



**Committee:** PLANNING AND HIGHWAYS REGULATORY COMMITTEE

**Date:** MONDAY, 16 NOVEMBER 2015

**Venue:** LANCASTER TOWN HALL

**Time:** 10.30 A.M.

## A G E N D A

Officers have prepared a report for each of the planning or related applications listed on this Agenda. Copies of all application literature and any representations received are available for viewing at the City Council's Public Access website <http://www.lancaster.gov.uk/publicaccess> by searching for the relevant applicant number.

**1 Apologies for Absence**

**2 Minutes**

Minutes of meeting held on 19<sup>th</sup> October 2015 (previously circulated).

**3 Items of Urgent Business authorised by the Chairman**

**4 Declarations of Interest**

To receive declarations by Members of interests in respect of items on this Agenda.

Members are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 10 and in the interests of clarity and transparency, Members should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code Of Conduct, Members are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

### **Planning Applications for Decision**

#### Community Safety Implications

In preparing the reports for this agenda, regard has been paid to the implications of the proposed developments on Community Safety issues. Where it is considered 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  | <b>A5 15/00091/FUL</b>                              | <b>Land To The Rear 38 To 42 North Road, Nile Street, Lancaster</b>                                                                                | <b>Bulk Ward</b>                   | <b>(Pages 1 - 8)</b>   |
|    |                                                     | Erection of a 4 storey building for student accommodation comprising of one 4-bed cluster, four 5-bed clusters and five 1-bed studios for Bayt Ltd |                                    |                        |
| 6  | <b>A6 15/01172/OUT</b>                              | <b>Land North East Of Briarlea Road, Briarlea Road, Nether Kellet</b>                                                                              | <b>Kellet Ward</b>                 | <b>(Pages 9 - 16)</b>  |
|    |                                                     | Outline application for the erection of 10 dwellings for The Late James Cottam (Senior) Will Trust                                                 |                                    |                        |
| 7  | <b>A7 15/00720/REM</b>                              | <b>Land Opposite Greendale Drive, Mill Lane, Warton</b>                                                                                            | <b>Carnforth and Millhead Ward</b> | <b>(Pages 17 - 25)</b> |
|    |                                                     | Reserved Matters application for the erection of 21 residential dwellings with associated access for L & W Wilson                                  |                                    |                        |
| 8  | <b>A8 15/00626/FUL</b>                              | <b>Riverside Caravan Park, Lancaster Road, Heaton With Oxcliffe</b>                                                                                | <b>Overton Ward</b>                | <b>(Pages 26 - 31)</b> |
|    |                                                     | Change of Use of land for siting static caravans for holiday occupation 11 months of the year from 1st March to 31st January for Britaniacrest Ltd |                                    |                        |
| 9  | <b>A9 15/01119/FUL</b>                              | <b>Land To The South Of, Aldcliffe Hall Drive, Lancaster</b>                                                                                       | <b>Scotforth West Ward</b>         | <b>(Pages 32 - 41)</b> |
|    |                                                     | Erection of 6 dwellings with associated access and landscaping for Mr Michael Stainton                                                             |                                    |                        |
| 10 | <b>Delegated Planning Decisions (Pages 42 - 49)</b> |                                                                                                                                                    |                                    |                        |

## **ADMINISTRATIVE ARRANGEMENTS**

### **(i) Membership**

Councillors Roger Sherlock (Chairman), Helen Helme (Vice-Chairman), June Ashworth, Stuart Bateson, Eileen Blamire, Carla Brayshaw, Dave Brookes, Sheila Denwood, Andrew Kay, James Leyshon, Margaret Pattison, Robert Redfern, Sylvia Rogerson, Malcolm Thomas and Peter Yates

### **(ii) Substitute Membership**

Councillors Susie Charles, Mel Guilding, Tim Hamilton-Cox, Geoff Knight, Richard Newman-Thompson, David Smith and Nicolas Wilkinson.

### **(iii) Queries regarding this Agenda**

Please contact Sarah Moorghen, Democratic Services: telephone (01524) 582132 or email [smoorghen@lancaster.gov.uk](mailto:smoorghen@lancaster.gov.uk).

### **(iv) Changes to Membership, substitutions or apologies**

Please contact Democratic Support, telephone 582170, or alternatively email [democraticsupport@lancaster.gov.uk](mailto:democraticsupport@lancaster.gov.uk).

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

Published on Monday 2<sup>nd</sup> November 2015.

<b>Agenda Item</b> A5	<b>Committee Date</b> 16 November 2015	<b>Application Number</b> 15/00091/FUL
<b>Application Site</b> Land To The Rear 38 To 42 North Road Nile Street Lancaster Lancashire	<b>Proposal</b> Erection of a 3 storey building for student accommodation comprising of one 3-bed cluster, one 4-bed cluster, two 5-bed clusters and five 1-bed studios	
<b>Name of Applicant</b> Bayt Ltd	<b>Name of Agent</b> Mr Michael Harrison	
<b>Decision Target Date</b> 20 October 2015	<b>Reason For Delay</b> N/A	
<b>Case Officer</b>	Mrs Eleanor Fawcett	
<b>Departure</b>	No	
<b>Summary of Recommendation</b>	Refusal	

**(i) Procedural Matters**

This application was deferred at the October Planning Committee to allow Members to undertake a site visit.

**1.0 The Site and its Surroundings**

1.1 This application relates to an area of mostly vacant land located to the rear of a terrace of three 3-storey former Georgian houses which front onto North Road within Lancaster City Centre. The site is currently divided by a large stone wall, to the south east of which is land associated with a planning approval in 2014 for the change of use of the upper floors of 38-42 North Road to student accommodation. This proposal also included a three storey rear extension. The site is accessed off Nile Street, which is a cul-de-sac mainly serving an industrial building to the north east of the site and the fire station to the north west.

1.2 The site is located within the Lancaster Conservation Area and to the south west is St. John's Church (1755) which is Grade II\* listed. The adjacent buildings fronting onto North Road are also considered to positively contribute to the Conservation Area. There are no trees within the site, although there are some close to the boundary within the adjacent church yard. Along this boundary there is a concrete panel fence on approximately half its length, with a lower stone wall adjacent to this within the church yard. The remainder of the boundary comprises a larger stone wall, approximately 3m in height, which continues along the north western boundary with the fire station. This appears to be the remnants of a former building on the site. A small part of the site, closest to North Road, is within the Lancaster Air Quality Management Area (AQMA).

**2.0 The Proposal**

2.1 Planning permission is sought for the erection of a building to form student accommodation. It was originally proposed to be predominantly four-storey, with three and two storey elements, comprising five shared cluster flats and five separate studio flats. Following concerns regarding the scale of the development and the amenity of future residents, amended plans have been received which reduce the majority of the building to three storeys, maintaining a two-storey element. The level of

accommodation now proposed comprises four shared cluster flats and 5 studio flats.

2.2 The building is proposed to front onto Nile Street, set back from the main part of the carriageway, with a gate at ground floor in the centre of the elevation leading to an internal courtyard and access to the various parts of the accommodation. This external space is proposed to be shared with the previously approved and implemented student accommodation scheme in the upper floors and extension of the adjacent building fronting onto North Road. It is proposed to have shared bicycle and bin storage within this courtyard, and there will also be access from an existing underpass within the building fronting onto North Road.

2.3 The building would be three storey fronting Nile Street, comprising a gable and pitched roof slope extending up to the boundaries of the neighbouring properties to the north east and south west. To the rear of the gable, the building would extend up to the boundary with the church yard, resulting in windows predominantly facing south east onto the courtyard, with an additional three storey projection to the north west. An additional smaller three-storey gable projection is proposed to the rear of the pitched roof slope facing Nile Street, with a two storey element attached to this, extending towards the existing two storey extension at the rear of 38-42 North Road, leaving a gap of 1.9m. The building is proposed to be predominantly stone, with most of the north elevation finished in render, and the roof finished in slate.

**3.0 Site History**

3.1 There is no recent planning history on the whole of the site. However, there has been a proposal for the conversion of the upper floors of 38-42 North Road to student accommodation, which included a rear extension and the use of some of the application site for access, bicycle and bin storage. There has also been an application relating to the ground floor of this building. The relevant details are set out below:

Application Number	Proposal	Decision
15/00496/CU	Retrospective application for change of use of ground floor shop (A1) to mixed retail unit and professional services (A1 and A2).	Pending Consideration
13/01246/CU	Change of use of upper floors, demolition of rear outriggers, erection of three storey rear extension to provide for 10 student rooms and 1 self-contained studio, and alterations to shop front	Approved

**4.0 Consultation Responses**

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

Consultee	Response
County Highways	No objection subject to conditions requiring: a construction management plan; creation of a length of footway between the application site and Nile Street; details of secure cycle storage facilities.
Environmental Health	No objection subject to conditions requiring: standard thermal double glazing and ventilation; a preliminary risk assessment in relation to contaminated land; and standard contamination conditions.
Historic England	Whilst not objecting to the principle of development, they consider that the scheme causes harm to the setting of St John's Church through the scale of the development and its design. They welcome the reduction of the highest element of the building, but do not consider that the other concerns have been adequately addressed.
Conservation Officer	Concerns regarding the height, scale and massing of the building, including the overall footprint, in addition to some of the design elements given the proximity of the site to a II* Listed Building and location within the Conservation Area.
Lancaster Civic Society	Welcome the development of a near-derelict site and find the overall exterior design acceptable, with a sympathetic choice of materials. However, the height of the four storey element will dominate the adjacent Grade 2* listed St John's Church, especially when viewed from Chapel Street and North Road.

<b>Georgian Society</b>	No comments received within the statutory consultation period.
<b>Churches Conservation Trust</b>	No comments received within the statutory consultation period.
<b>Tree Protection Officer</b>	Object. There is significant potential to harm offsite trees and therefore careful assessment of the proposed development on neighbouring offsite trees must be undertaken in compliance to BS 5837 (2012) Trees in relation to design, demolition and construction.
<b>Lead Local Flood Authority</b>	Not listed in the 'When to Consult the LLFA' document or in the Development Management Procedure Order 2015.
<b>Parking and Administration</b>	The applicant should be advised that the occupiers of the property will not be eligible for residents parking permits for the Lancaster City Council Residents Parking Scheme – Central Zone A.
<b>United Utilities</b>	No comments received within the statutory consultation period.
<b>Lancashire Constabulary</b>	In order to reduce the risk of the types of crimes affecting the students living within the proposed development suggest various security measures.

**5.0 Neighbour Representations**

5.1 None received

**6.0 Principal National and Development Plan Policies**

6.1 National Planning Policy Framework (NPPF)

Paragraphs 7, 14 and 17 – Sustainable Development and Core Principles  
 Paragraph 32 – Access and Transport  
 Paragraphs 49 and 50 – Delivering Housing  
 Paragraphs 56, 58 and 60 – Requiring Good Design  
 Paragraph 124 – Air Quality Management Areas  
 Paragraphs 131 – 134 and 137 – Designated Heritage Assets  
 Paragraph 135 – Non-designated Heritage Assets

6.2 Lancaster District Core Strategy (adopted July 2008)

SC1 – Sustainable Development  
 SC5 – Achieving Quality in Design  
 SC6 – Crime and Community Safety

6.4 Development Management Development Plan Document

DM20 – Enhancing Accessibility and Transport Linkages  
 DM22 – Vehicle Parking Provision  
 DM29 – Protection of Trees, Hedgerows and Woodland  
 DM31 – Development Affecting Conservation Areas  
 DM32 – The Setting of Designated Heritage Assets  
 DM33 – Development Affecting Non-Designated Heritage Assets or their settings  
 DM35 – Key Design Principles  
 DM46 – Accommodation for Students

Appendix D: Purpose Built and Converted Shared Accommodation  
 Appendix F: Studio Accommodation

6.5 Other Material Considerations

Section 66 of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended states that the local planning authority shall have regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Section 72 sets out that special attention should be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

## **7.0 Comment and Analysis**

7.1 The main issues to be considered in the determination of this application are:

- Principle of development
- Scale, design and impact on heritage assets
- Impact on amenity of neighbouring properties
- Standard of Accommodation
- Highway Safety
- Impact on trees

### **7.2 Principle of development**

7.2.1 The use of the application site for student accommodation is acceptable in principle. It is situated in a central sustainable location, close to local services and facilities. It is also within walking distance of the Bowerham Campus of the University of Cumbria and close to good bus routes to Lancaster University. The need for student accommodation in the city centre is identified within the DM DPD and Policy DM46 sets out criteria by which proposals will be assessed.

### **7.3 Scale, design and impact on heritage assets**

7.3.1 The site is located within the Lancaster Conservation Area and adjacent to the Grade II\* St John's Church. It is to the rear of existing three-storey properties fronting onto North Road, although the site is visible from this road across the church yard. The proposal would cover a large proportion of the site, extending up to four of the boundaries. Although the proposal has changed in terms of scale and composition, the footprint is still similar to that originally proposed, with the building moved slightly off the boundary with the churchyard.

7.3.2 Given the importance of the adjacent listed building, Historic England has been consulted. St John's Church was possibly designed by Henry Sephton and was consecrated in 1755. The west tower was designed by Thomas Harrison and added in 1784, with minor alterations in the 19th and 20th century and the church is vested in the Churches Conservation Trust. It is designed in a Georgian style with urbane character and was built at a time of prosperity and expansion in the city of Lancaster.

7.3.3 In response to the original plans, Historic England raised concerns regarding the scale of the proposed development and the impact on the II\* Listed church. They set out that, in a historic area such as Lancaster, there is a hierarchy of development with taller principal buildings to the main routes and smaller scale subservient buildings to the rear and that the proposed scale of the development runs contrary to this historic pattern. Historic England considered that the scheme represented an overdevelopment of the yard to the rear of North Road, which is overbearing to the eastern side of St. John's Church. They advised that this domination of the church would be alleviated by the reduction of the scale of the development by one storey and by the building being set back from the churchyard boundary. Concerns were also raised regarding the blank elevation to the churchyard which further emphasises the scale and overbearing qualities of the development and recommended that this elevation have some form of articulation.

7.3.4 In addition to the issues raised by Historic England, there were also concerns with the initial scheme in relation to the design and the impact that the proposal would have on the Conservation Area, both from immediate and more distant views of the site. It was suggested that the overall footprint was reduced by removing the two storey element which would give more visual separation between the proposed development and the adjacent buildings fronting North Road. Concerns were also raised regarding the use of render on some of the elevations and the mix of fenestration. Following these being raised with the agent, initial amended plans were received. The main alteration to the scheme involved the reduction in the height of the four storey element to three storeys.

7.3.5 Further concerns were raised with the agent and these have resulted in the current set of amendments. There are still significant concerns regarding the scheme and it is considered that the issues highlighted have not been fully addressed. In particular, there are still concerns regarding the scale and massing and it is considered that it represents an overdevelopment of the site. The overall mass of the building is excessive, particularly from Nile Street, and it was advised that there should be more variation in height between the development on North Road and the proposal. To break up the bulk, it was suggested that the element closest to the public house was reduced to two storey

and set back slightly. There was a step in the height of the building on the original plans but this has not been replicated when the height of the main part of the building was reduced. The detailing between the gable and remainder of the elevation facing Nile Street is considered to be poor. The plans originally showed quoins but with no difference in the position of the wall, and now the quoins have just been removed, rather than the wall set back. Concerns were raised regarding the mock warehouse appearance of the windows on this elevation and it was suggested that this glazing be broken up more. It was also suggested that the windows were casement with a horizontal glazing bar rather than trying to replicate the Georgian buildings surrounding by using sliding sash, given the overall design of the building. The large warehouse type openings have been replaced with a pair of sash windows divided by a mullion. It is considered that these give an overly horizontal appearance to this elevation. The other sash windows have not been altered.

7.3.6 The building has been moved slightly off the boundary with the churchyard, however, the footprint has not been significantly reduced by removing the two storey element as suggested. This extends very close to the rear of the extension on 38-42 North Road and as such gives little visual separation between the existing and proposed buildings and emphasises the bulk of the building. As set out above, the traditional form of the city centre would be larger buildings facing the main routes with lower buildings behind. Historically, it is understood that part of this site would have contained court housing, which would have been two storey. The ground floor of the building also extends fully up to four of the boundaries of the site. This leaves no room to accommodate overhanging verges and eaves within the site boundary, which is considered to be a poor aspect of the overall design. It was also suggested that a narrow window on each floor was inserted in the centre of the the gable facing the churchyard to add more interest to this elevation, as suggested by Historic England. A window has now been shown at the end of the corridor on each floor, towards one side of the gable. It is considered that this gives an unbalanced appearance.

7.3.7 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Conservation Area or the setting of a listed building, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of that area or the setting of the building. This is reiterated in policies DM31 and DM32, with the former setting out that new buildings within Conservation Areas will only be permitted where it has been demonstrated that:

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

7.3.8 Whilst it is considered that some form of development could be accommodated on the site, containing a three-storey element, the current proposal represents an overdevelopment of the site, resulting in a cramped form of development in a sensitive location within the Lancaster Conservation Area and adjacent to a Grade II\* Listed building. It is also not considered that it represents a high quality design as advocated by the NPPF. Historic England have also confirmed that they still maintain an objection to the proposal. Whilst they welcome the reduction of the highest element of the building by one storey, Historic England do not consider that any of their other concerns have been adequately addressed.

7.3.9 On the basis of the above, it is not considered that the proposal preserves or enhances the character and appearance of the Conservation Area or conserves the setting of the Grade II\* listed building. The proposal is therefore contrary to the requirements of both national and local planning policies.

#### 7.4 Impact on amenity of neighbouring properties

7.4.1 To the east of the rear part of the site, beyond part of the church yard, are apartments fronting onto Chapel Street. However, within the elevation facing the application site there are no windows. The nearest openings are at more of an oblique angle approximately 13m from the closest part of the building. Given the separation distance, and position of the windows, in addition to the reduction in height by one storey, it is considered that there will not be an adverse impact on the amenities of



these properties. The existing development to the north is the fire station and on the opposite side of Nile Street is an industrial use. As such, there will be no loss of residential amenity to these properties.

7.4.2 The proposed two-storey element is in close proximity to the extension at the rear of 38-42 North Road which contains student accommodation. In the ground floor of this extension is a self-contained studio room providing sleeping and living accommodation for one occupier, with a window facing the proposed development. Appendix D sets out standards in relation to student accommodation and states that all living spaces must have an adequate level of natural light and adequate outlook, with a separation distance of at least 12m between the windows and any wall structure. There are two windows serving this self-contained accommodation, with the one in the side wall located approximately 3m from a low boundary wall and is afforded some outlook across the churchyard towards the church. The accommodation is already occupied and therefore the occupiers benefit from daylight and outlook from two windows, but this is their only living accommodation and they do not share any other of the internal space of the building with the other occupants. As the two storey element will be less than 2m from the window in the rear wall of the room, it is considered that the proposal will have a detrimental impact on the amenities of the occupier of the studio apartment and will result in an unacceptable standard of accommodation.

### 7.5 Standard of Accommodation

7.5.1 Appendix D sets out standards in relation to shared student accommodation and Appendix F refers to size standards in relation to studio apartments. There were initially concerns that some of the rooms were not afforded adequate light or outlook as they faced onto a boundary wall in close proximity. A landlord store has now been proposed at ground floor at the rear to overcome these concerns. In terms of the sizes of rooms and level of amenity, the development is considered to be acceptable. The only rooms which are below the standards set out in the appendices are the shower rooms on the ground, first, and second floors serving three of the cluster flats. However, this in itself is not considered to result in an unacceptable form of development in terms of amenity.

7.5.2 A noise assessment was requested given the nearby, potentially noisy uses, that could impact on the occupiers of the development, including the fire station and adjacent public house. The noise assessment concludes that there will be no adverse impacts from the noise sources described within the report if mitigation is included. It concludes that standard thermal double glazing will be sufficient in controlling noise levels so that standards required by BS8233:2014 are achieved. Environmental Health has advised that a scheme of alternative ventilation will be required to retain internal noise levels whilst providing adequate ventilation and therefore window-mounted trickle ventilators should be incorporated into the glazing units of habitable rooms.

### 7.6 Highway Safety

7.6.1 No parking provision is proposed as part of the scheme. However, the site is highly accessible to services, facilities, cycle lanes and bus routes. Cycle storage facilities are also proposed. It does occupy a predominantly commercial area of the city and suffers from all of the parking problems one would associate with a city centre location. On-street parking adjacent to and in the immediate vicinity of the site is considered to be at a premium with surrounding businesses competing for available on street parking space. Continuous unobstructed access to the fire station is a feature of Nile Street as well as extensive parking restrictions applying to specific lengths of this highway as well as North Road. Given these issues, the Highway Officer has requested a condition requiring a construction management plan, which is considered to be appropriate in this instance.

7.6.2 The Highway Officer has also raised concerns regarding the lack of footway up to the entrance to the accommodation on Nile Street. It currently ends at the edge of land associated with the public house where the highway widens to provide turning to the front of the site. It has been advised that a footway is constructed in front of the site, on Nile Street, to provide a continuous pedestrian route from the site's point of access onto Nile Street through to North Road and to provide a degree of protection to the building's face from vehicles accessing and requiring to turn around within the public highway. This would have to be constructed to Lancashire County Council adoptable standards and be dedicated to be maintained in perpetuity by the County Council. It would be within Highway Authority land and could be controlled by condition.

## 7.7 Impact on Trees

7.7.1 There are no trees within the site but there are some within the adjacent church yard in close proximity to the boundary wall. As these are within the Conservation Area they are afforded protection. No information has been submitted with regards to the implications on these trees and the Tree Protection officer has confirmed that there is significant potential to harm offsite trees. Whilst the existing stone boundary wall may afford some level of constraint to tree roots, careful assessment of the proposed development on neighbouring offsite trees must be undertaken in compliance to BS 5837 (2012) Trees in relation to design, demolition and construction. It is not considered that this could be requested by way of condition as it needs to be ensured that the development could be constructed without having a detrimental impact on the trees. Their removal could not be considered as they are not on land under the control of the applicant.

## 8.0 Planning Obligations

8.1 There are no planning obligations to consider as part of this application.

## 9.0 Conclusions

9.1 Whilst the NPPF places a strong emphasis on the presumption in favour of sustainable development and places significant weight on the need to support sustainable economic growth, it highlights that sustainable development has three roles; an economic role; a social role and an environmental role and that these roles are mutually dependent. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environmental, as well as in people's quality in life. The Local Authority has highlighted concerns during the application process and unfortunately, there are still several design issues have not been addressed. Given the prominence of the site and its sensitive location within the Conservation Area, adjacent to a Grade II\* Listed Building, the proposed design is unacceptable. There are also significant concerns regarding a loss of daylight and outlook to the adjacent student studio apartment and the impact on offsite trees also needs to be fully assessed.

## Recommendation

That Planning Permission **BE REFUSED** for the following reasons:

1. By reason of its, scale, height, massing and design, the proposed development would unduly impact upon the appearance of the Lancaster townscape and the wider setting of the Lancaster Conservation Area. It is therefore considered that the proposal does not represent high quality design and will not preserve or enhance the character of the Conservation Area. As such the development is contrary to the aims and objectives of the National Planning Policy Framework, in particular the core planning principles, and Sections 7 and 12, Policy SC5 of the Lancaster District Core Strategy and policies DM31, DM32 and DM35 of the Development Management Development Plan Document.
2. As a result of its scale, height, massing and design the proposal would unduly impact upon the character and setting of the adjacent grade II\* Listed building. As such the development is contrary to the aims and objectives of the National Planning Policy Framework, in particular the core planning principles, Section 7 and Section 12, Policy SC5 of the Lancaster District Core Strategy and policy DM32 of the Development Management Development Plan Document.
3. By reason of the proximity of the development to the rear of 38-42 North Road, the proposal will have a detrimental impact on the amenities of the occupier of the studio apartment at ground floor and will result in an unacceptable standard of accommodation. It is therefore contrary to the aims and objectives of the National Planning Policy Framework, in particular the core planning principles and Section 7, and Policies DM35, DM46 and appendix D of the Development Management Development Plan Document.
4. Insufficient information has been provided in order to adequately assess the implications of the development on off-site trees which are located within the Conservation Area. As such the development is contrary to the aims and objectives of the National Planning Policy Framework, in particular the core planning principles, and policy DM29 of the Development Management Development Plan Document.

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

In accordance with the above legislation, the City Council can confirm the following:

Lancaster City Council takes a positive and proactive approach to development proposals, in the interests of delivering sustainable development. As part of this approach the Council offers a pre-application service, aimed at positively influencing development proposals. Regrettably the applicant has failed to take advantage of this formal service, although some informal discussions have taken place, and the resulting proposal is unacceptable for the reasons prescribed in this report. The applicant is encouraged to utilise the pre-application service prior to the submission of any future planning applications, in order to engage with the local planning authority to attempt to resolve the reasons for refusal.

### **Human Rights Act**

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this report, the issues arising do not appear to be of such magnitude to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

### **Background Papers**

None

Agenda Item A6	Committee Date 16 <sup>th</sup> November 2015	Application Number 15/01172/OUT
<b>Application Site</b>  Land North East Of Briar Lea Road Briar Lea Road Nether Kellet Lancashire	<b>Proposal</b>  Outline application for the erection of 10 dwellings	
<b>Name of Applicant</b>  The Late James Cottam (Senior) Will Trust	<b>Name of Agent</b>  Miss Lucy Tindall	
<b>Decision Target Date</b>  23 December 2015	<b>Reason For Delay</b>  None	
<b>Case Officer</b>	Mr Mark Potts	
<b>Departure</b>	No	
<b>Summary of Recommendation</b>	Approve	

## **1.0 The Site and its Surroundings**

- 1.1 The application site is located within Nether Kellet, on land that is currently used for grazing livestock and occupies approximately 0.43 hectares. There are no existing buildings on the site, and the land is bound by hedgerow to the north east, with a post and wire fence with third-party gardens located on the southern aspect; a post and wire fence is located on the western boundary with properties beyond this. To the north the site is open and falls down to eventually join the M6 approximately 200 metres from the site.
- 1.2 The land slopes north to south, from 74m Above Ordnance Datum (AOD) to circa 67 Metre AOD in the bottom southern corner. The proposed development is bound by residential properties along Main Road to the south and by open fields to the north and east, properties along Briar Lea Road are situated to the west of the site. The access to the site would be afforded by Briar Lea Road. The site is relatively unconstrained, however the land is designated as 'Countryside Land' in the saved Local Plan and falls within a mineral consultation zone.

## **2.0 The Proposal**

- 2.1 The scheme originally proposed to be outline with access, layout and scale being applied for. Following discussions, the scale and layout has been omitted and this will be subject of reserved matters, should the current application be approved. The proposal is now in outline, with only access now being sought approval off Briar Lea Road. The proposed development consists of 10 dwellings which are indicatively shown to consist of:

- 2 x 1 bed semi-detached (Affordable)
- 2 x 2 bed semi-detached (Affordable)
- 3 x 3 bed detached
- 3 x 4 bed detached

**3.0 Site History**

3.1 There is no relevant planning history applicable to the site.

**4.0 Consultation Responses**

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

Consultee	Response
County Highways	<b>No Objection</b> , whilst recommending standard conditions, have also requested that the upgrading of public transport facilities to Lancashire County Council quality bus stop standards namely: laying of appropriate thermoplastic lining denoting the extent of the stops (Bus Stops 2500DCL2109 & 250015592 (Bridge Road) Kellet Lane).
Lead Local Flood Authority	<b>No Objection</b> , feels that the site can be drained in principle and recommends a condition.
United Utilities	<b>No Objection</b> , subject to the foul and surface water drainage being on separate systems and a surface water drainage scheme to be agreed.
Environmental Health	<b>No observations</b> received within the timescales
Conservation Section	<b>No Objection</b> in principle, however it is critical the design, scale, massing and materials of the built form are sympathetic to the character and appearance of the Conservation Area.
Natural England	<b>No Objection</b>
Strategic Housing Officer	<b>No observations</b> received within the timescales.
Nether Kellet Parish Council	<b>No Objection</b> in principle, providing that privacy is protected for properties along Main Road, traffic safety is addressed on and off Main Road and drainage is addressed.
Tree Protection Officer	<b>Objection</b> on the basis that no Arboricultural Implications Assessment has been submitted with the application.
Public Realm Officer	<b>No Objection</b> however recommends 166.6 m <sup>2</sup> of amenity space is provided, together with an off-site contribution of <b>£17,415</b> , comment is made about a safe crossing point to access the recreation facilities on Main Road.
Lancashire Fire and Rescue Service	<b>No Objection</b>
County Planning (Education)	<b>No Observations</b> received within the timescales.
County Planning (Minerals Safeguarding)	<b>No observations</b> received within the timescales

**5.0 Neighbour Representations**

5.1 11 pieces of correspondence has been received in relation to the application, 9 object, 1 is neutral and 1 in support. The reasons for the opposition include the following;

- Concerns regarding surface water drainage and foul water;
- Concerns over land ownership;
- In a Green Belt and/or Conservation Area (the site is not within the Green Belt);
- Traffic Issues along Briar Lea Road and Main Road;
- Privacy for occupiers of Main Road;
- A number of properties already on the market and therefore why are more homes needed;
- Should promote brownfield development as opposed to greenfield;
- Requests that committee visit the site prior to determination;
- Lack of facilities and services in the village;
- Detrimental impact to property prices along Main Road;
- Detrimental to the conservation area;
- Affordable Homes will decrease the value of existing properties;

- In-accuracies within the planning application, and lack of consideration for single story extension on one of the off-site properties.

The one piece of correspondence in support of the application is supportive of the development assuming the new homes do not detract from existing property prices.

## **6.0 Principal National and Development Plan Policies**

### **6.1 National Planning Policy Framework (NPPF)**

The National Planning Policy Framework indicates that the purpose of the planning system is to contribute to the achievement of sustainable development. At the heart of the NPPF is a presumption in favour of sustainable development (Paragraph 14). The following paragraphs of the NPPF are relevant to the determination of this proposal.

Paragraphs 7, 12, 14 and 17 - Sustainable Development and Core Principles  
Paragraph 32, 34 and 38 Access and Transport  
Paragraphs 49, 50 and 55 - Delivering Housing  
Paragraphs 56, 58, 60, 61 and 64 – Requiring Good Design  
Paragraphs 69,70, 72 and 73 – Promoting Healthy Communities  
Paragraph 103 – Flooding  
Paragraphs 109, 115,117,118 – Conserving the Natural Environment  
Paragraphs 128-134 – Conserving and Enhancing the Historic Environment  
Paragraphs 186, 187, 196, 197, 203-206 – Decision-taking

### **6.2 Lancaster District Core Strategy (adopted July 2008)**

SC1 – Sustainable Development  
SC4 – Meeting the District's Housing Requirements

### **6.3 Lancaster District Local Plan - saved policies (adopted 2004)**

E4 – Countryside Area

### **6.4 Development Management DPD**

DM20 – Enhancing Accessibility and Transport Linkages  
DM21 – Walking and Cycling  
DM22 – Vehicle Parking Provision  
DM26 – Open Space, Sports and Recreational Facilities  
DM27 – Protection and Enhancement of Biodiversity  
DM28 – Development and Landscape Impact  
DM29 – Protection of Trees, Hedgerows and Woodland  
DM32 – The Setting of Designated Heritage Assets  
DM35 – Key Design Principles  
DM38 – Development and Flood Risk  
DM39 – Surface Water Run-off and Sustainable Drainage  
DM41 – New Residential dwellings  
DM42 – Managing Rural Housing Growth

### **6.5 Other Material Considerations**

- National Planning Practice Guidance
- Meeting Housing Needs Supplementary Planning Document
- Lancaster City Council 2015 Housing Land Supply Statement
- Lancashire Minerals and Waste Local Plan – Policy M2

## **7.0 Comment and Analysis**

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

- Principle of Development;
- Layout and Amenity;
- Impact on Heritage;
- Drainage;
- Natural Environment;
- Highways;
- Landscape;
- Open Space;
- Mineral Safeguarding.

### 7.2 **Principle of Development**

7.2.1 The Core Strategy which makes up part of the development plan requires new development to be as sustainable as possible, in particular it should be convenient to walk, cycle and travel by public transport between the site and homes, workplaces, shops, schools, health centres, recreation, leisure and community facilities (Policy SC1). Policy DM42 of the adopted Development Management DPD identifies a number of rural settlements that the Council considers sustainable villages and can support new housing development in principle. Nether Kellet is listed in this policy.

7.2.3 Policy DM42 does indicate that in all cases, proposals for new residential development on non-allocated sites such as this one must:

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

7.2.4 The site has been assessed as part of the 2015 Strategic Housing Land Availability Assessment, as being suitable for potentially 13 dwellings (SHLAA Reference 554) and being deliverable within the 6-10 year phase. It has been raised as part of the consultation process that it would be premature to determine the scheme at this present time. There are no material reasons why the scheme cannot come forward in advance of this period of time. The site was allocated as deliverable within the 6-10 year phase on the basis that there was no certainty that the site would come forward in the 5 year timescale. Notwithstanding other technical issues, it is considered that the development is well related to the built form of Nether Kellet (being within the settlement) and the scheme is considered to be of a scale and character which is proportionate to the village. Given none of the infrastructure consultees have objected to the development, the opinion is that the environment and infrastructure can accommodate the proposed development and the site is of a size whereby a high quality scheme could be devised which is complimentary to the character and quality of the landscape and the Conservation Area. It is therefore concluded that the scheme conforms to the requirements of Policy DM42 of the DM DPD.

7.2.5 A key benefit of the scheme is the provision of affordable homes, of which the scheme proposes 4 out of the 10 units; therefore it is compliant with Policy DM41 of the DM DPD. The units as indicatively shown consist of two 1-bedroom and two 2-bedroom units. This would cater for a local need. The remaining units would consist of three 3-bedroom units and three 4-bedroom units. Whilst the Council does not have specific data for Nether Kellet in terms of the Meeting Housing Needs SPD, there is a demand for predominately detached dwellings, with some semi-detached properties of predominantly 4+ bedrooms and some 3 bedroom properties in rural villages. Therefore, it is considered the type of properties could be viewed favourably at reserved matters stage.

### 7.3 **Layout and Amenity**

7.3.1 The application is outline and therefore matters of layout, scale, landscaping and appearance will be determined at reserved matters stage. Policy DM35 requires new development to make a positive contribution to the surrounding landscape through good design having regard to local distinctiveness, siting, layout and scale. It requires development to promote diversity and a choice of a balanced mix of compatible buildings. In particular it requires development to be accessible and

to promote permeability by creating connections to existing services and to retain appropriate amounts of garden space.

7.3.2 The NPPF places great emphasis on the planning system facilitating social interaction, and creating healthy and inclusive communities. This can be achieved through the provision of an appropriate level of open space, amenity space and landscaping. The scheme is inward looking, and initially did not propose open space but amended plans do now provide for an area of open space albeit slightly smaller than recommended by the Public Realm Officer, however given layout is not being applied for this can be addressed at reserved matters stage.

7.3.3 The layout of the development as noted above is inward looking which is considered acceptable in this location. The scheme is designed around the new access road coming in off Briar Lea Road with a spur to serve 4 of the units on the southern aspect of the site. The overall layout is considered broadly acceptable, with generous gardens, however it is indicative, and the case officer believes that there can be some improvements made at reserved matters stage. There has been some concern with respect to plot 5 in terms of privacy issues associated with the nearest properties along Main Road given these properties are slightly lower than the site (circa 65 metres AOD). The applicant's agent has submitted indicative sections as part of the application. The local resident's concerns are noted, however the application is not seeking permission for layout, and subject to agreed finished floor levels, orientation of windows, boundary treatments and appropriate separation distances being employed, there would be no loss of amenity for either properties along Main Road, Briar Lea Road or for future users of the site itself. It has been raised during the consultation process whether a bungalow could be proposed on plot 5, which would further increase privacy for those residents along Main Road and this will be conveyed to the applicant's agent assuming the scheme is supported by committee as will be the need to account for the single storey extension on one of the properties on Main Road.

7.3.4 Overall it is considered that the development proposed is of a density appropriate to its surroundings and the applicant has provided sufficient information to state that 10 homes could be accommodated on the site. It is considered that at reserved matters stage a high quality scheme can be achieved in line with Policies DM41 and DM42 of the DM DPD.

#### **7.4 Impact upon Heritage**

7.4.1 The very southern aspect of the site falls within the Nether Kellet Conservation Area, and given the elevated nature of the site there will inevitably be views from the wider Conservation Area. Views of plots 6-10 are likely to be seen from more distant views from within the Conservation Area. On the basis of a high quality design, and appropriate materials (such as natural slate, fronting stone and appropriate render), it is considered that the development will preserve the appearance of the Conservation Area. Policy DM31 does state that outline applications will not be encouraged within Conservation Areas, however given only a small aspect of the site is within the Conservation Area (consisting of namely garden space) there is sufficient confidence with the indicative layout that a high quality scheme can be achieved. The Council's Conservation Officer has no objections subject to the use of high quality materials. Given this it is considered that the scheme complies with Policy DM31 of the DM DPD and that due regard has been paid to Section 66 of the Planning (Listed Building and Conservation Area) Act 1990 and it is considered that the Conservation Area and nearby listed buildings would be preserved on the basis of a scheme to be assessed at reserved matters stage.

#### **7.5 Drainage**

7.5.1 The application constitutes a major application given it is proposing 10 or more homes and therefore Sustainable Urban Drainage Systems (SuDs) approval will be required from the Lead Local Flood Authority. At the time of writing the committee report the application does not contain a drainage strategy nor does it suggest how surface water drainage will be dealt with. Notwithstanding this the Lead Local Flood Authority raise no objection to the scheme, subject to conditions, however they do caveat that further information should be presented prior to determination.

7.5.2 Developments should be designed with drainage in mind, initially the application did seek permission for scale and layout but in the absence of any information on how the site could be drained the case officer felt it would be premature to determine the layout. For this reason it was not considered in the absence of knowing how the site could be drained that the layout as proposed could be



supported as this may well need to be modified to account for drainage (heightened by its sloping nature and lack of connection to a local watercourse). It is expected that prior to determination at the committee a drainage report will be submitted to give the confidence that the site can be drained in line with the SuDs hierarchy. Therefore from a surface water perspective it is considered given no objection from the statutory consultee then the scheme would accord with Policy DM39 of the DM DPD.

- 7.5.3 Local representations have raised concern with drainage in particular foul water and concern that drainage on Briar Lea Road is unadopted. United Utilities have raised no objection to the development on the proviso that conditions are attached regarding a separate system for foul and surface water drainage (details to be controlled via planning condition). United Utilities have made no reference to whether the existing drainage along Briar Lea Road is adopted and whilst concerns are noted, it is considered that in the absence of an objection from United Utilities that there is no justifiable reason to refuse the scheme on this basis.

### **7.6 Natural Environment**

- 7.6.1 No trees would be lost to facilitate the development, albeit there are hawthorn hedgerows and some trees located within the boundaries of the site and within adjacent gardens. The Council's Tree Protection Officer has objected on the basis that an Arboricultural Implications Assessment was not submitted. An Arboricultural Survey has now been submitted, the comments of the Tree Protection Officer will be reported to Committee. Notwithstanding this, it is clear from the submitted information that the site can be developed without any adverse impacts on existing vegetation, and given the layout is notionally shown at present, conditions can be imposed to ensure root protection zones are not compromised, and therefore the proposed development is compliant with Policy DM29 of the DM DPD and through appropriate landscaping at the reserved matters stage has the opportunity to enhance tree and hedgerow coverage.

- 7.6.2 Natural England raise no objection to the development, the site is not covered by any statutory designation and given the site is farmed and trees would remain as part of the scheme it is not considered there would be any detrimental impact on ecology. Through a high quality landscaping scheme to be secured at reserved matters stage there is the potential to offer an enhancement to biodiversity of the area and therefore considered that the scheme is compliant with Policy DM27 of the DM DPD.

### **7.7 Highways**

- 7.7.1 Concern has been raised by local residents regarding access arrangements, along Briar Lea Road, and the increased the likelihood of accidents at its junction with Main Road. Whilst resident concerns are noted the County Council as highway authority has raised no objection subject to conditions. One of these conditions concerns the upgrade of bus stops, which given ten homes is seen as appropriate. Overall it is considered that in highway safety terms the development is acceptable.

### **7.8 Landscape**

- 7.8.1 Policy DM28 and the NPPF seeks to attach great weight to the protection of nationally important designated landscapes. For the avoidance of doubt, it should be noted that the application site is not located within any such designation (e.g. AONB or National Park). Given this is an outline application, matters associated with siting, design, materials and external appearance of landscaping will be determined at the reserved matters stage should this outline application be supported.

- 7.8.2 The development is on land allocated as open countryside in the adopted local plan which, on the case officer's site visit, was being grazed with livestock. The site is elevated in nature and therefore from within the village the dwellings would be visible from within and around the periphery of the village. It is inevitable that the proposed development will lead to a landscape impact simply on the basis that the site will lose its previously recognised greenfield character. The views of residents who overlook the site are therefore well founded as there will be a landscape change, however a change from open land to a developed form is not necessarily harmful and it is considered that the benefits arising from the scheme in increasing the supply of new homes in the district outweighs the landscape impact.

**7.9 Open Space**

7.9.1 The Council's Public Realm Officer has no objections to the scheme on the provision that open space is provided on site, a contribution of **£17,415** and for a safe crossing point to be provided to access the recreational facilities across Main Road. Open space has indicatively been shown on the plans and as part of the reserved matters (dependent on number of homes and bedrooms) would need to be revisited. It is not considered that the crossing point for 10 homes would be entirely reasonable, especially given no objection from the County Council as highways authority and therefore in the circumstances cannot be supported. The applicant is amenable to the off-site contribution and therefore this can be secured by Section 106.

**7.10 Mineral Safeguarding**

7.10.1 Approximately 40% of the site is covered by a mineral safeguarding zone. The County Council as minerals and waste authority has not responded to the consultation request, however given the location (in close proximity to residential dwellings) it is highly unlikely that the site would be able to be commercially worked for mineral. Notwithstanding this, there may be the opportunity for a prior extraction exercise to take place; however given the constraints of the site this is unlikely to be feasible and in the absence of a response from the County it is not considered there would be any sterilisation of mineral resource by non-minerals development and therefore the scheme complies with Policy M2 of the Lancashire Minerals and Waste Local Plan.

**8.0 Planning Obligations**

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

- Up to 40% provision of affordable housing (percentage, tenure, size, type, phasing to be agreed at Reserved Matters stage based on local housing needs and viability);
- Provision for long term drainage, open space and landscaping maintenance; and,
- Off-site contribution for open space of **£17,415**

With Committee's support, Officers seek delegation to ensure that the Section 106 Agreement is signed within the 13 week deadline (i.e. before 23rd December 2015).

**9.0 Conclusions**

9.1 The site is located in a sustainable location, adjacent to existing development, and will provide an important contribution towards housing supply within the District. It is considered that the development could be accommodated on the site without a significant impact on the character and appearance of the landscape and will be served by an appropriate means of access.

9.2 The Council does not have a five year land supply of housing and as such the application should be considered in the context of the presumption in favour of sustainable development. This means granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or specific policies in the NPPF indicate development should be restricted. Taking all matters into consideration, it is not considered that any adverse impacts of granting consent significantly and demonstrably outweigh the benefits and there are no specific policies in the NPPF that indicate development should be restricted. As such, it is considered that the proposal represents a sustainable form of development and accords with the NPPF.

**Recommendation**

That Outline Planning Permission **BE GRANTED** subject to the following conditions:

- :
1. Reserved Matters to be submitted (scale, layout, landscaping and appearance)
  2. Development in accordance with plan
  3. Construction details for the access
  4. Offsite highway works – bus stop upgrade and white lining
  5. Scheme for Foul Water to be submitted
  6. Surface Water Drainage Scheme
  7. SuDs management and maintenance plan
  8. Construction Method Statement

9. AMS to be submitted
10. Finished Floor Levels and site levels to be submitted
11. Scheme for electric vehicle charging points
12. Landscaping Management Plan
13. Contaminated Land

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

In accordance with the above legislation, the City Council can confirm the following:

Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the agent to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been made having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

### **Human Rights Act**

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this report, the issues arising do not appear to be of such magnitude to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

### **Background Papers**

None.

<b>Agenda Item</b> A7	<b>Committee Date</b> 16 November 2015	<b>Application Number</b> 15/00720/REM
<b>Application Site</b> Land Opposite Greendale Drive Mill Lane Warton Lancashire		<b>Proposal</b> Reserved Matters application for the erection of 21 residential dwellings with associated access
<b>Name of Applicant</b> L & W Wilson		<b>Name of Agent</b> HPA Architecture
<b>Decision Target Date</b> 20 November 2015		<b>Reason For Delay</b> Appraising the scheme's viability
<b>Case Officer</b>		Mr Philip Megson
<b>Departure</b>		Yes
<b>Summary of Recommendation</b>		Approve subject to the completion of a legal agreement to secure the provision of 6 affordable houses.

**(i) Procedural Matters**

This planning application was considered by the Committee at the September meeting. It was agreed to defer consideration of the planning application pending receipt of an independent viability assessment of the amount of affordable housing that could be provided.

**1.0 The Site and its Surroundings**

- 1.1 The site which forms the subject of this application is a 1.1 hectare agricultural field located on the eastern side of Mill Lane on the northern edge of the settlement of Millhead within the Parish of Warton. The site is currently used for silage production and grazing and slopes down (gradient approximately 1 in 9) towards the western boundary adjacent to the highway (Mill Lane). The western boundary of the site is made up of approximately 100m of high level natural stone wall from the most south western corner which then merges with a mature hedge line for the remaining western boundary. There is a small gated site access directly opposite the entrance with Greendale Drive. The eastern boundary consists of a low level post and wire fence.
- 1.2 The surrounding area is characterised as a mixture of residential and undulating rural agricultural greenfield. Adjacent to the southern boundary backing on to and stepping down with the land levels are 12 residential dwellings located on Grange View. These properties are a mixture of two storey semi and detached dwelling houses. Towards the south western corner of the site is the car park for the Nib Public House, which is a two storey building constructed of natural stone and forms the end building in a small terrace block. On the opposite (western) side of Mill Lane is the entrance to Greendale Drive which consists of a small estate of bungalows along with Kingdom Hall which has a large car park to the front. Adjacent to the northern boundary of the site is a large bungalow known as Stoneleigh (formerly Bradden). There is a regular hourly bus service (51) which passes the application site with a bus stop/shelter located opposite the Nib Public House on the western side of the highway.
- 1.3 The setting of the site is characterised by fields with boundaries of hedge and dry stone walls. These

fields form the transition zone between the heavily wooded limestone outcrops of Warton Crag and the more intensively developed residential areas of Carnforth.

- 1.4 The application site is within the Arnside and Silverdale Area of Outstanding Natural Beauty (AONB) and the south western corner of the site is identified as an area susceptible to surface water flooding and the whole site is located within Flood zone 1. There are no other constraints or designations that affect the site.

**2.0 The Proposal**

- 2.1 Outline Planning Permission was granted subject conditions for 21 dwellings in August 2014 (14/00376/OUT). The Reserved Matters application is for 21 dwellings comprising six 2-storey, 2-bedroom houses; one detached and six semi-detached 2 storey 3-bedroom houses; two detached, 3-bedroom dormer bungalows; four semi-detached 2-bedroom bungalows; and two semi-detached, 3-bedroom dormer bungalows. Access to the site is proposed to be created from the western boundary of Mill Lane, directly opposite Greendale Drive, and includes the provision of a mini roundabout. Surface water drainage will use soakaways.

- 2.2 It is proposed to retain three trees and to create an area of Public Open Space in the north west corner of the site. Two trees will also be retained in the South-west corner of the site. It is proposed to include a landscape buffer, including tree planting, to screen the site from the east. Tree planting is also proposed on the other boundaries to the site. It is proposed to remove the existing hedgerow on the Mill Lane frontage to allow construction of the access and create visibility splays for egress to Mill Lane from the site. It is proposed to replant a hedgerow to the rear of the visibility splay.

**3.0 Site History**

- 3.1 Details of the most relevant planning history is set out below:

Application Number	Proposal	Decision
98/01253/OUT	Outline application for residential development	Refused
99/00035/OUT	Outline application for residential development including nature conservation and new access	Refused and appeal dismissed
99/00438/OUT	Outline application for residential development including nature conservation area and new access	Refused and appeal dismissed
07/00012/REF	Erection of 16 affordable houses	Refused and appeal dismissed
14/00376/OUT	Outline Application for the development of 21 residential dwellings with associated access	Approved subject to conditions and S106 agreement

**4.0 Consultation Responses**

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

Consultee	Response
Environment Agency	The EA has no comments to make on this reserved matters application.
Lancashire Fire & Rescue Service	The Fire Authority will make a detailed report on fire precautions at building regulation application stage when formally consulted by the Building Control/Approved inspector
Natural England	In terms of statutory nature conservation sites - no objection. They advise to apply standing advice in relation to protected species; and they do not offer comment on protected landscape matters. They believe that the scheme offers opportunities for biodiversity enhancements.
Warton Parish Council	Objection - the cost of the installation of a mini roundabout is so great the element of affordable housing in the development should be removed. The Parish Council view was that the development would help to meet the affordable housing need highlighted in the AONB housing needs survey. Members also request that the proposed footway

	<p>provision extends for the full length of the site rather than from the mini roundabout only as a safety measure.</p>
<p><b>Tree Protection Officer</b></p>	<p>The application contains no detailed arboriculture assessment. There are two mature trees and a mature mixed species hedgerow established to the south-western boundary of the site. These positively contribute to the character and appearance of the site and wider locality and offer ecology opportunities. The two trees are proposed to be retained. Approximately 75% of the mature hedgerow is proposed for removal to accommodate the new access, visibility splays and a new public footway. A short section of hedgerow is to be retained to the north west of the site, close to the proposed public open space. The hedgerow is comprised of elder, hawthorn, blackthorn, hazel, sycamore and ash. The hedgerow could be considered for retention and incorporation into the overall design if it was “pushed” back into the site, retaining the soil around the root system. In this scenario, so much more of this valuable wildlife resource and existing amenity value could be realistically retained. This would allow the visibility splays and footpath to be delivered. There would only be a requirement for the removal of a section of hedgerow to provide the new access point. Landscape buffer zones are proposed on three sides of the site, new planting must include a range of native and non-native species to ensure a tree stock resilient to a changing climate.</p>
<p><b>Arnside &amp; Silverdale Area of Outstanding Natural Beauty Partnership</b></p>	<p>Strongly objects to a greenfield site within the AONB being used solely for market housing. Objective 10 of the AONB Management Plan 2014-19 prioritises housing development that meets local affordable housing need. The Partnership is concerned that this could set a precedent for other greenfield sites as the arguments put forward as to why it is unviable i.e. sloping ground, providing a new mini-roundabout, do not appear to represent any exceptional circumstances. The needs identified within the AONB Housing Needs survey for Warton - one to three bedroomed housing - should be addressed through development of this site. The current submission does not propose any one bedroomed properties - inclusion of a number of smaller, one bedroomed properties would help meet local need and could improve viability.</p> <p>With regard to design and access, the AONB Partnership previously commented that the view up to Warton Crag should not be compromised. This could be achieved by keeping the most westerly portion of the site more open, locating the bungalows appropriately and by including some one and a half storey properties (dormer bungalows) to increase the number of dwellings that present low vertical profiles within the view. Redesign of the properties to front Mill Lane would deliver layout benefits too. They appreciate this would mean removal or partial removal of the existing hedgerow but this could be compensated for elsewhere on the site and a new hedge could be planted to form the front boundary of each property that faces the main road. Comments regarding sustainable design and use of materials are also provided.</p>
<p><b>County Highways</b></p>	<p>No highway objection. Condition requested regarding construction of new internal pedestrian/vehicular access road. Comments that other than a schematic drawing outlining the prospective location of the mini roundabout, little information would appear to have been submitted with regards vehicle swept path analysis, view line arrangements and likely extent of land take requirement's such as to allow for the inclusion of all elements of highway furniture necessary for the construction of a roundabout and point of access into the development. Detailed design of the feature will dictate the overall layout of the scheme and will undoubtedly have a bearing on the exact position of individual residential units within the development. That aside, I have no highway objection to the applicant's reserved matters proposal. Should your council be mindful of granting planning approval, I would ask that the following condition be appended to any associated reserve matters approval:</p>
<p><b>Housing &amp; Planning Policy Team</b></p>	<p>The Report appears to be sufficiently robust to satisfy us that the proposed scheme can deliver 6 x affordable housing units (3 x social rented and 3 x intermediate rented) which will be provided in the form of two bedroom houses.</p> <p>Given the conclusions drawn from the report, if the applicant is now willing to provide an affordable housing scheme in the manner recommended in the report, I am satisfied that there is sufficient justification for supporting a scheme that will deliver a lower percentage of affordable housing than could normally be expected.</p>

## **5.0 Neighbour Representations**

5.1 At the time of writing 13 representations have been made by members of the public. 11 of the representations raise objection to the proposed development. The main grounds for objection are summarised overleaf:

- Loss of agricultural land;
- Traditional field pattern would be destroyed;
- Visual impact of the development on the AONB;
- Loss of greenfield site/priority should be given to brownfield sites;
- Potential to exacerbate use of narrow Mill Lane with a detrimental impact on highway safety. The proposed footway would stop at the development boundary and would be a danger for pedestrians crossing the road;
- Lack of capacity of sewers to cater for new development;
- Detrimental to residential amenity (noise, overlooking);
- No clear evidence of local need for affordable housing;
- No affordable housing proposed;
- Adverse impact on wildlife;
- Destruction of hedgerows;
- Increased risk of flooding through run-off;
- Proposed public open space is small and close to a busy road;
- Highway impacts off-site - e.g. congestion at Carnforth cross roads (A6 and B6254)
- Weakens separation of Warton and Carnforth.

5.2 The grounds set out in the representation in support are:

- Well laid out with useful variety of properties will be of benefit to the village;
- Site currently has no environmental merit; it will be improved with landscaping and gardens;
- There is no requirement for any more low cost housing in Millhead; low cost housing would be better built nearer the Carnforth town centre;
- The entrance using a mini roundabout would slow most of the traffic which would be welcome to all residents;
- Moving of the hedge on Mill Lane would help traffic.

5.3 One representation relates to matters not relating to the proposed development.

## **6.0 Principal National and Development Plan Policies**

6.1 **Sustainable Development** – NPPF paragraphs 7 and 14; Core Strategy policy SC1 and SC3  
**Housing provision** – NPPF paragraphs 47 - 50; Core Strategy policies SC1, SC3 and SC4, Local Plan H11 and H7  
**Accessibility and Highway** - NPPF paragraphs 32, 34 and 35; Core Strategy policy E2; Local Plan policy H7 and T9  
**Open Space** – NPPF paragraph 73; Core Strategy policy SC8  
**Flooding and Drainage** – NPPF paragraph 103; Core Strategy policy SC1  
**Ecology** – NPPF paragraph 118  
**Landscape and Areas of Outstanding Natural Beauty** - NPPF paragraph 115-116 and Saved Local Plan policies E3 and E4  
**Housing Provision** – DM41  
**Managing Rural Housing Growth** – DM42  
**Green and Open Space** – DM25 and DM26  
**Access and Highway Safety** – DM20  
**Flooding and Drainage** – DM38 and DM39  
**Ecology** – DM27  
**Landscape** – DM28

## **7.0 Comment and Analysis**

7.1 As the principle of housing is accepted by virtue of outline planning permission 14/00376/OUT, the key material considerations arising from this application are:

- Access and highway safety considerations;
- Landscape impacts and impacts upon the AONB;
- Affordable housing; and
- Impacts on boundary trees and hedges.

In addition the following are other material considerations:

- Ecology;
- Residential amenity;
- Contaminated land; and
- Drainage

### 7.2 Access and Highway Considerations

In response to the Highway Authority's comments, including requirements for the mini roundabout and its impact on the point of access and the proposed layout of the development, the applicant has submitted a revised plan that provides detailed information to inform the construction of the mini roundabout and point of access into the development.

7.3 To ensure that a satisfactory access is provided to the site, the Highways Authority proposes a condition that requires the internal pedestrian/vehicular access road to be constructed in accordance with the Lancashire County Council document "Specification for Construction of Estate Roads (2011)" to at least base course before any development takes place within the site. In highway terms, there is no objection from the statutory highways consultee.

### 7.4 Landscape Matters and Impacts upon the AONB

The site already benefits from outline permission, although most matters, including design and layout, were reserved for future consideration at this Reserved Matters stage. The outline Committee Report acknowledged the site characteristics, but concluded that any impacts upon the natural beauty and character of the AONB would be somewhat mitigated by the existing built form of Greendale Drive and Grange View. For those reasons, it was considered that there would not be a significant adverse impact upon the character and appearance of the AONB.

7.5 The detailed layout and elevational plans indicate a mix of house types as described in paragraph 2.1 of the current report. Now that house types are being proposed, it allows further assessment of the landscape impacts associated with the development.

7.6 The site itself is predominantly sloping. It slopes from the North to the South with an easing in gradient leading to more level ground towards Mill Lane. This depression serves to considerably reduce the visibility of the lower section of the site from all but immediate viewing points. The ground to the north east of the site rises to an elevated area of field typical of the landscape character. The site topography assists with a reduction in distant visual significance but does not reduce the visibility of the development from adjacent residential dwellings.

7.7 Having regard to an earlier appeal decision, (06/01574/FUL– Appeal Ref: App/ A2335/A/07/2039641) which proposed 16 dwellings and was dismissed at appeal stage, dormer-style bungalows are proposed on the more elevated parts of the development to reduce the distant visibility of the development from other surrounding parts of the AONB. This leads officers to conclude that the landscape impacts upon the landscape will be acceptable.

7.8 The applicant is proposing to remove the existing hedgerow forming the boundary with Mill Lane in order to facilitate the development including construction of pedestrian pavements along Mill Lane and the planting of a replacement hedgerow, which would be set back behind the proposed pavement. The Tree Protection Officer considers that the hedgerow, which is comprised of elder, hawthorn, blackthorn, hazel, sycamore and ash, has a natural diversity and maturity that presents a range of opportunities for wildlife. It also provides important greening and screening if retained within the context of the development. The hedgerow could be considered for retention and incorporation into the overall design if it was "pushed" back into the site, retaining the soil around the root system. In this scenario, so much more of this valuable wildlife resource and existing amenity value could be realistically retained.



- 7.9 The Applicant's landscape consultants considered that the proposed development would have major adverse impacts during the construction phase when viewed from the existing bus stop on Mill Lane, Greendale Drive, Kingdom Hall and Grange View. This assessment was based in removing the existing hedgerow fronting Mill Lane and replanting behind the footway. These construction phase impacts would be mitigated in part by pushing back the existing hedge back into the site. At 15 years the proposed development, due to the maturing of screen planting, would have moderate adverse impacts on Mill Lane, Greendale Drive and Grange View, with minor adverse impacts on Kingdom Hall.
- 7.10 Proposed materials for all house types are natural stone to part of the key elevations and other materials prevalent in the AONB (rendered walls and roof tiles). This is consistent with the palette of materials used at Stoneleigh to the north, which is also in the AONB. Details would be conditioned. To protect the AONB it is appropriate to remove permitted development rights from the proposed dwellings.
- 7.11 Affordable Housing
- As the site is greenfield and over 15 units are proposed, the provision of up to 40% affordable housing is required by Policy DM41. Where compelling and detailed evidence demonstrates that the provision of up to 40% affordable housing would have a disproportionate and unwarranted negative impact on the viability of a proposed development, applicants may seek to provide fewer affordable dwellings than would ordinarily be acceptable.
- 7.12 The outline planning application proposed 21 houses including the provision of 6 affordable houses (29% of the 21 houses proposed). As this is below the maximum policy requirement, the applicant submitted an Affordable Housing and Housing Needs Statement which, based on a Financial Viability Report prepared by Donald Lomax and Partners RICS Surveyors, concluded *that "the site would not be viable if any affordable housing was provided on the site"*. This was due to:
- Low house prices in the north Carnforth area (evidence of sales prices from nearby houses were provided).
  - Low density development which leads to higher build costs, due to the need to use bungalows in certain areas of the site due to visual impact issues (in order to address previous planning appeal guidance), and in reaction to the site's location in the Arnside and Silverdale AONB.
  - High off-site costs associated with the provision of the mini-roundabout to Mill Lane.
  - High groundworks costs associated with work on a sloping site.
- 7.13 A Section 106 Agreement was signed by the landowner and the Council, which recognised that the Council required up to 40% affordable housing on the site, but contained a clause permitting further negotiation with the Council at Reserved Matters Stage on the level of affordable provision on the site, if a detailed Financial Viability Report was presented to the Council.
- 7.14 A Financial Viability Appraisal undertaken by Bushell Raven Quantity Surveyors, submitted with the current reserved matters application, concluded that the site is not viable if affordable housing is provided. Based on this financial appraisal the applicant initially offered no affordable housing but, following early negotiations, agreed to provide four affordable houses. This represented a 19% affordable housing contribution, about half of the local planning policy requirement. Officers considered that this provision was inadequate.
- 7.15 The Applicant and the Council agreed to commission an independent Financial Viability Appraisal, and Keppie Massie was appointed to undertake this work. The Appraisal concluded that the development can provide 6 affordable units on the basis of an equal split between social and intermediate housing. This represents a 29% affordable housing contribution. The Applicant and Officers agreed that the outcome of the Appraisal would be binding on both parties, and this now forms the basis of the affordable housing offer.
- 7.16 Cumbria Rural Housing Trust's Housing Needs Survey Report in the Arnside/Silverdale AONB (2014) identified a need in Warton for a total of six 1 or 2 bedroom houses/flats, five 3 or more bedroom houses and one 1 or 2 bedroom bungalow/flat. The contribution of proposed development would meet the need for 1 or 2 bedroom houses in Warton.

### 7.17 Impact upon Trees and Hedgerows

The main issue relates to the hedgerow on the western boundary of the site. Approximately 75% of the mature hedgerow is proposed for removal in order to accommodate the new access, highway visibility splays and the installation of a new public footway. A short section of hedgerow is to be retained to the north west of the site, close to the proposed public open space.

7.18 The hedgerow is comprised of elder, hawthorn, blackthorn, hazel, sycamore and ash. The natural diversity and maturity of this hedgerow represents a range of opportunities for wildlife. It also provides important greening and screening if retained within the context of the development.

7.19 The hedgerow should be retained and incorporated into the overall design “pushing” it back into the site, retaining the soil around the root system. Much more of this valuable wildlife resource and existing amenity value could be realistically retained. This would allow the required visibility splays to be met and installation of the new public footway. There would only be a requirement for the removal of a section of hedgerow to provide the new access point. Where “gaps” in the hedgerow exist, new infill planting should be planned and agreed in writing.

### 7.20 Ecological Impacts

The Lancashire Environment Record Network has no records of protected or notable species for the site. There are however records of protected or notable species within 1km. The nearest County Wildlife Site is 300m to the north west of the site being Warton Crag Nature Reserve. This is isolated from the site by a road and open, exposed pasture. The nearest statutory protected site is Morecambe Bay SSSI, SAC SPA, RAMSAR, 200m to the West. This is isolated from the site by housing and a major railway junction. Precautionary mitigation measures are set out in the ecological assessment dated 14 February 2014 submitted with the outline planning application (14/00376/OUT).

### 7.21 Residential Amenity

The applicant is proposing 4 bungalows and 4 dormer bungalows on the upper slopes of the site near the eastern boundary of the site to mitigate against the possible impact of 2- and 3-storey houses when viewed from the other side of the village (Borwick Lane and Well Lane area of the village).

7.22 The bungalows will also reduce overlooking of houses in the vicinity, particularly to the west of Mill Lane. The minimum distance between these bungalows and the nearest (Kingdom Hall) to the west side of Mill Lane is 21m. The 13 houses lower down the slope have views into the site. It is considered that overlooking does not have a significant impact on residential amenity.

7.23 Impacts arising during the construction phase would be regulated by a condition controlling hours of working and Construction and Traffic Method Statement to be submitted to and approved in writing by the Local Planning Authority prior to construction.

### 7.24 Contaminated Land

The applicant has submitted a Preliminary Risk Assessment (Desk Study), the findings of which are that the site is an undeveloped field with no use from which contamination would be expected. The site is bordered by housing, there have been no nearby land uses from which contamination is expected and no pollution incidents on or close to the site. The proposed development will be houses with gardens, potential pollutant linkages are considered to be very unlikely and only a very low risk from contamination is anticipated.

### 7.25 Drainage

As stated above, surface water drainage will be provided by way of soakaways. These are only sufficient if they are not built or paved over. It is therefore appropriate to remove permitted development rights to prevent such works and development that would render these essential drainage facilities from being effective.

## **8.0 Planning Obligations**

8.1 The independent Financial Viability Assessment concludes that the provision of six affordable houses should be provided. A legal agreement is proposed to secure this provision. A Section 278 highway agreement is proposed for off-site highway works referred to in paragraph 7.2 of this report, and would be secured by way of conditions.

## **9.0 Conclusions**

9.1 The applicant has demonstrated (Drawing No 1803-10 Rev C) that a workable access point and a mini-roundabout can be accommodated that meets the Highway Authority's requirements. Pedestrian safety on Mill Lane will be improved by the provision of a footway along the Mill Lane frontage to the site.

9.2 The site topography and the development of bungalows on the more elevated parts of the development assist with a reduction in distant visual significance but does not reduce the visibility of the development from adjacent residential dwellings. During the construction period there would be significant visual impacts along the frontage of Mill Lane in the vicinity of Greendale Drive, Kingdom Hall and Grange View. This is due to the movement of the existing hedgerow fronting Mill Lane and planting of a replacement hedgerow behind the footway. These impacts would be mitigated in part by pushing the existing hedge back into the site. At 15 years the proposed development, due to the maturing of screen planting, would have moderate adverse impacts on Mill Lane, Greendale Drive and Grange View, with minor adverse impacts on Kingdom Hall.

9.3 Retention of the hedgerow fronting Mill Lane is highly desirable. This could be achieved by pushing back the hedgerow, and on this basis a planning condition is proposed. Precautionary mitigation is proposed for dealing with ecological impacts arising from the proposed development. Impacts on residential amenity arising during the construction phase would be regulated by a condition controlling hours of working and the submission and approval of a Construction and Traffic Method Statement prior to commencement on site. No contamination of the site is expected.

9.4 The independent Financial Viability Assessment has concluded that the provision of six affordable houses is viable. In line with policy requirements would require 50% social rented and 50% intermediate units to be provided on site. Given this, approval can now be recommended.

## **Recommendation**

That approval of reserved matters **BE APPROVED** subject to a legal agreement requiring the provision of 6 affordable houses on site and the following conditions:

1. Standard reserved matters timescale.
2. Development in accordance with approved plans (*in respect of layout, Drawing No 1803-10 Rev C; in respect of scale and appearance of the houses and bungalows, Drawings 1803-20 Rev A, 1803-21 Rev A, 1803-22 Rev A, 1803-23 Rev A, 1803-27 Rev A*).
3. Scheme of off-site highway works (to accord with Section 278 Agreement).
4. Construction of internal pedestrian/vehicular access road in accordance with "Specification for Construction of Estate Roads (2011)".
5. Proposals for retention of the hedge fronting Mill Lane (except for access) by "pushing" back into site, shall be submitted and approved prior to commencement of development.
6. Details and samples of materials and finishes to be submitted and approved prior to commencement of development.
7. Details of windows and doors to be submitted and approved prior to commencement of development.
8. Details of boundary treatments to be submitted and approved prior to commencement of development.
9. Details of finished floor levels to be submitted and approved prior to commencement of development.
10. Removal of PD rights (Parts 1, 2 and 14) and building/paving over soakaways

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

In accordance with the above legislation, the City Council can confirm the following:

Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the

economic, social and environmental conditions of the area. The recommendation has been made having had regard to the impact of the development, and in particular too the relevant policies contained in the Development Plan, as presented in the full officer report, and to all relevant material planning considerations, including the National Planning Policy Framework and National Planning Practice Guidance.

### **Human Rights Act**

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this report, the issues arising do not appear to be of such magnitude to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

### **Background Papers**

None.

<b>Agenda Item</b>  A8	<b>Committee Date</b>  16 November 2015	<b>Application Number</b>  15/00626/FUL
<b>Application Site</b>  Riverside Caravan Park  Lancaster Road  Heaton With Oxcliffe  Morecambe	<b>Revised Proposal</b>  Use of land for siting static caravans for holiday occupation 12 months of the year	
<b>Name of Applicant</b>  Britaniacrest Ltd	<b>Name of Agent</b>  Mrs Rachel Whaley	
<b>Decision Target Date</b>  20 November 2015	<b>Reason For Delay</b>  Implications of draft Tree Preservation Order 559 (2015) on the proposed development.	
<b>Case Officer</b>	Mr Philip Megson	
<b>Departure</b>	No	
<b>Summary of Recommendation</b>	Refusal	

**(i) Procedural Matters**

This planning application was considered by the Committee at the September meeting. Officers advised that as a draft Tree Preservation Order (No. 559 – 2015) had been served a few days prior to the meeting, that the application should be deferred to allow full consideration of the implications for trees and landscaping. In response the applicant has submitted a revised layout for the proposed development; and has formally objected to the imposition of the TPO. The latter will be dealt with via the separate TPO process. However, notwithstanding that, the planning application should now be determined.

**1.0 The Site and its Surroundings**

- 1.1 Riverside Caravan Park is on the outskirts of Heaton-with-Oxcliffe located off the Lancaster Road adjacent the River Lune. It is approximately mid-way between Morecambe (3.5 miles to the west) and Lancaster (3 miles to the east) and has good access from the M6 motorway via the A683 and Lancaster Road.
- 1.2 The Park is bounded to the south by Lancaster Road and the River Lune and is surrounded by agricultural land. In front of the park, immediately west of the site entrance is the Golden Ball Inn which is in separate ownership. Adjoining the eastern boundary of the park is Oxcliffe Hill farm (through which there is a right of access). There is existing boundary planting along all boundaries, particularly along the Lancaster Road frontage.
- 1.3 The current layout of the site is that the existing planning permissions allow for up to 75 static caravans and provision for 50 touring pitches. The current site licence permits the static caravans to be occupied from 1<sup>st</sup> March to 31<sup>st</sup> January inclusive and permits touring caravans to be sited from 1<sup>st</sup> March to 14<sup>th</sup> January inclusive.

1.4 The River Lune is a site that benefits from international designations, including Ramsar status, Special Area of Conservation (SAC), and Special Protected Area (SPA). It is also a Site of Special Scientific Interest (SSSI), whilst part of it benefits from County Biological Heritage Site (BHS) status.

**2.0 The Proposal**

2.1 The original proposed layout shows the potential for redevelopment of the park, incorporating the touring caravan area, to accommodate a total of 129 holiday static caravans plus a sales area with 4 units. A recreation area is proposed to the east of “Lunecroft”, an existing bungalow near the centre of the site. A proposed recreational building, the subject of a separate planning application, would be located to the rear of the reception building.

2.2 The amended proposed layout plan proposes a total of 130 holiday static caravans across the site, plus a sales area with 4 units. The amended layout would result in the loss of a static caravan pitch from the current touring caravan area, whilst the proposed recreation building, no longer planned, has resulted in the release of land to accommodate two additional static caravan pitches. In relation to trees, the amended layout seeks to address the following points:

- Repositioning caravans along the southern boundary of the site to avoid the root protection area of boundary trees and hedgerows;
- Repositioning the reception building to avoid the root protection area of a tree (identified as T2 in the submitted Arboriculture Report);
- Repositioning of caravans on the sales area in order to retain a tree (T6);
- Additional planting on the southern boundary of the site immediately to the east of the site access to compensate for the loss of existing trees in the site.

2.3 Surface water drainage would be by soakaway. Foul water drainage would be via existing and new drainage. Proposed external works comprise gravel paths on compacted hard core; parking bays with the front edge delineated by stone setts; and new post and rail fencing to a height of 0.55m in treated timber incorporating access points at a minimum 15m along its length.

2.4 The majority of the site is currently restricted to a 10.5 month season with the remainder of the site having an 11 month season. The applicant initially sought a holiday occupancy of 11 months (1<sup>st</sup> March to 31<sup>st</sup> January inclusive) for the caravan park as a whole. The applicant is now seeking a holiday occupancy of 12 months for the caravan park as a whole.

**3.0 Site History**

3.1 There have been a number of planning applications relating to the Riverside Caravan Park. In summary these have involved progressively increasing the number of touring caravans; progressively increasing the number and proportion of static caravans and extending the period of occupancy of touring caravans and static caravans.

**4.0 Consultation Responses**

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

Consultee	Response
<b>County Highways</b>	No objection.
<b>Environmental Health Officer</b>	No objection.
<b>Tree Protection Officer</b>	Objection: the proposed development would result in the loss of several large swathes of trees from within the site. Currently, those trees represent valuable landscape features, visible from the public domain. Their loss, either by direct removal, or through indirect means, as a result of inadequate protection provision and increased future pressure to inappropriately manage or remove retained trees, has sufficient potential to result in an immediate and lasting adverse impact upon the character and appearances of the site and that of the wider locality.

## **5.0 Neighbour Representations**

5.1 No neighbour representations have been received.

## **6.0 Principal National and Development Plan Policies**

6.1 The National Planning Policy Framework (NPPF)

- Paragraphs 7, 14 and 17 – Sustainable Development and Core Planning Principles;
- Paragraph 28 – Supporting a Prosperous Rural Economy; and,
- Section 11 – Conserving and Enhancing the Natural Environment

Lancaster District Core Strategy (LDCS)

- Policy SC1 – Sustainable Development
- Policy ER6 – Developing Tourism
- Policy E1 – Environmental Capital

Development Management DPD

- Policy DM14 - Caravan Sites, Chalets and Log Cabins
- Policy DM28 – Development and Landscape Impact
- Policy DM29 – Protection of Trees, Hedgerows and Woodland
- Policy DM35 – Key Design Principles

## **7.0 Comment and Analysis**

7.1 The proposed development is considered in two parts: the proposed redevelopment of the site for static caravans for holiday use, and the extension to provide an all-year round (12 months) opening season

### **7.2 Static Caravans for Holiday Use**

Policy DM14 supports proposals for new static caravan sites, or extensions of existing sites in principle outside areas of designated landscape importance, in appropriate locations and to an appropriate scale, subject to criteria. That criteria is as follows:

- That priority is given to the re-use of previously developed sites; provided that it is not of a high environmental value. Where greenfield sites are identified it should be demonstrated that no alternative, suitable brownfield sites exist in the locality;
- The proposed development has no adverse impact upon the landscape character or significant detrimental impact on the visual amenity of the locality, and includes satisfactory proposals for additional landscaping where required. Proposals will also be assessed against the requirements of Policy DM28;
- That the layout retains on-site features and provides compensatory planting and other nature conservation measures within or near to the site;
- The proposal maintains and enhances existing areas of recreational open space or create new areas of recreational open space which are of a proportionate scale;
- The proposal does not have an adverse impact on biodiversity and where appropriate seeks to raise the environmental value of the locality;
- The proposal does not have an adverse impact on surrounding residential amenity; and,
- That the proposal is in an accessible location and has no adverse impact on the capacity of the local highways network, highway safety and other important local infrastructure.

7.3 The proposed development would be located outside areas of designated landscape importance and would be in an appropriate location, as it is within the existing footprint of an existing caravan site. The site is also in an accessible location having good access from the M6 motorway via the A683 and Lancaster Road. Therefore, taking this into account, the proposal needs to be assessed against

the bullet-pointed criteria in Policy DM14.

- 7.4 The site is already in use as a caravan site and the proposal would not create unacceptable impacts upon the highway network, nor would it adversely affect residential amenity. However the proposal would involve significant changes to the localised landscape character and the visual amenity of the locality, by virtue of the considerable loss of existing trees. These natural features are an intrinsic part of this site, and they aid screening of the caravan development from the sensitive areas associated with the River Lune.
- 7.5 A Tree Survey submitted by the applicant identifies a total of 17 individual trees and 35 groups of trees across the site. Four individual trees (T3, T11, T40 and T41) and 4 groups of trees (G10, G12, G38 and G39) are identified for removal to facilitate the development, either because they impinge upon the developable area or because they are so close to the new development that their retention and protection is not feasible.
- 7.6 As part of the assessment of the proposals, the Council's Tree Protection Officer has made a separate visit to the site. She advises that three Hawthorn groups (G10, G38 and G39) are significant landscape features, comprising of early-mature and mature specimens. In addition, G38 and G39, along with T40 and T41 (both Ash) provide significant greening and screening within the site. Elements of the trees are visible from a range of locations within the public domain, notably from Lancaster Road to the south-west and from the A683 to the north-west. These trees are entirely in keeping with the character and appearance of the site and that of the wider area, and aside from their important greening and screening role they perform, they provide habitat and foraging opportunities for protected species (bats and nesting birds).
- 7.7 There are other tree-related concerns. New caravan units are proposed close to the Root Protection Areas (RPAs) of existing trees. In particular, encroachment occurs on T6 and T7, and in groups G4, G5 and G27-G32. This will lead to impacts during construction phases if adequate protection (at least 1m buffer zone) is not in place, and potentially there will be impacts post-development through management issues and pressures to remove species that cause a problem to the caravans.
- 7.8 Trees have already been removed from the group of trees (G52) on the northern boundary. There appears to be construction work in progress. The submitted Arboriculture Implications Assessment fails to show the loss of trees in this area. They were removed before the provisional TPO was served. It also appears that there were no measures in place to safeguard existing trees during the construction of new caravan plots along the northern boundary.
- 7.9 In addition to these concerns, the proposed tree planting on the southern boundary immediately to the east of the site access is considered wholly inadequate to compensate for the scale of tree loss.
- 7.10 Given these concerns, it is considered that the proposal fails to comply with DM14. As a consequence of its impact upon the local landscape and quality of tree cover, it is considered that the development would also fail to accord with DM28 (particularly with regard to coastal landscape/Lune Estuary) and DM29 (failure to adequately justify the loss of trees).
- 7.11 Extended Season
- The caravan park has developed incrementally and it currently has different length of seasons. The majority of the site is currently restricted to a 10.5 months season with the remainder of the site having an 11 months season. The applicant initially sought a holiday occupancy of 11 months (1<sup>st</sup> March to 31<sup>st</sup> January inclusive) for the whole caravan park. This would extend the duration for holiday occupancy for parts of the caravan park. The applicant argued that as the proposal involved a closed period (1<sup>st</sup> February–28<sup>th</sup> February inclusive), holiday occupancy could be controlled by condition only. The Council's current practice is not to seek to control occupancy by condition. Policy DM14 clause XIII requires a proposal to extend the duration and occupancy of caravan sites to be accompanied by a legal agreement which states that the accommodation will remain in a visitor use only and not be used for permanent residential accommodation. The Applicant has therefore amended the planning application to seek holiday occupancy for a 12 month period instead.
- 7.12 Policy DM14 is sympathetic towards proposals to extend opening seasons, subject to specific criteria, namely:



- There will be no significant impacts on the surrounding visual amenity or on nature conservation interests;
- There are no adverse impacts on local infrastructure and highway safety;
- Appropriate on-site improvements, including improved facilities and recreational provision of an appropriate scale, are agreed with the local planning authority and implemented before the extended opening season begins, subject to landscaping improvements; and,
- The proposal is accompanied by a legal agreement which states that the accommodation will remain in a visitor use only and not be used for permanent residential occupation.

7.13 Whilst the extension of the opening season would not, by itself, be adverse to visual amenity, it would be adverse if the extent of tree removal proposed in the application occurred. A greater number of larger, static vans would – when combined with tree loss – be visible all-year round in a location that is noted for its sensitivity given its close proximity to the River Lune. This therefore leads the local planning authority to conclude that year-round vans in a landscape affected by reduced tree cover would be inappropriate and fail to comply with Policy DM14.

7.14 The amended plan indicates that the recreational building has been omitted from the scheme. Whilst this is regrettable, the proposals still include a recreation area which would represent a modest improvement in on-site facilities. If the scheme were reduced to retain the trees covered by the provisional TPO, then the area given over to recreation/open space could increase still further.

### 7.15 Other Matters

The proposal is considered acceptable in terms of highway impact. It is also considered that a satisfactory drainage scheme could be secured by planning condition (Surface water drainage would be via soakaways. The submitted plan indicates that the existing drainage is to be located and the status of it (separate or combined) to be determined

## **8.0 Planning Obligations**

8.1 If the application is approved, the Applicant would be required to enter into a section 106 agreement restricting occupation of the static caravans to holiday occupancy only.

## **9.0 Conclusions**

9.1 The proposed development would result in the loss of several large swathes of trees from within the site. Currently, those trees represent valuable landscape features, visible from the public domain. Their loss, either by direct removal as part of the scheme, or through indirect means as a result of inadequate protection provision during construction/implementation, means that the scheme has an unacceptable and adverse impact upon this sensitive locality, and the character of this part of the district close to the Lune Estuary. Additionally, an increased number of static vans (compared to the current numbers on site) would be visible as a result of the proposed works to trees. Therefore, the application is recommended for refusal.

## **Recommendation**

That Planning Permission **BE REFUSED** for the following reason:

1. The proposed development would result in the significant loss of several large swathes of trees from within the site. These trees represent valuable landscape features and perform a much-needed screening and greening role within this sensitive riverside landscape. As a consequence of the proposed tree loss, the proposal would be detrimental to the character and appearance of the landscape, and would therefore be contrary to Development Management DPD Policies DM14, DM28 and DM29, and Lancaster District Core Strategy Policies SC1 and E1. The proposal would also fail to accord with all three dimensions of sustainable development as advocated by NPPF Paragraph 7, and the Core Planning Principles as defined in NPPF Paragraph 17.
2. The increase in the number of static caravans would, when combined with the year-round nature of the proposed use, and the proposal to remove significant numbers of trees, adversely affect the visual amenity of the wider locality, particularly in views from adjacent to the Lune Estuary. It is considered

that the replanting proposals are inadequate to mitigate against these adverse impacts. As such the proposal is contrary to Development Management DPD Policies DM14, DM28 and DM29, and Lancaster District Core Strategy Policies SC1 and E1. The proposal would also fail to accord with all three dimensions of sustainable development as advocated by NPPF Paragraph 7, and the Core Planning Principles as defined in NPPF Paragraph 17.

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

In accordance with the above legislation, the City Council can confirm the following:

Lancaster City Council takes a positive and proactive approach to development proposals, in the interests of delivering sustainable development. As part of this approach the Council offers a pre-application service, aimed at positively influencing development proposals. Regrettably the applicant has failed to take advantage of this service and the resulting proposal is unacceptable for the reasons prescribed in the Notice. The applicant is encouraged to utilise the pre-application service prior to the submission of any future planning applications, in order to engage with the local planning authority to attempt to resolve the reasons for refusal.

### **Human Rights Act**

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this report, the issues arising do not appear to be of such magnitude to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

### **Background Papers**

None.

<p><b>Agenda Item</b></p> <p>A9</p>	<p><b>Committee Date</b></p> <p>16 November 2015</p>	<p><b>Application Number</b></p> <p>15/01119/FUL</p>
<p><b>Application Site</b></p> <p>Land To The South Of Aldcliffe Hall Drive Lancaster Lancashire</p>	<p><b>Proposal</b></p> <p>Erection of 6 dwellings with associated access and landscaping</p>	
<p><b>Name of Applicant</b></p> <p>Mr Michael Stainton</p>	<p><b>Name of Agent</b></p> <p>Mr Stuart Booth</p>	
<p><b>Decision Target Date</b></p> <p>Extension of time until 30 November 2015</p>	<p><b>Reason For Delay</b></p> <p>Committee Cycle</p>	
<p><b>Case Officer</b></p>	<p>Mrs Eleanor Fawcett</p>	
<p><b>Departure</b></p>	<p>None</p>	
<p><b>Summary of Recommendation</b></p>	<p>Approval subject to amendments and appropriate contribution towards affordable housing</p>	

## 1.0 The Site and its Surroundings

- 1.1 This application relates to part of an agricultural field adjacent to the small settlement of Aldcliffe, which is situated to the south west of Lancaster City Centre. The site is located between Aldcliffe Road and Aldcliffe Hall Drive. The land is at a slightly higher level than both roads and there is some variation in levels across the site. There is a post and wire fence along the boundary with Aldcliffe Road with mature trees close to this and the south/south west boundary. Separating Aldcliffe Hall Drive and the field is a grassed area and a row of mature trees, with a post and wire fence along the field boundary. The trees close to both highway boundaries are protected by a Tree Preservation Order.
- 1.2 To the north of the site are some detached properties fronting onto Aldcliffe Hall Drive. There are bollards part way along this road preventing vehicle access along its whole length. To the south, on the opposite side of Aldcliffe Road, are two detached properties sets quite far back from the highway. Also to the south/south west are three detached dwellings adjacent to the site, two of which front onto Aldcliffe Road with the other fronting a courtyard with access onto Aldcliffe Hall Drive. The land has most recently been used for grazing and is part of a larger field which extends to the north east up to a Grade II Listed property known as the Lodge, on the junction with Aldcliffe Road and Aldcliffe Hall Drive. Opposite this junction is the Lancaster Canal and its tow path and beyond this, to the east is a residential estate known as Haverbreaks.
- 1.3 The site is located within the Countryside Area, as identified on the Local Plan Proposals Map. It is also within a Mineral Safeguarding Area. The Lancaster Canal is designated as a Biological Heritage Site (BHS) and is approximately 180m from the site at its closest point. The Lune Estuary is located approximately 740m to the west and is designated as a Site of Special Scientific Interest (SSSI). It is also covered by the Morecambe Bay Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar Site.

## 2.0 The Proposal

- 2.1 Planning permission is sought for the erection of 6 two storey detached dwellings, all with attached

garages with accommodation in the roof space. Three of the properties are proposed to share a new access from Aldcliffe Road, whilst the other three would have individual accesses off Aldcliffe Hall Drive.

**3.0 Site History**

3.1 Outline planning permission for residential development was granted in January 2015 (Ref: 14/00671/OUT), following the resolution at Planning Committee in November 2014. As part of the application, approval was sought for access and layout with appearance, landscaping and scale reserved. The consent was subject to a legal agreement to secure a financial contribution towards affordable housing within the district, equivalent to the provision of 20% on-site, to be calculated at the reserved matters stage based on the open market value of the dwellings.

**4.0 Consultation Responses**

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

Consultee	Response
County Highways	<b>No objections</b> subject to: the creation of a footway at the site’s access with Aldcliffe Road; a minimum width of 5.5 metres for the access road to allow two vehicles to pass; visibility splays of 2.4 by 60 metres and off-site highway works to influence vehicle speeds along Aldcliffe Road.
Environmental Health	No comments received.
Tree Protection Officer	<b>Object.</b> A reconsideration of the design to enable the safe retention and protection of important landscape tree T12 is required in addition to clarification of the nature and extent of construction works proposed within the RPAs of trees, T2, T5, T6 and T7 and detailed specification of tree works affecting the canopies of T1 & T4. Repositioning of some of the plots would reduce the shading potential and pressure on these trees for inappropriate management or removal in the future.
Natural England	<b>No objection</b>
County Council Mineral Planning	The site is in a Mineral Safeguard Area and indicates that the economic mineral resource of sandstone may be present. Under Policy M2 development <b>will not be supported</b> that is incompatible with mineral safeguarding. A mineral resource assessment should be submitted.

**5.0 Neighbour Representations**

5.1 34 pieces of correspondence have been received at the time of compiling this report, objecting to the application which raise the following concerns:

- Traffic and highway related objections, including impacts upon highway safety from unsafe access point; inadequate road infrastructure; impacts upon cyclists, horse-riders and pedestrians; and increase in traffic
- Sustainability objections – including no access to services/public transport and detachment from main urban part of Lancaster;
- Landscape objections, damaging impact upon the area between Aldcliffe and the western edge of Lancaster; loss of character of area; loss of important open space; impact on historic settlement; prominent development
- Loss of outlook;
- Design objections, including scale of dwellings; inappropriate for size of plot; design not in keeping with the predominantly rural character; inappropriate boundary treatments; courtyard design inappropriate; garden size reduced from previous application
- Environmental objections, including loss and damage of trees; impact on nesting birds, bats and other wildlife; proximity to local nature reserve; impacts from lighting; disrupt the interconnectedness of habitats
- Surface water run-off concerns and capacity of sewerage system;
- Housing supply objections, including brownfield land should be developed first; no evidence of need for type of housing proposed;

- Failure to provide affordable housing;
- Could lead to pressure for further development;
- No economic benefit
- Another development refused within Aldcliffe

### **6.0 Principal National and Development Plan Policies**

- 6.1 National Planning Policy Framework (NPPF)
- Paragraphs 7, 14 and 17 - Sustainable Development and Core Principles
  - Paragraph 32 – Access and Transport
  - Paragraphs 49 and 50 - Delivering Housing
  - Paragraphs 56, 58 and 60 – Requiring Good Design
  - Paragraph 118 – Conserving and Enhancing Biodiversity
  - Paragraphs 131 – 134 and 137 – Designated Heritage Assets
- 6.2 Lancaster District Core Strategy (adopted July 2008)
- SC1 – Sustainable Development
  - SC2 – Urban Concentration
  - SC3 – Rural Communities
  - SC5 – Achieving Quality in Design
- 6.3 Lancaster District Local Plan - saved policies (adopted 2004)
- E4 – Countryside Area
- 6.4 Development Management Development Plan Document (adopted December 2014)
- DM20 – Enhancing Accessibility and Transport Linkages
  - DM22 – Vehicle Parking Provision
  - DM27 – Protection and Enhancement of Biodiversity
  - DM28 – Development and Landscape Impact
  - DM29 – Protection of Trees, Hedgerows and Woodland
  - DM32 – The Setting of Designated Heritage Assets
  - DM35 – Key Design Principles
  - DM41 – New Residential dwellings
  - DM42 – Managing Rural Housing Growth
- 6.5 Other Material Considerations
- Meeting Housing Needs Supplementary Planning Document
  - Joint Lancashire Minerals and Waste Local Plan – Site Allocations and Development Control Policies - Policy M2 – Safeguarding Minerals

### **7.0 Comment and Analysis**

- 7.1 The main issues to be considered in the determination of this application are:
- Principle of residential development
  - Layout, scale and design
  - Impact on residential amenity
  - Access and highway impacts
  - Impact on Trees
  - Ecological Impacts
  - Drainage
  - Contaminated land
  - Affordable housing contribution and housing need
  - Minerals Safeguarding

#### **7.2 Principle of residential development**

- 7.2.1 Core Strategy Policy SC1 requires new development to be as sustainable as possible, particularly in terms of convenience to access services and facilities. Whilst there was some debate during the outline application - and indeed during this application - about the sustainability of the proposal, a Planning Inspector's commentary during a recent appeal decision on another site in Aldcliffe

provides useful policy direction (Ref: 14/00626/OUT).

- 7.2.2 As part of the appeal decision for 14/00626/OUT, the Inspector agreed with the Council's approach regarding sustainability in concluding that Aldcliffe was "*not wholly geographically unsustainable*". The same Inspector also noted that whilst DM DPD Policy DM42 identified sustainable rural settlements, the fact the Council did not have a five-year land supply of deliverable housing sites (as advocated by NPPF Paragraph 49) meant that DM42 should not act as an "*...in-principle constraint on further housing growth in other rural settlements*". Taking this into account, and the fact that the Council has previously accepted the principle of residential development on the application site, the proposal is considered acceptable in principle and will provide a contribution to the Council's five-year housing supply.
- 7.3 Layout, scale and design
- 7.3.1 The scheme proposes six two-storey detached dwellings, similar to the scheme proposed by the approved outline application. However, the proposed footprint of the dwellings is larger and the layout has altered slightly. The site also includes a small additional area to the west than the previous application. The submitted plans show the dwellings to be 13.6m wide and 9.7m deep with an attached garage, which varies in size depending on the plot, and a single-storey flat roofed projection at the rear. A two-storey porch is also proposed at the front of each dwelling. The garages are proposed to have a room in the roof space and all have flat roof dormer windows, which again vary in size. The two storey element of the dwellings is proposed to be 6m to the eaves and 8.4m to the ridge. The walls would be finished in render with stone surrounds to the windows which would be grey UPVC sliding sash. The roof would be hipped and finished in slate with a central flat area and the dormer windows would be leaded.
- 7.3.2 There is no objection in principle to the erection of dwellings with a large footprint. However this has resulted in a poorer scheme when compared with the outline consent in terms of the associated amenity space. In particular, for the scale of dwellings proposed, concerns have been raised regarding the adequacy of the amenity space associated with plots 1, 6, and, to a lesser degree 2 and 3, and that it resulted in an overly-cramped form of development. Plot 1 has its main rear outlook across the adjacent field (a field which is outside the applicant's ownership), with only a short distance between the rear dwelling wall and the field boundary. The outline proposal showed the rear of this dwelling facing south. The main garden for this property would be heavily overshadowed by trees and did appear to be larger as part of the previous proposal. Plot 6 is also heavily constrained by a large tree and has limited useable garden space. The outline layout provided much more space around the dwellings and as such it was advised that dwellings with a similar footprint to these was considered, on at least plots 1, 2, 3 and 6 or, alternatively, that they reduce the number of dwellings.
- 7.3.3 In response to these concerns some amendments have been submitted. The length of the garage on plot 1 has been reduced, moving the dwelling further to the north away from the trees along the southern boundary. The rear single storey projection has also been removed, giving approximately 6.5m between the rear wall and the eastern boundary. The rear projections on plots 2 and 3 have also now been removed, which has increased the area of external amenity space. However, a large mature tree on plot 2 is now proposed to be retained, at the request of the Officer, but it will result in a significant level of overshadowing and could lead to pressure for its removal. Plot 3 now appears to be more proportionate in terms of the amount of built development and garden area, however there are still some concerns with regards to plots 1, 2 and 6, and in particular the potential pressure for the removal of protected trees which provide an important contribution to the character of the area. Some aspects of the layout appear to result in relatively large parts of the domestic curtilage that are impractical to use, either being adjacent to driveways or overshadowed by trees.
- 7.3.4 In terms of design, the buildings appear to be taking on a Palladian style, however the symmetry is interrupted by the detached garages. This is particularly the case where the garages are perpendicular to the main part of the dwelling (plots 2, 5 and 6) and they cut across part of the front wall. The garages also have flat roof dormers in order to provide space in the roof slope and some of the plots have a flat roof link between the garage and the main part of the dwelling. It was suggested that it would be more in keeping with the overall design if the dormers were removed and the garages that are particularly long were detached to reduce the overall bulk and massing of the dwellings. At the time of writing the report, with the exception of the above-mentioned changes to the garage on plot 1, no alterations have been made to the garages on the other plots.

- 7.3.5 Only one of the dwellings (plot 4) proposes to front onto the road that off which it has access. The dwellings on plots 5 and 6 have the side wall facing Aldcliffe Hall Drive, on plot 1 the side wall faces Aldcliffe Road and on Plot 2 the rear wall faces Aldcliffe Road. All the plots, with the exception of 4, have been designed around an internal courtyard. There were concerns raised with regards to the appearance of some of the elevations fronting highways and it was suggested that they had more of a frontage appearance. Additional windows have been inserted in the side elevations of the dwellings on plots 6 and 1 which face onto the highway. However, given the depth of the dwellings, this does leave a large expanse of wall between the windows in comparison to the front and rear elevations. On plot 5 there are three windows above two windows and a dummy door in the centre which gives it more of a frontage.
- 7.3.6 Following the amendments, three of the dwellings are proposed to have flat roof, orangery-style extensions to the rear, projecting 3.1m. Together with an outside covered area, these would extend across the majority of the rear elevation and both would have a flat roof with lantern roof lights. On plot 1, an external covered area is proposed on the southern side elevation. In terms of their appearance, they seem to conflict with the design of the main part of the dwellings, with much more horizontal fenestration and distract from the grand simplicity. However, they will mostly be screened from external views by boundary treatments, although the lantern roof will be 4.2m high.
- 7.3.7 The buildings are proposed to be finished solely in render and it was suggested that some stone was included within the boundary treatments to link it more to the character and appearance of the rural area. A low stone wall, with simple railings above, is proposed on the boundary with Aldcliffe Road, adjacent to the access serving three of the dwellings. This ties in with the adjacent boundary treatments along the highway. The boundaries to plots 1 and 2, next to the access drive, are proposed to be hedgerows, which is acceptable. The main concerns related to the other site boundaries. In particular, rendered walls were proposed to the internal courtyard with some having a height of 1.5m and others being lower with railing above divided by piers. One of these walls has now been replaced with a hedgerow and the others are all now 0.75m high, with a stone coping, and more simplified railings above. The intermediate piers have been removed which has improved the overall design of the boundary treatment and made it less oppressive.
- 7.3.8 Concerns have also been raised to the erection of a timber fence along the plot boundaries with Aldcliffe Hall Drive. The existing verge has been retained, however, with the exception of the three entrances, all the boundary was originally proposed to be horizontal fencing. Although there is a mix of boundaries to the front of the properties on this road, it is considered that this fencing would have an adverse impact on the character and appearance of the locality. It was suggested that this boundary could be hedgerow, and that it was set in from the trees, as with the current boundary. It was accepted that it would be difficult to establish close to the Beech tree, but with proper maintenance it could establish along the remainder of the boundary and it was suggested that a temporary fence could be installed whilst this matures in order to provide immediate privacy. This has now been amended to be a mix of hedge and fencing and there are still concerns the fence, particularly given the visual amenity value of the site and the avenue of mature trees along this boundary. It is also still considered that the hedge and fencing should not try to abut the trees, but be on the inside of the trunk. The eastern boundary was also proposed to be a post and wire fence but has now been amended to be a hedgerow. All other internal boundary treatments are fencing, with the exception of one side of the footway which has been amended to be hedgerow.
- 7.3.9 All of the hard surfacing, with the exception of the internal courtyard, was proposed to be asphalt concrete (tarmac) and concerns were raised with regards to the visual impact of this. The majority of the entrance drive onto Aldcliffe Road has now been shown as block paving, which is considered to improve the visual appearance of the scheme. However it is still considered that other areas of hard standing would be more appropriate in block paving.
- 7.3.10 Overall the design of the scheme is one of six large detached dwellings which have a generally grand appearance. It is accepted that they are not typical to the area, however there are a mix of styles and designs within Aldcliffe, and many large properties. Although the plots are relatively large, they are heavily constrained by trees which have important amenity value for the area, and it is still considered that the scheme would be improved if the footprints were reduced. Officers continue to discuss further possible amendments with the applicant, and any amendments will be reported verbally to Members.

7.4 Residential Amenity

- 7.4.1 Most of the proposed dwellings are at least 26m from existing dwellings surrounding the site, which is a sufficient separation distance to prevent inappropriate overlooking or loss of light or outlook. The properties facing the site, which front onto Aldcliffe Hall Drive, are at a slightly lower level but would be separated from the new dwellings by at least 15m at their boundary with the road, and 26m at the closest point of the dwelling. However, the two-storey element of the dwelling on plot 4 would be located approximately 3.7m from the boundary with the adjacent dwelling to the southwest, Rydal Mount, and 11m from the closest part of the dwelling. This neighbouring property comprises a bungalow, with accommodation in the roof space, and has a high boundary treatment, approximately 2m, with the site. Given this, and the orientation of the property, it is unlikely that the proposal would result in a significant loss of light; however, there is the potential for overlooking from first floor windows in the rear of the proposed dwelling into what appears to be the main garden area of Rydal Mount. This could be overcome by rotating the building slightly away from this property. This would result in the front of the dwelling facing more towards Munisouth, but given the separation distance, it is not considered that this would have a detrimental impact on privacy or outlook at this property.
- 7.4.2 There is some potential for the overlooking of garden areas from the dwellings on plots 2 and 3. This relates specifically to the garden of Inglewood. In respect of plot 2, this is closer to the access from the highway and the rear wall will face towards this rather than across the neighbouring garden. There is one window proposed at first floor in the side elevation, however this is to serve a bathroom so would be obscure-glazed. There will also be some screening provided by the existing trees. As such, it is considered that this property will not have a significant impact on privacy. Plot 3 would be approximately 7m from the boundary with Inglenook at its closest point, but is not parallel to this so the remainder of the elevation will be further than this. Given this, and that the window in the side elevation would again serve a bathroom, it is considered that this dwelling will not result in a significant loss of privacy to what is a large area of garden. The dwelling at Inglewood would be at least 26m from the proposed dwelling.

7.5 Access and Highway Impacts

- 7.5.1 A single access is proposed from Aldcliffe Road to serve three of the dwellings, with three separate accesses off Aldcliffe Hall Drive to serve the remainder. This is a similar arrangement to that approved on the outline consent. County Highways have raised no objections to this subject to: the creation of a footway at the site's access with Aldcliffe Road; a minimum width of 5.5 metres for the access road to allow two vehicles to pass; and visibility splays of 2.4 by 60 metres. The first of these is shown on the submitted plan, the access has been moved slightly so that the visibility splays can be achieved within land controlled by the applicant and the width of the access road has been increased to 5.5 metres. A condition has also been requested requiring off-site highway works to influence vehicle speeds along the Aldcliffe Road in the vicinity of the site's access point and gateway treatment measures located at the change of speed classification on Aldcliffe Road.
- 7.5.2 No objections have been raised from County Highways to the three proposed accesses from Aldcliffe Hall Drive which is privately maintained. Through-access is restricted on this road by bollards. As such, two of the proposed dwellings will have access from Aldcliffe Hall Drive onto Aldcliffe Road adjacent to the Lodge, and the other will have access onto Aldcliffe Hall Road. Currently only two dwellings use the access adjacent to the Lodge which is opposite the canal. Concerns have been raised by residents regarding the suitability of this access as there is limited visibility in one direction due to a bend in the road. This point was raised with County Highways when considering the previous application, who confirmed that there was no objection as the proposal would provide extremely limited additional vehicular movements from this junction. However it was set out that, as a condition of any planning permission, the erection of a warning sign could be erected to say "junction on bend ahead" in addition to the laying of a length of transverse white thermoplastic major/minor road junction stop line as a means of warning motorists. It is not considered that the additional movements along this road will have a significant adverse impact on users of this route, including pedestrians and cyclists. The nature of the road is such that vehicles are likely to travel slowly and have good views of other users.
- 7.5.3 As part of the scheme, the dwellings with access onto Aldcliffe Road will have pedestrian access onto Aldcliffe Hall Drive, via a new footway designed into the scheme, in order to reach pedestrian routes into Lancaster. There were initial concerns regarding the width of this, particularly as fences



were proposed to enclose the route on either side. The width of the surfaced path has been retained at 1.8m but a 1m grassed strip has been included and one of the boundary treatment has been changed to a hedgerow. It is therefore considered that this is now acceptable, and the alterations should encourage its use by occupiers of the dwellings.

### 7.6 Impact on Trees

7.6.1 There are extensive numbers of large, mature landscape trees to the north, north-east, south and south-east of the site. These trees are highly visible landscape features, enjoying important amenity value and are a valuable resource for wildlife especially for birds and bats. Trees growing along the northern and southern boundaries of the site are subject to a Tree Preservation Order. There are no trees within the central area of the site.

7.6.2 The loss of a mature sycamore tree adjacent to the southern boundary with the highway is proposed to create the access onto Aldcliffe Road. It is not considered that this loss would have any medium to long term adverse impact on the site or wider locality, and it was proposed as part of the outline application. Another tree close to this boundary was also proposed to be removed, but is now proposed to be retained following discussions with the applicant. Further information has been provided to address concerns raised by the Tree Officer with regarding to potential structures within root protection areas and works to canopies of protected trees. It is likely that the development could take place without impacting on the retained trees, however there are still concerns that the proximity to trees and shadowing to external areas could result in pressure for the removal or inappropriate management of trees in the future, as discussed above. Discussions continue and any further amendments will be verbally reported.

### 7.7 Ecological Impacts

7.7.1 The Lune Estuary is located approximately 740m to the west and is designated as a Site of Special Scientific Interest (SSSI). It is also covered by the Morecambe Bay Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar Site. The former is a national designation with the latter covered by European legislation. Natural England have raised no objections to the proposal and have advised that the Local Authority is not required to undertake an Appropriate Assessment to assess the implication of the proposal of the site's conservation objectives.

7.7.2 An extended Phase 1 Habitat Survey has been submitted as part of the application, which was submitted with the previous application. In addition to this, an up to date bat survey has been submitted. The habitat survey concludes that, with the exception of the mature trees, the ecological value of the habitats on the site is low. It recommends that new hedgerow planting is proposed within the site to offset the loss of the grassland habitat, and this has now been proposed through the amendments to the scheme.

7.7.3 All species of bat and their breeding sites or resting places (roosts) are protected under Regulation 41 of The Conservation of Habitats and Species Regulations 2010 and Section 9 of the Wildlife and Countryside Act 1981. The tree identified as having potential to support bats, within the habitat survey, has been inspected for evidence of bats. The bat survey sets out that no features that could be used by bats were identified within the trees proposed for removal, and that it is highly unlikely that in the immediate future that situation will change. Several other trees that offered bat roost potential were also identified, the most notable features for bats being Woodpecker holes, however these will not be affected by the development. It is therefore not considered that the proposal will have a detrimental impact on bats and foraging links will not be lost. However it has been recommended that any lighting is appropriately designed to avoid light spill towards the tree line and guidance has been given within the report.

7.7.4 It is not considered that the proposal will have a significant impact on breeding birds, and additional trees and hedges are proposed as part of the scheme. The report recommends that, if any tree is removed or pruned, all clearance should be undertaken outside of the bird nesting season to ensure that no offences are committed under The Wildlife and Countryside Act 1981 (as amended). An additional recommendation is that six bird-nesting boxes should be installed on the mature trees along the southern boundary of the site.

7.8 Drainage

7.8.1 The application states that development will be served by the mains sewer. United Utilities have not provided any comments in relation to this application and, unless any adverse comments are received, there is no reason to believe that there is insufficient capacity in this location.

7.8.2 No specific details have been provided with regards to surface water drainage. However it is considered that there is sufficient space within the site for this to be adequately dealt with and can be controlled by condition requiring the information prior to the commencement of development. There are large areas of garden proposed and the surfacing could be permeable.

7.9 Contaminated Land

7.9.1 In relation to the previous application, the Council's Contaminated Land Officer requested that the application be rejected as no Desk Study had been provided to assess the potential for contamination. The site has been historically used for grazing and there is no evidence to suggest that the land has been subjected to levels of contamination. As such, there is unlikely to be any risk to future occupants from contaminated land. In this instance an unforeseen contamination condition is considered to be appropriate.

7.10 Affordable Housing contribution and housing need

7.10.1 The Council's affordable housing policy, set out in DM DPD Policy DM41, requires a provision of 20% of affordable housing on rural sites for this scale of development (9 dwellings or less). On the previous outline application, the submission set out that an equivalent financial contribution would be provided in lieu of this as they were not been able to successfully engage a Registered Provider for the purposes of owning and managing a dwelling on site. Given the likely open market values of the proposed dwellings, it was unlikely that any Registered Provider would be in a position to acquire one of the proposed units even if there was a substantial level of discount applied. Secondly, they would have to take account of the geographical location of any new dwellings that they acquire and the ongoing management arrangements. There is no existing social housing stock in close proximity and on this basis, there would be little or no appetite for a single dwelling in this location. As such, when the previous application was determined, it was considered acceptable to accept a commuted sum equivalent to providing 20% of affordable housing on site, to be used towards the provision of affordable housing elsewhere in the district. A Legal Agreement was signed on this basis.

7.10.2 No contribution is currently proposed towards the provision of affordable housing. The applicant based this on the national policy position that was in force at the time that he purchased the site. However the Government's position on affordable housing was quashed following a judicial challenge, and as a consequence the affordable housing position reverts back to that contained in Policy DM41. The applicant will now submit a financial viability appraisal to determine the level of affordable housing contribution that will accompany the proposal, and Members will be updated on this matter at the meeting.

7.10.3 Concerns have been raised regarding the type of housing proposed in relation to how this meets local housing needs. On the previous application, a letter from a local chartered surveyors was submitted which sets out that it is considered that the development would be well received being of low density within Aldcliffe and would perceive the marketability to be very strong. The Housing Needs Survey 2011 does not provide specific data that relates to Aldcliffe itself. The main need for new dwellings in the Lancaster South area is for one and two bedroom properties to take account of the needs of the ageing population and the degree of under-occupation that exists across all housing sectors. However, the headline recommendations from the Survey support that 60% of new market housing should be 1 and 2 bedrooms and 40% should be three and four bedrooms. Given the size and scale of the proposed development, it is considered that the development would still contribute towards the identified housing need and there is no strong policy justification for a greater mix in this instance.

7.11 Minerals Safeguarding

7.11.1 The site is located within a safeguarding area for minerals. The County Council, who are the minerals authority, have raised an objection setting out that development will not be supported that is incompatible with mineral safeguarding as set out in Policy M2 of the Joint Lancashire Minerals and

Waste Local Plan. The NPPF sets out that local authorities should not normally permit other development proposals in mineral safeguarding areas where they might constrain potential future use for these purposes. There is a considerable area in this location which is identified for mineral safeguarding.

7.11.2 Policy M2 of the Minerals and Waste Local Plan sets out that planning permission will not be supported for any form of development that is incompatible by reason of scale, proximity and permanence with working the minerals, unless the applicant can demonstrate to the satisfaction of the local planning authority that:

- The mineral concerned is no longer of any value or has been fully extracted.
- The full extent of the mineral can be extracted satisfactorily prior to the incompatible development taking place.
- The incompatible development is of a temporary nature and can be completed and the site returned to its original condition prior to the minerals being worked.
- There is an overarching need for the incompatible development that outweighs the need to avoid the sterilisation of the mineral resource
- That prior extraction of minerals is not feasible due to the depth of the deposit.
- Extraction would lead to land stability problems.

7.11.3 Having had full regard to the requirements of this policy, it is considered that given the lack of housing land supply, as discussed above, there is an overarching need for the development which outweighs the need to avoid sterilisation of the mineral resource. In addition, in relation to this particular site, it is considered unlikely that this site would be developed for mineral extraction given its size, the constraints of the two roads to either side and the proximity to residential properties.

### **8.0 Planning Obligations**

8.1 A Unilateral Undertaking will be required for the financial contribution towards the provision of affordable housing in the District unless a financial viability appraisal is submitted which demonstrates that a contribution would make the scheme unviable.

### **9.0 Conclusions**

9.1 The site is not within a settlement which has been identified as being suitable for growth. However, the site is well related to the existing housing within Aldcliffe and in relative close proximity to Lancaster. The principle of residential development comprising six dwellings has already been established on this site by the granting of a previous outline application. There are still some concerns in relation to the layout, the footprint of some of the dwellings and potential future pressure on the removal of trees. However, providing that these concerns, and the contribution towards affordable housing, can be adequately addressed it is not considered that the proposal will have a detrimental impact on the character of the area, residential amenity, highway safety or ecology.

### **Recommendation**

That Planning Permission **BE GRANTED** subject to the appropriate amendments to the scheme set out in the report, including confirmation of a contribution towards affordable housing, the signing and completing of a Unilateral Undertaking relating to affordable housing provision, and the following conditions:

1. Standard 3 year timescale
2. Development in accordance with approved plans
3. Scheme for the construction of the site accesses
4. Visibility splays
5. Scheme for offsite highway works - warning sign and laying of a length of transverse white thermoplastic major / minor road junction stop line, gateway treatment measures
6. Arboricultural Method Statement
7. Tree Protection
8. Landscaping scheme
9. Lighting scheme
10. Additional bird nesting and bat roosting opportunities
11. Method statement for felling of tree
12. Surfacing materials
13. Scheme for disposal of surface water drainage

14. External materials including: windows, doors, finish to walls and roof, rainwater goods, eaves, verge and ridge details
15. Boundary treatments
16. Construction method statement including hours of construction
17. Finished floor levels
18. Unforeseen soil contamination

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

In accordance with the above legislation, the City Council can confirm the following:

Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the agent to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been made having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

### **Human Rights Act**

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this report, the issues arising do not appear to be of such magnitude to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

### **Background Papers**

None

## LANCASTER CITY COUNCIL

APPLICATION NO	DETAILS	DECISION
14/01300/FUL	Land At The End Of , Laureston Avenue, Heysham Erection of four detached and two pairs of semi-detached two-storey residential dwellings and garages with associated access for Mac NW Homes (Heysham South Ward)	Application Refused
15/00072/FUL	Hazelrigg Farm, Hazelrigg Lane, Ellel Installation of two flues to outbuilding to facilitate biomass heating system for Mr J Calvey (Ellel Ward)	Application Permitted
15/00133/DIS	Netherbeck Farm, Over Hall Road, Ireby Discharge of condition 5 on approved application 15/00060/FUL for Mr Nicholas Dodd (Upper Lune Valley Ward)	Request Completed
15/00136/DIS	Tramway Hotel, 127 St Leonards Gate, Lancaster Discharge of conditions 3, 4, 6, 7 and 9 on planning permission 14/00803/CU for Mr Mustaq Mister (Bulk Ward)	Initial Response Sent
15/00156/DIS	Birks Farm, Cragg Road, Wray Discharge of conditions 3 and 4 on approved planning application 14/00732/LB for Mr Steven Harrison (Lower Lune Valley Ward 2015 Ward)	Request Completed
15/00163/DIS	Brookside Cottage, Kellet Road, Over Kellet Discharge of conditions 4, 6 and 7 on approved application 15/00685/FUL for Mr Steve Woods (Kellett Ward 2015 Ward)	Initial Response Sent
15/00169/DIS	Grasscroft, Borwick Avenue, Warton Discharge of conditions 5, 7 and 13 on approved application 15/00425/FUL for Mr Julian Stainton (Warton Ward 2015 Ward)	Application Permitted
15/00170/DIS	14 Castle Park, Lancaster, Lancashire Discharge of condition 3 on approved application 15/00764/FUL for Mr M Greenhalgh (Castle Ward 2015 Ward)	Request Completed
15/00171/DIS	14 Castle Park, Lancaster, Lancashire Discharge of condition 3 on approved application 15/00765/LB for Mr M Greenhalgh (Castle Ward 2015 Ward)	Request Completed
15/00172/DIS	Extension Walney Wind Farm, Borrans Lane, Middleton Discharge of requirement 33 on approved application 14/01379/NSIP - SOS approved Nationally Significant Infrastructure Project for Miss PIPPA DOODSON (Overton Ward 2015 Ward)	Request Completed
15/00173/DIS	Site For Fast Food Takeaway Unit, Caton Road, Lancaster Discharge of condition 11 on approved application 14/00775/FUL for McDonald's Restaurants Ltd (Lower Lune Valley Ward 2015 Ward)	Objection

LIST OF DELEGATED PLANNING DECISIONS

15/00175/DIS	Former Caton Youth Club, Copy Lane, Caton Discharge of condition 6 and 7 relating to trees on previously approved application 14/00964/CU for Mr Robert Caunce (Lower Lune Valley Ward 2015 Ward)	Request Completed
15/00177/DIS	Glen Tarn , Blea Tarn Road, Lancaster Discharge of conditions 6 and 7 on approved application 14/01336/CU for Mr J Daly (University And Scotforth Rural Ward)	Initial Response Sent
15/00178/DIS	7 - 9 Chapel Street, Lancaster, Lancashire Discharge of condition 3 on approved application 15/00369/LB for Mr P Hearne (Bulk Ward 2015 Ward)	Request Completed
15/00180/DIS	The Green, Borwick Lane, Borwick Discharge of part condition 3 on approved application 15/00102/LB for Mr David Smith (Kellett Ward 2015 Ward)	Request Completed
15/00431/FUL	Sunlight Laundry Ltd , Caton Road, Lancaster Change of use of land for the siting of a single storey modular office buildings (B1a) and erection of a 2m boundary wall and gates for Berendsen UK Ltd (Bulk Ward)	Application Permitted
15/00496/CU	38 - 42 North Road, Lancaster, Lancashire Retrospective application for change of use of ground floor shop (A1) to mixed retail unit and professional services (A1 and A2). for Ms Carol Hill (Bulk Ward)	Application Withdrawn
15/00501/FUL	Bowling Green Pavilion And Sports Ground, Packet Lane, Bolton Le Sands Erection of four 8 metre high floodlights for Mrs Patricia Bradley (Parish Clerk) (Bolton Le Sands Ward)	Application Permitted
15/00510/OUT	Land Off Forge Lane, Halton, Lancashire Outline application for the erection of a nursing home and creation of a new vehicular access for Mr Jim Entwisle (Halton With Aughton Ward)	Application Permitted
15/00615/FUL	Mount Vernon Farm , Littlefell Lane, Lancaster Erection of a an agricultural storage building for Mr Dale Tomlinson (Ellel Ward)	Application Permitted
15/00630/FUL	1 Haig Avenue, Lancaster, Lancashire Retrospective application for the retention of uPVC windows to the front and side elevations for Prof. D Archard (Castle Ward)	Application Refused
15/00695/FUL	XI Training, Keer Bridge Depot, Scotland Road Conversion of roof space to provide a 6-bed cluster flat for client accommodation, erection of training platform and emergency escape on south west elevation for Mr Glen Pearson (Warton Ward)	Application Permitted
15/00713/CU	6 Owen Road, Lancaster, Lancashire Change of use of ground floor shop (A1) and living accommodation above (C3) to 5-bed dwelling (C4) and installation of replacement external steps to rear yard for Mr L Jones (Skerton East Ward)	Application Withdrawn
15/00749/LB	33 - 37 Church Street, Lancaster, Lancashire Listed Building application for the fitting of 1 externally illuminated fascia sign, 3 non-illuminated fascia signs, 1 externally illuminated projecting sign and 4 lanterns for Stonegate (Dukes Ward)	Split Decision

LIST OF DELEGATED PLANNING DECISIONS

15/00755/CU	Post Horse Barn, Post Horse Lane, Hornby Change of use of an agricultural barn and land to a dwelling (C3) with associated domestic curtilage, landscaping and access, and erection of a detached garage for Mr & Mrs M Whitaker (Upper Lune Valley Ward)	Application Permitted
15/00756/FUL	262 Willow Lane, Lancaster, Lancashire Erection of a single storey side and rear extension for Mr Martin Howden (Castle Ward)	Application Withdrawn
15/00781/CU	Stud Farm Park Homes, Oxcliffe Road, Heysham Change of use of static holiday caravan park to residential caravan park for Mr J Robb (Westgate Ward)	Application Refused
15/00802/CU	Halls Farm, Scorton Marshaw Road, Over Wyresdale Change of use of part of barn to form additional living accommodation for the adjacent dwelling for Mrs E Stanford Davis (Ellel Ward)	Application Withdrawn
15/00811/CU	Unit 5, Maple Works, Northgate Change of use of light industrial unit (B2) into a car wash and valeting unit and installation of an additional roller shutter door for Mr Rudolf Collaku (Westgate Ward)	Application Permitted
15/00824/FUL	Lancaster University, Bailrigg Lane, Lancaster Demolition of existing store adjacent to new engineering building and erection of a single storey rear extension for Lancaster University (University Ward)	Application Permitted
15/00880/FUL	60 Coastal Road, Hest Bank, Lancaster Erection of a single storey rear extension with raised patio for Mr & Mrs C And C McAndrew (Slyne With Hest Ward)	Application Permitted
15/00890/FUL	Vale Of Lune R U F C , Powderhouse Lane, Lancaster Erection of a single storey side extension and relocation of entrance doors and lobby for Vale Of Lune R U F C (Skerton West Ward)	Application Permitted
15/00891/FUL	Laund Fields, Stoney Lane, Galgate Siting of a temporary sales cabin with associated parking for Persimmon Homes Lancashire (Ellel Ward)	Application Permitted
15/00894/FUL	J Atkinson And Co , China Street, Lancaster Demolition of a section of existing rear building and erection of a replacement single storey side and installation of 2 new flues for Mr Ian Steel (Castle Ward)	Application Permitted
15/00899/ADV	2 Stevant Way, White Lund Estate, Morecambe Advertisement application for the display of 3 internally illuminated fascia signs, 1 non-illuminated fascia sign and 1 non-illuminated totem sign for Big Storage Ltd (Westgate Ward)	Split Decision
15/00937/FUL	Rose Cottage, Capernwray Road, Capernwray Demolition of existing agricultural storage buildings and erection of new replacement agricultural storage building for Mr & Mrs R Gregory (Kellet Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

15/00950/FUL	111 Main Street, Warton, Carnforth Demolition of section of wall to first floor rear elevation and construction of stair enclosure providing access to top floor for Mr & Mrs J Spendlove (Warton Ward)	Application Permitted
15/00951/FUL	109 Main Street, Warton, Carnforth Erection of a two storey rear extension for Mr & Mrs J SPENDLOVE (Warton Ward)	Application Permitted
15/00963/FUL	Damas Barn, Abbeystead Road, Abbeystead Erection of a detached garden room for Ms Mary McMurrans (Ellel Ward)	Application Permitted
15/00968/FUL	3 The Lane, Sunderland Point, Morecambe Demolition of existing rear extension and erection of a single storey rear extension for Mrs Diana Keen (Overton Ward)	Application Permitted
15/00984/ELDC	6 Lowlands Road, Bolton Le Sands, Carnforth Existing lawful development certificate for the erection of a garage for Mr I Dunn (Bolton Le Sands Ward)	Lawful Development Certificate Granted
15/00993/FUL	14 Swaledale, Galgate, Lancaster Installation of uPVC windows and door to replace timber windows and door to the rear elevation and removal of ground floor rear window and installation of replacement patio doors for Mr P McDonald (Ellel Ward)	Application Permitted
15/01001/FUL	Stable Block Field 3225, Arna Wood Lane, Lancaster Erection of a detached stable block for Miss Rachel Wolstencroft (Scotforth West Ward)	Application Permitted
15/01008/FUL	St Helens C Of E School, Lancaster Road, Overton Construction of a canopy to the southern elevation for The Governors Of St. Helens CE PS (Overton Ward)	Application Permitted
15/01016/FUL	7 Elkin Road, Morecambe, Lancashire Retrospective application for the retention of a canopy above existing decking for Ms Maureen White (Poulton Ward)	Application Permitted
15/01022/VCN	258 Oxcliffe Road, Heaton With Oxcliffe, Morecambe Change of use to site two gypsy pitches/caravans (pursuant to the variation of condition 4 in relation to the restriction on occupancy on previously approved application 02/00488/CU) for Mr M Mc Carthy (Westgate Ward)	Application Permitted
15/01026/FUL	Hurstwood, Stoney Lane, Ellel Erection of an agricultural storage building with solar panels for Mr Ken Drinkwater (Ellel Ward)	Application Permitted
15/01028/FUL	2 Gables Place, Morecambe, Lancashire Erection of a single storey rear extension for Mr & Mrs A. Bowker (Poulton Ward)	Application Permitted
15/01031/LB	Bolton Lodge, 107 Main Road, Bolton Le Sands Listed building application for the part removal of the northern boundary wall for The Abbeyfield Society (Bolton Le Sands Ward)	Application Permitted
15/01033/FUL	Kitchlow Farm, Locka Lane, Arkholme Erection of agricultural building for midden for Mr A Robinson (Kellet Ward)	Application Permitted



LIST OF DELEGATED PLANNING DECISIONS

15/01054/FUL	16 Emesgate Lane, Silverdale, Carnforth Retrospective application for the retention of an extension to existing canopy in rear yard for The Co-operative Group (Silverdale Ward)	Application Permitted
15/01056/FUL	1 Thomlinsons Cottages, Kirkby Lonsdale Road, Over Kellet Construction of a replacement pitched roof to the existing side extension for Mrs K Bromilow (Kellet Ward)	Application Permitted
15/01057/FUL	Conder View, Wyresdale Road, Quernmore Erection of a replacement single storey side extension and a single storey porch and double garage link between dwelling and workshop, construction of a dormer window on rear elevation and single storey infill with the lowering of eaves to front elevation for Victoria Auld & John Davies (Lower Lune Valley Ward)	Application Permitted
15/01072/FUL	17 Manor Lane, Slyne, Lancaster Demolition of existing single storey side extension and erection of a replacement single storey side extension for Mr J Lambert (Bolton And Slyne Ward 2015 Ward)	Application Permitted
15/01074/LB	Manor House Farm, 128 Main Road, Slyne Listed Building application for render and re-pointing repairs with lime mortar and to replace UPVC guttering with cast iron gutters and downpipe for Mr John Hoggarth (Bolton And Slyne Ward 2015 Ward)	Application Permitted
15/01075/PAM	Telephone House, Fenton Street, Lancaster Prior approval to upgrade existing rooftop telecommunications installation from 6 antennas to 9 antennas mounted in the same area and associated works for CTIL (Castle Ward 2015 Ward)	Prior Approval Not Required
15/01078/FUL	2 Whitendale Drive, Bolton Le Sands, Carnforth Erection of a two storey side extension, single storey side extension and conversion of utility/study room to garage for Mr & Mrs Bricknell (Bolton And Slyne Ward 2015 Ward)	Application Permitted
15/01080/FUL	5 St Johns Avenue, Silverdale, Carnforth Erection of a conservatory to the side elevation for Mr & Mrs Brown (Silverdale Ward 2015 Ward)	Application Refused
15/01088/CU	4 Hadrian Road, Morecambe, Lancashire Change of use of garage to habitable room for Mr & Mrs D Rumney (Torrisholme Ward 2015 Ward)	Application Permitted
15/01089/FUL	Poplar Grove Farm, Gulf Lane, Cockerham Erection of an agricultural silo building for Mr John Redmayne (Ellel Ward 2015 Ward)	Application Permitted
15/01090/FUL	Hillcroft Nursing Home, Throstle Grove, Slyne Erection of a single storey extension to the south elevation to provide additional living accommodation for Mr John Ayrton (Bolton And Slyne Ward 2015 Ward)	Application Permitted
15/01091/FUL	Ripley St Thomas Church Of England Academy, Ashton Road, Lancaster Installation of security barriers to main school entrance for Ripley St Thomas Church Of England Academy (Scotforth West Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

15/01094/FUL	71 Main Road, Galgate, Lancaster Demolition of existing single storey rear extension and erection of two storey rear extension incorporating one residential flat (C3) above existing shop for The Village Store (Galgate) Ltd (Ellel Ward 2015 Ward)	Application Permitted
15/01097/FUL	262 Torrisholme Road, Lancaster, Lancashire Construction of a dormer window to the rear elevation and erection of a single storey side and rear extension for Mr & Mrs Hindson (Skerton West Ward 2015 Ward)	Application Permitted
15/01099/FUL	6 The Moorings, Mowbrick Lane, Hest Bank Construction of a dormer window to the front elevation, installation of two rooflights and solar panels to the rear and alterations to first floor front and rear windows for Mrs Mary Piper (Bolton And Slyne Ward 2015 Ward)	Application Permitted
15/01102/PLDC	7 Essex Road, Morecambe, Lancashire Proposed lawful development certificate for the erection of a single storey rear extension for Mr Graham Downs (Torrisholme Ward 2015 Ward)	Lawful Development Certificate Granted
15/01106/FUL	Richmond Hill, Stankelt Road, Silverdale Erection of a replacement conservatory to the side elevation and addition of 5 rooflights to the existing single storey rear projection for Dr C Harris (Silverdale Ward 2015 Ward)	Application Permitted
15/01113/FUL	The Hawthorns, 8 Beckside Mews, Borwick Erection of a rear conservatory for Mr & Mrs Beaumont (Kellett Ward 2015 Ward)	Application Permitted
15/01114/FUL	9 Slyne Road, Bolton Le Sands, Carnforth Erection of a 2 storey detached garage for Mr M Clough (Bolton And Slyne Ward 2015 Ward)	Application Permitted
15/01115/PAM	Morrisons, Hilmore Way, Morecambe Prior approval for telecommunications equipment including two pole mounted antennas, two transmission dishes and three equipment cabinets on supermarket roof for Everything Everywhere (Harbour Ward 2015 Ward)	Prior Approval Not Required
15/01116/FUL	19 Shore Road, Silverdale, Carnforth Erection of a single storey rear extension for Ms Sue Crossley (Silverdale Ward 2015 Ward)	Application Permitted
15/01126/FUL	152 Coastal Road, Bolton Le Sands, Carnforth Installation of a raised replacement roof to create first floor accommodation and erection of a detached garage for Mrs E M Knox (Bolton And Slyne Ward 2015 Ward)	Application Permitted
15/01148/FUL	6 Pembroke Avenue, Morecambe, Lancashire Erection of single storey rear extension for Mr Dennis Senior (Bare Ward 2015 Ward)	Application Permitted
15/01163/FUL	30 Victoria Parade, Morecambe, Lancashire Erection of a single storey side and rear extension for Mr C. Morrow (Poulton Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

15/01164/FUL	4 Manor Grove, Heysham, Morecambe Erection of a single storey side and rear extension for Mr & Mrs S. Hayes (Heysham North Ward 2015 Ward)	Application Permitted
15/01165/FUL	15 Greenwood Avenue, Bolton Le Sands, Carnforth Demolition of existing rear extensions and erection of a replacement single storey rear extension for Mr & Mrs M. Squires (Bolton And Slyne Ward 2015 Ward)	Application Permitted
15/01166/PLDC	15 Greenwood Avenue, Bolton Le Sands, Carnforth Proposed lawful development certificate for a hip to gable extension and construction of a dormer window to the rear elevation for Mr & Mrs M. Squires (Bolton And Slyne Ward 2015 Ward)	Lawful Development Certificate Granted
15/01170/ELDC	Workshop Rear Of 1, Bellfield Road, Morecambe Existing lawful development certificate for use as a single dwelling for Mr B Long (Poulton Ward 2015 Ward)	Lawful Development Certificate Granted
15/01171/FUL	3 Greythwaite Court, Lancaster, Lancashire Erection of a conservatory to the rear for Mr & Mrs Asham (Marsh Ward 2015 Ward)	Application Permitted
15/01173/AD	Brown Edge Farm, Lancaster Brow, Arkholme Agricultural determination for the erection of a steel portal frame building over existing silage clamp for Mr James Barker (Kellett Ward 2015 Ward)	Prior Approval Not Required
15/01175/FUL	41 Berwick Way, Heysham, Morecambe Erection of a two storey side extension, a single storey side extension, a single storey rear extension to replace existing conservatory and a front porch for Mr Byron Nixon (Heysham South Ward 2015 Ward)	Application Permitted
15/01184/AD	Curwen Hill Farm, Hornby Road, Wray Agricultural Determination for roof above existing yard for Mr Frank Towers (Lower Lune Valley Ward 2015 Ward)	Prior Approval Not Required
15/01185/FUL	10 Woodhill Avenue, Morecambe, Lancashire Demolition of existing rear conservatory and erection of a replacement single storey rear extension and raised decking area for Ms Joanne Halliwell (Harbour Ward 2015 Ward)	Application Permitted
15/01193/NMA	Parkside Farm, Russell Road, Tatham Non-material amendment to approved application 13/00616/FUL to change the materials of the orangery to grey aluminium and grey windows and doors for Mr P Taylor (Lower Lune Valley Ward 2015 Ward)	Application Permitted
15/01195/FUL	181 Scotforth Road, Lancaster, Lancashire Demolition of existing outbuilding and erection of a single storey rear extension for Mr And Mrs Machulec (Scotforth East Ward 2015 Ward)	Application Permitted
15/01199/FUL	181 Kingsway, Heysham, Morecambe Erection of a single storey extension to existing detached garage for Mr John Clayton (Heysham South Ward 2015 Ward)	Application Permitted

## LIST OF DELEGATED PLANNING DECISIONS

15/01205/FUL	1 Lane Cottages, Burrow Heights Lane, Lancaster Erection of a single storey rear extension, demolition of existing side porch and erection of a two storey side extension for Mr & Mrs R Carruthers (University And Scotforth Rural Ward)	Application Permitted
15/01216/CCC	Trumacar County Primary School, Combermere Road, Heysham Erection of a single storey classroom extension, extension to play area and provision of four additional car parking spaces for Lancashire County Council (Heysham South Ward 2015 Ward)	No Objections
15/01217/PLDC	19 Roeburn Drive, Morecambe, Lancashire Proposed lawful development certificate for the erection of a rear conservatory to replace existing conservatory for Mr Abhay Nadkarni (Skerton West Ward 2015 Ward)	Lawful Development Certificate Granted
15/01226/CCC	Unit 26, Heysham Business Park, Middleton Road Retrospective application for the change of use from go-kart track to waste transfer station. retention of two demountable units, a bale shed and plant and equipment and erection of a storage and sorting building for Hancock (Overton Ward 2015 Ward)	No Objections
15/01233/FUL	2 Glen View Avenue, Heysham, Morecambe Erection of single storey side and rear extension for Mr Mike Whitbread (Heysham South Ward 2015 Ward)	Application Permitted
15/01236/VCN	13 Grange View Road, Nether Kellet, Carnforth Erection of a first floor side extension (pursuant to the variation of condition 4 on planning permission 14/01082/FUL to allow the colour of the first floor window to be finished in white rather than an elephant grey colour) for Miss C Spinks (Kellett Ward 2015 Ward)	Application Permitted
15/01250/NMA	8 Airedale, Galgate, Lancaster Non material amendment to planning permission 15/00300/FUL for the addition of rooflight to the rear elevation for Mr James Faulconbridge (Ellel Ward 2015 Ward)	Application Permitted
15/01252/NMA	Former Caton Youth Club, Copy Lane, Caton Non-material amendment to planning permission 14/00964/CU to remove the proposed first floor porch extension and installation of new door opening to gable end for Mr Robert Counce (Lower Lune Valley Ward 2015 Ward)	Application Permitted
15/01253/NMA	Old Crow Trees, Lodge Lane, Melling Non-material amendment on planning permission 15/00690/FUL to change specification of garage door for Mr Andrew Hodgson (Upper Lune Valley Ward 2015 Ward)	Application Permitted
15/01261/NMA	Swarthbeck House, Capernwray Road, Capernwray Non-material amendment on planning permission 14/01022/FUL to widen the patio doors for Mr Ceesay (Kellett Ward 2015 Ward)	Application Permitted
15/01274/CPA	Lancaster Road County Primary School, Lancaster Road, Morecambe Erection of a 3m high ball stop fence for Lancashire County Council (Westgate Ward 2015 Ward)	No Objections