



**Committee:** PLANNING AND HIGHWAYS REGULATORY COMMITTEE

**Date:** MONDAY, 4 APRIL 2016

**Venue:** LANCASTER TOWN HALL

**Time:** 10.30 A.M.

## **A G E N D A**

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

**1 Apologies for Absence**

**2 Minutes**

Minutes of meeting held on 7<sup>th</sup> March, 2016 (previously circulated).

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

**4 Declarations of Interest**

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

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

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

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

### **Planning Applications for Decision**

#### Community Safety Implications

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

## Category A Applications

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

5	<b>A5 15/01623/FUL</b>	<b>38 Hest Bank Lane, Hest Bank, Lancaster</b>	<b>Bolton and Slyne</b>	<b>(Pages 1 - 4)</b>
		Construction of a first floor balcony to the rear elevation with block wall to the side and replace obscure glazed side window with clear glass for Mr Paul Newton		
6	<b>A6 15/01342/OUT</b>	<b>Land East Of, Ashton Road, Lancaster</b>	<b>Scotforth West Ward</b>	<b>(Pages 5 - 18)</b>
		Outline application for the development of up to 125 dwellings with associated accesses for Story Homes Ltd		
7	<b>A7 16/01593/OUT</b>	<b>Land North Of, Royal Oak Meadow, Hornby</b>	<b>Upper Lune Valley Ward</b>	<b>(Pages 19 - 27)</b>
		Outline application for the erection of up to 23 residential dwellings with associated new access for Mr John Beard		
8	<b>A8 15/01630/REM</b>	<b>Land Rear Of Cemetery, Back Lane, Carnforth</b>	<b>Carnforth and Millhead Ward</b>	<b>(Pages 28 - 33)</b>
		Reserved matters application for 14 affordable residential units with associated access, drainage and landscaping arrangements for Mr G Wallbank		
9	<b>A9 16/00090/OUT</b>	<b>Land North Of New Quay Road, Lancaster, Lancashire</b>	<b>Marsh Ward</b>	<b>(Pages 34 - 42)</b>
		Outline application for the erection of up to 14 dwellings for Lancaster Port Commissioners		

<b>10</b>	<b>A10 16/00051/FUL</b>	<b>Land To The Rear Of, Queens Hotel, 34 - 36 Market Street, Carnforth</b>	<b>Carnforth and Millhead Ward</b>	<b>(Pages 43 - 51)</b>
		Erection of 2 one bedroom apartments and 8 two bedroom apartments for Dewcraft Ltd		

<b>11</b>	<b>A11 16/00201/FUL</b>	<b>Moss Wood Caravan Park, Crimbles Lane, Cockerham</b>	<b>Ellel Ward</b>	<b>(Pages 52 - 56)</b>
		Change of use of land for the siting of 25 static caravans for Mr Henry Wild		

<b>12</b>	<b>A12 16/00278/FUL</b>	<b>Grasscroft, Borwick Avenue, Warton</b>	<b>Warton Ward</b>	<b>(Pages 57 - 62)</b>
		Erection of one dwelling with associated access and landscaping for Mr Julian Stainton		

**Category D Applications**

Applications for development by the City Council

<b>13</b>	<b>A13 16/00160/FUL</b>	<b>Town Hall, Dalton Square, Lancaster</b>	<b>Castle Ward</b>	<b>(Pages 63 - 66)</b>
		Construction of a ramp to provide disabled access and creation of a doorway from an existing window opening on the side elevation for Mr Geoff Kenyon-Jackson		

<b>14</b>	<b>A14 16/00161/LB</b>	<b>Town Hall, Dalton Square, Lancaster</b>	<b>Castle Ward</b>	<b>(Pages 67 - 70)</b>
		Listed building application for the construction of a ramp to provide disabled access and creation of a doorway from an existing window opening on the side elevation for Mr Geoff Kenyon-Jackson		

**15 Delegated Planning Decisions (Pages 71 - 80)**

## **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 (Substitute), Abbott Bryning (Substitute), Mel Guilding (Substitute), Tim Hamilton-Cox (Substitute), Geoff Knight (Substitute), David Smith (Substitute) and Nicholas Wilkinson (Substitute)

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

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

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

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

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

Published on Tuesday 22<sup>nd</sup> March 2016.

<b>Agenda Item</b> A5	<b>Committee Date</b> 4 April 2016	<b>Application Number</b> 15/01623/FUL
<b>Application Site</b> 38 Hest Bank Lane Hest Bank Lancaster Lancashire	<b>Proposal</b> Construction of a first floor balcony to the rear elevation with block wall to the side and replace obscure glazed side window with clear glass	
<b>Name of Applicant</b> Mr Paul Newton	<b>Name of Agent</b> N/A	
<b>Decision Target Date</b> 18 February 2016	<b>Reason For Delay</b> Committee Cycle	
<b>Case Officer</b>	Mr Robert Clarke	
<b>Departure</b>	No	
<b>Summary of Recommendation</b>	Approval	

**(i) Procedural Matters**

The proposed development would normally fall within the scheme of delegation. However, Councillor Rogerson requested it be referred to the Planning Committee for a decision on grounds of the development's overlooking nature. The application was deferred by the Planning Committee from the March meeting to allow for a site visit, which took part on Wednesday 30 March.

**1.0 The Site and its Surroundings**

- 1.1 The property which forms the subject of this application relates to a detached property which from the front elevation appears as a single storey bungalow. To the rear first floor accommodation is provided in the roof space and through the introduction of a two storey extension.
- 1.2 The property is located on Hest Bank Lane within Hest Bank and opposite Slyne-with-Hest St Luke's Church of England Primary School. The surrounding area is residential in character and is characterised by large detached properties within generous curtilages. There is a mixture of bungalows and two storey dwellings.
- 1.3 The site is allocated as an urban greenspace with the Lancaster District Local Plan Proposals Map.

**2.0 The Proposal**

- 2.1 The applicant has previously constructed a first floor extension (on top of a single storey extension subject of planning ref: 80/0584) to the rear of the property that extends from the rear elevation up to 3m and features a hipped roof with a maximum height of 6m. This could be considered as permitted development, however, the applicant has installed a side elevation window with clear glazing, which is to be regularized under this application. Under permitted development regulations a side elevation window must be installed with obscure glazing. The application also proposes the installation of a balcony that will also be constructed on top of the ground floor extension. It will have a width of 3.8m and a length of 1.2m, it will feature a 1.1m high clear glazed balustrade and 1.8m high obscure glazed privacy panels to each side.

**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:

Application Number	Proposal	Decision
80/0584	Alterations and erection of extensions to form two sun lounges, porch, lounge extension and extension to roof level to form first floor living accommodation	Permitted
83/0817	Amendment to previously approved extension and alterations	Permitted
15/01181/FUL	Construction of a first floor balcony to the rear elevation and replace obscure glazed side window with clear glass	Refused

**4.0 Consultation Responses**

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

Consultee	Response
Slyne with Hest Parish Council	They are aware of the neighbour's concerns on the refused application 15/01181/FUL and hope that the modifications go towards solving the problems.

**5.0 Neighbour Representations**

5.1 Two letters of objection have been received by the occupants of the neighbouring property No. 40 Hest Bank Lane on grounds of the developments intrusive, overlooking nature and the resulting impacts on private amenity space and character.

**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

DM35 – Key Design Principles  
 DM28 – Development and landscape impact

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

E29 – Green Spaces

**7.0 Comment and Analysis**

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

- General design
- Impacts on residential amenity

**7.2 General design**

The proposed balcony is to be constructed using a 1.1m high clear glazed balustrade and 1.8m high privacy panels at each end. The proposed steel balustrade and use of glazing panels are seen to

provide an appropriately contemporary finish to the rear elevation of the property that also respects the appearance of the dwelling, whilst its small scale, 4.56m<sup>2</sup>, is not seen to result in detrimental impacts to the character of the property. Furthermore, the installation of a balcony in this location is seen as an improvement to the current flat roof promontory that remains as a result of the previously constructed first floor extension. Additionally, a balcony of a similar style although of a much larger scale has been constructed at No. 44 Hest Bank Lane, as such this balcony will not be the only development of this form along this row of detached properties. Overall, the scheme is deemed to represent an acceptable and congruent form of development that respects the character of the dwelling and the area.

7.3 The window to the side elevation is a brown uPVC unit which is seen to match the appearance of the windows installed throughout the development. As such the appearance of the property is maintained.

### 7.4 **Impacts upon residential amenity**

Objections have been received from the occupant of the neighbouring dwelling who has concerns regarding the developments intrusive and overlooking nature and the resulting impacts upon private amenity space.

7.5 A previous application, 15/01181/FUL, which also proposed a balcony (without privacy panels) and the regularisation of the side elevation window was rejected on grounds of the developments overlooking nature and resulting impacts on private amenity space. After a detailed site visit to the applicant property and its neighbour No. 40 Hest Bank Lane, it is deemed that the addition of 1.8m high obscure glazed privacy panels to each side of the proposed balcony alleviates the concerns raised for the previous application. To the south the privacy panels will obscure any views of the neighbouring properties rear conservatory and patio area, whilst a substantial mature 3-4m high hedge which forms the party boundary will ensure that sufficient privacy levels for No. 40 will remain. To the north, again the privacy panels will prevent overlooking of the majority of the garden of 36 Hest Bank Lane, the balcony will have views of an outbuilding which is located to the rear of the garden. However, on balance it is seen that acceptable levels of privacy remain.

7.6 Careful consideration was given to the side elevation window. During the site visit it was seen that the hipped roof of the adjacent single storey rear extension prevents views of the patio area of the No. 36, only views of the outbuilding and the area immediately to the front are gained. The applicant property features a rear elevation bedroom window which has views over the entire garden of the neighbouring property, as such the installation of clear glazing to the side elevation is not seen to exacerbate the current situation.

## **8.0 Planning Obligations**

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

## **9.0 Conclusions**

9.1 This is a finely-balanced proposal. However overall, the balcony is considered acceptable in terms of scale and design and is deemed to represent an acceptable form of development that respects the character of the dwelling and the wider area.

9.2 This application differs from the previously refused application due to the inclusion of the 1.8m high obscure glazed privacy panels. After careful consideration it is considered that these panels mitigate any form of direct overlooking whilst the existing boundary treatments also contribute to ensuring acceptable levels of privacy for nearby occupiers. With regards to the side elevation window, its view is largely obscured by the hipped roof of the adjacent extension, as such it is not seen to result in further issues of overlooking. It is for these reasons that the application can be supported.

## **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: HB/1/16 received on the 28/02/2016
4. Retention of existing boundary treatments
5. No balcony on flat roof of the attached garage

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

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

Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been made having had regard to the impact of 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



Agenda Item A6	Committee Date 4 April 2016	Application Number 15/01342/OUT
<p align="center"><b>Application Site</b></p> <p align="center">Land East Of Ashton Road Lancaster Lancashire</p>	<p align="center"><b>Proposal</b></p> <p align="center">Outline application for the development of up to 125 dwellings with associated accesses</p>	
<p align="center"><b>Name of Applicant</b></p> <p align="center">Story Homes Ltd</p>	<p align="center"><b>Name of Agent</b></p> <p align="center">Mr Craig Barnes</p>	
<p align="center"><b>Decision Target Date</b></p> <p align="center">2<sup>nd</sup> March 2016 (Time extension agreed until 30<sup>th</sup> April 2016)</p>	<p align="center"><b>Reason For Delay</b></p> <p align="center">Awaiting further information to highways</p>	
<p><b>Case Officer</b></p>	<p>Mr Mark Potts</p>	
<p><b>Departure</b></p>	<p>No</p>	
<p><b>Summary of Recommendation</b></p>	<p>Refusal</p>	

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

- 1.1 There are two parcels of land subject to this application. The northern parcel of land is approximately 1.93 hectares and comprises essentially of an agricultural field used for the growing of crops, which gently undulates falling slightly from the south and north. The site is bound by a significant tree belt to the north and east, which separates the site from the Lancaster Canal. To the west there is a substantial hedgerow that borders the site with Ashton Road, and moving south are some substantial mature trees which offer some screening to the properties along Pinewood Close.
- 1.2 The second parcel of land is larger at approximately 3.84 hectares and is an undeveloped agricultural field used for growing arable crops with a small ride running north to south through the centre of the field, which undulates in character. There is again a substantial tree belt that runs along much of the eastern boundary separating it from the Lancaster Canal and the southern boundary is defined by Carr Lane (also a Public Right of Way).
- 1.3 The site is relatively free of major constraints, but is designated as 'Countryside Area' in the Saved Lancaster District Local Plan. It is not positioned within a flood risk area; it is not protected by any landscape designation; it is not within an area recognised as a designated heritage asset (such as Conservation Area/Scheduled Ancient Monument); and the land is not constrained by any underground infrastructure (such as gas pipelines etc). The site does however fall within a Mineral Consultation Zone, and the grouping of trees to the east of both sites are protected under Tree Preservation Order No.565 (2015). The northern site immediately abuts the Lancaster Canal Biological Heritage Site (albeit in locations it does slightly encroach by approximately 2 metres) and the southern sites eastern boundary does fall within this designation, at a depth of circa 10 metres for a distance. There are no other statutory nature conservation designations affecting the site.

## **2.0 The Proposal**

- 2.1 The proposal consists of the erection of 125 new homes with associated accesses. The application is made in outline form, with only the accesses being applied for. Matters associated with scale,

appearance, layout and landscaping would be the subject of a reserved matters application, should the current application be successful.

2.2 The application seeks approval for the access points to the north and southern site. The northern access proposal would involve the creation of a simple major/minor T-junction using a 5.5 metre access road (with a 10 metre kerb radii); with a ghost island right turn lane being provided with a pedestrian refuge; with visibility splays of 120 metres in each direction (set back at 4.5 metres). The applicants propose a new footway along some of the sites frontage.

2.3 The southern-most access is essentially the same as the northern most one, with a ghost island right turn junction with a pedestrian refuge with a 5.5 metre access road, however the visibility splays are 4.5 metres x 160 metres in either direction. A new footway is proposed along the site frontage to the north of the access proposal.

**3.0 Site History**

3.1 There is no recent planning history to the site although the applicants engaged in the Council's pre-application service under reference 15/00843/PRETWO.

**4.0 Consultation Responses**

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

Consultee	Response
Environmental Health	<b>No Objections regarding noise and contaminated land</b> , subject to conditions; <b>Objection regarding air quality</b> on the basis that an air quality assessment has not been submitted. The applicants have submitted an odour assessment in support of the application and whilst not wholly agreeing with the approach taken EHO would not recommend refusal of the scheme based on odour.
County Highways	Initially raised an objection on the basis of insufficient information to determine the application with respect to the following points. <ul style="list-style-type: none"> <li>• Full junction analysis of the impact of the development on the Pointer Roundabout (ARCADY);</li> <li>• Full junction analysis of the impact of the development on the Boot and Shoe signalised junction (Linsig);</li> <li>• Details of mitigation measures to increase the sustainability of the site;</li> <li>• Amendments to the site accesses required.</li> </ul> <p>Following the receipt of additional information from the applicant's highway consultants the County Council continue to <b>Object</b> to the proposed development on the basis that the site is not in a sustainable location and given the constraints of the local area it would not be practical or achievable to walk from the proposed site and that the impact on the Boot and Shoe and Pointer Roundabout junctions have not been properly considered and therefore there may be a severe impact.</p>
Strategic Housing Officer	<b>No objection</b> , matters associated with the tenure and type/sizes shall be determined at reserved matters stage.
Tree Protection Officer	<b>Objection</b> subject to the reconsideration of the loss of hedgerows and a bank of large trees within the site.
United Utilities	<b>No Objection</b> , subject to the development being carried out in accordance with the Drainage Strategy and that foul and surface water are drained on separate systems.
County Strategic Planning and Transport	<b>No Objection</b> , there is <b>no request</b> for a planning contribution towards school places.
Environment Agency	<b>No Observations</b> to make on the proposal.
Canal and Rivers Trust	Initially raised objection on the basis that the proposed development could undermine the structural integrity of the canal, following the receipt of further information raise <b>No Objection</b> subject to conditions relating to Ground Investigation works, ground

	water drainage, Trees and Landscaping and a provision of monies towards the upgrading of the canal towpath to the cost of <b>£135,000</b> .
<b>Conservation Section</b>	Following the receipt of additional information relating to Lunecliffe Hall, Lunecliffe Lodge and Deep Cutting Bridge raise <b>No objection</b> to the development.
<b>Public Realm Officer</b>	<b>No Objection</b> , recommending 2184 m <sup>2</sup> of open space; an onsite play area; and an off-site contribution of <b>£200,000</b> will be required.
<b>County Minerals and Waste Group</b>	<b>No comments</b> to make on the application.
<b>Natural England</b>	<b>No Objection</b> .
<b>Lead Local Flood Authority</b>	<b>No Objection</b> , on the basis that the development is carried out in accordance with the flood risk assessment and surface water and maintenance schemes to be agreed.
<b>Greater Manchester Ecological Unit</b>	<b>Raise Concerns</b> as the application site is within part of the Biological Heritage Site which includes the woodland on the canal banks as well as the canal itself, however following further dialogue this can be addressed by means of offsetting the development from the BHS, via planning condition. Recommend conditions relating to Japanese knotweed, bats, breeding birds and biodiversity enhancements.
<b>County Archaeologist</b>	<b>No Objection</b> , recommends a condition regarding archaeological investigation and to ensure that the setting of Lunecliffe Hall has been taken into consideration. Following further consultation recommends that the hedgerows to the south of the northern and southern access points are likely to be deemed to be important hedgerows.
<b>Public Rights of Way Officer</b>	<b>No Observations</b> received within the timescales.
<b>Planning Policy</b>	<b>Raise concerns</b> with the proposed development which may have implications for the existing highway capacity in South Lancaster and the potential to prejudice the wider plan-making process.
<b>Lancaster Canal Trust</b>	<b>Raise concerns</b> that the proposal is not a logical extension to the urban area, increasing pressure on the woodland adjoining the site, should the scheme be approved there should be a requirement to hard surface the canal towpath.
<b>Lancashire Constabulary</b>	<b>No Objection</b> in principle, and more detailed advice can be supplied at reserved matters stage.
<b>Dynamo Cycle Campaign</b>	<b>Objection</b> , on the basis of a lack of cycle infrastructure and inadequate measures to promote cycling, low accessibility score, impact on existing road network for cyclists, lack of local connection in terms of bus services.

## 5.0 Neighbour Representations

5.1 To date there has been 63 letters of objection received in relation to the application, the concerns are noted below;

- Ruin the character of the area;
- The hedgerow adjacent to the site should be lost and the wide widened, a shared cycle and pathway include;
- Detrimental impact to landscape;
- Brownfield sites should be considered first;
- Capacity Issues of the local highway;
- Lack of education places;
- The site is not sustainable;
- Questions the housing needs for the district;
- Negative Impact on biodiversity and cultural heritage;
- Pressure on local infrastructure; such as water supplies and sewage;
- The area is rural in nature and should remain so;
- The loss of productive agricultural land is regrettable;
- Lack of infrastructure;
- Bus Services are to be cut, and only run on a 90 min schedule;
- Ashton Road is dangerous given the blind bends and people exceed the speed limits;
- Concerns regarding Surface Water Drainage and Foul Drainage;
- Privacy will be compromised by this development;

5.2 Scotforth Residents Association have objected to the development due to the capacity of the local highway to accommodate any further vehicle movements, the development site is not sustainable and doesn't conform to the Development Plan, and there are a lack of improvements contained within the application.

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

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

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

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

SC1 – Sustainable Development  
SC4 – Meeting the District's Housing Requirements  
E2 – Transportation

### **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  
DM23 – Transport Efficiency and Travel Plans  
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  
DM30 – Development affecting listed buildings  
DM32 – The Setting of Designated Heritage Assets  
DM34 – Archaeology  
DM35 – Key Design Principles  
DM37 – Air Quality Management and Pollution  
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  
DM49 – Local Services

### **6.5 Other Material Considerations**

- National Planning Practice Guidance
- Meeting Housing Needs Supplementary Planning Document
- Lancaster City Council 2015 Housing Land Supply Statement
- Planning Advice Note – Open Space Provision within New Residential Developments.

## **7.0 Comment and Analysis**

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

- Principle of development;
- Affordable Housing;
- Highways;
- Sustainability;
- Landscape and Visual;
- Drainage;
- Layout/Design;
- Mineral Safeguarding;
- Trees and Hedgerows;
- Ecology;
- Education Provision;
- Air Quality;
- Odour;
- Cultural Heritage Impacts; and,
- Open Space.

### 7.1 Principle of Development

- 7.1.1 The sites are located on land outside of the main urban area of Lancaster and is identified as 'Open Countryside' in the adopted Local Plan. The Council, via the Spatial Strategy described in the Core Strategy and continued in the emerging Land Allocations document, would generally look to direct development to the main urban areas of the district. Whilst not precluding development outside such locations it would need to be demonstrated how the proposal complies with other policies within the Development Plan and ultimately the delivery of sustainable development.
- 7.1.2 The application site has been assessed as part of the Council's Strategic Housing Land Availability Assessment (sites SHLAA\_385 and SHLAA\_386) and has, based on the evidence presented, been considered to be deliverable for housing within the medium time period of 6-10 years. The conclusion acknowledges that whilst outside of the main urban area the sites could be considered to be in a broadly sustainable location and as such could be viewed to be suitable for development. It is important to point out that the SHLAA is just an evidence base and not a Land Allocations Document. The SHLAA is a technical exercise to assess the amount of land that could be made available for housing, it's an evidence base that informs the plan making process.
- 7.1.3 Concern has been raised that the application may be deemed premature in view of the strategic development sites that are being considered in South Lancaster at present; however the National Planning Policy Guidance states that the refusal of planning permission on the grounds of prematurity will be seldom be justified where a Draft Local Plan has yet to be submitted for examination (as is the case in this situation).
- 7.1.4 Schemes should be as sustainable as possible, and the NPPF at Paragraph 7 sets out the three dimensions for sustainable development; economic, social and environmental. The scheme is proposing additional housing which is in line with National Planning Policy and therefore there is an economic and social benefit. This is an important positive aspect of the proposal, particularly with the serious shortfall in housing land supply. Specifically, the provision of a significant number of affordable dwellings (at 40% of the units), secured by planning obligation is a matter that the case officer has carried substantial weight given the evident pressing need for such housing.
- 7.1.5 The development would bring about economic benefits in terms of investment and jobs and support for local facilities. These are also of social value. The benefits associated here however carry much lesser weight, principally as these services are somewhat removed from the site.
- 7.1.6 In environmental terms, it goes without saying the loss of a greenfield site (rather than the re-use of land that has been previously developed), is a negative factor, with moderate harm to the character and appearance of the countryside. Similarly negative effects involve the loss of hedgerow and trees, and whilst planning conditions can control details, it is the overall urbanising effect created by the development of accesses and associated visibility splays which prompt considerable concern. The local authority is pragmatic in that accommodating future housing needs will require the release of a greenfield site, highly likely to be in Lancaster. There are however significant reservations regarding the sustainability credentials of this particular proposal, given that the site is outside of the

urban core of Lancaster within open countryside which is somewhat removed from local services (this is discussed further in section 7.3) which would bring about a development heavily reliant on private car journeys (notably more so for the southern parcel of land).

7.1.7 The applicants contend that the development does represent sustainable development in line with Paragraph 14 of the NPPF. The presumption in favour of sustainable development at NPPF Paragraph 14 only applies to a scheme which has been found to be sustainable development. Officers remain of the opinion that as a matter of law the presumption in favour of sustainable development does not apply unless the proposed development is found to be sustainable in the first place. It is concluded that whilst the site has the potential to be considered sustainable; this would be on the understanding of a package of measures of off-site highway works and also rely heavily on the development of the wider Whinney Carr allocation which is located to the north and east of the site.

### 7.2 Affordable Housing

7.2.1 The scheme is proposing to contribute 40% of the units to be affordable which would be 50% rented and 50% shared ownership. This is an important consideration with respect to the scheme. The development is therefore compliant with Policy DM41 of the Development Management DPD and this could be secured by means of Legal Agreement of which the applicant is amenable to. If a scheme was to be supported on the site the reserved matters should cater for the provision of one bedroom units of which there is a shortfall of in South Lancaster, which has been requested by the Council's Strategic Housing Officer, and this issue can be addressed at reserved matters stage.

7.2.2 Notwithstanding the above, it is recognised that there are significant cost implications that would be necessary as a minimum to make the site a sustainable one (not least the provision of circa £500,000 for bus service provision as is discussed later together with £135,000 for the upgrade of the canal towpath). This may raise doubt as to whether the scheme could in fact provide for a good percentage of properties to be affordable and concerns that the site may well become an exclusive open market scheme in a less than sustainable location. However, notwithstanding these concerns the provision of affordable homes in South Lancaster weighs strongly in support of this scheme.

### 7.3 Highways

7.3.1 The application has been accompanied by a detailed Transport Assessment (TA) which considers the sites sustainability in terms of accessibility to transport provision, trip generation and distribution and the development traffic impacts. The submission of the TA and its contents have been reviewed by the County Council's Highway Engineers. A revised addendum was received to the document in February 2016, together with a Briefing Note and further addendum in March 2016 and this report is based upon the submitted TA and the subsequent addendums.

7.3.2 There are a number of key considerations, this includes whether the access points off Ashton Road are safe to serve the number of dwellings applied for; whether the local highway network can accommodate the number of vehicles associated with the development and lastly whether it is considered that that site is sustainable.

#### 7.3.3 Access points onto Ashton Road

There will be the provision of two new access points one to serve the northern most site and one to serve the southern most site.

#### 7.3.4 Northern Access

The northernmost access will serve 42 units and whilst this is within a 30 mph zone the County Council has speed survey data to suggest that the 85<sup>th</sup> percentile speed is 37 mph north bound and 41 mph southbound, and therefore using the LCC data this would suggest the visibility splays should be 120m in both directions. It has been concluded that this element of the development would justify a ghost island to accommodate the right turning traffic and since there is no footway along the eastern side of the A588 this needs to include a pedestrian refuge. The applicants had proposed a 6 metre junction radii however given the access would go onto a main distributor road this has been increased to 10 metres. The changes above have been incorporated and the County Council are satisfied with the proposals and raise no objection to this arrangement.

## 7.3.5 Southern Access

The southernmost access is within a de-restricted section of the A588; the applicants have suggested that the existing 30mph zone could be extended to cover this junction, which would require the implementation of a Traffic Regulation Order but since this cannot be guaranteed it therefore needs to be considered in line with the 85% percentile speeds. The visibility splays shown within the submission suggested 120 metre splays to the north and 160 metres to the south, but the County Council have requested that this is increased to 160m to the north in line with the proposed southbound visibility splay and as per the northern access the kerb radii increased to 10 metres. This has now been achieved and the County raise no objection to this arrangement.

7.3.6 It is therefore considered that both access points can be found acceptable. There has been concern from the Scotforth Residents Association that the junctions should have been informed by an Independent Stage 1 Road Safety Audit, however the County Highway Authority have not requested this detail.

7.3.7 In order to accommodate the visibility splays, there would in essence need to be a removal of the entire hedgerow that bounds the western boundary of the site. In particular there are concerns with the southernmost sites northerly visibility splay which essentially means that for a large swathe of land there could be no development above a metre in height (assuming the splays are 4.5 x 160 metres). Notwithstanding this, assuming the 30mph speed limit could be extended, this would result in a less onerous visibility splay (yet still safe) and in landscape terms this would be more preferable. A replacement planting scheme could help off-set the short term impact of this, however it is inevitable that to provide a safe means of access the required visibility splays are required, however the current arrangement is rather engineered and not reflective of the countryside area in which the proposal sits within.

## 7.4 Highway Capacity

7.4.1 Many of those who have objected to the development have done so with respect to highway capacity especially around the Pointer Roundabout, the Boot and Shoe Junction and issues associated with parked cars around Royal Albert Cottages, together with the priority passing by the cottages around the Hala Junction. All these concerns are well founded.

7.4.2 The applicant has submitted a comprehensive Transport Assessment with the operational impacts of the proposed development having been assessed in 2015 (the application year) and 2020 as the design year. A number of junctions have been assessed as part of the scheme such as the 3 arm mini roundabout between Caspian Way and Ashton Road, which is predicted to operate well within capacity and the junction at Cherry Tree Drive/Pathfinders Drive (the double mini roundabout) is expected to operate well within capacity and the impact of the proposal is minimal.

7.4.3 The Pointer Roundabout already operates over capacity but the applicant maintains the impact here is not severe with only minimal increases in queues and delays predicted. The County's stance is that the modelling work that has been carried out by the applicant at the Pointer Roundabout indicates a limited impact on the operation of the junction, but the modelling fails to replicate the existing traffic queues that develop during the morning and evening peak periods. As a result they are of the view that they cannot be certain that a severe residual impact will not occur as a result of the approval of this scheme.

7.4.4 With respect to the Boot and Shoe signalised junction the applicants considered that the development would only equate to a 0.6% increase on base flows and will not have a severe impact on the operation of the junction. The County have concerns on the capacity of this junction, and are of the opinion the applicant has not assessed the full impact that the development may have. As in the case of the Pointer Roundabout they are concerned that in the absence of robust information there may be a severe impact here.

7.4.5 As has been noted in many of the representations received in response to the application there are concerns locally with those residents who park their cars on Ashton Road outside of the Royal Albert and De Vitre Cottages, and this operates as a one-way section due to the on street parking, however the applicants suggest that this would be within the normal day to day variation in traffic flows on

Ashton Road and would not cause significant increase in delays here. The County have not raised concerns with respect to this.

7.4.6 Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. As noted, the County are stating that in view of the modelling that has been undertaken, this is inconclusive to come to a judgement as to whether impacts at the Boot and Shoe and Pointer Roundabout are severe. They do caveat that there would be some junction capacity released once the Heysham link is operational. Notwithstanding this there are still reservations regarding how the junctions will be affected by the permitted Booths and Science Park development. In view of this, in liaison with the Highway Authority, the decision maker cannot conclude that there will not be a severe impact on the highway and therefore the proposed development would presently be contrary to Paragraph 32 of the NPPF.

### 7.5 Sustainability of the site

7.5.1 One of the critical concerns from the outset has been whether the site is in a sustainable location. This is one of the core requirements of the NPPF and also the DM DPD in order to reduce the reliance on car transportation. The site has an accessibility rating score of 12 which is rated as being low. The scheme had been the subject of the Council's pre-application service where it was stressed that for any scheme to be supported this would be reliant on a package of deliverable sustainable measures. The applicants, the County and Case Officer have met to discuss what is possible and the view shared by all is that unless third party land is acquired then delivery of measures is limited. Notwithstanding this the applicant proposes to ensure pathways are at least 1.2 metres wide on Ashton Road and Ashford Road (sections on Ashford Road would be less than this namely adjacent to the cemetery). Hedgerow maintenance is proposed to create slightly wider footways. The applicants commit to providing an appropriate financial contribution to the upgrading of the canal towpath to the east of the site. This would not only have benefit to the development applied, but also the benefit of all.

7.5.2 The County Council have commented on the sustainability measures proposed by the applicant that the existing footway along the section of Ashton Road and Ashford Road is substandard with footway widths of 0.9m in places and would recommend a minimum of 1.8 metres given the quantum of development that is being proposed. It has been discussed what is practical and achievable here, and the County are of the view that the footway widening scheme would have to encroach into the highway or require third party land and undertaking these works is not achievable (noting that extension of the widths of footways would fall within the remit of the County as Highway Authority). They are therefore of the view that the scheme will result in total reliance on private car journeys as the option to walk to and from the site would not be an attractive proposition.

7.5.3 The site is adjacent to the Lancaster Canal and therefore is readily accessible from the northern and southern sites. A financial contribution to the sum of £135,000 has been requested by Canal and Rivers Trust for the surfacing of 1.2km of Canal Towpath based upon a 1.5m wide towpath being compacted with stone. This is welcomed and would have associated benefit to other users, however the applicants have only stated that they would provide a contribution and not provide the full amount. It should be noted that the towpath is not lit, and therefore will probably be only utilised for recreational and summer usage, although it offers an attractive route into the City Centre. The applicant has proposed cycle/pedestrian links to the highway network and linkages to the canal towpath.

7.5.4 The scheme at present does not propose anything that would really encourage residents of the development to walk or cycle to the local primary school or (for example) to the Booths supermarket on Scotforth Road or other local services. As expressed previously the site does fall outside the Lancaster City boundary and therefore is in open countryside. It is accepted that there is a bus stop adjacent to the southern site and one located to the north of the northern parcel of land. However, there are concerns that with future budget cuts this service could be lost altogether however there is still a bus service and bus stops in relative proximity to the site.

7.5.5 The local bus service 89H is expected to cease or have a vastly reduced service which runs from Lancaster to Knott End. The County Council have confirmed that the service will be operating on a reduced capacity (which was already quite a sparse service in the first instance and is far less than the 30 minute service as noted under the Core Strategy Policy SC1). Given this, a financial contribution would be required and this is likely to be in the region of £500,000 over the course of 5



years. An argument that could be made however is that there are wider sustainability benefits of the scheme should this scheme be approved that the bus service would continue to serve villages such as Cockerham, and therefore this does attract some weight in terms of wider sustainability benefits.

- 7.5.6 The majority of the local services are located to the east of the site in Scotforth, including a supermarket, a school, petrol filling station, laundrette, hot food takeaways etc.. However walking from the site is problematic, and travelling along Ashton Road contains substandard pavements, and walking along Ashford Road can involve (if pushing a push chair) walking in the road, which represents a danger to pedestrians. Walking through via Piccadilly or via Ashford Road also means there are stretches (admittedly small ones) that require pedestrians to walk fully in the road. Whilst extensive discussions have taken place between the applicant's transport engineer and the County Council as Highway Authority, there is little in the way of off-site highway improvements that can be delivered to facilitate the development and improve sustainability. For example, given the carriageway restrictions on Ashford Road it would be difficult to do any works to increase the footway in this location, which would provide any real benefit to users, despite a commitment from the applicants to undertake this. From the southern-most part of the development site it is expected to take 25 minutes to walk to the current Booths store on Scotforth Road, this figure reducing to approximately 15 minutes walking from the northern edge of the site.
- 7.5.7 As part of the wider local plan period it is considered that in the event that the Whinney Carr site is developed connections could potentially be made across the Carr Lane Bridge and off Ashton Road, which would increase the sites sustainability; however there is no guarantee that Whinney Carr will come to fruition and therefore to approve the current development at this moment in time cannot be seen as sustainable.
- 7.5.8 It should be stressed that the Council is fully supportive of the sustainable housing in the district however the approval of this site would not constitute sustainable development given substandard footways and the isolated nature of the site (in particular the southernmost site) and with this in mind it is not considered that the development conforms to the Paragraph 14 of the NPPF and the requirements of Policies DM20, DM21 and DM35 of the DM DPD and the proposal cannot be seen to be a sustainable location for development.
- 7.6 Landscape and Visual
- 7.6.1 A number of interested parties have made reference to the visual impact of the proposals and encroachment into the Countryside and the loss of these sites would not accord with the policies of the Development Plan.
- 7.6.2 The sites are arable farmland with hedgerows and trees to the boundaries and therefore the change from an agricultural site to a residential one will bring about a moderate landscape change in respect of landscape character and moderate effect in terms of landscape designation, features and vegetation. Whilst there would be a localised loss it is not considered that this would constitute unacceptable adverse landscape effects to which constitute a significant environmental effect, albeit it is considered that the loss of the southern parcel of land will have a greater landscape impact than the northern most one as the southern most site does feel divorced from Lancaster.
- 7.6.3 With respect to visual effects, the development would bring about effects to properties on Pinewood Close, to users of Ashton Road, and for footpath users on Routes 51, 56 and 57. Whilst there would be a marked change, it is not considered that this would constitute an adverse visual effect.
- 7.6.4 Policy DM28 of the DPD 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). Policy DM28 states that outside of protected landscapes the council will support development which is of scale and keeping with the landscape character and which are appropriate to its surroundings in terms of siting, design, materials, external appearance of landscaping. Given this is an outline application, matters associated with siting, design, materials and external appearance of landscaping will be determined at the reserved matters stage should this be supported.
- 7.6.5 Officers share the concerns of local residents that the proposal will lead to an inevitable change in character of the application site and whilst it is evident from third party representation that its current undeveloped nature is appreciated by local people, contributing to an experience of living close to

the countryside, no attempt has been made to suggest it carries the status of a valued landscape as referred to in the NPPF and it is considered that the effects would amount to essentially local impact. However, through careful landscaping at the reserved matters stage, the retention of existing trees (where possible), together with careful design, the proposal would partially negate the concerns. However the loss of the hedgerows along Ashton Road and the urbanisation that would ensue due to the required visibility splays would irrevocably change the character (notably for the southern-most site) and as such it is considered that this would not be in keeping with the local area and therefore fails to adhere to Policy DM28 of the DM DPD.

7.6.6 On balance, whilst it is recognised that if the nationally important designated sites are to be protected from major development, in order to meet existing and future housing needs, landscapes that are not protected (such as the application site) and are well related to existing sustainable settlements are the landscapes most likely to accommodate future development to meet the housing needs of the district. It is not considered that the southern parcel of land is well related to the existing settlement and the visibility splays that are required to be created will have an adverse impact on the intrinsic qualities of the open countryside, whilst overall the development of the site for a residential scheme could be found acceptable in landscape terms, the engineered and urbanising effect of the splays does not conform to Policy DM28 of the DM DPD.

### 7.7 Drainage

7.7.1 The site is within Flood Zone 1 which has the lowest probability of flooding (less than 1 in 1,000 annual probability of river or sea flooding <0.1%). However given the size of the site, a site specific Flood Risk Assessment (FRA) was required in support of the application.

7.7.2 The FRA demonstrates that the site is at a low risk of flooding and the applicant has provided an indicative drainage strategy, which demonstrates the site can be drained suitably using SUDS features given the favourable ground conditions present. The Lead Local Flood Authority, United Utilities and the Environment Agency have raised no objections on flood risk/drainage grounds; subject to appropriate conditions to secure a suitable scheme design and implementation. The proposal is therefore compliant with Policies DM38 and DM39 of the DM DPD, conditions can be imposed controlling the use of SUDs and relevant conditions concerning the management arrangements. In terms of foul water, conditions can be imposed requiring details of the arrangements to be controlled by means of planning condition, United Utilities raise no objection.

### 7.8 Layout/Design

7.8.1 The applicant has provided a block plan in support of the scheme to show an indicative arrangement to show how the quantum of development could be achieved on the site together with a details design and access statement that explains the design rationale behind the scheme. The illustrative Masterplan provides for 114 units which comprises of the following mix of 22 two bed, 31 three bed houses, fifty six 4 bed houses and five 5 bedroom houses. The majority of which would be detached and semi-detached with some terraced housing. The illustrative layout has its strengths such as a healthy amount of open space, provision for on-site drainage, a play area; however the majority of the units do not face Ashton Road and therefore it is felt that this could be improved upon, as could the location of some of the properties in relation to the root protection zones of the trees.

### 7.9 Mineral Safeguarding

7.9.1 Approximately 50% of the site is covered by a mineral safeguarding zone and as such the application has been supported by a minerals assessment. The County Council as Minerals and Waste authority have not responded to the consultation request however given the location (in close proximity to residential dwellings and the canal) it is highly unlikely that the site would be able to be commercially worked for mineral. Notwithstanding this, there may be the opportunity for a prior extraction exercise to take place; however given the constraints of the site this is unlikely to be feasible and in the absence of a response from the County it is not considered there would be any sterilisation of mineral resource by non-minerals development and therefore the scheme complies with Policy M2 of the Lancashire Minerals and Waste Local Plan.

7.10 Trees and Hedgerows

- 7.10.1 To facilitate the required visibility splays there is a need to remove a significant amount of hedgerow along the sites frontage on both of the sites. This equates to approximately 200 metres on the northern-most site and approximately 260 metres on the southern site. The hedgerows are predominantly hawthorn, sycamore, ash, hazel and is species rich and provides for good habitat, and therefore are category B+ hedgerows and have a life expectancy of at least 40 years.
- 7.10.2 The application also involves the loss of a substantial bank of early mature hawthorn which acts as a buffer between the larger trees adjacent to the canal. The applicant's arboricultural report states that the roots from neighbouring trees may well be affected if removal occurs in this area. As with the hedgerow as noted above this is classed as B+ and has a life expectancy of 40 years plus.
- 7.10.3 The hedgerows in particular are an attractive feature of the area which contribute to the rural nature of the landscape and as has been recognised by the County Archaeologist they do have some historic value. The situation of hedgerow loss is exacerbated by the almost industrial-scale urbanising visibility splays that are required on the scheme and the fact that two access points are required. Notwithstanding this it is inevitable from a highway safety perspective that in order to allow safe means of access and egress that the removal/relocation/reduction in the heights of hedgerow will be needed here. The Tree Protection Officer objects to the scheme based on the loss of hedgerow and recommends that a translocation exercise of the hedgerow adjacent to Ashton Road takes place and also objects to the loss of the G56 grouping of trees on the southern parcel of land.
- 7.10.4 The applicants contend that to relocate the hedgerow would not be appropriate in the circumstances, but are amenable to a planting scheme to replace the hedgerows adjoining Ashton Road. Whilst there is mitigation and the applicants are amenable to this it is considered that there would be short term (moving to longer term impacts with the southern most site) adverse impacts associated with the loss of the hedgerow, and this is a negative in the determination of this application (noting that this is more significant on the southern most site.)
- 7.10.5 The trees referred to in paragraph 7.10.3 above are protected by a Tree Preservation Order, and they act as a buffer to the larger trees adjacent to the canal. The applicants have proposed a compensation scheme and at the time of writing the report the further views of the Tree Protection Officer are not known, and will be reported verbally to committee. One critical concern as noted within the applicants Assessment is that it may be the case that the roots from neighbouring trees would be affected if the removal of G56 occurs. This contains mature trees namely sycamores which have a retention category of A+. This could be addressed by means of planning condition to ensure that the roots of this grouping is not adversely affected.

7.11 Ecology

- 7.11.1 The application site boundary falls within the boundaries of the Lancaster Canal Biological Heritage site which is principally concerned with the Canal, and whilst both sites fall within this it is more evident in the southern most site (at a depth of 10 metres). The applicant's indicative layout has provided for this area to be namely private gardens and this includes the trees that form its boundaries to the designation. The Council's ecological advisor did raise the issue that the illustrative plan needs to be amended to account for the development that is proposed within the designation. Through further dialogue with the Council's ecological advisor they are amenable to this issue being controlled by conditions preventing encroachment into the BHS should members be minded to approve the scheme.
- 7.11.2 The application has been supported by an Ecological Appraisal which makes a number of recommendations in relation to bats, birds, Japanese Knotweed and biodiversity enhancements. These issues can be addressed via planning condition.
- 7.11.3 Natural England whilst not objecting to the development have considered that the site is unlikely to be used by SPA protected species, given the adjacent Ashton Road, and disturbance associated with this and therefore will not have a significant effect on any nearby designated nature conservation sites. The scheme is therefore considered acceptable from an ecological perspective and therefore complies with Policy DM27 of the DM DPD.

## 7.12 Education Provision

7.12.1 A number of representations have been concerned about education provision in the local area. Lancashire County Council as education authority have assessed the need for Primary and Secondary school places as part of this planning application. The County states there is provision in the local schools and has not sought an education contribution on this development, given this it is considered that there is sufficient spaces available and therefore there is adequate provision already made.

7.12.2 Based on the Lancashire County Education Contribution methodology, the development will result in the need for 49 places for primary and 19 places for secondary. LCC review primary schools within 2 miles and secondary schools within 3 miles to determine the projected number of surplus/shortfall places available. In the catchment of schools, in 5 years there are projected to be 36 primary school places and 253 secondary school places available, after the impact of this development has been taken into account, for this reason there is no requirement for a contribution towards education.

## 7.13 Air Quality

7.13.1 The development site is not located within an Air Quality Management Area nor is it adjacent to one however traffic arising from the development will impact in a contributory way to the Lancaster and Galgate Air Quality Management Areas. The applicant has not submitted an Air Quality Assessment in support of the scheme (nor do they consider one is actually required), although Environmental Health Officers have requested that one is submitted in addition to mitigation being provided, failure to do so should result in a reason for refusal of this scheme.

7.13.2 Policy DM37 of the DM DPD states that Air Quality Assessments must be submitted for any development proposal *within or adjacent* (our emphasis) to an Air Quality Management Area, however the proposed development falls within neither of these categories and therefore it would not be considered reasonable to ask for the assessment in the first instance (given the wording to Policy DM37). With this in mind and whilst the views of the Environmental Health Officer are noted it is not considered that the lack of an air quality assessment could be reasonably used as a reason for refusal of the scheme. In any event it is considered that conditions could mitigate these needs such as electric vehicle charging points and a robust Travel Plan. Notwithstanding this stance on air quality matters, there remains concerns in any event with the overall suitability of the site in sustainability terms.

## 7.14 Odour Issues

7.14.1 The application initially lacked the provision of an odour assessment however one was submitted in February 2016. The reason an assessment was requested is down to the presence of an existing slurry lagoon at Whinney Carr Farm located circa 100 metres from the proposed development. The results conclude that it is not anticipated that there is a significant risk of adverse odour impacts occurring at any sensitive location as a result of emissions from the slurry lagoon. As such, the potential for adverse odour impacts at the proposed development site is considered to be low. The views of the Environmental Health Officer is that they would not recommend refusal of planning permission based on the results of the odour assessment however would like to see additional surveys. Given there is no objection, this element of the scheme is considered acceptable.

## 7.15 Cultural Heritage Impacts

7.15.1 The site is adjacent to the historic Lancaster Canal which was constructed in 1797, and there are a number of grade II listed properties in close proximity to the site notably Lunecliffe Hall, Lunecliffe Lodge, Carr Lane Bridge, Laburnham Cottage and Deep Cutting Bridge (non-designated Heritage Asset). The Council's Conservation Officer concludes that there would be negligible impacts associated with the development on heritage assets. Given this it is considered that the scheme complies with Policy DM31 of the DM DPD and that due regard has been paid to Section 66 of the Planning (Listed Building and Conservation Area) Act 1990, it is considered that the nearby heritage assets would be preserved on the basis of a scheme to be assessed at reserved matters stage.

7.15.2 The County Council have requested a condition associated with archaeology and this is considered appropriate should Committee be minded to support the development. The County Archaeologist has also stated that in this view the southern-most hedgerows to the south of the access proposals are likely to be deemed 'Historic'. Notwithstanding this, the County Archaeologist does not object to the proposed development, although wishes to see the fencing located to the south of the site retained.

## 7.16 Open Space

7.16.1 Whilst in outline form, the applicants have proposed an open space proposal in support of the scheme to show how open space could be delivered on the site and the proposals do include the provision of a 400 m<sup>2</sup> play area together with a substantial amount of open space which equates to circa 0.89 hectares. This is significantly above what would normally be requested on a development of this scale which the Public Realm Officer calculates to be in the region of 0.22 hectares. Therefore the provision of the equipped play area and open space (as proposed) is seen a positive of the current proposal.

7.16.2 The Public Realm Officer has requested a contribution of approximately £200,000 which would go towards Park and Garden Improvements at Greaves and/or Williamson Park, a contribution towards a MUGA or young people play area on the Royal Albert Recreational Field. With respect to outdoor sports facilities there has been shown to be a need for a new car park, changing room improvement and drainage of part of a pitch at the Royal Albert Recreational field with a cost of up to £100,000.

7.16.3 The applicants have questioned the need for off-site contributions to be made, when there is provision being made for on-site play and generous amounts of open space, in particular towards Parks and Gardens where there has been no deficiency highlighted. Policy DM26 of the DM DPD states that proposals located in areas of recognised open space deficiency will be expected and encouraged to provide appropriate contributions. A development of this nature is going to impact on local areas of open space whether that be at Williamsons Park or at the (nearer) Royal Albert playing fields. A request can only be justified if it is necessary to make the development acceptable in planning terms, related to the development and fair and reasonable in scale and kind. A contribution therefore to the Parks and Gardens and also to the drainage of the playing field at the Royal Albert Recreational Field is seen as appropriate in the circumstances; whereas the provision of a car park, and changing rooms is not justified.

## **8.0 Planning Obligations**

8.1 If Members were minded to approve the scheme contrary to the recommendation, it is recommended that the following should be sought by way of legal agreement.

- The provision of up to 40% of affordable housing to be based on a 50:50 (social rented : shared ownership) tenure split as required by policy (percentage, tenure, size, type, phasing to be address at Reserved Matters stage based on local housing needs and viability);
- A contribution to off-site play and a financial contribution to offsite parks and gardens;
- Financial contribution to the 89H bus service for a period of 5 years at £100,000 per annum (£500,000);
- Financial contribution to the upgrading of the canal towpath (£135,000);
- Travel Plan Implementation.

These requirements are considered to meet the tests set out in Paragraph 204 of the NPPF.

Given the scheme there would be a need for a number of works that would be undertaken under Section 278 of the Highways Act. These works could be conditioned.

## **9.0 Conclusions**

9.1 The proposed development is located outside of the urban area of Lancaster and there would be moderate harm and some limited erosion to the intrinsic character and beauty of the countryside, in particular for the southern parcel of land. The sites - whilst not wholly divorced from Lancaster - are not considered to be sustainable and it would not be conducive to walk to local shops or services, owing to the poor widths of footways, many of which cannot be improved to such an extent to

encourage residents that walking is an attractive and practical mode of transport; the visibility splays associated with the scheme would result in the loss of significant sections of hedgerow of which has been deemed to have ecological, landscape and historic importance, which is especially true of the southern most site. It has not been conclusively evidenced that there would not be a severe impact on the Boot and Shoe and Pointer Roundabout junctions and therefore the scheme fails to comply with Paragraph 32 of the National Planning Policy Framework.

- 9.2 Overall for the reasons above it is considered that the development is not sustainable development and therefore the presumption in favour of Sustainable Development does not apply in this case and the recommendation is that the application should be refused.

### **Recommendation**

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

1. There is insufficient information to demonstrate to the satisfaction of the Local Highway Authority that the existing highway network, particularly at the Pointer Roundabout and Boot and Shoe Junctions can accommodate the movements generated as part of the scheme, and therefore the residual cumulative impacts of the development may be severe. The proposal therefore fails to conform to Policies DM20 and DM35 of the Development Management DPD and Paragraph 32 of the National Planning Policy Framework.
2. The proposed development by virtue of its location and access to services renders the site unattractive to walk and travel by other sustainable means of transport between workplaces, shops, schools, health care centres, recreation, leisure and community facilities and therefore it is not considered the proposal represents sustainable development and fails to conform to Policy SC1 and E2 of the Lancaster Core Strategy, Policies DM20, DM21, DM28 and DM35 of the Development Management DPD, and Paragraphs 7 and 14 of the National Planning Policy Framework.
3. The creation of the sites access (in particular the southern most access) would have an adverse impact on the intrinsic landscape and historic qualities of the area therefore creating an urbanising effect in the Open Countryside which fails to conform to overarching principles of sustainable development and therefore fails to conform to Policy E4 of the Lancaster District Local Plan, Policy SC1 of the Lancaster District Core Strategy, Policies DM27, DM28 and DM29 of the Development Management DPD and Paragraphs 7 and 14 of the National Planning Policy Framework.

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

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

Lancaster City Council takes a positive and proactive approach to development proposals, in the interests of delivering sustainable development. As part of this approach the Council offers a pre-application service, aimed at positively influencing development proposals. Whilst the applicant has taken advantage of this service prior to submission, the resulting proposal is unacceptable for the reasons prescribed in the Notice. The applicant is encouraged to liaise with the Case Officer in an attempt to resolve the reasons for refusal.

### **Human Rights Act**

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

### **Background Papers**

None.

Agenda Item A7	Committee Date 4 April 2016	Application Number 15/01593/OUT
<b>Application Site</b>  Land North Of Royal Oak Meadow Hornby Lancashire	<b>Proposal</b>  Outline application for the erection of up to 23 residential dwellings with associated new access	
<b>Name of Applicant</b>  Mr John Beard	<b>Name of Agent</b>  Mr Stuart Booth	
<b>Decision Target Date</b>  20 <sup>th</sup> April 2016	<b>Reason For Delay</b>  Not Applicable	
<b>Case Officer</b>	Mr Mark Potts	
<b>Departure</b>	No	
<b>Summary of Recommendation</b>	Approval	

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

- 1.1 The site is located on the northern periphery of the village of Hornby with the site being located 0.4km to the north of Hornby St Margaret's Primary School. The site is a greenfield site that is grazed with livestock and occupies an area of 1.08 hectares. The site is bound by a combination of hedgerow and tree belts. The site gently slopes away from the north east to the south west with a difference of 4metres across the site.
- 1.2 The A683 (Melling Road) borders the site to the west and north, with open countryside to the east and to the south residential properties on Royal Oak Meadow and Hornby Bank. Access to the site would be off the A683 via Hornby Bank until you reach the sites access point (adjacent to number 46 Hornby Bank).
- 1.3 The site is located within the Forest of Bowland Area of Outstanding Natural Beauty (AONB hereinafter), and is countryside area for the purposes of the saved local plan. It is located circa 80 metres from ancient woodland, circa 300 metres to the south east of the River Lune Biological site and circa 400 metres to the north of the Hornby Village Conservation Area. The western part of the site falls within a mineral safeguarded zone.

## **2.0 The Proposal**

- 2.1 The application proposes the erection of up to 23 dwellings with an associated access point off Hornby Bank. Whilst the application is made in outline form with only access being applied for an indicative layout has been submitted in support of the scheme showing how the proposed site could support the quantum of development being applied for.
- 2.2 Access to the development would be afforded from Hornby Bank and as part of the proposal the existing northern section of Royal Oak Meadow would be closed to through traffic by the provision of a central bollarded island. A new cul-de-sac arrangement on Royal Oak Meadow is proposed and a turning head will be formed at the northern end of the road, with a new spur for turning provided using part of the development land. This will act as a pedestrian and cycle route out of the western end of the new residential land.

### 3.0 Site History

- 3.1 There is little in the way of site history for the site apart from a scheme that was submitted for 26 houses in 2015 (15/00459/OUT) which was withdrawn. This was due to the need for additional information pertaining to site access details, concerns over density, drainage, highways, and provision of a Landscape and Visual Assessment.

### 4.0 Consultation Responses

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

Consultee	Response
County Council Highways	<b>No objection</b> - there should be a prohibition on driving along Royal Oak Meadow, upgrading of bus stops and implementation of approved gateway treatment measures.
Environmental Health	<b>No objections</b> , recommend conditions associated with contaminated land, bunding of tanks, hours of construction and a scheme for dust control.
Hornby Parish Council	<b>Objection</b> on the basis that the proposed access is unworkable, and the development would be better served by a roundabout, the existing highway infrastructure is under pressure and would be detrimental to pedestrians.
Strategic Housing Officer	<b>No objection</b> , and 40% affordable housing should be provided equating to 9 units.
Forest of Bowland AONB	<b>Objection</b> , notable lack of reference to the Forest of Bowland AONB Landscape Character Assessment and they believe that the scheme does constitute Major Development in the AONB and raises concerns with the LVIA.
County – Mineral Safeguarding	No responses received within the required timescales.
United Utilities	<b>No objection</b> provided that foul and surface water is drained on separate systems together with conditions associated with surface water drainage and also a management plan.
Tree Protection Officer	<b>Objection</b> subject to the removal of the encroachment into the root protection areas of retained veteran trees T7 (oak) and T8 (hawthorn). An amendment to the design would be required to remove this encroachment. Consideration of the relationship of T5 to the proposed new dwelling to the south should also be reconsidered.
Forward Planning Team	Recommend that special consideration is given to whether the development constitutes major development in the AONB.
County Planning (Education)	An education contribution is not required at this moment in time, however should be re-evaluated at which point the application is considered for decision.
Lead Local Flood Authority	<b>No objection</b> subject to conditions regarding a surface water drainage scheme, surface water management and maintenance plan.
Conservation Section	<b>No objection</b> however there will be some impact on the Grade II listed property Launds Farmhouse, recommend the development be limited to 2 storeys.
Greater Manchester Ecology Unit	<b>No objection in principle</b> , recommend conditions associated with mature trees to be retained and protected, new planting scheme, biodiversity enhancement measures, no clearance on the site between March and July (bird breeding season).
Environment Agency	No requirement to consult
Natural England	Do not wish to comment on the application however advise to seek the advice of the Forest of Bowland AONB.
Public Realm Officer	<b>No Objection</b> , recommends 418m <sup>2</sup> of Amenity Space is required on site. The proposed plan indicates a proposed open space of 520m <sup>2</sup> exceeding the requirement. However, there must be a barrier between this space and the main road. An off-site contribution of an amount of approximately £32,176 would also be required.
Lancashire Constabulary	<b>No Objection</b> , however secured by design should be employed at reserved matters stage.
County Archaeologist	<b>No Objection</b> ; The site may well have been crossed by the Roman Road from Lancaster to Over Burrow, but it is not considered that this earthwork is so significant as to require preservation in situ at the expense of the development. A condition is recommended regarding archaeological work



## **5.0 Neighbour Representations**

5.1 To date there has been 13 letters of objection to the scheme. The reasons for the objection include;

- Highway concerns along Hornby Bank, Royal Oak Meadow and Melling Road;
- Alignment issues along Melling Road causes a blindspot for vehicles;
- Making a turn into Royal Oak Meadow from the north is dangerous;
- Raises issues regarding the upgrade of the bus stop;
- Safety of residents;
- Absurd for bollards to be erected outside 12 and 14 Royal Oak Meadow;
- Alternative means of access and egress into this development site should be explored further;
- Narrow pavements to access the amenities within the village;
- A roundabout should be put in place at the Gressingham junction;
- The site does flood as was evident during the recent storm events;
- Road blocks completely when delivery and refuse wagons visit the site; and,
- Privacy concerns.

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

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

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, 115,116, 117,118 – Conserving the Natural Environment  
Paragraphs 128-134 – Conserving and Enhancing the Historic Environment  
Paragraphs 186, 187, 196, 197, 203-206 – Decision-taking

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

SC1 – Sustainable Development  
SC4 – Meeting the District’s Housing Requirements  
SC7 – Development and the Risk of Flooding

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

E3 – AONB  
E4 – Countryside Area

### **6.4 Development Management DPD**

DM20 – Enhancing Accessibility and Transport Linkages  
DM21 – Walking and Cycling  
DM22 – Vehicle Parking Provision  
DM26 – Open Space, Sports and Recreational Facilities  
DM27 – Protection and Enhancement of Biodiversity  
DM28 – Development and Landscape Impact  
DM29 – Protection of Trees, Hedgerows and Woodland  
DM32 – The Setting of Designated Heritage Assets  
DM34 – Archaeology  
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 Joint Lancashire Minerals and Waste Local Plan

M2 – Safeguarding Mineral Sites

## 6.6 Other Material Considerations

- National Planning Practice Guidance
- Meeting Housing Needs Supplementary Planning Document
- Lancaster City Council 2015 Housing Land Supply Statement
- Landscape Character Assessment, Lancashire County Council (2000)
- Forest of Bowland AONB Management Plan
- Forest of Bowland – Landscape Character Assessment (2009)

## **7.0 Comment and Analysis**

7.0.1 The application raises the following issues;

- Principle of Development and Housing Needs;
- Affordable Housing / Market Housing;
- Highways;
- Landscape Impacts;
- Drainage;
- Design/Layout;
- Trees/Ecology;
- Cultural Heritage;
- Education Provision;
- Open Space Provision; and,
- Mineral Safeguarding.

### 7.1 Principle of Development and Housing Needs

7.1.1 The NPPF is very clear, and states that great weight should be given to conserving the landscape and scenic beauty in AONBs (which have the same landscape protection as National Parks) and that in line with Paragraph 116 of the NPPF planning permission should be refused for major developments in these designated areas except in exceptional circumstances. The issue therefore is whether this application constitutes a major development in the AONB.

7.1.2 The site has been assessed for the purposes of the Strategic Housing Land Availability Assessment (SHLAA) as being deliverable within the 1-5 year phase and therefore whilst this is only an evidence base the Local Planning Authority determined during the plan making process that the development on this land could be accommodated otherwise it would not have been included within the SHLAA Assessment.

7.1.3 The Framework does not define major development, however the usual definition of ten houses being major development comes from the Town and Country Planning (Development Management Procedure) (England) Order 2015 and is used for determining the publicity which should be given to a proposal and the statutory time period for an applications assessment. Furthermore in the National Planning Practice Guidance (PPG) it is clear that “*whether a proposed development in these designated areas should be treated as a major development, to which the policy in paragraph 116 of the Framework applies, will be a matter for the relevant decision taker, taking into account the proposal in question and the local context*”. Officers are of the view that the definition was not intended to be applied to all planning situations and an element of fact and degree is needed, and that the intention of Paragraph 116 is to capture development which have a major *impact* on the AONB. To support this view the local planning authority recalls the Planning Inspector’s conclusions in a recent appeal decision in Caton for 30 houses (Ref: 14/00768/OUT, appeal decision January 2016). In determining the Caton case the Inspector concluded that “*...notwithstanding the appreciable scale of the proposed development, I do not consider it warrants the specific classification ‘major’ for the purposes of national policy articulated in paragraph 116 of the*

*Framework...but this does not diminish the great weight that the objects of the AONB designation merit in respect of the intentions of Paragraph 115”.*

7.1.4 In terms of the criteria in paragraph 116 of the NPPF, there is a clear need for residential development to overcome the shortfall in housing land supply. Whilst a consideration of alternatives has not been submitted with the application, the Council in its Strategic Housing Land Availability Assessment has assessed sites within the village of Hornby with three of these being deliverable within 5 years (of which the application site is one of these). These sites are also undeveloped and within the AONB and therefore whilst the other sites are smaller they offer no clear environmental advantage over the application site. It should also be noted that Hornby is a Sustainable Settlement for the purposes of the Development Management DPD under Policy DM42, where the Authority will look to support sustainable housing.

7.1.5 When taking into account the context of the development proposals in relation to the size of the village, it's positioning (to the north of the built form and enclosed by the A683), and the limited local landscape and visual impact of the scheme; as a whole it is considered that the scheme is not a major development in the AONB. Notwithstanding this there is still a need to comply with the provisions of the Policy DM42 of the Development Management DPD. It is considered that the scheme is well related to the existing built form of the settlement (essentially rounding off the village) and the development of 23 units is proportionate to the existing scale and character of Hornby. Other criteria as noted within Policy DM42 will be assessed as part of this report.

### 7.2 Affordable Housing / Market Housing

7.2.1 The scheme originally only proposed in the region of 35% on site affordable provision which equates to 8 units. The site is greenfield, has little in the way of abnormal costs, and the application has not been accompanied by a viability assessment and therefore there is no rationale as to why the 40% is not being provided on this scheme. Following discussions with the agent the applicant is now amenable to providing the 40% and this can be secured by legal agreement.

7.2.2 The Supplementary Planning Document entitled '*Addressing the local needs of the district*' demonstrates that in Hornby there is a demand for predominately semi-detached and terraced properties of namely 2 and 3 bedrooms. The indicative sketch provides for the erection of terraced units to cater for the affordable element of the scheme and the remainder being detached units. Whilst the smaller affordable units may be meeting a local demand, there is concern that the market housing may not be meeting a local need. This raises concern, however can be addressed at the reserved matter stage of the application, as there is considered capacity on the site to accommodate the number of units proposed.

### 7.3 Highways

7.3.1 The initial submission provided for access off Royal Oak Meadow which was seen as unacceptable from the County Council's perspective as Highway Authority. The revised proposal makes provision for access to be taken off Hornby Bank with the existing northern section of Royal Oak Meadow closed off to through traffic, by the provision of a central bollarded island. The location of such will be that the two existing residential properties on the road are still able to easily manoeuvre into their driveways. The island will allow for cyclists to pass and allow for the existing drainage on Royal Oak Meadow to be retained. Internally the scheme proposes a carriageway with a width of 5 metres with a footway of 2m in width. Given internal layout is not being considered at this it needs to be assessed whether the access point is appropriate for the development that is being applied for and secondly whether the local highway network can accommodate the development safely. The application is accompanied by a detailed Transport Statement.

7.3.2 The Parish Council have made reference to discussions that have taken place with a developer regarding development of land to the north west of Fleet Lane regarding potentially installing a roundabout to access that development, as they have regarding access directly from the A683 (to the north of the site). The Parish have stated that they are not averse to the development of the site for housing yet feel access has not been fully addressed. Many of the representations received in support of the application have requested that access is taken directly off the A683 (to the north of the site), this would unlikely to be acceptable given the requirement to ensure that sightlines can be provided for. In any event each application needs to be judged on its own merits, and as noted in Section 4.1 County Highways have not objected to the scheme.

7.3.3 The County Council have reviewed the submitted Transport Assessment and whilst there has been local concern regarding some of the content of the assessment, in the absence of anything to the contrary to the County's statutory comments then it is considered that in capacity and safety terms the proposed scheme is acceptable subject to the imposition of conditions as recommended by the County Council, which are seen as reasonable given the development that is being applied for.

7.3.4 Officers understand the concerns of the local residents namely the parking arrangements along Hornby Bank and Royal Oak Meadow. However the County Council do not raise an objection to the scheme on highway safety grounds and therefore whilst officers recognise the concerns raised, this in itself would not be defensible should a scheme be refused on this basis. It is therefore considered that the proposed access off Hornby Bank is acceptable.

### 7.4 Landscape Impacts

7.4.1 Policy DM28 of the DM DPD and the NPPF is relevant to the determination of this planning application given the land is within a protected landscape and therefore the greatest of weight to the protection of nationally important designated sites should be considered by the decision maker. Given this is an outline application, matters associated with siting, design, materials and external appearance of landscaping will be determined at the reserved matters stage should this be supported. One of the weaknesses of the withdrawn scheme was the lack of a Landscape and Visual Assessment, one now accompanies the planning application, albeit the LVIA does lack photomontages to show the likely impact that the development would have on the protected landscape of which the applicant's proposal sits within.

7.4.2 From a purely landscape character perspective the applicants conclude that it is considered that overall the impact on the Bowland Fringe and Pendle Hill National Landscape Character area is deemed to be negligible adverse, and at the local landscape character level being negligible adverse, with negligible adverse impacts on the Forest of Bowland AONB. It is stated at 15 years the combined significance of effects will be 'moderate adverse' effects at the pure site level.

7.4.4 It is considered that views into the site from the A683 will give rise to major adverse impacts however this is inescapable given the site will lose its greenfield nature, and therefore any development is likely to bring with it localised significant effects. Mitigation here will be important, and new landscaping and ensuring that properties face the A683 is paramount (rather than the backs of houses) and it is considered that whilst there would be a change, this would reduce to 'moderate adverse' once the landscaping has established. From longer distance views it is considered that the development would be seen in the context of the current village and therefore would not be seen in isolation and would relate well to the existing built form.

7.4.5 The Forest of Bowland AONB Partnership raises objection to the scheme and have significant reservations regarding the landscape assessment that has been produced, the failure to consider the Forest of Bowland AONB Landscape Character Assessment 2009, in particular Valley Floodplain – J1 Lune. The AONB unit maintain that there is limited capacity to accommodate change without comprising key characteristics. Whilst these views are acknowledged it is considered that in landscape terms given the positioning of the site and the A683 which wraps along the western and northern boundary and the existing man-made development to the south of the site, that the proposed development can be supported, albeit, inevitably there will be a marked change from greenfield to built form, and whilst it is acknowledged there will be inevitable landscape impacts associated with the scheme, it is not considered that these would be so significant to warrant refusal. It is therefore considered that subject to a sensitively designed scheme at the reserved matters stage the principle of the scheme in landscape terms can be supported and therefore complies with Policy DM28 of the DM DPD.

### 7.5 Drainage

7.5.1 The site is within Flood Zone 1 which has the lowest probability of flooding (less than 1 in 1,000 annual probability of river or sea flooding <0.1%). However, given the size of the site, a site specific flood risk assessment (FRA) was required in support of the application; this is following concerns raised by the Lead Local Flood Authority that the scheme did not propose an indicative drainage strategy.

7.5.2 The FRA demonstrates that the site is at a low risk of flooding and the applicant has provided an indicative drainage strategy, which demonstrates the site can be drained suitably using sustainable urban drainage system features given the favourable ground conditions present. The Lead Local Flood Authority, United Utilities and the Environment Agency have raised no objections on flood risk/drainage grounds; subject to appropriate conditions to secure a suitable scheme design and implementation. It is unfortunate that the application is not supported by ground investigations to determine whether infiltration can be used, however given the outline nature of this application this is considered acceptable. The scheme has been amended to make provision for the area of open space to be located on the lowest part of the site and the applicants are now proposing to utilise this area as an infiltration facility. This could consist of a large soakaway assuming the ground conditions were favourable for this. Therefore, this can be used for a dual purpose, as drainage attenuation and open space. At this indicative stage it is proposed that highway drainage would be collected via a large soakaway with individual soakaway's in the rear of gardens, and therefore the proposals can be considered acceptable subject to conditions whereby the detail would be developed when the layout is designed. The proposal is therefore compliant with Policies DM38 and DM39 of the DM DPD.

7.5.3 With respect to foul drainage a condition can be imposed on any consent requiring details of the arrangements to be submitted and agreed in advance of any development on the site commencing.

### 7.6 Design/Layout

7.6.1 Whilst the applicants are not applying for layout as part of the scheme, given the site is located within the AONB development proposals should through their siting, scale, massing, design and materials seek to contribute positively to the conservation and enhancement of the protected landscape.

7.6.2 The current proposal provides for three dwellings fewer than the previous iteration of the scheme that was withdrawn, and its layout is in general terms more acceptable and appropriate to its surroundings. The proposal accords with the general principles of Policy DM35 of the DM DPD in terms of maintaining the privacy to those neighbouring properties; on the whole generous garden sizes have now been embedded in the scheme and areas of open space and it is considered that whilst there would need to be some improvements made at reserved matters stage, there is sufficient confidence a high quality scheme befitting of the sites location within the Forest of Bowland could be achieved here.

### 7.7 Trees/Ecology

7.7.1 As mentioned previously there are trees and hedgerows that bound the site, however within the site itself the site is devoid of trees. The application has been supported by an arboricultural assessment, the results of which indicate that the site can be developed in accordance with the scheme proposed with minimal interference with trees. The Tree Protection Officer does object to the development based on the development encroaching into root protection zones and whilst it may be prudent to amend the layout so units are located outside of the root protection zones it is not essential that this is done at this stage of the application process. It is therefore considered that this can be appropriately conditioned to be addressed at reserved matters stage (assuming members approve the scheme).

7.7.2 The Council's appointed ecology advisors have no objections in principle on ecology grounds, and the site is dominated by species poor improved agricultural grassland and wet grassland typical of the area, however recommend that trees and hedgerows are retained where possible and enhanced with new planting and that a high quality landscape plan be prepared for the site, incorporating biodiversity enhancement measures. These matters can be addressed by means of planning condition.

### 7.8 Cultural Heritage

7.8.1 As noted in paragraph 1.3 of the report, the Hornby Conservation Area is sited approximately 400 metres from the proposed development, and the closest listed building to the site is the Grade II Launds Farm which has commanding views over the site and is situated 300 metres to the north of the proposal site.

7.8.2 Given the distance to the Conservation Area, coupled with the built form between this and the development site it is not considered that the proposed development would result in any harm to the setting of the Conservation Area. With respect to the impact on listed buildings, the property that is most likely to be impacted by the development proposals is the Grade II listed Launds Farm as noted above. Given the relationship between the development and the listed building it is not considered that the setting would be substantially harmed. The views of the Conservation Officer have been sought on the application who raises no objection of the development and it is highly unlikely that the development will adversely affect the setting of the Grade II building.

7.8.3 With respect to archaeology there may well be the potential that a Roman Road from Lancaster to Over Burrow may have crossed the site. Whilst the earthwork is not so significant to require preservation in situ it would require investigation and recording as part of the development proposals, and therefore this could be controlled by planning condition. This is a view supported by the County's archaeologist. From a heritage perspective the scheme is considered acceptable.

### 7.9 Education Provision

7.9.1 The County Council have stated that there is no requirement for an education contribution to be made in relation to the scheme however this should be re-assessed when the scheme is determined, therefore this will be reported verbally to members when the scheme is presented for consideration and can be controlled by means of Legal Agreement if this is required.

### 7.10 Open Space Provision

7.10.1 The previously withdrawn planning application lacked sufficient open space, however with the removal of the three units this has allowed for amenity space to be provided on the site in accordance with the recommendation from the Public Realm Officer. A financial contribution has been requested to be £32,176 (£25,000 towards children's and young people's facilities with £7,176 contribution to Williamsons Park). It is considered that the request is reasonable, however given bedroom numbers are not known and the final number of units this can be addressed by means of legal agreement to be assessed at reserved matters stage. The applicant is amenable to entering into a Legal Agreement to secure this.

### 7.11 Mineral Safeguarding

7.11.1 The site falls within a mineral safeguarding zone and the County Council as Mineral Planning Authority have been consulted on the scheme however to date have yet to respond to the consultation. It is highly unlikely that the site would be able to be commercially worked for aggregate given the size of the site and secondly its relationship with residential properties. Given this it is considered that the proposed development is unlikely to sterilize any minerals.

## **8.0 Planning Obligations**

8.1 The applicant is amenable to securing the following requirements by way of legal agreement. These requirements are considered to meet the tests set out in paragraph 204 of the NPPF.

- The provision of up to 40% of affordable housing to be based on a 50:50 (social rented : shared ownership) tenure split as required by policy (percentage, tenure, size, type, phasing to be addressed at Reserved Matters stage based on local housing needs and viability);
- Public Open Space contribution to be assessed at reserved matters stage;

With Committee's support, Officers seek delegation to ensure that the Section 106 Agreement is signed within the 13 week time period for decision-making (i.e. 20<sup>th</sup> April 2016). If the applicant fails to sign the Section 106 in-time then the application should be deleted back to the Chief Officer for refusal.

## **9.0 Conclusions**

9.1 The site is located in a sustainable location and would essentially serve to round off the northern part of the village of Hornby, providing an important contribution towards housing supply. It is considered that the development will not be sufficiently harmful enough to the landscape qualities of the AONB to warrant refusal of this development and therefore the principle of development can

therefore be considered acceptable on this site. At reserved matters stage, there is sufficient confidence that a sensitively designed scheme can be achieved on this site and therefore it is recommended to members that the scheme be approved.

### **Recommendation**

That subject to the applicant entering into a Section 106, Outline Planning Permission **BE GRANTED** subject to the following conditions:

1. Standard outline condition with all matters reserved except for access
2. Dwellings limited to 2 storey's in height
3. Access Details to be agreed
4. Offsite Highway Works – To be agreed
5. Scheme for foul water to be agreed
6. Surface Water Drainage Scheme to be agreed
7. Long term maintenance of surface water scheme to be agreed.
8. Construction Management Scheme
9. Standard Condition – Unforeseen Contamination
10. Written Scheme of Investigation – Archaeology
11. Removal of Permitted Development Rights
12. Tree Protection Plan / AIA
13. Finished Floor Levels
14. Biodiversity Scheme

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

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

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

### **Human Rights Act**

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

### **Background Papers**

None.

<p>Agenda Item A8</p>	<p>Committee Date 4 April 2016</p>	<p>Application Number 15/01630/REM</p>
<p><b>Application Site</b> Land Rear Of Cemetery Back Lane Carnforth Lancashire</p>		<p><b>Proposal</b> Reserved matters application for 14 affordable residential units with associated access, drainage and landscaping arrangements</p>
<p><b>Name of Applicant</b> Mr G Wallbank</p>		<p><b>Name of Agent</b> Not Applicable</p>
<p><b>Decision Target Date</b> 8<sup>th</sup> April 2016</p>		<p><b>Reason For Delay</b> Not Applicable</p>
<p><b>Case Officer</b></p>		<p>Mr Mark Potts</p>
<p><b>Departure</b></p>		<p>No</p>
<p><b>Summary of Recommendation</b></p>		<p>Approval (Subject to no objections from the Lead Local Flood Authority, County Highways and the Environment Agency following the re-consultation process).</p>

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

- 1.1 The half hectare application site is situated at the north end of Back Lane close to its junction with Kellet Lane to the east side of Carnforth. To the northern boundary sits Carnforth Cemetery, to the east Back Lane, agricultural fields and M6 motorway. To the south and west are residential properties to Hard Knott Rise and Fairfield Close which are separated by a belt of trees.
- 1.2 The immediate surrounding area is predominantly residential with Back Lane forming the outer boundary of the residential area, becoming agricultural beyond it towards the villages of Over Kellet and Nether Kellet with the intersecting motorway running in a north south direction to the east. The commercial centre of Carnforth is only a short distance from the site as are local facilities such as supermarkets and schools.
- 1.3 The site itself is roughly rectangular in shape approximately 100-120 metres in length, from Back Lane to the rear of the site, and 40 metres wide. The land is predominantly scrubland with a number of significant trees along its perimeters, although there are none of any notable significance within the site.
- 1.4 Although overgrown and barely visible within the site, a watercourse/drainage dyke runs adjacent to the northern boundary of the site parallel to the cemetery to the north. The dyke enters the site in the form of two streams, one from Back Lane to the east boundary and the other from the rear of Hard Knott Rise to the southern boundary. It then exits the site at the west boundary at the southern corner of Fairfield Close adjacent to property no.14 and enters a culvert which crosses beneath Fairfield Close travelling northwards and under Kellet Close, visible again at the funeral parlour which sits along the north side of the lane. The dyke then follows the east boundary of the 'Carnforth Hub' (Children's Centre) and leading to Carnforth High School playing fields to the north.
- 1.5 The site is allocated as Urban Greenspace under the saved policies of the Local Plan and is within Flood Zone 2 and 3, and 60% of the site is covered by a mineral safeguarding zone.



## 2.0 The Proposal

- 2.1 Outline planning permission was granted on appeal in January 2013 for the erection of 16 dwellings consisting of eight 2-bedroom apartments, four 3-bedroom houses and four 4 bedroom houses, with access taken from Back Lane. The application seeks approval of the reserved matters in relation to scale, layout, appearance and landscaping to a site that benefits from an outline consent granted in 2013. The scheme proposed consists of the eight 2 bedroom houses and 6 3 bedroom houses.
- 2.2 The units are all semi-detached in nature and are proposed to be two storeys, and will consist of a blue slate roof tile, red brick, buff render, quoins, heads and cills (all to be buff). All the roads will be constructed in permeable surfacing and provision is made for open space and landscaping within the development.

## 3.0 Site History

- 3.1 The site has an extensive planning history as detailed below:

Application Number	Proposal	Decision
1/88/0841	Outline application to erect 5 dwellings	Refused
01/90/0104	Outline application to erect 12 semi-detached dwellings	Approved
95/00499/FUL	Erection of two detached houses	Refused
11/00668/OUT	Outline application for 16 affordable residential units with associated access, drainage and landscaping arrangements	Granted on appeal

## 4.0 Consultation Responses

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

Consultee	Response
County Highways	Originally offered no objection to the scheme subject to conditions, however a further response has been received refraining from providing further comment until such time the bridge arrangement is known.
County Archaeologist	<b>No objection.</b>
Carnforth Town Council	No observations received within the timescales.
Environmental Health	<b>No objection</b> recommends conditions associated with contaminated land, bunding of tanks and hours of construction.
United Utilities	<b>No objection</b> , providing that foul and surface water is drained on separate systems, surface water drainage scheme, and management arrangement's for the Sustainable Drainage System
Lead Local Flood Authority	<b>Object</b> to the development, pending the submission of an updated Flood Risk Assessment.
Environment Agency	<b>Object</b> to the development on the lack of a comprehensive Flood Risk Assessment.
Tree Protection Officer	<b>Object</b> to the scheme given the lack of an Arboricultural Impact Assessment of the proposed scheme.
National Grid	<b>No objection.</b>
County Strategic Planning	<b>No observations</b> received.
Housing Strategy Officer	<b>Fully Supportive</b> of the scheme and will improve the mix of affordable housing in Carnforth.
Public Realm Officer	<b>No Objection</b> , requests 216 m <sup>2</sup> of amenity space be provided on site and consideration given to enhancing the proposed amenity space with benches and a off-site contribution for tree and enhancement works to the woodland.

## **5.0 Neighbour Representations**

5.1 To date there has been 3 letters of objection received. The reasons for the objection are as documented below;

- Access to the site is not suitable for large vehicles;
- The site floods when it rains heavily;
- The stream culvert would need excavating;
- Traffic issues with more traffic leaving Fairfield Close;
- Property would be devalued; (Not a planning consideration)
- Privacy and Security;
- Flooding Issues - The site is Flood Zone 3b;
- Whether there is sufficient space to accommodate the access road;

Councillor Yates objects to the proposed development on the basis that a more comprehensive scheme could be accommodated on the site.

## **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

Paragraphs **100** – **103** – Flooding

### **6.2 Development Management DPD**

Policy **DM25** Green spaces and green corridors

Policy **DM27** Biodiversity

Policy **DM28** Landscaping impact

Policy **DM29** Protection of trees, hedgerows and woodland

Policy **DM35** Key design principles

Policy **DM36** Sustainable Design

Policy **DM38** Development and Flood Risk

Policy **DM39** Surface Water Run Off

Policy **DM40** Protecting Water Run-Off and Sustainable Drainage

Policy **DM41** New residential dwellings

### **6.3 Lancaster District Core Strategy**

Policy **SC1** Sustainable development

Policy **SC5** Achieving quality in design

### **6.4 Lancaster Local Plan**

Policy **E29** Urban Greenspace

### **6.5 Joint Lancashire Minerals and Waste Local Plan**

Policy **M2** Mineral Safeguarding

**7.0 Planning Assessment**

The scheme raises the following issues

- Principle of Development
- Flood Risk and Drainage
- Highways
- Design
- Trees and Landscaping
- Open Space
- Other Material Considerations

**7.1 Principle of Development**

7.1.1 Outline Planning Consent was granted on appeal in January 2013 for the erection of 16 affordable dwellings. The Local Planning Authority refused the application on the basis that the site was situated in Flood Zone 3b and that the 'Sequential Test' - to consider the availability of other sites at a lower risk of flooding - had not been passed. The Planning Inspectorate took the view that a solution could be found to limit any flood disturbance to properties, and therefore approved the scheme in outline form (with only the point of access being approved). There are conditions associated with the outline planning permission which address issues of flood risk and surface water drainage. It should be noted that the conditions associated with flood risk measures have yet to be discharged by the Local Planning Authority, and these will require to be in advance of development commencing.

7.1.2 Given outline planning permission has been granted, the principle of development on this site has clearly been established. Therefore, the only real considerations at this stage relates to the layout, scale, appearance and landscaping arrangements of the proposed development.

7.1.3 One of the key benefits of the scheme is that this scheme will be 100% affordable housing and as noted by the Strategic Housing Officer this is to be fully supported and will add to the range and type of units available in Carnforth. Conditions associated with the outline permission restrict its use entirely to affordable housing and the applicant has engaged a Registered Provider.

**7.2 Flood Risk and Drainage**

7.2.1 The site does lie in Flood Zone 3b, and both the Environment Agency and Lead Local Flood Authority have objected to the development based on the lack of a robust flood risk assessment being submitted in support of the application. The applicant submitted a revised document in March 2016 and at the time of the writing this report the views of the Lead Local Flood Authority and the Environment Agency are unknown. Their views will be reported verbally to Members.

7.2.2 Officers share concerns that residents have expressed in relation to flooding; however these concerns will have to be addressed via the planning conditions attached to the outline permission before development commences to ensure that the site can be developed. Concern has been raised regarding off site flooding, however the development is not expected to exacerbate matters.

7.2.3 Whilst the recommendation is currently one of approval, this is on the basis that the Environment Agency and LLFA are satisfied with the amended Flood Risk Assessment submitted in support of the scheme, and raise no objection to the proposed reserved matters application. This is an important point and an update will be provided at the Committee Meeting.

**7.3 Highways**

7.3.1 On the outline consent, this benefits from planning approval for the point of access off Back Lane and therefore this element of the scheme has already been found acceptable, and there are conditions associated with the outline permission concerning matters such as visibility splays and construction details to be submitted before development commences. Whilst there has been objections from members of the community regarding the point of access, this has already been deemed acceptable under the guise of the outline permission.

- 7.3.2 The scheme proposes a new road along the southern bank of the watercourse to the north, with a turning head adjacent to Plot 12, providing for 18 car parking spaces. A new bridge will be constructed to cross the watercourse into the site, together with speed bumps and permeable tarmac surfacing. The County Council as highway authority originally raised no objection to the scheme, however a further response has been received from them wishing to refrain from providing comment until details of the bridge arrangement are known. The revised plans submitted in support of the scheme do refer to a bridge crossing, of which the original plans failed to do. The views of the County will be reported verbally to Members once available. Conditions can be imposed requiring the precise detail to be submitted in the event the County raise no objection to the proposed development.
- 7.3.3 As with matters associated with flooding, there are a number of conditions associated with highways and the creation of linkages in the form of cycle/pedestrian links and therefore the detail of this be conditioned.
- 7.4 Design Matters
- 7.4.1 The scheme is proposing 14 new affordable houses of which will be 2 and 3 bedroom units. The layout is very linear in form, which is a necessity because of the shape of the site. The initial plans submitted in support of the scheme whilst not wholly unacceptable, could have provided a greater standard of design. The applicant has responded to these concerns and - from a design perspective – subject to precise materials being agreed the development would reflect the local vernacular and can be supported. Proposed boundary treatments consist of close boarded fencing and box hedges. Given the location and the type of property this is seen as appropriate.
- 7.4.2 A concern with the originally submitted scheme was that the garden sizes were predominantly below the standards required under Policy DM35 of the DM DPD. It is considered that with the revised layout (admittedly taking into account paving areas) all but one of the units complies with the 50 m<sup>2</sup> and therefore this is seen as appropriate in the circumstances given the scheme is providing 100% affordable housing coupled with the physical constraints of the site.
- 7.5 Trees and Landscaping
- 7.5.1 The site is currently scrubland, with trees along the southern and eastern boundaries. Two trees will be lost to facilitate the access from Back Lane; a further one which lies on the proposed road and a further one which is located within the beck itself will need to be lost. The Council's Tree Protection Officer has objected to the development given an Arboricultural Assessment was not submitted in support of the application. In March 2016 the applicant has provided a survey and the comments of the Tree Protection Officer will be reported to Planning Committee verbally.
- 7.5.2 A landscaping plan has been supplied as part of the submission showing the proposed planting scheme however the location of the planting has not been provided. Therefore it is considered appropriate that a condition should be applied to include the maintenance arrangements of this and the implementation of such a scheme.
- 7.6 Open Space
- 7.6.1 The scheme proposes open space in the form of a 186m<sup>2</sup> grassed and landscaped area to the south of the access road when approaching the site, which will be bound by the stream to the west and the road to the north of this. This area whilst lower than what has been recommended by the Public Realm Officer is considered appropriate and would provide the open space for the development. Given this application is solely for reserved matters it is not considered appropriate to try and secure off-site contributions as there was no requirement for this as part of the outline consent. A condition is recommended regarding the long term management arrangements of the open space.
- 7.7 Other Material Considerations
- 7.7.1 The land is partially protected as mineral safeguarding land, however given the principle of the development has been approved it is not considered there is any Policy conflict with Policy M2 of the Joint Lancashire Minerals and Waste Local Plan. There are a number of conditions associated with the outline permission that require to be discharged prior to the commencement of development.

It is regrettable in many ways that this detail is not known, however this is quite common for a scheme of this nature. In the event there was a need to the layout to take account of conditions associated with the outline permission then this would need to be undertaken via a further planning application (Section 73 of the Town and Country Planning Act).

### **8.0 Planning Obligations**

8.1 None applicable to the scheme as the grant of outline consent was not subject to a Legal Agreement, and no materially new matters have arisen which require obligations.

### **9.0 Conclusions**

9.1 The proposed development would provide 14 new affordable units to Carnforth, and layout, type and materials to be used for the development are considered acceptable. Subject to resolving the matters relating to flooding and highway matters, the applicant has addressed all other matters and provided a scheme which represents an acceptable layout, design and landscaping. If the outstanding matters are adequately addressed, the development would be considered compliant with National and Local Planning Policy and consistent with the terms of the outline consent. In which case, Members would be advised to support the proposals.

### **Recommendation**

That subject to the satisfactory resolution of the flooding and highway matters, Reserved Matters Consent **BE GRANTED** subject to the following conditions:

1. Standard Reserved Matters
2. Development to be in accordance with the approved plans
3. Details and samples of materials and finishes to be submitted to and approved in writing
4. Windows and doors to be submitted
5. Boundary Treatments to be in accordance with Drawing provided.
6. Finished floor levels
7. Removal of permitted development rights (Part 1, 2 and 14) and building/paving over soakaways
8. Car Parking to be provided in full and retained at all times thereafter
9. Design of the Bridge to be agreed.
10. Maintenance plan for the open space to be provided.
11. Landscaping scheme to be provided and maintained for 10 years.

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

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

Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been 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.

<p><b>Agenda Item</b></p> <p>A9</p>	<p><b>Committee Date</b></p> <p>4 April 2016</p>	<p><b>Application Number</b></p> <p>16/00090/OUT</p>
<p><b>Application Site</b></p> <p>Land North Of New Quay Road Lancaster Lancashire</p>	<p><b>Proposal</b></p> <p>Outline application for the erection of up to 14 dwellings</p>	
<p><b>Name of Applicant</b></p> <p>Lancaster Port Commissioners</p>	<p><b>Name of Agent</b></p> <p>Mr Rob Moore</p>	
<p><b>Decision Target Date</b></p> <p>20<sup>th</sup> April 2016</p>	<p><b>Reason For Delay</b></p> <p>Not applicable</p>	
<p><b>Case Officer</b></p>	<p>Mr Mark Potts</p>	
<p><b>Departure</b></p>	<p>No</p>	
<p><b>Summary of Recommendation</b></p>	<p>Refusal</p>	

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

- 1.1 The site is located 1.5 km to the north west of Lancaster City Centre, with the development site amounting to 0.6 hectares, the site is bound by a flood defence wall to the north, east and west with the site predominately scrub habitat. The site was previously used as a former quay for the then former Lune Mills Linoleum Works (which has been redeveloped for housing). The site is relatively level at 6.7 metres AOD.
- 1.2 To the north of the development is New Quay Road, beyond which are a number of recently constructed properties currently being built out by Barrett and Redrow Homes (the site known as Luneside West). The River Lune is immediately to the north of the site. Access to the development would be off New Quay Road.
- 1.3 There is a rising mains sewer that crosses the site together with an 8 metre easement adjacent to the flood defence wall. The entire site lies within Flood Zones 2 and 3, albeit in an area that benefits from flood defences. Public Right of Way Number 27 is located to the west of the proposed development and the River Lune is designated as a Biological Heritage Site (approximately 12 metres to the north of the proposal). The site is unallocated in the adopted Local Plan.

## **2.0 The Proposal**

- 2.1 The proposed development consists of the erection of up to 14 units (Use Class C3). The application is in outline, with all matters reserved for future consideration. An illustrative layout has been supplied in support of the application which consist of a mix of detached and terraced housing with all the units being 2.5 storeys high and approximately 13 metres to the ridge height.
- 2.2 This application is only seeking the principle of development and therefore should the outline scheme be approved by Committee the detail will be considered as part of a reserved matters application.

### **3.0 Site History**

3.1 A similar application for 14 houses (15/01282/OUT) was withdrawn in January 2016, following concerns in relation to the proposal being within a flood zone location, land drainage, design and concerns regarding the deliverability of the scheme.

The site was used as a former quay for the former Lune Mills Linoleum Works.

### **4.0 Consultation Responses**

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

<b>Consultee</b>	<b>Response</b>
<b>Environment Agency</b>	<b>Objection</b> , on the basis that the development is within 8 metres of a flood defence and that the proposed development would restrict essential maintenance and emergency access to the defences.
<b>Lead Local Flood Authority</b>	<b>No Objection</b> , subject to the provision of planning conditions.
<b>United Utilities</b>	<b>No Objection</b> , however have raised concern regarding a 750mm public combined rising main/pressurized sewer crossing the site, recommended conditions associated with foul and surface water
<b>County Highways</b>	<b>No objection</b> , recommend conditions associated with highway improvements along the frontage to the site in addition to the provision of a shared cycle/pedestrian link along the landward site of the flood defence wall.
<b>Dynamo (Lancaster and District Cycle Campaign)</b>	<b>Objection</b> , on the basis that the driveways cross a shared cycleway/pathway and will present a risk to passing cyclists and pedestrians.
<b>Environmental Health</b>	<b>No Objection</b> however recommends conditions regarding electric vehicle points, hours of work conditions and a scheme for dust control.
<b>Contaminated Land Officer</b>	<b>No Objection</b> however recommends further site investigation.
<b>Conservation Officer</b>	<b>No Objection</b> however the site is a non-designated heritage asset.
<b>Public Realm Officer</b>	<b>Comments awaited</b> , previously raised no objection and requests £27,100 for an off-site contribution and 255m <sup>2</sup> on site open space.
<b>Lancaster Civic Society</b>	<b>Objection</b> , the land is not appropriate for housing.
<b>Planning Policy</b>	<b>Raise concerns</b> regarding the extent of the 'Sequential Test' only covering a small geographic area.
<b>Greater Manchester Ecology Unit</b>	<b>No objection</b> , and concurs with the ecological appraisal that there will be no significant ecological constraints associated with the site. Recommends conditions and informative notes.
<b>County Ecologist</b>	<b>No observations</b> received within the timescales.
<b>Strategic Housing Officer</b>	<b>No comments</b> received within the timescales.
<b>Natural England</b>	<b>No objection</b> to the development
<b>Ramblers Association</b>	<b>Objection</b> , the English Coastal trail is likely to pass along the river bank, the exact route will be understood in 2016.
<b>Lancashire Police</b>	<b>No objection</b> , however recommends secured by design standards should be employed at reserved matters stage.
<b>Public Rights of Way Officer</b>	<b>No observations</b> received within the statutory timescales
<b>County Archaeologist</b>	<b>Raise concerns</b> regarding the lack of a heritage assessment in support of the application regarding the historic quay which may survive on the site.

### **5.0 Neighbour Representations**

5.1 To date there has been 24 letters of objection in relation to the application. The reasons for objection are noted below;

- Loss of view (not a planning consideration);
- Premium Price paid for properties along New Quay Road (not a planning consideration);
- Concerns of flooding, surface water drainage and the potential impact on the flood defence wall;
- The size of the site is insufficient to accommodate the number of dwellings proposed;
- Loss of the Narrow Gauge railway;
- Detrimental Impact on the cycleway that passes the site;
- Visually overbearing to the adjacent properties and loss of amenity;
- Traffic safety concerns;
- Adverse impacts on nature and environmental conservation;
- Loss of an important Green Corridor;
- Alternative use as a place for reflection and nature study area should be considered;
- Existing Infrastructure is insufficient to accommodate the development;
- Loss of Maritime and Historic Heritage;
- Noise and Light disturbance;
- Development is not in keeping with the frontage along the River Lune;
- Detrimental Impact on the designated pathway (National Cycle Route 6);
- Design concerns;
- Information in relation to ecology has not been uploaded correctly;
- Development is not in conformance with the Development Plan or National Planning Policy;
- Will require to use the drainage implemented by Barratt's.

Councillor Jon Barry has objected to the development on the basis of interference with the cycle way and that the area would lend itself better to an area of open space, and the development would be detrimental to the area.

Barratt Homes have objected to the development based on the objections raised by the Environment Agency and Lancaster City Council's Planning Policy Team.

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

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

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 100- 104 – Flooding  
Paragraphs 109, 115,117,118 – Conserving the Natural Environment  
Paragraphs 128-134 – Conserving and Enhancing the Historic Environment  
Paragraph 173 – Deliverability  
Paragraphs 186, 187, 196, 197, 203-206 – Decision-taking

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

SC1 – Sustainable Development  
SC4 – Meeting the District's Housing Requirements  
SC7 – Development and the Risk of Flooding  
E1 – Environmental Capital  
ER2 – Regeneration Priority Areas

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

T24 – Strategic Cycle Network  
E30 – Green Corridors



6.4 Development Management DPD

DM20 – Enhancing Accessibility and Transport Linkages  
DM21 – Walking and Cycling  
DM22 – Vehicle Parking Provision  
DM26 – Open Space, Sports and Recreational Facilities  
DM27 – Protection and Enhancement of Biodiversity  
DM28 – Development and Landscape Impact  
DM29 – Protection of Trees, Hedgerows and Woodland  
DM32 – The Setting of Designated Heritage Assets  
DM33 – The Setting of Non-Designated Heritage Assets  
DM34 – Archaeology  
DM35 – Key Design Principles  
DM38 – Development and Flood Risk  
DM39 – Surface Water Run-off and Sustainable Drainage  
DM41 – New Residential dwellings

6.5 Other Material Considerations

- National Planning Practice Guidance
- Meeting Housing Needs Supplementary Planning Document
- Lancaster City Council 2015 Housing Land Supply Statement

**7.0 Comment and Analysis**

7.0.1 There are a number of considerations with respect to the application which include;

- Principle of Development;
- Flooding;
- Surface Water Drainage;
- Flood Defences;
- Highways;
- Design and Layout;
- Drainage Infrastructure;
- Affordable Housing;
- Air Quality;
- Heritage; and,
- Ecology.

7.1 Principal of Development

7.1.1 Whilst the site is unallocated for development, the site is located within the main urban area of Lancaster and therefore – notwithstanding other matters - it is in a broad geographical location where the Council would in principle support residential development. The most recent housing land supply and delivery position for the district is described in the 2015 Housing Land Monitoring Report (HLMR) and accompanying Housing Land Supply Statement 2015. This has a base date of the 1<sup>st</sup> April 2015. Allowing for existing commitment and past housing completions, the requirement for a 20% NPPF buffer and the (Sedgefield) methodology for calculating future supply the Housing Land Supply Statement identifies a five year supply position of 3.4 years against its adopted housing requirement of 400 dwellings per annum.

7.1.2 Paragraph 14 of the NPPF sets out the presumption in favour of sustainable development. It goes on to say that Local Planning Authorities (LPA) should approve development proposals that accord with the Development Plan without delay, and that where a development plan is absent, silent or relevant policies are out-of-date the LPA should grant permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole: or
- Specific policies in this Framework indicate development should be restricted.

As a consequence there is a clear expectation that unless material considerations imply otherwise sites that offer the opportunity for housing delivery should be considered favourably. Notwithstanding this the site has been assessed as part of the Council's SHLAA (Site SHLAA\_266) and has been found to be undeliverable for housing (reflecting the high flood risk) and coupled with this, the site would need to be considered as part of the wider regeneration proposals in the Luneside Area. Therefore it needs to be considered whether the scheme can pass the Sequential and Exception Test.

### 7.2 Flooding

- 7.2.1 The site falls within Flood Zone 3 which is defined as having a high probability of flooding, albeit it is protected by flood defences which gives protection for a 1 in 500 year flood event, providing a crest level of 8.11 metres. Notwithstanding this, given the location of the proposed scheme, a Sequential Test is required to assess whether more appropriate locations for the proposed development exist which are in areas which are at lower risk of flooding. The need and importance of the Sequential Test is set out in NPPF Paragraph 101, which states that "*The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development with a lower probability of flooding*". The NPPG is clear in Paragraph 33 that for individual planning applications where there has been no previous sequential testing via the local development plan that a Sequential Test will be required. If it is not possible for the development to be located in zones with a lower probability of flooding, the Exception Test should be applied. For this to be passed, it must be demonstrated that: the development provides wider sustainability benefits to the community that outweigh flood risk; and that it will be safe for its lifetime taking account of the vulnerability of its users, without increasing use elsewhere, and, where possible, will reduce flood risk overall.
- 7.2.2 The applicants have submitted a Sequential Test in support of this planning application, however despite officer advice that this should be district-wide, the applicants have only sought to consider land within the Luneside Regeneration Area and its setting (the site does not fall within Luneside East or West allocations). The assessment highlights four sites which are located outside Flood Zones 2 and 3.
- 7.2.3 Whilst a Sequential Test has been submitted in support of the scheme, the scheme has not sought to bring forward development which meets a specific identified local need and specific regeneration objectives for the Luneside area. Notwithstanding this, government guidance is clear that an area of search based on a regeneration area may be appropriate. The area is referred to under Policy ER2 as a Regeneration Priority Area for a 'Mixed-Use Waterfront Regeneration' for both housing and employment. Policy ER2 does not specify specific areas of land for each type of land use. The applicant has considered paragraph 33 of the NPPG, given it would not be achievable to pass the Sequential Test on the type of development proposed. They have sought to introduce more local circumstances to narrow the scope of the test. The NPPG does make clear that fulfilling regeneration objectives can be an example to where local circumstances can be applied. If the applicant's logic was expanded to all sites at Luneside, there could be no employment development at all, which is not what Policy ER2 had in mind, and there is some doubt as to whether the delivery of a small housing development is contributing to the regeneration objectives of Policy ER2.
- 7.2.4 Whilst officers do not wholly agree with the approach offered by the applicant's agent, it is logical in the circumstances to accept the stance. As already mentioned, the area of search based on a Regeneration Area may be appropriate, and given this, it is considered that to refuse a scheme based on the development not satisfying the Sequential Test on a district wide basis would be hard to justify at appeal, and with this the Sequential Test can be passed. There is however still a need to pass the Exception Test however.
- 7.2.5 Moving to the Exception Test, it is considered that it would provide wider sustainability benefits given the site is part of a wider regeneration strategy area on what is brownfield land. A detailed Flood Risk Assessment has been submitted in support of the scheme, the Local Lead Flood Authority (LLFA) raise no objections subject to the measures contained within the Flood Risk Assessment (FRA) being implemented. Notwithstanding this, given the objection from the Environment Agency there is a real risk that flooding could be increased elsewhere (due to failure to maintain the flood defences) and therefore it is considered that in line with Para 102 of the NPPF that the Exception Test cannot be passed for this site and therefore the principle of development cannot be established.

7.3 Surface Water Drainage

7.3.1 The application is accompanied by a FRA, however with the withdrawn planning application, the LLFA objected to the development on the basis that the proposal had no detail on how the surface water and potential flood water will be attenuated on site, and it lacked detail on how flood flow routes will traverse through the site from surface water. Further information has been supplied by the applicant in this regard and the LLFA no longer object to the development as the applicant has proposed flood mitigation measures within the FRA which include Property Level Protection to assist in making the development floor resilient and resistant. Whilst there is some concern that New Quay Road could become impassable in severe flood events, residents could sign up for the Environment Agency Early Warning Flood System for evacuation purposes. Given the above surface water drainage can be secured by condition and therefore the proposal complies with Policy DM39 of the DM DPD.

7.4 Flood Defences

7.4.1 The Environment Agency have objected to the development on the basis that the proposal involves developing within 8 metres of a flood defence and would restrict essential maintenance and emergency access to the defences. The indicative plan currently provides for all garden spaces to be within the 8 metre easement. It is essential that there is access for maintenance purposes, and whilst permitted development rights could be removed (to assist with access for maintenance) there would still need to be some form of boundary treatments between the units to ensure privacy for people utilising their gardens. Therefore the two would appear at odds with one-another, leading to questions as to whether private gardens could actually be developed on the site. The applicants have proposed demountable fencing; however the EA continue to object to the development. Whilst it may be possible, there is no confidence as matters stand as to how this would be delivered in practice. It is therefore considered that the scheme has the potential to adversely impact on the flood defence purposes therefore contrary to the provisions of Policy DM38 of the DM DPD.

7.5 Highways

7.5.1 There has been local concern regarding the capacity of the local highway network to accommodate additional vehicles and more so in relation to the potential conflict with cycle users and pedestrians who use the footway in front of the site. With respect to highways, the County Council raise no objection to the scheme subject to conditions namely concerning the 2 metre footway along the frontage of New Quay Road to tie into the existing footway, together with 4.5 metre wide dropped crossing. The County are also requesting a footway within the site following the flood defence wall, which could serve a dual purpose as a cycleway and maintenance strip for the Environment Agency. The latter proposal was not included on the response to the withdrawn application and in the circumstances it is not considered essential to allow for the grant of planning permission on this site. It is therefore considered that the site can accommodate this number of units proposed and given the County have raised no issue with highway capacity, then the development is acceptable from this perspective. The County have not raised concern that the development is adjacent to the National Cycle Route which is Route 6 (Preston to Lancaster).

7.5.2 A number of the representations received in response to the application have raised concern regarding conflict between pedestrians and cyclists who utilise the footway to the front of the site. From a review of online maps it would appear that the official route utilises the road, however makes logical sense why cyclists have been using the footway in front of the site. The land in question is not currently adopted. Through further discussions with County Highways and their Senior Cycling Officer it has been concluded that there is a slight risk but this risk can be reduced by ensuring the development is as open plan as possible, and does not consider that parking across the pavement would be of huge concern given it is well used by cyclists and pedestrians. Whilst not requested by the County, additional signage could be provided and this can be addressed by means of planning condition should a scheme be supported.

7.6 Design and Layout

7.6.1 The applicant engaged in the Council's pre-application advice service in 2015 when concerns were raised that any scheme in this prominent location would need to have active frontages on all four elevations and not to undermine the wider regeneration of the area. The scheme proposed consists

of the erection of a mix of terraced and detached units (proposed at 4 bedrooms) which does reflect the general character and appearance of the surrounding area especially for the Luneside West development which is currently being developed by Redrow and Barratt Homes. The scheme is at a high density (in the region of 40 dwellings per hectare) but this is considered to make efficient use of land and is not uncharacteristic of the surrounding area. Notwithstanding this all properties along St Georges Quay and New Quay Road face the River and there is no development on the riverside aspect of the road (such as the proposed development). The principle of housing here could be supported (assuming technical issues are overcome), however it is considered that if Members were minded to approve the scheme a sensitively designed scheme would need to take note of the prominent quayside location and for any scheme coming forward ensure that the rear of the properties when viewed from Morecambe Road and the shared cycleway/path are not dominated by garden play equipment and sheds which could be seen to detract from the wider regeneration that is occurring in the locale.

- 7.6.2 The scheme at 2.5 storeys in height would be akin to the adjacent development and whilst a number of concerns have been raised with respect to privacy, this should be ensured given there would be 21 metres between dwellings where windows of habitable windows face each other, and whilst the gardens proposed are not 10 metres in length they adhere to the Councils standards of 50sqm. However for the reasons set out in 7.4.1 there are doubts whether this is possible. Overall in conclusion, it is considered that the development on plan would be difficult to resist on design and layout reasons assuming active frontages can be achieved on all elevations, however given the issues that have been raised in respect of flooding (para 7.4.1) and drainage infrastructure (para 7.7.1) whether this is possibility it remains to be seen (such as whether boundary treatments can be used in private gardens and whether if agreement can be reached with the Environment Agency what the overall garden sizes would be). For these reasons it is considered that the scheme fails to accord with the provisions of Policy DM35 of the DM DPD.

### 7.7 Drainage Infrastructure

- 7.7.1 United Utilities do not raise an objection to the scheme but they have raised significant concerns regarding the presence of a 750mm public combined rising main/pressurised sewer crossing the site. There is a requirement (under building regulations) that there cannot be any development over or within 3 metre of the rising main because the proposed development would be exposed to a high risk in the event of a failure of the rising main. It is very evident from the indicative plan that the development as proposed would not be acceptable given all the units currently proposed are within 3 metres of the mains, meaning that a diversion would be required to facilitate the development. The applicant's supporting statement suggests that the cost of a diversion would be a cost incurred by United Utilities due to a legal agreement between the parties. Notwithstanding this, it raises issues as to whether the development can be accommodated here and whether this is a 'deliverable scheme'. Notwithstanding this, the applicants have not sought to include the cost of the diversion of the rising main in the viability assessment that has been submitted in support of the scheme.

### 7.8 Affordable Housing / Housing Needs

- 7.8.1 There is a need to provide 20% on-site affordable provision, equating to 2.8 units. The applicants have submitted a viability assessment concluding the development cannot afford to support any contribution to affordable housing. Whilst the assessment has not been reviewed independently there are significant concerns with the figures contained within the assessment. It should be stressed that it is quite unusual for a scheme at outline stage to be accompanied by a viability statement given the quantum and type of the development is not known, and whilst it is considered that this could be addressed by way of Legal Agreement, given there is no commitment at this stage from the applicant it is considered that the scheme fails to adhere to Policy DM41 of the DM DPD.
- 7.8.2 The scheme as set out in the applicant's supporting documents is proposing 4 bedroom units with a mix of terrace and detached dwellings. The Meeting Housing Needs SPD sets out the general need for the area is predominantly properties consisting of 2 and 3 bedrooms within a mixture of dwelling types. It could be considered that the application deviates from the identified need; however if a scheme was approved this could be considered further at reserved matters stage and in the absence of a response from the Strategic Housing Officer, overall it is considered that matters relating to type and size of properties could be addressed further at reserved matters stage to ensure that the development is capable of meeting a local identified need.

## 7.9 Air Quality

7.9.1 The application is supported by an Air Quality Assessment given the development would be accessed from the City Centres gyratory and this forms the main part of Lancaster's Air Quality Management Area (AQMA). The conclusions of the assessment is that overall it is unlikely to result in adverse air quality impacts. Given the number of units proposed whilst there may be additional traffic flow into Lancaster's AQMA, the site is broadly sustainable, meaning that it would be possible to walk into the City Centre for work and social purposes and whilst the views of Environmental Health are awaited it is not considered that there would be detrimental impacts. It is recommended that electric vehicle charging points are installed in all dwellings should Members be minded to approve the application.

## 7.10 Heritage

7.10.1 The application has generated a substantial amount of public interest with many citing concerns regarding the loss of the last remaining Quay. It is noted that the application site was a quay for the Lune Mills Linoleum Works and New Quay was established in 1767 after St Georges Quay and therefore would have played a pivotal role in Lancaster's economic success. Whilst the site is generally populated by scrub, the site still has the former narrow gauge rails associated with the previous use and therefore it does have some historical value. However the site is a brownfield site and is not within a Conservation Area, nor is a scheduled monument or listed. The Conservation Officer raised no objections to the location of dwellings on the site and therefore it is not considered that refusing the application on the basis of a loss of heritage could be substantiated at appeal.

7.10.2 Notwithstanding the above, the County Archaeologist has raised issue that the site is likely to retain some elements of an earlier quay from circa 1767. The quay may well have already been impacted by the foundations and piling for the recently installed flood defence wall. A detailed programme of works was initially proposed however through discussions with the County Archaeologist a reduced scope of works in the form of a heritage assessment is now required. Admittedly the statement was only requested from the applicant following the consultation response from the County Archaeologist in March 2016, however in the absence of such information it is considered that the proposed development fails to accord with the provisions of Policy DM 34 of the DM DPD and the wider policies contained within the NPPF.

## 7.11 Ecology

7.11.1 The site immediately abuts the River Lune Biological Heritage site, and the Lune Estuary Site of Special Scientific Interest and Morecambe Bay SPA/SAC are 1km downstream as such the application was supported by an ecological appraisal. This identified no significant ecological constraints associated with the development and given the presence of the flood defence wall between the Lune and the development it is not considered that there would be any significant impacts on any protected sites. It is also not considered that the development would result in increased pressure on the Morecambe Bay SPA/SAC with respect to the disturbance of wading birds and wildfowl and therefore no significant impacts are envisaged. A condition could be imposed requiring the submission of an ecological enhancement plan, and safeguards during construction.

## **8.0 Planning Obligations**

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

## **9.0 Conclusions**

9.1 The site is considered to be in a sustainable location and has the potential to accommodate development assuming technical issues can be overcome. However, herein lies the problem. The site is located within Flood Zone 3, which is defined as having a high probability of flooding in the National Planning Practice Guidance. Notwithstanding, given the broad regeneration that would occur as part of this development, this is considered acceptable, however given the Environment Agency objection; officers are of the view that the Exception Test element cannot be satisfied as there is a risk that compromising maintenance may mean flooding may occur. Critically the application has raised concerns with respect to the impact that the development may have on the flood defences and has attracted an objection from the Environment Agency, and with whether taking into account the Environment Agency's requirement for an 8 metre easement whether private

garden spaces can be provided on the site. Whilst a viability assessment has been submitted in support of the scheme this reveals that there will be no contribution to affordable housing and there are concerns regarding the figures proposed within the applicant's assessment. Members are therefore recommended to refuse the scheme based upon the reasons as noted below.

### **Recommendation**

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

1. The proposed development has the potential to restrict access to the flood defences and therefore heightening the risk of flood defence failure due to a lack of maintenance. The development is therefore contrary to the provisions of Section 10 of the National Planning Policy Framework and Policies DM38 and DM39 of the Development Management Development Plan Document.
2. The development fails to pass the 'Exception Test' as flooding may occur elsewhere due to a lack of maintenance. Therefore the proposal fails to accord with Paragraph 102 of the National Planning Policy Framework and Policies DM38 and DM39 of the Development Management Plan Document.
3. Given the need to leave an 8 metre easement to allow flood defences to be maintained there is no certainty that private usable residential garden space could be achieved and therefore the proposal is contrary to Policy DM35 of the Development Management Development Plan Document.
4. The proposal fails to deliver any affordable housing contribution, due to the viability reasons as stated within the applicant's submission. However the content of the viability assessment submitted is considered by the Local Planning Authority to be flawed and therefore the conclusions cannot be relied upon. The omission of the required affordable housing provision and lack of a robust viability rational is contrary to Policy DM41 of the Development Management DPD.
5. The site has the potential to accommodate archaeology of potentially high local significance and the application lacks assessment of the heritage value of the site. In view of this the development is considered contrary to Policy DM34 of the Development Management DPD and also Paragraphs 128 and 129 of the National Planning Policy Framework.
6. The proposed development would impact on a rising mains sewer and as such would not comply with current guidance in relation to separation distances. There are concerns therefore whether the proposal would be deliverable and as such does not comply with paragraph 173 of the National Planning Policy Framework.

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

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

Lancaster City Council takes a positive and proactive approach to development proposals, in the interests of delivering sustainable development. As part of this approach the Council offers a pre-application service, aimed at positively influencing development proposals. Whilst the applicant has taken advantage of this service prior to submission, the resulting proposal is unacceptable for the reasons prescribed in the Notice. The applicant is encouraged to liaise with the Case Officer in an 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

<b>Agenda Item</b> A10	<b>Committee Date</b> 4 April 2016	<b>Application Number</b> 16/00051/FUL
<b>Application Site</b> Land To The Rear Of Queens Hotel 34 - 36 Market Street Carnforth	<b>Proposal</b> Erection of 2 one bedroom apartments and 8 two bedroom apartments	
<b>Name of Applicant</b> Dewcraft Ltd	<b>Name of Agent</b> Mr Manning Elliott	
<b>Decision Target Date</b> 14 April 2016	<b>Reason For Delay</b> None	
<b>Case Officer</b>	Mrs Eleanor Fawcett	
<b>Departure</b>	No	
<b>Summary of Recommendation</b>	Approval subject to amended plans and a signed unilateral undertaking	

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

- 1.1 This application relates to land to the rear of the Queen's Hotel which fronts onto Market Street in the centre of Carnforth. The site comprises a large area of hardstanding, used for parking in association with the Queen's Hotel which is currently closed, and a large detached stone building. The land extends behind several other properties fronting onto Market Street, in addition to the Queens Hotel. Access is from Market Street, through an undercroft between numbers 36 and 38. Along the rear and eastern boundary of the site is a brick wall and along the western boundary are a metal railings.
- 1.2 Adjacent to the site, to the north and east, is a large car park associated with Booths. The supermarket is set further away from the site boundary to the north east. This adjacent land is at a significantly lower level that the application site. The site is supported by a large stone retaining wall on three sides. To the west of the site are the rear yards associated with some of the adjacent properties in addition to a surgery and health centre which are both at lower levels than the site. There is also a pedestrian route linking Market Street to the public car park. To the north west is the end of a row of terraced properties fronting onto Ramsden Street which are at the similar lower level.
- 1.3 The site is located within the Carnforth Conservation Area, the boundary of which follows the rear boundary of the site. There is a United Utilities sewer crossing part of the site close to the buildings on Market Street. The site is also adjacent to the Carnforth Air Quality Management Area (AQMA) and is within the area identified as the town centre, and the adjacent properties fronting on to Market Street are designated as primary retail frontage.

## **2.0 The Proposal**

- 2.1 The application seeks consent for the erection of a three-storey building which will contain a total of 12 apartments, 2 of which will have one bedroom and 8 of which will have two bedrooms. The building would be arranged in roughly an L-shape around a courtyard providing parking and turning facilities. Garden areas have been proposed for each of the ground floor apartments and external shared bicycle and bin stores are also provided. The walls of the building are proposed to be finished in a mix of render and stone and the roof would be slate, in addition to some flat roofed areas.

**3.0 Site History**

3.1 There is an extensive history on the site, the most recent is set out below:

Application Number	Proposal	Decision
14/01168/FUL	Erection of 8 one bed apartments and 12 two bed apartments to rear of existing Hotel	Refused
99/00767/CU	Renewal of temporary permission for change of use of car park to hold car boot sales on Saturdays only	Approved
97/00515/CU	Renewal of temporary permission for Change of Use of car park to hold car boot sales on Saturdays only	Approved
96/00772/CU	Change of use of land for use as an outdoor market to the rear of Queens Hotel (one day a week only).	Approved
96/00324/CU	Change of use of car park to hold car boot sales on Saturdays only.	Approved

3.2 Planning permission was refused in March 2015, at planning committee, for a similar scheme to the one currently proposed but on a larger scale. It was refused for the following reasons:

1. *It is not considered that the current scheme respects that character of the built form and its wider setting as a result of the scale, massing, height and design of the proposed building, or fully addresses safety and security. It is therefore considered that the proposal does not represent high quality design and will not preserve or enhance the character of the Conservation Area. As such, the development is contrary to the aims and objectives of the National Planning policy Framework, in particular the Core Planning Principles and Sections 7 and 12, Policy SC5 of the Lancaster District Core Strategy and policies DM31, DM32 and DM35 of the Development Management Development Plan Document.*
2. *The proposal fails to provide a safe and appropriate means of access to serve the development and the generation of additional traffic movements to and from the site as would be detrimental to highway safety. As such, the development is contrary to the aims and objectives of the National Planning Policy Framework, in particular Sections 4, and Policy DM20 Development Management Development Plan Document.*
3. *The proposal does not fully take into consideration the needs of the adjacent business, particularly in terms of access and servicing, or the potential impacts on the amenity of the proposed units from the nearby commercial properties. The proposal may therefore impact on the ability of the primary retail frontage to be maintained to the detriment of the vitality of the town centre. It therefore conflicts with the aims and objectives of the National Planning Policy Framework, in particular, the Core Planning Principles, and policies DM1 and DM2 of the Development Management Development Plan Document.*
4. *As a result of the siting, scale and design of the proposed building, and the proximity to nearby commercial properties, it is not considered that the development will provide an acceptable level of amenity for both neighbouring and future residents of the proposed building. The proposal is therefore contrary to the aims and objectives of the National Planning Policy Framework, in particular the Core Planning Principles and Sections 7, and Policy DM35 Development Management Development Plan Document.*
5. *The proposed building would cross a public sewer and as such would not comply with current United Utilities guidance in relation to separation distances set out within 'Sewers for Adoption'. The proposal would therefore not be deliverable and as such does not comply with paragraph 173 of the National Planning Policy Framework.*

**4.0 Consultation Responses**

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



Consultee	Response
<b>Carnforth Town Council</b>	<b>Object.</b> Concerns in relation to: the access for vehicles through the Queen's Hotel and impacts on highway safety; access restrictions for emergency vehicles; and the impact on the Queen's hotel as not considered as part of the application.
<b>Environmental Health</b>	<b>No objections</b> subject to conditions requiring: the assessment/control of noise impacts from commercial uses & transport on the development; hours of construction; standard contamination conditions. Measures should be obtained to minimise transport/emissions impacts. Recommend that an assessment of potential odour issues is undertaken in relation to the extraction system at the Chinese takeaway.
<b>Conservation</b>	The proposal is considered to be <b>acceptable</b> and is now of a compatible scale with wit the surrounding and adjacent development. Query whether the new perimeter walls could be constructed from the stone from the barn to be demolished.
<b>Public Realm Officer</b>	<b>No objection</b> subject to the provision of the following in relation to open space: 125 square metres of amenity space on site and an off-site contribution of £9,736 towards parks and gardens and the equipped play area on Kellet Road.
<b>County Highways</b>	<b>No objection</b> , however the development will need to be constructed from the rear of the site and not Market Street, and should be detailed within a construction management plan. Also requested a conditions requiring offsite highway works (yellow box markings on highway and TRO).
<b>County Council Planning</b>	An education contribution is not required at this time.
<b>Lancashire Constabulary</b>	As there have been relatively recent incidents of crime in the vicinity of the site, various security measures are advised.
<b>Lead Local Flood Authority</b>	To be reported.
<b>Lancashire Fire and Rescue Service</b>	It should be ensured that the scheme fully meets all the requirements of part B5 of the Building Regulations.
<b>United Utilities</b>	No comments received.

## **5.0 Neighbour Representations**

5.1 Two pieces of correspondence have been received, raising an objection to the proposal. They have set out the following concerns:

- Impact on the future use of the Queens Hotel building by removing the car parking and the fire escape;
- Impacts from noise and odour on residential use;
- Restriction of access to rear of bookshop; and,
- Length of the development.

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

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

Paragraphs 7, 14 and 17 – Sustainable Development and Core Principles  
 Paragraph 32 – Access and Transport  
 Paragraphs 49 and 50 - Delivering Housing  
 Paragraphs 56, 58 and 60 – Requiring Good Design  
 Paragraph 124 – Air Quality Management Areas  
 Paragraphs 131 – 134 and 137 – Designated Heritage Assets  
 Paragraph 135 – Non-designated Heritage Assets  
 Paragraph 173 – Ensuring viability and deliverability

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

SC2 – Urban Concentration  
 SC4 – Meeting Housing Requirements  
 SC5 – Achieving Quality in Design  
 SC6 – Crime and Community Safety

## 6.3 Development Management Development Plan Document (DM DPD)

DM1 – Town Centre Development  
DM2 – Retail Frontages  
DM20 – Enhancing Accessibility and Transport Linkages  
DM22 – Vehicle Parking Provision  
DM31 – Development Affecting Conservation Areas  
DM32 – The Setting of Designated Heritage Assets  
DM33 – Development Affecting Non-Designated Heritage Assets or their settings  
DM35 – Key Design Principles  
DM37 – Air Quality Management and Pollution  
DM41 – New Residential dwellings

## 6.4 Other Material Considerations

- Meeting Housing Needs Supplementary Planning Document
- Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that the local planning authority should pay special attention to the desirability of preserving or enhancing the character and appearance of Conservation Areas.

## **7.0 Comment and Analysis**

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

- Principle of development
- Scale, Design and Impact on Conservation Area
- Access and highway impacts
- Residential Amenity
- Affordable Housing
- Air Quality
- Contaminated land
- Public Sewer
- Drainage
- Open space

## 7.2 Principle of development

7.2.1 The site is located in a highly accessible location within the centre of Carnforth. It is therefore a sustainable location for new residential development given the proximity to a variety of services. The site is to the rear of buildings fronting onto Market Street identified as primary retail frontage. Policy DM1 of the DM DPD sets out that proposals for residential development within town centre locations will be considered favourably where they are above ground floor level and do not restrict the maintenance of an active street frontage, particularly within designated retail frontages. This proposal would have residential accommodation on all three floors but would be set back from the retail frontage, accessed via a narrow undercroft between the buildings. It would likely be impractical, given the nature of the access, or unviable, given its position, to require the ground floor to be used for commercial purposes.

7.2.2 The impact on the ability of the primary retail frontage to be maintained does need to be taken into consideration. One of the reasons for refusing the previous application on the site was because the proposal did not fully take into consideration the needs of the adjacent business, particularly in terms of access and servicing, or the potential impacts on the amenity of the proposed units from the nearby commercial properties. The previous scheme was larger and was designed in a U shape with a central courtyard. The current application has effectively removed most of the development along the western boundary and it is now all two storey, rather than a mix of two and three storey. Environmental Health raised the same concerns as the previous application regarding impacts on the residential use in terms of odour from the flue at the rear of the Chinese restaurant, and set out that an assessment should be undertaken. This has not been done, however the development is set further from the rear of this property than the previous scheme, separated by approximately 19 metres. As such, it is considered that the impacts would not be significant and mitigation, if required,

could be controlled by condition. A condition has also been requested by Environmental Health with regards to a noise assessment to determine if any mitigation is required for noise impacts from the nearby commercial uses and traffic.

7.2.3 Within the parking provision for the application site, a space each has been provided for the Indian and Chinese restaurants which are on Market Street. In relation to the operation of the Queen's Hotel, the agent has set out that the lorry that carries out deliveries is too large to access the rear of the building through the undercroft and therefore parks on the highway. Even if this is the case, if there is no space to the rear for any servicing or deliveries then this may significantly impact on the ability or viability of the business to operate and could therefore result in the loss of the commercial premises within the primary retail frontage. Facilities for deliveries for smaller vehicles to the public house/hotel have been requested. The plans were amended to show a relatively large space at the rear of the building but, due to the reconfiguration of the car park to include a cycle store, this has been reduced to smaller than a standard space, although it is probably in a more practical position. Subject to the provision of adequate space, and the recommendations above, it is not considered that the proposal will have a detrimental impact on the primary retail frontage. It may be that it is more appropriate to remove the spaces for the Chinese and Indian restaurants and make a larger more useable space for the public house/hotel. The principle of the development in this location is therefore considered to be acceptable.

### 7.3 Design and Impact on Conservation Area

7.3.1 The site is located on the edge of, but within, the Carnforth Conservation Area. Some of the adjacent properties to the south (32-42 Market Street) have been locally listed and as such are considered to be non-designated heritage assets. The adjacent development fronting onto Market Street is a mix of two and three storeys and many have two storey outriggers. The proposal relates to a two storey building arranged in an L-shape. There is some variation in height, but at its highest it would be 9 metres with all the eaves level at around 6 metres. A parking area is proposed to the south and west of the building, adjacent to the public house/hotel. The land levels change considerably to the north, east and north west of the site. Two sides of the site bound the car park at Booths but there is also a health centre and residential properties to the north west.

7.3.2 The previous application was refused as it was considered that the height of the proposal poorly related to the adjacent public car park, supermarket and terraced dwellings on Ramsden Street and would be visually overly dominant. The height of the development, as proposed by the current scheme, better relates to the rear of the properties fronting onto Market Street, many of which have two storey outriggers and also reduces the visual dominance from the lower land to the north. The scale is now considered to be much more appropriate to the setting of the site.

7.3.3 The building has been designed with several projecting gables on the north and east elevations and the walls are proposed to be finished in a mix of render and stone. Both the design and finish will help to break up the overall bulk and massing of the building. Some concerns have been raised with regards to the position and design of some of the windows in the east elevation as it gives a slightly unbalanced appearance. This relates specifically to the offset position of a pair of windows in one gable and this mix of styles and sizes of windows, some having a central mullion. The north elevation is much more balanced and, although it does include a small set of windows, these do not stand out as much as there is a clear flow with the fenestration across the elevation. However, no amendments have been made in relation to this aspect of the scheme. On the elevations facing the parking area, there are some concerns with regards to two flat roof elements and it was advised that an alternative approach was taken. These have remained, but the finishes have been altered so that they match the render of stone wall that they will be visible against. The flat roofed elements are still considered to be a poor aspect of the design. However, given that they are set into the site, back from the access point from Market Street, it is not considered that they will be detrimental to the overall appearance of the building and character of the area, subject to appropriate detailing at the top of the wall.

7.3.3 In terms of the detail, the windows are proposed to be powder coated aluminium. The precise details and colour of both the windows and doors can be controlled by condition. The boundary adjacent to the carpark to the north comprises a large stone retaining wall with a brick wall above. There was originally proposed to be a landscaped area between the building and the wall but there were queries raised regarding the management of this and impact on amenities of residents if used by all residents. As such, it was then divided with boundary fences with a gate providing access through

each yard/garden area. This is not considered to be appropriate and it has been suggested that each ground floor property has maintenance of this land and access from within the flat. Concerns were also raised with regards to the visual impact of dividing fences and domestic paraphernalia from the use of this land in association with each individual flat. It has therefore been suggested that a higher boundary wall is proposed, possibly re-using the stone from the barn to be demolished. Although the land is higher than the adjacent carpark, the development would be visible from the A6 which is at a higher level.

7.3.4 Some issues have been raised by Lancashire Constabulary with regards to security. Some of these could be addressed by way of condition, such as lighting, how far door reveals are recessed and the security of the bin store, but some fall outside the remit of planning. They have raised no overall objections to the design or layout of the scheme from a security perspective.

7.3.5 When considering any application that affects a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of that area. This is reiterated in policy DM31 of the DM DPD which goes on to set out that new buildings within Conservation Areas will only be permitted where it has been demonstrated that:

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

Although it is considered that some elements of the design could be improved, subject to appropriate conditions attached to any consent, it is considered that the proposal is in keeping with the character and appearance of the Conservation Area and respects the height and design of neighbouring development. It is therefore considered that it will preserve character of the Conservation Area.

#### 7.4 Access and highway impacts

7.4.1 Although the site has been previously used as a car park, a new residential use is proposed and as such a safe and appropriate means of access must be provided to serve the properties. There are also likely to be more regular vehicle movements associated with the proposal. The previous application was refused as it was not considered that the scheme proposed a safe and appropriate means of access. There were concerns regarding the ability for two vehicles to pass on the access and also allow for pedestrian access and the restriction of access by larger vehicles due to the access through the undercroft. Market Street is particularly busy in the vicinity of the site and there is quite often queuing traffic in front of the access given the proximity to the traffic lights. If there is not sufficient space for two vehicles to pass on the access then there is potential for vehicles to have to wait to enter the site within the highway, increasing the likelihood of queue generation on Market Street. This would be likely to prejudice the free flow of traffic on the highway, increasing the likelihood of collisions and drivers undertaking inappropriate manoeuvres. The proposal can also not achieve highway visibility requirements, as set out in Manual for Streets, which is likely to be detrimental to both highway and pedestrian safety. The visibility could not be improved as it is restricted by the buildings adjacent to the access. This was part of the highway reason for refusal.

7.4.2 The current scheme has reduced the number of apartments on the site and the amount of parking proposed. There are now 10 spaces, one for each apartment, in addition to one each for the Chinese and Indian restaurants and a space for the public house. At present there is a raised walkway adjacent to the Queens hotel which vehicles cannot pass over. The current application proposes a shared level access for pedestrians and vehicles, with a total width of 5.6 metres, 1.2 metres of which surfaced/ identified in a different way to demarcate the pedestrian route. Plans showing vehicle tracking have also been submitted. These demonstrate that, mainly due to the position of the existing building, it would be unlikely that two vehicles could pass at the entrance given the position a car needs to be in to manoeuvre. The fire escape was originally proposed to be removed, but is now proposed to be retained. This is set back from the highway. Some road markings have been proposed on the access road/drive, but it is unclear what they will achieve as the buildings restrict visibility of the highway and vehicles turning into the site.

7.4.3 County Highways had suggested that a lay-by on Market street be considered for delivery vehicles,

including removals, as they would not be able to pass through the undercroft. There were concerns that vehicles would park on the pavement in front of the Queens Hotel. Following further discussion, the Highways Officer does not now consider this to be required and is not raising an objection to the proposal. They have set out that the management of site access arrangements will require the implementation of a range of off-site highway improvement measures involving a traffic regulation order and laying of thermoplastic yellow box markings or similar to prevent traffic queuing at the traffic lights, blocking the access to the site. Reduced parking provision within the application site is deemed acceptable due in principle to the proximity of town centre bus, rail and private transport services. That said, extensive car parking facilities in the immediate vicinity are all privately managed with limitations on the amount of time vehicles can park. Likewise, use of traffic regulation orders on Market Street are likely in themselves to act as a significant deterrent to individuals with private vehicles considering use of any of the residential units.

7.4.4 Due to the constraints of the site, in particular height restrictions at the site's point of access with Market Street, County Highways they have set out that it should be ensured that the building can be constructed from third party land to the rear given the impact on the operation of the highway if constructed from Market Street. They have stated that under no circumstances would it be deemed acceptable to effect the movement of vehicles along this particular length of carriageway to the detriment of vehicle movements through the adjacent signalised junction and town centre as a whole. The agent has been contacted to ascertain if any discussions have taken place with any neighbouring land owners. There needs to be a degree of certainty that this can be achieved to ensure that a condition can be complied with.

### 7.5 Residential Amenity

7.5.1 The nearest residential properties are above some of the adjacent buildings fronting onto market street. The current scheme has removed the element from the previous application which was closest to these. The rear wall of the nearest property would be approximately 21 metres from the proposed building, with the nearest habitable room window further than this. The building would be closer to the rear of the bookshop, but there does not appear to be any residential properties on the upper floors. The nearest side window at first floor has been removed from the scheme so that there are no direct views between upper floor windows. It is not therefore considered that the proposal will have a detrimental impact on the amenities of residential properties fronting onto Market Street.

7.5.2 To the north west lies the end of a row of terraced dwellings fronting onto Ramsden Street. These are approximately 4.5m lower than the application site. The development would be approximately 17m from the boundary of the nearest dwelling and approximately 20m from the rear wall. There are some windows facing roughly in the direction of this neighbouring dwelling, but given the difference in levels and the distance, it is not considered that there will be a significant impact on privacy. Given the reduced height from the previous scheme, it is not considered that the proposal would result in a loss of light or having an overbearing impact on nearby residents.

7.5.3 The arrangement of the building is such that there will be no overlooking between the new properties. As already raised above, there is potential for noise and odour impacts from nearby commercial uses, however, it is considered that this can be adequately controlled by condition, to ensure adequate mitigation is put in place.

### 7.6 Affordable Housing

7.6.1 Policy DM41 of the DM DPD sets out that within urban areas, proposals for 5 to 14 residential units will be expected to provide 20% affordable housing on site. The submission sets out that 2 of the flats would be for discounted sale. The agents have contacted registered providers and they have shown no interest in taking two of the units. This is not a surprise as it is not uncommon for them to not want to take on units within a larger building, and has been confirmed by the Strategic Housing Officer. It is not the Council's policy to accept units for discounted sale as this does not make them affordable it creates an administrative burden on the Council when they change ownership. The agent has set out that a financial contribution will be provided in lieu of this. This should be the equivalent of providing 20% affordable housing on site, calculated using the methodology in the meeting Housing Needs SPD.

The agent has provided a calculation which gives a sum of £7322. This has been calculated incorrectly, giving only 20% of two of the units rather than 20% of 10 units. The agent has been

advised of this and an update will be provided at Committee.

### 7.7 Air Quality

7.7.1 The proposed development borders the Carnforth Air Quality Management Area (AQMA). Environmental Health have set out that given that the location is away from Market Street it is not anticipated that exposure in this location would prohibit the proposed development or require a ventilation based solution. Traffic will however to some extent impact on the AQMA and, although the development is not large, it has been recommended that emphasis is placed on obtaining measures to minimise the transport/emissions. This could be done through: provision of an electrical charging point to facilitate the use of electric vehicles; provision of measures/ facilities to promote cycling and walking; energy efficiency measures; use of Ultra low NOx boilers if gas boilers are to be installed and a low emission car share scheme. The proposal does already provide a shared cycle store. Other measures could be requested by way of condition if considered necessary.

### 7.8 Contaminated land

7.8.1 As the site has been used as a car park there is potential for contamination. However, there is no evidence to suggest that there have been any uses of the site that would result in significant levels with potential to cause harm to future occupiers. As such, it is considered that this could be adequately dealt with by condition requiring a preliminary risk assessment and further investigation and mitigation if necessary.

### 7.9 Public Sewer

7.9.1 In relation to the previous application, United Utilities advised that a public sewer crosses the site and they will not permit building over it. An access strip width of 6m is required, 3m either side of the centre line of the sewer, in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement. This has been shown on the layout plan and is not affected by the development. An existing wall and the gate for fence for the bin store will cross the easement but is easily removable so should not be an issue.

### 7.10 Drainage

7.10.1 Given the size of the scheme, the Lead Local Flood Authority has been consulted and any response will be reported at the meeting. The site already comprises hard standing, however, runoff is likely to be increased as a result of the development. A surface water drainage scheme can be requested by way of a condition.

### 7.11 Open Space

7.11.1 A response has been provided by the Public Realm Officer in relation to the need for open space in relation to the development. It has been set out that 125 square metres would be required on site. The original site plan showed a shared space between the building and the carpark. However there were concerns with regards to how this would be used as it would result in overlooking into ground floor windows. It is now proposed to be divided for each ground floor property. Given the layout, this is considered to be the most appropriate solution.

7.11.2 Other requirements would require off site contribution. An assessment provided by the Public Realm Officer shows that: there are no parks within Carnforth and therefore the contribution should be made the nearest park, Happy Mount Park; there are currently no young people's play facilities within the town and no current projects have been identified to make a financial contribution to; there are no public facilities sports facilities within the town and therefore there will be no requirement for this; and a contribution should go to the development of the play area on Kellet Road. The contribution has been calculated at £9,736 toward children's facilities and Park & Gardens and the agent has agreed that this can be paid. However, given the distance of the site from the relevant park, it cannot be considered that this relates to the development proposed. As such, it seems unreasonable to ask for the whole of the contribution, and just an amount towards play facilities may be more appropriate. This will be clarified and an update reported.

**8.0 Planning Obligations**

- 8.1 The application would require a Unilateral Undertaking in relation to:
- A financial contribution towards affordable housing within the District, in lieu of on-site provision; and,
  - A financial contribution towards off site play facilities.

**9.0 Conclusions**

- 9.1 The site is located in an accessible location within Carnforth and helps towards the housing provision within the District. It is considered that the development is of an appropriate scale and design, in keeping with the character and appearance of the Conservation area, and will not have a significant adverse impact on highway safety, residential amenity or the primary retail frontage. The proposal is therefore considered to be acceptable, subject to the minor amendments and further information set out above.

**Recommendation**

That Planning Permission **BE GRANTED** subject to the amendments to the scheme outlined above, a Unilateral Undertaking to secure financial contributions towards affordable housing and off site play space and the following conditions:

1. Standard time condition
2. Approved Plans
3. Construction management Plan including hours of construction
4. Off-site highway works
5. Details/widening of access
6. Surface water drainage scheme
7. Contamination investigation and remediation
8. Noise and odour assessments and mitigation measures to prevent adverse impacts on occupiers
9. Materials including – windows, doors, heads, cills, mullions, render, slate, stone (including sample panel), details of pillars, eaves, verge, ridge and rainwater goods.
10. Boundary treatments
11. Surfacing details and creation of parking and turning facilities prior to occupation (including how they will be demarcated for different users)
12. Landscaping
13. Bin store and bike store
14. External lighting

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

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

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

**Human Rights Act**

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

**Background Papers**

None

<p align="center"><b>Agenda Item</b></p> <p align="center">A11</p>	<p align="center"><b>Committee Date</b></p> <p align="center">4 April 2016</p>	<p align="center"><b>Application Number</b></p> <p align="center">16/00201/FUL</p>
<p align="center"><b>Application Site</b></p> <p align="center">Moss Wood Caravan Park Crimbles Lane Cockerham Lancaster</p>		<p align="center"><b>Proposal</b></p> <p align="center">Change of use of land for the siting of 25 static caravans</p>
<p align="center"><b>Name of Applicant</b></p> <p align="center">Mr Henry Wild</p>		<p align="center"><b>Name of Agent</b></p>
<p align="center"><b>Decision Target Date</b></p> <p align="center">20 May 2016</p>		<p align="center"><b>Reason For Delay</b></p> <p align="center">None</p>
<p><b>Case Officer</b></p>		<p>Mr Andrew Holden</p>
<p><b>Departure</b></p>		<p>N/A</p>
<p><b>Summary of Recommendation</b></p>		<p>Approval subject to conditions</p>

## 1.0 The Site and its Surroundings

- 1.1 The application relates to the expansion of an established holiday caravan park located in a position approximately 1.5km south of the A588 on Crimbles Lane Cockerham. The existing site is well established with mature trees along all the boundaries of the site and little views of the development other than at the points of access off Crimbles Lanes. The application site lies immediately to the north of the existing site and comprises a single large field bounded on the east by Crimbles Lane, north by farm land with an access track running along it to the west by pastoral land outside the applicants control and on the south by the existing site.
- 1.2 The boundaries are well established with mature tree and hedgerows planted over 10 years ago. The boundaries have a couple of weak areas in the belt of planting. The main area is associated with the presence of a field access in the north-east corner of the site and a lack of tree belt planting to the south-west corner. The southern boundary with the existing site is well developed other than for the provision of access point to and provision of visitor car parking area.
- 1.3 The field is predominantly flat rising slightly south to north but with a more pronounced rise of several metres in a north/south alignment along the eastern boundary of the site. Within this rising land further tree planting has been developed to provide effective screening form the adjacent Crimbles Lane.
- 1.4 The open land has been used on an informal basis as an amenity area for the adjoining caravan site (dog walking informal recreation etc.) but has no development upon it other than a small visitor parking area (10 cars) on its southern boundary close to the existing shop/reception area.

## 2.0 The Proposal

- 2.1 The application is seeking to change the use of an existing field adjoining the caravan site to allow the siting of 25 static pitches with associated access road, hardstanding and amenity area. In addition, supplementary landscaping is to be provided within the body of the caravan park and around the visitor car parking area. Access to the site will be via the main site entrance off Crimbles Lane and form within the existing site via an upgraded and widened car parking access road. The main circulation road is to be surfaced in tarmac, with stoned hardstanding alongside the



caravan pitches for parking and amenity space. The remaining area is to be soft landscaped, predominantly with grass.

**3.0 Site History**

3.1 The application site has a limited planning history relating to the use of the site as a holiday caravan site (static and tourers). The site has been established for over forty years and has a limited number of extensions.

Application Number	Proposal	Decision
03/00138/CU	Extension to the site to provide a total of 168 statics, 27 Tourers and one staff residential unit.	Approved
14/01060/FUL	Change of use of land to allow holiday occupation of caravans between 4 February and 4 January in the following year (11 month season)	Approved

**4.0 Consultation Responses**

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

Consultee	Response
County Highways	No objections, suggests condition for the provision of cycle storage for each unit
Environmental Health	No observations received within statutory timescale.
Environment Agency	No observations received within statutory timescale.
Tree Protection Officer	No observations received within statutory timescale.
Parish Council	No objections

**5.0 Neighbour Representations**

5.1 None received to date, any consultations will be reported verbally to the committee.

**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  
 Section 3 – Supporting a prosperous rural economy  
 Section 4 – Promoting Sustainable Transport  
 Section 11 – Conserving and Enhancing the Natural Environment

6.2 Lancaster District Core Strategy Policies  
 SC5 – Achieving Quality in Design  
 ER6 – Developing Tourism

6.3 Development Management DPD  
 DM7 – Economic Development in Rural Areas  
 DM9 – Diversification of the Rural Economy  
 DM14 – Caravan Sites, Chalets and Log Cabins  
 DM20 – Enhancing Accessibility and Transport Linkages  
 DM27 – Protection and Enhancement of Biodiversity  
 DM28 – Development and Landscape Impact  
 DM29 – Protection of Trees, Hedgerows and Woodland  
 DM35 – Key Design Principles

6.4 Lancaster District Local Plan Saved Policies  
 E4 – Development within the Countryside

## 7.0 Comment and Analysis

7.1 The main issues are considered to be:

- Principle of development
- Landscape and Visual Impact
- Drainage/flood risk management
- Access and highway impacts
- Impact on trees
- Impact on residential amenity

### 7.2 Principle of development

7.2.1 The application proposes an extension to an existing static and touring caravan site to accommodate a further 25 static caravans and provide associated amenity areas, visitor parking and a small office building. The site currently is licensed for 168 statics, 27 Tourers and one staff residential unit and operates over an 11 month season running from 4 February to 4 January the following year. The existing site is well landscaped and managed with a wide range of facilities available to the occupiers. These include, a shop/reception, launderette, large children play area, open grassed/landscaped amenity areas and access to a fishing pond.

7.2.2 Policy DM14 of the Development Management DPD sets out that proposals for new or extension to existing static or touring caravan sites will be supported in principle within the district, and outside areas of designated landscape importance and to an appropriate scale, subject to the following criteria:

- *Priority is given to previously developed sites and, where greenfield sites are identified, it should be demonstrated that no alternative, suitable brownfield sites exist in the locality;*
- *The proposal has no adverse impact on landscape character or significant detrimental impact on the visual amenity of the locality, and includes satisfactory proposals for additional landscaping where required;*
- *The layout retains onsite features and provides compensatory planting and other nature conservation measures;*
- *The proposal maintains and enhances existing areas of recreational open space or creates new areas which are proportionate in scale;*
- *The proposal does not have an adverse impact on biodiversity;*
- *The proposal does not have an adverse impact on surrounding residential amenity; and the proposal is in an accessible location and has no adverse impact on the capacity of the highway network, highway safety.*

7.2.3 The site is a greenfield site immediately alongside the current caravan site and in the ownership of the applicant. The site expansion will utilise the main site access, and all the facilities currently available within the existing site. Whilst not previously developed land, expansion into the adjacent field will limit the need for additional infrastructure to support the tourism development as it is provided within the existing developed site. Subject to the consideration of the more detailed issues, the principle of the development is considered to be acceptable in terms of the Council's policies.

### 7.3 Landscape and Visual Impact

7.3.1 Planning policy seeks to ensure that development of the site has no adverse impact upon the landscape character of visual amenity of the area. The site is well screened from wider public aspect as much by topography as the mature tree/hedgerow planting, the majority of the land to the north, south and west being flat and open but the site is bounded by a well-established planting belt. Limited views into the site will be afforded in the winter months given the native, deciduous nature of the landscaping. The presence of a gated entrance to the north-east corner of the site does allow for direct views from a slightly elevated position into the proposed site. This weakness has been recognised in the amended application submission. The gateway will be lost and the area planted with specimen trees to reflect the current planting belt.

7.3.2 Subject to conditions to ensure the provision of the supplementary planting both within the site and along the boundaries, the visual impact of the development will be limited and is considered to unduly impact on the area. To further limit the visual effects of the siting of static caravans, the units are to be finished with 'park colours', shades of greens and browns the precise range of which will need to be agreed.

## 7.4 Drainage/Flood Risk Management

- 7.4.1 The application site and the existing caravan site lie within Flood Zones 2 and 3 but in areas protected by coastal protection measures. The issues of flood protection have been raised and considered in detail as part of the 2003 and more recent 2014 planning consents. The current application is also supported by an updated Flood Risk Assessment for the proposed extended caravan site. At the time of drafting this report, no consultation response has been provided by the Environment Agency.
- 7.4.2 In considering the recent applications it was concluded that the area has not been subject to any flooding incidents since 1977. This being caused by the failure of the tidal sea wall at Mill Bridge House (now replaced with tidal banking) with no further incidents of flooding in the area either tidal or surface water.
- 7.4.3 It is noted that development of the site will involve the introduction of some impermeable areas such as caravan roofs and service road. Surface water from each unit will be drained to individual soakaways and the road will drain directly into the ground. In practice, the areas of impermeable surface will be limited and directed into the ground with little impact upon natural drainage. Foul water is to be directed into the existing treatment plant which will be upgraded to deal with additional flows.
- 7.4.4 The extended site would also benefit from an existing Flood Management and Evacuation Plan which has been in place since the site expansion in 2003 and agreed with the local authority and the Environment Agency. The plan allows for early warning of possible flood events and has set out evacuation plans directed onto land to the east of the site and highway escape routes from the site.
- 7.4.5 With these anticipated limited impacts, lack of increase to flood risk elsewhere and lifetime protection of future occupiers of the site it is considered that the benefits of sustaining and strengthening a rural tourism use will outweigh the potential risks of developing within a Flood Zone 3 and will satisfy the exception test as set out in the NPPF and National Practice Guidance.

## 7.5 Impact on trees

- 7.5.1 The proposal seeks to retain the planting belt which surrounds the site on all side and will see the introduction of additional areas of planting within the body of the site to provide amenity and additional screening. The location of the caravan pitches and hardstanding area have been located outside the line of tree planting and are not anticipated to effect the trees either below ground or require lopping to facilitate the siting of the caravans.

## 7.6 Access and highway impacts

- 7.6.1 The application site will be served form an existing site entrance within the main site. The entrance is laid out to an acceptable geometry allowing for two-way vehicle movement and providing acceptable visibility along Crimbles lane. In responding to the consultation, the highway authority has raised no objections to the increased use of the highway network to support a tourism use but raises caution to the development of a residential site in this location. The application is seeking only to expand the existing holiday use and would be suitably conditioned to prevent residential use of the site.
- 7.6.2 In the interest of sustainable development, the highway authority has suggested a condition be attached seeking the provision of secure cycle storage for two cycles per unit. The applicant has raised some concern over the cost implication over this requirement but has indicated that subject to request from the pitch occupiers a secure cycle stores have previously been provided on the existing site, this approach would be adopted for the proposed extension. The reasoning behind this arrangement is due to the nature of cycle use at the site. This appears to generally fall into two areas if cycling is adopted; either use of simple bikes which are left in the unit when unoccupied or stored alongside the unit; or high-end bikes which are brought to the site on each occasion and secured to the vehicle or within the high specification secure structure paid for by the individual occupiers on requests but installed by the site owner. The development of cycle storage for each unit is considered to be an unduly onerous requirement for the site developer.

## 7.7 Impact on residential amenity

7.7.1 The area has a limited number of residential properties along Crimbles Lane with the nearest properties sited beyond the site entrance alongside the existing site. Given the separation distance and the relative location of the nearest residential properties it is not considered that there will be an adverse impact on residential amenity.

## **8.0 Planning Obligations**

8.1 Not applicable in this instance as the application is seeking to develop an 11 month season, reflecting the main site with a closed unoccupied period during January, (5 January to 4 February) which aids the prevention of residential occupancy.

## **9.0 Conclusions**

9.1 It is considered that the site is located in an appropriate location, well screened and allowing for a sustainable expansion of an existing rural tourism operation without undue impact upon the wider landscape and areas of acknowledge importance. Subject to appropriate conditions, the application should be supported.

## **Recommendation**

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

1. Three year standard time limit
2. Development to be in accordance with approved plans
3. Amended plans – landscaping, colours, materials and finishes
4. Development of the additional landscaping with first planting season following commencement of development.
5. Caravans for holiday purposes only (maximum of 25 units)
6. Register of caravan owner/occupies main home address to be provided
7. Precise detail of the site office to be agreed

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

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

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

## **Human Rights Act**

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

## **Background Papers**

None.

<b>Agenda Item</b> A12	<b>Committee Date</b> 4 April 2016	<b>Application Number</b> 16/00278/FUL
<b>Application Site</b> Grasscroft Borwick Avenue Warton Carnforth	<b>Proposal</b> Erection of one dwelling with associated access and landscaping	
<b>Name of Applicant</b> Mr Julian Stainton	<b>Name of Agent</b> N/A	
<b>Decision Target Date</b> 20 April 2016	<b>Reason For Delay</b> N/A	
<b>Case Officer</b>	Andrew Holden	
<b>Departure</b>	No	
<b>Summary of Recommendation</b>	Approval subject to conditions	

**(i) Procedural Matter**

This form of application would normally be deal with under the Scheme of Delegation, however, the applicant is related to a member of staff within the local authority and consequently the application needs to be determined by the Planning Committee.

**1.0 The Site and its Surroundings**

- 1.1 The application site is located within the village of Warton between Borwick Avenue and Warton Bowling Club. The site lies within the Arnside and Silverdale Area of Outstanding Natural Beauty (AONB) and designated Countryside Area. Warton Conservation Area boundary lies approximately 50m to the northwest of the application site beyond the bowling green running along Church Walk. Properties on the west side of Church Walk are two storey semi-detached 1930's housing and predominantly single storey bungalows to the east side of Church Walk.
- 1.2 The application site comprises a small field and to the north part of the area to the now vacant haulage yard associated with Grasscroft. The site boundaries comprise, mature privet hedgerow to the east along Borwick Avenue, a mixture of mature hedgerow, trees and fencing along the southern boundary of the residential properties on Borwick Lane, and a 1.3m high limestone wall to the western boundary with the bowling green. The northern site boundary is open as part of the yard. A mature hawthorn hedge sits slightly within the application site forming the field boundary.
- 1.3 Ground levels generally fall northeast to southwest with the land to the east of Borwick Avenue siting approximately 2.0m higher than the application site. The dwellings fronting Borwick Lane lie slightly lower than the application site, approximately 0.6m. A section across the site indicates a difference in level (Grasscroft to the north and 17 Borwick Lane to the south) of approximately 1.5m over the gentle grade.
- 1.4 The immediate area has a mix of property types, in terms of age, style and over height. Adjacent to the site to the north are Grasscroft House (two storey) and Grasscroft Bungalow owned by the former owner of the building plots. On Borwick Avenue, sitting at a higher level there are two pairs of two-storey semi-detached houses built in the 1930's. There are four chalet style

bungalows adjacent to the site on Borwick Lane with a detached two storey house also on Borwick Lane at the junction with Borwick Avenue. The bungalows enjoy generous rear gardens with a depth of approximately 18m. The properties on Borwick Avenue are set well back from the road with front gardens on a similar length and a separation distance to the edge of the application site of over 25m.

**2.0 The Proposal**

- 2.1 The current application relates to the central dwelling of the three approved under 15/00425/FUL. The earlier consent has been implemented but the applicant is seeking to change the design of the approved dwelling. Whilst the footprint, internal layout and fenestration pattern of the dwelling remains as originally approved, the main roof form is to change from a hipped roof to a gable with the introduction of limestone to the whole of the front elevation of the building. The change from hip to gable increases the overall mass of the roof and raises the ridge height by approximately 300mm. The roof changes closely relate to those approved for the neighbouring plot 1 on the approved scheme. Plot 3 remains as a hipped roof form but lies closer to properties on Borwick Avenue.
- 2.2 The marginal increase in the roof height and change in the overall roof form cannot be considered as non-material amendments to the approved scheme and has resulted in the need for a separate planning application for the revised dwelling design. This is within the previously approved layout and plot boundaries.

**3.0 Site History**

- 3.1 The site forms part of a larger commercial site which has been used for agricultural haulage including the movement of livestock. It is understood that the current application site which is wholly agricultural is a small field which was used for stock grazing in conjunction with the commercial agricultural haulage operation. The larger site combining both the commercial yard and the field gained originally consent for the erection of two large detached dwellings under 12/00218/CU.
- 3.2 The consent sought to develop a new dwelling within the commercial yard following the demolition of a workshop/storage building. A further even larger detached dwelling and separate detached double garage was to be built within the field. The current site access into the yard was to be modified to provide access to the two new dwellings as well as the original dwellings beyond (Grasscroft and Grasscroft Bungalow).
- 3.3 The commercial and adjacent to Grasscroft has more recently gained a separate consent for a four bed detached dwelling under planning consent 15/00567/FUL. The application replacing the earlier combined approval on the larger site, 12/00218/CU.
- 3.3 The current application site forms part of a larger site for three dwelling approved under 15/00425/FUL. The earlier consent granted approval for three detached four bedded dwelling with an ungraded access off Borwick Avenue leading to both sites.
- 3.4 Consent for the three dwellings approved under 15/00425/FUL has been implemented with associated conditions including materials, landscaping and hedgerow agreed. The external materials for the dwellings include the use of render and limestone walling under slate roofs. Windows and doors are to be aluminium with a grey external finish. The roof form of the three dwellings differ between plots with the introduction of both hipped and gable roof details.

Application Number	Proposal	Decision
15/00425/FUL	Erection of three dwellings and associated access and landscaping	Approved
15/00567/FUL	Erection of a detached dwelling	Approved
12/00218/CU	Change of use of land from commercial/agricultural to residential, and erection of two residential detached dwellings	Approved

**4.0 Consultation Responses**

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

Consultee	Response
<b>County Highways</b>	No highway objections.
<b>Environmental Health</b>	No objections - previously suggested conditions regarding hours of construction; unexpected land contamination and advice regarding radon gas.
<b>Tree Officer</b>	Any views received will be verbally reported.
<b>AONB Office</b>	Any views received will be verbally reported.
<b>Conservation Officer</b>	Views awaited on the revised design, previously commented that the site lies outside Warton Conservation Area. More distant views against the Conservation Area needs to be considered. The use of render/stone to the walls and slate roofs is considered acceptable subject to agreement of the precise external materials.
<b>Public Realm Officer</b>	Views awaited on the revised scheme previously commented - No objections, the development will lead to a loss of potential amenity space, however the space is surrounded by houses; does not have public access; there is access to other space and the proposed/current houses in the area have good size gardens.
<b>Natural England</b>	Statutory nature conservation sites - No objections. Suggest more detailed discussion with the AONB office in respect of landscape protection
<b>United Utilities</b>	Any views received will be verbally reported.
<b>Parish Council</b>	Any views received will be verbally reported.

**5.0 Neighbour Representations**

5.1 None to date, any comments will be reported directly to the planning committee.

**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 115 - Areas of Outstanding Natural Beauty  
 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

6.4 Development Management DPD (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 – Setting of Heritage Assets  
 DM35 – Key Design Principles  
 DM41 – New Residential dwellings  
 DM42 – Managing Rural Housing Growth

6.5 Lancaster District Local Plan (Saved Policies)

E3 – Development affecting Areas of Outstanding Natural Beauty

**7.0 Comment and Analysis**

7.1 The main issues are:

- Principle of the development
- Impacts upon residential amenity
- Highway Impacts
- Design and materials

**7.2 Principle**

7.2.1 Policy SC1 of the 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 E2 also emphasises that the Council will minimise the need to travel by car and Policy SC3 of the Core Strategy states that 10% of new homes will be allowed to meet local housing needs in villages, focussed in those that have five basic services. Warton is not one of the settlements identified in this policy. However, the Council is adopting a more flexible approach and allowing residential development within settlements which contain some services sufficient for them to be considered to be sustainable. This is reflected in policy DM42 of the Development Management DPD. The approach of this policy is also in line with the more flexible position taken by the NPPF as opposed to the more restrictive policy in the Core Strategy.

7.2.2 Warton has a primary school, pubs, park, church and bus stops on a main bus route. As such, it is considered to be a sustainable location where small scale residential development would be supported. The site is well related to the existing built up development with housing to the north, south and east. Warton bowling green, a further community facility lies immediately to the west. The site does suffer from a poor footway linkage to the centre of the village. However, given the small scale 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 Impacts upon Residential Amenity**

7.3.1 The previously approved scheme raised a number of objections from neighbouring residential occupiers as it sought to introduce two storey dwellings within the field plot instead of the earlier consent for a large dormer bungalow. The introduction of the two storey houses was considered acceptable, providing that there was sufficient spatial separation from the neighbouring dwellings to maintain privacy. The current proposal retains the same footprint and fenestration pattern with no changes to the approved arrangements in relation to the neighbouring properties.

7.3.2 The properties to the south enjoy good sized rear gardens approximately 18m in depth. In addition the dwellings are to be set back a minimum of 10m into the plot. The resulting separation at first floor is over 28m, well in excess of the minimum 21m adopted by the local planning authority. The ground floor separation distances are reduced with the introduction of a garden room to a distance of around 24m. The boundary between the application site and the properties on Borwick Lane comprises a well-established boundary hedgerow and a number of semi-mature trees. The presence of such a boundary further limits loss of privacy/overlooking concerns.

7.3.3 The relationship of the new dwellings to the existing and proposed neighbouring dwellings is considered to meet criteria set out in planning policy and subject to the continued retention of the boundary hedgerow and trees is not unduly detrimental to the amenity of neighbouring residential occupiers.

**7.4 Highway Impacts**

7.4.1 County Highways has not raised objection to the development as it does not materially differ from the earlier approved scheme. As part of the earlier approval, payment for the upgrading (white-lining) of the junction between Borwick Avenue and Borwick Lane has been taken and undertaking by Lancashire County Council.



## 7.5 Design and Materials

- 7.5.1 The design of the dwellings as approved raised some concerns with the local planning authority. The general height and massing was considered acceptable but the scheme sought to develop quite complicated building forms with hipped roof gable projections, external chimneys and smaller hipped roof single storey additions to create porches and garden rooms.
- 7.5.2 The resulting designs were considered to be very urban in form and not fully reflective of their general location within the AONB and the wider rural location. Some improvements were made but given the immediate context with a mixture designs and dwellings, the development was reluctantly considered acceptable.
- 7.5.3 The current application is seeking to develop a building form already agreed within the adjacent Plot 1 but with the addition of natural limestone walling to the front elevation. The walling is to be bedded onto the timber frame construction leaving an open pointed appearance. The submitted drawings were unclear as to the precise nature of the coursing and lacked an expressions of support to the windows/door opening in the form of a lintel. These issues have been directed to the applicant and a revised elevation/clarification of stone detailing is anticipated in time for the committee meeting.
- 7.5.4 Overall the scheme is seeking to use material which are sympathetic to the area and will be of an overall height to sit comfortably within the wider townscape of this part of Warton and the wider Warton Conservation Area.

## 7.6 Other Matters

- 7.6.1 Trees and Hedgerows – Development of the previously approved scheme has resulted in the loss a two section of mature hedgerow to improve site access off Borwick Avenue and allow access to the three plots.
- 7.6.2 A number of semi-mature trees lie immediately along the southern boundary of the application site but within the garden areas of the dwellings on Borwick Lane. In addition a mature hedgerow forms the southern boundary of the current application site as well as the whole of the larger approved site. The value of the hedgerow and trees have previously been recognised and are proposed to be retained. The current application continues with the retention of the hedgerows/trees and is supported by an Arboricultural Assessment setting out a methodology for root protection during the construction period. In practice, this has already been addressed and is in place as part of the implementation of the earlier consent for three dwellings with a tree protection fencing erected along both the southern and eastern site boundaries of the larger plot. Condition should be attached to ensure the retention of the tree/hedge protection fencing during the construction period.
- 7.6.3 Affordable Housing Contribution - The original application, 15/00425/FUL was granted at a period of time when central government had set-down guidance which sought to direct local authorities from demanding the provision of affordable housing in association with small scale schemes and as a consequence, the planning consent does not demand the provision of a financial contribution towards affordable housing.
- 7.6.4 A legal challenge by a number of local authorities, concluded that the approach taken by Government was unlawful and a requirement to consider affordable housing in small schemes, including additional single dwellings remains.
- 7.6.5 In this case, the planning consent for the erection of three dwellings has been implemented and can be fully developed. The current proposal is in effect only seeking to revise the design of the approved scheme and will not result in the net gain of any dwellings. Consequently, it is not considered appropriate to seek a financial contribution for this development.
- 7.6.6 Contaminated Land - As part of the earlier application relating to the larger site, a full contaminated Land Assessment has been carried out and is seen to be acceptable by the Contaminated Land Officer. As this site relates to only the field element of the original planning consent the Contaminated Land Officer has raised no objections and has suggested an unforeseen contamination condition.

**8.0 Planning Obligations**

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

**9.0 Conclusions**

9.1 The principle of residential development has already been established with the granting of previous planning consents at the site 12/00218/CU and more recently 15/00425/FUL for the erection of 3No two storey houses. The current proposal seeks only to change the form of one of the approved dwellings with the introduction of a gable roof, reflecting the form approved in the neighbouring plot and the introduction of a natural limestone front elevation. Subject to satisfactorily addressing the queries over design and materials raised, the development is considered acceptable in this location.

**Recommendation**

That subject to the expiry of the site notice (5 April 2016) and no significant objections being raised, Planning Permission **BE GRANTED** subject to the following conditions:

1. Standard 3 year timescale
2. Development to be completed in accordance with the approved plans
3. Amended plans
4. Parking areas to be provide and maintained
5. Root protection measures set out in the detailed Arboriculture Assessment to be retained during the construction period
6. No tree/hedges to be felled other than those agreed
7. Details/samples of all external materials to be submitted and agreed
8. Details of rainwater goods, eaves and fascia
9. Obscure glazing to be provided and maintained to all first floor gable windows
10. GDO tolerance removed window and door openings
11. GDO tolerances removed extension
12. Hours of construction
13. Unforeseen contamination

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

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

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

**Human Rights Act**

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

**Background Papers**

None.

<b>Agenda Item</b> A13	<b>Committee Date</b> 4 April 2016	<b>Application Number</b> 16/00160/FUL
<b>Application Site</b> Town Hall Dalton Square Lancaster Lancashire	<b>Proposal</b> Construction of a ramp to provide disabled access and creation of a doorway from an existing window opening on the side elevation	
<b>Name of Applicant</b> Mr Geoff Kenyon-Jackson	<b>Name of Agent</b> Mr Anthony Grimshaw	
<b>Decision Target Date</b> 1 April 2016	<b>Reason For Delay</b> Committee cycle	
<b>Case Officer</b>	Mr Andrew Clement	
<b>Departure</b>	No	
<b>Summary of Recommendation</b>	Approval subject to conditions and referral to the National Planning Casework Unit	

**(i) Procedural Matters**

The application is one which would normally be dealt with under delegated powers but has been placed on Committee as the subject property is in City Council ownership.

**1.0 The Site and its Surroundings**

1.1 The application site is the Lancaster Town Hall, situated on Dalton Square in the core of the Lancaster City Centre. The Town Hall is a Grade II\* Listed Building and is made up of sandstone ashlar under slate roofing. The site is also within the Lancaster Conservation Area.

**2.0 The Proposal**

2.1 The application proposes to construction a ramp to provide disabled access and create a doorway from an existing window opening on the east side elevation of Lancaster Town Hall. The proposed ramp and landing areas will measure a total length of 15.5 metres, with a 0.8 metre ramp width. To facilitate access to the proposed development, 1.2 metre wide openings in the existing sandstone baluster wall will be formed immediately to the north and south of the proposal. The access ramp will be constructed of galvanised steel and glass panels beneath a glazed stainless steel handrail, with a moulded grey coloured fibre-reinforced plastic grated floor. The new doorway and frame material is proposed to be European oak.

**3.0 Site History**

3.1 The Town Hall has an extensive planning history, which largely relates to matters of maintenance and repair. No previous applications materially affect this current submission. An application for Listed Building Consent for the proposed development has been applied for concurrently (Ref: 16/00161/LB).

**4.0 Consultation Responses**

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

Consultee	Response
English Heritage	This application should be determined in accordance with national and local policy guidance and on the basis of the LPA's specialist conservation advice.
Conservation Section	No objections subject to conditions
The Victorian Society	No observation received

**5.0 Neighbour Representations**

5.1 No observations received, with the site notice consultation period expiring on 3<sup>rd</sup> March and advertisement publication expiring on 4<sup>th</sup> March 2016.

**6.0 Principal National and Development Plan Policies**

6.1 National Planning Policy Framework (NPPF)

**Paragraph 17** – Core planning principles

**Section 7** – Requiring Good Design

**Section 12** – Conserving and Enhancing the Historic Environment

6.2 Listed Building and Conservations Area Act 1990

**Section 7** – Restriction on Works Affecting Listed Buildings

**Section 17** – Power to Impose Conditions on Grant of Listed Building Consent

**Paragraph 72** - General duty as respects conservation areas in exercise of planning functions.

**Paragraph 73** - Publicity for applications affecting conservation areas.

6.3 Lancaster Conservation Area

**Area 4** – Dalton Square

6.4 Development Management DPD

**DM20** – Enhancing Accessibility and Transport Linkages

**DM30** – Development Affecting Listed Buildings

**DM31** – Development affecting Conservation Areas

**DM32** – The Setting of Designated Heritage Assets

**DM35** – Key Design Principles

6.5 Lancaster District Core Strategy Saved Policies (adopted July 2008)

**SC1** – Sustainable Development

**SC5** – Achieving Quality in Design

**7.0 Comment and Analysis**

7.1 The key considerations arising from the proposal are:

- Principle of the development;
- Scale, Design and Landscape Impact on the Character of the Conservation Area and Listed Building;

7.2 Principle of the Development

To enable access to the proposed development, two 1.2 metre wide openings in the existing sandstone baluster wall will be created immediately to the north and south of the proposal. The principle of the development - to ensure that Lancaster Town Hall is accessible to the whole community - is considered acceptable and consistent with policies DM20, DM35 and NPPF Paragraph 17 and Section 7.

- 7.3 Scale, Design and Landscape Impact on the Character of the Conservation Area and Listed Building  
The scale of the proposed access ramp and landing areas is modest in comparison to the scale of the building, measuring 15.5 metres long. The proposed design and materials of the access ramp, which are glazed stainless steel handrails above glazed side panels and a moulded grey coloured fibre-reinforced plastic grated floor, is considered to be sympathetic to both the Grade II\* listed building and the wider conservation area. Details of the proposed lighting of this access ramp should be agreed through condition prior to commencement.
- 7.4 The proposed European Oak material of the new beaded raised panel door matches the building woodwork of Lancaster Town Hall; however details of the alterations to masonry to form the door opening and details of the decorative finish to the door should be agreed through condition prior to commencement. Additional samples of any new stonework for the creation of the openings for the door and the sandstone baluster wall must be submitted for approval, again through a condition to be discharged prior to commencement. The masonry and stonework of the Lancaster Town Hall and sandstone baluster boundary treatments are characteristic of the Dalton Square Area 4 of the Lancaster Conservation Area, and ensuring the appropriateness of details and materials for this element of the proposal is imperative to confirm that the development will have an acceptable impact on the listed building and conservation area. The Conservation Section concur, and the proposal has the Senior Conservations Officers full support. Historic England raised no objection to the application, whilst no observation was received from the Victorian Society or through the site notice and publication.
- 7.5 The proposed works to Lancaster Town Hall are considered to be proportionate and of a sympathetic design and materials to the grade II\* listed building and wider conservation area. The proposed development is considered acceptable and is seen to comply with DM30, DM31, DM32 and NPPF Section 12. This view is shared by the Conservation Section.

### **8.0 Planning Obligations**

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

### **9.0 Conclusions**

- 9.1 In conclusion, it is considered that the proposed works will not adversely affect the character of the listed building or conservation area, and comply with the requirements of policies DM20, DM30, DM31, DM32 and DM35 of the Development Plan Document. Furthermore, the scheme has been assessed against paragraphs 131, 132 and 134 of the National Planning Policy Framework and is considered to be acceptable. As such, the Members are advised that this scheme can be supported subject to conditions regarding the agreement of details and sample of stonework, in addition to referral to the National Planning Casework Unit.

### **Recommendation**

That Planning Permission **BE GRANTED** subject to the following conditions and referral to the National Planning Casework Unit:

1. ST01 – Standard 3 year timescale
2. ST08 – Development to be carried out in accordance to approved plans
3. Details to be submitted – light fittings, door finish and door opening masonry
4. Submissions sample materials – Longridge or Derbyshire sandstone

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

In accordance with the above legislation, 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

<b>Agenda Item</b> A14	<b>Committee Date</b> 4 April 2016	<b>Application Number</b> 16/00161/LB
<b>Application Site</b> Town Hall Dalton Square Lancaster Lancashire	<b>Proposal</b> Listed building application for the construction of a ramp to provide disabled access and creation of a doorway from an existing window opening on the side elevation	
<b>Name of Applicant</b> Mr Geoff Kenyon-Jackson	<b>Name of Agent</b> Mr Anthony Grimshaw	
<b>Decision Target Date</b> 1 April 2016	<b>Reason For Delay</b> Committee Cycle	
<b>Case Officer</b>	Mr Andrew Clement	
<b>Departure</b>	No	
<b>Summary of Recommendation</b>	Approval subject to conditions and referral to the National Planning Casework Unit	

**(i) Procedural Matters**

The application is one which would normally be dealt with under delegated powers but has been placed on Committee as the subject property is in City Council ownership.

**1.0 The Site and its Surroundings**

1.1 The application site is the Lancaster Town Hall, situated on Dalton Square in the core of the Lancaster City Centre. The Town Hall is a Grade II\* Listed Building and is made up of sandstone ashlar under slate roofing. The site is also within the Lancaster Conservation Area.

**2.0 The Proposal**

2.1 The application seeks listed building consent to construction a ramp to provide disabled access and create a doorway from an existing window opening on the east side elevation of Lancaster Town Hall. The proposed ramp and landing areas will measure a total length of 15.5 metres, with a 0.8 metre ramp width. To facilitate access to the proposed development, 1.2 metre wide openings in the existing sandstone baluster wall will be formed immediately to the north and south of the proposal. The access ramp will be constructed of galvanised steel and glass panels beneath a glazed stainless steel handrail, with a moulded grey coloured fibre-reinforced plastic grated floor. The new doorway and frame material is proposed to be European oak.

**3.0 Site History**

3.1 The Town Hall has an extensive planning history, which largely relates to matters of maintenance and repair. No previous applications materially affect this current submission. An application for planning permission for the proposed development has been applied for concurrently (ref: 16/00160/FUL).

**4.0 Consultation Responses**

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

Consultee	Response
English Heritage	This application should be determined in accordance with national and local policy guidance and on the basis of the LPA's specialist conservation advice.
Conservation Section	No objections subject to conditions
The Victorian Society	No observation received

**5.0 Neighbour Representations**

5.1 No observations received, with the site notice consultation period expiring on 3<sup>rd</sup> March and advertisement publication expiring on 4<sup>th</sup> March 2016.

**6.0 Principal National and Development Plan Policies**

6.1 National Planning Policy Framework (NPPF)

**Paragraph 17** – Core planning principles

**Section 7** – Requiring Good Design

**Section 12** – Conserving and Enhancing the Historic Environment

6.2 Listed Building and Conservations Area Act 1990

**Section 7** – Restriction on Works Affecting Listed Buildings

**Section 17** – Power to Impose Conditions on Grant of Listed Building Consent

**Paragraph 72** - General duty as respects conservation areas in exercise of planning functions.

**Paragraph 73** - Publicity for applications affecting conservation areas.

6.3 Lancaster Conservation Area

**Area 4** – Dalton Square

6.4 Development Management DPD

**DM20** – Enhancing Accessibility and Transport Linkages

**DM30** – Development Affecting Listed Buildings

**DM31** – Development affecting Conservation Areas

**DM32** – The Setting of Designated Heritage Assets

**DM35** – Key Design Principles

6.5 Lancaster District Core Strategy Saved Policies (adopted July 2008)

**SC1** – Sustainable Development

**SC5** – Achieving Quality in Design

**7.0 Comment and Analysis**

7.1 The key considerations arising from the proposal are:

- Principle of the development;
- Scale, Design and Landscape Impact on the Character of the Conservation Area and Listed Building;

7.2 Principle of the Development

The proposed development is to construction a ramp to provide disabled access and create a doorway from an existing window opening on the east side elevation of Lancaster Town Hall. To enable access to the proposed development, two 1.2 metre wide openings in the existing sandstone baluster wall will be created immediately to the north and south of the proposal. The principle of the development to ensure that Lancaster Town Hall and the Council services are accessible to the whole community is considered acceptable and consistent with policies DM20, DM35 and NPPF Paragraph 17 and Section 7.



- 7.3 Scale, Design and Landscape Impact on the Character of the Conservation Area and Listed Building  
The scale of the proposed access ramp and landing areas is modest, measuring 15.5 metres long. The proposed design and materials of the access ramp, which are glazed stainless steel handrails above glazed side panels and a moulded grey coloured fibre-reinforced plastic grated floor, is considered to be sympathetic to both the Grade II\* listed building and the wider conservation area. Details of the proposed lighting of this access ramp should be agreed through condition prior to commencement.
- 7.4 The proposed European oak material of the new beaded raised panel door matches the building woodwork of Lancaster Town Hall; however details of the alterations to masonry to form the door opening and details of the decorative finish to the door should be agreed through condition prior to commencement. Additional, samples of any new stonework for the creation of the openings for the door and the sandstone baluster wall must be submitted for approval, again through a condition to be discharged prior to commencement. The masonry and stonework of the Lancaster Town Hall and sandstone baluster boundary treatments are characteristic of the Dalton Square Area 4 of the Lancaster Conservation Area, and ensuring the appropriateness of details and materials for this element of the proposal is imperative to confirm that the development will have an acceptable impact on the listed building and conservation area. The Conservation Section concur, and the proposal has the Senior Conservation Officer's full support. Historic England raised no objection to the application, whilst no observation was received from the Victorian Society or through the site notice and publication.
- 7.5 The proposed works to Lancaster Town Hall are considered to be proportionate and of a sympathetic design and materials to the grade II\* listed building and wider conservation area. The proposed development is considered acceptable and is seen to comply with DM30, DM31, DM32 and NPPF Section 12. This view is shared by the Conservation Section.

### **8.0 Planning Obligations**

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

### **9.0 Conclusions**

- 9.1 In conclusion, it is considered that the proposed works will not adversely affect the character of the listed building or conservation area, and comply with the requirements of policies DM20, DM30, DM31, DM32 and DM35 of the Development Plan Document. Furthermore, the scheme has been assessed against paragraphs 131, 132 and 134 of the National Planning Policy Framework and is considered to be acceptable. As such, the Members are advised that this scheme can be supported subject to conditions regarding the agreement of details and sample of stonework, in addition to referral to the National Planning Casework Unit.

### **Recommendation**

That Listed Building Consent **BE GRANTED** subject to the following conditions and referral to the National Planning Casework Unit:

1. ST01 – Standard 3 year timescale
2. ST08 – Development to be carried out in accordance to approved plans
3. Details to be submitted – light fittings, door finish and door opening masonry
4. Submissions sample materials – Longridge or Derbyshire sandstone

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

In accordance with the above legislation, 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

## LIST OF DELEGATED PLANNING DECISIONS

## LANCASTER CITY COUNCIL

APPLICATION NO	DETAILS	DECISION
14/00044/REM	Nightingale Hall, Quernmore Road, Lancaster Reserved matters application for redevelopment of the site for 94 residential dwellings with associated access and landscaping for Barratt Homes (Bulk Ward)	Application Withdrawn
14/00156/DIS	Nightingale Hall, Quernmore Road, Lancaster Discharge of conditions 3, 5, 7, 11, 13, 20, 21, 24, 26, 27 _ 28 on approved application 14/00129/FUL for Mr Daniel Daly (Bulk Ward)	Application Withdrawn
14/01049/FUL	Mayfair Residential Home , Marine Road East, Morecambe Siting of a container to store biomass boiler to the rear for Mr Tony Prada (Bare Ward)	Application Refused
15/00196/DIS	Focus Do It All, Westgate, Morecambe Discharge of conditions 8 and 12 on application 15/01014/FUL for T J Morris Limited (Westgate Ward 2015 Ward)	Request Completed
15/00206/DIS	Holy Family Presbytery, Westgate, Morecambe Discharge of conditions 4, 5, 10, 12, 13 and 15 on planning permission 14/00510/FUL for c/o Agent (Westgate Ward 2015 Ward)	Application Refused
15/00210/DIS	Luneside Engineering Workshop, Mill Lane, Halton Discharge of conditions 10, 14, 15 and 30 on planning permission 11/01137/RCN for Mr Jon Sear (Halton With Aughton Ward)	Initial Response Sent
15/00363/VCN	Nightingale Hall, Quernmore Road, Lancaster Erection of 128 residential dwellings with associated access and landscaping following the demolition of existing buildings (pursuant to the variation of conditions 2, 14, 15, 16, 17 and 29 on approved application 14/00129/FUL to substitute approved drawings). Proposed changes include: road and school footpath re-alignment around Plot 114 to allow retention of tree; trees facing Plots 107 & 108 removed to accommodate sloping embankment with associated changes to the footpath leading to the area of public open space; Plots 1 to 4 amended to allow retention of tree; and additional tree planting along Willow Grove. for Mr John Partington (Bulk Ward)	Application Permitted
15/00740/CU	54 Main Street, Heysham, Lancashire Change of use of ground floor shop (A1) to one 2-bed flat (C3), removal of existing shop front, new and replacement fenestration to all elevations, installation of three juliet balconies to the eastern elevation and reinstatement of the pediment to the western elevation for Mrs T. Cooke (Heysham South Ward)	Application Permitted
15/00933/FUL	The Polish Centre, Nelson Street, Lancaster Installation of uPVC windows and door to replace a mix of timber and uPVC windows and door for Rev. Roman Kossakowski (Dukes Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

15/01012/OUT	Rear Of, 37 - 39 Main Street, Cockerham Outline application for the demolition of an agricultural building, erection of a residential dwelling and change of use of agricultural land to associated domestic curtilage for Mr Smith (Ellel Ward)	Application Withdrawn
15/01103/CU	Glasson Basin Boat Yard, Marsh Lane, Glasson Dock Change of use of land for the siting of 8 touring caravans for Mr Matthew Freeman (Ellel Ward 2015 Ward)	Application Refused
15/01132/RCN	Green Pastures, Capernwray Road, Capernwray Outline application for erection of one private dwelling (pursuant to removal of condition 3 on application 2/5/4115 to allow unrestricted occupancy) for Mr & Mrs Stephen & Joyce Wightman (Kellet Ward 2015 Ward)	Application Permitted
15/01221/FUL	7 Campbell House, Campbell Drive, Lancaster Extension of patio area and erection of a garden shed for Mr Ian Steel (Bulk Ward 2015 Ward)	Permitted Development
15/01328/CU	Land Adjacent To 83 Main Road, Bolton Le Sands, Carnforth Change of use and conversion of ancillary Coach House to a 3-bed dwelling (C3) including the erection of a front canopy, two storey side and single storey rear extensions for Mr J. Chadwick (Bolton And Slyne Ward 2015 Ward)	Application Refused
15/01374/FUL	Westbourne House , Westbourne Road, Lancaster Change of use of day nursery (D1) to private dwelling (C3) for Mr T Jayousi (Marsh Ward 2015 Ward)	Application Permitted
15/01375/LB	Westbourne House , Westbourne Road, Lancaster Listed building application to facilitate the conversion of day nursery (D1) to private dwelling (C3) for Mr T Jayousi (Marsh Ward 2015 Ward)	Application Permitted
15/01413/FUL	302 Oxcliffe Road, Heaton With Oxcliffe, Morecambe Retrospective application for the retention of increased land levels for Mr J Hoey (Westgate Ward 2015 Ward)	Application Permitted
15/01415/OUT	Land Adjacent To Highfield, Wagon Road, Dolphinholme Outline application for the erection of 5 dwellings for Mr Bernard Lupton (Ellel Ward 2015 Ward)	Application Permitted
15/01440/FUL	Pony Wood, Aldcliffe Road, Lancaster Construction of a footpath through agricultural land (from 'Long Pads' footpath to Aldcliffe Road) for Mrs H Short (On Behalf Of Fairfield Association) (Marsh Ward 2015 Ward)	Application Permitted
15/01488/FUL	3 Roeburn Terrace, Harterbeck, Wray Erection of a cantilevered second floor rear extension for Mr & Mrs S & A-M Carruthers (Lower Lune Valley Ward 2015 Ward)	Application Refused

## LIST OF DELEGATED PLANNING DECISIONS

15/01489/LB	Tithe Barn Tower, Church Brow, Halton Listed building application for relocation of existing internal staircase, rearrangement of existing partition walls on the ground, first and second floors, interventions to structural walls on ground and first floor, removal of second floor en suite, in filling of floor on second floor to create a bathroom, relocation of existing rear roof light and removal of chimney breast to ground floor for Mr And Mrs Maxwell (Halton-with-Aughton Ward 2015 Ward)	Application Permitted
15/01500/CU	Stables Barn, Main Road, Hornby Change of use of an agricultural barn and land to a dwelling (C3) with associated domestic curtilage, landscaping and access, and erection of a detached garage for Mr & Mrs M Whitaker (Upper Lune Valley Ward 2015 Ward)	Application Permitted
15/01502/FUL	Marshrange, Castle Park, Lancaster Demolition of existing garages and erection of an ancillary studio/bike store for Mr Gary Rycroft (Castle Ward 2015 Ward)	Application Permitted
15/01524/ADV	24 Penny Street, Lancaster, Lancashire Advertisement application for the display of 3 halo illuminated fascia signs and 1 non illuminated hanging sign for Mr C Orme (Castle Ward 2015 Ward)	Application Permitted
15/01527/CU	176 Lancaster Road, Morecambe, Lancashire Change of use from a dwelling to one 1-bed flat and one 3-bed flat for Mr G Oldcorn (Bare Ward 2015 Ward)	Application Refused
15/01533/LB	Holmere Bank, Dykes Lane, Yealand Conyers Listed Building application for replacement of velux windows to the rear, replace windows on side elevation with double glazed windows, re-render side elevation with lime render, restore existing gatepost and re-build section of boundary wall for Dr Ian Walsh (Warton Ward 2015 Ward)	Application Permitted
15/01550/CU	25 Church Street, Lancaster, Lancashire Change of use of first, second and third floor offices (A2) to student accommodation comprising of one studio apartment (C3) and one 5-bed flat (C4) for Beresford Asset Management Ltd (Castle Ward 2015 Ward)	Application Permitted
15/01551/FUL	Ashton House Farm, Main Road, Slyne Erection of a replacement agricultural storage building for Mr E Burrow (Bolton And Slyne Ward 2015 Ward)	Application Permitted
15/01562/CU	Hazelrigg Farm, Hazelrigg Lane, Ellel Change of use of detached garage to holiday let with associated parking for Mr J Calvey (University And Scotforth Rural Ward)	Application Permitted
15/01566/VLA	Land At McDonald Road, Heysham, Lancashire Variation of legal agreement attached to planning permission 13/00274/FUL to remove affordable housing provision for Mr J Fox (Overton Ward 2015 Ward)	Application Refused
15/01580/LB	Cragg House, Kirkby Lonsdale Road, Over Kellet Listed building application for removal of an internal wall, door and fireplace on ground floor for Mrs Stephenson (Kellet Ward 2015 Ward)	Application Permitted

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15/01585/CU	7 Hubert Place, Lancaster, Lancashire Retrospective change of use from residential dwelling (C3) to 7 bedroom house in multiple occupation (sui generis) for Mr K Seacy (Marsh Ward 2015 Ward)	Application Permitted
15/01607/FUL	Yealand Manor, Yealand Road, Yealand Conyers Installation of a replacement pitched roof to existing gymnasium for Mr & Mrs M Allen (Warton Ward 2015 Ward)	Application Permitted
15/01608/LB	Yealand Manor, Yealand Road, Yealand Conyers Listed building application for the installation of a replacement pitched roof to existing gymnasium for Mr & Mrs M Allen (Warton Ward 2015 Ward)	Application Permitted
15/01611/CU	Silverdale Surgery, 19A Emesgate Lane, Silverdale Change of use of doctors surgery (D1) to one 2-bed flat (C3) for Holgates Silver Ridge Ltd. (Silverdale Ward 2015 Ward)	Application Refused
15/01613/FUL	Lodge 76, Pine Lake Resort, Scotland Road Construction of a replacement concrete base to raise lodge by 0.5m for Mr John Philips (Warton Ward 2015 Ward)	Application Permitted
15/01614/FUL	Market Hall, Common Garden Street, Lancaster Installation of an external window film for Mr Paul Stepney (Castle Ward 2015 Ward)	Application Permitted
15/01615/ADV	Market Hall And Marketgate Centre , Common Garden Street, Lancaster Advertisement application for installation of 9 non-illuminated fascia signs and 2 non-illuminated lettering signs for Mr Paul Stepney (Castle Ward 2015 Ward)	Application Permitted
15/01617/ADV	28 Penny Street, Lancaster, Lancashire Advertisement application for the display of 2 internally illuminated digital screens for Mr Alex Calvert (Castle Ward 2015 Ward)	Application Refused
15/01620/LB	Lancaster Castle, Castle Park, Lancaster Listed building application to facilitate the conversion of part of prison into an office including fitting out of exhibition/ information space, replacing masonry infill of existing archway with a new window at ground floor level, removal of an internal door and fitting out of 2 toilets and kitchen area to first floor level for Mr Graeme Chalk (Castle Ward 2015 Ward)	Application Permitted
15/01621/CU	Lancaster Castle, Castle Park, Lancaster Change of use of part of prison into an offices (B1) and exhibition room (D1) including replacing masonry infill of existing archway with a new window at ground floor level for Mr Graeme Chalk (Castle Ward 2015 Ward)	Application Permitted
15/01625/CU	Land To The South Of Fell View Park, Wandales Lane, Kirkby Lonsdale Change of use of agricultural land to touring caravan and camping pod site, erection of an amenity block and site office, creation of an access point, footpaths and car parking, provision of landscaping and an external picnic/children's play area for Mr K Hazlett (Upper Lune Valley Ward 2015 Ward)	Application Permitted

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16/00003/FUL	3A Thornton Grove, Morecambe, Lancashire Conversion of integral garage to create additional living accommodation for Mrs M. Lewis (Poulton Ward 2015 Ward)	Application Permitted
16/00008/DIS	Church House, 96 Church Street, Lancaster Discharge of conditions 4, 5, 7 and 8 on previously approved application 15/01086/CU for Mr M J McFarland-Davidson (Castle Ward 2015 Ward)	Initial Response Sent
16/00008/FUL	Hipping Hall, Long Level, Cowan Bridge Erection of a single storey extension to the existing kitchen for Casterton Leisure Ltd. (Upper Lune Valley Ward 2015 Ward)	Application Permitted
16/00009/DIS	Church House, 96 Church Street, Lancaster Discharge of conditions 4, 5, and 6 on previously approved application 15/01087/LB for Mr M J McFarland-Davidson (Castle Ward 2015 Ward)	Initial Response Sent
16/00009/LB	Hipping Hall, Long Level, Cowan Bridge Listed Building Application for the erection of a single storey extension to the existing kitchen for Casterton Leisure Ltd. (Upper Lune Valley Ward 2015 Ward)	Application Permitted
16/00014/DIS	Land Rear Of 1, St Michaels Grove, Bolton Le Sands Discharge of conditions 5, 6 and 10 on application 15/00556/REM for Mr J Dant (Bolton And Slyne Ward 2015 Ward)	Initial Response Sent
16/00019/DIS	Tanner Bank, Farleton Old Road, Farleton Discharge of condition 5 on application 14/01026/FUL for Mr (Lower Lune Valley Ward 2015 Ward)	Initial Response Sent
16/00021/FUL	2 Towneley Close, Lancaster, Lancashire Erection of a replacement single storey rear extension and single storey side extension for Mr & Mrs D Watson (Marsh Ward 2015 Ward)	Application Permitted
16/00023/FUL	6 Redwing Close, Heysham, Morecambe Erection of a chimney stack to the side elevation for Mr D. Kilby (Heysham South Ward 2015 Ward)	Application Permitted
16/00024/FUL	26 - 28 Victoria Street, Morecambe, Lancashire Installation of replacement timber framed shopfront to front and side elevations for A1 Barbers (Poulton Ward 2015 Ward)	Application Permitted
16/00025/FUL	Lancaster Priory, St Marys Parade, Lancaster Installation of a replacement telecommunications antenna for H3G UK (Castle Ward 2015 Ward)	Application Refused
16/00026/LB	Lancaster Priory, St Marys Parade, Lancaster Listed building application for the installation of a replacement telecommunications antenna for H3G UK (Castle Ward 2015 Ward)	Application Refused
16/00027/FUL	Flat, 264 Marine Road Central, Morecambe Conversion of existing flat into three 1-bed flats for Mr T Hill (Poulton Ward 2015 Ward)	Application Permitted

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16/00032/DIS	Stables Adjacent To Greenfield, Borwick Station Lane, Borwick Discharge of conditions 2 and 3 on planning permission 15/01071/FUL for Miss Rebecca Dowdall (Kellet Ward 2015 Ward)	Initial Response Sent
16/00033/DIS	Extension Walney Wind Farm, Borrans Lane, Middleton Discharge of conditions 3, 4, 5, 6, 8, 9, 10, 12, 13, 14 and 15 on planning permission ref: 15/01200/FUL for Miss Pippa Doodson (Overton Ward 2015 Ward)	Request Completed
16/00033/FUL	Throstle Nest Farm, Main Road, Thurnham Change of use of part of agricultural barn to two 3-bed dwellings (C3) with the erection of rear extension. for Mr Ian McShannon (Ellel Ward 2015 Ward)	Application Refused
16/00035/LB	Tarnwater, Coneygarth Lane, Tunstall Listed Building application for the installation of a velux window for Mr Angus Wilson (Upper Lune Valley Ward 2015 Ward)	Application Permitted
16/00038/FUL	Land Adjacent, Swarthdale Farm Stables, Swarthdale Road Creation of an access track for Mr Frank Huddleston (Kellet Ward 2015 Ward)	Application Permitted
16/00040/CU	Bay View Holiday Park, Dertern Lane, Bolton Le Sands Change of use of part of the existing caravan site from touring caravans to permanent static caravans for Mr Michael Holgate (Bolton And Slyne Ward 2015 Ward)	Application Permitted
16/00052/CU	Sea View, Ringstones Lane, Lowgill Change of use of agricultural buildings to two dwellings (C3) and erection of a single storey front extension for Mr George Morphet (Lower Lune Valley Ward 2015 Ward)	Application Refused
16/00055/VCN	The Hawthorns, Main Road, Nether Kellet Erection of extension to owners dwelling to provide reception office, ancillary accommodation, toilets and first floor warden's flat and change of use of land to site 16 static caravans (pursuant to the variation of condition 4 on planning permission 96/00739/CU to allow warden's flat to also be used as a holiday flat all year round) for Mr D Wright (Kellet Ward 2015 Ward)	Application Permitted
16/00059/FUL	82 Pinfold Lane, Lancaster, Lancashire Erection of a replacement single storey rear extension for Mr A Slater (Skerton East Ward 2015 Ward)	Application Permitted
16/00068/FUL	47 Wordsworth Avenue, Bolton Le Sands, Carnforth Erection of a single storey rear extension, removal of existing chimney and alterations to garage roof for Mr & Mrs M & A Speight & Marwood (Bolton And Slyne Ward 2015 Ward)	Application Permitted
16/00074/VCN	30 New Street, Lancaster, Lancashire Change of use of first and second floors from offices (B1) to 10 student units (C4) (pursuant to the variation of condition 5 on planning permission 15/00952/VCN to allow the accommodation to be used by students in full time education) for Mr Jian Guo (Castle Ward 2015 Ward)	Application Permitted



## LIST OF DELEGATED PLANNING DECISIONS

16/00084/LB	Manor House Farm, 128 Main Road, Slyne Listed building application for re-pointing repairs to south facing wall for Mr John Hoggarth (Bolton And Slyne Ward 2015 Ward)	Application Permitted
16/00085/CU	181 Heysham Road, Heysham, Morecambe Change of use of residential care home (C2) to a dental surgery and teaching facility (D1) with creation of 2 new vehicular accesses, 2 parking courts and replacement of 3 windows with external doors for Mr Peter Thompson (Heysham North Ward 2015 Ward)	Application Withdrawn
16/00087/FUL	10 Oaklands Court, Lancaster, Lancashire Erection of a single storey front extension and construction of a canopy for Mr A Woodcock (Scotforth West Ward 2015 Ward)	Application Permitted
16/00094/FUL	24 Kennedy Close, Lancaster, Lancashire Erection of a single storey rear extension for Mr R Treffny (Marsh Ward 2015 Ward)	Application Permitted
16/00096/FUL	The Penny Bank , 51 Penny Street, Lancaster Installation of a door and construction of a timber shelter to the rear for Enterprise Inns Plc (Castle Ward 2015 Ward)	Application Permitted
16/00097/FUL	9 Hanging Green Lane, Hest Bank, Lancaster Demolition of existing outbuildings and erection of a single storey side extension and a two storey rear extension for Mr Alan Williams (Bolton And Slyne Ward 2015 Ward)	Application Permitted
16/00098/FUL	15 Leslie Avenue, Caton, Lancaster Demolition of detached garage and erection of a two storey side extension and single storey rear extension for Mr Robert Taylor (Lower Lune Valley Ward 2015 Ward)	Application Permitted
16/00101/FUL	Rydal Court, Euston Road, Morecambe Installation of a new door to the storage facility for Mr Mike Brannen (Poulton Ward 2015 Ward)	Application Permitted
16/00102/FUL	160 Coastal Road, Bolton Le Sands, Carnforth Retention of an internally illuminated ATM machine for Ms Jan Clark (Bolton And Slyne Ward 2015 Ward)	Application Permitted
16/00103/ADV	160 Coastal Road, Bolton Le Sands, Carnforth Advertisement application for the display of an internally illuminated ATM sign for Ms Jan Clark (Bolton And Slyne Ward 2015 Ward)	Application Permitted
16/00104/CU	28 - 29 Low Mill, Mill Lane, Caton Change of use of one 2-bed apartment to two 1-bed apartments for Mr V Williams (Lower Lune Valley Ward 2015 Ward)	Application Permitted
16/00105/LB	11 Torrisholme Square, Morecambe, Lancashire Listed Building application for the replacement of an upstairs rear window for Mrs Phyllis Carr (Torrisholme Ward 2015 Ward)	Application Permitted
16/00106/FUL	75 Borrowdale Road, Lancaster, Lancashire Erection of a single storey side extension for Professor Meg Twycross (Bulk Ward 2015 Ward)	Application Permitted

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16/00109/FUL	Bela Vista, School Lane, Wray Erection of a first floor rear extension and installation of two rooflights to existing roof for Mr O Gibson (Lower Lune Valley Ward 2015 Ward)	Application Permitted
16/00110/LB	Bela Vista, School Lane, Wray Listed building application for the erection of a first floor rear extension and installation of two rooflights to existing roof for Mr O Gibson (Lower Lune Valley Ward 2015 Ward)	Application Permitted
16/00111/FUL	Extension Walney Wind Farm, Borrans Lane, Middleton Walney Offshore Wind Farm Extension - Onshore works amendments comprising four additional drainage works / connections adjacent to the onshore cable route for Miss Pippa Doodson (Overton Ward 2015 Ward)	Application Permitted
16/00118/FUL	2 The Lane, Sunderland Point, Morecambe Erection of a single storey rear extension for Ms Margaret Smith (Overton Ward 2015 Ward)	Application Permitted
16/0012/HDG	Hillam Lane Farm, Hillam Lane, Cockerham Removal of 135 metres of hedgerow south east of Black Knights Parachute Centre for Mr Chris Parry (Ellel Ward 2015 Ward)	Application Permitted
16/00121/AD	Swarthdale Cottage, Swarthdale Road, Over Kellet Agricultural determination for the erection of a steel frame lean-to building for Miss Kate Jackson (Kellet Ward 2015 Ward)	Prior Approval Not Required
16/00122/FUL	25 Elms Drive, Morecambe, Lancashire Demolition of existing garage and erection of a detached garden room building to the rear for Mr & Mrs J. Procter (Bare Ward 2015 Ward)	Application Permitted
16/00124/FUL	10 Redruth Drive, Carnforth, Lancashire Demolition of existing garage, erection of a two-storey side extension and detached garage to the side for Mr J Wolfenden (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
16/00132/FUL	22 Newmarket Avenue, Lancaster, Lancashire Demolition of existing front porch and erection of a replacement porch for Mr P. Pazitka (Scotforth East Ward 2015 Ward)	Application Permitted
16/00133/PLDC	22 Newmarket Avenue, Lancaster, Lancashire Proposed lawful development certificate for the erection of a single storey rear extension for Mr P Pazitka (Scotforth East Ward 2015 Ward)	Lawful Development Certificate Granted
16/00135/LB	41 Main Street, Hornby, Lancaster Listed Building application for the replacement of kitchen window for Mr Phil Mugford (Upper Lune Valley Ward 2015 Ward)	Application Permitted
16/00136/LB	28 - 29 Low Mill, Mill Lane, Caton Listed building application to block up one internal door to facilitate the conversion of one flat back into two for Mr V Williams (Lower Lune Valley Ward 2015 Ward)	Application Permitted

## LIST OF DELEGATED PLANNING DECISIONS

16/00141/ADV	Penny Street Bridge, Penny Street, Lancaster Advertisement application for the display of 2 externally illuminated projecting signs, 8 non-illuminated fascia signs and one halo illuminated set of lettering on runner bars on the public house for Thwaites (Castle Ward 2015 Ward)	Application Permitted
16/00142/CU	10 Beaumont Street, Lancaster, Lancashire Change of use of hot food takeaway and flat above (use class A5 and C3) into a single dwellinghouse (use class C3) and installation of a new window to the front elevation for Mr N Gorton (Skerton East Ward 2015 Ward)	Application Permitted
16/00150/FUL	6 Hatlex Hill, Hest Bank, Lancaster Erection of a single storey side extension incorporating a dormer window to the rear for Mr & Mrs R. Scarr (Bolton And Slyne Ward 2015 Ward)	Application Refused
16/00155/FUL	94 Bare Lane, Morecambe, Lancashire Erection of a single storey rear and side extension for Mrs R Champley (Torrisholme Ward 2015 Ward)	Application Permitted
16/00157/PLDC	26 Fern Bank, Lancaster, Lancashire Proposed lawful development certificate for the erection of a single storey side extension for Ms F. Tordoff (Scotforth West Ward 2015 Ward)	Lawful Development Certificate Granted
16/00162/FUL	7 Cedarwood Place, Lancaster, Lancashire Erection of single storey rear extension for Mr P Abraitis (John O'Gaunt Ward 2015 Ward)	Application Permitted
16/00167/FUL	Far Corner Cottage, Millhouses Road, Tatham Erection of a single storey rear extension for Mrs S Marsden (Lower Lune Valley Ward 2015 Ward)	Application Permitted
16/00175/FUL	135 Heysham Road, Heysham, Morecambe Installation of a replacement shop front for Mr Paul Pickering (Heysham North Ward 2015 Ward)	Application Permitted
16/00179/PAD	Unit 2A, Lansil Industrial Estate, Caton Road Prior approval application for the demolition of former industrial buildings for Mr Philip Murphy (Bulk Ward 2015 Ward)	Prior Approval Is Required
16/00180/FUL	111 Twemlow Parade, Heysham, Morecambe Erection of a single storey front extension and two single storey rear extensions, construction of a replacement rear dormer window, installation of a replacement roof to provide additional first floor living accommodation and construction of a raised patio to the rear for Mr & Mrs Howard (Heysham Central Ward 2015 Ward)	Application Permitted
16/00182/FUL	9 Pennine View, Dolphinhholme, Lancaster Demolition of existing front porch and single storey rear extension and erection of a replacement single storey rear extension and canopy and steps to front door for Mr & Mrs J Prest (Ellel Ward 2015 Ward)	Application Permitted
16/00187/FUL	10 Hexham Road, Morecambe, Lancashire Erection of a single storey rear extension and pitched roof over existing flat roof rear extension for Mrs Sheila Spencer (Torrisholme Ward 2015 Ward)	Application Permitted

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16/00191/PLDC	9 Canterbury Avenue, Lancaster, Lancashire Proposed lawful development certificate for hip to gable roof extension and dormer window to the rear for Mr & Mrs White (John O'Gaunt Ward 2015 Ward)	Lawful Development Certificate Granted
16/00196/PLDC	17 Eldon Grove, Heysham, Morecambe Proposed lawful development certificate for the construction of a rear dormer window, installation of french doors to the rear and roof lights to the front, side and rear elevations for Mr Nigel Beeden (Heysham South Ward 2015 Ward)	Lawful Development Certificate Granted
16/00219/NMA	75 Schola Green Lane, Morecambe, Lancashire Non material amendment to planning permission 15/01554/FUL for the addition of one roof lantern to proposed flat roof for Mrs M Grinham (Harbour Ward 2015 Ward)	Application Permitted
16/00225/PLDC	5 Oxford Street, Lancaster, Lancashire Proposed Lawful Development Certificate for the construction of a dormer window to the rear elevation for Mrs Elizabeth Hodgkinson (Skerton East Ward 2015 Ward)	Lawful Development Certificate Granted
16/00236/PLDC	45 Cork Road, Lancaster, Lancashire Proposed lawful development certificate for the erection of a single storey rear extension, relocation of existing door and installation of a window to the side for Mr & Mrs R. Haigh (John O'Gaunt Ward 2015 Ward)	Lawful Development Certificate Granted
16/00249/NMA	Chorley Community Housing, Globe Drive, Morecambe Non-material amendment to planning permission 14/01289/FUL to add french doors to the rear of blocks B and C, subdivide the communal garden to private gardens and to replace the lead clad dormers to trespa clad dormers to the C1 and C2 house types for Mrs Karen Lee (Westgate Ward 2015 Ward)	Application Permitted
16/00253/PLDC	36 Hest Bank Lane, Hest Bank, Lancaster Proposed lawful development certificate for erection of single storey rear extension for Mr Graham Chadwick (Bolton And Slyne Ward 2015 Ward)	Lawful Development Certificate Granted
16/00263/AD	New Bungalow, Quernmore Road, Quernmore Agricultural determination for the erection of an agricultural building to house machinery/equipment and livestock with a separate midden for Mr Michael Standen (Lower Lune Valley Ward 2015 Ward)	Prior Approval Is Required
16/00279/CCC	Loyne School, Sefton Drive, Lancaster Single storey extension to provide therapy room, therapy office and alterations to form dining table store for Mrs Susan Campbell (Skerton West Ward 2015 Ward)	No Objections