Committee: PLANNING AND HIGHWAYS REGULATORY COMMITTEE
Date: MONDAY, 14 DECEMBER 2015
Venue: LANCASTER TOWN HALL
Time: 10.30 A.M.

AGENDA

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](http://www.lancaster.gov.uk/publicaccess) by searching for the relevant application number.

1 Apologies for Absence
2 Minutes
   Minutes of meeting held on 16 November 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 A5 15/01119/FUL
- **Location:** Land to the South of Aldcliffe Hall Drive, Lancaster
- **District:** Scotforth
- **Ward:** West Ward
- **Pages:** 1 - 11

Erection of 6 dwellings with associated access and landscaping for Mr Michael Stainton

### 6 A6 15/00813/FUL
- **Location:** Land Adjacent Campbell Drive, Lancaster
- **District:** Bulk Ward
- **Ward:** (Pages 12 - 22)

Demolition of existing maintenance buildings and erection of 43 houses, 20 flats and a retail unit (use class A1) with associated parking, landscaping and access for Mr Andrew McMurtrie

### 7 A7 15/01024/OUT
- **Location:** Land East of Arkholme Methodist Church, Kirkby Lonsdale Road, Arkholme
- **District:** Kellet Ward
- **Ward:** (Pages 23 - 31)

Outline application for the erection of up to 17 dwellings, associated access, provision of a new church car park and a new footway along the B6254 for Mr Edward Hayton

### 8 A8 15/00859/FUL
- **Location:** 113 White Lund Road, Morecambe
- **District:** Westgate Ward
- **Ward:** (Pages 32 - 37)

Erection of 10 dwelling houses (C3) and creation of new vehicular access for Mr T Hill

### 9 A9 15/01182/VCN
- **Location:** Land at Walkers Industrial Estate, Middleton Road, Middleton
- **District:** Overton Ward
- **Ward:** (Pages 38 - 42)

Erection of a freight depot (B8/B2) comprising a new detached building with offices, vehicle workshop and warehouse with external hardstanding area (pursuant to the variation of condition no. 2 on application no. 15/00199/FUL relating to the site layout) for Mr Vincent Waddell
<table>
<thead>
<tr>
<th>#</th>
<th>Application No.</th>
<th>Address</th>
<th>Ward</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>A10 15/00623/CU</td>
<td>The Sun House, Lindeth Road, Silverdale</td>
<td>Silverdale Ward</td>
<td>43 - 49</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Erection of a two storey side extension, erection of outbuilding (retrospective) and change of use of land to domestic garden for Mr R Aitken and Mrs A Mcleod</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>A11 15/01108/CU</td>
<td>10 Marsh Lane, Cockerham, Lancaster</td>
<td>Ellel Ward</td>
<td>50 - 54</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Change of use of annex to a single dwelling (C3) for Mr Ronald McAvoy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>A12 15/01105/FUL</td>
<td>Berrys Farm, Conder Green Road, Conder Green</td>
<td>Ellel Ward</td>
<td>55 - 59</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Erection of a detached reception/office building for Mr E Lawson</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>A13 15/01176/FUL</td>
<td>12 Pinewood Avenue, Brookhouse, Lancaster</td>
<td>Lower Lune Valley Ward</td>
<td>60 - 63</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Erection of a single storey side extension with dormer windows to the front and rear elevations and construction of a front porch for Mr Andrew Kehoe</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Category D Applications**

Applications for development by the City Council

<table>
<thead>
<tr>
<th>#</th>
<th>Application No.</th>
<th>Address</th>
<th>Ward</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>14</td>
<td>A14 15/01378/FUL</td>
<td>48 Branksome Drive, Morecambe</td>
<td>Westgate Ward</td>
<td>64 - 66</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Erection of single storey side and rear extension and access ramp for Mr Tom Greenwood</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>A15 15/01384/FUL</td>
<td>11 Skiddaw Road, Lancaster</td>
<td>Bulk Ward</td>
<td>67 - 70</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Erection of a single storey front and side extension, and creation of a new access for Mr Tom Greenwood</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

16 Delegated Planning Decisions (Pages 71 - 79)
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 Nicholas Wilkinson

(iii) Queries regarding this Agenda

Please contact Jane Glenton, Democratic Services: telephone (01524) 582068 or email jglenton@lancaster.gov.uk.

(iv) Changes to Membership, substitutions or apologies

Please contact Democratic Support, telephone 582170, or alternatively email democraticsupport@lancaster.gov.uk.

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

Published on Tuesday, 1 December 2015.
**Procedural Matters**

The application was deferred from the November meeting to allow the viability appraisal submitted on behalf of the applicants to be fully assessed.

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.
The Proposal

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.

Site History

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.

Consultation Responses

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

<table>
<thead>
<tr>
<th>Consultee</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>County Highways</td>
<td>No objections 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.</td>
</tr>
<tr>
<td>Environmental Health</td>
<td>No comments received.</td>
</tr>
<tr>
<td>Tree Protection Officer</td>
<td>Object. 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 &amp; 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.</td>
</tr>
<tr>
<td>Natural England</td>
<td>No objection</td>
</tr>
<tr>
<td>County Council Mineral Planning</td>
<td>The site is in a Mineral Safeguard Area and indicates that the economic mineral resource of sandstone may be present. Under Policy M2 development will not be supported that is incompatible with mineral safeguarding. A mineral resource assessment should be submitted.</td>
</tr>
</tbody>
</table>

Neighbour Representations

48 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 points; 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; lack of landscape and visual impact assessment; undesirable ribbon development;
- Impact on setting of listed building
- Loss of outlook; overlooking
- 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; little variation in design
between the dwellings;
- Environmental objections, including loss and damage of trees; inadequate compensation for loss 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; Lack of information regarding utilities;
- Housing supply objections, including brownfield land should be developed first; no evidence of need for type of housing proposed; challenges to the identified need for houses in the District;
- Failure to provide affordable housing;
- Could lead to pressure for further development;
- No economic benefit;
- Another development refused within Aldcliffe

5.2 An objection has been received from Cllr Mills. The following concerns have been raised:
- Impact on the setting of the hamlet
- Increase in traffic and impact on highway safety
- Design is not in keeping with the character of the settlement
- Unsustainable location due to lack of facilities

5.3 Correspondence has also been received from Cllr Kershaw and raises the following concerns:
- Suitability of access onto Aldcliffe Road and impact on highway safety
- Will result in an increased use of private cars due to lack of public transport
- Need for affordable housing rather than large houses

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 rooted 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-crammed 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
Page 6

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 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 Further to the previous Committee report, amendments have been received in order to address the outstanding concerns set out above. The main alterations relate to: the removal of the roof over the terrace on plot 1; repositioning of the dwelling on plot 3 to the east and detaching of garage with no accommodation in the roof space; reduction in length of the garages on plots 4 and 5; repositioning of the dwelling on plot 6 to the east; alteration to side windows facing highway on plots 1 and 6; alteration to the glazing at the rear of the properties to give a more vertical emphasis; and the removal of lantern roof on single storey elements. In terms of the landscaping, the northern boundary is now proposed to be a continuous hedgerow, with the exception of the walls adjacent to the access points, set in from the trees and most of the hardstanding is now proposed to be grey block paving.

7.3.11 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. The various amendments that have been made to the scheme have reduced the overall built development, given more separation from trees and provided more useable garden spaces. They have also improved the frontages to both of the highways and the boundary and surfacing treatments. It is therefore considered that the proposal is acceptable in terms of its size, siting and design and will not have a detrimental impact on the character and appearance of the area. In addition, given the separation distance from the nearby Listed building, East Lodge, and intervening land and screening, it is not considered that the proposal will unduly impact upon its setting.

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. In order to overcome this, the building has been rotated slightly away from this property and the windows in the side elevation have been removed. This has resulted in the front of the dwelling facing more towards Munisouth, but given the separation distance, it is not considered that this has 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 as the proposed property does not run parallel to the boundary the remainder of the elevation will be more than 7m away. 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. The dwelling on plot 6 has been moved slightly to the east and additional windows introduced in the side wall facing Aldcliffe Hall Drive. However, it is not considered that this will have a detrimental impact on residential amenity as there is approximately 17m between the side wall and the boundary with the nearest property approximately 45 metres from this neighbouring 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.

7.5.4 Following the preparation of the previous Committee report, comments were received from a highway consultant acting on behalf of one of the neighbouring residents. This raised concerns regarding the visibility provided to users of Aldcliffe Hall Drive, accessing both Aldcliffe Road and Aldcliffe Hall Lane. The Highways Officer had already set out that given the limited additional vehicular movements there was unlikely to be a significant impact on highway safety. The NPPF sets out that development should only be refused on transport grounds where the residual cumulative impacts are severe. The comments submitted also set out that it would not be possible to achieve the visibility splays on the submitted plan. Part of this goes over adjacent land to the east. However, the applicant has confirmed that there are legal rights over this. A further response has been sought from County Highways to provide clarification that a safe and appropriate means of access can be provided. Comments will be reported at the meeting.

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, and concerns regarding the proximity to trees and shadowing to external areas, which could result in pressure for the removal or inappropriate management of trees in the future, have been adequately addressed by the amended plans.

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 PD 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 was proposed towards the provision of affordable housing in the submission. The applicant based this on the national policy position that was in force at the time that he purchased the site despite the outline permission clearly requiring a contribution. 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. A viability appraisal was submitted by the applicant to demonstrate the level of contribution that could be provided. This has been independently assessed, and the alterations to the scheme have resulted in a different figure. Based on the formula within the Meeting Housing Needs SPD, the amount that would be required, if there were no issues with regards to viability, would be £171,051. The applicant’s viability appraisal has been independently assessed and it was concluded that a contribution of £128,594 would not impact on the viability of the scheme. A response is awaited from the applicant as to whether this amount is agreed. A verbal update will be provided 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.

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. Following the receipt of amendments, it is considered that the layout, scale and design is acceptable and the proposal will not 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 signing and completing of a Unilateral Undertaking to secure the financial contribution of £128,594 towards affordable housing in the District, 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. Tree Works Schedule
7. Implement approved Tree Protection Plan and Arboricultural Method Statement
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
19. Remove permitted development rights
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
### Application Site

Land adjacent to Campbell Drive
Lancaster
Lancashire

### Proposal

Demolition of existing maintenance buildings and erection of 43 houses, 20 flats and a retail unit (use class A1) with associated parking, landscaping and access

### Name of Applicant

Mr Andrew McMurtrie

### Name of Agent

- 

### Decision Target Date

6 October 2015

### Reason For Delay

Awaiting amendments further to changes in market conditions

### Case Officer

Mr Andrew Drummond

### Departure

No

### Summary of Recommendation

Approval

---

### 1.0 The Site and its Surroundings

#### 1.1 The Site and its Surroundings

The 2.4 hectare application site is situated on the north side of Quernmore Road about 1.75km to the east Lancaster city centre. The Grade II Listed building, known as the Annexe, is located on higher ground to the west with its old cricket pitch to the north, the M6 motorway runs north-south on higher ground further to the east beyond 2 agricultural fields and the Standen Gate residential area falls to the south.

The site is currently developed with maintenance buildings and associated parking areas southern half of the site, and an outdoor bowling green to the rear with natural landscaping to the western, northern and eastern boundaries. The road frontage is generally characterised by a low stone wall punctured by 3 existing vehicular access points and a cluster of stone buildings to the south east corner. There are some red brick structures within the front part of the site. The site slopes downwards from west to east with the most significant change in level occurring immediately the east of Campbell Drive where the land drops away to the lower part of the site.

In terms of designations affecting the site, the site is approximately split in two, with the southern half falling within a Housing Opportunity Site and the northern half and the eastern boundary within an Urban Greenspace. The Outdoor Playing Space lies across both of the aforementioned designations, but only affecting about half of the total site. There are 2 further constraints on the site, namely a Tree Preservation Order (no.381) that affects the whole site and the Mineral Safeguarding Area that primarily covers the eastern boundary and the north west corner.

#### 1.3 In terms of designations affecting the site, the site is approximately split in two, with the southern half falling within a Housing Opportunity Site and the northern half and the eastern boundary within an Urban Greenspace. The Outdoor Playing Space lies across both of the aforementioned designations, but only affecting about half of the total site. There are 2 further constraints on the site, namely a Tree Preservation Order (no.381) that affects the whole site and the Mineral Safeguarding Area that primarily covers the eastern boundary and the north west corner.

### 2.0 The Proposal

#### 2.1 The Proposal

The application seeks planning permission for a single storey 372 sq.m (GIA) retail unit and 63 residential units. The 2 and 2.5 storey houses comprise 8 3-bed terraces, 7 4-bed detached, 8 3-bed semi-detached and 20 4-bed semi-detached. The 3-storey apartment building incorporates 4 1-bed, 14 2-bed and 2 3-bed flats. The properties would be constructed of natural stone and rendered walls under a natural slate roofs.
2.2 Access would predominantly be from Campbell Drive, though 2 additional access points are proposed onto Quernmore Road to serve 2 separate parking areas for the retail unit and the 5 terraced properties facing onto Quernmore Road. The existing accesses along the site’s frontage would be closed.

2.3 To accommodate the proposed development trees would be lost from the centre of the site, as well as the northern and eastern boundaries.

3.0 Site History

3.1 There is no planning history directly related to this proposal or site. The adjacent site, known as Lancaster Moor, has a separate outline planning consent (11/00379/RENU) for up to 440 dwellings, which is being brought forward through subsequent Reserved Matters applications. Lancaster Moor is also subject to one standalone full application for 23 dwellings. In total, there is detailed consent for 402 dwellings (Campbell House (7) + western boundary (23) + (High Wood) 197 + Annexe Phase 1 (32) + Phase 2 (51) + Phase 3 (59) + Phase 4 (33)).

4.0 Consultation Responses

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

<table>
<thead>
<tr>
<th>Consultee</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>County Highways</td>
<td>No objection subject to conditions relating to access roads and arrangements, provision and protection of visibility splays, construction management scheme, and off site highway works</td>
</tr>
<tr>
<td>County Planning</td>
<td>No contributions sought towards education provision</td>
</tr>
<tr>
<td>Sport England</td>
<td>No objection. Sport England supports the proposal as it will address current deficiencies in sports provision (make a contribution to pitch improvements at Far Moor) and complies with the requirements of paragraph 74 of NPPF.</td>
</tr>
<tr>
<td>Historic England</td>
<td>Do not consider that it is necessary to be notified of this application</td>
</tr>
<tr>
<td>Conservation Officer</td>
<td>No comments received at the time of writing.</td>
</tr>
<tr>
<td>Natural England</td>
<td>No objection in relation to statutory nature conservation sites.</td>
</tr>
<tr>
<td>North Lancashire Bat Group</td>
<td>Initial objection due to lack of information. Further to submission of additional information the group maintains their objection.</td>
</tr>
<tr>
<td>Greater Manchester Ecology Unit</td>
<td>No comments received at the time of writing.</td>
</tr>
<tr>
<td>Tree Officer</td>
<td>Initial objection due to the scale of loss of and impact on protected trees. Maintains their objection further to submission of revised plans, mainly due to the impact of the development of the trees proposed for retention.</td>
</tr>
<tr>
<td>Local Lead Flood Authority</td>
<td>No objection subject to conditions relating to the development being constructed in accordance with Flood Risk Assessment</td>
</tr>
<tr>
<td>United Utilities</td>
<td>No objection subject to conditions relating to surface water and foul drainage systems</td>
</tr>
<tr>
<td>Environmental Health</td>
<td>No objection subject to conditions relating to contamination, air quality, dust control, and hours of work. Comments awaited on the proposed noise mitigation measures.</td>
</tr>
<tr>
<td>Police</td>
<td>No objection. Strongly recommend that the whole development is built to Secured by Design standard, but if not then a series of security measures (CCTV, alarms, fencing, locks) should be considered</td>
</tr>
<tr>
<td>Civic Society</td>
<td>Consider it most regrettable that the open parkland fronting the Moor Hospital Annexe should be considered suitable for an intensive modern housing development, including the loss of the bowling green and many mature trees. However, the properties are well designed and the inclusion of a retail unit is welcomed.</td>
</tr>
</tbody>
</table>

5.0 Neighbour Representations

5.1 85 objectors have responded to the original application, predominantly representing households within Lancaster Moor, Standen Gate or Standen Park developments (with some households represented by more than one objector) citing the following reasons for opposing the development:
Contrary to planning policy / inappropriate use of the land (though there is some support for the redevelopment of the site’s frontage)

- Adverse impacts on traffic and associated air quality, poor access, inadequate levels of parking, reduction of safety and lack of bus services
- Inappropriate design, over-development of the site leading to overlooking, adverse impact on setting of a Listed building and detrimental to character of the area (which would negatively impact Lancaster’s tourism)
- Loss of public open space and protected trees to the detriment of wildlife
- Retail use would lead to light and noise pollution (unsuitable opening hours), anti-social behaviour, litter problems, and infestation of rodents (though there is some support for the provision of a convenience store)
- Lack of community facilities in the area, including schools and recreational space
- Other comments relate to the Green Belt and Public Rights of Way (neither designations are found at this site), social housing adversely impacting local house prices and the environment changes into which people have recently purchased properties (not valid planning reasons for objecting)

1 further piece of correspondence has been received listing concerns (which are reflected in the comments above) but neither supports nor objects to the application.

Story Homes, the developer for High Wood, has objected on the basis that the proposal is contrary to planning policy, over-development of the site, fails to respect the visual amenity of the area, results in the loss of protected trees and is of an inappropriate scale resulting in the development having a detrimental impact on a Listed building.

Further to receipt of the amended plans and the associated re-consultation, a further 10 objections and 1 neither supporting nor objecting to the application have been received at the time of writing, referring to the same reasons as listed above, in addition to a criticism that the applicant has not addressed the concerns of the local residents.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework

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:

- Paragraph 17 - 12 core land-use planning principles
- Paragraph 49 and 50 - housing
- Paragraphs 56, 58 and 60 - good design
- Paragraph 74 – open space, sports and recreational buildings and land
- Paragraphs 131, 132 and 134 - heritage

6.2 Development Management DPD

- Policy DM25 Green spaces and green corridors
- Policy DM26 Open spaces, sports and recreational facilities
- Policy DM27 Biodiversity
- Policy DM28 Landscaping impact
- Policy DM29 Protection of trees, hedgerows and woodland
- Policy DM32 Setting on designated heritage assets
- Policy DM35 Key design principles
- Policy DM41 New residential dwellings

6.3 Lancaster District Core Strategy

- Policy SC1 Sustainable development
- Policy SC2 Urban concentration
- Policy SC5 Achieving quality in design
6.4 Lancaster District Local Plan

Saved policy H3 Housing opportunity sites
Saved policy E29 Urban greenspace
Saved policy R1 Open spaces

6.5 Joint Lancashire Minerals and Waste Local Plan

Policy M2 Safeguarding minerals

6.6 Whilst Supplementary Planning Guidance and Documents (SPGs and SPDs) do not form part of the Development Plan, they are a material consideration. The Council’s Supplementary Planning Guidance 2 (Lancaster Moor Development Brief – June 1998) is therefore relevant to the consideration of this application.

7.0 Comment and Analysis

7.1 The key considerations in the assessment of this application are:
- The principle of a mixed use development of this site
- The loss of open space
- The loss of protected trees
- The impact on the setting of heritage assets
- The design and layout of the development
- The impact on highway safety and efficiency
- The amenity of existing and prospective residents

7.2 The principle of a mixed use development of this site

The re-use of a brownfield site for residential purposes is acceptable in principle subject to the site being sustainably located. The application site is situated about 1.75km from the city centre on the eastern edge of Lancaster, where all the key services can be found. Between the site and the city centre are 2 primary schools and 1 secondary school as well as numerous forms of open space, including parks, gardens, playing fields, allotments and a cemetery. The area is also served by a limited, daytime bus service. The proposal also includes a convenience store, which increases the sustainability of the area and the site itself. Therefore the principle of this mixed use development on this previously developed site is acceptable as the site with the inclusion of the retail unit is considered to be sustainable.

7.3 The loss of open space

7.3.1 The principle of developing on some of the application site that is identified in the saved Local Plan as Urban Greenspace (saved policy E29) and in SPG2 as land to be protected from development has already been established with the High Wood development (13/00232/REM). Saved Policy E29 does allow for “the limited expansion of existing uses”, which given the High Wood development already secures housing to the north leaves this part of the Urban Greenspace as being severed from the wider designation and would allow for a “limited expansion” whilst maintaining the rest of the designation which covers the cricket pitch and land to the west of Lancaster Moor known as Far Moor. That said it is fully recognised that the weight that can be applied to such policies is limited as SPG2 was published in 1998 and the Local Plan was adopted in 2004. Whilst they are material considerations, the recently adopted Policy DM25 holds more weight. This policy also allows for the loss of such spaces where on balance the development achieves wider policy aims and objectives, and it is expected that such development provides a replacement space which is of an equal or better standard and reflects the area’s needs. The proposal does seek to achieve other planning objectives in terms of delivering a high quality mixed use development on a brownfield site, including much needed housing. It also seeks to financially contribute towards the drainage of the football pitches at Far Moor.

7.3.2 Many of the residents of High Wood have objected to the loss of the bowling green as this is a space utilised by their children. As it happens, this is private land and whilst it is not fenced off it should not
be accessed. Therefore the bowling green is not a publicly accessible parcel of open space. However, the cricket pitch immediately to the north of the application site is publicly available, and there are planning conditions on some of the Lancaster Moor consents to secure a drainage and landscaping scheme to make the space usable. There is also a condition on the High Wood consent to secure a woodland trim trail (wooden pieces of play/exercise equipment). These along with the more traditional forms of play equipment on the Standen Gate development mean that the area is well catered for in terms of informal recreation. The issue is more of the loss of a formal outdoor playing space. However, there are provisions within SPG2 that allow the “existing recreational facility … [to] be retained or relocated to a suitable alternative site”, and similar requirements in saved Local Plan policy R1. The condition of the existing bowling green is perhaps an anecdotal sign of the lack of demand for such facilities, but this is backed up by evidence that the Public Realm Officer has of demand and supply of sporting facilities in the area. Sport England has not objected to its loss, subject to the proposal addressing current deficiencies in sports provision (in this case making). It is their view that if a contribution towards the improvement of the pitches at Far Moor is made the proposal would comply with the requirements of paragraph 74 of the NPPF. The substance of this national planning policy is reflected in the recently adopted DM26, which also allows for the redevelopment of open space where high quality re-provision of equal or better provision than existing and would seek to serve both existing users and any uplift in users associated with the proposed development. It goes on to state that the value of open space should be determined by the land in question no longer having an economic, environmental or community value. The space as a bowling green is no longer functional and it would not be economical to bring it up to the required playing standard as there is no demand for such a facility. Clearly the local community place a value upon it, but technically it is private property so should not be utilised by them, but rather the cricket pitch area should be utilised.

7.3.3 The loss of the space is therefore acceptable subject to the delivery of the cricket pitch (secured by other consents) and the level of compensation being sufficient to deliver adequate drainage to the Far Moor pitches to meet an existing need; a need that is likely to increase due to the development of more family housing. There is a demand for football pitches in the area, but the pitches at Far Moor, only 170m along Quernmore Road to the east, are inadequately drained and need work. The revised scheme was submitted with information from an agronomist on the soil quality of the Far Moor pitches and it is concluded that it would cost a minimum of £55,000 to bring one of the two pitches at Far Moor up to an appropriate playing surface standard. The contribution of £50,000 proposed by the applicant appears to be inadequate. However, commentary from the Public Realm Officer is awaited at the time of writing. There may be a requirement for junior pitches rather than an adult pitch due to the area’s demand, so the contribution amount is uncertain. A verbal update will be provided at the Committee meeting.

7.4 The loss of protected trees

7.4.1 The development would lead to the loss of 78 protected trees, including 28 category B trees. Whilst some of these trees do not positively contribute to the amenity of the area, in terms of them being impressive individual specimens (there are no category A trees proposed for removal) or part of a wider group, the trees to the west, east and north boundaries in particular contribute significantly to the character of the site and its environs. This principle is set out in SPG2, which states “whilst it may not be realistic to retain every single tree, removal must be kept to an absolute minimum. Existing trees to be retained must be protected from the effects of development.” This is updated in the recently adopted Policy DM29, which seeks for development to positively incorporate existing trees within new development. Where this cannot be achieved the onus is on the applicant to justify the loss as part of their submission. Where loss is justified the Council will seek replacement tree planting. The trees that line Campbell Drive will be retained, except for one category U tree which has to be removed due to its health, not to accommodate the development. The main losses are within the body of the site, to the northern boundary and to the north east corner of the site, with only 31 new trees proposed in compensation. The proposed landscaping scheme needs reviewing as though it is appreciated that the site could not accommodate 234 new trees (based on the Council’s policy for replacement on a 3:1 basis), the north and east boundaries will need enhancing in greater measures than proposed. It has also been recommended to the applicant that plots 40 and 41 are replaced with one detached property as plot 41 is currently proposed within the root protection zone of the adjacent trees, which if damaged would result in the loss of important natural screening. Not surprisingly given the significant loss of trees and the lack of proper consideration of a compensatory planting scheme, the Tree Officer maintains their objection. If the applicant addresses the points raised, the proposal could be supported despite the loss of so many protected trees, but it will be
essential for all retained and new trees to be maintenance, which should be secured by way of a planning obligation. If they do not, it is considered that the proposal could adversely impact the setting of the Listed building (the Annexe) due to the loss of (and the high risk of further loss) of protected trees to the eastern boundary.

7.5 The impact on the setting of heritage assets

7.5.1 The site falls within the setting of the Grade II Listed Annexe building, which is currently being refurbished and converted to 175 apartments, and to a lesser extent of the Grade II Campbell House which was recently converted to 7 apartments. In accordance with the Listed Buildings and Conservation Areas Act, when considering any application that affects 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 policy DM32.

7.5.2 Policy DM32 sets out how to consider the impact of development proposals on the setting of heritage assets, including position in relation to key views, scale, visual permeability, materials and architectural design and changes to roofscape. To assist in the assessment of this application the Local Planning Authority sought 2 photomontages, which the applicant has duly undertaken. These show existing and proposed views from east of the site along Quernmore Road – one from close to the site looking up at the Annexe with the application site in the foreground and one from further away looking across at the Annexe with the application site set down in the mid-distance with the Annexe above in the background. Both photomontages show the importance of the trees to the eastern boundary, and the necessity to protect and supplement those trees identified for retention. Without this, the impact of the proposal could be an adverse one. The images also show that the trees thin out as they approach Quernmore Road and as such the existing buildings are currently visible. The replacement of these poor quality structures with well-designed properties constructed of natural materials would enhance the Annexe’s setting. The more distant viewpoint also brings into view Standen Gate to the south and High Wood to the north, so a limited continuation of predominantly residential development along this eastern edge of Lancaster would not appear out of place. It would be broken up by the retention of the cricket pitch for open space, which English Heritage (now Historic England) required to protect the setting of the 2 Listed buildings. They have not wished to make comment on this application, which emphasises the significance of the cricket pitch over and above the application site. Whilst the views of the Conservation Officer are awaited, it is the opinion of the Planning Officer that subject to the retention of those trees identified for retention.

7.6 The design and layout of the development

7.6.1 The design of the proposal has evolved through the determination process as a result of external factors relating to affordable housing (discussed in 8.1). National (paragraphs 56, 58 and 60 of the NPPF) and local (SC5 and DM35) planning policies promote high quality design. In particular, paragraph 56 of the NPPF states that “good design is a key aspect of sustainable development”.

7.6.2 The revised layout seeks to accommodate more housing within the body of the site further to the loss of the 15 units above the convenience store. There are more semi-detached properties (and less detached) proposed within the revised scheme than there were originally, but plot sizes as now proposed are generally more consistent and proportionate to the size of their associated dwelling. The layout also takes more account of and protects some of the significant trees within the site (though some other trees previously shown for retention are lost). The revised layout is more honest about the losses, with less trees within domestic gardens and/or in close proximity to the dwellings which not only would have adversely impacted (overshadowed) upon the amenity of the properties and their private amenity spaces, but would probably have come under increased pressure to be removed by the dwellings’ future occupiers. The parking layout for the flats and plots 26 to 43 make the body of the site very car dominant, but it is screened from wider views. The key viewpoints into the site are of boundaries characterised predominantly with landscaping and building facades.

7.6.3 The house elevations are generally traditional in nature with a vertical emphasis due to the choice of fenestration and the steep pitched gables to most of the properties’ frontages. Where dormers are proposed they are proportionate and flat roofed, covered in a fibre cement cladding to tie in colour with the slate roofs. The main differences are to the 3 storey apartment block and to Plot 1, which is
situated at the junction of Campbell Drive and Quernmore Road, the gateway into the Lancaster Moor development. The apartment block has been designed to provide interest to each elevation, breaking up its massing with balconies, inserts and projections. Whilst it does not reflect any particular building style, it does not appear out of place due to its location within the site (lowest part and most screened) and its choice of materials that complement and reflect the palette to be used elsewhere. It is proposed to create an Arts and Crafts styled home as a lodge house for the main access drive (Plot 1). Given the amount of natural stone already on site, it should be a requirement of any planning permission granted that the existing buildings are demolished in a manner that allows for their natural materials to be stored and recycled. This is one such structure where the recycled materials should be utilised; the boundary wall to Quernmore Road is another.

7.6.4 The scale and mass to the Quernmore Road frontage has been significantly reduced further to the loss of the upper floors above the retail unit. This makes a big difference to this public streetscape. It is proposed that the retail unit will utilise the same palette of materials as the dwellings to tie it into the wider scheme. The store has also been designed to meet the requirements of modern convenience store operators with 2 distinct, rectangular sales and service areas, whilst proposing a roof arrangement that adds interest and character, and keeps the scale of the building proportionate.

7.7 The impact on highway safety and efficiency

7.7.1 There has been some publicity circulated about this application tying it to the 2007 outline planning permission (renewed in 2011) for up to 440 dwellings on the adjacent site. Though the application site does form part of the area identified in the Development Brief (SPG2) for the wider site, it was excluded from the outline planning permission. While the total amount of development proposed across the 2 sites exceeds the amount of development set by the outline consent, this is a standalone planning application and must not be considered as part of any earlier permission, but rather alongside other relevant planning consents (including Lancaster Moor and Nightingale Hall Farm in particular), so the cumulative impact of development can be assessed.

7.7.2 One of the key issues being raised by local residents, especially residents of High Wood, is the adequacy of the existing access onto Quernmore Road at its junction with Campbell Drive. In addition to this access, which would be utilised by 38 of the proposed houses and 20 of the proposed apartments, 2 further access/egress points are proposed onto Quernmore Road to serve the 2 parking areas for the 5 houses fronting Quernmore Road and retail unit respectively. The Highway Authority has considered each of these accesses and raised no objection.

7.7.3 Parking provision across the site is as follows: 17 spaces for the proposed retail unit (including 2 mobility spaces), 7 spaces for the terrace comprising 5 3-bed properties facing Quernmore Road, a minimum of 2 parking spaces (including garages measuring at least 2.7m by 5m) for the 38 other houses, and 33 spaces for the 20 apartments. The Highway Authority has considered the level of provision for each part of the development and raised no objection.

7.7.4 Both Lancaster Moor and Nightingale Hall Farm developments were granted planning permissions subject to conditions, including the provision and implementation of a Travel Plan. A similar requirement will be imposed on this consent should planning permission be granted.

7.8 The amenity of existing and prospective residents

7.8.1 The applicant was made aware of the Council’s adopted separation distances and the need for adequately sized private amenity spaces (minimum 50 sq.m) and the development proposal complies accordingly. Equally there are no side facing windows facing directly at other side facing windows. Therefore the properties do not result in overlooking or being over-dominant on each other. However, there are 4 plots that immediately abuts the service area of the proposed retail unit and 5 more plots in close proximity. In terms of the relationship between the residential to commercial uses it is essential that the hours of trading of convenience store and the hours of deliveries to the retail unit are such that they protect the amenity of the future occupiers of the dwellings. Conditions will be required in this regard.

7.8.2 The application site is separated from the M6 motorway by 2 agricultural fields, but given the openness between the two, the highway is clearly audible from the site. Glazing and ventilation details can be incorporated into the design of the dwellings to protect the amenity of future residents, but their associated external space also needs to be considered. Environmental Health has received
the submitted Noise Assessment and their comments are awaited at the time of writing. A verbal update will be provided at the Committee meeting.

7.8.3 Other forms of nuisances and pollutions have been listed by local residents in their comments to the application, including litter, air quality and anti-social behaviour. There have been no objections raised by Environmental Health or the Police. In terms of air quality the Air Quality Officer has suggested that the following measures be considered as the proposal would have some limited impact on Lancaster’s Air Quality management Area – Travel Plan (including car sharing club), cycling and walking infrastructure, off site roadside tree planting, provision of electric charging points and Code level 4 dwellings. Where appropriate these are incorporated as conditions within the recommendation. Dust control, which is also an air quality issue, is incorporated into the Construction Management Scheme.

7.9 Other considerations

7.9.1 Drainage

The site falls within Flood Zone 1, but the site is prone to some surface water flooding, which is evident from some seasonal pooling of water within the site. This is probably due to the area’s topography. A private culvert runs through the site, which will need to be diverted as part of the scheme. Surface water will be directed to the relocated culvert, but there is a need for surface water attenuation within the site to reduce the run-off rate, which will increase due to the proportion of hardstanding and hard surfaces increasing across the site. The Local Lead Flood Authority (Lancashire County Council) has no objection to the application subject to the development being constructed in accordance with the recommendations of the submitted Flood Risk Assessment. United Utilities raise no objection to the proposal, subject to conditions requiring the submission of details of the foul and surface water drainage systems.

7.9.2 Ecology

A preliminary ecological appraisal was submitted with the original application which detailed the ecological baseline of the site in order to inform where there is potential for protected, or otherwise notable, species and/or habitats and to provide an assessment of the likely impacts of the proposed development on protected species and biodiversity. Broadleaved scattered trees, buildings, amenity grasslands and scattered / dense scrub were identified within the application site. These habitats are considered to be widespread and common habitats within the local area. Although there is likely to be loss of young broadleaved trees, semi-mature trees and scrub as a result of the proposed works, it is considered unlikely that the status of this habitat will be adversely affected by the development. The appraisal recommended that these losses should be compensated for through native or wildlife friendly plants to be incorporated into the landscape scheme. No invasive species were recorded at the time of the survey. No invasive species were recorded at the time of the survey.

7.9.3 Bats

The linear features of the broadleaved trees alongside the access road bordering the development site could provide commuting and foraging opportunities for bats. The bat roost potential for the semi-mature and mature broadleaved trees on site are of low to medium bat roost potential as some suitable features such as crevices and missing bark were identified at the time of survey. Several of the existing buildings on site had missing gaps in the brickwork and gaps in the slate roofs. Though all buildings on site were considered to have negligible potential for roosting bats, an internal building inspection was recommended to ascertain if bats use, or have previously used, the site for roosting purposes. All buildings were full searched internally and externally and no signs of bats were found within any of the buildings on site. No further surveys are recommended on site for bats. These findings are currently being reviewed by Greater Manchester Ecological Unit, who advise the Local Planning Authority on such matters, and their response is awaited at the time of writing. A verbal update will be provided at the Committee meeting.

7.9.4 Contamination

A site assessment has been submitted by the applicant and reviewed by the Council’s Contaminated Land Officer. The Officer is generally satisfied with the content of the assessment and has requested standard land contamination conditions. One of the issues with the site (which was also
the case with the adjacent Lancaster Moor site) is the presence of asbestos, which will need to be removed and disposed of in accordance with strict regulations.

7.9.5 Mineral Safeguarding Area

The north west corner and the eastern side of the site is located within a mineral safeguarding area. The County Council, who are the mineral authority, have set 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. Most of the undeveloped land to the north and north east of the site is identified for mineral safeguarding. The site is on the edge of this and lies adjacent to existing residential development. As such it is unlikely that the development would impact on the likelihood of minerals being extracted in this location. Having had full regard to the requirements of policy M2, it is considered that given the lack of housing land supply, as discussed above, there is an overriding need for the development which outweighs the need to avoid sterilisation of the mineral resource. In any case it is not considered that pursuing extraction of the minerals as part of the development would be appropriate in this location given the proximity to residential properties.

8.0 Planning Obligations

8.1 On site affordable housing provision

The applicant engaged the Local Planning Authority at a pre-application stage, commencing discussions in late 2014. At this time, central Government had introduced a concept called Empty Building Credit. This allowed developers to discount their affordable housing requirements based on the volume of the vacant buildings that they were seeking to replace with a residential scheme. Therefore based on this discount and the additional cost of providing a high quality development within the setting of the Grade II Listed Annexe building, the applicant sought to provide 15 affordable units predominantly over first and second floors above the proposed retail unit. This equated to 21% (15 units out of 71 across the site). Based on this, the applicant secured an agreement with the landowner to purchase the site at a particular price. However, subsequently, the introduction of the Empty Building Credit has been found to be unsound by the High Court, so cannot be applied. Furthermore, there have been a number of external factors affecting Registered Providers, namely the summer Budget and the Housing and Planning Bill (the latter is at the second reading stage in the House of Commons). The announcements arising from the Budget and the Bill are a 1% reduction in rents year-on-year for 4 consecutive years, an extension to “Right to Buy” initiative and an introduction of the Starter Homes scheme. Whilst the decrease in income from rents is very clear cut, the other 2 schemes lack sufficient detail at this time for Registered Providers to be certain as to the impacts on their respective businesses, but based on the outline plans for each scheme/initiative it is likely that the impacts will be negative. Consequently Registered Providers are reviewing their business models – reconsidering elements of their operations that they have previously discounted but also assessing whether to continue with elements that they are currently involved with. In the interim they are being very cautious about what they take on, and reducing the level of risk that they are willing to expose themselves to where developments are pursued. As a result they will not take on dwellings above retail units. (Likewise, though for different reasons, lending institutions will not lend on more than a small percentage of the overall number of units where open market flats above retail is concerned, so either way they are undeliverable). The revised scheme redesigns the retail unit, removing all residential elements. This, along with the other changes to the site layout and house types, has been subject to a viability assessment by the applicant, which is currently being independently considered. The viability assessment proposes no affordable housing provision, based on the above, in addition to previously unknown abnormal costs associated with the site, including diversion of a culvert, surface water retention, foundation design and remediation (involving asbestos removal).

8.2 The site is located on the eastern edge of the built-up area of Lancaster. By road, it is about 1.75km from the city centre and about 2km from the local centre of Bowerham. Both centres are accessible by foot or cycle, but due to the topography of the area neither are particularly attractive options. Therefore it is essential that the development contributes to the local bus service, a circular route from the city centre that serves the eastern suburbs of Lancaster. A financial contribution of £65,000 is sought in this regard.
8.3 As discussed in 7.3, the existing site contains an old outdoor bowling green. Whilst its usage has expired, its surfacing is no longer fit for purpose and the demand for a new one is lacking, it remains an outdoor playing surface, which if lost due to development must be compensated for. Feedback is awaited from the Public Realm Officer in relation to the demand for junior football pitches and what implications this would have on the drainage costs associated with Far Moor.

8.4 The retail unit is a key component of this proposal. Without it, the scheme is a 100% open market housing scheme in a relatively unsustainable location. Its provision will make the area more sustainable as it will provide a facility that is currently lacking in this eastern part of Lancaster, and therefore make the proposal more acceptable in planning terms. Its inclusion also develops part of the site that otherwise could deliver some affordable housing. As a result, the convenience store is essential to the scheme and its provision should be secured by way of a planning obligation requiring it to be open for trading prior to the occupation of any of the dwellings.

8.5 The proposal includes a large area of publicly accessible landscaping, which will need to be retained and maintained. To secure this, the service of a management company will need to be employed and funded to ensure that the landscaping is maintained to an appropriate standard for the lifetime of the development so not to adversely affect the amenity of the area.

9.0 Conclusions

9.1 The application has raised a significant volume of objection from local residents, which is recorded in Section 5. The objections raise issues relating to highways, trees, open space, various forms of pollution, inappropriate use of the site and unacceptable design. Each of these concerns are then addressed within the analysis, citing where appropriate relevant planning policies and consultation responses from statutory consultees. Overall this proposal seeks to redevelopment a brownfield site for primarily residential purposes, with the addition of a convenience store which makes the site and its surroundings more sustainable. In national planning policy terms, there is a presumption in favour of sustainable development unless there are material considerations indicate otherwise where Councils (like Lancaster District) cannot demonstrate a 5 year housing supply. The delivery of 63 dwellings weighs heavily in favour of this proposal, as does the provision of the retail unit; there are no objections from consultees on highway, open space, drainage and environmental health grounds; and in terms of heritage and design the proposal includes very high quality design which whilst it may not enhance the setting of the adjacent Listed buildings due to the loss of a significant number of trees, would preserve their setting due to the removal of the existing maintenance buildings and associated yards and the predominant use of natural materials that are prevalent in the area (subject to receipt of amended plans). Whilst it is recognised that the loss of a substantial number of trees is a weakness of the proposal (and can only be partially compensated for by way of additional planting) as is the absence of affordable housing, these 2 matters on their own, or cumulatively, do not outweigh the benefits of the scheme. Therefore subject to the independent consideration of the viability appraisal concluding that they agree with the values and costings of the various parts of the development, and no adverse response is received from the ecological consultee on bats or from Environmental Health on noise, then the application is recommended for approval subject to reasonable contributions and conditions. This recommendation is also on the proviso that the applicant submits amended plans to replace plots 40 and 41 with one detached property. If the independent assessor comes to a different conclusion, the matter will be taken up with the applicant and appropriate level of affordable housing provision, based on the assessor’s findings, will be sought. Either way, a verbal update will be provided at the meeting.

Recommendation

That, subject to receiving amended plans reflecting advice provided regarding the retention of more trees, no objections being raised relating to noise and bats, and agreeing obligations relating to open space contributions and affordable housing provision with the applicant, Planning Permission BE GRANTED subject to a legal agreement covering:

- Financial contribution of £85,000 towards local bus services;
- Financial contribution for the drainage of a football pitch(es) at Far Moor (type of pitch(es) and associated cost to be confirmed); and
- The retail unit to be open for trading prior to the occupation of any of the dwellings; and
• Securing the services of a management company to maintain the landscaping

and the following conditions:

1. Standard 3 year timescale
2. Development in accordance with the list of approved plans
3. Construction management scheme
4. Tree protection plan and arboricultural method statement
5. Standard contamination condition
6. Asbestos
7. Access details
8. Surface water drainage scheme
9. Four drainage scheme
10. Notwithstanding plans, materials, including natural stone, natural slate, mortar, render, rainwater goods, eaves/verges/ridges, doors, windows, garage doors, boundary treatments, gates, surface treatments
11. Natural stone wall boundary to Quernmore Road frontage – details required
12. Landscaping scheme – details required (incorporating recommendations from the Preliminary Ecology Appraisal)
13. Travel Plan
14. Ventilation/extraction details for retail unit
15. Refuse details for retail unit and apartments
16. Cycle and bin storage for apartments
17. Parking to be provided prior to the associated development being occupied / brought into use
18. Noise mitigation measures
19. In accordance with Flood Risk Assessment
20. Hours of demolition / construction
21. Hours of operation and deliveries for the retail unit
22. Retail unit – convenience store only
23. Removal of PD rights (Parts 1 A-G, 2 and 14)
24. Garage use restriction
25. Existing natural stone on site to be securing stored and reused on gateway “lodge” house (plot 1)


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 taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

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.
1.0 The Site and its Surroundings

1.1 The site is located on the southern periphery of the village of Arkholme, located to the east of the B6254 (Kirkby Lonsdale Road) covering an area of 1.05 hectares. The existing use of the site is agricultural land enclosed by hedgerows to the western and northern boundaries (together with the existing Methodist Church Car Park), with open fields to the east and south. The land is relatively level until it starts to fall away towards the Public Right of Way which immediately abuts the application boundary to the south. There are currently two redundant buildings on the site on the northern boundary.

1.2 The application site is bound by the B6254 to the west, with Arkholme Methodist Church and a row of terraced cottages to the north west. To the north is a scheme for 14 houses which is currently under construction (The Sheiling - 14/00895/FUL), with open fields to the east. A Public Right of Way (Footpath 4) immediately abuts the southern periphery of the site and runs from a west to east orientation, beyond this are further fields.

1.3 The site is within part of the Arkholme Conservation Area and falls within the Countryside Area (as allocated within the adopted local plan). The western aspect of the site falls within a mineral safeguarding zone.

2.0 The Proposal

2.1 The scheme proposes the erection of up to 17 units, a new car park for the Methodist Church, a new access off the B6254, together with a new footway to the north west of the B6254. The application is in outline form, only seeking permission for the new access into the site. Matters associated with layout, scale, appearance and landscaping would be assessed at the reserved matters stage (assuming outline consent is granted).

2.2 The access into the site will consist of a 5.5 metre road which in essence utilises the existing farm access, together with a 1.8 metre wide footway on the northern side of the new access with an uncontrolled pedestrian crossing to be provided to link to a new 1.8 metre footway proposed on the opposite side of the B6254 (circa 80 metres in length).
3.0 **Site History**

3.1 There is no relevant planning history associated with the site.

4.0 **Consultation Responses**

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

<table>
<thead>
<tr>
<th>Consultee</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arkholme Parish Council</td>
<td><strong>No objection</strong> in principle however concerns raised in relation to:</td>
</tr>
<tr>
<td></td>
<td>• The impact of the development on the Conservation Area;</td>
</tr>
<tr>
<td></td>
<td>• Concerns regarding lack of employment locally;</td>
</tr>
<tr>
<td></td>
<td>• Wish for no further development of this scale to occur;</td>
</tr>
<tr>
<td></td>
<td>• Access from the site to the village needs consideration;</td>
</tr>
<tr>
<td></td>
<td>• Foul water and surface water drainage concerns; and</td>
</tr>
<tr>
<td></td>
<td>• Affordable homes need to be made available for locals on low incomes</td>
</tr>
<tr>
<td>Lancashire County Highways</td>
<td><strong>Initialy raised an objection to the scheme as there was a lack of information pertaining the site’s access arrangements. Following further consultation, No Objection raised subject to conditions pertaining to off-site highway works, access arrangements and associated visibility splays, closure of the existing car park access and construction method statement.</strong></td>
</tr>
<tr>
<td>Environmental Health</td>
<td><strong>No Objections</strong> subject to conditions in relation to contaminated land, dust suppression, hours of work and bunding of fuel tanks</td>
</tr>
<tr>
<td>Conservation Section</td>
<td><strong>No Objection</strong> in principle subject to details on the materials to be used and details of the design of the units proposed.</td>
</tr>
<tr>
<td>Lancashire County Council (Mineral Safeguarding)</td>
<td><strong>No comments</strong> received during the statutory consultation period.</td>
</tr>
<tr>
<td>Strategic Housing Officer</td>
<td><strong>No comments</strong> received during the statutory consultation period.</td>
</tr>
<tr>
<td>United Utilities</td>
<td><strong>No Objection</strong>, subject to conditions concerning foul and surface water.</td>
</tr>
<tr>
<td>Tree Protection Officer</td>
<td><strong>No Objection</strong> in principle, subject to the reconsideration of the loss of hedgerow to create the new footway along the B6254. This should be reconsidered together with hedgerow that is to be lost which is currently around the Methodist Car Park.</td>
</tr>
<tr>
<td>Lead Local Flood Authority</td>
<td><strong>No Objection</strong></td>
</tr>
<tr>
<td>Natural England</td>
<td><strong>No comments</strong> to make on the application.</td>
</tr>
<tr>
<td>Lancashire County (Education Planning)</td>
<td><strong>No objection</strong>. However, based on the development has calculated a need for up to 1 secondary school places equating to a contribution of <strong>£18,126</strong>. There is no requirement for primary school provision.</td>
</tr>
<tr>
<td>Public Realm Officer</td>
<td><strong>No Objection</strong>, subject to providing 309 m² of amenity space on site together with an off-site contribution of <strong>£32,902</strong>.</td>
</tr>
<tr>
<td>Public Rights of Way Officer (Lancashire County)</td>
<td><strong>No Objection</strong>. Requests that there is a 1-metre buffer between the public right of way and the development to create a margin verge. Requests a kissing / pedestrian gate adjacent to the B6254.</td>
</tr>
<tr>
<td>Planning Policy</td>
<td><strong>No Objections</strong> and support the location of development in principle.</td>
</tr>
<tr>
<td>Lancashire Constabulary</td>
<td><strong>No Objections</strong>. However, recommends security details to be considered at the reserved matters stage.</td>
</tr>
<tr>
<td>Greater Manchester Ecology Unit</td>
<td><strong>No Objection</strong>, though the ecological report covers a slightly smaller area than covered by the proposed development, however as this is improved grassland the proposal would not have a material impact on the findings. Planning conditions are recommended.</td>
</tr>
</tbody>
</table>

5.0 **Neighbour Representations**

5.1 There has been 3 pieces of correspondence received, 1 objects; 1 neither objects nor supports; and 1 supports.
The reason for the objection is that the development extends too far southwards and should be restricted to the field adjacent to the Russell Armer Development.

The reason for support is that the development will help to sustain the village and provide addition of affordable housing.

The reason for neither objecting/supporting relates to uncertainty as to how the development will be designed to integrate into the village.

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

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
DM31 – Development Affecting Conservation Areas
DM32 – The Setting of Designated Heritage Assets
DM33 – Development affecting Non-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
DM48 – Community Infrastructure

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
Arkholme Conservation Area Appraisal
7.0 Comment and Analysis

The key considerations in the assessment of this application are:

- Principle of Development;
- Layout and Amenity;
- Impact on Heritage;
- Drainage;
- Highways and Public Rights of Way;
- Landscape;
- Education;
- Nature Conservations;
- Mineral Safeguarding;
- Open Space.

7.1 Principle of Development

7.1.1 The District Core Strategy 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. Arkholme is listed in this policy.

7.1.2 Policy DM42 does indicates 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.

7.1.3 The site has been assessed as part of the 2015 Strategic Housing Land Availability Assessment, as being suitable for potentially 10 dwellings (SHLAA Reference 11) and being deliverable within the 1-5 year phase (although this application encompasses land to the south of the SHLAA allocation giving an additional 0.4 hectares). Notwithstanding other technical issues, it is considered that the development is well related to the built form of Arkholme, 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.

7.1.4 A key benefit of the scheme is the provision of affordable homes, of which the scheme proposes 40% of the total units to be affordable (6.8 units), therefore it is compliant with Policy DM41 of the DM DPD. The units as indicatively shown consist of one 2-bedroom, twelve 3-bedroom units and four 4-bedroom units. This would cater for a local need. Whilst the Council does not have specific data for Arkholme 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.

7.2 Layout and Amenity

7.2.1 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.

7.2.2 The layout of the development is inherently inward looking which is considered to be unacceptable in this location. The scheme is designed around the new access road coming in off the B6254 and running through the spine of the development, turning its back on the wider landscape and the adjacent Public Right of Way. However, the layout plan is indicative, and officers believe that there would need to be a number of improvements made at reserved matters stage for the layout to be acceptable in planning terms (for instance, ensuring the road hugs the southern boundary and necessary separation distances to the new dwellings on the Shieling are appropriate). The proposal for the improvement to the Methodist Church Car Park with dry stone walling along the frontage to the B6524 could be seen as an improvement over the existing, and subject to suitable materials this is considered acceptable in principle.

7.2.3 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 17 homes could be comfortably accommodated on the site. It is considered that at reserved matters stage a high quality scheme could be achieved in line with Policies DM41 and DM42 of the DM DPD, subject to the layout being revisited as set out above.

7.4 Impact on Heritage

7.4.1 The proposed Methodist Church car park and site access fall within the Arkholme Conservation Area; an area designated for its special historic and architectural character. Due to its rural location, open spaces and surrounding agricultural land this enhances the character of the area. The proposed layout results in a fairly low-intensity development of the site, and the use of grass verges adjacent to the roads, drystone boundary walls, differing surface treatments to the private drives and also appropriate landscaping and boundary treatments work well within the local context. The key chapel gable window when approaching Arkholme from the south would be also be preserved.

7.4.2 It is considered that the layout would not detract from the vernacular buildings along Main Street which positively contribute to the historic and architectural character of the Conservation Area. Assuming the use of random rubble sandstone and slate is used, it is not considered that the development would harm 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 (Methodist Church Car Park and site access) there is sufficient confidence with the indicative layout that a high quality scheme can be achieved, subject to the scheme being re-orientated to look outwards so the approach to the village from the west is not dominated by rear boundary treatments, but rather a positive row of attractive facades. The Council’s Conservation Officer has no objections to the development assuming the design is carefully considered at reserved matters stage together with appropriate materials, and therefore the scheme can be considered to comply with Policy DM31 of the DM DPD.

7.5 Drainage

7.5.1 There has been concern raised from the Parish Council regarding drainage, in particular drainage into Bainsbeck. Given the size of the site (in excess of 1 hectare) a Flood Risk Assessment has been submitted in support of the application which demonstrates that the proposed development is in Flood Zone 1, and whilst no intrusive surveys have been undertaken it is understood that millstone grit is the predominant underlying geology to the area which could mean that infiltration into the ground is possible as a means of dealing with surface water. The Lead Local Flood Authority, together with United Utilities, do not object to the development on surface water drainage issues, and conditions can be attached to the grant of any outline consent.

7.5.2 Whilst not raised by United Utilities it is understood that there are no public foul or combined sewers in the vicinity of the site, and therefore for a scheme of this nature a pumping station would be required for the development. This would need to be considered as part of the reserved matters submission (assuming outline consent is granted).
7.6 Highways and Public Rights of Way

7.6.1 A new access is proposed off the B6254 utilising a standard 5.5 metre road together with the provision of a new footway on the northern side of 1.8 metres in width with an uncontrolled pedestrian crossing to be provided to link to a new 1.8 metre footway proposed on the adjacent side of the road (circa 80 metre in length). County Highways initially raised an objection on the basis of insufficient information to allow the application to be determined. Following a re-consultation the County expresses concerns with the site’s location in terms of sustainability terms but does not object to the development and has recommended a series of planning conditions (notably off-site highway works) which the Highways Authority deems necessary to make the development acceptable in planning terms.

7.6.2 Much of the off-site highway works are seen as being appropriate to the level of development that is being applied for, and can be suitably controlled by planning condition. The County raises concerns with the existing footway which leads to the village crossroads from the site as this varies between 1.1 metres and 1.4 metres in width and requests this is improved. Whilst it is understood that the footways may not be to ‘inclusive mobility guidelines’, it would be unreasonable to request this for just 17 houses. As part of the approved Shieling application the off-site works essentially consisted of a 1.8 metre wide footway with a new dropped crossing on the adjacent footway (the same footway the County is seeking the improvements to). This was for a development of 14 houses and therefore akin to what is being applied for here (albeit the development subject to this application is more distant from the village centre). Whilst the comments of the County are noted, on balance it is not considered it would be possible to resist the application based on the footways to the village centre not being 1.8 metres in width, and given the proposal for an additional footway which would allow a safe passage of movement into the village, together with links to the public right of way, as part of the balancing exercise this is considered acceptable. The County has also requested an upgrade to the bus stops to quality bus stop standards. One of these bus stops contains a shelter with the other being an open bus stop. In view of the Local Planning Authority’s concerns relating to the extent of the works suggested by the Highway Authority further discussion will be had with County regarding off-site highway works and an update will be reported verbally to Committee.

7.6.3 There is a Public Right of Way (PROW) crossing the southern boundary of the site. Initially the application proposed to abut this boundary (with gardens backing onto this). However, the applicant has since amended this to include a 2 metre buffer between the footpath and the proposed gardens. This is still unacceptable in terms of security, landscape, heritage and design. The access road needs to abut the southern boundary so that the setting of the PROW is not adversely affected. It also removes the poor relationship between a footpath and the rear gardens, which is a security concern. Dry stone walls would not provide the gardens with sufficient privacy and hedges (which would be appropriate in landscape terms) would not provide the required security. From a landscape perspective close boarded timber fencing is out of the question. However, given the development is indicative at present this can be incorporated into the design at reserved matter stage. The County Council’s Public Rights of Way Officer has requested that the PROW to be stoned until it reaches Main Street (circa 300 metres) as the route is currently just defined from where users have walked across the grassland. Whilst this has a lot of benefits (as there would be provide an alternative option to walking along the B6254), the path diverts away from the village centre leaving its users some 225m south of the crossroads. The path also crosses undulating fields and would remain unlit, so it would not be overly user friendly. In conclusion, the stoning up of the path would have limited benefit, and as such is not required to make the development acceptable in planning terms.

7.6.4 Overall, subject to the imposition of conditions addressing off-site highway works, construction of the site access (including replacement planting) and protection of visibility splays, the scheme is acceptable from a planning perspective.

7.7 Landscape

7.7.1 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, external appearance and landscaping will be determined at the reserved matters stage should this outline application be approved.
The development is on land allocated as open countryside in the adopted local plan and it is inevitable the proposed development will lead to a landscape impact simply on the basis that the site will lose its previously recognised greenfield character. This is particularly true for users of the Public Right of Way, where there would be a localised significant impact as users traverse passed the site. Special consideration will need to be paid between the relationship of the footway and the built development and this can be considered further at reserved matters stage. Notwithstanding, this a change from open land to a developed form is not necessarily harmful subject to the layout changes already outlined in this report. Subject to the scheme’s layout being revised and the properties being appropriately designed to preserve the character of the village, it is deemed that the benefits arising from the scheme in increasing the supply of new homes in the District is likely to outweigh the loss of the open field, but this will need to be fully considered at the reserved matters stage.

7.8 Education

The County Council as the education authority has sought an education contribution of £18,126 towards the provision of 1 secondary school place at Carnforth High School (the nearest high school to the site). There is no contribution sought towards the provision of primary school places. The applicant’s agent has questioned the need for the contribution to be made for the secondary school places. The officer’s view is that it is essential that development coming forward makes provision for essential community infrastructure; education would fall within this. With the growth in housing numbers that the District will experience over the plan period it is essential that there are sufficient school spaces to accommodate the additional pupils that the development is likely to yield. A request can only be sought where they are necessary to make the development acceptable in planning terms, related to the development and fair and reasonable in scale and kind. It is considered that the request does not meet these requirements as the nearest secondary school is in Kirkby Lonsdale and therefore the contribution sought by Lancashire County Council would be unlikely to be spent on the school that is most likely to serve the development’s needs.

7.9 Nature Conservation

In order to accommodate the development there will be a need to lose hedgerow along the frontage to the site (for the access and replacement car park). This is in addition to the hedgerow to facilitate the new pedestrian footway to the north west of the B6254. The Council’s Tree Protection Officer has concerns with the loss of the hedgerow to accommodate the footway on the adjacent parcel of land, together with hedgerow loss to create the new car park. Any development, especially development which involves the provision of a new access/pavement is inevitably going to involve the loss of some trees and hedgerow to accommodate not only the access but to ensure that the visibility splays can be achieved and therefore ensuring that there is a safe means of access/egress.

The Tree Protection Officer's concerns are shared by the case officer as the hedgerows play an important role in the amenity of the area and the character of the Conservation Area. In terms of the loss of hedgerow along the site’s frontage, this is principally for the new car park which is proposed to be enclosed by dry stone walling. To achieve the required sightlines the hedgerow would also need to be cut back to no greater than 1 metre in height (particularly to the south). With respect to the hedgerow loss to compensate for the new footway on the adjacent side of the road, it should be explored as opposed to removing this, whether the hedgerow could be pushed back and/or translocated (assuming undertaken in winter), albeit it is understood there is a low stone wall within the hedgerow at this location which may make this process difficult to achieve. In the event this cannot be undertaken there would be some short term landscape impact associated with the implementation of the new footway and the establishment of the new hedgerow. However, this has to be balanced against the provision of new homes and providing a safe means of access to village amenities. It is unfortunate that the application does not contain the replacement planting detail but there is confidence that through an appropriate landscaping scheme for the access and footway detail that a replacement landscaping scheme (together with long term maintenance) can be achieved which is appropriate to rural setting of the site.

Natural England raises 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. This is a view echoed by Greater Manchester Ecological Unit who raise no objection. 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.

7.10 Mineral Safeguarding

7.10.1 Approximately 25% of the site is covered by a mineral safeguarding zone. The County Council as the minerals and waste authority has not responded to the consultation request. However, given the location of the area of safeguarding (directly adjacent to Bainsbeck House and the existing beck), 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, though 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.

7.11 Open Space

7.11.1 The applicant’s layout does not include any provision for open space at present and there will be a requirement for open space should the scheme be approved by Committee. The applicant is amenable to providing on-site open space but has questioned the need for the off-site contribution given this was not requested on the recently approved ‘The Shelling’ scheme. There has been a change in policy background since the approval of ‘The Shelling’, given the recently published Planning Advice Note on Open Space which was approved by the Council in June 2015. Coupled with the requirements outlined in Policy DM26 of the DM DPD, it is considered reasonable to ask for such a contribution to be made. The village lacks equipped play area for children and its football pitch is poorly drained. A contribution could therefore be supported to provide for a new facility or to enhance an existing one. The applicant is amenable to this, subject of it being reviewed further at reserved matters stage when number of units and bedrooms are known. This is considered reasonable.

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 management company; and,
- Off-site contribution for open space (to be calculated at Reserved Matters Stage).

With Committee’s support, Officers seek delegation to ensure that the Section 106 Agreement is signed within the 13 week deadline (i.e. before 21 January 2016), otherwise the application be refused under delegated powers.

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 signing and completing of a legal agreement securing:

- 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 management company;
- Off-site contribution for open space (to be calculated at Reserved Matters Stage)

and the following conditions:

1. Reserved Matters to be submitted (scale, layout, landscaping and appearance)
2. Development in accordance with plan (red line and access plan)
3. Layout plan – indicative only
4. Construction details for the access/footways
5. Offsite highway works
6. Protection of visibility Splays (2.4 m x 45 metres).
7. Scheme for Foul Water to be submitted
8. Surface Water Drainage Scheme
9. SuDs management and maintenance plan
10. Construction Method Statement
11. AMS to be submitted
12. Finished Floor Levels and site levels to be submitted
13. Scheme for electric vehicle charging points
14. Landscaping Management Plan
15. Replacement Planting scheme – Access and New Footway
16. Contaminated Land


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.
1.0 The Site and its Surroundings

1.1 The site is a derelict parcel of land (area 2.3 hectares) located to the east of St John’s Terrace and to the north of Oxcliffe Road, Morecambe. The site has been raised in the past and levelled with hardcore. As a consequence the western edge of the site is approximately 1.5m above adjoining properties (342 Oxcliffe Road and the rear of five properties on St John’s Terrace). No. 342 Oxcliffe Road is a derelict bungalow with a garage that has its roof missing. A drain runs along the north-west edge of the site. A wooden pole-mounted electricity transmission line runs along the western edge of the site. The eastern edge of the site is defined by a 3m wall with a fence on top which is the rear boundary to properties fronting White Lund Road. A paddock abuts the northern edge of the site with fields beyond. The site was previously used for storage.

1.2 The existing access to the site is from Oxcliffe Road. The nearest bus stops from the site are located on Westgate and are accessible via White Lund Road and Banbury Avenue, a walk of approximately 650m.

1.3 The western part of the site is identified as a PPG17 Open Space (Oxcliffe Road Natural and Semi-Natural Site) in the PPG17 Open Space Assessment 2010. The designation extends to the paddock to the north. The raising and levelling of the site has resulted in the loss of the natural and semi-natural interest in the site.

2.0 The Proposal

2.1 The proposal is for 10 dwellings comprising eight semi-detached, 3-bed houses and two detached 4-bed houses. Indicative materials are rendered walls and natural slate roofs. The semi-detached houses would each have a hard standing to accommodate one car, and the detached houses would have an attached garage and hardstanding capable of accommodating 2 to 3 cars. The proposed layout incorporates approximately 100 square metres of amenity space.

2.2 The existing access to the site from Oxcliffe Road would be closed. Access to the site would be from St Johns Terrace – a privately-managed pedestrian/vehicular access track with such egressing onto Oxcliffe Road public highway. The application proposes improvements to St John’s Terrace,
currently unmade, along the length between Oxcliffe Road and No 1 St John’s Terrace, by widening it to 5.5m and re-constructing the carriageway to Lancashire County Council’s adoption specifications. A new 1.0m wide footway would also be provided on the west side of St John’s Terrace between Oxcliffe Road and No.1 St John’s Terrace. A 2.0m wide footway would be provided on the east side of St John’s Terrace to a depth of 10m from the existing footway on Oxcliffe Road. It is proposed to seek a reduction in the speed limit on Oxcliffe Road from 40 mph to 30mph subject to Highways Authority approval.

2.3 It is proposed that surface water drainage would be dealt with by a soakaway to each plot, with foul drainage being connected to existing mains.

3.0 Site History

3.1 There have been a number of planning applications for development on the site, including dwellings, park homes, and park homes for Gypsy residential accommodation. The most relevant to the proposed development are set out below:

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Proposal</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>12/00906/CU</td>
<td>Erection of a detached dwelling (use class C3) and alterations to existing access</td>
<td>Approved</td>
</tr>
<tr>
<td>09/00494/FUL</td>
<td>Alterations to existing dwelling and construction of two new dwellings</td>
<td>Approved</td>
</tr>
</tbody>
</table>

4.0 Consultation Responses

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

<table>
<thead>
<tr>
<th>Consultee</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>County Highways</td>
<td><strong>No objection</strong> subject to conditions relating to access arrangements, visibility splays and off site highway works. County consider that the range of off-site highway works are essential to make the application acceptable in highway terms.</td>
</tr>
<tr>
<td>Lead Local Flood Authority</td>
<td><strong>Objection</strong> on the basis of not having enough sufficient information to make a decision on the drainage proposed on the site. The objection may be overcome if more detail regarding the soakaway design and calculations are submitted.</td>
</tr>
<tr>
<td>Parish Council</td>
<td><strong>No comments</strong> received.</td>
</tr>
<tr>
<td>Fire Safety Officer</td>
<td><strong>Comments</strong> - The Fire Authority will make a detailed report on fire precautions at building regulation application stage.</td>
</tr>
<tr>
<td>Lancashire Constabulary</td>
<td><strong>Comments</strong> - The development should be built in accordance with Secured by Design Standards.</td>
</tr>
<tr>
<td>United Utilities</td>
<td><strong>No objections</strong> subject to condition relating to drainage of the should be on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way prior to the commencement of development.</td>
</tr>
<tr>
<td>Environment Agency</td>
<td>The proposal appears to be in Flood Zone 1 - <strong>no comments</strong>.</td>
</tr>
<tr>
<td>Public Realm Manager</td>
<td><strong>Comments</strong> - As there are 10 houses on site there will need to be a provision for amenity space on site and arrangements for the ongoing maintenance of the space. Contributions off site would include Parks and Gardens.</td>
</tr>
<tr>
<td>Environmental Health</td>
<td><strong>Comments</strong> - The proposed development warrants specific planning controls to prevent adverse impacts. Recommend conditions relating to hours of construction; scheme for dust control; contaminated land conditions; and bunding for tanks.</td>
</tr>
</tbody>
</table>

5.0 Neighbour Representations

5.1 At the time of writing 1 objection has been received. The grounds for objection may be summarised as follows:
- Substandard access – turning movements and visibility
- Land raising has occurred in the past – any additional land raising would have impact on privacy and possible drainage problems to St John’s Terrace
• Proposed drains / sewerage may be to a septic tank that serves St John’s Terrace.

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

6.2 Core Strategy
SC1: Sustainable Development
SC2: Urban Concentration
SC4: Meeting the District’s Housing Requirements

6.3 Development Management DPD
DM20: Enhancing Accessibility and Transport Linkages
DM25: Green Spaces and Green Corridors
DM35: Key Design Principles
DM36: Sustainable Design
DM38: Development and Flood Risk
DM41: New Residential Dwellings

7.0 Comment and Analysis

7.1 The main issues relating to the proposed development concern:
- Principle of development;
- Access / highways issues;
- Viability;
- Design; and
- Drainage.

7.1 Principle of Development

7.1.1 This part of Morecambe is deficient in services and facilities within a comfortable walking distance with the nearest bus stops (with services to Morecambe and Lancaster) all approximately 650m from the site. As a consequence occupants of the proposed development would be reliant on the use of the car, with significantly more private vehicle, visitor and work related traffic movements over surrounding lengths of the public highway network. However, the site falls within the urban area and as such a residential scheme can be supported in principle on this site. This is reinforced by the fact that the site has been previously developed.

7.2 Access/Highways Issues

7.2.1 The application site is designed around the principles laid out in the document "Manual for Streets" with an emphasis on shared space, change of surface finish and an indication to motorists entering the site’s residential surroundings that careful driving at low speeds would be the norm.

7.2.2 The current access to St John’s Terrace from Oxcliffe Road, currently substandard, would be improved to give access to the proposed development. The access would be constructed to a minimum width of 5.5 metres in accordance with good design practice thereby allowing two vehicles to pass each other unhindered. While the site’s means of access from Oxcliffe Road may be considered for adoption to be maintained at public expense, it must be constructed/comply with Lancashire County Council’s standards. The Highway Authority is seeking visibility splays of 2.4m by 100m at this junction given the 40mph speed limit along Oxcliffe Road (and that vehicles travel at greater than the speed limit). It is not clear if these splays can be delivered within land in the applicant’s and Highway Authority’s control. A response is waited from County in this regard. Members will be updated at the Committee meeting.

7.2.3 The proposed footway arrangements do not accord with good design practice but represent an improvement over the current lack of footway provision. Beyond the limit of the development’s
proposed footway arrangements, a physical means of demarcation is to be introduced into the overall carriageway layout to emphasise a change in nature from independent vehicle running lanes to one incorporating a shared pedestrian/vehicular surface. To this end, the Highways Authority recommend the use of proprietary hot rolled asphalt macadam incorporating coloured coated chippings into the surfacing as an acceptable alternative "contrasting" construction material for the access road with a rumble strip.

7.2.4 The Highways Authority requires parking provision to fully comply with the Council’s Parking Standards because of the need to rely on private car to access services. The car parking standards require a maximum of 2 car parking spaces for 3-bed houses and 3 spaces for 4-bed houses. The proposed parking provision complies with the car parking standards. Minimum covered parking facility guidelines stipulate 3m x 6m thereby allowing for secure cycle storage as well as sufficient space for the parking of an average sized vehicle. The proposed garages for the two 4-bedroom detached houses comply with the guidelines.

7.2.5 A development of 10 houses would lead to an increased frequency of pedestrian/vehicular movements along lengths of the public highway network – in particular Oxcliffe Road and White Lund Road. Oxcliffe Road in the vicinity of the application site is a relatively straight stretch of carriageway with high actual speeds considering its 40 mph speed classification. As a consequence, off-site highway improvement works would by necessity include implementation of a range of carriageway improvement measures comprising road markings and street lighting. It is also considered that a 20 mph zone Traffic Regulation Order should be implemented on Oxcliffe Road. The applicant would be responsible for the Highway Authority’s costs with regards to making and implementing the Order. County Highways consider that the range of off-site highway improvement works outlined above are “essential to make the application acceptable in highway terms”. Without their inclusion they advise that there is the potential for the consequences of a development of this nature to adversely affect the operation of surrounding lengths of the public highway network, increasing the likelihood of risk to all of its users.

7.3 Open Space

7.3.1 The western part of the site is identified in the Council’s PPG17 Open Space Assessment as part of the Oxcliffe Road NSN. The raising of the land with hardcore has destroyed this interest. It is therefore appropriate that this loss is compensated for, as well as adequate provision of open space is provided for the development’s future residents. The Council’s Planning Advice Note Amenity Space in Lancaster (Lancaster District) requires the development to provide on-site amenity space amounting to 190 square metres. The site layout as proposed would provide 100 square metres of amenity space albeit directly in front of the 2 detached properties so it would appear more private than public space, and in reality would probably be incorporated into the ownership of those 2 properties. If it remained public it could also give rise to a loss of privacy to the 2 houses. During consultation it was considered by the Public Realm Officer that there should be a financial contribution of £5,000 to contribute to a project to develop the woodland and wildlife habitat at Happy Mount Park. However, Happy Mount Park is over 3.25km away from the site and therefore this request would fail to meet the planning obligation tests (i.e. the request is not directly related to the development). However, if funding were required to make improvements at Westminster Close amenity area or Oxcliffe Road pond this would be an appropriate request. A response is awaited from the Public Realm Officer at the time of writing.

7.4 Viability

7.4.1 As the site is brownfield land within an urban location, Policy DM41 requires an affordable housing contribution of up to 20% (2 units). Other than in the most exceptional of circumstances new housing development such as this must contribute to the provision of affordable housing on-site.

7.4.2 The applicant has commissioned an affordable housing viability assessment. The assessment has been undertaken on the assumption that there are no Section 278 highway works and no Section 106 payments. The assessment concludes that the development would only deliver 7.38% profit which is unlikely to be acceptable to the majority of smaller development companies. However, the house values set out in the appraisal appear to be significantly lower than that being achieved this year for similar-sized properties. Given that the Local Planning Authority has serious misgivings about the content of the appraisal, it lacks confidence in its findings. It is therefore the Local Planning Authority’s view that the applicant has failed to meet the requirements of the policy by not
robustly evidencing that the delivery of 2 affordable houses on the site would make the scheme unviable.

7.4.3 The appraisal makes it clear that the applicant is seeking neither to pay the off-site open space contribution to compensate for the loss of the site’s natural/semi-natural area, nor to enter into a s278 agreement to fund the delivery of the required off-site highway works. Both are required to make the development acceptable in planning terms. Therefore without the securing of these two elements the application cannot be supported.

7.5 Design

7.5.1 Whilst it is tempting to consider that any redevelopment of this site is preferable to the current situation, the proposed layout of the development is poor. The site turns its back onto Oxcliffe Road resulting in a long inactive frontage to this highway. In design terms, this would have an adverse impact on the streetscene. However, this can be easily rectified by re-orientating the 5 southern properties so their front elevations face Oxcliffe Road with a low boundary treatment to the street broken up with pedestrian access points created onto footpaths that lead up to the properties’ front doors. Parking could still be provided to the rear, though the spaces would need to be extended to 5m in length to adequately accommodate a vehicle. Similarly the parking spaces serving the northern row of semi-detached properties would need extending to the same length. These properties and the detached unit at the end of this northern group of houses need pulling forward (to the south). This will maintain the necessary separation distance between the 2 rows of properties whilst extending the rear gardens to the required length so they meet the Council’s adopted standards. Finally the bin stores should be located in locations that would not adversely impact on the streetscene of the proposed access road. Bin stores associated with the northern row of properties should be located to the rear of these properties. Those serving the southern row of properties should be located closer to the rear elevations (once re-orientated) of those properties.

7.6 Drainage

7.6.1 Proposed drainage is by means of soakaways. The use of soakaways is acceptable in principle, as it accords with the surface water drainage hierarchy. However, the applicant has not submitted sufficient information for the Lead Local Flood Authority (LLFA) to ascertain if the proposal is achievable. The LLFA has, therefore, submitted an objection, though helpfully set out what can be done to overcome the application’s shortcomings.

8.0 Planning Obligations

8.1 This development should be delivering 2 affordable houses on site and a contribution towards off-site open space. These would be secured by way of a legal agreement, but the applicant is seeking to provide neither based on a questionable viability appraisal. Separate off-site highway works have been requested from County Highways.

9.0 Conclusions

9.1 The proposed development will bring a redundant site back into beneficial use, and would also contribute to the District’s housing supply. This is clearly a significant benefit of the scheme.

9.2 The proposal excludes any affordable housing based on viability grounds. Unfortunately the Local Planning Authority has significant reservations about the content of the viability appraisal and as such has no confidence in its conclusions. Therefore the application has failed to meet the necessary policy requirements.

9.3 However, a range of off-site highway improvements are considered necessary to make the proposed development acceptable in highways terms, as is the payment of an open space contribution and the provision of 2 affordable houses on site. The applicant is unwilling to contribute to any of these and as such the development is unacceptable in planning terms as it does not deliver the required highway measures or adequate compensate for the loss of open space or adequately provide for its future residents.

9.4 The proposed access to the site would result in improvements to a substandard access that currently serves St John’s Terrace, though whether the required visibility splay can be achieved is still in
question. Similarly it is not known at this time whether the layout will be amended by the applicant to address the Local Planning Authority’s concerns. Update will be provided at the Committee meeting. What is clear is that the applicant has failed to satisfy the LLFA that the site can be appropriately drained of surface water.

**Recommendation**

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

1. The proposal fails to deliver the required 2 affordable units on site, supposedly due to viability reasons. However, the content of the viability assessment submitted is considered by the Local Planning Authority to be flawed and therefore its conclusions cannot be relied upon. The omission of the required affordable housing provision and the lack of a robust viable rationale is contrary to policy DM41 of the Development Management DPD.

2. To form a safe access to serve the proposal it must be supported by a range of off-site highway works. Without these measures the development is deemed to be unacceptable in planning terms, giving rise to significant concerns over highway safety. Therefore the proposal is contrary to policy DM35 of the Development Management DPD.

3. The proposal fails to adequately compensate for the loss of open space provision and to adequately provide for the needs of its future residents by not contributing towards the provision or enhancement of off-site open space. Therefore it is contrary to policy DM25 of the Development Management DPD.

4. The residential scheme as proposed would result in a substandard form of development and a poor quality of design. The layout proposes substandard rear gardens to most of the properties and a blank frontage to Oxcliffe Road. Therefore the proposal is contrary to policy DM35 of the Development Management DPD and paragraphs 56, 58 and 60 of the NPPF.


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.
1.0 The Site and its Surroundings

1.1 The application relates to a vacant piece of land within an industrial estate on the south western side of Middleton Road, approximately 0.8km to the south of Heysham and 1km to the northwest of Middleton. The site was developed as part of a larger petroleum refinery which was eventually cleared in 1989. It has remained undeveloped since but has most recently been used as a licensed waste management facility dealing with the crushing and recycling of construction and demolition waste. Some spoil heaps of such material are still present on the site. Access into the site is from a road within the industrial estate which has access onto Middleton Road.

1.2 Immediately to the north, east and west are existing employment uses. To the south is an area of vacant land, part of which has recently gained consent for a gas powered power station. The site lies within the zone of influence of a Control of Major Accident Hazard (COMAH) site at Tradebe Solvent Recycling Ltd which is located immediately west. Also bordering some of the southern boundary is the Middleton Former Refinery Biological Heritage Site. There are no residential properties immediately adjacent to the application site, but there are properties in close proximity to the industrial estate. Approximately 140 metres to the north is a residential park home site, Broadgate Park. This lies opposite the entrance into the industrial estate from Middleton Road. There is also a small group of residential properties located approximately 160 metres to the east.

1.3 The site is within an area identified as an Existing Employment area on the Local Plan Proposals Map. Most of it is also within a Mineral Safeguarding Area. Approximately 0.85km to the south west is the Lune Estuary Site of Special Scientific Interest (SSSI) which 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 was granted in July 2015 for the erection of a freight depot which includes the construction of a steel portal framed building with associated hardstanding and parking facilities for cars and commercial vehicles. The current application seeks consent to vary condition 2 on the
consent which relates to the approved plans. In particular, the approved building is proposed to be repositioned parallel to the southern boundary and rotated by 90 degrees. This will move it closer to the access road, and the external storage area to the south east corner of the site.

3.0 Site History

3.1 Planning permission was granted in July 2015 for the erection of a freight depot on the site (15/00199/FUL). Prior to this, the most recent history relates to an application for a lawful development certificate to Lancashire County Council for the use of the site for the import, crushing, storage, recycling and distribution of inert materials including on site sales to the building supply trade, retention of crushing and screening machinery in 2014 (LCC/2014/0003). The certificate was granted subject to various restrictions including hours of operation and the quantities and type of materials.

4.0 Consultation Responses

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

<table>
<thead>
<tr>
<th>Consultee</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>County Highways</td>
<td>No objection.</td>
</tr>
<tr>
<td>Environment Agency</td>
<td>Previous response still relevant: No objection: conditions include site contamination investigation &amp; land remediation in and submission of a verification report to prevent pollution of controlled waters.</td>
</tr>
<tr>
<td>Natural England</td>
<td>No objection.</td>
</tr>
<tr>
<td>Lancashire Wildlife Trust</td>
<td>No comments received. On previous application advise: Satisfied with the mitigation proposed in relation to Great Crested Newts. The site is brownfield (open, early successional) habitat, which does have ecological value as specialist plant species colonise bare ground and the associated warm microclimates support a range of invertebrates. As the proposal will result in the loss of early successional habitat a Section 106 commuted sum could possibly be merited for enhanced management of open habitats on the nearby reserve managed by LWT.</td>
</tr>
<tr>
<td>Environmental Health</td>
<td>No objections</td>
</tr>
<tr>
<td>Engineering Team</td>
<td>No objection. Surface water runoff should be limited to greenfield rates</td>
</tr>
<tr>
<td>Office for Nuclear Regulation</td>
<td>No comment as it does not lie within the consultation zone.</td>
</tr>
<tr>
<td>Health and Safety Executive</td>
<td>Using the PADHI+ assessment - no objection.</td>
</tr>
<tr>
<td>Parish Council</td>
<td>No comments received within statutory consultation period.</td>
</tr>
<tr>
<td>County Council – Minerals Planning</td>
<td>No comments received within statutory consultation period.</td>
</tr>
<tr>
<td>Lancashire Fire and Rescue Service</td>
<td>It should be ensured that the scheme fully meets all the requirements of part B5 of the Building Regulations.</td>
</tr>
</tbody>
</table>

5.0 Neighbour Representations

5.1 3 pieces of correspondence have been received objecting to the proposal raising the following concerns:
- Capacity of Middleton Road and the railway bridge for additional heavy traffic
- Impacts on pedestrian safety from increase traffic, in particular nearby elderly residents
- Noise during construction, working hours and movement of vehicles
- Pollution

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 19 – Supporting Economic Growth
6.2 Lancaster District Core Strategy (adopted July 2008)

SC1 – Sustainable Development

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

EC5 – Employment Areas

6.4 Development Management Development Plan Document

DM15 – Employment Premises
DM22 – Vehicle Parking Provision
DM27 – Protection and Enhancement of Biodiversity
DM35 – Key Design Principles

7.0 Comment and Analysis

7.1 The main issues are:
- Principle of the development
- Design, appearance and impact on character of the area
- Impact on residential amenity
- Highways impacts
- Ecology implications
- Major Accident Hazard Sites

7.2 Principle of the development

7.2.1 The principle of the development on this site has already been established by the previous consent. This application seeks consent to some variation in the layout of the approved scheme.

7.3 Design, appearance and impact on character of the area

7.3.1 The site is located within an existing industrial estate, accessed from a privately maintained road. It is set back from the Middleton Road and screened by existing industrial buildings. The majority of the site will be hardstanding comprising parking areas for cars and lorries and also an external storage area. The size of the site is not proposed to be changed. However, the main building is proposed to be repositioned to be close to and parallel with the southern boundary. The scale of the building remains the same as approved and there are some minor changes to the design as the front of the building will effectively be a mirror image of that approved.

7.3.2 The building will now be closer to the access road but will result in the external storage areas set back into the site. The proposal relates to a site within an existing industrial estate, adjacent to existing industrial buildings. As such, the amended layout and appearance of the building is considered to be acceptable and will not have an adverse impact on the character or appearance of the area.

7.4 Impact on residential amenity

7.4.1 There are no residential properties immediately adjacent to the application site. However, there is a residential park home site, Broadgate Park, on Middleton Road opposite the entrance into the industrial estate. The site area has not increased and the part of the development closest to these properties has not changed. As such, it is not considered that the amendment to the proposal will have a detrimental impact on residential amenity.

7.5 Highways Impacts

7.5.1 There are no alterations to the approved access proposed and County Highways has raised no
objection to the proposal. As such, it is not considered that there will be an adverse impact on highway safety.

7.8  Ecology Implications

7.8.1 Paragraph 1.3 details the habitat designations in close proximity to this proposal. Natural England has confirmed that they have no objections in relation to impact on the statutory designated sites.

7.8.2 The site is also located adjacent to a Biological Heritage Site. In 2014 a significant population of Great Crested Newts was identified on the former ICI plant. An ecology report was submitted with the previous application to address any potential impacts on newts. It is not considered that the amendments to the scheme would change the results and recommendations of this as the same area of land is proposed to be developed and used in relation to the freight depot.

7.8.3 Previously, the Lancashire Wildlife Trust (LWT) set out that the site is brownfield (open, early successional) habitat, which does have ecological value as specialist plant species colonise bare ground and the associated warm microclimates support a range of invertebrates. They manage an area of this type of habitat on the nature reserve at Middleton for this reason. As the proposal will result in the loss of early successional habitat the LWT has asked whether this is something that a Section 106 commuted sum could be used to compensate for, perhaps through enhanced management of open habitats on the reserve. An amount was agreed during the previous application and the need for the contribution is still relevant to this proposal. As such a Deed of Variation would be required to the Legal Agreement.

7.9  Major Accident Hazard Sites

7.9.1 The site lies within the zone of influence of a Control of Major Accident Hazard (COMAH) site at Tradebe Solvent Recycling Ltd which is located immediately due west. The previous submission set out that they discussed the proposal with the Safety, Health, Environmental & Quality (SHEQ) Manager at Tradebe who advised that the Tradebe premises is a top-tier COMAH explosion site and as such all protocols are in place to deal with any event which may occur. The zone of influence covers a radius of 1km from the Tradebe site. All owners and operators whose properties fall within this zone receive an annual written update of procedures and instructions from Tradebe advising them on what happens should an incident occur at the plant. There is also an off-site alarm system in place to give advanced warning of any potential issues. The submission sets out that the SHEQ Manager did not envisage there being an issue with the proposal on the application site but advised that consideration should be given to siting any buildings as far away as possible from the Tradebe site as an additional precaution. No comments have been received from Tradebe and there have been no objections from the Health and Safety Executive, using the PADHI+ process.

8.0  Planning Obligations

8.1 A Deed of Variation is required to the S106 Agreement which was part of the previous consent. This is to secure enhancements to the adjacent nature reserve as a result of the loss of habitats for newts within the site.

9.0  Conclusions

9.1 The proposal is located within an existing identified employment site and therefore the principle of the development is acceptable. It is of an appropriate scale and design, in keeping with the character and appearance of the area and will not have a detrimental impact on highway safety or residential amenity and is therefore considered to be acceptable.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions and a Deed of Variation to the existing Section 106 Agreement:

1. Standard 3 year timescale
2. In accordance with approved plans
3. Contaminated land investigation and remediation
4. Submission of verification report
5. Construction management plan
6. Foul and surface water drainage scheme
7. Surfacing materials
8. Boundary treatments
9. Finish to walls and roof as set out unless otherwise agreed
10. Ecology mitigation
11. Details of all external lighting


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
(i) **Procedural Matters**

This form of development would normally be dealt with under the Scheme of Delegation. However, a request has been made by Councillor Nigel Goodrich for the application to be reported to the Planning Committee. The reason for the request relates to the appropriateness of the design in the context of the Arnside and Silverdale Area of Outstanding Natural Beauty.

1.0 **The Site and its Surroundings**

1.1 The application site relates to a single storey detached building, which has recently been converted to a dwelling, located approximately 1.3 kilometres to the south of the centre of Silverdale. Associated with the building is a relatively large area of land, including an access road and woodland area, although the dwelling has a small residential curtilage. The site is located within the original grounds of a large detached two storey building, Gray Walls but now known as Ridgeway Park, which is attributed to the architect Thomas Mawson. It was originally a dwelling but has been used as a residential school for a reasonable length of time and gained planning permission last year for its conversion to a dwelling. There are now three residential properties within the original grounds of the house which utilise the main house and two smaller ancillary buildings.

1.2 The dwelling on the application site is L-shaped and is finished in a mix of stone and render and has a slate roof. There are a significant amount of trees within the site, given its woodland location, although a large number have been felled (under a separate felling licence) since the application was granted for the change of use to a dwelling. There is a large timber outbuilding to the east of the dwelling which has been constructed without planning permission. The nearest neighbouring dwellings are Ridgeway Park, approximately 55 metres to the north of the building at the application site, and Hillside Cottage, approximately 65 metres to the south west.

1.3 The site is located within the Countryside Area, as identified on the Local Plan proposals map, and the Arnside and Silverdale AONB. It is within a biological heritage site and is covered by a Limestone
Pavement Order. It is also in close proximity to Jack Scout, Morecambe Bay and Leighton Moss Sites of Special Scientific Interest (SSSI's). The Morecambe Bay SSSI forms part of the Morecambe Bay Wetland of International Importance under the Ramsar Convention (Ramsar Site), Special Protection Area (SPA) and Special Area for Conservation (SAC). The Leighton Moss SSSI also forms part of the Leighton Moss Wetland of International Importance under the Ramsar Convention (Ramsar Site) and Special Protection Area (SPA).

2.0 The Proposal

2.1 Planning permission is sought for the erection of a two storey extension to the existing building, the erection of a detached outbuilding, which has already been constructed, and the change of use of land to domestic garden. One of the existing windows within the building is also proposed to be replaced with a door.

2.2 The extension is proposed to be erected on the north west elevation of the building and would be 7.7 metres wide and 5.9 metres deep with a covered balcony projecting 1.5 metres from the south west elevation. It would have a Dutch-gabled roof with an eaves height of 5.5 metres and ridge height of 8.1 metres. A triangular dormer is proposed on the front roof slope and a flue is proposed at the rear. A large amount of glazing is proposed in the front wall and the building would be clad in timber and have a timber shingle roof. Large timber posts are proposed at the front to support the balcony.

2.3 The outbuilding is located approximately 16 metres to the east of the dwelling and measures 9 metres in width and 5.7 metres in depth, with a roof overhang of 0.9 metres at the front. The building is clad in timber and has a green profile sheet roof with an eaves height of 3 metres and ridge height of 3.8 metres, measured from the concrete base.

2.4 The consent for the conversion of the building to a dwelling included a small domestic curtilage given the sensitive nature of the site within a Biological Heritage Site, covered by a Limestone Pavement Order. This application proposes an extension to this. It was originally proposed to be the full area owned by the applicant which includes large areas of woodland and is approximately 220 metres at its longest and has an average width around 70 metres. This has now been amended to follow the line of the post and wire fencing erected by the applicant and is now approximately 110 metres in length, in addition to the access track, and mainly around 50 metres in width.

3.0 Site History

3.1 There is an extensive planning history on the site. The main applications relating the application site are listed below:

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Proposal</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>14/00730/CU</td>
<td>Change of use of ancillary educational building (use class C2) into residential dwelling (use class C3)</td>
<td>Approved</td>
</tr>
<tr>
<td>11/00418/RENU</td>
<td>Renewal of application 08/00781/RENU for extension and alterations to Milnthorpe Lodge</td>
<td>Approved</td>
</tr>
<tr>
<td>08/00781/RENU</td>
<td>Renewal of application no 02/01032/FUL for erection of extension and alterations to Milnthorpe Lodge</td>
<td>Approved</td>
</tr>
<tr>
<td>02/01032/FUL</td>
<td>Extension and alterations to Milnthorpe Lodge</td>
<td>Approved</td>
</tr>
</tbody>
</table>

4.0 Consultation Responses

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

<table>
<thead>
<tr>
<th>Consultee</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parish Council</td>
<td>No comments received</td>
</tr>
<tr>
<td>County Highways</td>
<td>No objections</td>
</tr>
<tr>
<td>Environmental Health</td>
<td>Advice in relation to Radon</td>
</tr>
<tr>
<td>Tree Protection Officer</td>
<td>No objection subject to condition requiring development to be carried out in accordance with Tree Report.</td>
</tr>
</tbody>
</table>
Natural England | No objection
---|---
Arnside and Silverdale AONB Partnership | Does not consider that the proposed extension will have a significant adverse effect on the landscape character of the AONB. However as part of this application there should be an assessment of the impact of the proposals within the setting of this important historic designed landscape.
County Planning | No objection in relation to the limestone pavement
Greater Manchester Ecology Unit | No objection subject to appropriate mitigation in relation to limestone pavement and an advice note in relation to bats.
County Ecology | No comments received
Wildlife Trust | No comments received

5.0 Neighbour Representations

5.1 1 letter of support has been received which raises the following points:
  - Good design in terms of scale and orientation
  - No loss of amenity or privacy at neighbouring property

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
  Paragraphs 56, 58 and 60 – Requiring Good Design
  Paragraph 118 – Conserving and Enhancing Biodiversity
  Paragraphs 135 – Non-Designated Heritage Assets

6.2 Lancaster District Core Strategy (adopted July 2008)
  SC1 – Sustainable Development
  SC5 – Achieving Quality in Design

6.3 Lancaster District Local Plan - saved policies (adopted 2004)
  E3 – Areas of Outstanding Natural Beauty
  E4 – Countryside Area

6.4 Development Management Development Plan Document (adopted December 2014)
  DM27 – Protection and Enhancement of Biodiversity
  DM28 – Development and Landscape Impact
  DM29 – Protection of Trees, Hedgerows and Woodland
  DM33 – Development Affecting Non-Designated Heritage Assets or their Settings
  DM35 – Key Design Principles

7.0 Comment and Analysis

7.1 The main issues to be considered in the determination of this application are:
  - Layout, scale, design and impact on non-designated heritage assets
  - Ecological impacts, including Limestone Pavement Order
  - Impact on trees
  - Impact on residential amenity

7.2 Layout, scale, design and impact on non-designated heritage assets and the AONB

7.2.1 The application seeks consent for several elements including an extension to the domestic curtilage, a detached outbuilding, the alteration from a window to a door in the dwelling, and a two storey side extension. The sizes of the relevant aspects are set out within the proposal description above. The main house, Ridgeway Park, and its original gardens were designed by Thomas Mawson. The AONB Historic Designed Landscape Project has identified the Ridgeway Park site as being of exceptional interest and quality and it is considered to be of regional importance. The house and gardens are therefore considered to be a non-designated heritage asset. Any impacts on their setting also need to be carefully considered when assessing the layout, scale and design of the various aspects of the proposal.

7.2.2 The outbuilding is outside the domestic curtilage approved by the previous application, and the
extension is on the edge of it. As such, it seems important to consider this aspect first. The area proposed for the change of use has been reduced during the course of the application, and denser areas of woodland have now been excluded. It is still a large area but is similar to one of the other buildings that has been converted to a dwelling within the whole grounds, although this includes a large area of the original formal garden. Given the screening afforded by the wooded areas, it is not considered that this aspect of the scheme would have a detrimental impact on the character and appearance of the AONB. In addition, it is unlikely to affect the setting of Ridgeway Park, particularly as most of the increase is away from the boundary with the main building. However, there is potential for new outbuildings or extensions to be inappropriately sited in respect of the non-designated heritage asset. This could be adequately controlled by a condition removing permitted development rights for any new outbuildings or extensions to ensure that their potential impacts are adequately assessed.

7.2.3 The outbuilding is located to the east of the dwelling and is well situated in terms of its level and screening provided by trees. It is a large building, particularly in relation to the existing dwelling at the site. However, given its location, it is not considered that it has a detrimental impact on the designated landscape or the non-designated heritage asset. The alteration to the existing building, consisting of the replacement of a window with a door, is also considered to be acceptable.

7.2.4 The existing dwelling is a relatively simple single storey ‘L’ shaped building with one section finished in stone and one in render, with a slate roof. It is fairly unobtrusive within its woodland setting. The application proposes the erection of a two storey extension to the side of the building closest to Ridgeway Park. It is proposed to be clad in timber with a timber shingle roof and large timber supporting pillars to the front, below and above the proposed balcony. The building would have a Dutch-gabled roof on either side elevation. It is considered that the proposed extension relates poorly and is unsympathetic to the character and form of the original dwelling due to its overall design, including materials, and its position. It has the appearance of a completely separate addition with no real cohesion. The submission sets out that the roof design has been taken from the existing building. One end of the building has a Dutch gable which serves the function of a porch to the dwelling but is not the defining feature of the building and is not characteristic to the area.

7.2.5 The extension will be in close proximity to the boundary with the original main dwelling at Ridgeway Park and part of its formal garden setting. When the original application for the change of use of the building at the site was considered, there were a significant amount of trees and other vegetation along the boundary which screened the building. This has now been opened up more and the dwelling at Ridgeway Park is clearly visible within the application site. It is accepted that the extension is unlikely to be visible in views of the main dwelling at Ridgeway Park from the front and approaching from the driveway. However, it would be visible from within the rear garden and the whole original estate of Ridgeway Park has been described as having heritage importance, not just the building. The agent has confirmed that a heritage statement will be undertaken and the results of this would be reported at the Committee Meeting. This is something that was particularly advised by the AONB Partnership.

7.2.6 The agent has been advised that there may be scope for a two-storey addition to the property, but it needs to have a better relationship to the original small scale structure, and one option could be to create a first floor above part or all of the existing building. The proposal will result in a very long linear building and it would be more appropriate, particularly given its relationship to what was formally the grounds of the main house at Ridgeway Park, if the building retained its modest scale and proportions. It is appreciated that the design attempts to assimilate itself with the woodland setting, but it is not considered that it will achieve this and will appear as an awkward unrelated addition to the relatively simple and unobtrusive dwelling. It is acknowledged that a large addition to the building was approved when the site was a residential school. However, this has now lapsed. It was originally granted before significant weight was given to the impact on non-designated heritage assets, prior to the felling of the trees and some balance in the considerations would have been given to providing accommodation in relation to the school. It is therefore not considered to be a significant material consideration in the determination of the current application.

7.2.7 The visual impact of the proposals is limited to the immediate vicinity of the site and the main house set to the north and at a higher elevation. The site’s location, set within woodland and some distance from the edge of the estate, is not currently visible from the road, public rights of way or publicly accessible land. The AONB Partnership does not consider that the proposed extension will have a significant adverse effect on the landscape character of the AONB and, given the location and level
of screening, this view is accepted. However, for the reasons set out above, it is not considered that the building represents high quality design, as advocated by the NPPF, and is not in keeping with the modest scale and appearance of the existing building, the adjacent dwelling which is considered to be a non-designated heritage asset, or the character of the area. It is therefore considered that the proposed extension is contrary to both the aims and objectives of Local and National Policy.

7.3 Ecological Impacts including Limestone Pavement Order

7.3.1 The site is in close proximity to the Morecambe Bay Site of Special Scientific Interest (SSSI). This SSSI forms part of the Morecambe Bay Special Area of Conservation (SAC), Special Protection Area (SPA) and Wetland of International Importance under the Ramsar Convention (Ramsar Site). Natural England has advised that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which Morecambe Bay has been classified. It has therefore been advised that the Local Authority is not required to undertake an Appropriate Assessment to assess the implications of this proposal on the site’s conservation objectives.

7.3.2 Given the sensitive nature of the site, an ecological appraisal and limestone pavement report have been submitted with the application. Greater Manchester Ecological Unit (GMEU) have been consulted on this information. In the response, it has been set out that the ecological appraisal has a number of significant flaws, not least of which is the lack of an appropriate data search. As a result of which the consultant has missed that the site lies within a Biological Heritage Site (BHS), Heald Brow, and there are previous records of a bat roost in the building. However, the ecologist from GMEU has visited the site in order to fully assess the proposal.

7.3.3 The bat roost was found in the opposite end of building to the proposed extension and works to the roof in the area of the extension have already been undertaken. Given these factors it is considered unlikely that the current proposals would affect the bat roost, if still present. However, it is of note that bats are mobile and as such it has been advised that if bats or signs of bats are found at any time during works, then work should cease immediately and advice sought from Natural England or a suitably qualified bat worker. An informative can be placed on any consent to alert the applicants to this.

7.3.4 In relation to the Biological Heritage Site (BHS), GMEU have noted that, although the application includes extending the domestic curtilage of the property into a greater area of the BHS, it is their understanding that this area was part of the historic gardens associated with Ridgeway Park, traces of which can still be found. The features of interest in the BHS in this area are largely the wooded areas and habitats associated with limestone pavement, which are intermixed with existing domestic features. The areas of limestone are protected by a Limestone Pavement Order. Given this, the size of the BHS, the features present and the current proposals to manage the site, it is not considered that the proposals will significantly harm the interest of the BHS.

7.3.5 The Limestone Pavement survey found that the outbuilding had not been placed on top of or within 1m of any limestone pavement. In addition, the extension to The Sun House will not impact on any limestone pavement and there is no limestone pavement within 1m of the works. The report makes a number of recommendations for protection measures, and GMEU have suggested that these be required by condition. The Development Management Team at Lancashire County Council have also been consulted as they are responsible for enforcing the Limestone Pavement Order. They have advised that, whilst the site does lie within a designated Limestone Pavement Area, it appears that the proposed buildings (including that which has already been constructed) will not require the removal of any outcrop of surface limestone and therefore there will be no impact on any protected geological features. However, it is noted that the application also provides for the change of use of land to a domestic garden. The limestone pavement report which accompanies the application appears to be mainly concerned with any areas of limestone that surround the proposed buildings and does not consider any outcrops of surface limestone that occur in the wider garden area. There are no details of any works that will be undertaken in the garden area to be able to assess the likely impacts on surface limestone. Section 34(5) of the Wildlife and Countryside Act 1981 requires that limestone pavement can be removed legally if the works are covered by a planning permission. Lancashire County Council has advised that the Local Planning Authority should therefore ensure that any permission that is granted only authorises the change of use of this land and does not permit any operational development or engineering operations that would involve the disturbance of
limestone pavement.

7.4 Impact on trees

7.4.1 A detailed arboricultural report has been submitted with the application. There is significant woodland cover across the site which extends across the whole former Ridgeway Estate and boundaries to the north east and east of the site. The woodland is clearly visible from the public domain and as such makes a positive contribution to the amenity of the site and that of the wider locality and AONB. Extensive tree removals have been undertaken earlier this year, as part of an agreed felling licence issued by the Forestry Commission. This included the removal of trees that would otherwise have been implicated by the proposed development, to the north of the proposed extension. There are no direct implications for retained trees at this time. However, a number of basic precautions will be required, detailed within the submitted Arboriculture Report to ensure that existing trees are not adversely implicated.

7.5 Residential amenity

7.5.1 The nearest neighbouring dwelling is Ridgeway Park, approximately 55 metres to the north of the existing building at the application site, although the garden will be closer. There is potential for overlooking into the garden area, but given the orientation of the extension and positioning of windows in the side elevation, it is not considered that there will be a significant impact on privacy. In addition, there should be no other loss of amenity as a result of other aspects of the proposal. The domestic garden will extend closer to Hillside Cottage. However, there will still be intervening screening and as such there should be no detrimental impacts on residential amenity.

8.0 Planning Obligations

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

9.0 Conclusions

9.1 The retention of the detached outbuilding, the alteration of a window to a door in the existing building and the extension to the domestic garden associated with the dwelling are considered to be acceptable and will not have a detrimental impact on the character and appearance of the area, in particular the AONB, or have an adverse impact on ecology or residential amenity. It is also considered that the proposed two storey extension will not result in a detrimental impact on ecology or residential amenity. However, there are significant concerns regarding the scale and design of the proposed extension. It is considered that it poorly relates to the existing building and adjacent dwelling in terms of its size, siting and design, and does not take into account the local distinctiveness of the area. It is therefore considered that the proposal does not represent high quality design and will have a detrimental impact on the setting of the non-designated historic house and garden and would conflict with the aims and objectives of both national and local policies.

Recommendation

That a split decision be reached, namely:

Planning Permission **BE GRANTED** for the detached outbuilding, change of use of land to domestic garden and the alteration of a window to a door in accordance with approved plans including amended site plan, subject to the following conditions:
1. Development in accordance with approved plans including amended site plan
2. Removal of permitted development rights
3. Use of garage for domestic purposes only

That Planning Permission **BE REFUSED** for the two storey side extension for the following reason:
1. By reason of its scale, siting and design, it is considered that the proposed two storey extension relates poorly to the existing building and adjacent dwelling, is not in keeping with the character and appearance of the area and therefore does not represent a high quality form of development. It is also considered that, given its scale, design and location in relation to the historically important dwelling and garden at Ridgeway Park, it will have a detrimental impact on the setting of this non-designated heritage asset. The proposal is therefore contrary to the aims and objective of the National Planning Policy Framework, in particular the Core Planning Principles and Sections 6 and 12, and Policies DM33 and DM35 of the Lancaster District Development Management Development
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 taken having regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance. As such, there are elements of the proposal that the Local Authority can support. Unfortunately, the two storey extension aspect of the proposal is unacceptable for the reasons prescribed in this report.

**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
**Procedural Matters**

The proposed development would normally fall within the scheme of delegation. However, the applicant is related to a Council employee so it is necessary for the application to be referred to the Planning Committee for a decision.

1.0 **The Site and its Surroundings**

1.1 The site is located within a group of dwellings approximately 1km west of the village of Cockerham. The dwellings comprise a small row of stone terraced houses, a number of detached houses and a cluster of semi-detached housing known as Marsh Close. A surfaced footpath runs alongside the road linking the housing to Cockerham. A bus stop is also located at the cluster of housing.

1.2 The plot is bounded on three sides by garden areas to neighbouring properties, including the applicant’s own garden area. The southern boundary fronts open pasture currently used for grazing. Large mature evergreen hedgerows form the boundaries to the north, east and west. The southern field boundary is again a mature hedgerow but this is kept low to improve outlook. The eastern side of the long driveway leading to the annexe abuts a separate private garden link to the applicant’s dwelling, 10 Marsh Lane. This boundary is a low ranch style timber fence.

1.3 The application relates to an annexe building to 10 Marsh Lane. The annexe is separated from the main dwelling by approximately 50m lying at the northern end of the current ownership and served by a separate driveway running from a communal parking/turning area which serves the terrace of housing. The garden area to each of the terraced houses are divorced from the houses by the communal parking/turning area.

1.4 The site falls within Flood Zone 3 and the District’s Countryside Area.

2.0 **The Proposal**

2.1 The application is seeking the use of the annexe as a separate open market dwelling to be used independently from 10 Marsh Lane. The annexe is currently occupied by the applicant’s daughter.
The applicant is seeking to provide their daughter with an affordable means of housing but one that is legally as well as physically separated from the main residence. Following discussion with the applicant it was concluded that the most appropriate way to consider the application and one which would provide an unfettered dwelling for the applicant’s daughter would be the use of the property as an open market dwelling.

2.2 The proposal involves no operational development or other work to allow independent occupation. The property already enjoys sufficient internal areas, external amenity space and dedicated car parking area.

3.0 Site History

3.1 The site has a limited planning history all relating to the development of the annexe. The annexe is currently occupied by the applicant’s daughter wholly independently of the main property at 10 Marsh Lane.

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Proposal</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>07/00932/FUL</td>
<td>Demolition of existing annex and erection of new annex</td>
<td>Approved</td>
</tr>
<tr>
<td>12/00480/RCN</td>
<td>Demolition of existing annex and erection of new annex (pursuant to the removal of condition 4 to allow installation of permanent cooking facilities and/or a kitchen)</td>
<td>Approved</td>
</tr>
</tbody>
</table>

4.0 Consultation Responses

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

<table>
<thead>
<tr>
<th>Consultee</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental Health</td>
<td>No comments received within the statutory consultation period.</td>
</tr>
<tr>
<td>Natural England</td>
<td>No comment to make</td>
</tr>
<tr>
<td>Strategic Housing</td>
<td>No comments received within the statutory consultation period.</td>
</tr>
<tr>
<td>Parish Council</td>
<td>No objections</td>
</tr>
</tbody>
</table>

5.0 Neighbour Representations

5.1 No comments received within the consultation period

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
Paragraph 53 – Delivering a choice of homes
Paragraphs 56, 58 and 60 – Requiring Good Design
Paragraph 118 – Conserving and Enhancing Biodiversity

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 Development Management DPD

DM20 – Enhancing Accessibility and Transport Linkages
DM22 – Vehicle Parking Provision
DM27 – Protection and Enhancement of Biodiversity
7.0 **Comment and Analysis**

7.1 **Background**

7.1.1 The annexe originates from a historical piggery building sited in a similar position to the annexe. Consent was granted for the demolition of the piggery and erection of the annexe. The original consent restricted the nature of occupancy, tying its occupation to be ancillary to the main dwelling but also prevented the installation of kitchen/cooking facilities. A later planning application in 2012, under 12/00480/RCN sought to remove the restriction of the introduction of cooking facilities. It was recognised in the consideration and granting of the consent that the building was being occupied by the applicant's daughter and given her age and circumstances was in practice being used independently. The removal of the restriction over cooking facilities reinforced this ability.

7.1.2 Internally, the building now comprises a one bedroom chalet bungalow with separate living/dining, kitchen and full sized bathroom on the ground floor and a large bedroom on the upper floor. Externally, a driveway with at least two parking spaces leads to an enclosed garden area bounded by large mature evergreen hedgerows.

7.2 **Principle**

7.2.1 Development Plan policies require 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. District Core Strategy Policy SC3 seeks to focus rural development in settlements which have five basic services (GP, Primary School, Food Shop, Post Office and Bus Stop). Whilst Cockerham does not fulfil this criteria, the more-up-to-date Development Management DPD Policy DM42 accords with the more-flexible NPPF by identifying a number of settlements which contain some services sufficient for them to be considered to be sustainable. Cockerham is one of these settlements, benefitting from a primary school, pub, park/play area and village hall. Additionally there is a relatively frequent bus service to Lancaster providing a main bus route.

7.2.2 The application site is located some way outside Cockerham (approximately 1km) within a cluster of approximately 20 houses. The dwellings are linked to the village by a surfaced footpath running alongside the main road. A bus stop is also located in the cluster of housing to provide links further afield.

7.2.3 The partial isolation of the property from the village limits the sustainability of the location. In addition, NPPF Paragraph 53 provides local planning authorities with guidance resisting inappropriate development of existing residential gardens. However, it is considered that these constraints must be balanced against the location of the application site within a cluster of twenty existing dwellings and the proposal, in practice, is only seeking to remove an occupancy restriction from existing purpose-built accommodation. The property is of a high standard and recent construction. The internal spatial standards and layout are appropriate for independent living and the site is also self-sufficient in parking and external amenity provision. Given the unusual nature of the proposal and the need for houses within the District, including the rural area, the development of housing in this location is considered to be acceptable in principle.

7.3 **Operation of the dwelling/residential amenity**

7.3.1 As outlined above, the property is fully operational as a separate unit and is only linked by planning condition to the applicant’s main residence some 50m from the annexe. The annexe is in practice...
wholly self-contained providing appropriate standard of internal accommodation as well as a private
garden area and independent parking spaces for at least two cars. It is considered that the annexe
itself could be used as a separate dwelling.

7.3.2 The impact of the proposed use for independent occupation must also be considered in relation to
the applicant's dwelling and other neighbouring properties. The applicant’s own dwelling fronts onto
Marsh Lane and is an end terraced property. The rear of the property leads onto a parking area for
two vehicles and beyond to the garden area including a detached garage. The garden area is
extensive and separated from the application site by a low ranch style fence along its west boundary
and a substantial evergreen hedgerow on the southern boundary. The vehicle parking area and
pedestrian access to the application site runs alongside the low ranch fencing and would lead to
potential overlooking of the garden area to 10 Marsh Lane. The need to protect the privacy of the
applicant’s garden has been recognised by the applicant and agreement gained to the provision of a
new boundary fence running along the western site boundary. This can be addressed via an
appropriate condition.

7.3.3 The remaining neighbouring gardens are all bounded by substantial evergreen hedgerows over 2.0m
in height. The independent use of the property is not considered to have any detrimental impact on
the neighbouring garden areas. A suitable condition would need to be attached to ensure the
hedgerows are maintained at their current height to maintain privacy.

7.4 Flood Risk

7.4.1 The application site and most of the immediate area, including the land occupied by the cluster of
housing and neighbouring fields lie within Flood Zone 3. New development within such areas should
normally be avoided and directed towards areas at lower risk of flooding. The NPPF and DM DPD
Policy DM38 seek to ensure that new development is formally assessed in line with the Technical
Guidance contained within the Planning Practice Guidance – Flood Risk and Coastal Change. New
dwellings are classed as a More Vulnerable land use and should only be considered for
development in Flood Zone 3 following application of a Sequential Test and if identified that such
development cannot be located in zones of less flood risk and Exception Test be applied seeking to
ensure that any development is appropriately flood resilient and resistant, with safe access and
residual risks can be managed.

7.4.2 In this case, the building is not new development. The annexe has the benefit of planning consent
and has been in residential occupation for over 8 years, albeit, tied by conditi
on to the neighbour
dwelling. During the last 3 years of this 8 year period the building has been fully capable of, and
occupied independently having had the removal of a restriction allowing the introduction of full
kitchen facilities within the building.

7.4.3 It is considered that the unusual circumstances attached to this proposal need to be balanced
against the policy position in respect of development with high risk flood zones. The building has
been occupied for many years and is built over two storeys to modern building regulations
standards. The floor slab of the property is solid and the walls of the property are whole, other than
the entrance door, up to window cill height. The structure is already residentially occupied and is of
a relatively flood resistant design.

7.4.4 The flood resilience of the building could be improved with some simply additions and adaptations
such as removable barriers being fitted across the entrance door and raising of internal electricity
circuitry and socket positions. Improving the means of escape would be difficult as the whole of the
surrounding area is located within Flood Zone 3 but signing up to the Environment Agency early
flood warning messaging system will aid early evacuation should this be deemed necessary.
Subject to improvement to flood resilience and signing up to the Environment Agency flood warning
system the continued residential use of the building would not result in increased risk to the
occupiers or the surrounding area.

7.5 Other Matters

7.5.1 The Meeting Housing Needs Supplementary Planning Document sets out that a financial
contribution towards off-site affordable housing is required from developments that result in a net
increase of up to 4 units. The applicant has acknowledged this demand and a willingness to provide
a contribution. The application has been supported by an affordable housing statement and
independent valuation of the property by a local estate agent. The property has been valued at a potential open market value of £125,000. Based on the methodology contained within the Meeting Housing Needs SPD this value would generate a requirement of a contribution of £2,660.

8.0 Planning Obligations

8.1 The applicant has indicated a willingness to provide a contribution towards the provision of affordable housing which will need to be secured via an appropriate agreement.

9.0 Conclusions

9.1 The development of a new dwelling in this location within the garden of existing properties in a high level flood zone area would not normally be encouraged. However, it is considered that account has been taken to the presence and current occupation of the building situated within a cluster of existing dwellings. Given the unusual nature of the proposal as detailed within the above report together with the need for housing within the District, including the rural area, the development of housing in this location is considered to be acceptable and subject to securing a financial contribution and appropriate conditions should be supported.

Recommendation

That subject to securing the £2,660 contribution towards the provision of affordable housing in the District, Planning Permission BE GRANTED subject to the following conditions:

1. Standard 3 year time limit
2. Development to be undertaken in accordance with approved plans
3. Amended plans – boundary treatment and flood resilience measures
4. Fence to be provided within 3 months and retained at all times thereafter
5. Permitted development rights removed – extensions, alterations including new windows
6. Hedgerows to be retained at current height
7. Parking spaces (for both the 10 Marsh Lane and application site) set out on approved plan to be retained and kept available


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 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
(i) **Procedural Matters**

The proposed development would normally fall within the scheme of delegation. However, Councillor Susie Charles has requested it be referred to the Planning Committee for a decision on grounds that the development is necessary for a rural business and it does not impact on the landscape.

### 1.0 The Site and its Surroundings

1.1 The application relates to a mixed use site at Berrys Farm, immediately adjacent to Conder Green Lane, located approximately 1.3 kilometres to the west of Galgate. The residential dwellings, holiday units and caravan site are accessed via single width compacted stone tracks. The existing building group of the site, approximately 60 metres to the west of the proposed development, contains three two-story traditional agricultural buildings and a more recent agricultural building of a similar height. The site’s ownership is split between the applicant and the sibling of the applicant, but operated jointly as a single site.

1.2 The site is located within the Countryside Area as identified on the Local Plan proposals map. The majority of the site and the proposed development is within Flood Zone 3.

### 2.0 The Proposal

2.1 The application proposes the development of a detached reception office building at the entrance to the site. The proposal comprises a pre-fabricated brown stained timber boarding structure under a dark felted tile roof. The structure proposed is approximately 3.05 metres by 3.66 metres, with an eaves height of approximately 2.77 metres and a ridge height of 3.3 metres. The proposed development includes a 450mm raised plinth base, approximately 4.5 metres by 3.84 metres, as precaution against flooding.

### 3.0 Site History

3.1 Site planning history includes the approval of the change of use from barns to holiday units, and the approval of the change of use of agricultural land to a commercial fishing lake. The latter permission
was not implemented and has now expired.

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Proposal</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>02/00416/CU</td>
<td>Application for change of use and conversion of barn to two holiday units</td>
<td>Approved</td>
</tr>
<tr>
<td>06/00664/CU</td>
<td>Change of use and conversion of farm buildings to two holiday units</td>
<td>Approved</td>
</tr>
<tr>
<td>08/01227FUL</td>
<td>Change of use of agricultural land to form commercial fishing lake</td>
<td>Withdrawn</td>
</tr>
<tr>
<td>09/00024/CU</td>
<td>Change of use of agricultural land to form commercial fishing lake</td>
<td>Approved but not implemented (consent now expired)</td>
</tr>
</tbody>
</table>

4.0 Consultation Responses

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

<table>
<thead>
<tr>
<th>Consultee</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parish Council</td>
<td>No observations received</td>
</tr>
<tr>
<td>Environmental Health</td>
<td>No objections</td>
</tr>
<tr>
<td>Natural England</td>
<td>No observations received</td>
</tr>
<tr>
<td>County Highways</td>
<td>No highway objections</td>
</tr>
</tbody>
</table>

5.0 Neighbour Representations

5.1 One objection received based on the proposed position of the building in a conspicuous and noticeable location away from the existing building group and close to the road and entrance. Caravans stopping outside the proposed reception office would potentially block the entrance to the site.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)
Paragraph 17 – Core planning principles
Section 3 – Supporting a prosperous rural economy
Section 7 – Requiring good design
Section 10 – Meeting the challenge of climate change, flooding and coastal change

6.2 Development Management DPD
DM7 – Economic Development in Rural Areas
DM9 – Diversification of the Rural Economy
DM14 – Caravan Sites, Chalets & Log Cabins
DM28 – Development and Landscape Impact
DM35 – Key Design Principles
DM38 – Development & Flood Risk Development and Flood Risk

6.3 Lancaster District Core Strategy (adopted July 2008)
SC1 – Sustainable Development
SC3 – Rural Communities
SC5 – Achieving Quality in Design
ER6 – Developing Tourism
E1 – Environmental Capital

6.4 Lancaster District Local Plan Saved Policies
E4 – Countryside Area
7.0 Comment and Analysis

7.1 The key considerations arising from the proposal are:

- Principle of the development;
- Design and siting, and associated landscape impact;
- Highway implications;
- Residential amenity; and
- Flood risk

7.2 Principle of the Development

The application site is between Conder Green and Galgate in a predominantly agricultural area of countryside. The site is a former farm holding that has been converted to four holiday homes, with a certificated caravan and camping site allowing for 5 caravans and 10 tents to use the site. The proposal development will support a small rural business, however it cannot be considered as agricultural diversification as the farming use of the site has ceased. As such, the proposal will not be supporting an agricultural business. The application seeks consent to construct a detached reception and office building with attached CCTV camera to supplement the caravan and camping use of the site, to improve the management, directions and security of the site. Although it is accepted that caravan and camping sites often require office areas and security measures, a detached reception and office building is considered disproportionate to facilitate a small site accommodating a maximum of 5 caravans and 10 tents at any given time. The principle of a development divorced from the existing building group and adjacent to the road fronting entrance of the site is considered an unacceptably prominent location.

7.3 Design and siting, and associated landscape impact

7.3.1 The second criteria of Development Management DPD policy DM14 states:

“Proposals for new static and touring caravan sites, or the extension of an existing site will be supported in principle within the district and outside of areas of designated landscape importance, in appropriate locations and to an appropriate scale, subject to the following criteria:

II. 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.”

Development Management DPD policy DM28 states:

Outside of protected landscapes the council will support development which is in scale and keeping with the landscape character and which are appropriate to its surroundings in terms of siting, design, materials, external appearance and landscaping.

7.3.2 The application site is immediately adjacent to the highway and entrance to the site, in a prominent and visible location. The landscape impact of the proposal is exacerbated by the fact that the structure is sited approximately 60 metres away from any other building. Although the modest size, sympathetic materials and flexibility in colours and finish of the proposal would reduce the potential visual impact of the development, this does not overcome the unsuitable conspicuous siting of the proposal. Considering the close proximity to the highway and site entrance, and the isolation of the proposed structure from the existing building group or landscape screening, the proposal would have a detrimental impact on the landscape characteristic of the countryside area. As a consequence, the proposed development is contrary to Policies DM14, DM28 and DM35 of the Development Management DPD and the provisions of the National Planning Policy Framework, particularly Section 7 and the Core Planning Principles contained in Paragraph 17.

7.3.3 Following a site visit, the agent for the application was contacted to discuss alternatives to the proposal that would be considered suitable for this site and proportionate to the use, with an extension to the associated residential property at Berrys Farm to accommodate additional office space considered an acceptable solution. However, as the application is partially retrospective, with the plinth development already constructed, the agent was unwilling to discuss amendments to the siting of the proposed development. The agent indicated a willingness to amend the plans to introduce planting to screen the proposal, however no further details or amendments have been provided. Planting to screen the proposal would have to be carefully considered by County Highways, as screening in close proximity to the highway could have an adverse impact upon
visibility at the site’s access. In addition, under Condition 10 of permission 09/00024/CU at this site, the height of the boundary treatment was restricted to 1 metre tall within 2.4 metres back from the centre of the access junction with the highway, in the interest of highway safety.

7.4 Highway Implications
The objection raised from the neighbour representation reiterated the above points regarding the conspicuous location of the proposed development, but also expressed concern regarding the effect of potential queuing of site visitors at the entrance. If a visitor to the site parks outside the proposed reception office building whilst checking into the caravan and camping site, this may temporarily block the entrance, which is also accessed by the residential properties and holiday units on site. This could creating a queue onto Conder Green Road, which operates at the national speed limit. This raises a question over the functionality as well as the visual impact of the proposed reception office being immediately adjacent to the entrance of the site. However, the Highway Authority has raised no objections to the original proposal of the reception and office building.

7.5 Residential Amenity
The proposed development is not seen to have any adverse or detrimental implications upon the residential amenity. The proposal is a modest size and detached from the residential properties on site by 60 metres, and will not be visible or overlooking any off site residencies.

7.6Flooding
The entire site is within Flood Zone 3, including the existing building group. The proposed use is defined as less vulnerable to flooding and appropriate to Flood Zone 3. The required sequential test has not been provided on the basis that there is no available alternative location within the site not at risk from flooding. The design of the proposal includes a 0.45m tall plinth and all power points would be at least 1m above floor level to safeguard the development from flooding. As such, it is not considered that there will be unacceptable risks of flooding to users of the development. The proposed development does not contravene policy DM38 of the Development Management DPD or the provisions of Section 10 of the National Planning Policy Framework.

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

9.0 Conclusions
9.1 Supporting business development and the visitor economy in rural areas is an objective of both the Development Management DPD and National Planning Policy Framework, however development should be appropriate to the site and limit the detrimental impact on the surrounding area. The proposed development of a detached reception office building is considered disproportionate to support a caravan and camp site business that can accommodate a maximum of 5 caravans and 10 tents. The prominent siting of the proposal isolated from the existing building group and immediately adjacent to the site entrance and the highway is conspicuous. The proposal cannot be adequately and sensitively mitigated through design, materials or screening to prevent visual intrusion on the countryside landscape. Although the proposed development is modest in size and materials are sympathetic, this does not adequately mitigate the visual sensitive siting of the proposal, unassociated with the existing building group in a prominent location. Development in unsuitable locations should not be encouraged or permitted based on the scale or use of the proposal. Therefore, the application is recommended for refusal.

Recommendation
That Planning Permission BE REFUSED for the following reasons:

1. The application site lies within the Countryside Area, with the proposed reception office building development detached from the existing building group. The prominent siting of the proposal will create a significant and detrimental visual impact upon the landscape, eroding the countryside character of the area. The prominent siting of the proposal isolated from the building group means that the development cannot be adequately and sensitively mitigated through design, materials or screening to prevent visual intrusion on the countryside landscape. As such, the proposal is contrary to the provisions of Policies DM14, DM28 and DM35 of the Development Management DPD and the provisions of the National Planning Policy Framework, especially Section 7 and the Core Planning
Principles contained in Paragraph 17.


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 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
(i) **Procedural Matters**

The proposed development would normally fall within the scheme of delegation. However, Councillor Joan Jackson has requested it be referred to the Planning Committee for a decision on grounds of the development’s overbearing and intrusive nature.

**1.0 The Site and its Surroundings**

1.1 The property which forms the subject of this application relates to a semi-detached single storey bungalow located on Pinewood Avenue in Brookhouse.

1.2 The surrounding area is residential in character with a mixture of semi-detached bungalows and dormer bungalows of similar character and appearance to the application property.

1.3 The site is located within the Forest of Bowland Area of Outstanding Natural Beauty (AONB) and the District’s Countryside Area.

**2.0 The Proposal**

2.1 The application proposes the erection of a single storey side extension with front and rear dormer windows and construction of a front porch. The side extension will extend from the western elevation of the dwelling up to a maximum of 2.2m and have a maximum length of 7.4m. It will be set back from the front elevation of the original dwelling by 0.75m. The extension will have a maximum height of 4.6m to the ridge of the pitched roof. The proposed front dormer will have a width of 2m, a height of 1.6m and a projection of 2.3m. The proposed rear dormer will have a width of 2m, a height of 1.8m and a projection of 3m. The proposed front porch will have a maximum width of 2.4m, a maximum height of 3.4m and a projection of 0.8m. The walls of the entire dwelling, including the extension will be rendered in K-Rend Arctic White. The roof of the extension will be constructed with matching concrete tiles, whilst the faces and sides of both the front and rear dormers will be tile hung to match. White matching uPVC doors and windows will be installed throughout the development.
3.0 Site History

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

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Proposal</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>12/00298/FUL</td>
<td>Erection of a single storey extension to the rear with raised decked area</td>
<td>Refused</td>
</tr>
<tr>
<td>12/00722/FUL</td>
<td>Erection of a single storey rear extension</td>
<td>Permitted</td>
</tr>
<tr>
<td>12/01022/NMA</td>
<td>Non material amendment to 12/00722/FUL to replace a single roof light with three smaller roof lights</td>
<td>Permitted</td>
</tr>
<tr>
<td>14/00290/FUL</td>
<td>Erection of a single storey side extension</td>
<td>Withdrawn</td>
</tr>
<tr>
<td>14/00565/FUL</td>
<td>Erection of a single storey side extension and porch</td>
<td>Permitted</td>
</tr>
</tbody>
</table>

4.0 Consultation Responses

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

<table>
<thead>
<tr>
<th>Consultee</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caton-with-Littledale Parish Council</td>
<td>Objection on grounds of the developments scale, massing and its impacts upon residential amenity.</td>
</tr>
</tbody>
</table>

5.0 Neighbour Representations

5.1 Two pieces of correspondence, one of support and one of objection, have been received. The reason for support is based on a good use of space, and the reasons for objection are the development’s overbearing design and its impacts upon residential amenity

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraph 7, 12, 14, 17 – Sustainable Development and Core Principles
Paragraphs 56-64 – Requiring Good Design
Paragraph 115 – Development in an AONB

6.2 Development Management DPD

DM35 – Key Design Principles
DM28 – Development and landscape impact
DM22 – Vehicle parking provision

6.3 Lancaster District Core Strategy (adopted July 2008)

SC1 – Sustainable Development
SC5 – Achieving Quality in Design

6.4 Lancaster District Local Plan Saved Policies

E3 – Development in an AONB
E4 – Countryside Area

7.0 Comment and Analysis

7.1 The key considerations in the assessment of this application are:
- General design within the AONB
- Impacts upon residential amenity
- Vehicle parking provision
7.2 General design within the AONB
The proposed materials will ensure that the single storey side extension with front and rear dormer windows and front porch is sympathetic to the appearance of the original dwelling, ensuring the character of the property and those around it is preserved. Furthermore, there are a number of side extensions and a large number of dormer windows located within the immediate area. As such it is deemed that the development represents an acceptable and congruent design that will respect the wider street scene. Finally, the property is located within the Forest of Bowland AONB, so the surrounding landscape is protected. It is deemed that through the use of suitable proposed materials and sympathetic design the extension will not pose a significant risk to the local protected environment.

7.3 Impacts upon residential amenity
Valid concerns have been raised over the scheme’s impact upon the residential amenity for nearby occupiers. The proposed side extension will bring the built form to within 7m of the side dormer window (which is a primary window serving a bedroom) of No. 14 Pinewood Avenue. This shortfall in separation distance (12m should be maintained between a window and blank gable end) is deemed to represent an overbearing structure that is likely to result in reduced daylight levels. However, it must be stressed that permission has already been granted through application 14/00565/FUL, for a single storey side extension of slightly larger proportions (2.3m wide x 7.4m long x 4.6m high) and a front porch. The introduction of the front and rear dormer windows are not deemed to result in further detrimental impacts to daylight levels here, nor will they look out of place within the street scene. As such they are seen as an acceptable addition to the overall design.

7.4 Vehicle parking provision
Although the proposed side extension will prevent parking behind the building line the existing driveway has sufficient space for at least two vehicles which is deemed acceptable for a property of this size.

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

9.0 Conclusions
9.1 It is concluded that the proposed single storey side extension could be considered as an overbearing form of development. However, as permission has already been granted for a side extension and front porch, the precedent has already been set for such a development. The front and rear dormers are not seen to result in further detrimental impacts to residential amenity and through their scale and design will not look out of place within the street scene. In respect of these matters, the proposed development is in compliance with the relevant DPD policies and the NPPF.

Recommendation
That Planning Permission BE GRANTED subject to the following conditions:

1. Standard three year timescale.
2. Development in accordance with plans.
3. Amended plan ref: Project: 103 drawing No: 102 Revision: 2 as received by email on the 09/11/2015.
4. Front and rear dormers to be tile hung.

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 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
## Procedural Matters

The proposed development would normally fall within the scheme of delegation. However, the property is owned by Lancaster City Council, as such the application must be determined by the Planning Committee.

### 1.0 The Site and its Surroundings

1.1 The application property is a two-storey dwelling with a small flat-roofed single storey outbuilding to the rear. The property occupies the western end of a terraced row of four dwellings within the Branksome Estate in Morecambe. The property has dash rendered walls under a tiled pitched roof with white uPVC windows and doors. There is a drive to the front of the property and a substantial hedge boundary to the front. A timber panel fence separates the front drive from the rear garden area and a similar fence forms the boundary with the neighbouring dwelling to the west.

1.2 Surrounding dwellings are of a similar age, form and construction to that of the subject property. Many properties have front and side driveways which provide off-street parking. The area is generally low lying and fairly flat.

1.3 The site is unallocated in the Lancaster District Local Plan proposals map.

### 2.0 The Proposal

2.1 A small outbuilding which is currently in a state of disrepair will be demolished to create space for the proposed development.

2.2 The application proposes the erection of an “L-shaped” single storey side and rear extension to create an adapted bedroom and en-suite wet room, including various internal alterations and a new access ramp. The side extension will extend from the eastern elevation of the property up to a maximum of 4.35m. The extension will have a maximum length of 7m, extending 2.3m into the rear garden. The rear elevation of the extension will have a maximum width of 3.35m. The extension will have a maximum height of 4.8m to the ridge of the pitched roof. The walls of the extension will be
rendered over a brick plinth to match the existing property. Matching brown concrete tiles will be used to construct the roof. Matching white uPVC doors and windows will be installed throughout the development. The ramp will be constructed to the side of the extension and will provide access to the rear door.

### 3.0 Site History

3.1 A similar planning application relating to this site has previously been received by the Local Planning Authority.

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Proposal</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>15/01378/FUL</td>
<td>Erection of single storey side and rear</td>
<td>Permitted</td>
</tr>
</tbody>
</table>

### 4.0 Consultation Responses

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

<table>
<thead>
<tr>
<th>Consultee</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parish Council</td>
<td>No response received</td>
</tr>
</tbody>
</table>

### 5.0 Neighbour Representations

5.1 No comments received

### 6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraph 7, 12, 14, 17 – Sustainable Development and Core Principles
Paragraphs 56-64 – Requiring Good Design

6.2 Lancaster District Development Management DPD

Policy DM35 – Key Design Principles

6.3 Lancaster District Core Strategy (adopted July 2008)

SC1 – Sustainable Development
SC5 – Achieving Quality in Design

### 7.0 Comment and Analysis

7.1 The key considerations in the assessment of this application are:
- General design and street scene impacts
- Impacts upon residential amenity

7.2 General design and street scene impacts

7.2.1 The proposed ramp will occupy a small area to the side of the property and will have a maximum height of approximately 0.3m. This element of the scheme will not be highly visible within the street scene and will allow the occupant ease of access to the dwelling.

7.2.2 The proposed extension will be set back 2.6m from the front elevation of the dwelling providing a break which helps to ensure the extension remains subservient. The proposed materials will ensure that the development reflects the character and appearance of the original property and is sympathetic to the wider street scene. As such the proposed scheme is seen to represent a congruent and acceptable form of development.
7.3 Impacts upon residential amenity

7.3.1 It is considered that due to the location of neighbouring dwellings, the position of windows and intervening boundary treatments, the development will not detrimentally impact residential amenity. Furthermore, the development is seen to improve the residential amenity of the occupants.

8.0 Planning Obligations

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

9.0 Conclusions

9.1 The proposed development is seen to provide an opportunity to enable the current occupants to maintain living in the family home and it is concluded that the proposed extension is acceptable in terms of design and the amenities of neighbouring residents. In respect of these matters, the development is in compliance with the relevant Development Plan policies and guidance provided in the NPPF.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

1. Standard three year time limit
2. Development in accordance with approved plans
3. Materials to match existing


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 taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/Guidance.

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
(i) **Procedural Matters**

The proposed development would normally fall within the scheme of delegation. However, the property is owned by Lancaster City Council, as such the application must be determined by the Planning Committee.

1.0 **The Site and its Surroundings**

1.1 The application property is a two storey semi-detached property located on the corner of Skiddaw Road and Coniston Road. The property has dash rendered walls under a slate pitched roof with white uPVC windows and doors. There is a drive to the front of the property enclosed by a wall to the front and a timber panel fence to the party boundary with No. 9 Skiddaw Road.

1.2 Surrounding dwellings are of a similar age, form and construction to that of the subject property. Many properties have front and side driveways which provide off-street parking.

1.3 The site is unallocated in the Lancaster District Local Plan proposals map.

2.0 **The Proposal**

2.1 The application proposes the erection of a single storey side extension to create an adapted bedroom and en-suite wet room, including various internal alterations and new level access to the front elevation. The side extension will extend from the north-east elevation up to a maximum of 4.4m, a canopy will be constructed to the front elevation with a projection of 1.3m. The extension will have a maximum length of 7.6m, a maximum width of 2.5m to the rear elevation and a maximum height of 3.9m to the ridge of the hipped roof.

2.2 The existing driveway access will be built up to match the existing boundary wall due to the proposed extension occupying the current access. A new driveway access will be constructed with a width of 4.8m, immediately to the south of the previous access.
3.0 Site History

3.1 No relevant planning history.

4.0 Consultation Responses

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

<table>
<thead>
<tr>
<th>Consultee</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Canal and River Trust</td>
<td>No comments received</td>
</tr>
<tr>
<td>Tree Protection Officer</td>
<td>No objection subject to the tree related conditions</td>
</tr>
<tr>
<td>County Highways</td>
<td>No objection subject to a highway condition</td>
</tr>
</tbody>
</table>

5.0 Neighbour Representations

5.1 No comments received

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraph 7, 12, 14, 17 – Sustainable Development and Core Principles
Paragraphs 56-64 – Requiring Good Design

6.2 Development Management DPD

DM22 – Vehicle parking provision
DM29 – Protection of trees, hedgerows and woodlands
DM35 – Key design principles

6.3 Lancaster District Core Strategy (adopted July 2008)

SC1 – Sustainable development
SC5 – Achieving quality in design

7.0 Comment and Analysis

7.1 The key considerations in the assessment of this application are:
   - General design and impact on street scene
   - Impacts upon residential amenity
   - Vehicle parking provision and highway matters
   - Impact upon trees

7.2 General design and impact on street scene
The construction of a canopy to the front elevation which extends from the side extension is seen to effectively marry the extension to the original dwelling. Furthermore, the proposed materials and use of a hipped roof to the side extension and the presence of a similar extension to the adjoining dwelling ensure that the character and appearance of the property is maintained and the extension’s impacts on the wider street scene is significantly reduced. As a result the proposed scheme is seen as a congruent and acceptable form of development.

7.3 Impacts upon residential amenity
It is considered that due to the location of neighbouring dwellings, the position of windows and intervening boundary treatments, the development will not detrimentally impact residential amenity. Furthermore, the development is seen to improve the residential amenity of the occupants.

7.4 Vehicle parking provision and highway matters
The existing driveway access arrangement will be blocked by the proposed extension making the works to create a new access point necessary. The new access point will allow for vehicular access
from Coniston Road. There have been no objections from County Highways. Even with the proposed extension occupying driveway space the drive is capable of providing space for two vehicles. As a result the application is seen as acceptable in terms of its vehicle parking provision and highway matters.

7.5 Impact upon trees
A total of 4 mature lime trees (T1-T4) have been identified in relation to the proposed development. T3 & T4 are not implicated by the proposals. The rooting patterns of T1 & T2 are heavily constrained by existing hard surfaces, including the public highway and nearby domestic dwellings. As such a regular, radial rooting pattern cannot be assumed. The garden area of No.11, offers potentially the best rooting opportunities in the nearby vicinity. The proposed development is generally a sufficient distance from T1 & T2 not to pose any direct implications for their roots, though the works to the highway (including the dropped kerb) is likely to encounter the trees' root systems and therefore a Tree Method Statement is required to ensure that the construction method is appropriate to preserve the trees' health. Other activities associated with the construction phase, such as location of cement washout areas and chemical storage areas, could also have the potential to adversely impact upon T1 & T2. Therefore conditions are required to protect these 2 trees.

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

9.0 Conclusions
9.1 The proposed development is seen to provide an opportunity to enable the current occupants to maintain living in the family home and it is concluded that the proposed extension is acceptable in terms of design and the amenities of neighbouring residents. Furthermore, the proposed development is seen to be acceptable in terms of its impacts upon off-site trees, vehicle parking and highway matters. In respect of these matters, the development is in compliance with the relevant Development Plan policies and guidance provided in the NPPF.

Recommendation
That Planning Permission BE GRANTED subject to the following conditions:

1. Standard three year time limit
2. Development in accordance with approved plans
3. Materials to match existing
4. Submission of a scheme for the construction of the off-site works of highway improvement
5. Construction Method Statement in relation to trees and Tree Works Schedule
6. No site fires, no cement washout areas, no chemical dumps, or storage of machinery, materials, and equipment on soft ground within 7m of any on or off site tree.


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 taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.
**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
<table>
<thead>
<tr>
<th>APPLICATION NO</th>
<th>DETAILS</th>
<th>DECISION</th>
</tr>
</thead>
<tbody>
<tr>
<td>15/00145/DIS</td>
<td>Land North Of 1 To 23, Stoney Lane, Galgate Discharge of conditions 3, 5, 6, 7, 11, 13, 14, 17, 18, 19, 20, 21, 22, 23 and 24 on approved application 15/00080/FUL for Mr Martin Nugent (Ellel Ward 2015 Ward)</td>
<td>Initial Response Sent</td>
</tr>
<tr>
<td>15/00147/DIS</td>
<td>Grove Street Depot, Grove Street, Morecambe Discharge of conditions 4 and 7 and part condition 6 on approved application 15/00892/VCN for HB Villages Developments Limited (Harbour Ward 2015 Ward)</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>15/00152/DIS</td>
<td>Pharmacy, Heysham Primary Care Centre, Middleton Way Discharge of condition 5 on approved application 15/00294/CU for ML (Heysham) Limited (Heysham South Ward 2015 Ward)</td>
<td>Initial Response Sent</td>
</tr>
<tr>
<td>15/00159/DIS</td>
<td>Fanny House Farm, Oxcliffe Road, Heaton With Oxcliffe Discharge of condition 8 in relation to the Habitat Management Plan on approved application 15/00243/FUL for Mr Robin Drummett (Heysham South Ward 2015 Ward)</td>
<td>Request Completed</td>
</tr>
<tr>
<td>15/00166/DIS</td>
<td>Keer Bridge Highways Depot, Scotland Road, Carnforth Discharge of condition 3 on application 13/00635/FUL for Mr Glen Pearson (Warton Ward 2015 Ward)</td>
<td>Request Completed</td>
</tr>
<tr>
<td>15/00179/DIS</td>
<td>Land To The Side Of Willey Lane, Willey Lane, Cockerham Discharge of condition number 25c in relation to affordable housing statement on previously approved application number 13/01018/FUL for 17 affordable dwellings houses for Mrs Kerry Schumacker (Ellel Ward 2015 Ward)</td>
<td>Request Completed</td>
</tr>
<tr>
<td>15/00183/DIS</td>
<td>Lancaster Moor Hospital Annex, Quernmore Road, Lancaster Discharge of condition 3 on application 15/00494/REM for Mr Andrew McMurtrie (Bulk Ward)</td>
<td>Request Completed</td>
</tr>
<tr>
<td>15/00192/DIS</td>
<td>Land Adjacent Grasscroft, Borwick Avenue, Warton Discharge of conditions 5, 7, 8 and 9 on application 15/00567/FUL for Mr Terry Anderson (Warton Ward 2015 Ward)</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>15/00193/DIS</td>
<td>Land Adjacent Marine Road East, Morecambe, Lancashire Discharge of conditions 3, 4, 5, 6 and 7 on application 15/00119/FUL for Mr Adrian Morphet (Bare Ward 2015 Ward)</td>
<td>Request Completed</td>
</tr>
<tr>
<td>15/00195/DIS</td>
<td>Fanny House Farm, Oxcliffe Road, Heaton With Oxcliffe Discharge of condition 11 in relation to details of hardstanding on approved application 15/00243/FUL for Novus Solar Developments Ltd (Heysham South Ward 2015 Ward)</td>
<td>Request Completed</td>
</tr>
</tbody>
</table>
LIST OF DELEGATED PLANNING DECISIONS

15/00436/ADV Bella Italia, 26 - 28 Church Street, Lancaster Advertisement application for the display of three halo illuminated fascia signs and three internally illuminated menu boards for Mr D Kidd (Dukes Ward)

15/00622/CU The New Albert, 84 King Street, Lancaster Change of use of public house (A4) and ancillary manager's residential accommodation to student accommodation comprising of three 9-bed clusters (sui generis) and demolition of existing rear extension, erection of a replacement three storey rear extension and replacement of shop front with 2 new triple windows for Bak2BaseProperties Ltd (Castle Ward 2015 Ward)

15/00639/FUL Land Adjacent Westgate Tyres, Westgate, Morecambe Erection of a car wash and car valet with new vehicular exit route for Mr K. Mohameddi (Westgate Ward)

15/00650/FUL Brow House, Strait Lane, Abbey Stead Demolition of existing boiler room and detached double garage and erection of a replacement single storey side extension, excavation of land to create a wine cellar and erection of two storey detached double garage with ancillary accommodation for Mr Richard Farnhill (Ellel Ward)

15/00653/FUL Addington Lodge Stables, Addington Road, Nether Kellet Demolition of 2 stable buildings and erection of 2 single storey buildings comprising offices, staff welfare facilities and a plant room for Mr Adrian Gott (Kellet Ward)

15/00654/CU Meadow View Caravan Park, Long Dales Lane, Nether Kellet Change of use of land for the siting of a static caravan for holiday purposes for Mr G Billington (Kellet Ward)

15/00758/FUL Sunderland Brows Farm, First Terrace, Sunderland Point Demolition of existing farm buildings and milking parlour and erection of new cattle building for Mr David Hargreaves (Overton Ward)

15/00759/FUL Sunderland Brows Farm, First Terrace, Sunderland Point Demolition of existing farm buildings and milking parlour and erection of new cattle building for Mr David Hargreaves (Overton Ward)

15/00804/CU Halton Green East, Green Lane, Halton Change of use from agricultural land to domestic curtilage in association with Halton Green East and construction of a new vehicular access track and parking area for Mr Captain Ian Finley (Halton With Aughton Ward)

15/00833/CU Scout Crag Caravan Park, New Road, Warton Change of use of land for the siting of 9 holiday lodges with associated parking for Mr Hugh Daly (Warton Ward)

15/00834/CU West Lodge, Quernmore Road, Lancaster Change of use from office (B1) to a single dwelling (C3) for Ms Bernie Talbot (Bulk Ward)
LIST OF DELEGATED PLANNING DECISIONS

15/00835/LB  West Lodge, Quernmore Road, Lancaster Listed Building application for works to facilitate the change of use of building to a single dwelling for Ms Bernie Talbot (Bulk Ward)
Application Permitted

15/00837/FUL  Piccadilly Garden Ltd, Piccadilly, Lancaster Erection of a single storey detached welfare building, creation of a new vehicular exit and associated parking for Mr Stephen Neaves (Scotforth West Ward)
Application Permitted

15/00841/FUL  29 Coolidge Avenue, Lancaster, Lancashire Retrospective application for the erection of a first floor side extension for Mr Tony Stoney (Castle Ward)
Application Permitted

15/00857/CU  Ellel Institute, Stoney Lane, Galgate Change of use of institute building to two 1-bed flats, one 2-bed flat, one 3-bed flat (C3), demolition of existing single storey front and side extensions, construction of a new external staircase to the side and associated landscape works for Mr (Ellel Ward)
Application Permitted

15/00865/FUL  Land Adjacent Warewood, Lancaster Road, Cockerham Creation of new vehicular access and erection of two detached dwellings with integral garages for Mr Alan Thornton (Ellel Ward)
Application Refused

15/00916/CU  6A Lines Street, Morecambe, Lancashire Change of use from office (B1) to residential flat (C3) for Mrs Diane Hughes (Poulton Ward)
Application Permitted

15/00930/OUT  Land North Of 120, Newlands Road, Lancaster Outline application for the erection of a new dwelling with associated access for Mr P Robb (John O'Gaunt Ward)
Application Refused

15/00931/LB  Whitewalls, 39 Hatlex Lane, Hest Bank Listed Building application for an additional 1st floor en-suite and sash window, change study door to a sliding door and removal of a joist above kitchen for Mr & Mrs J Edmonds (Slyne With Hest Ward)
Application Permitted

15/00941/FUL  Land To The Rear Of, 43 And 45 Ullswater Road, Lancaster Erection of two 3-bed dwellings with associated access and parking for Mr Jon Wong (Bulk Ward)
Application Refused

15/00948/LB  29 Queen Street, Lancaster, Lancashire Listed building application for the installation of an entrance light, internal extractor fan and a flue to the rear for Mrs Kathy Barton (Castle Ward 2015 Ward)
Application Permitted

15/00952/VCN  30 New Street, Lancaster, Lancashire Change of use of first and second floors from offices (B2) to 10 student units (C4) (pursuant to the variation of condition 2 and 6 on planning permission 12/00541/CU to alter the proposed floor plans and allow the accommodation to be used by persons other than students in full time education) for Ms JIAN GUO (Dukes Ward)
Application Permitted

15/00953/FUL  77 Regent Road & 58 Chatsworth Road, Morecambe, Lancashire Installation of uPVC windows to front and rear elevations to replace timber windows for Mr Alan Thomas (Harbour Ward)
Application Permitted
<table>
<thead>
<tr>
<th>Application Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>15/01086/CU Church House, 96 Church Street, Lancaster Change of use of offices (B1) to 12-bed shared student accommodation (sui generis) for Mr M J McFarland-Davidson (Castle Ward 2015 Ward)</td>
</tr>
<tr>
<td>15/0107/CU Church House, 96 Church Street, Lancaster Listed building application to facilitate the change of use of offices (B1) to 12-bed shared student accommodation (sui generis) for Mr M J McFarland-Davidson (Castle Ward 2015 Ward)</td>
</tr>
<tr>
<td>15/01096/CU 8A Brock Street, Lancaster, Lancashire Change of use from hairdressers (A1) to dental practise (D1) for Norman Jackson (Castle Ward 2015 Ward)</td>
</tr>
</tbody>
</table>
LIST OF DELEGATED PLANNING DECISIONS

15/01101/CU 219 Marine Road Central, Morecambe, Lancashire Change of use from leisure/retail (D2 and A1) to cafe/drinking establishment (A3 and A4) for Mr D Barker (Poulton Ward 2015 Ward) Application Permitted

15/01109/PLDC 34 Rochester Avenue, Morecambe, Lancashire Proposed lawful development certificate for the erection of a lean-to garage to the side for Mr J Braithwaite (Westgate Ward 2015 Ward) Lawful Development Certificate Granted

15/01120/FUL Rowan Cottage, Manor Courtyard, Main Street Demolition of existing conservatory and erection of single storey side extension for Mrs Carol Crabtree (Heysham Central Ward 2015 Ward) Application Permitted

15/01121/FUL 33 Hawkshead Drive, Morecambe, Lancashire Demolition of existing rear porch and erection of a single storey rear extension, erection of a porch to the side elevation and installation of a raised replacement roof to create first floor accommodation for Mrs W. Keats (Westgate Ward 2015 Ward) Application Permitted

15/01123/FUL 63 Chequers Avenue, Lancaster, Lancashire Erection of a single storey side and rear extension, construction of a bay window to the front elevation and removal of chimney for Mr & Mrs K. Keith (John O'Gaunt Ward 2015 Ward) Application Permitted

15/01124/LB John O Gaunt, 55 Market Street, Lancaster Listed building application for the fitting of one externally illuminated fascia sign, one illuminated hanging sign, one non-illuminated wall sign and one lantern for Punch Taverns (Castle Ward 2015 Ward) Application Permitted

15/01135/FUL 6 Bridge Road, Nether Kellet, Carnforth Erection of a two storey side and rear extension and construction of a dormer window to the front and rear elevations for Mr Edward Wilkinson (Kellett Ward 2015 Ward) Application Permitted

15/01137/FUL Field South Of Scargill Farm, Scargill Road, Halton Creation of a new vehicular access into agricultural field for Carnforth Motor Company (Halton-with-Aughton Ward 2015 Ward) Application Permitted

15/01140/FUL 49 Stankelt Road, Silverdale, Carnforth Demolition of existing lean-to store and erection of single storey side extension for Mrs Janet Bowers (Silverdale Ward 2015 Ward) Application Permitted

15/01152/CU Unit 9, Lansil Walk, Caton Road Retrospective application for the change of use from A1 (retail) to D1 (training centre) and D2 (leisure) for Mr Daniel Wisniewski (Bulk Ward 2015 Ward) Application Permitted

15/01157/FUL Eric Morecambe House, Harrow Grove, Morecambe Replacement of timber single glazed windows with uPVC double glazed rosewood windows on all elevations for Anchor Trust (Torrisholme Ward 2015 Ward) Application Permitted

15/01160/FUL 24 Bell Aire Park Homes, Middleton Road, Heysham Erection of a rear conservatory for Mrs Chapman (Heysham South Ward 2015 Ward) Application Permitted
<table>
<thead>
<tr>
<th>Reference</th>
<th>Description</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>15/01161/FUL</td>
<td>Engineering Building, Fylde Avenue, Lancaster University Installation of an additional door and alterations to existing windows for Mr Stuart Foy (University And Scotforth Rural Ward)</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>15/01174/FUL</td>
<td>40 Fell View, Caton, Lancaster Demolition of existing outbuilding and erection of a replacement two storey side extension for Mr Chris Norton (Ward)</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>15/01177/AD</td>
<td>Field 1579, Ashton Road, Lancaster Agricultural determination for the erection of a storage building for Mr Peter Boustead (Scotforth West Ward 2015 Ward)</td>
<td>Prior Approval Is Required</td>
</tr>
<tr>
<td>15/01178/CU</td>
<td>Kendal Hill Farm Caravan, Kendal Hill, Dobs Lane Change of use of land to site mobile home for additional living accommodation (C3) for Mrs Virginia Charnley (Eller Ward 2015 Ward)</td>
<td>Application Withdrawn</td>
</tr>
<tr>
<td>15/01180/FUL</td>
<td>Lancaster University, Bailrigg Lane, Lancaster Retention of a fenced compound, mesocosm tanks and a timber office building to continue facilitation of the field study area for Mr Roger Merritt (University And Scotforth Rural Ward)</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>15/01181/FUL</td>
<td>38 Hest Bank Lane, Hest Bank, Lancaster Construction of a first floor balcony to the rear elevation and replace obscure glazed side window with clear glass for Mr Paul Newton (Bolton And Slyne Ward 2015 Ward)</td>
<td>Application Refused</td>
</tr>
<tr>
<td>15/01183/FUL</td>
<td>16 Highgrove Road, Lancaster, Lancashire Erection of a single storey rear extension to replace existing conservatory for Mr &amp; Mrs C Edwards (Scotforth West Ward 2015 Ward)</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>15/01186/PLDC</td>
<td>8 Belle Vue Drive, Lancaster, Lancashire Proposed lawful development certificate for a hip to gable extension, front facing rooflights and dormer window on the rear elevation for Mr &amp; Mrs J Cragg (Scotforth West Ward 2015 Ward)</td>
<td>Lawful Development Certificate Granted</td>
</tr>
<tr>
<td>15/01188/VCN</td>
<td>Pharmacy, Heysham Primary Care Centre, Middleton Way Change of use of pharmacy (D1) to foodstore (A1), recladding existing elevations, erection of an extension to the front and side elevations, creation of additional parking and associated landscaping works (pursuant to the variation of condition 2 on planning permission 15/00294/CU to alter the proposed car parking layout) for ML (Heysham) Limited (Heysham South Ward 2015 Ward)</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>15/01189/FUL</td>
<td>Carus Lodge, Main Street, Arkholme Erection of first floor side extension and installation of a raised replacement roof to create first floor accommodation for Mr &amp; Mrs Graham &amp; Debbie Akinson (Kellett Ward 2015 Ward)</td>
<td>Application Permitted</td>
</tr>
<tr>
<td>15/01190/ELDC</td>
<td>357 Lancaster Road, Morecambe, Lancashire Existing lawful development certificate for the use of the property as a hot food takeaway for Mrs T Ly (Torrisholme Ward 2015 Ward)</td>
<td>Lawful Development Certificate Granted</td>
</tr>
</tbody>
</table>
LIST OF DELEGATED PLANNING DECISIONS

15/01194/LB  Cross Cottage, Main Street, Wray Listed building application for the installation of replacement windows to front elevation, glazed door to the rear, 2 new internal staircases, relocated partition walls and a roof light for Mr And Mrs Sedgwick (Lower Lune Valley Ward 2015 Ward)  Application Permitted

15/01200/FUL  Land Associated With The Walney Extension Offshore Wind Farm, Near Heysham And Middleton, Lancashire Extension to Walney offshore wind farm, onshore works amendments comprising horizontal directional drilling used for cable installation at eight additional locations (seven along the onshore cable route, and one at the onshore substation); alternative temporary access routes for construction vehicles off Carr Lane; and additional construction (temporary) drainage at five locations along the onshore cable route for DONG Energy (Overton Ward 2015 Ward)  Application Permitted

15/01208/FUL  Woodlands, Barrows Lane, Heysham Erection of a single storey side extension for Mr Michael Smith (Heysham Central Ward 2015 Ward)  Application Permitted

15/01210/FUL  Lords Lot House, Borwick Road, Over Kellet Erection of store enclosure for boiler, heat store and timber storage for Mr And Mrs Garton (Kellett Ward 2015 Ward)  Application Permitted

15/01219/FUL  The Blands, Old Moor Road, Wennington Erection of an agricultural livestock and storage building for Mr Andrew McClements (Lower Lune Valley Ward 2015 Ward)  Application Permitted

15/01227/FUL  Land At Tarn Bank, Tarn Lane, Yealand Redmayne Erection of a small scale standby electricity generation plant comprising a substation, two control/communication buildings, two 30,000 litre bunded fuel tanks, nine engines block, four transformers, welfare facilities, turning area, landscaping and access road for James Jamieson (Silverdale Ward 2015 Ward)  Application Refused

15/01229/FUL  22 Cove Drive, Silverdale, Carnforth Erection of two single storey side extensions and construction of a canopy roof to existing front porch for Mr R Law (Silverdale Ward 2015 Ward)  Application Permitted

15/01234/FUL  37 Borwick Lane, Warton, Carnforth Demolition of existing rear extension and erection of single storey side and rear extensions and installation of a roof to create first floor accommodation for Mr Ron Moore (Warton Ward 2015 Ward)  Application Permitted

15/01238/LB  5 Castle Hill, Lancaster, Lancashire Listed Building application for partial removal of a stud partition wall and glazed door on ground floor for Miss Zoe Hammond (Castle Ward 2015 Ward)  Application Permitted

15/01239/FUL  7 St Annes Close, Brookhouse, Lancaster Erection of a single storey rear extension and alterations to existing front and rear dormers for Mr & Mrs Andrew and Helen Ward (Lower Lune Valley Ward 2015 Ward)  Application Permitted
LIST OF DELEGATED PLANNING DECISIONS

15/01245/LB
Old Crow Trees, Lodge Lane, Melling
Listed building application for the demolition of lean-to structure, erection of single storey rear extension, installation of 3 sets of triple doors and 1 single door to attached outbuilding, replacement windows to east and west elevation, installation of 2 rooflights to existing building and 4 rooflights to replacement roof over outbuilding, replacement staircase and relocation and removal of internal doors and partitions. for Mr Andrew Hodgson (Upper Lune Valley Ward 2015 Ward)
Application Permitted

15/01246/FUL
3 Moon Bay Wharf, Heysham, Morecambe
Demolition of existing conservatory and erection of a replacement single storey rear extension for Mrs S Wilkinson (Heysham South Ward 2015 Ward)
Application Permitted

15/01247/FUL
17 St Patricks Walk, Heysham, Morecambe
Erection of a two storey side extension for Mr R McKechnie (Heysham Central Ward 2015 Ward)
Application Permitted

15/01251/NMA
Site Of Former Residential Dwelling The Sheiling, Kirkby Lonsdale Road, Arkholme
Non material amendment to planning permission 15/00481/VCN to move patio doors to south side on Plot 4, erect 1200mm high fence along rear boundary with the Herb garden, change colours of block pavers, change colour of window surrounds to Plots 5-7 and 12-14; additional window to gable end of Plot 5; plan and elevation amendment to Plots 12-14; and render colour change from 'Enamel' to 'Classic White' on Plots 1,2,3,4,8,9,10 and 11. for Russell Armer Homes Ltd (Kellett Ward 2015 Ward)
Application Permitted

15/01264/FUL
4 Westover Avenue, Warton, Carnforth
Retrospective application for the erection of a carport to the side for Mr Graham Norris (Warton Ward 2015 Ward)
Application Permitted

15/01273/CU
Cameron House, White Cross Industrial Estate, South Road
Change of use of offices (B1) to a mixed use scheme comprising offices (B1) and a community mental health team resource centre (D1) for Lancashire Care NHS Foundation Trust (Scotforth West Ward 2015 Ward)
Application Permitted

15/01275/FUL
170 Coastal Road, Bolton Le Sands, Carnforth
Erection of a part single and part two storey side and rear extension with first floor balcony to the rear for Mr And Mrs Willan (Bolton And Slyne Ward 2015 Ward)
Application Permitted

15/01280/FUL
31 Brookhouse Road, Caton, Lancaster
Erection of a detached garage and sun room for Mr Mark Burrow (Lower Lune Valley Ward 2015 Ward)
Application Permitted

15/01286/FUL
35 Hornby Road, Caton, Lancaster
Construction of a pitched roof over existing bay window and door to the front elevation for Mr A Woodend (Lower Lune Valley Ward 2015 Ward)
Application Permitted

15/01292/FUL
Tower Hall, Caton Road, Quernmore
Erection of a single storey rear extension for Mr And Mrs Melling (Lower Lune Valley Ward 2015 Ward)
Application Permitted
LIST OF DELEGATED PLANNING DECISIONS

15/01294/FUL  188 Main Street, Warton, Carnforth Demolition of existing garage, carport and conservatory to the side and rear elevations and erection of a two storey side extension, single storey rear extension and alterations to the front porch for Mr Roger Tall (Warton Ward 2015 Ward)

15/01298/NMA  Barn At, Claughton Hall Farm, Hornby Road Non-material amendment to planning permission 14/00704/CU to replace 3 doors with 2 on the front elevation and add a personnel door to the side elevation for Mr Bargh (Lower Lune Valley Ward 2015 Ward)

15/01299/FUL  11 The Shore, Bolton Le Sands, Carnforth Demolition of existing rear extension, erection of a replacement single storey rear extension and construction of a raised platform to the rear for Mr & Mrs M. Brzezinka (Bolton And Slyne Ward 2015 Ward)

15/01309/FUL  Tiverton, Lancaster Road, Slyne Demolition of existing detached garage and erection of a replacement garage for Mrs Hazel Ronson (Bolton And Slyne Ward 2015 Ward)

15/01314/PLDC  23 Lowther Avenue, Morecambe, Lancashire Proposed lawful development certificate for the erection of a single storey rear extension and construction of a dormer window to the rear elevation for Mr & Mrs Blezard (Torrisholme Ward 2015 Ward)

15/01322/FUL  Tall Gables, 4 Whams Court, Bay Horse Erection of a conservatory to the side elevation for Mr Hebblethwaite (Ellel Ward 2015 Ward)

15/01339/PLDC  63 Chequers Avenue, Lancaster, Lancashire Proposed lawful development certificate for hip to gable extension with dormer to rear for Mr & Mrs K. Keith (John O'Gaunt Ward 2015 Ward)

15/01340/NMA  Street Record, Marine Road East, Morecambe Non material amendment to planning permission 15/00119/FUL to remove the integral seating, reduce the thickness of the wall and reduce the height of a short section of wall for Mr Adrian Morphet (Bare Ward 2015 Ward)

15/01358/FUL  18 Leslie Avenue, Caton, Lancaster Demolition of existing side extension and erection of a single storey side and rear extension for Mr & Mrs D+G Oliver (Lower Lune Valley Ward 2015 Ward)

15/01432/NMA  Launds Field, Stoney Lane, Galgate Non-material amendment to approved application 15/00854/VCN to change the PV layout for Mr C Gowlett (Ellel Ward 2015 Ward)