of Lancaster City Council.

The application site is situated off Crag Bank Road in Carnforth. Bowland Close forms part of a relatively modern housing estate to the west of the railway line. The estate is made up of a mixture a terraced; semi detached and predominantly detached properties. This particular property is detached and sits at the entrance to the Close.

The proposal involves the erection of a first floor extension to the side of the property and above the existing garage. The extension will be flush with both the front and rear elevation and internally will create an extended third bedroom and an additional fourth bedroom. The design, materials and windows are detailed to match those of the existing property. The garage is to be retained as part of the scheme.

Due to the orientation of the neighbouring property to the east it is considered that the proposed extension would be visually dominant and would serve to enclose the rear garden of 49 Jesson Way. As a result it has been requested that the extension be reduced, and set in from the rear elevation by up to 2 metres. This will also reduce the height of the gable facing the neighbouring property by up to 1 metre minimising any overbearing impact the original proposal would have.

At the time of compiling this report the amendments had not been received, but should be received prior to determination by the Planning Committee. It is on the basis that the amendments are received in accordance with the details stipulated above, that Members are recommended to approve the application.

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 **PLANNING PERMISSION BE GRANTED** subject to the following conditions;

1. Standard 3 year time limit
2. In accordance with the approved amended plans
3. Materials to match the existing elevations

DECISION DATE 21 August 2008	APPLICATION NO. 08/00749/FUL A16	PLANNING COMMITTEE: 1 September 2008
DEVELOPMENT PROPOSED CONVERSION OF EXISTING GARAGE TO FORM ADDITIONAL LIVING ACCOMMODATION AND ERECTION OF SINGLE STOREY BATHROOM EXTENSION		SITE ADDRESS WEBBERS POST CROFTLAND GARDENS BOLTON LE SANDS CARNFORTH LANCASHIRE LA5 8DG
APPLICANT: Miss Barlow 48 The Colonnade Standen Park Lancaster LA1 3FP		AGENT: JMP Architects Ltd

REASON FOR DELAY

Not applicable.

PARISH NOTIFICATION

Bolton Le Sands Parish Council - No comments received.

LAND USE ALLOCATION/DEPARTURE

Inset village within the North Lancashire Green Belt.

STATUTORY CONSULTATIONS

Environmental Health - Hours of Construction - 0800-1800 Mon to Fri, 0800-1400 Sat.

OTHER OBSERVATIONS RECEIVED

Any representations received will be reported orally at Committee.

REPORT

The application is one which would normally be dealt with under delegated powers but has been placed on committee as the applicant is an employee of Lancaster City Council.

The application site is situated off Main Road and within the Bolton Le Sands Conservation Area. The application involves the conversion of the existing garage to living accommodation and a single storey extension to the front side of the property. The existing property, a detached bungalow, sits in an elevated position between Mill Lane to the south and a new housing development (Croftland Gardens) to the north. The existing garage is attached to the property via a utility room leading from the kitchen.

The proposal involves the conversion of the garage to a lounge by inserting full-length windows in place of the existing garage door opening. There is sufficient amount of parking about the site to allow for this conversion and due to the site being surrounded by a tall fence, parked cars will not impact visually on the surrounding area. The latter is an important point in establishing that a precedent will not be set for future applications.

The extension is proposed to be erected to the southeast elevation, at the main entrance to the property and to the rear of the converted garage. The extension will house a bathroom and incorporates a porch to the entrance. It will only be visible from Mill Lane but will improve the overall design of the building by restricting views of the flat roofed utility room.

The proposal also includes some minor works such as the replacement of windows and some internal alterations to the room layouts.

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

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

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

Having considered these criteria the proposal is judged to be acceptable and compliant with these policies. Members are therefore recommended to approved the application

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

1. Standard 3 year time limit
2. In accordance with the approved amended plans
3. Materials to match the existing elevations

DECISION DATE 9 September 2008	APPLICATION NO. 08/00902/VCN A17	PLANNING COMMITTEE: 1 September 2008
DEVELOPMENT PROPOSED VARIATION OF CONDITION 15 REGARDING SOLAR POWER IN COMMUNAL AREAS ON APPLICATION NO. 07/00005/REM		SITE ADDRESS KINGSWAY RETAIL PARK CATON ROAD LANCASTER LANCASHIRE LA1 1BS
APPLICANT: Worksharp (Lancaster) Ltd C/O Agent		AGENT: Turley Associates

REASON FOR DELAY

None.

PARISH NOTIFICATION

Not applicable.

LAND USE ALLOCATION/DEPARTURE

The Lancaster District Local Plan identifies the Kingsway Site for a mixed use development incorporating uses such as business, retail, pleasure and residential and is surrounded by the Caton Road/Back Caton Road Access Corridor.

STATUTORY CONSULTATIONS

None.

OTHER OBSERVATIONS RECEIVED

Arising from the public notifications there have been no comments regarding this application.

REPORT

In May 2007 a reserved matters application, reference number 07/0005/REM, for a residential development comprising 100 units within an 8 storey building was granted planning permission. A total of 16 planning conditions were attached to the consent including Condition Number 15 which is worded as follows;

'In accordance with the permission, all communal areas shall primarily be illuminated by solar power generated on site'

Reason: In the interest of sustainability.

This planning condition was added by the Committee in order to ensure sustainable forms of energy production are utilised within the development and to reduce levels green house gases.

Following further exploration of sustainable methods of energy generation, the developer considers that in this instance solar energy is not the most efficient sustainable energy source for the development nor is lighting the communal areas the most efficient use of the energy produced. They consider that heating the residents lounge through sustainable sources would be more effective and therefore seeks to modify the wording of condition 15 so that an alternative system of sustainable energy generation can be installed.

The proposed modification is as follows;

Sustainable energy sources shall be primarily used to meet the energy requirements of heating the residents lounge. Details of the proposed system of energy generation should be submitted to the Local Planning Authority for approval and the system installed prior to the occupation of the building.

Reason: To achieve a reduction in the developments carbon emissions

To justify the proposed modification the applicant has provided supporting documentation including a comparison of the energy efficiency of different systems of energy generation considered appropriate for the development.

Assessment

The current planning condition is considered to be somewhat restrictive in that it prescribes the method of energy generation to be used and the areas in which it shall be utilised.

For example, at present the condition requires energy provided by the solar panels to be limited to use on lighting of the communal areas, for which the average annual energy demand will be in the region of 8500kwh. The current condition prevents energy produced on site from being used for heating. However, the development has a heating requirement for the communal areas of 13500kwh, which is 5000kwh higher than the lighting energy demand.

Condition 15 (as worded at present) requires that 'communal areas shall primarily be illuminated by solar power generation on site'. In order for the condition to be satisfied, photovoltaic cells must therefore be used to generate at least 4.251kwh of energy per annum. This equates to a minimum reduction in use of non renewable sources of energy which must be achieved in order to comply with the condition.

However, if the same approach is applied to the resident's lounge heating system, as proposed by the varied condition, then the minimum reduction in the use of non renewable sources of energy which must be achieved would be 6251kwh per annum. This higher minimum reduction in turn will achieve a greater reduction in the developments carbon emissions as the overall measure of the developments sustainability.

On this basis targeting the resident's lounge heating system as proposed will go significantly further in creating a more sustainable development in line with the overall aim of condition 15. Furthermore, the supporting information provided by the applicant concludes that alternative methods of sustainable energy generation such as air heat pumps can be just as effective as solar panels at reducing energy consumption.

Taking the supporting justification into account it is clear that alternative methods of energy production could be used to achieve the objectives of the condition which seeks to reduce non sustainable means of energy generation and reduce the environmental impact of the development. The modified condition also gives the developer greater flexibility to explore alternative methods of energy production which may come forward in the future with technological advances in this field.

Conclusions

Members are advised that the modified condition will achieve the objectives of ensuring sustainable means of energy generation for use within the communal areas of the development whilst allowing the developer greater flexibility to investigate different types of sustainable energy production. As such the condition modification 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 the modified wording of condition 15 **BE GRANTED** as follows;

15. Sustainable energy sources shall be primarily used to meet the energy requirements of heating the residents lounge. Details of the proposed system of energy generation should be submitted to the Local Planning Authority for approval and the system installed prior to the occupation of the building.

Reason: To achieve a reduction in the developments carbon emissions

DECISION DATE 16 September 2008	APPLICATION NO. 08/00934/FUL A18	PLANNING COMMITTEE: 1 September 2008
DEVELOPMENT PROPOSED INSTALLATION OF A RADIO BASE STATION FACILITY COMPRISING OF A 6.9M GUYED FLAGPOLE ANTENNA WITH DEVON CABINET ON STEEL SUPPORT GRILLAGE ON ROOF OF BUILDING		SITE ADDRESS PALATINE HOUSE SCOTFORTH ROAD LANCASTER LANCASHIRE LA1 4SA
APPLICANT: Orange Personal Communications Services 2620 The Quadrant Aztec West Almondsbury Bristol BS32 4GQ		AGENT: Adams Holmes Associates Ltd

REASON FOR DELAY

None

PARISH NOTIFICATION

Not Applicable

LAND USE ALLOCATION/DEPARTURE

The Lancaster District Local Plan 1996-2006 indicates that the application site is situated within the urban residential area of Lancaster adjoining a designated Access Corridor.

STATUTORY CONSULTATIONS

None.

OTHER OBSERVATIONS RECEIVED

Arising from the public notifications 4 letters of objections have been received to date expressing concerns. The reasons for concern can be summarised as follows;

- The development is inappropriate in a residential area and too close to a primary school.
- The development will be out of character for Scotforth and will have a negative visual impact upon the area.
- Possible health implications associated with masts.

These concerns will be addressed in the assessment section of this report.

REPORT

The application site contains a detached commercial building located on the junction of Palatine Road and the A6 to the south of Lancaster in the Scotforth Area. The site is currently occupied by Lee Engineering Ltd. and hosts a number of existing telecommunications facilities on the flat roof.

Specifically the application site comprises the land required for the proposed telecommunications installation and the equipment housing. Servicing of the site will take place using the existing vehicular access.

This proposed development comprises a 6.9m guyed flagpole antenna with a 'Devon' Cabinet sited on the roof of the building.

History

The site has a lengthy planning history of telecommunications proposals of which the following cases are particularly relevant;

97/0441/FUL: Application permitted for the erection of a 4.0 metre radio mast with antenna and associated equipment.

05/00888/FUL: Application refused for the upgrade of existing telecommunications site, proposed 7.25 m high stub tower, relocation of 3 no 2G and 3 no 3G antennas, relocation of existing radio housing, radio equipment housing and ancillary development.

06/00261/PA: No objections raised for the Prior Approval of details to remove existing cabinets from ground level, place on rooftop together with new 3 G cabinet

Planning Policy

Policy **E23** outlines the possibility of erecting antenna on existing buildings and encourages proposed apparatus to be sited and designed to minimise, as far as practical within the technical and legal limits, the impact on residential amenity and listed buildings.

Policy **E47** states that within Access Corridors planning permission for uses that would adversely affect the appearance of their surrounding will not be granted.

Planning Policy Guidance (PPG) Note 8, 'Telecommunications' provides national guidance relating to telecommunication developments.

Assessment

The site itself has been chosen as it comprises an existing building within an urban area which already hosts a number of telecommunications facilities. It is also situated in an area of coverage deficiency which requires boosting by the provision of the new antenna.

Prior to the selection of this site, five possible alternatives were identified and discounted for a variety of reasons including lack of interest from the relevant land owners and their proximity to residential properties.

The proposal will remain unobtrusive within the street scene due to the siting and design of the proposal which in this case is a flag pole rather than the standard mast apparatus currently sited on the building. The additional structure will not cause an undue visual intrusion and will minimise the additional impact upon residential amenity. The proposal will not adversely effect the setting of the Grade II listed St. Pauls Church due to its remoteness from the development site.

Access to the site is via the existing entrances from Scotforth Road or Palatine Road. Maintenance is required every four months and will require only one vehicle to attend the site. Consequently it is not envisaged that access will present a problem to the operation of Lee Engineering Ltd. or the local residents.

Health consideration and public concern can in principle be a material consideration in determining application of this type. However, the Government's firm view as set out in PPG 8 is that the planning system is not the place for determining what measures are necessary to protect public health. Nor should local planning authorities seek to replicate through the planning system controls under the health and safety regime, nor should they adopt their own precautionary policies above and beyond those imposed through national guidance.

Government guidelines state that provided base stations meet the ICNIRP guidelines for public exposure then it should not be necessary for local planning authorities to consider health effects. In line with this guidance evidence in the form of an ICNIRP declaration has been provided by the applicants in support of the application. This is therefore considered sufficient to alleviate potential concern.

Conclusion

The telecommunications installation proposed as set out in this application has been designed and sited, having regard to technical, engineering and land use planning considerations in order to minimise its impact on the locality. Members are advised that the application can be supported.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to the principles of proportionality, it has been concluded that there are no issues arising from the proposal which appear to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

RECOMMENDATIONS

That **PLANNING PERMISSION BE GRANTED** subject to the following conditions;

1. Standard 3 year Consent
2. Development in accordance with submitted plans
3. When the antenna is no longer required, the flagpole mast and associated housing equipment should be removed and the site reinstated to its former condition.

DECISION DATE 5 June 2008	APPLICATION NO. 08/00174/HYB A19	PLANNING COMMITTEE: 1 September 2008
DEVELOPMENT PROPOSED HYBRID APPLICATION FOR DEVELOPMENT OF A FOOTBALL STADIUM AND RELATED ACCOMODATION, OUTDOOR MULTI-SPORTS AREA FOR CLUB AND COMMUNITY USE, ASSOCIATED CAR PARKING AND VEHICULAR ACCESS AND OUTLINE PROPOSALS FOR COMMERCIAL DEVELOPMENT ON WESTGATE FRONTAGE INCLUDING HOTEL, FOOD AND DRINK, DRIVE THROUGH RESTAURANT, MORECAMBE FC CLUB SHOP, ASSOCIATED CAR PARKING AND AMENITY SPACE.		SITE ADDRESS WESTGATE WANDERERS FOOTBALL FIELD LANGRIDGE WAY MORECAMBE LANCASHIRE
APPLICANT: Morecambe Football Club Christie Park Lancaster Road Morecambe LA4 5TJ		AGENT: Maze Planning Solutions

REASON FOR DELAY

To re-consult on additional information/revisions requested by statutory consultees and the Council.

PARISH NOTIFICATION

Morecambe Neighbourhood Council - No comments received.

LAND USE ALLOCATION / DEPARTURE

The application site is identified under Policies E29, R1 and H2 of the Lancaster Local Plan. The southern part of the site is allocated as Urban Green Space and Outdoor Playing Space. Development of such areas is only permitted where the site is enhanced and provides community benefits. The northern section of the site, along with land to the west of the application site, is designated as land reallocated for housing (an allocation carried over from the previous Local Plan).

The caravan park to the north east of the site is allocated as a Housing Opportunity Site.

The Morecambe-Heysham railway branch runs at an angle along the north of the site, whilst Westgate, which is an Access Corridor and Primary Bus Corridor, forms the southern boundary. Part of the Strategic Cycle Network falls just east of the site, connecting into Langridge Way.

STATUTORY CONSULTATIONS

County Highways - The Highway Authority welcomes the revised and improved Transport Assessment and plans, though they still seek relevant planning obligations (in light of the site's low accessibility) and conditions. The key issues are:

- It was questionable whether Westcliffe Drive junction should be tested. However, County Highway engineers have advised that as the development traffic is within 10% of the peak flows it is deemed acceptable as the existing junction does not have capacity issues.
- The additional parking at the school is welcomed. It takes the parking provision over the maximum County Standards, however, they do not object on this basis as it is not within the curtilage, it is supported by the Police and will ease on-street parking demand. They seek a condition that at least 100 parking spaces are always available off-site and off-street.
- Cycle parking is not at the levels requested and not within the stadium. Therefore it is requested that the cycle parking is covered by CCTV to improve security and an appropriately worded condition would suffice.
- A minimum of 8 motorcycle parking spaces shall be provided and have ground anchors to secure the motorcycles to. Again a desire for this to be conditioned accordingly.
- 10% of car parking spaces to be made available for the mobility impaired.
- The Police have previously advised the County that they would like a Traffic Regulation Order (TRO) to enable double yellow lines to be painted on both sides of Westgate the road to keep an area clear of parked vehicles in and around the entrance, protecting the visibility splays. The Police also have concerns over public order should the Langridge Estate become filled with parked cars on match days. To this effect, they would like to see the introduction of a TRO to prevent this by creating a residents only parking scheme. County requests a condition that the developer funds the investigation, advertising and consultation of these TROs and, subject to successful consultations, the developer funds the implementation of the lines and residents only parking scheme. Please note that the condition is not intended to prevent the development going ahead should the TROs not be possible for any reason.

The following off-site highway works will be required to be carried out by s278 Agreement:

- The new junction along with minor improvements, right turn lane and the existing refuge requires moving a short distance. No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to in the Condition above has been constructed and completed in accordance with the scheme details.
- The bus stop adjacent to the entrance will need repositioning and upgrading (see below) to ensure adequate sight lines.
- Direction signs - The developer would need to fund the removal of the old direction signs to Christie Park and fund new signs for the new location. These would be from the A589 to the ground.

Based on the low accessibility score of the application site and the type and amount of development proposed, the transportation contribution was calculated at £151,759. The key priorities for these monies are:

- Extending the combined cycle / footpath from where it ends at the Langridge Way
- Subsidies to provide special match day buses/coaches before and after the match. It is suggested that these should link the railway stations and Morecambe town centre to the ground.
- Upgrading the nearest two bus stops to Quality Bus Standards.

County Planning - The Service considers that insufficient information has been supplied to determine the planning application as Planning Policy Statement 6's considerations of need, sequential approach and impact have not been addressed in relation to the retail and hotel elements. It has not been demonstrated whether the proposed retail floor space would have a significant adverse impact on the vitality and viability of any shopping centre within the catchment area, nor whether the proposed hotel would have a significant adverse impact on any existing centre within the catchment area.

County Planning Contributions Officer - The application site scores 'low' on accessibility. Based on the amount of development proposed £151,759 it is requested to make connections into the local cycle network, upgrade bus stops and provide additional bus/coach services before and after matches from rail stations and Morecambe town centre. A further £5,000 is sought towards public art/public realm.

County Archaeology - No archaeological comments to make on the proposal.

County Ecology - The County Ecologists sought a Great Crested Newt Survey, which was subsequently undertaken. They also required that works during the bird breeding season (March to July inclusive) should be avoided where there may be an impact on nesting birds, that the applicant should submit a landscaping/habitat creation scheme for approval by the local planning authority in consultation with specialist advisors, that there should be no net loss of ditches as they function as a resource for wildlife and that all trees being retained (within or indeed adjacent to the development) are adequately protected both during and after construction.

Natural & Historic Environment Services - The Service responds that the submission is weak on landscaping. There is a lack of detail on the landscape character of the locality and the impact of the development on the area. Though it is proposed to develop this open space, the development should seek to enhance the site's contribution to the green infrastructure. Instead the proposed landscape will be overwhelmingly urban in character. It is believed that the scheme will have an adverse visual impact on its local environment and leaves little space within the site for adequate compensation due to the amount of development sought.

Environment Agency - The Agency initially objected to the proposed development due to the absence of a Great Crested Newt survey. This has subsequently been undertaken. However, the EA is still objecting on ecological grounds due to the loss of a ditch on site, or the provision of a replacement, as it is contrary to Policy E12 (Nature Conservation) of the Local Plan. New hedgerow should also be created to compensate for any sections of hedgerow to be lost. The Agency supports the proposed use of SUDS. The invasive plant, Himalayan Balsam, needs to be appropriately removed whilst any tree removal must be undertaken outside of bird breeding season (March-August inclusive). Planting carried out as part of the landscaping of the site should comprise of native species only.

United Utilities - Have no objection to the proposal provided the site is drained on a separate system, with only foul drainage connected into the foul sewer. A public sewer runs through the site. They will not permit building over it, nor allow deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems. They require an access strip measuring at least 3 metres either side of the centre line of the sewer. United Utilities seeks the use of permeable paving and landscaping wherever possible to assist with surface water run-off.

Network Rail - They have no objection in principle to the development. However, due to its close proximity to the operational railway they request that the following points are taken into account if granting the application:

- Method statements may be required to be submitted to Network Rail's Territory Outside Parties Engineer for approval prior to works commencing on site.
- All surface and foul water arising from the proposed works must be collected and diverted away from Network Rail Property. Network Rail's Outside Parties Engineers must be sought prior to commencement of any building works on site.

- All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a 'fail-safe' manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports. Where any works cannot be carried out in a 'fail-safe' manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic. This must be booked via Network Rail's Territory Outside Parties Engineer and are subject to a minimum prior notice period for booking of 20 weeks.
- All excavations/earthworks carried out in the vicinity of Network Rail property/structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail.
- Security of the railway boundary will require to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Territory Outside Parties Engineer. With regards to the proposed retaining wall, agreement must first be obtained from Network Rail prior to commencement of any of the these works, to ensure that any rights of way are not affected and to ensure the safe operation of the railway.
- If not already in place, the Developer must provide a suitable trespass proof fence (of at least 1.8m in height) adjacent to Network Rail's boundary and make provision for its future maintenance and renewal. Network Rail's existing fencing/wall must not be removed or damaged.
- Consideration should be given to ensure that the construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land, and therefore all/any building should be situated at least 2 metres from Network Rail's boundary. This will allow construction and future maintenance to be carried out from the applicant's land, thus avoiding provision and costs of railway look-out protection, supervision and other facilities necessary when working from or on railway land.
- Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. Network Rail would wish to be involved in the approval of any landscaping scheme adjacent to the railway.
- Where new lighting is to be erected adjacent to the operational railway the potential for train drivers to be dazzled must be eliminated. In addition the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. Any new flood lighting to the sports pitches must be subject to further consultation with Network Rail to ensure that the potential impact to dazzle train drivers is mitigated.

Sport England - Sport England has considered the application in the light of its playing fields policy and concludes that they support the proposal to relocate Morecambe FC and provide community sport facilities.

Fire Prevention - No comments received.

Police - They strongly recommend that the builders of the property adopt 'Secured by Design' principles, but also that specific security measures be implemented in and around the site to reduce the risk of crime. This includes a Closed Circuit Television (CCTV) camera system to be installed in compliance with the Football League regulations and additional cameras to patrol the car and cycle parking and the other pitches/courts. Cycling parking should be provided in a solid, covered structure and not merely be 'Sheffield' bars concreted into the ground. It is recommended that the car park meets the standard of the Park Mark Association of Chief Police Officers approved parking scheme.

Anti-climbing aides should be overtly fitted over the stadium's steel skeletal framework, which are both aesthetically pleasing and create a preventative barrier. Security fencing should be fitted around the additional pitches/courts to a height of at least 2.5 metres whilst the base should be buried and concreted into the ground and constructed from solid all weld mesh steel.

The Police do not object to the application but would ask that their recommendations be considered as possible conditions. The Spectator Management Strategy addresses their previous concerns regarding spectator parking, particularly with the outline agreement to use Westgate School (segregating home and away fans). Also the coach parking has been resolved to their satisfaction. At this point they have no objections to the revised plan and confirm that they will continue to work with the club to resolve any issues which arise in the future.

OTHER OBSERVATIONS RECEIVED

Drainage - No objections in principle. Uncontrolled Surface Water discharges into watercourses will not be permitted and restrictions on the rate of discharge to any watercourse will be required. The maximum rate of discharge will be the equivalent run off from undeveloped or greenfield site (6 l/s per hectare). A condition is required regarding land drainage details.

Environmental Health – No objection subject to a number of conditions, including noise (as recommended in the noise assessment) and site deliveries (0800-2200), hours of operation of the community pitches/courts (0900-2200), use of outside drinking/eating areas to cease at 2300, pile driving, odour control and details of floodlighting. The Contaminated Land Officer initially recommended a rejection of the application due to the absence of a Desk Top Assessment. However, this was later rescinded because of the undeveloped nature of the existing site and its historic use as open space.

Disability Access - The proposal shows evidence of inclusive design practices, though the inclusion of further good practice measures would help improve accessibility for the mobility impaired. These include height of reception and food counters, use of signage and dropped kerbs for pedestrian crossings, companion seating on the wheelchair spectator platforms, type of main door proposed (not revolving) and gradient of some of the internal ramps.

Trees and Landscaping - Further to the submission of an Arboriculture Implications Study, which includes all on-site trees and off-site trees within 10m of the boundary of the development site, the Tree Officer reports that the trees and hedgerow along the north-western boundary with the railway line, the eastern boundary with the caravan park and Langridge Estate, and the southern boundary with Westgate are subject to a Tree Preservation Order (No. 440). These trees and hedgerows provide important screening, noise abatement, pollution control, privacy and security for properties within the vicinity. Therefore they should be retained and protected, and areas filled with additional planting where gaps currently exist. Detailed method statements will be required where underground works, excavation works or changes in levels are proposed in proximity to protected trees. Based on the submitted proposals approximately 20 trees are proposed for removal because of their condition or proximity to the proposed development. A tree replacement ration of 3:1 is required as a minimum. A detailed landscaping scheme will be required detailing species, numbers, size at planting, maintenance programme and location of new trees.

Vision Board - The Board supports the proposals as it will contribute towards the regeneration of the whole town. They believe the project fits with many of the Vision's economic ideas and goals for Morecambe and the District as a whole.

To date the Council has received 16 items of correspondence from 12 local residents objecting to the scheme. The main points raised can be summarised as follows:

- Loss of open space
- Increased volume of traffic
- Noise generated by stadium, training pitch and the food/drink establishments (especially the drive-through restaurant) and the lack of mitigation measures
- Floodlighting and lack of mitigation measures / light pollution

- Fear of anti-social behaviour linked to football supporters
- Pedestrian safety
- Lack of fencing details both around the site as a whole, and especially around the pitches/courts to prevent stray balls heading towards the railway line
- Lack of car and coach parking on site putting extensive pressure on neighbouring residential roads
- Concerns that people currently cut across the railway line as a shortcut, and that this proposal could exacerbate the situation
- Inadequacy of the transport assessment
- Flood risk / dysfunctional drainage
- Departure from the Local Plan designations and policies
- Inappropriate use in a residential area
- Loss of views
- Loss of trees
- Devaluation of residential properties in the vicinity of the site
- No need for a hotel - good supply of hotel accommodation in Morecambe
- A larger site should be considered for Morecambe FC's relocation - the site has no extra capacity for a larger stadium and associated car parking should the club be promoted

REPORT

The Site and its Surroundings

The application site at Westgate is currently used as amenity space. There is one football pitch with a disused (burnt out) pavilion. A profiled steel container provides temporary changing rooms and a storage facility. An un-surfaced car park serving this area can be accessed from Langridge Way, though a steel palisade fence prevents access from other neighbouring areas.

There is a drainage ditch with shallow standing water along the eastern margin of the site, and a dry drainage ditch on the southern part of the site. Topsoil has been tipped onto the north east section of the site and compacted to a height of about 1m. Though the site has low ecological diversity, there are some notable trees, especially along some of the site boundaries.

The adjacent area to the west is rough grassland with scrub, the ownership of which is unknown. The Morecambe-Heysham railway branch runs at a diagonal across the north of the site, separating the site from an area dominated by 2 storey semi-detached houses. Westgate forms the southern boundary. A church and associated presbytery is located to the south east with a static caravan park to the north east. The residential area of Langridge Way is situated to the east, where there is a mix of 2 and 3 storey residential properties on this estate.

Westgate links to the A589 (Morecambe Road) to the east and again to the A589 (Marine Road West) on the coast to the west. The application site is located about 1km south of Morecambe Town Centre and about 1.5km south west of Morecambe Football Club's existing home of Christie Park.

Site History

There is no site history of particular note as the site has been always been an area of open space. In more recent years it has been home to Westgate Wanderers Football Club. A separate application (08/00329/FUL) was submitted for their relocation to King George's Field on Lordsome Road in Heysham, which was approved at Planning Committee on 12 May 2008.

The Proposal

This is a hybrid application, and as such there are 2 elements to it. The applicant is seeking **full** (detailed) planning permission for a football stadium, an outdoor multi-sports area, a new access, circulation roads, 264 car parking spaces (including 26 mobility spaces) and 8 coach parking spaces. In addition, the applicant is seeking **outline** planning permission for a 40-bed hotel, 7 food and drink establishments (totalling 1721 sq m), a drive-through restaurant (363 sq m), a Morecambe Football Club shop, 76 car parking spaces (including 9 mobility spaces) and a public amenity space. The outline element forms the front 0.83ha of the site fronting Westgate.

The football stadium will have a capacity for 6,918 spectators - 4,966 standing, 1,898 seated and 54 number of wheelchair spaces available on designated spectator platforms. It will also accommodate changing rooms (for home and away teams, officials, and for the outdoor multi-sport areas), a gym for Morecambe FC use only, staff welfare accommodation, hospitality and function rooms with kitchens, club offices and a business suite. The business suite and hospitality and function rooms will be available for hire by the general public and/or organisations.

The training pitch will be the latest generation synthetic turf and the community pitch will be also have an all weather surface, whilst the 2 tennis courts and basketball/tennis (multi-sports) court will have hard, all weather surfaces. The community pitch, tennis courts and multi-sports court will all be provided with ball-stop/rebound fencing as a matter of functional necessity. The present intention is not to fence the full size training pitch, so it can be accessed by the local community when not being utilised by the club. The pitches will be 'policed' (but not supervised) regularly by club staff to ensure they are not abused and are used only during hours permitted by any relevant planning permission. In this way it is hoped to maximise the community benefit of the pitches. However, if open access to the facilities results in abuse the club will of course have to revisit this open access policy in the interest of protecting them as club and community assets.

An access will be created from Westgate, with the internal road running north to the new stadium before circling this building. The vast majority of the car parking for the first (recreational uses) phase will be provided on the eastern section of the site, including the part of the application site that branches out along Langridge Way.

Morecambe Football Club is seeking a new stadium due to their recent success in getting promoted into the English leagues. However, with success comes obligations. In order for the club to be able to play in the leagues, certain Football Association (FA) requirements need to be met. To meet the FA standards the club would need to undertake numerous and expensive alterations to their existing ground at Christie Park. It is therefore more efficient for the club to find a new ground to build a FA-compliant stadium and pitch. It also provides them with an opportunity to improve spectator and training facilities.

Planning Policy

Given the nature of the development proposals, a whole range of national and local policies are relevant. For the sake of simplicity these are only briefly summarised below:

National Policy Guidance

Planning Policy Statement (PPS) 1 - Delivering Sustainable Development - provides generic advice for all new built development. Sites should be capable of optimising the full site boundary and should deliver an appropriate mix of uses, green and other public spaces, safe and accessible environments and visually pleasing architecture. The prudent use of natural resources and assets, and the encouragement of sustainable modes of transport are important components of this advice. This advice is echoed in PPG 13 - Transport. A high level of protection should be given to most valued townscapes and landscapes, wildlife habitats and natural resources, conserving and enhancing wildlife species and habitats and the promotion of biodiversity.

PPS6 - Planning for Town Centres - seeks to promote the vitality and viability of town centres by planning for the growth and development of existing centres and promoting and enhancing existing centres, by focusing development in such centres and encouraging a wide range of services in a good environment, accessible to all.

The objectives which need to be taken account in the context of this are:

- to enhance consumer choice by making provision for a range of shopping, leisure and local services, which allow genuine choice to meet the needs of the entire community, and particularly socially-excluded groups;
- to support efficient, competitive and innovative retail, leisure, tourism and other sectors, with improving productivity;
- to improve accessibility, ensuring that existing or new development is, or will be, accessible and well-served by a choice of means of transport;
- to promote social inclusion, ensuring that communities have access to a range of main town centre uses, and that deficiencies in provision in areas with poor access to facilities are remedied;
- to encourage investment to regenerate deprived areas, creating additional employment opportunities and an improved physical environment;
- to promote economic growth of regional, sub-regional and local economies;
- to deliver more sustainable patterns of development, ensuring that locations are fully exploited through high-density, mixed-use development and promoting sustainable transport choices, including reducing the need to travel and providing alternatives to car use; and
- to promote high quality and inclusive design, improve the quality of the public realm and open spaces, protect and enhance the architectural and historic heritage of centres, provide a sense of place and a focus for the community and for civic activity and ensure that town centres provide an attractive, accessible and safe environment for businesses, shoppers and residents.

The main town centre uses to which this policy statement applies are retail, leisure, entertainment facilities, the more intensive sport and recreation uses, offices, arts, culture and tourism.

PPS 9 - Biodiversity and Geological Conservation (and Government Circular 06/05) - aims to ensure that planning decisions maintain, and enhance, restore or add to biodiversity and geological conservation interests. Prevention of harm to biodiversity and geological conservation interests is paramount. When granting permissions, local planning authorities will need to be satisfied that the development cannot reasonably be located on any alternative sites that would result in less or no harm. Where a planning decision would result in significant harm to biodiversity and geological interests which cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought or else the development be refused. Where previously developed sites have significant biodiversity or geological interest of recognised local importance, local planning authorities and developers should aim to retain this interest or incorporate it into any development of the site.

(Planning Policy Guidance) PPG13 - Transport - provides a national planning policy framework for transport matters. It encourages sustainable travel - ideally non-motorised forms of transport such as walking and cycling, but also other means like public transport. The use of the car should be minimised. This can be encouraged by the location, layout and design of new developments, but also through the implementation of Travel Plans.

PPG 17 - Planning for Open Space and Recreation - advises local authorities to avoid any erosion of recreational function and maintain/enhance the character of open spaces, and to ensure that open spaces do not suffer from increased overlooking, traffic flows or other encroachment. Authorities should also protect and enhance those parts of the rights of way network that might benefit open space, and consider the impact of any development on biodiversity and nature conservation. Stadium and other major sports developments which will accommodate large numbers of spectators, or which will also function as a facility for community based sports and recreation should only be granted planning permission when they are to be located in areas with good access to public transport.

PPG24 - Planning and Noise - advises local planning authorities when determining planning applications for development which will either generate noise or be exposed to existing noise sources to minimise the adverse impact of noise without placing unreasonable restrictions on development or adding unduly to the costs and administrative burdens of business. The authority should ensure that development does not cause an unacceptable degree of disturbance, considering carefully in each case whether proposals for new noise-sensitive development would be incompatible with existing activities. Authorities should consider whether it is practicable to control or reduce noise levels, or to mitigate the impact of noise, through the use of conditions or planning obligations. Ambient noise should be taken into account when considering the application. The impact of noise from sport, recreation and entertainment will depend to a large extent on frequency of use and the design of facilities.

PPS25 - Development and Flood Risk - recognises that though flooding cannot be wholly prevented, its impacts can be avoided and reduced through good planning and management. All forms of flooding and their impact on the natural and built environment are material planning considerations. Positive planning has an important role in helping deliver sustainable development and applying the Government's policy on flood risk management. It avoids, reduces and manages flood risk by taking full account in decisions on plans and applications of present and future flood risk, involving both the statistical probability of a flood occurring and the scale of its potential consequences, whether inland or on the coast, and the wider implications for flood risk of development located outside flood risk areas.

Regional Spatial Strategy for the North West (RSS) 2003-21

Policy RDF4 (The coast) - enhance the economic importance of the coast and the regeneration of coastal communities in ways that safeguard, restore or enhance and make sustainable use of the natural, built and cultural heritage assets and address issues of environmental and socio-economic decline

Policy W5 (Retail development) - promote retail investment where it assists in the regeneration and economic growth of the town and city centres. In considering proposals and schemes any investment made should be consistent with the scale and function of the centre, should not undermine the vitality and viability of any other centre or result in the creation of unsustainable shopping patterns.

Policy W7 (Principles for tourism development) - ensure high quality, environmentally sensitive, well-designed tourist attractions, infrastructure and hospitality services that improve, enhance and regenerate whilst meeting the needs of a diversity of people and being sensitive to their environments. Also to harness the potential of sport and recreation, particularly the role of major sporting events

Policy RT6 (Parking policy and provision) - provide car parking spaces within the standards set whilst making best use of travel plans to promote non-motorised forms of transport. Also provide dedicated and secure parking facilities for cycles and motorcycles

Policy RT7 (Walking and cycling) - develop integrated networks of continuous, attractive and safe routes for walking and cycling to widen accessibility

Policy EM1 (Integrated land management) - proposals and schemes should deliver an integrated approach to land management by identifying, protecting, maintaining and where possible, enhancing natural, man-made and historic features that contribute to the character and culture of landscapes, places and local distinctiveness. This includes the protection, conservation and improvement of the ecological fabric

Policy EM5 (Integrated water management) - protect the quantity and quality of surface, ground and coastal waters and manage flood risk

Policy CNL4 (Overall spatial policy for North Lancashire) - secure the regeneration of Morecambe and develop proposals for the safe and effective management of traffic in Lancaster and Morecambe to enhance the public realm and support their leisure and tourism roles

Joint Lancashire Structure Plan (JLSP) 2001-16

Policy 1 (General policy) - encourages development in/regeneration of urban areas, high quality built environment, efficient use of land and buildings, a balance of land uses and high accessibility

Policy 2 (Main development locations) - development to be focused on urban areas, including Lancaster, Morecambe and Heysham

Policy 7 (Parking) - provision of safe and secure cycle and motorcycle parking on all new developments

Policy 16 (Retail, entertainment and leisure development) - such development must be located in accordance with the sequential approach, and must not significantly harm, alone or in combination with other proposed developments, the vitality and viability of any town centres, district centres, local centres or the overall shopping and leisure provision in small towns and rural areas within or adjoining Lancashire.

Policy 19 (Tourism development) - Morecambe and Lancaster are identified as strategic tourism development areas. All large-scale visitor attractions must be conveniently accessible by public transport.

Policy 20 (Landscaping) - encourages suitable layout and scale of buildings and designed spaces, and quality and character of the built fabric

Policy 22 (Protection of water resources) - no adverse impacts on ecology and coastal waters

Policy 24 (Flood risk) - protect the site to appropriate standards and ensure it does not increase the risk of flooding elsewhere

Policy 25 (Renewable energy) - developments that generate energy from renewable sources will be supported subject to their impact on its surrounding environment

Policy 27 (Development and waste minimisation) - seek to minimise waste both during demolition/construction and from the final use

Lancaster District Local Plan (LDLP) 1996-2006

Policy E12 (Nature Conservation) ensure that any impacts upon wildlife, wildlife habitats, protected species and important geological features are taken into full account, and where development is permitted, developers will be required to minimise and/or compensate for any adverse impact

Policy E13 (Trees and Woodland) - development having an adverse impact on significant trees will not be permitted

Policy E29 (Urban Green Spaces) - such areas will be protected from development except where essential education or community related development or the limited expansion of existing uses are provided

Policy E47 (Access Corridors) - permission will only be granted for development along access corridors where proposals use high quality building materials and local architectural styles, upgrade the environmental conditions, retain landscape features, and incorporate landscaping and tree planting

Policy R1 (Outdoor Playing Space) - such areas will be protected from development except where there is a clear justification for the development that would result in the loss, and where sport and recreation facilities can best be retained and enhanced through the redevelopment of a small part of the site or alternative provision of equivalent community benefit is made available

Policy R2 (All Weather Pitches) - will be permitted where the proposal including ancillary features such as fencing, floodlighting, changing facilities and car parking would not have an adverse visual impact or result in an unacceptable nuisance to nearby residents and businesses

Policy R3 (Major Sports Clubs) - development will be permitted where it directly relates to the sports and social activities and account has been taken of development's impact on amenities of the surrounding area

Policy R4 (New Outdoor Playing Space) - new facilities will be permitted where the facility meets locally generated demand, is located in or adjacent to the main urban areas, and the proposal would not result in a significant adverse impact on the appearance and character of the area, nature conservation interests or the amenity of nearby residents

Policy R21 (Access) - requirement for new development to provide access for people with disabilities

Policy R22 (Crime Prevention) - Secured by Design principles for new developments

Policy T1 (Transport Strategy) - development proposals that would result in a significant adverse effect on the efficient operation of a bus or rail service, or the ease of use of a bus, rail, cycle or pedestrian route will not be permitted

Policy T5 (Primary Bus Corridors) - development proposals that would adversely affect on the efficient operation of buses within this corridor will not be permitted

Policy T9 (Provision of Buses in New Developments) - seeks to locate development, which will significantly increase the demand for travel as close as possible to existing or proposed bus services (i.e. within a 5 minute walk or 400m).

Policy T17 (Travel Plan) - requirement to produce a Travel Plan for development likely to generate large numbers of daily journeys.

Policy T24 (Cycling Strategy) - development that would prejudice the implementation of any section of the cycle network will only be permitted where an acceptable alternative route has been provided

Policies T26 and T27 (Footpaths and Cycleways) - requirements to include cycle and pedestrian links for new schemes.

Policy EC6 (New Employment Development) - will be permitted which makes satisfactory provision for access, servicing (appropriately screened), cycle and car parking; is easily accessible to pedestrians and cyclists; is appropriate to its surroundings; uses high quality materials and landscaping; makes satisfactory arrangements for disposal of sewerage/waste water; does not have an adverse affect on water quality, and on the amenities of local residents or businesses; and upgrades environmental conditions where these are unsatisfactory.

Policy S1 (Retail) - new shopping development other than small local shops will not be permitted outside the city, district and local centres

Policies S2 and S15 (Edge or Out of Centre Retail and Retail in the Main Urban Areas) - very exceptionally out of centre shopping development will be permitted where identified need cannot be met either in existing centres or edge of centres. The site must be served by public transport and it must have no significant adverse impact on the vitality and viability of the centres

Policy S19 (Food and Drink Uses outside the Centres) - A3 uses will only be permitted where they would not result in unacceptable adverse effects on the amenities of adjoining residents and other neighbouring uses and would not cause significant traffic or car parking problems

Policy S20 (Retail in Mixed Use Developments) - will be permitted where the retail is ancillary to the main use of the site and the scale and range of goods sold can be shown not to harm the vitality and viability of the centres

Policy TO1 (Tourism) - developments which would prejudice the tourism and leisure role of Morecambe town centre will not be permitted

Assessment

The Planning Service has been involved in pre-submission discussions with the developers regarding this scheme. The scheme submitted is generally in accordance the nature of those discussions, and is described in the Proposals section of this report. This proposed scheme deals with a number of issues which are discussed below:

Open Space and Recreation

The existing site currently is used as amenity greenspace with 1 marked out football pitch used for sport and recreation (as defined by PPG17). In general, it is an under-utilised and an unattractive area of open space.

Westgate Wanderers currently use the football pitch on the site, though they have recently gained permission to use King George's Field on Lordsome Road in Heysham. The proposal seeks to unlock the site's potential by providing modern sporting facilities for the local community in addition to the football stadium and some enabling development (the commercial element). The facilities proposed could be used for sports other than football, such as tennis, hockey, basketball etc. They will be available during various times of the day and evening due to the installation of floodlighting and during different weather conditions due to the pitches/courts surfaces.

The stadium proposal is designed to meet the FA's standards. Though it is proposed to host 4,966 standing spectators and 1,898 seated spectators, with a further 54 spaces for those with disabilities, the terraces are designed to take standing spectators or to accommodate seats. Should the club decide at a later date to make the stadium an all-seater, this would be possible though it would reduce the capacity of the stadium. The club has chosen this approach because they are self-funding the stadium (i.e. no external funding is being made available to create an all-seater stadium), but more importantly they do not wish to alienate their fan base that wish to stand during matches. All-seater stadiums are not a FA requirement until they reach the second tier of English football (the Championship).

This is an appropriate use of an existing piece of open space, and will maintain areas of recreation for the community, and as such the scheme is supported by Sport England.

Retail / Hotel Uses and Business Function Space

Morecambe Football Club needs to be financially sustainable and like many sporting organisations it seeks to maximise the use of their built assets. As such they have designed their main stand within the stadium to host business conferences with an accompanying hospitality suite (kitchens, dining area, toilets etc). The 40-bed hotel provides the club with the opportunity to advertise their space for overnight conferences in addition to daily ones. The main stand will also accommodate the club's offices.

The hotel is likely to be a 'bed unit', a hotel that has very limited facilities other than en-suite rooms, a reception, a staff room and small storage rooms. Customers will dine in adjacent restaurants or from neighbouring takeaway units. Therefore with the exception of one of the units (to be used for the sale of the club's merchandise), units 2 to 8 will be food and drink establishments (uses A3, A4 or A5). These will serve the hotel's customers, football spectators, local residents and the users of the nearby caravan parks and community pitches. In addition there is also a drive-through restaurant proposed (unit 9).

The food and drink establishments and the hotel complement the leisure offering, and as such a sequential test and a need assessment is not required. However, it is still important to ensure that such development does not have an adverse impact on neighbouring centres. The type of retail proposed (A3, A4 and A5) would not directly compete with the retail offering in Morecambe and Lancaster centres, nor with the local centre in the West End. The hotel is likely to be a budget hotel, an offering not found in Morecambe and therefore it would not compete with the existing accommodation provision nearer the seafront. This enabling development provides the club with some capital to help develop its facilities in the short term, and sustain them in the long term.

Transport (including parking)

This is one of the critical issues. The development will generate a significant amount of additional journeys to and from the site, both on match days and non-match days. The outline part of the application seeks to provide about 22,500 sq ft of floorspace for food and drink establishments, including a drive-through restaurant and a shop for club merchandise, and a 40-bed hotel. In addition, there is the business function space within the main stand of the stadium, the pitches and courts for community use and offices and training facilities for the football club. Though the numbers of trips generated by the scheme will vary day by day, and at different times during the day, the amount and type of development will result in an increase of movements to and from the site. This needs to be suitably managed to make the development successful.

However, match days/evenings will create a disproportionately high level of journeys compared to the other uses, and it is essential that this is managed and controlled. It is therefore critical that the Spectators Management Plan and Travel Plan work together to reduce the traffic and parking impacts of these events.

At present, Morecambe Football Club plays in League 2. For the season 2008-09 they will have 23 home matches in this league (this would not change should they be promoted or relegated as both divisions immediately above and below have 24 teams). Subject to their success and the draw (i.e. whether they get drawn home or away matches) in cup competitions, and the number of pre-season friendlies, the number of home matches in any one year is unlikely to exceed 30. Most of these matches will kick-off at 3pm on Saturdays with some mid-week evening matches (predominantly Tuesday evenings) at 7.45pm. There are normally bank holiday matches around Christmas/New Year and Easter. The season runs typically from mid-August to early May.

It is proposed to provide 339 car parking spaces on site, of which 75 spaces are allocated for the hotel and the food and drink establishments. The community courts and pitches will not be used during home matches, so no parking is required for these uses at such times. Therefore for match days, 264 spaces will be available on site (though c100 spaces will be required for the club's management, players and officials) and 260 spaces will be made available off-site at Westgate School. Though this exceeds the County Parking Standard (1 space per 15 spectators which equates to 461 spaces) the Highway Authority is satisfied with the numbers as it reduces the impact on on-street parking. It is also more in line with other recent football stadium developments (e.g. Burton Albion and Shrewsbury Town). In addition, the site plan shows 8 coach spaces and 100 spaces for cycle parking. In total, the proposal provides for about 1,810 people travelling to the site by car, bicycle or coach (assuming 2.5 people per car, 50 people per coach and 1 person per bike). It is therefore essential that the club provides off-site parking for all home matches to equivalent of at least 1 space for 15 spectators within a short walk of the site.

The existing bus services along Westgate (Services 6 and 6A) run from Morecambe bus/train station to Westgate every 15 minutes during the day until 6pm, and then it becomes an hourly service. Evening and bank holiday buses also run hourly. The buses from Lancaster bus station primarily run hourly with a few return services running every 30 minutes. As a result, there is a viable public transport option for Morecambe-based residents travelling to and from Saturday matches. However, the options for evening matches and for spectators travelling to and from Lancaster Train Station or City Centre at any time are significantly more limited.

The application site falls within close proximity of the local cycle network. A branch off the main Lancaster/Morecambe cycle path currently connects into Langridge Way near the school. With some improvements to Langridge Way and appropriate signage, a meaningful link can be created to serve the site. This will provide safe and convenient access to the stadium and other facilities. Furthermore, 100 secured and covered cycle parking spaces are to be provided as part of this development.

Unlike some of the other league sides in the North West, Morecambe generally has a local support base. As such, spectators tend to live relatively close by, and hence have the option of walking to the stadium.

The purpose of the club's Travel Plan is to encourage people to leave their cars at home and use more sustainable forms of transport to travel to the home matches. Information on the club's website will be available for home and away fans to access so they can make an informed choice of how to travel to the stadium.

Part of this will be to ensure that gaps in bus services are filled at appropriate times by supplementary coaches, links are made into the local cycle network, footpath improvements are made to make travel on foot an attractive option, appropriate levels of signage are installed, etc. These improvements will be funded from the Transport Contribution sought by County Highways (£151,759). Such works and services will help the club meet their targets set out in their Travel Plan.

However, even with these measures in place it is recognised that the development will have an impact on on-street parking during home matches. The club has liaised with the Police and County Highways to work up a Spectators' Management Plan to ensure that the level and location of on-street parking is appropriately controlled. County Highways have asked for Traffic Regulation Orders to be pursued by the applicant in relation to residents only parking on the Langridge Estate and double yellow lines along Westgate in the vicinity of the site's access road so parking can be controlled in these areas. Further control is proposed in other nearby residential roads to restrict on-street parking.

In addition, should the club be involved in any home match that would have the potential to attract a larger crowd than normal (e.g. a cup draw against one of the larger football clubs at home, or a local derby), the club should liaise with the Police to ensure that the additional numbers can be managed appropriately.

The application was accompanied by a number of supporting documents that related to transport matters. These included a Travel Plan and the aforementioned Spectators Management Strategy. This approach has been supported by the Police and County Highways and as such forms an important aspect of the development. Appropriate conditions will be attached should planning permission be granted to ensure that these documents are drafted to the Council's satisfaction and are implemented, monitored and reviewed to maximum effect. Furthermore planning obligations in the form of the Transport Contributions towards infrastructure improvements will be required to help deliver a sustainable and workable scheme.

Ecology, Trees and Landscaping

The ecological report submitted with the application concludes that the ecological value of the site is low. This is supported by the lack of wildlife and species of note found on site as described below.

There are 2 shallow drainage ditches within the site; one runs diagonally across the centre of the site and a further one along the eastern boundary with the caravan park. It is proposed to retain the latter, but develop over the former. No water voles or great crested newts were spotted during investigations of the site and the ditches in particular.

Only one bat was detected during surveys, and it only remained in the northern part of the site for a few minutes suggesting the site has limited foraging resources and no breeding or roosting habitat. As for birds, a small number of common birds were spotted including 3 crows, 2 greenfinches, a goldfinch, a wood pigeon, a blue tit, a starling and a swallow. Some of the woodland and scrub could support

breeding birds and as such the Environment Agency and County Ecology wish to see development restricted within these areas during bird breeding season.

In terms of vegetation, there are a number of groups of trees, rows of hedges and areas of scrub. Though there are no protected species within the site, the types of trees found within the application site include ash, sycamore, copper beech, grey willow, white poplar and common alder. In addition there are hedgerows that are generally made up of mature hawthorn, bramble and nettles. Some of these tree/hedgerow groupings are subject to a Tree Preservation Order.

Other common plant species are found within the site, such as ribwort, dock, hogweed, daisies, buttercups, willowherb and the like. However, an invasive species, known as Himalayan Balsam, was also found by the qualified ecologist during his site inspection, though it seems to be contained to an area where subsoil has been imported. It is important that this species is treated appropriately, then removed from the site and disposed of responsibly.

The trees and hedgerows have an important function, not just in providing landscaping to the development, but also as a natural screen to the neighbouring residential areas. As such, during the determination period, amendments were sought by the Council to retain more of the existing vegetation along the site boundaries. The revised plans submitted by the applicant have pulled the community pitches and courts away from these vegetation strips to allow this to occur. It is important that where possible the trees and hedgerows are retained and protected during and after construction. Where there are existing gaps in the vegetation along the boundaries, or where dead or dying species need to be removed, it is equally important that these gaps are appropriately filled with native planting.

Though the development is of a suitable design and does not need to be obscured from an aesthetic perspective, the trees and hedgerows provide some ecological benefit, important screening from the lighting, noise abatement, pollution control, privacy and security for properties within the vicinity.

Noise and Floodlighting

One of the key issues attached to the development of sports facilities, especially football stadiums, is noise. Noise is generated from a number of sources including site clearance, construction, movement of other vehicles attributed to the various uses, spectators arriving and departing the site, spectators during the match, public announcement (PA) systems, players shouting to each other, balls hitting fencing around the training/community pitches and courts. In addition, the food and drink establishments and the hotel will have customers coming and going, ventilation systems and deliveries that will create further noise. However, most of these generators of noise can be controlled, at least in part, and as such Environmental Health has requested a list of conditions to be attached to any permission to control the times of demolition, construction and deliveries, and the operational hours of the training/community pitches and courts. They have also picked up on a number of the recommendations within the Noise Assessment, including the installation of acoustic rebound boards on the training/community courts and pitches, and the installation of acoustic perimeter fencing at the corners in the gaps between the stands. They have further requested a noise impact scheme to be submitted to, and agreed in writing by, the Council for the stadium PA system prior to its use.

Similarly, the issue of light pollution is key. For the stadium and other pitches to be used throughout the year, floodlighting is required. The lighting proposed for this scheme has been specifically chosen for its efficiency in lighting the pitches whilst minimising the light spillage. Again, if this proposed scheme is permitted, the hours of operation would be limited on the training/community pitches and courts by way of condition. The stadium lights would be required for evening matches and at the times of year when natural sunlight fades earlier. The number of occasions that the stadium lights would be required is very unlikely to exceed 20 in any given year, and even then only for approximately 3 hours. Once again, the floodlights would be conditioned should permission be granted.

The same applies for the other external lights within the scheme. For security purposes lights will be required to the car parking areas and the access road to allow spectators and other users of the scheme to utilise the services provided safely. The lighting to these areas will make policing of the site significantly easier. Yet again the lights proposed have been selected for their efficiency. As previously discussed, the use of natural screening around the site will also be important to reduce the impact of

light spillage on neighbouring areas, and therefore the retention of vegetation wherever possible and the use of additional planting will assist greatly in this regard.

Renewable Energy / Energy Efficiency

Morecambe Football Club is seeking to maximise the use of various methods to reduce the energy requirements for the scheme. Firstly, they wish to conserve energy by using appropriate materials and insulation, massing and orientation of the buildings, and efficient lighting and heating. Secondly, they seek to investigate various forms of renewable energy generation from the site, including solar water heating, combined heat and power for heating and cooling, and ground source heat pumps.

Furthermore, the Club is seeking to incorporate equipment that minimises water usage and water wastage. As part of this, they want to harvest rainwater, which in turn would be used to irrigate the football pitch and landscaped areas, as well as for toilet flushing and cleaning.

These measures are all supported by the local planning authority.

Utilities and Flooding

Prior to submission United Utilities had advised the applicant of a main sewer running through the site, and their requirement for an access strip measuring at least 3 metres either side of its centre line. This means that no building will be permitted over the sewer or its access strip, nor will any deep rooted shrubs or trees be allowed in the vicinity of the public sewer and overflow systems. The layout of the site has been designed accordingly.

Both United Utilities and the Environment Agency encourage the use of Sustainable Drainage Systems, and support the application in this regard. Such a system will need to be designed to ensure that the maximum rate of discharge will be the equivalent run off from undeveloped or greenfield site (6 l/s per hectare). To meet this requirement, permeable surface materials may be required for the car park areas, though interceptors will be needed to deal with any pollutants. A further advantage utilising SUDS is that the club will have a large requirement for water- toilets, watering the pitch, cleaning and the like. Recycling rainwater for such uses will be highly beneficial and sustainable.

The site is located some distance from the coastline and the nearest river. In each case they are protected by the seafront flood defences and the Heysham bypass (from flood waters arising from the north bank of the River Lune) respectively.

Summary

Aside from the planning policy and technical issues that have been adequately addressed in the foregoing paragraphs, the application raises 3 other key issues, namely transport (including parking), landscaping and residential amenity.

As discussed above, much work has already been undertaken by the applicant in each of these areas. Where further clarifications have been sought by the Council during the determination period, the applicant has provided new information and amendments as required.

Though the stadium, which will be the main generator of traffic and noise, will only be used up to 30 times a year, and then for approximately 3 hours at any one time, it is important that these issues are adequately resolved. As part of the application, a draft Travel Plan and draft Spectators Management Strategy were submitted. It is proposed to tie the final versions of these 2 documents into a s106 agreement, which will secure the delivery of the measures set out within them. In essence they set out the Club's commitment to sustainable travel solutions, which in turn will reduce the number of trips generated by home matches and therefore the number of parking required. This will ease pressure on the surrounding residential streets. The cyclepath linkages and the provision of bus/coach services to and from the ground before and after matches to Lancaster (especially co-ordinating with the arrival/departure of relevant train services) and Morecambe to supplement the existing bus services will help in this regard. In addition, the documents set out the Club's commitment to liaise with the Police to

deal with traffic and parking management, not just on a fixed basis, but also to deal specifically with any match that has the potential to attract a larger than average attendance.

Furthermore, should planning permission be granted, the Club will also be required to investigate, and if successful implement, Traffic Regulatory Orders for double yellow lines to Westgate and a residents only parking scheme for the Langridge Estate. The Club accepts that should their application be approved that there would be a condition attached requiring them to provide off-site car parking within a short walk of the site. The Club is currently proposing to utilise Westgate Primary School's premises for such purposes, but should their agreement with the school cease at any future date, the stadium could only be used if a suitable alternative site is found and made available for parking.

In terms of noise, the relevant section earlier in the report goes into more detail, but in summary it is recognised that the development will generate significantly more noise than the site's existing use though appropriate measures and controls can be applied to ensure that the amenities of the neighbouring residents are adequately protected. In a similar vein, floodlighting is discussed earlier in the report, and again measures can be used to minimise its impact, such as the use of efficient lighting and natural screening. This is why, in addition to the ecological interests of the site, the retention and reinforcement of the existing boundary vegetation is important. Where gaps in the existing groups of trees and hedgerows exist, or where the proposal reduces the amount of vegetation, additional planting will be sought to fill the gaps accordingly.

Conclusion

As the proposed development has addressed these key issues to the satisfaction of the Council's Planning Service, the application is now recommended for approval. However, it should be noted that because the site is currently owned by the City Council and also due to the fact that the proposal is a departure from the Local Plan (i.e. it is proposing over 5,000 sq m of office, retail and leisure space on open space) the application will need to be referred to the Government Office should Members be minded to follow the Officer's recommendation to grant planning permission.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to the principles of proportionality, it has been concluded that there are no issues arising from the proposal, which appear to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

RECOMMENDATIONS

Subject to referral to the Government Office, it is recommended that **PLANNING PERMISSION BE GRANTED** subject to the following conditions:

1. Outline permission - Reserved Matters required (except layout, access, stadium, training pitch, community courts and pitches, and parking associated with the sport facilities only)
2. Development to accord with plans
3. Condition to be used where a Section 106 is required but has not yet been submitted/agreed- Travel Plan and Spectators Management Strategy
4. Submission of materials - Notwithstanding Plans
5. Details of fencing (for courts and pitches to a minimum height of 2.5m)
6. Submission of Details- Boundary Treatments (including approval by Network Rail where appropriate)
7. Submission of Refuse Storage Details
8. Standard Landscaping Condition - Details Required
9. Retention of Existing Trees/Hedges (except where agreed with the local planning authority in writing in advance of works commencing on site)
10. Detailed method statements will be required where underground works, excavation works or changes in levels are proposed in proximity to the protected trees and hedgerow

11. Appropriate treatment/removal of invasive species, such as Himalayan Balsam

12. Great Crested Newts - works to cease should this protected species be found on site until a qualified ecologist has surveyed the site and a mitigation/compensation strategy has been submitted to, and agreed in writing by, the local planning authority. Works only to re-commence thereafter. The mitigation/compensation measures to be fully implemented within the agreed timescales set out in the strategy
13. Adoptable Highway Details Required
14. S278 agreement to be agreed - provision of access arrangements, 2 Quality bus stops, cyclepath linkages from the site to the local cycle network at Langridge Way, cyclepath linkages from Westgate into the main entrance of the site, appropriate cyclepath signage, removal of existing stadium signage, and erection of new stadium signage)
15. No part of the approved development to be occupied or opened for trading/use prior to the approved scheme referred to in Conditions 13 and 14 being constructed and completed
16. Fund the investigation of Traffic Regulatory Orders (TROs) for double yellow lines to Westgate and residents only parking scheme on the Langridge Estate, and if investigations are successful then the TROs to be implemented
17. Provision of Car Parking (on site)
18. Provision of a minimum of 201 off-site car parking spaces within 1.5km of the site without which the stadium cannot be used
19. Mobility (Disabled) Car Parking Spaces
20. Covered Cycle Storage - Details to be agreed
21. Motorcycle parking - Details Required
22. Protection of Visibility Splays - General
23. Wheel Cleaning Facilities - Temporary during Construction
24. Travel Plan - Details to be agreed
25. Spectators Management Strategy - Details to be agreed
26. Separate Drainage System
27. Land Drainage - Details Required (discharge not to exceed of 6 l/s per hectare)
28. Implementation of a sustainable drainage system (SUDS)
29. Provision of Interceptor - Car Parks
30. Use of units 2 to 9 restricted to A3, A4 and A5 only with the exception of unit 3 to be used as A1 for the sale of football club merchandise only.
31. With the exception of the stadium pitch, all other pitches and courts to be made available for community use. Hours to be agreed with the local planning authority prior to use
32. Hours of Operation (Hours of use for the training and community pitches and courts to be limited to 0900-2200, though no use permitted during or an hour either side of home matches)
33. Floodlights on main stadium to be turned off within 30 minutes of the end of the match
34. Use of outside drinking/eating areas to be limited to 0900-2300
35. Hours of construction - 0800-1800 Mon to Fri, 0800-1400 Sat
36. Noise impact scheme to be submitted to, and agreed in writing by, the local planning authority for the Stadium PA system prior to its use
37. Details of Floodlighting - Details to be agreed
38. Floodlighting on the stadium to be turned off no later than 30 minutes after the end of the match
39. Installation of rebound boards and acoustic fences to all training and community pitches and courts in line with the submitted Environmental Noise Assessment
40. Installation of an acoustic perimeter fence at the corners in the gaps between the stands in line with the submitted Environmental Noise Assessment
41. No deliveries to or from the site shall occur outside the hours of 0800 to 2200 hours
42. Construction Noise - Pile Driving Condition
43. Commercial/Industrial Noise Break-out
44. Scheme for Odour Control - Cooking & Food

DECISION DATE 16 September 2008	APPLICATION NO. 08/00835/RCN A20	PLANNING COMMITTEE: 1 September 2008
DEVELOPMENT PROPOSED REMOVAL OF CONDITION 7 ON APP NO. 08/00327/FUL REGARDING AFFORDABLE HOUSING		SITE ADDRESS FORMER POLICE STATION HEYSHAM ROAD HEYSHAM MORECAMBE LANCASHIRE LA3 2BJ
APPLICANT: Daffodil Homes Ltd Tarnwater Yealand Conyers Carnforth Lancashire LA5 9RJ		AGENT: Steven Abbott Associates

REASON FOR DELAY

Not applicable.

PARISH NOTIFICATION

Heysham Neighbourhood Council - No observations received at the time this report was drafted. Any comments shall be verbally reported.

LAND USE ALLOCATION/DEPARTURE

Within the urban area defined in the Lancaster District Local Plan. The site forms part of a Local Centre identified in the Plan and Heysham Road is part of a Primary Bus Corridor.

STATUTORY CONSULTATIONS

Strategic Housing - Observations not yet submitted at the time of compiling this report.

OTHER OBSERVATIONS RECEIVED

None.

REPORT

The proposed redevelopment of this site with a small shop unit and ten residential flats was approved on 2 June this year (Reference: 08/00327/FUL). A copy of the relevant committee report is attached.

Condition 7 of the permission reads as follows:

"No development shall commence until a scheme for the provision of affordable housing as part of the development has been submitted to, and approved in writing by, the local planning authority. The affordable housing shall be provided in accordance with the scheme approved. The scheme shall include:

- (a) The numbers, type and location of all the affordable housing;
- (b) The timing of the construction of the affordable housing units;
- (c) The arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing; and
- (d) The occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and the means by which the occupancy shall be enforced."

At the time the applicants' agents were willing to agree to this arrangement as a way of meeting the Supplementary Planning Guidance (SPG) 16 requirement that there should be some form of community benefit from the development. However the applicants now wish to see this condition removed. Their agents argue that the condition is inappropriate, as the site is below the threshold of 15 dwellings for which such a requirement is normally applied. They state that with the adoption of the new Core Strategy and the latest regional advice, the SPG 16 restrictions on new housing no longer apply and that in these circumstances there is no need for the applicant to demonstrate community benefits, as set out in the committee report on the proposal. They say that the condition represents:

"...an unreasonable and onerous commercial/financial burden on the developer of the site, and one which could not have been anticipated at the time the site was purchased. There is no policy basis for the condition which unnecessarily fetters a proposal which has significant public interest benefits by securing the regeneration of vacant previously developed land with a high quality residential scheme. The proposed development assists in delivering mixed and sustainable communities".

It will be noted that the condition does not specify the number of affordable units to be provided. This is a matter for negotiation between the developers and the local planning authority. With developments of 15 or more dwellings current policy is to ask that 40% of the total number to be provided at a discount, and an Advice Note attached to the consent indicated that the City council saw no reason to depart from this figure.

At the time the consent was granted the most relevant parts of the development plan for the area were:

- The replacement Joint Lancashire Structure Plan
- Lancaster District Local Plan (saved policies)
- SPG10 on Affordable Housing
- SPG12 which is The Residential Design Code, and
- SPG 16 on the Phasing of New Residential Development.

Since then the Lancaster District Core Strategy has been approved. However most of the policy structure is unaffected and SPG 16 has not been formally withdrawn.

Policy SC4 of the new Core Strategy states that the City Council will aim to maximise the opportunities offered by the development of new dwellings to:

- Redress imbalances in the local housing market
- Achieve housing that genuinely addresses identified local housing need; and
- Secure units of 'in perpetuity' affordable housing.

The reason that the site is currently vacant is because the applicants demolished the former Police Station and the police house which used to occupy it. These were not listed buildings but they were of some architectural interest. They were capable of conversion to provide housing meeting present day standards, but they would not have provided the density of accommodation that applicants seek to provide from their new build scheme.

The previous comments of the Strategic Housing Service were to the effect that the housing proposed did not appear to meet any specific local need.

The site is undoubtedly a sustainable one, within easy reach of shops (including a Post Office), a public library and a pub. There is a frequent bus service along Heysham Road.

It should be noted that the County Council, as highway authority, wished to see a contribution from the scheme towards public transport improvements. Their request for this was not received until some time after the application had been determined, so no account was taken of it. However the principle that a development of this nature should enable community benefits, either in terms of infrastructure or facilities, is one that is supported throughout government.

Taking this into account, the view that the development should provide some form of community benefit is a legitimate one. The scheme proposed would fail to deliver any community benefit which would justify adding to the district's residential supply. It is therefore recommended that permission should be refused.

Should Members be minded to follow the recommendation, they may wish to consider whether a figure less than the 40% affordable housing would be acceptable.

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 reason:

1. The provision of additional two bedroom flats does not meet an identified housing need within the Heysham area, where the local requirement is for affordable housing. The requirement that part of the accommodation should be affordable is therefore consistent with policy SC4 of the Core Strategy.

DECISION DATE 22 September 2008	APPLICATION NO. 08/00803/FUL A21	PLANNING COMMITTEE: 1 September 2008
DEVELOPMENT PROPOSED CONSTRUCTION OF 14 NO. APARTMENTS		SITE ADDRESS 119 MAIN ROAD BOLTON LE SANDS CARNFORTH LANCASHIRE LA5 8DX
APPLICANT: Daffodil Homes Ltd Tarnwater Yealand Conyers Carnforth Lancashire LA5 9RJ		AGENT: Harrison Pitt Architects

REASON FOR DELAY

N/A

PARISH NOTIFICATION

Bolton-le-Sands Parish - Objects to the scheme as it is considered to be an over-intensive development and out of context with the village. Further concerns regarding the limited parking provision within the site for residents and visitors. This could lead to off-site parking on Main Road with a resultant highway hazard. Recommend that the application be refused on the grounds of traffic movement and that development is out of keeping with the area.

LAND USE ALLOCATION/DEPARTURE

Within Bolton-le Sands Conservation Area.

STATUTORY CONSULTATIONS

Environmental Health Officer - Suggests an hours of construction restriction. Advice regarding dust control and restriction of fires/burning on site during the demolition/construction process. The development is one which needs a desk study, recommends rejection of the application without such a study.

County Highways – No response within statutory consultation period.

United Utilities - No objections subject to a separate system of drainage. Any surface water discharge into the public sewer could need to be at a restricted rate.

Housing Policy Officer – The service does not support the proposals. The proposal is to build 14 sheltered flats but not for sheltered housing (there will be no staff on site or communal areas).

There is a demand from elderly people in the District for smaller and more suitable accommodation and a shortage overall of 2 bed accommodation in the District, as shown in the Housing Needs Survey 2004 updated in 2007. If this is being looked at outside of the RSS restraints (i.e. it is not being regarded as outside of normal planning constraints) a case can be made for it, but not as sheltered housing. However, there is no proposal to restrict sale to those currently resident in Lancaster District. There is also no proposal to include affordable housing.

OTHER OBSERVATIONS RECEIVED

Access Officer - comments over elements of the design and the need to ensure the scheme is accessible.

Conservation Section - It is noted that the site is well screened but it is important that any proposal should respect its setting both immediate and within the wider conservation area. Concerns that the current design is too bulky and is excessive in massing and scale. Suggest possible reduction in gable height and breaking up of the front elevation to reduce the mass of the building.

Local Residents - 5 letters from local residents relating to the development of the site have raised concerns on the following grounds: -

- Concerns over the numbers of additional dwelling being proposed and the impact upon highway safety in the village.
- Concerns over the number of units and the scale of the development over three storeys.
- Increase in vehicle movements will create a traffic hazard in the village
- Lack of parking provision within the development will lead to parking and congestion outside the site.
- New access is still substandard and the increase in traffic associated with the development will lead to highway safety issues.
- Concerns the proposed planting scheme will unduly impact upon the resident of the neighbouring Cross Hill Court.
- Concerns over the overall degradation of an historic site by built development, loss of trees, traffic issues.
- The proposal is considered to be over development of the site

REPORT

Site and its Surroundings

This site is located at the southern end of the old village of Bolton-le-Sands on the east side of Main Road. The site consists of a former vicarage (until approximately 3/4 years used as a children's home), a stone built barn, a more modern house and the vicarage grounds. The grounds of the vicarage or enclosed by a tall boundary wall and contain a number of mature trees which are subject to a tree preservation order.

Planning History

The site has a limited planning history as alterations and extension in association with the children's home would have been undertaken as permitted development by Lancashire County Council. The only recent application was an outline application for 16 houses submitted by Lancashire County Council in 2002 (Ref: 02/00305/OUT). The application was determined for refusal in May 2002. The application was refused on poor highway layout, parking provision and the loss of trees/impact upon the Conservation Area.

More recently planning consent, (Ref: 07/01407/CU) has been granted for the conversion of the vicarage into two dwelling and the erection of a single detached dwelling to the rear south eastern corner of the site close to its boundary with Cross Hill Court.

The proposal

The current application seeks to develop 14 apartments for over-55's occupation. The building comprises a single three storey block which follows the gentle curve of the new access road through the site. The flats are generously sized two bedroom units, four to the ground floor and five to each of the upper floors. The remaining ground floors area provides for communal storage and refuse facilities. Access to the upper floors is gained via tow staircases with deck access being provided at the rear of the building for centrally located flats to the upper floors.

External materials are proposed to be natural stone under a slate roof. The stone would be random rubble with quoins. The windows are setback and painted white to reflect local vernacular with rain water goods in aluminium to reflect cast iron details.

Externally, car parking for six cars is provided (one to mobility standard) to the front of the building directly accessed off the new road.

Overall, the land occupied by the site falls outside that which is considered to be protected by the existing tree protection order and would not require the removal of any trees to implement.

Development Plan Policies

- Replacement Joint Lancashire Structure Plan
- Lancaster District Local Plan (Saved Policies and policies not superseded)
- SPG10 – “Affordable Housing” accompanied by the Affordable Housing Practise Update Note of February 2008
- Lancaster District Core Strategy

Lancaster District Local Plan (Saved Policies and policies not superseded)

Policy **H7** of the plan allows for the development of suitable small infill sites.

Policy **H10** - Seeks to ensure the development of affordable homes within the District.

Policy **H17** - Seeks to ensure that sheltered housing is located in appropriate positions close to local services, facilities and primary bus routes

Policy **E13** - seeks to refuse proposals which would have a significant impact upon or result in the loss of significant trees.

Policy **E35** - seeks to protect against development which will have an adverse affect upon views and the loss of important open spaces and historic form.

Policies **E38** and **E39** - support the development of new build and alterations which are sympathetic in form and materials to the conservation.

Supplementary Planning Guidance (SPG) 10 – “Affordable Housing” accompanied by the Affordable Housing Practise Update Note of February 2008

The District of Lancaster is greatly in need of additional Affordable Housing: the most recent Housing Needs Study Update was completely as recently as January 2008 and reported to the appropriate Cabinet Member in February 2008. In February 2008 the City Council published an Affordable Housing Practise Update Note on its website which stated that the Council would seek to secure, through negotiation an average of 40% of the total dwellings as Affordable Dwellings. The threshold for development in sustainable rural settlements was defined as 10 dwellings or more.

Lancaster District Core Strategy

Core Strategy Policy SC4 aims to ensure that dwellings sufficient in quantity to meet the dwelling requirements of the Regional Spatial Strategy in a way which builds Sustainable Communities. The policy intends that sites should be in sustainable locations and importantly maximise the opportunities offered by the development of new dwellings to redress imbalances in the local housing market achieve housing that genuinely addresses identified local housing need and secure units of 'in-perpetuity' affordable housing.

The Core Strategy identifies that the approach to delivering affordable homes will be expanded upon in forthcoming Supplementary Planning Documents (SPD's) but that given the limited opportunities available to negotiate affordable housing in the district's rural areas the threshold of 10 dwellings is again clarified.

Background

As indicated earlier in the report the site was in the ownership of Lancashire County Council and operated as a Children's Home until a number of years ago. Following closure of the home the land and the building have remained vacant and with little, if any, maintenance. The property and land has been the subject of sale and is now in the ownership of the applicant. The earlier consent, 07/01407/CU is now being implemented. The new access road has been opened up together with the conversion and new build being undertaken.

Policy Position

The application needs to be considered against the policy set out earlier in the report. In particular, the need to provide an element of affordable housing, the need to justify an accommodation requirement for over 55's sheltered, and the conservation/design impact of the development.

Affordable Housing - The application does not seek to provide any affordable housing as part of the submission. The need for such provision has been raised with the applicant but to date no such provision has been forthcoming. The applicant has also indicated that the site has a large number of trees within it which have a high maintenance cost. The applicant further argues that the trees are a valuable asset to the conservation and have a wider public benefit. In addition, the maintenance cost of the trees will drive a high annual maintenance fee for each of the sheltered units. This high management fee is considered to make the introduction of 'affordable' units in the scheme unrealistic given the high service costs to be borne by individual residents.

This argument is not one which can not be accepted by the local planning authority. The need to provide affordable units is clearly identified within the policy context of the Development Plan and should be duly accounted for in development appraisals for the site. As indicated earlier in the report and the housing needs survey, the provision of affordable housing is low within the district and development in the rural area of this scale is regarded a limited opportunity to negotiate a number of affordable units. The option of off-site provision has not been raised or offered by the developer, however, this site is considered to be an attractive one for affordable housing. Its central village location close to shops and services would be difficult to reflect elsewhere. The provision of affordable within the village is seen as an appropriate location which will address a local need. Furthermore, an alternative site in this area would be difficult to develop given the Green Belt allocation surrounding the village.

Without the offer of Affordable Housing it is difficult to see how the proposal in any way addresses the approach described in Core Strategy's Policy SC4, that is, the Council will aim to maximise the opportunities offered by the development of new dwellings to imbalance the local housing market, addresses local housing need or secure units of affordable housing. In short, in the absence of an offer of Affordable Housing the proposal is merely a speculative housing development that does not address the spatial planning aims of the community as expressed in the Core Strategy in any way.

A request has been made to the applicant for justification for the need for over 55's housing within this rural area, again no information has been provided up to date. However, it is anticipated that this information will be available for the committee meeting and general support for such a form of housing has been provided by the Housing Policy Officer.

Design issues

The building has been designed as single large block of three storeys laid on a slow curve to follow the line of the new access road. The footprint of the building and external car parking lie clear of any tree canopies and falls outside the areas that are protected by the current tree preservation order. As such it is anticipated that subject to ensure that the tree protection arrangements being maintained, the development would not unduly impact the protected trees within the overall site.

It is noted that the site is well screened but it is important that any proposal should respect its setting both immediate and within the wider conservation area. Concerns have been raised by the Conservation Officer that the current design is too bulky and is excessive in massing and scale. A suggestion of possible reduction in gable height and breaking up of the front elevation to reduce the mass of the building has not been adopted by the applicant.

A reduction in the height of the eastern gable would have also help to limit the impact of the three storey gable upon the main aspect of the new dwelling currently under construction under planning consent 07/01407/CU. The relationship between the new dwelling and the gable of the proposed apartments is relatively close at 12m. This relationship is further consolidated by the curve of the building, effectively widening the built form directly visible from the main windows of the new house.

The proposal as submitted is considered to be unacceptable in this location, the height of the building rises above that of the vicarage and its solid three storey form is considered to be detrimental to the setting of existing buildings within the site and the wider conservation area.

Conclusion

Overall, this is a complex site with a number of differing issues. Overall, the proposal seeks to develop a large block of apartments which unduly impacts upon the site and the wider conservation area. In addition, the development represents a limited and valuable opportunity to develop affordable housing in the District. The lack of provision does not address the policy context under Policy SC4, that is, the Council will aim to maximise the opportunities offered by the development of new dwellings to imbalance the local housing market, addresses local housing need or secure units of affordable housing. As such the application in its current form should be resisted.

HUMAN RIGHTS IMPLICATIONS

It is recognised that a recommendation of refusal may result in an interference with the applicant's right to develop their land in accordance with the Human Rights Act. However, on the facts of this case it is considered both necessary and proportionate to control development in the public interest in light of the concerns set out in this report and for the stated reasons.

RECOMMENDATIONS

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

1. The development does not address the policy context under Policy SC4, that is, the Council will aim to maximise the opportunities offered by the development of new dwellings to imbalance the local housing market, addresses local housing need or secure units of affordable housing.
2. The development in its current form is considered to unduly impact upon the amenities of the neighbouring residential property, the setting of neighbouring buildings and the character of the wider conservation area.

DECISION DATE 24 August 2008	APPLICATION NO. 08/00801/FUL A22	PLANNING COMMITTEE: 1 September 2008
DEVELOPMENT PROPOSED ERECTION OF A LOG CABIN		SITE ADDRESS LANESIDE KIT BROW LANE ELLEL LANCASTER LANCASHIRE LA2 0QH
APPLICANT: Miss R. Helme Laneside Kit Brow Lane Ellel Lancaster Lancashire LA2 0QH		AGENT:

REASON FOR DELAY

Awaiting Committee meeting

PARISH NOTIFICATION

Ellel Parish Council- No reply received

LAND USE ALLOCATION/DEPARTURE

The site is within a Rural Area of The Lancaster District Local Plan.

STATUTORY CONSULTATIONS

Environmental Health- No observations received.

OTHER OBSERVATIONS RECEIVED

No third party representations received.

REPORT

This application has been referred to Committee as the applicant is related to a city councillor.

This site comprises of a dwelling and a number of related outbuildings and occupies an isolated position in the open rural area adjacent to Kit Brow Lane in Ellel.

THE PROPOSAL

Equine uses are clearly established at the site with permission for stables and a sand paddock having been previously granted although these were limited to private use. The proposal is to construct a timber cabin to the rear of the main dwelling, It would be offered as accommodation for people visiting/competing at local horse shows in the area. Were no other accommodation is available. In addition it is intended to offer weekend holiday stays, mainly aimed at children with specialised riding and showing lessons at the site itself.

The building would comprise a traditional pitched roof log cabin with 3 bedrooms measuring some 11 x 2.8 metres. It would be screened from the highway by the main dwelling in an area currently occupied by derelict farm machinery. Additional planting would be provided to screen (over time) the open aspect from the north.

POLICY CONSIDERATIONS

It is considered the proposal generally accords with Policy TC3 of the Lancaster District Local Plan which seeks to encourage small scale specialist tourism development of this type. The building is appropriate and the location acceptable.

CONCLUSION

Although aimed at a specialist market, it is not considered there is any planning justification for limiting it to equine related use. Therefore this application is recommended for approval with the usual holiday use restrictions.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to the principles of proportionality, it has been concluded that there are no issues arising from the proposal which appear to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

RECOMMENDATIONS

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

1. Standard three year
2. Development in accordance with approved plans
3. Precise siting to be agreed on site
4. Additional planting to be agreed
5. Holiday use only
6. Register of Occupancy to be kept
7. Maximum continuous stay limited to 8 weeks

LIST OF DELEGATED PLANNING DECISIONS

LANCASTER CITY COUNCIL

APPLICATION NO	DETAILS	DECISION
07/01659/FUL	Scaleford Retirement 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 Permitted
08/00101/CU	16 Alexandra Road, Morecambe, Lancashire Change of use from house in multiple occupation to 3 self-contained maisonettes for Mrs J Hartley	Application Permitted
08/00282/FUL	Jasmine Cottage, 7 Silverdale Road, Yealand Redmayne Erection of a 2 storey side extension for Mr Simon Whitfield	Application Refused
08/00284/FUL	Ivah Great Hill, Lowgill Lane, Tatham Retention of a hard-standing area together with the construction of a pond, nature hide and power supply shed for Mr Andy Stocks	Application Refused
08/00363/FUL	Regent Park, Regent Road, Morecambe Erection of a new gas governor station for National Grid Gas	Application Permitted
08/00388/FUL	New Village Hall, Footeran Lane, Yealand Redmayne Erection of a single storey extension to the rear for Yealand Village Hall	Application Permitted
08/00394/FUL	Bargain Booze, 2 Greaves Drive, Lancaster Replacement of two chiller units with four chiller units for Mr Daniel Rose	Application Permitted
08/00411/CU	Lower Bank House Farm, Moss Lane, Thurnham Conversion of two barns into four holiday cottages and demolition of derelict shed. for J Waring And Sons Ltd	Application Permitted
08/00419/CU	Blue Anchor Hotel, 93 - 95 Mainway, Lancaster Change of use of ground floor to General Store/ Newsagents and one No. three bed flat, and change of use of first floor to two No. two bed flats for Addlestones	Application Permitted
08/00428/CU	Greenlands Farm, Burton Road, Priest Hutton Change of use to part of the animal farm and environment centre building to a wine storage and retail unit for Mr R. Mason	Application Permitted
08/00447/FUL	Sellerley Farm, Conder Green Road, Galgate Erection of roof over existing yard/feed area and extension to existing dairy/milk processing building for Mr Eddie Newsham	Application Permitted
08/00449/CU	Lower Greenbank, Lower Green Bank, Wray Change of use of part of attached barn to extend living accommodation for Mr And Mrs Holland	Application Permitted
08/00466/CU	Christ Church C Of E School, School Lane, Glasson Dock Retrospective application for the change of use of land to wildlife garden and proposed erection of a replacement wooden storage building for Thurnham Glasson C Of E Primary School	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

08/00477/FUL	8 Melrose Street, Lancaster, Lancashire Erection of a single storey extension to the rear for Mrs M Brown	Application Permitted
08/00482/ADV	238 Marine Road Central, Morecambe, Lancashire Erection of 5 illuminated signs within existing shopfront frames and continuous non illuminated fascia sign panel for Purple World Ltd	Application Refused
08/00484/FUL	Queen Victoria Hospital, Thornton Road, Morecambe Relocation of 11 No. previously approved parking spaces for North Lancashire Teaching	Application Permitted
08/00498/FUL	13 Lunesdale View, Halton, Lancaster Single storey extension to rear and extension over existing garage for Mr And Mrs K Oram	Application Permitted
08/00504/FUL	Halton Green West, Green Lane, Halton Conversion of existing barn into additional accommodation for attached dwelling including internal and external alterations for Mr S Tomlinson	Application Permitted
08/00505/LB	Halton Green West, Green Lane, Halton Demolition of external porch, various internal and external alterations and conversion of attached barn into additional accommodation for dwelling. for Mr S Tomlinson	Application Permitted
08/00519/FUL	5 Ailsa Walk, Heysham, Morecambe Erection of a two storey side extension over existing garage for Mr D Powell	Application Permitted
08/00521/FUL	3 Coastal Road, Hest Bank, Lancaster Erection of single storey side extension for Mr Peter Buckley	Application Permitted
08/00524/CU	The Kitchen Garden, Hornby Castle, Main Street Conversion of domestic outbuildings into 1 dwelling for Mr David R. Battersby	Application Permitted
08/00540/CU	2 And 4 Central Avenue, Lancaster, Lancashire Change of use of a single dwelling to two dwellings, including external alterations to form first floor extension and conservatory to rear for Mr C. Berry	Application Permitted
08/00544/FUL	17 Queens Drive, Morecambe, Lancashire Erection of a detached garage for Mr A. Moore	Application Permitted
08/00545/CU	The Hawthorns, Main Road, Nether Kellet Siting of 1 new static caravan within the site boundary, change of use of existing 6 touring caravans to static and associated landscaping. for Mr D & M Wright	Application Permitted
08/00546/FUL	251 Westminster Road, Heysham, Morecambe Extension of roof to side elevation and 2 rooflights to rear for Mr Frill	Application Permitted
08/00547/FUL	The Bungalow, Eskrigge Lane, Gressingham Erection of dormers to the rear for Mr P. Couthwaite	Application Permitted
08/00550/LB	Hornby Castle, Main Street, Hornby Listed building consent for the conversion of domestic outbuildings into 1 dwelling for Mr David R. Battersby	Application Permitted
08/00559/ADV	Brookfield View Pharmacy, Main Road, Bolton Le Sands Erection of a projecting sign for United Co-Op Pharmacy	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

08/00562/FUL	54 Dallas Road, Lancaster, Lancashire Installation of velux window to front for Neil Manson	Application Permitted
08/00563/CU	Arrow Barn, Arrow Lane, Halton Retrospective change of use to form garden and formation of new tennis court for Mr Richard Williams	Application Permitted
08/00570/FUL	Briggs Brow Bungalow, Moss Lane, Thurnham Installation of a wind generator for Mr Peter Nelson	Application Permitted
08/00573/FUL	Pinewoods, Rigg Lane, Quernmore Alterations to front elevation to replace velux roof windows to first floor lounge for Mr J Smith	Application Permitted
08/00575/FUL	86/88 Alexandra Road, Morecambe, Lancashire Alterations to shop front for Mr S. Shanthakumar	Application Permitted
08/00576/FUL	55 Copy Lane, Caton, Lancaster Erection of a two storey extension to the rear for Mr Michael Marshall	Application Permitted
08/00582/FUL	12 Westbourne Road, Middleton, Morecambe Erection of an extension to replace existing for Mrs. McCormack	Application Permitted
08/00588/CU	6 Queen Street, Morecambe, Lancashire Retrospective application for change of use from retail shop (Class A1) to sweet shop and cafeteria mixed use (Class A1 and A3) with ancillary takeaway facility for Mrs Susan Hutchinson	Application Permitted
08/00594/REM	Sand Villa Farm, Sandside, Cockerham Reserved matters application for the erection of an agricultural workers dwelling for Mr P. JONES	Application Permitted
08/00596/FUL	Lancashire Constabulary Police Station, Thurnham Street, Lancaster Re-instatement of existing concrete panel wall and footpath for Lancashire Constabulary	Application Permitted
08/00599/FUL	2 Coulston Road, Lancaster, Lancashire External stair to first floor flat and new access door at first floor level for Mr C Nicholas	Application Permitted
08/00600/FUL	The Stables Hyning Home Farm, Milnthorpe Road, Warton Erection of stable and tack room for Sarah Spruce	Application Permitted
08/00601/FUL	3 Church Hill Avenue, Warton, Carnforth Erection of conservatory to rear for Mr Southwart	Permitted Development
08/00604/FUL	Low West End Farm, Hornby Road, Claughton Change of use and associated building works to convert existing portal frame agricultural building into B1 use (light industrial) or B8 use (warehousing), and changes to the site layout approved on application 06/00744/CU for Mr Michael Thomas	Application Refused
08/00607/CU	34 Victoria Street, Morecambe, Lancashire Change of use from hairdressers (A1) to estate agency (A2) for Cumbrian Properties	Application Permitted
08/00608/FUL	3 Marine Court, Sandylands Promenade, Heysham Erection of two glazed screens to enclose a porch for Mr A Redman	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

08/00609/FUL	University Of Cumbria, Bowerham Road, Lancaster Proposed formation of window opening to Room G08; The Dalton Building for Mr Mark Atkinson	Application Permitted
08/00611/LB	Midland Grand Hotel, Marine Road Central, Morecambe Listed building application for the erection of various signage for Urban Splash Ltd	Application Permitted
08/00613/FUL	Throstle Nest Farm, Lancaster Road, Thurnham Erection of a double garage for Dr Michael Entwistle	Application Permitted
08/00616/FUL	Three Ways, 77 Main Road, Nether Kellet Erection of a replacement detached garage for Mr K Moore	Application Permitted
08/00618/FUL	Sunray, Kirkby Lonsdale Road, Arkholme Erection of dormer window to the rear for Mrs Kay Warburton	Application Permitted
08/00622/CU	88 St Leonards Gate, Lancaster, Lancashire Modernise existing building, including removal of existing extension to rear and rebuilding and internal work to create more useable space, and create 3 self contained flats. for Mr Gulam	Application Withdrawn
08/00623/FUL	1 Chester Place, Lancaster, Lancashire Erection of a first floor side extension for Mr T Rodgers	Application Permitted
08/00625/FUL	The Cartshed, Greenfield Yard, Copy Lane Amendment to previously approved application no. 07/01375/CU to change 1st floor external balcony to internal room for Ashton Homes Lancashire Ltd	Application Permitted
08/00626/FUL	20 Greenwood Avenue, Bolton Le Sands, Carnforth Erection of a single storey extension to the rear for Mr Simon Wilson	Application Permitted
08/00627/FUL	6 Oaklands Court, Lancaster, Lancashire Erection of a first floor extension to side and rear and new front porch with alterations for Mr And Mrs Appleyard	Application Permitted
08/00628/FUL	1 Rothesay Road, Heysham, Morecambe Erection of a side extension, detached garage and new road access for Mr Gerald Metcalfe	Application Permitted
08/00632/FUL	Wickes Building Supplies Sunnyclyff Retail Park, Mellishaw Lane, Morecambe Alterations to front elevations of all the retail units for Resolution Properties Plc	Application Refused
08/00633/LB	Dukes Playhouse, Moor Lane, Lancaster Listed building application to replace 4 timber windows for Dukes Playhouse	Application Permitted
08/00635/FUL	Boldens Farm, Langshaw Lane, Ellel Erection of Agricultural Dairy Housing (Phase 1) for Mr E Woodhouse	Application Permitted
08/00636/FUL	Boldens Farm, Langshaw Lane, Ellel Erection of agricultural milking parlour and collecting yard (Phase 2) for Mr J & E Woodhouse	Application Permitted
08/00637/FUL	Boldens Farm, Langshaw Lane, Ellel New Agricultural Dairy and Bulk Tank Room (Phase 3) for Mr J Woodhouse	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

08/00638/FUL	Boldens Farm, Langshaw Lane, Ellel Erection of an agricultural slurry store (Phase 4) for Mr J Woodhouse	Application Permitted
08/00639/LB	3 Dalton Square, Lancaster, Lancashire Formation of wheelchair ramp to south of main entrance for Mr Martin Horner	Application Permitted
08/00641/CU	219 Marine Road Central, Morecambe, Lancashire Change of use of ground floor premises from shop to mixed use of Dance Studio (D2) and shop (A1) for Mrs Lisa Salem	Application Permitted
08/00642/LB	3-5 Thorpe Avenue, Morecambe, Lancashire Listed building application for the replacement of 6 rear windows for Miss Baker	Application Permitted
08/00645/FUL	Thurnham Glasson C Of E School, School Lane, Glasson Dock Erection of a 4m flagpole attached to school building for Thurnham Glasson C Of E School	Application Permitted
08/00648/FUL	17 Esthwaite Gardens, Lancaster, Lancashire Conversion of existing garage into additional living accommodation, erection of a first floor extension over the existing garage and erection of a conservatory to the rear for Mr And Mrs D. Griffin	Application Permitted
08/00649/FUL	29 Church Street, Lancaster, Lancashire Installation of access ramp and remove existing step and cladding to front of the shop for Mrs Beverley Whitehead	Application Permitted
08/00650/ADV	29 Church Street, Lancaster, Lancashire Erection of a new shop sign for Mrs Beverley Whitehead	Application Withdrawn
08/00662/FUL	6 Kenyon Road, Morecambe, Lancashire Retrospective application for the retention of extension built larger than approved plans and changes to window and french door for Mr David Barlow	Application Permitted
08/00663/FUL	Longlands Hotel, Burton Road, Priest Hutton Erection of a conservatory extension for Mr Barry Robinson	Application Permitted
08/00664/FUL	11 Coverdale Road, Lancaster, Lancashire Construction of a second floor loft extension for Martin And Jessica Walmsley	Application Permitted
08/00665/FUL	12 Dunkenshaw Crescent, Lancaster, Lancashire Erection of a two storey extension to the side for Mr And Mrs P Maguire	Application Refused
08/00666/CON	77 Main Road, Nether Kellet, Carnforth Conservation area consent application to demolish existing garage for Mr K Moore	Application Permitted
08/00667/CU	Mole End Farm, Woodman Lane, Burrow Change of use from agricultural wholesale nursery to agricultural animal training/study centre for special needs children for Mole End Ltd	Application Permitted
08/00669/FUL	Wilsons Endowed C. E. School, School Lane, Over Kellet Erection of single storey classroom extensions to existing school for The School Governors	Application Permitted
08/00670/FUL	13 Broadlands Drive, Bolton Le Sands, Carnforth Erection of kitchen, dining room and garden room	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

extension to the rear for Mr W Jackson

08/00671/FUL	36 Victoria Parade, Morecambe, Lancashire Erection of a two storey extension to the side and rear for Mrs Charlotte Gardner	Application Refused
08/00672/ADV	Bargain Booze, 2 Greaves Drive, Lancaster Replacement of existing illuminated advertisement on Greaves Road elevation for Mr Daniel Rose	Application Refused
08/00673/FUL	Stables, Out Moss Lane, Morecambe Erection of a stable block and construction of a menage for Mr Richard Taylor	Application Permitted
08/00675/FUL	308 - 309 Marine Road Central, Morecambe, Lancashire Construction of a dormer to the rear for Mr Nigel Farebrother	Application Refused
08/00686/FUL	Haven Lea Heysham Head, Barrows Lane, Heysham Erection of a conservatory to the front for Mr Donald Blackwell	Application Permitted
08/00688/FUL	Morecambe High School, Dallam Avenue, Morecambe Retention of an access ramp, and alterations to existing entrance steps, incorporating a disabled parking bay for Morecambe High School	Application Permitted
08/00690/FUL	5 Wallings Lane, Silverdale, Carnforth Demolition of existing shed and erection of a single storey extension to form a games room and landscaping works for Mr Russell Richardson	Application Permitted
08/00691/FUL	8 Hornby Bank, Nether Kellet, Carnforth Erection of a conservatory to the rear for Mr Aye	Application Permitted
08/00692/FUL	34A Hest Bank Lane, Hest Bank, Lancashire Erection of a ground floor extension to the side and a first floor extension to the rear for Mr And Mrs Robert Whitehead	Application Permitted
08/00693/FUL	454 Heysham Road, Heysham, Morecambe Erection of a single storey extension and a two storey extension to the rear for Mr Gary Smith	Application Permitted
08/00695/FUL	Carnforth High School, Kellet Road, Carnforth Erection of an extension to form link corridor and offices, with internal sub-division and new windows to form music practice rooms for Carnforth High School	Application Permitted
08/00696/FUL	43 Silverdale Road, Yealand Redmayne, Carnforth Erection of a replacement conservatory and replacement of first floor arched window to the rear of the property for Mr And Mrs Tucker	Application Permitted
08/00698/ADV	2 Lancaster Gate, Lancaster, Lancashire Erection of new main signage and projecting sign to facade for Furness Building Society	Application Withdrawn
08/00700/CU	106 Clarendon Road West, Morecambe, Lancashire Change of use of property from house in multiple occupancy to 3 self contained flats for Mr Modie	Application Withdrawn
08/00701/FUL	9 Sandringham Road, Morecambe, Lancashire Erection of a granny flat to the side and rear for Mr And Mrs Hoare	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

08/00702/FUL	33 Parkfield Drive, Lancaster, Lancashire Erection of a first floor rear extension for Mr And Mrs Smith	Application Permitted
08/00703/FUL	Mabsoot, Brettargh Drive, Lancaster Proposed extension and refurbishment of ancillary staff house for Mrs B Latham	Application Permitted
08/00705/FUL	11 Bristol Street, Morecambe, Lancashire Erection of new dwelling and attached garage for Mr Derrick Stanborough	Application Refused
08/00707/FUL	22 Middleton Road, Overton, Morecambe Extension to provide disabled facilities comprising bedroom and bathroom for Mr A Bamber	Application Permitted
08/00709/CU	238 Marine Road Central, Morecambe, Lancashire Change of use of former florists shop use class A1 to tapas bar/restaurant use class A3 for Ms Kay Berry	Application Permitted
08/00711/CPA	Heysham Mossgate County Primary School, Kingsway, Heysham Construction of an outdoor classroom with hard paving and safety surfacing with play and educational equipment, weather shelters and planting including an external store for Lancashire County Council	Application Permitted
08/00712/PAM	65 Silverdale Road, Yealand Redmayne, Carnforth Prior Approval of details for a 13m wooden pole for BT Openreach	Prior Approval Not Required (AD/PA)
08/00713/FUL	Territorial Army Centre Alexandra Barracks, Caton Road, Lancaster Construction of a single-storey modular building for Mr Chris Willdigg	Application Permitted
08/00714/FUL	34 Marton Drive, Morecambe, Lancashire Erection of dormer window to the front for Miss L Prest	Application Permitted
08/00716/FUL	Land To The Rear Of, 1 Albert Street, Carnforth Redevelopment of 5 domestic garages into 2 dwellings. Resubmission of Application 07/01600/CU for Mr George Parrington	Application Permitted
08/00720/FUL	Lower Burrow Bungalow, Tarnwater Lane, Ashton Erection of a detached garage for Mrs Rogerson	Application Refused
08/00723/FUL	41 Woodrush, Morecambe, Lancashire Erection of a ground floor extension for Mr And Mrs M McGowan	Application Permitted
08/00724/FUL	Snap Cottage, Lowgill Lane, Lowgill Erection of garage, workshop and garden room for Mr Philip Stone	Application Withdrawn
08/00728/FUL	Tunstall House, Burrow Road, Tunstall Various alterations and extensions for Mr And Mrs Salzedo	Application Permitted
08/00729/FUL	Morecambe Post Office, 2 - 6 Victoria Street, Morecambe Installation of an ATM for The Post Office Ltd	Application Permitted
08/00732/FUL	The Cottage , Main Street, Arkholme Replacement of existing rear extension for Ms P. Beer	Application Permitted
08/00733/FUL	7 Hurstleigh Drive, Heysham, Morecambe Retrospective application for the retention of a wall to the front for Mr	Application Refused

LIST OF DELEGATED PLANNING DECISIONS

And Mrs Gregg

08/00737/CU	Parkside Farm, Russell Road, Tatham Change of use of land from agricultural to Equestrian Arena for Mr Paul Taylor	Application Permitted
08/00738/FUL	9 Meadow Drive, Bolton Le Sands, Carnforth Erection of a single storey rear extension with dormer extensions to the front and rear for Mr And Mrs Wright	Application Permitted
08/00739/FUL	3 Teesdale, Galgate, Lancaster Erection of a dormer extension to the rear for Mr M Eastwood	Application Permitted
08/00743/FUL	7 Hubert Place, Lancaster, Lancashire Erection of extension to the rear for Mr Kevin Seacy	Application Permitted
08/00744/FUL	59 Sand Lane, Warton, Carnforth Erection of a single storey rear extension and detached garage for Mr Hutchings And Miss Dixon	Application Permitted
08/00745/FUL	22 Gleneagles Drive, Lancaster, Lancashire Erection of extension to garage for Dr. J Mom	Application Withdrawn
08/00746/RCN	Meadowcroft, Back Lane, Tunstall Removal of condition 1 on application no. 2/5/3725 for Mr Michael Morphet	Application Refused
08/00747/FUL	15 Kensington Road, Morecambe, Lancashire Construction of a front dormer for Mr Grootendorst	Application Permitted
08/00748/CU	Broadgate Foot Park, Middleton Road, Middleton Change of use of land adjacent to form extension to existing caravan park, for 2 additional park homes with car parking and landscaping for Mr Hanley	Application Permitted
08/00750/FUL	8 Pemberton Drive, Morecambe, Lancashire Erection of a single storey kitchen extension to eastern side for Mr Anderson	Application Permitted
08/00751/FUL	St Lukes School, Slyne Road, Lancaster Erection of a store room and access path to rear for The Governors Of St Lukes C Of E Primary School	Application Permitted
08/00752/FUL	15 Westfield Drive, Bolton Le Sands, Carnforth Erection of a single storey flat roof extension to the side for Mr J Gregory	Application Permitted
08/00756/FUL	46 Marine Drive, Hest Bank, Lancaster Erection of a new conservatory for Mr Dean	Application Permitted
08/00757/CU	Hillside Farm, Lancaster Road, Heaton With Oxcliffe Change of use track to form domestic garden, realign access track and alterations/extension to existing farmhouse for Mr P Wilcock	Application Permitted
08/00763/FUL	Dolphinholme C Of E School, Abbeystead Lane, Dolphinholme Erection of railings to the front and alterations to pedestrian access from Abbeystead Road for Dolphinholme C Of E School	Application Permitted
08/00767/CU	The Malt Shovel, 66 Main Street, Warton Change of use of existing integral public house store/garage into extension of licensed area and external slated canopy to be enclosed as glazed conservatory for Mr S Foster	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

08/00775/FUL	H M Prison The Castle, Castle Park, Lancaster Erection of enclosure fence at the rear of the gatehouse, new CCTV cameras is to be fixed to the new fence and on existing vehicle lock fence, installation of two warning beacons on fence and in the gatehouse for Mr Rt Hon David Hanson	Application Permitted
08/00790/FUL	The New Bungalow, Caton Green Road, Brookhouse Erection of a two storey extension to the side to form garage and additional self contained flat accommodation for Mr Stephen Brown	Application Permitted
08/00796/FUL	19 Sizergh Road, Morecambe, Lancashire Erection of a two storey extension to the rear to provide kitchen/dining room with bedroom over for Mr John Baxendale	Application Permitted
08/00797/FUL	Alfa Aesar, Shore Road, Heysham Erection of new maintenance workshop for Mr Rez Daragheh	Application Permitted
08/00799/FUL	54 Rosebery Avenue, Morecambe, Lancashire Erection of a single storey rear kitchen extension for Mrs Foster	Application Permitted
08/00804/CU	4 Scotland Road, Carnforth, Lancashire Change of use from A1 (shop) to B1 (office) for Cumbria View Care Services Ltd	Application Permitted
08/00805/FUL	52 Sunnybank Road, Bolton Le Sands, Carnforth Erection of an extension to the rear for Mr And Mrs M Yates	Application Permitted
08/00806/AD	Ouzel Thorne, Abbeystead Road, Over Wyresdale Extension to livestock housing for RH And C Ayrton	Prior Approval Not Required (AD/PA)
08/00807/FUL	2 St Christophers Way, Morecambe, Lancashire Retention of a detached garage to the rear for Mr W. Hill	Application Permitted
08/00815/CPA	Ryelands Cp School, Torrisholme Road, Lancaster Erection of a canopy at the front entrance, erection of a canopy on the west facing elevation and provision of an outdoor classroom at the rear of the main building for Lancashire County Council	Application Permitted
08/00816/CU	63 Slyne Road, Morecambe, Lancashire Change of use of part of property to provide a granny flat and erection of conservatory to the rear for Mrs Mulgrew	Application Permitted
08/00825/FUL	Clifford Barn, Dykes Lane, Yealand Conyers Replacement of kitchen window with stone surround for Mrs C Parr	Application Permitted
08/00826/FUL	4 Whin Drive, Bolton Le Sands, Carnforth Erection of a new garage for Mr Bateman	Application Permitted
08/00827/FUL	3 Dalton Square, Lancaster, Lancashire Construction of wheelchair ramp to the south of main entrance for Martin Horner	Application Permitted
08/00828/FUL	102 Sefton Road, Heysham, Morecambe Replacement windows for Mr David Wood	Application Permitted
08/00829/FUL	8 Westbourne Road, Middleton, Morecambe Erection of single storey extension to side and alterations to access and driveway for Mr And Mrs S Pemberton	Application Withdrawn

LIST OF DELEGATED PLANNING DECISIONS

08/00831/FUL	43 Farmdale Road, Lancaster, Lancashire Erection of a conservatory to the rear for Mr I Dearden	Application Permitted
08/00842/FUL	White Cross Pub, Quarry Road, Lancaster Erection of a smoking shelter to the side for White Cross Public House	Application Permitted
08/00843/FUL	3 Colwyn Avenue, Morecambe, Lancashire Erection of a single storey extension to the rear for Mr And Mrs M Spence	Application Permitted
08/00853/FUL	65 Broadway, Morecambe, Lancashire Creation of a dropped kerb for Mr T Hill	Application Permitted
08/00862/CU	253 Lancaster Road, Morecambe, Lancashire Change of use from convenience store with living accommodation to domestic use and alteration works for Christie Park Stores	Application Permitted
08/00867/FUL	161 Main Street, Warton, Carnforth Erection of dining room extension for Mr P Beck	Application Permitted
08/00870/FUL	Dukes Playhouse, Moor Lane, Lancaster Replacement of 4 timber windows for Dukes Playhouse	Application Permitted
08/00871/FUL	Dukes Playhouse, Moor Lane, Lancaster Formation of ramped access to front elevation and installation of pedestrian barrier for Dukes Playhouse	Application Permitted
08/00878/FUL	8 Sunnybank Road, Bolton Le Sands, Carnforth Erection of a conservatory to rear for Mr P Rix	Application Permitted
08/00898/FUL	Skythorns, Craggs Hill, Over Kellet Erection of front and rear porch extensions for Mr And Mrs Littlewood	Application Permitted
08/00909/CU	50 Albert Road, Morecambe, Lancashire Change of use of house in multiple occupation to form three self-contained flats for Mr J Moodie	Application Withdrawn
08/00911/FUL	31A Cove Road, Silverdale, Carnforth Erection of a conservatory to the rear for Mr. Ireland	Application Permitted
08/00919/FUL	Smith Green Farriery, Smith Green Depot, Stoney Lane Erection of new farriery building for Mr Colin White	Application Withdrawn
08/00926/ADV	Former Granby Garments (unit 3), Northgate, Morecambe Retention of two fascia signs for Screwfix Direct Ltd	Application Permitted
08/00945/FUL	28 Brook Road, Morecambe, Lancashire Replacement of flat roof with a pitched roof for Mr Roger Wilkinson	Application Permitted
08/00998/ADV	Furness Building Society, 2 Lancaster Gate, Lancaster Advertisement Consent for replacement fascia sign and a replacement projecting sign - resubmission of 08/00698/ADV for Furness Building Society	Application Permitted

PLANNING AND HIGHWAYS REGULATORY COMMITTEE

**Minute 211, Lundsfield Quarry
1st September 2008**

Report of the Head of Democratic Services

PURPOSE OF REPORT
To request that the Committee agrees an amendment to the minutes of the meeting held on 14 th April 2008 (the resolution of minute 211, regarding Lundsfield Quarry).
This report is public.

RECOMMENDATIONS

- (1) That the Committee agrees to amend the wording of the resolution of minute 211, regarding Lundsfield Quarry, as set out in this report.

1.0 Introduction

- 1.1 The Committee has been asked to formally amend an additional condition within the resolution of Minute 211 by Planning Services, in response to a query from the developers of Lundsfield Quarry site. The original minute and suggested rewording are detailed below:-

2.0 Original resolution of minute 211

2.1 *Resolved:*

That the application be approved, subject to the signing of a Section 106 Legal Agreement, as set out in the report, with the addition of a Travel Plan requirement, as follows:

- Affordable housing
- New canal bridge/public transport contribution
- Off-site highway works
- Countryside Access
- Foot/cycle links to Highfield Estate
- Community Facilities
- Off-site space contribution
- BHS Management Plan
- Management of on-site non-private open space
- Travel Plan

and to the following conditions, as set out in the report, subject to deletion of condition 2 (the number of units and amount of commercial space will be determined by the Reserved Matters application) and deletion of condition 14 (the Travel Plan requirement to be added to the S106 agreement) (the conditions to be renumbered to reflect the changes) and amendment of condition 20 (now 18) as follows:

1. Outline Permission – Reserved Matters required (except access, site remediation and works to the Biological Site)
2. Section 106 is required
3. Affordable housing scheme required
4. Standard Landscaping Condition detail required
5. Great Crested Newts survey required
6. Biological Heritage Site Management Plan required
7. Geological Heritage Site Management Plan required
8. Adoptable Highway details required
9. The approved scheme referred to in the condition above (including the installation of MOVA technology to the canal bridge traffic lights and the new road layout on Kellet Road) has been constructed and completed in accordance with the scheme details prior to occupation of any unit
10. No obstructions to be placed within the highway's visibility splays
11. Provision of Garages and Car Parking (for new housing developments)
12. Wheel Cleaning Facilities – temporary during construction
13. Separate Drainage System
14. Hours of Construction
15. Scheme for Dust Control – earth moving and construction activity
16. Standard Contaminated Land Condition
17. Construction Noise – pile driving condition
18. Details of ball-stop fencing around the football ground to be submitted as part of the Reserved Matters

and to the following additional conditions (suitably worded):

19. Bird breeding condition
20. Transport assessment details to be compliant with provisions of the declared Air Quality Management Area
21. Footbridge to be delivered as per the S106 Agreement (with a recognition that failure to provide the bridge will result in referral of the S106 Agreement back to Committee)

3.0 Proposal

- 3.1 The Committee is asked to agree to remove the additional condition 21 and add a paragraph to the end of the resolution in minute 211. Proposed new wording to read:-

Resolved:

That the application be approved, subject to the signing of a Section 106 Legal Agreement, as set out in the report, with the addition of a Travel Plan requirement, as follows:

- Affordable housing
- New canal bridge/public transport contribution
- Off-site highway works
- Countryside Access
- Foot/cycle links to Highfield Estate

- Community Facilities
- Off-site space contribution
- BHS Management Plan
- Management of on-site non-private open space
- Travel Plan

and to the following conditions, as set out in the report, subject to deletion of condition 2 (the number of units and amount of commercial space will be determined by the Reserved Matters application) and deletion of condition 14 (the Travel Plan requirement to be added to the S106 agreement) (the conditions to be renumbered to reflect the changes) and amendment of condition 20 (now 18) as follows:

1. Outline Permission – Reserved Matters required (except access, site remediation and works to the Biological Site)
2. Section 106 is required
3. Affordable housing scheme required
4. Standard Landscaping Condition detail required
5. Great Crested Newts survey required
6. Biological Heritage Site Management Plan required
7. Geological Heritage Site Management Plan required
8. Adoptable Highway details required
9. The approved scheme referred to in the condition above (including the installation of MOVA technology to the canal bridge traffic lights and the new road layout on Kellet Road) has been constructed and completed in accordance with the scheme details prior to occupation of any unit
10. No obstructions to be placed within the highway's visibility splays
11. Provision of Garages and Car Parking (for new housing developments)
12. Wheel Cleaning Facilities – temporary during construction
13. Separate Drainage System
14. Hours of Construction
15. Scheme for Dust Control – earth moving and construction activity
16. Standard Contaminated Land Condition
17. Construction Noise – pile driving condition
18. Details of ball-stop fencing around the football ground to be submitted as part of the Reserved Matters

and to the following additional conditions (suitably worded):

19. Bird breeding condition
20. Transport assessment details to be compliant with provisions of the declared Air Quality Management Area

(In the event that a clear mechanism for delivering the new canal bridge cannot be provided the application must be reported back to Committee. The mechanism for delivery must include an agreement in principle with the relevant landowners for the purchasing of relevant consents and areas of land, an agreed bridge design with British Waterways and the Council's Access Officer, a fully costed breakdown for the works and the relevant finances made available in the s106 for the delivery of the bridge).

- 3.2 The new wording reflects the fact that the information about the footbridge should be minuted in the form of advice, rather than as an additional condition.

4.0 Options and Options Analysis (including risk assessment)

4.1 The amendment is suggested to accurately reflect the resolution of the Committee.

5.0 Conclusion

5.1 Members are asked to agree the proposed wording to accurately reflect the Committee's decision.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

The change in the wording of the Committee resolution has no additional impact in terms of Diversity, Human Rights, Community Safety, Sustainability or Rural Proofing

FINANCIAL IMPLICATIONS

The change in the wording of the Committee resolution has no additional financial implications for the City Council

SECTION 151 OFFICER'S COMMENTS

N/A

LEGAL IMPLICATIONS

The change in the wording of the City Council resolution has no additional implications for the City Council

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted, and on the basis that the Committee is satisfied that the revised minute properly reflects its original decision, has no further comments.

BACKGROUND PAPERS

Minute 211 of Planning and Regulatory Committee, 14th April 2008

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Ref: