



Committee: PLANNING AND HIGHWAYS REGULATORY COMMITTEE

Date: MONDAY, 19TH SEPTEMBER 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 22nd August, 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 9 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.

5	A5 16/00574/FUL	Luneside East, St Georges Quay, Lancaster	Castle Ward	(Pages 1 - 25)
		Demolition of existing mill building, erection of 3 buildings comprising ground floor ancillary uses (Classes A1-A4, B1a, D1 and D2) and student accommodation above and 1 building of student accommodation, conversion of existing pump house to a mixed use communal facility (Classes A2, B1a and D1), and associated access, parking, servicing and landscaping / public realm works for Luneside East Ltd		
6	A6 16/00570/FUL	Brookside, Whams Lane, Bay Horse	Ellel Ward	(Pages 26 - 33)
		Demolition of agricultural building, erection of a detached residential dwelling, a garage/workshop, installation of solar array panel and erection of two polytunnels for Mr Ken Parker		
7	A7 16/00722/FUL	Hest Bank Lane Garage, Hest Bank Lane, Slyne	Bolton and Slyne	(Pages 34 - 39)
		Erection of detached storage building for Mr C. Bradley		
8	A8 16/00606/FUL	Land To The South East Of, Lower Addington Farm, Kirkby Lonsdale Road	Kellet Ward	(Pages 40 - 49)
		Erection of an agricultural building for free-range hens and creation of a new access point For W.A. Agriculture Ltd		
9	A9 16/00855/FUL	The Coach House, Hornby Road, Claughton	Lower Lune Valley Ward	(Pages 50 - 56)
		Erection of a detached two-storey dwelling with attached garage for Mr Stephen Wilkinson		
10	A10 16/00896/FUL	Bank Farm, Aldcliffe Hall Lane, Lancaster	Scotforth West Ward	(Pages 57 - 60)
		Demolition of rear WC, erection of a replacement balcony and relocation of existing external staircase for Mr & Mrs Higgin		

11	A11 16/01051/CCC	Lancaster Wastewater Treatment Works, Stodday Lane, Lancaster	Scotforth West Ward	(Pages 61 - 65)
		Erection of solar photovoltaic panels and associated works including switchgear housing, security fencing and integral connection to Lancaster Waste Water Treatment Works for United Utilities Water Limited		
12	A12 16/00524/ADV	The Old Co Op Yard, Kellet Road, Carnforth	Carnforth and Millhead Ward	(Pages 66 - 68)
		Advertisement application for the display of a non-illuminated free standing sign for Mrs Isobel Taylor And Mr Paul Tomlinson		
13	A13 16/01007/FUL	20 Alamein Road, Carnforth	Carnforth and Millhead Ward	(Pages 69 - 71)
		Demolition of outbuilding and erection of a single storey rear and side extension for Mr Tom Greenwood		
14	A14 16/00942/FUL	Town Hall, Dalton Square, Lancaster	Castle Ward	(Pages 72 - 75)
		Construction of a ramp to provide disabled access and creation of a doorway from an existing window opening on the side elevation For Mr Gary Watson		
15	A15 16/00943/LB	Town Hall, Dalton Square, Lancaster	Castle Ward	(Pages 76 - 79)
		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 Gary Watson		
16	A16 16/0090/TPO	9 Waltham Court, Halton, Lancaster	Halton-with-Aughton Ward	(Pages 80 - 81)
		Crown reduction by 30% for Mr Chris Ollerton		
17	Delegated Planning Decisions (Pages 82 - 90)			

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

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

(ii) Substitute Membership

Councillors Jon Barry, Susie Charles, Sheila Denwood, Mel Guilding, Tim Hamilton-Cox, Janice Hanson and Geoff Knight

(iii) Queries regarding this Agenda

Please contact Tessa Mott, Democratic Services: telephone (01524) 582074 or email tmott@lancaster.gov.uk.

(iv) Changes to Membership, substitutions or apologies

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

SUSAN PARSONAGE,
CHIEF EXECUTIVE,
TOWN HALL,
DALTON SQUARE,
LANCASTER, LA1 1PJ

Published on Thursday 8th September, 2016.

Agenda Item A5	Committee Date 19 September 2016	Application Number 16/00574/FUL
Application Site Luneside East St Georges Quay Lancaster Lancashire	Proposal Demolition of existing mill building, erection of 3 buildings comprising ground floor ancillary uses (Classes A1-A4, B1a, D1 and D2) and student accommodation above and 1 building of student accommodation, conversion of existing pump house to a mixed use communal facility (Classes A2, B1a and D1), and associated access, parking, servicing and landscaping / public realm works	
Name of Applicant Luneside East Ltd	Name of Agent Mr Chris Argent	
Decision Target Date Extension of time for determination agreed to 23 September 2016	Reason For Delay Awaiting submission of further information to address Habitat Regulations Assessment and ongoing negotiations concerning the commercial elements of the scheme, design and highway matters	
Case Officer	Mrs Jennifer Rehman	
Departure	No	
Summary of Recommendation	Approve	

1.0 The Site and its Surroundings

- 1.1 The application site totals to 1.47 hectares and relates to the remaining parcel of land on the Luneside East Development area located off St George's Quay, Lancaster. This was a 6.6ha triangular site with a long history of industrial use, including the town's gasworks and other contaminative uses. As such, the land has been recognised as one of the Council's Regeneration Priority Areas for some considerable time.
- 1.2 The land is bound by the West Coast Main Line to the east, the River Lune to the north and to the south and west the site comprising the (previously-consented) Persimmon Homes residential development. Beyond this land lies the wooded embankment of the former Lancaster to Glasson railway line. Carlisle Bridge represents a key gateway feature of the city especially from the railway line but also from western areas of Lancaster along the Quayside. It also forms the boundary with the Lancaster Conservation Area. The Conservation Area extends eastwards covering St George's Quay (from Carlisle Bridge) and southwards covering most the city centre. To the south of Quay Meadow, Vicarage Fields enjoys Schedule Ancient Monument status and beyond this, the Castle and Priory are grade I listed. The majority of the historic buildings along St Georges Quay to the east of the site are also listed.
- 1.3 The application site is intersected by St George's Quay. Land on the north side of this road previously occupied poor quality modern buildings and temporary structures associated with earlier business uses. This land is now vacant and fenced off and has recently been used as a compound/car park during the remediation of the wider Luneside East site. Land to the south of St George's Quay comprises predominately cleared land with part of the original St George's Works

Mill building and the Pump House remaining in situ, albeit in relatively poor condition. There are stock piles of earth between the Mill building and Carlisle Bridge with established ground flora typical of derelict sites following clearance and remediation. Access to the application site would have been via the archway of the St George's Works Mill Building and the main gated entrance further west (outside the application site).

- 1.4 Directly north of the site lies the River Lune. This body of water enjoys County Biological Heritage Site status. As it opens up into the Lune Estuary approximately 2km to the south west, it enjoys protection nationally (as a Site of Special Scientific Interest) and by European nature conservation legislation, being designated as Morecambe Bay Special Protection Area (SPA), RAMSAR Site and Special Area of Conservation (SAC). There is a Tree Preservation Order - Number 531(2014) - that is relevant, and it covers the large groups of trees along the southern and eastern boundaries of the wider site. These are located outside the application site. Quay Meadow recreational field occupies land to the southeast of the application site just beyond Carlisle Bridge. This is protected open space within the Local Plan. The site also lies within flood zones 2 and 3.
- 1.5 The site is located within walking distance of the city centre, the bus station and the railway station. There are two principal access routes to the site; one via St George's Quay and the other via West Road/Meeting House Lane. Bus services run past the site providing a regular service between the site and Lancaster Bus Station. Other bus routes serve the nearby Marsh residential area. There is a direct cycle link to Lancaster Station from Long Marsh Lane and St George's Quay, and New Quay Road (an extension of St George's Quay to the west) forms part of the District's Strategic Cycle Network.
- 1.6 The site is designated as a Housing Opportunity Site in the saved Local Plan. A Development Brief for the wider Luneside East site was adopted in 2000 and revised in late-2004. This set out in detail the Council's vision for this site at that particular time.

2.0 The Proposal

- 2.1 The applicant, Luneside East Limited, seeks full planning permission for the redevelopment of the remaining parcel of the Luneside East development area. The design, layout and the nature of the proposal has evolved having regard to pre-application advice from Officers. However, it should be noted that such advice is informal and does not bind the Council in the determination of the application.
- 2.2 The proposal involves the demolition of the existing mill and the redevelopment of the site for student accommodation (419 beds) with associated ancillary and commercial uses, public realm improvements, car parking and access. It involves the retention and conversion of the Pump House.

The development can be broken down as follows:

North of St Georges Quay

Block A – five-storey building comprising 25 cluster apartments (130 bedrooms) and 653 sq.m of ground floor commercial space for use by the students only.

An access is proposed off St Georges Quay to serve Block A and the proposed car parking area located to the west and south of Block A. The car parking area accommodates 65 parking spaces including 5 accessible spaces. A cycle compound is proposed to the east of Block A together with public realm features and landscaping areas.

A new bus stop is proposed on the north side of St Georges Quay close to the proposed pedestrian crossing facility together with a new 2m footway towards Carlisle Bridge linking to the riverside cycle/pedestrian path.

South of St Georges Quay:

Block B – six storey, L-shaped building comprising 122 individual studio apartments and 453 sq.m of ground floor commercial space.

Block C – three storey building comprising 9 cluster apartments (42 bedrooms).

Block D – six storey building comprising 25 cluster apartments (125 bedrooms) and 491 sq.m of ground floor commercial space.

Single storey converted Pump House comprising 258 sq.m of commercial floor space.

These blocks are set within extensive hard and soft landscaped areas with two further cycle compounds and the provision of an external gym located under one of the arches of Carlisle Bridge (as part of the wider public realm and landscaping proposals). A further 14 car parking spaces are proposed of which 5 will be accessible spaces. A substation is proposed within this part of the site, together with a refuse store. As part of the landscaping for the site, a link is provided from the site to Quay Meadow under the existing arch where the existing floodgate is located.

Access to the southern part of the site shall be taken off St George's Quay in the location of the access and internal road network approved as part of the housing development to be built out by Persimmon Homes. This access already has the benefit of planning consent.

- 2.3 The commercial space associated with the development relates to the ground floors of blocks A, B, D and the Pump House. The uses proposed have been refined a little during the determination of the application and now relate to uses falling within use classes A1- A4 (retail, financial/professional service, food and drink and drinking establishments), B1a (office use), D1 (health clinics only) and D2 (gymsnasiums only).
- 2.4 Block A proposes uses A1-A4, B1a and D2 and shall be for students only. Block B and D shall comprise uses A1-A4, B1a, D1 and D2. The uses proposed for the Pump House comprise A2, B1a and D1. With the exception of Block A, all other commercial uses are intended to cater for the development and the wider public.
- 2.5 Materials proposed include buff brickwork, weathered corten sheet rain screen panels, PPC aluminium louvre panels and windows and artstone cladding. The applicant proposes to re-use stone stored on the compound area to the north of the site within the public realm areas. The stone from the existing mill is not proposed to be retained and reused.
- 2.6 If the planning application is approved, the submission does provide intentions to commence development in late 2016 in order to secure lettings for the 2018-19 term.

3.0 Site History

- 3.1 The site has a complex and lengthy history. The western portion was occupied as the town's gasworks from 1845 to the 1950s, while the eastern portion, known as St George's Works, has been used for the manufacture of oilcloth (1860s to 1970s), and used since then variously as a paint works, as a car breakers yard and for the recycling of car batteries. These activities had resulted in significant contamination across the site.
- 3.2 An outline consent for a comprehensive mixed-use development (an urban village) comprising 350 residential dwellings and 8000 sq m of business floorspace and ancillary leisure and support uses was granted in 2002. Reserved Matters for Phase 1a (07/00442/REM) secured consent for office space, retail/leisure space and residential flats and a permanent car park on the northern side of St Georges Quay for 121 spaces. This consent has not been implemented. The renewal of the outline permission for comprehensive redevelopment (Ref: 10/01134/RENU) was approved in February 2011. That permission establishes the reuse of the site for residential, business and leisure uses.
- 3.3 In 2011 an application for Phase 1 (11/00885/FUL) was submitted comprising demolition and re-use of the remaining mill, remediation, the provision of a car park and external public realm works. Remediation has been carried out, along with the approved demolition of part of the existing St George's Works mill building following an extensive fire in 2012.
- 3.4 Following this, we have seen the western part of the Luneside East site brought forward for residential development with a full permission granted and a subsequent Section 73 application by Persimmon Homes. These consents have not yet been implemented.

3.5 The table below contains the relevant planning history:

Application Number	Proposal	Decision
01/01287/OUT	Outline application for comprehensive mixed use development as an urban village comprising of up to 350 residential units and up to 8,000 square metres of business floor space and ancillary leisure uses and other support uses	Approved
06/00126/FUL	Modification of conditions 1 and 12 attached to outline planning 01/01287/OUT - to extend the time limit for the submission of reserved matters	Approved
07/00442/REM	Reserved Matters Application For Phase 1a Of Luneside East Masterplan: Buildings 5, 7, 8, 9, 12 and 14 only. 11,000 sq.m Office Space, Ground Floor Retail Space and Residential Flats, and Discharging of Condition Nos 2, 10, 12, 14, 17, 22, 24, and 30 on Application 01/01287/OUT in respect of Phase 1a	Approved
07/00773/REM	Reserved matters application for phase 1A of Luneside East Masterplan for refurbishment of building 13 (pump house) - and erection of cycle/bin store/substation	Approved
07/00775/FUL	Demolition of 2 No. Industrial units and continuation of proposed landscaping of reserved matters application (07/00442) to tie in with link from Quay Meadow	Approved
07/00776/CON	Conservation Area Consent for the demolition of 2 No. Industrial units	Approved
07/01588/REM	Reserved matters application for the residential phase of the Luneside East outline permission (01/01287/OUT) 327 units - mix of apartments and houses, with associated roads, footpaths and landscaping	Withdrawn
10/01134/RENU	Renewal of Outline application - 01/01287/OUT as amended by 06/00126/FUL for comprehensive mixed use development.	Approved
11/00881/CON	Demolition of 2 industrial units	Approved
11/00885/FUL	Phase 1 of Luneside East Masterplan including external works, car parking and all related demolition and remedial works	Approved
12/00169/FUL	Erection of 8 three storey dwellings with associated landscaping, access and parking including the change of use of open space to form domestic gardens	Approved
13/01200/FUL	Erection of 149 dwellings with associated landscaping and car parking	Approved
14/01186/VCN	Erection of 149 dwellings with associated landscaping and car parking (pursuant to the variation of condition 2 on planning permission 13/01200/FUL to amend plans for the Greyfriars house type and the apartment blocks)	Approved
16/00588/EIR	Screening opinion for demolition of existing mill building and development of 4 no. student accommodation blocks	Not EIA development

4.0 Consultation Responses

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

Consultee	Response
County Highways	<p>Following the submission of further information, County Highways raise no objection to the principle of the development. The following observations have been made:</p> <ol style="list-style-type: none"> i. Whilst the level of parking does not accord with the parking standards, LCC Highways indicate the provision proposed is acceptable. ii. In relation to bus services, the increased footfall between the site and the city centre will increase and therefore there is an argument to increase the bus service provision in this location. The service provider is willing to provide a double-decker bus service along this route but the height restriction of the Damside Street Former Railway Bridge prevents this from occurring. LCC Highways advise this bridge is owned and managed by the City Council and that a planning obligation to alleviate the problem and make the fullest possible use of public transport should be addressed by the City Council. iii. Concerns over the management of loading bays, serving arrangements and the provision of electric charging points in the adopted part of the highway iv. Site operators to manage drop-off/pick-up loading and unloading associated with the residential development. <p>Notwithstanding the above, the following conditions are recommended:</p> <ul style="list-style-type: none"> • Construction Management Plan • Off-site highway works (bus stop facilities, traffic calming including TRO to 20mph zone, informal pedestrian crossing, reinstatement of intervening lengths to 6m with 2m wide contiguous footways and incorporation of cycle connection from site to River Lune cycle route) • Travel Plan • Access details • Cycle provision
Local Planning Policy Team	<p>Further the submission of further information addressing issues in relation to the commercial elements of the scheme, the policy team have no objections to the development.</p>
Environmental Health Service	<p>Objection on Air Quality Grounds. The objection states that although parking is limited at the proposed site, any traffic associated with the development will impact the Air Quality management Area (AQMA). The Officer recommends rejection but advises mitigation measures should be considered to reduce the air quality impact.</p> <p>On other grounds and having regard to the submitted supporting information, no objections subject to the following conditions:</p> <ul style="list-style-type: none"> • Standard contaminated land conditions restricted to the footprint of the mill and the land to the north of St George's Quay. • Glazing and ventilation specification to be implemented in accordance with the Noise Assessment in relation to the noise impacts associated with the adjacent railway line. • Scheme for protection from sound transmission between residential and commercial spaces, including the agreement of an appropriate noise 'Rating Level' (in accordance with BS4142:2014), a scheme for acoustic insulation and restrictions on operating times.
Tree Protection Officer	<p>No objections subject to following conditions:</p> <ul style="list-style-type: none"> • Tree Protection Measures • New planting proposals to be submitted and agreed
Natural England	<p>No objections. Additionally, following the submission of a draft Construction Environment Management Plan (CEMP) to enable the authority to undertake a Habitat Regulations Assessment, NE have confirmed that provided a detailed</p>

	CEMP is prepared and agreed prior to the start of any works (therefore conditioned), the development would not have significant impacts on the nearby designated site.
GMEU (Ecology)	No objections subject to the following conditions: <ul style="list-style-type: none"> • Submission of an Environmental Construction Method Statement • A precautionary bat survey should be undertaken of the remaining Mill building on the site before any demolition commences. • New roosting potential for bats should also be provided as part of the development by erecting 6x no. bat boxes close to the River.
Environment Agency	The EA's initial objection has been overcome. The EA have no objections subject to the following conditions: <ul style="list-style-type: none"> • Development to be carried out in accordance with the FRA and the mitigation measures therein relating to the provision of an 8m easement to the Rive Lune and finished floor levels to be set no lower than 6.86m AOD. • Contaminated land conditions (risk assessment; site investigation; remediation and verification)
Lead Local Flood Authority	No objections subject to the following conditions: <ul style="list-style-type: none"> • Surface water drainage scheme (SuDS) to be submitted and implemented in full before occupation. • SuDS Management & Maintenance Plan
United Utilities	No objection subject to conditions: <ul style="list-style-type: none"> • Foul and surface water to drain on separate systems • Development to be carried out in accordance with the FRA. • management and maintenance of sustainable drainage system
City Engineers	No objection – advise that the LPA should consult with the EA
Historic England	No objections - Historic England (HE) advise the application should be carried out in accordance with national and local policy and on basis of specialist conservation advice. Following further dialogue with HE, they have advised that historically they have been primarily concerned with archaeology and that having considered the information submitted and the advice from LAAS (see below), they are happy with this aspect of the proposal. With regards to the setting of the Castle complex, HE advice that historically they have not been concerned with this and so are satisfied for this to be dealt with by the Council's Conservation Section.
Conservation Officer	Following the submission of a revised Heritage Statement and additional information, the Conservation Officer maintains their original objection despite not objecting to the principle of redeveloping the site. A summary of their objection is as follows: <ul style="list-style-type: none"> • Due to the scale (a storey higher than the existing mill) and position of the proposed blocks, the proposal fails to enhance the setting of designated heritage assets, namely the adjacent conservation area and the Grade I listed Castle and Priory. • The revised Heritage Statement is considered to somewhat overlook the harm to the setting of heritage assets from the cycle path opposite the site.
Lancashire Archaeological Advisory Service (LAAS)	No objection. The following comments have been received: <ul style="list-style-type: none"> • Having had regard to the submitted Heritage Statement, the existing building surveys (Scott Wilson 2007) and the structural condition of the mill building, LAAS reluctantly agree to the demolition of the existing mill building. • No further archaeological recording or investigation is required on this site.
Lancaster Civic Society	Objection on the following grounds: <ul style="list-style-type: none"> • Inappropriate site for student accommodation on such a scale and will site uneasily alongside the proposed Persimmon scheme (149 houses) designed for families. • Inadequate parking provision • The space adjacent to the riverside (block A) should be preserved as public realm for the enjoyment of residents and visitors. The riverside area should be preserved as public open space. • Overwhelming massing of four high-rise blocks is totally out of character with Lancaster traditions. Building on both sides of Quay Road will create a canyon-like effect. • Loss of the existing mill building. If demolished the stone should be re-used.

	<ul style="list-style-type: none"> Uninspiring design. The blocks will dominate the riverside frontage which is one of Lancaster's prime historic sites and will detract from the skyline which features the Castle and Priory. Given the proximity to the conservation area and its relationship with Grade I listed buildings, the site is sensitive and requires special treatment. The Civic Society contend that the application is not appropriate or of sufficient merit.
Public Realm Officer	<p>Comments as follows:</p> <ul style="list-style-type: none"> The development should provide 3813sq.m of Amenity Space Contributions of £231,225 towards Outdoor Sports facilities and £65, 364 towards Parks and Gardens should be sought Need for a cycle link through the railway arches to Quay Meadow and to the cycle path. This should be delivered via a financial contribution to the sum of £107,264 (this figure is based on a cycle link running parallel with the railway line through Quay Meadow) The developer should indicate how their amenity space/green space will be maintained.
Network Rail	<p>No objection to the principle of the proposal subject to the developer obtaining appropriate consents (BAPA - Basic Asset Protection Agreement) from Network Rail for works within close proximity to their assets. They advise that a BAPA will need to be agreed with the development and Network Rail.</p> <p>Comments received as follows:</p> <ul style="list-style-type: none"> Access to the arches required at all times Security of the arches to be agreed Details of sub-station to ensure no interference with the 25kV railway electrification system No soakaways within 20m of Network Rails boundary – no drainage to discharge into/onto Network Rails land Boundary to be erected between site and Network Rails land Excavation/earthworks/piling/lighting structures in the vicinity of the Network Rail bridge need to be assessed and agreed with Network Rail. Method Statement and Risk Assessment to be undertaken before development commences
Ramblers Association	<p>Objection on the following grounds:</p> <ul style="list-style-type: none"> The Lune riverside is a valuable resource for recreation and visitors. The views from the proposed route of the proposed buildings and car park will be intrusive. The incorporation of a public facility such as a restaurant with sitting area would provide better public realm enjoyment.
Lancashire Constabulary	<p>No objections. Due to the scale of the scheme, crime prevention measures should be incorporated into the design of the scheme. They recommend a condition to this effect and an advisory note advocating the development is built to Secured by Design standards. Physical security, CCTV, lighting and landscaping should be designed taking into account the Secured by Design Standards.</p>
Lancashire Fire & Rescue Service	<p>No objections. Comments provided advising the scheme should be designed to meet Part B5 of the building regulations.</p>

5.0 Neighbour Representations

5.1 Following publicity of the application, 6 letters of objection have been received. It should be noted that some of these representations do acknowledge the need of developing this vacant site (just not in the manner proposed). A summary of the key concerns raised are as follows:

- Flood risk given the proximity to the River Lune;
- The modernist design of the development would be out of character with the historic quayside;
- Concerns over the publicity of the application and pre-submission consultation;
- Lack of information concerning the ground floor uses of the buildings and open space;

- The ground floor space should support non-student uses to ensure the development provides for the community;
- There is a lack of family housing – no need for student accommodation in this area;
- Unsuitable location for student accommodation;
- Increased noise and disturbance at unsocial hours from increased footfall along St Georges Quay from the city centre – no plans to address this in the submission;
- Surrounding residential streets are not restricted to residential permits so the development will lead to increased on-street parking;
- Loss of the Mill will lead to degradation of Lancaster’s architectural heritage - its retention would be a permanent reminder of the city’s heritage; and,
- Lost opportunity to incorporate the existing Mill with contemporary buildings.

5.2 A petition has been received with 98 signatures. The petition urges the Council to require the developer to amend their plans to make sure the student accommodation fits the architecture of the historic St Georges Quay, specifically traditional materials should be used (local stone) and the design should incorporate Georgian and Victorian architectural styles. The petition objects to the demolition of the Mill building and states that student accommodation seems to be taking up prime building sites in the city to the detriment of the local residents and visitors.

5.3 In addition to the above representations, the local planning authority has received 14 separate representations from a previous land owner raising a number of planning and non-planning related objections to the proposal. A summary of the planning-related concerns received are set out below:

1. The original planning permission in November 2002 retained and converted the St Georges Works Mill Building and provided for 350 dwellings, 8,000 square metres of commercial space, ancillary uses and open space. The council obtained a Compulsory Purchase Order on the basis of this permission. This is the development which should have been implemented.
2. The council approved a master plan in 2007 which provided for the same range of uses and development proposals including the retention of the St Georges Works Mill Building.
3. The council and the developer have not delivered on their obligations to implement the approved development and has wasted public money in doing so.
4. The new planning application 16/00574/FUL should be refused as it seeks to introduce a new masterplan which breaches the Council’s own vision and requirements.
5. The Mill Building should be retained. Its’ condition has deteriorated due to neglect.
6. The Homes and Communities Agency (HCA) in funding the original scheme did so because of the intrinsic townscape quality of the St Georges Works Mill Building. It is the only remaining Mill building built by James Williamson synonymous with St Georges Quay.
7. The new proposals fall short of delivering 8,000 sq m of B1 business space therefore the council’s original objectives against which they secured public funding would not be met.
8. High quality homes to ECO Homes “Excellent” and BREEAM “Very Good” and at least 70 affordable homes will not be delivered as originally envisaged.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework:

Paragraphs 7, 12 and 14 – Achieving Sustainable Development

Paragraph 17 – Core Principles

Paragraphs 32, 34, 35, 36, 39 and 41) – Promoting Sustainable Transport

Paragraphs 56, 57, 58, 60, 61, 62, 64, 65, 66) – Requiring Good Design

Paragraph 111 – Planning should encourage the effective use of land

Paragraph 118 – Biodiversity

Paragraph 120 - 125 – Land contamination, noise and light pollution and air quality considerations

Paragraphs 128 – 141 – Conserving and Enhancing the Historic Environment

Paragraphs 187 – Decision Taking

Paragraphs 188 – 190 – Pre-application Engagement

Paragraphs 196 -197 – Determining Applications

Paragraphs 203, 206 – Planning Conditions

6.2 **Lancaster District Core Strategy (2008)**

SC1 Sustainable Development
SC5 Achieving Quality in Design
SC6 Crime and Community Safety
SC8 Recreation and Open Space
ER1 Higher and Further Education
ER2 Regeneration Priority Areas
ER4 Town Centre and Shopping
ER5 New Retail Development
E1 Environmental Capital
E2 Transportation Measures
CS1 Improving Customer Services

6.3 **Saved Lancaster District Local Plan**

H3 Housing Opportunity Site
T24 Strategic Cycle Network
T26 Improvements to the Strategic Cycle Network
E29 Green Spaces
E31 Key Urban Landscapes
R1 Open Spaces

6.4 **Development Management Plan DPD (2014)**

DM1 Town Centre Development
DM3 Public Realm and Civic Space
DM4 Cultural Assets
DM5 Evening and Night-time Economy
DM15 Proposals involving Employment Land and Premises
DM20 Enhancing Accessibility and Transport Linkages
DM21 Walking & Cycling
DM22 Vehicle Parking Provision
DM23 Transport Efficiency and Travel Plans
DM25 Green Spaces
DM26 Open Space
DM29 Protection of Tress, Hedgerows and Woodland
DM30 Development affecting Listed Buildings
DM31 Development affecting Conservation Areas
DM32 The setting of Designated Heritage assets
DM34 Archaeology
DM35 Key Design Principles
DM37 Air Quality Management and Pollution
DM38 Flood Risk
DM39 Surface Water & Sustainable Drainage
DM46 Accommodation for Students
DM48 Community Infrastructure
DM49 Local Services

Appendix B (Car Parking Standards)

Appendix D (Purpose Built & Converted Shared Accommodation)

Appendix F (Studio Accommodation)

6.5 **Other Considerations**

Draft Preferred Options Land Allocations DPD

Policy CWL3 Luneside

Whilst Supplementary Planning Guidance and Documents (SPGs and SPDs) do not form part of the Development Plan, they are a material consideration. The following are relevant:

- Supplementary Planning Guidance 4 (Luneside East Development Brief – September 2004)
- Meeting Housing Needs Supplementary Planning Document (February 2013)

National Planning Policy Guidance (NPPG)

7.0 Comment and Analysis

7.1 The material considerations arising from this application are:

- Principle of Development
- Commercial Development
- Impact on Heritage Assets
- Urban Design considerations
- Open Space and Connections
- Traffic and Parking Considerations
- Biodiversity Considerations
- Flood Risk and Drainage
- Standard of Accommodation and Residential Amenity Considerations
- Other Matters

7.2 Principle of Development

The site at Luneside East is a long standing regeneration area, identified as a housing opportunity site under Saved Policy H3 of the adopted Development Plan and identified as a Regeneration Priority Area under Policy ER2 of the Lancaster District Core Strategy, which sought to identify the Luneside East site for 'mixed-use' regeneration. The wider Luneside East site was subject to a Development Brief (2004), which sought to transform this heavily-contaminated and predominantly derelict site into a vibrant new quarter with a mix of residential, workspace and leisure uses. This demonstrates a long standing support for the regeneration of the site for a range of uses albeit predominantly residential purposes. The emerging plan approach to this site has to date remained unchanged. The Draft Preferred Options Land Allocations DPD (Policy CWL3) supports the regeneration of Luneside East for residential led mixed-use development incorporating elements of employment and commercial use.

7.3 The applicant has submitted a full planning application for the redevelopment of the site and therefore is not bound by the terms or conditions of the outline permission. The application must be judged on its own merits having regard to the current, adopted Development Plan and other material considerations. The redevelopment of the application site predominately for residential purposes is acceptable in principle and compliant with saved policy H3, which specifically states that the site is particularly suitable to student accommodation. Policy SC4 of the Core Strategy also recognises that students represent an important component of Lancaster's housing market and that the Council are committed to ensuring their needs are addressed as part of the overall housing strategy. Whilst Core Strategy policy ER1 seeks to concentrate new student accommodation on campus where possible, it also advocates locations with good public transport, walking and cycling links to the institutions they are intended to serve. This is echoed in policy DM46 of the DM DPD. The proposed site is regarded a sustainable site for student accommodation.

7.4 As student accommodation is a form of housing it therefore contributes to meeting the District's housing needs, albeit a specific type of housing need, and therefore due regard should be paid to the relevant housing supply policies. 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 1st April 2015. Allowing for existing commitment, past housing completions, the requirement for a 5% NPPF buffer (and the Sedgefield Methodology for calculating the future supply of housing land) the statement identifies a 5-year position of **3.4 years** against its adopted housing requirement of 400 dwellings per annum. The NPPF introduces a requirement for local planning authorities to meet their full, objectively assessed need for both market and affordable housing in their area and to identify a supply of specific deliverable sites to provide five years' worth of housing against their housing requirements. Within Lancaster District it is apparent that even considering all sources of housing supply, it may be the case that sufficient development may not come forward within the next five year period to full satisfy delivery of its full 5-year housing requirement. In such circumstances the NPPF states that the district's policies relating to the supply of housing may be considered out-of-date. As such, the NPPF stipulates that planning in such circumstances must be taken in accordance with the presumption in favour of sustainable development (Paragraph 49 and 14 of the NPPF). This carried significant weight in the consideration of this application.

- 7.5 The incorporation of ground floor commercial elements intended to serve the student accommodation (and the wider community) would also be consistent with regeneration objectives set out in Core Strategy policy ER2, which promotes mixed-use residential and employment regeneration. It is also considered consistent with the strategic aspirations of SPG 4. The primary policy objective has always been to positively regenerate a large, derelict brownfield site in a location of strategic importance delivering high quality mixed-use development to achieve a sustainable and 'balanced community'. This continued objective has been reflected by the grant of various planning consents over the last 15 years and remains a key policy objective in emerging policy CWL3. A full assessment of the commercial aspects will follow, but the principle of a mix-use scheme comprising some retail, leisure, employment uses is compliant with the Development Plan.
- 7.6 In summary, the proposal provides a significant amount of housing, albeit for student housing, contributing towards the Council's current under supply; it will regenerate a long-standing brownfield site in a sustainable location and provides a mix of uses helping to create vibrancy and activity around the main gateway of Carlisle Bridge serving the new communities established within the wider Luneside area. Whilst the proposed site relates to only a proportion of the wider Luneside East site, the principle of the development remains consistent with the land uses approved under historical consents. The following sections of the report will consider other key planning considerations, to assess whether the presumption in favour of sustainable development applies.
- 7.7 **Commercial development**
The proposed development incorporates 1855 sq.m of commercial space within the ground floors of Blocks A, B and D and the Pump House. The applicant seeks planning permission for uses falling within use classes A1 – A4, B1a, D1 (GP surgery/health centre only) and D2 (gymnasium only). Other uses falling within the D1 and D2 use classes have now been omitted from the scheme along with A5 (take-away) uses.
- 7.8 These uses are town centre uses. Paragraph 24 of the NPPF states that '*Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre*'. This policy approach is set out in Policy DM1 of the DM DPD requiring development proposals for main town centre uses which are not located in town centre locations, or are not in accordance with specific policies in the Land Allocations DPD, to apply the sequential test.
- 7.9 There is no requirement under this development proposal to undertake an impact assessment as the threshold of 2500 sq.m is not exceeded.
- 7.10 The applicant has not submitted a sequential assessment but argues that the incorporation of commercial elements is consistent with historical consents and the original development brief for the wider site (SPG4). The applicant argues that in this instance it is considered that the proposed commercial uses would aim to meet 'location-specific' needs and thus there would be no requirement for a sequential assessment.
- 7.11 Officers have not entirely shared the view advanced by the applicant. However following negotiations further information has been submitted by the applicant to satisfy Officers that the proposed commercial uses would genuinely meet the location-specific needs originally set out in the application and that the proposal would not become a destination in its own right, in an out-of-centre location. The applicant is willing to accept a range of planning conditions limiting the uses to those applied for (as amended) with commercial permitted development rights removed where necessary; a condition which restricts the ability of the floorspace to each block to be occupied by a single operator and a condition setting out maximum unit sizes (300 sq.m). This in your Officers' opinion would limit inappropriate large town centre uses occupying this out-of-town site, (albeit an accessible and well connected out-of-town site), but would provide the applicant with sufficient flexibility to secure prospective operators. The provision of smaller units are more likely to attract operators aimed at serving a local need, such as a small convenience shop, newsagents, hairdressers, coffee shop etc – effectively akin to a new *local* centre. This would support the growing residential development in the area and would contribute to achieving a vibrant, balanced, sustainable community for the wider Luneside and the nearest parts of the existing Marsh communities.

- 7.12 Despite the fact the site is allocated for housing purposes and not town centre uses, Officers have had regard to the historical consents which permitted 8000sq.m of commercial floorspace and the policy objectives set out in Core Strategy policy ER2 and the development brief (SPG4), supporting mixed-use regeneration of the site. Officers are also mindful of the policy direction of the emerging land allocation for Luneside East, which again supports mixed-use development. On this basis, a sequential assessment has not been sought as it would only serve to be an academic exercise and would not necessarily alter the position that the site lends itself to some commercial development to achieve a vibrant and sustainable development. Subsequently, with the applicant's acceptance of a range of conditions as set out above, the principle of limited commercial development in this location would be considered acceptable.
- 7.13 **Impacts on Heritage Assets**
The NPPF states that when considering the impact of a proposed development on the significance of a designed heritage asset, great weight should be given to the asset's conservation. Similarly, the local planning authority in exercising its planning function should have regard to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states "*In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*". Similarly, section 72 requires that *in the exercise of planning duties special attention shall be paid to the desirability of preserving and enhancing the character or appearance of conservation areas*.
- 7.14 Paragraph 132 of the NPPF seeks to express the statutory presumption set out in s66(1) and s72 of the 1990 Act. How the presumption is applied is covered in the following paragraphs of the NPPF, though it is clear that the statutory presumption is to avoid harm. The exercise is still one of planning judgment but it must be informed by the need to give significant weight to the desirability to preserve the heritage asset.
- 7.15 The application site is not located within a Conservation Area and has no listed buildings within its site boundaries. It is however immediately adjacent Lancaster's Conservation Area (its boundary being Carlisle Bridge) and is located in the foreground to the Grade I listed Castle and Priory to the south-east of the site. Subsequently, in accordance with national and local planning policy a heritage assessment has been submitted with the application. Special attention is given to the setting of nearby designated heritage assets and the impacts of the development on the significance of that setting. The heritage statement has been revised with additional computer generated images (CGIs) submitted in support of the proposal and in response to some earlier Officer concerns, in order to comply with paragraph 128 of the NPPF.
- 7.16 In addition, it is accepted that St George's Works Mill Building is a non-designated heritage asset and that in accordance with policy there is a presumption in favour of retention. This building together with the Pump House are remnants of the former St George Works (one of two leading linoleum manufacturers within the city – James Williamson). This application proposes the demolition of the Mill Building and the retention of the Pump House. It is acknowledged that previous consents have sought to retain both buildings.
- 7.17 **Loss of the Mill Building**
The existing Mill building is five-storeys high of utilitarian design with classical architectural detailing typical of industrial buildings of the 19th century. It is constructed from coursed rubblestone with quoin detail and despite its relatively bland appearance it does pose a striking feature on St Georges Quay. Its appearance within the streetscene is perhaps emphasised by the fact it is the only remaining building along the frontage following extensive demolition, site clearance and remediation under earlier consents. The Mill Building was once significantly larger than what remains today. The eastern flank of the building suffered extensive fire damage in 2012 which eventually led to its partial demolition, via planning permission 11/00885/FUL. Policy DM33 of the DM DPD states that there is a presumption in favour of retention of non-designated heritage assets and that any loss in whole or part of such an asset will require clear and convincing justification. As well as the submitted Heritage Statement, a Structural Survey Addendum report has also been submitted. This evidences that the mill is in a structurally poor condition as a consequence of being vacant for a considerable period of time, the effects of vandalism and a significant fire that took place in 2012.

- 7.18 Whilst historical consents have sought to retain the mill building, Development Plan policies do not explicitly state the mill must be retained on this site. The applicant has provided sufficient evidence to demonstrate that the mill building is structurally unsound and that interventions to allow such conversion for student accommodation would render the development unviable. The structural report details the level of intervention that would be required. This is supported by a viability appraisal assuming the retention of the mill building. It is clear to Officers' that this evidence provides clear and convincing justification for the loss of the mill. Albeit reluctantly, based on this evidence the Conservation Officer and Lancashire Archaeology Advisory Service accept the loss of the mill building. The Pump House comprises a tall single-storey building that probably originated as an engine house. This building is architecturally more pleasing with tall rectangular openings with arched heads and moulded brickwork. This building is retained to provide student support space as part of the proposed development. The applicant's heritage statement indicates that this building was not designed to be visible from outside the complex; its attention to detail was reflective of its important function and to show-off the level of technology employed at the works. Officers had suggested amendments to revise the layout of the development to expose views from outside the site of the only retained building from St George's Works. The applicant was not prepared to make those amendments due to other urban design issues discussed later in this report. Based on the submitted supporting statements, the retention of the Pump House and the loss of the Mill building as part of this scheme are acceptable proposals and therefore considered compliant with policy DM33.
- 7.19 Archaeology Implications
The submitted Heritage Statement provides an assessment of the site and the existing buildings thereon and expands on, and makes references to, the building survey work undertaken by Scott Wilson in 2007. This supporting information accords with the requirements of paragraph 141 of the NPPF and policy DM34 of the DM DPD, which seeks the preservation of archaeological assets and supports appropriate investigation and recording of the same. Lancashire Archaeology Advisory Service have considered the proposals and the information submitted in support of the development, and have raised no objections to the application. They also advise that given the existence of the Scott Wilson survey, no further building recording is required. Historic England have been consulted on the application and have confirmed that historically their main considerations have related to the potential archaeological significance of the area. Together with their own archaeological adviser, Historic England have reviewed the documentation submitted by the applicant and read the comments provided by Lancashire Archaeology Advisory Service and are satisfied that the archaeological matters had been sufficiently addressed.
- 7.20 Setting of Designated Heritage Assets
Paragraph 131 of the NPPF requires local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets; the positive contribution that conservation of heritage assets can make to sustainable communities; and the desirability of new development making a positive contribution to local character and distinctiveness. It is accepted that great weight should be given to the asset's conservation, though this is clearly proportionate to the level of significance.
- 7.21 In this case, the application site is clearly separated from the adjacent Lancaster Conservation Area by Carlisle Bridge - previously described by the Council as an 'emphatic' barrier. The Lancaster Conservation Area covers a large area and so for the purposes of this assessment, the closest sub-area to the application site for consideration is The Quay. This area represents a strong linear form of development following the quayside terminating at Carlisle Bridge. The character is largely defined by historical warehouses of varying in scale - no higher than 5 storeys - which have in the majority of cases been subject to sensitive conversions. There are a number of examples of new-build developments at both ends of The Quay that have adopted a more traditional approach in terms of scale, design and appearance. Views of the Conservation Area from the application site and equally views from within the Conservation Area towards the application site are heavily restricted by the presence of Carlisle Bridge and the alignment of the quayside and curvature of the River Lune. Glimpses of the application site from the Conservation Area (and vice versa) can in particular be enjoyed under the arches of the bridge and from elevated views when travelling by train.
- 7.22 The site previously occupied poor quality industrial buildings (to the north especially) and has since been vacant following remediation for a number of years. The site as it stands now (and historically) did little to positively contribute to the setting of the adjacent Conservation Area. Whilst the scheme adopts a more contemporary approach and the scale of buildings are taller than the existing mill, the proposals submitted represent high quality design and would remove an unsightly parcel of land. On

balance, despite some concerns to the contrary, the development would not harm the character and appearance of the Conservation Area or its setting. There is sufficient argument to state that the proposals would actually enhance its setting. There is no conflict with policy DM32 in this regard or indeed the requirements of s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 7.23 Turning to the impact on the setting of the Grade I listed Castle and Priory. Further assessment has been carried out by the developer to enable the local planning authority to make an informed assessment of the impact of the proposals on the significance of the setting of these designated heritage assets. Due to the elevated position of the Castle and Priory these heritage assets represent significant historical and architectural landscape features within the cityscape and as a consequence views of these heritage assets and the significance of the setting of these assets is not simply confined to the vicinity around the application site.
- 7.24 The revised assessment considers a series of viewpoints to assess the inter-visibility of the development with the Castle and Priory Tower in order to evaluate the effects of the proposal on the significance of the setting of these heritage assets. It is evident that there will be some viewpoints more affected than others. This is most apparent when you consider the viewpoint directly opposite the site on the opposite of the River Lune at a low lying position (this is a worst case scenario viewpoint and is taken on land below the public cycleway). In this viewpoint the development will block views of the Priory Tower that are currently can be appreciated. This view is only likely to be appreciated by somebody either walking or cycling on the opposite side of the river or indeed catching glimpses through the vegetation when driving along Morecambe Road. Subsequently when the observer moves or travels to the west in particular (as eastbound you would be turning your back on the assets) the development becomes more subservient in the foreground of the Castle and Priory as views of those heritage assets are reinstated. The loss of views from this relatively confined position is generally transient and short-lived.
- 7.25 The Conservation Officer has raised concerns over the height of the development and the consequence this has on the views and therefore the setting of the heritage assets. It has to be pointed out that the scale and massing of the development along St Georges Quay is not dissimilar to early development but evidently the increase of an additional storey taking the development to six-storeys does appear to impinge the views of the Castle and Priory, albeit from what appears to be an almost single viewpoint close up and directly opposite the site. It is also apparent that the development site occupies a lower position than the assets with the Castle Mound dominating the city landscape from views in almost all directions. Therefore, the significance of the setting of the Castle and Priory extends over a much larger area. So whilst the Castle and Priory Tower will experience an impact through alterations to its setting in the viewpoint described above, it is contended that this impact of one particular viewpoint would not lead to substantial harm and would not diminish its overall significance. Significant consideration is weighted towards the desirability to preserve the setting of these designated heritage assets in accordance with planning policy but also the statutory presumptions set out in s66 of the Planning (Listed Buildings and Conservation Area) Act 1990. It is acknowledged that the development will result in alterations to the setting of these assets in one viewpoint (over a short distance) but that this viewpoint would not lead to substantial harm. Overall, it is considered that the development would lead to less than substantial harm to the setting of the assets in this single viewpoint and that the public benefits of bringing the regeneration priority area into use and delivering high quality sustainable development carries equal weight to our consideration of the preservation of heritage assets. In the remaining views around the site and further afield where the experience of the setting of the Castle and Priory can be enjoyed, there is a strong argument that redevelopment of this vacant, derelict site will actually enhance the foreground and setting to the Castle complex. On balance therefore, Members are advised that a refusal on heritage grounds would be difficult to sustain at appeal.
- 7.26 **Urban Design Considerations**
Requiring good design is a considered a key aspect of sustainable development and is indivisible from good planning. The NPPF places a strong emphasis on high quality and inclusive design for all development (paragraphs 56 and 57). This is echoed in Core Strategy policies SC1 and SC5, together with policy 35 of the DM DPD. These policies seek to ensure new development is of a quality that positively contributes to the identity and character of an area, enhances public realm and specifically in gateway locations creates landmark buildings of genuine and lasting architectural merit. Delivering high quality inclusive design goes beyond the design and appearance of buildings and is also about the way in which a development integrates into the natural, built and historic environment.

- 7.27 In this case the design of the development has evolved having regard to the original design aspirations set out in the original design brief for the wider Luneside East area (SPG 4). Whilst the SPG is not part of the adopted Development Plan, this was a sensible approach and one that has been advocated by the planning authority during pre-application discussions. Despite concerns to the contrary, the original design brief did not explicitly state that the Mill building must be retained. Whilst perhaps this was desirable at the time, the design brief and subsequent pre-application discussions have clearly indicated that any replacement building, having justified the loss of the mill building, must be of comparable scale, massing and presence within the streetscene.
- 7.28 The proposed development adopts a contemporary approach to the building design, but one that successfully reflects the industrial heritage of the site. This is achieved through a careful and simple palette of materials, the large rectangular forms and strong repetitive rhythm of openings. The composition of the elevations are positively bold and imposing but carefully broken up by the striking corten steel vertical features which run the full height of blocks B and D. Similarly, the change in material to the top floor of Block D and part of Block B helps anchor the building and prevent the increased heights of the proposed development appearing overbearing, particularly when viewed in context with the smaller, more traditional development approved along the frontage on the Persimmon Homes scheme.
- 7.29 The development has been designed with stand-alone building blocks which have been carefully positioned within the site to maximise opportunities to create high quality public realm and landscaping around the buildings. The tallest elements of the scheme are Blocks B and D located on the south side of St George's Quay. These are a storey higher than the existing Mill. However, with the demolition of the existing Mill the applicant has been able to set the building line back to enhance the public realm along the frontage in this location and to reduce any overbearing impacts of the development. This also improves the permeability between the site and its surroundings and enhances the interface with the Conservation Area. Officers had raised concerns over the design and scale of Block B. The primary concern was the design of the tallest element of this block - which is not broken with the corten steel to the top floor like other buildings within the development - emphasises its vertical scale. This will form a prominent feature within the streetscene and perhaps most noticeable when entering the city via train. The developer was not prepared to make amendments to this block and asked the scheme be determined as it stands on the basis that the design was as agreed at the pre-application stage. Despite some concerns over this element of the scheme, when this block (as designed) is viewed in context with the Block B within the streetscene it is perhaps understandable to see why the appearance of this block is designed in the manner proposed - arguably designed to create a termination (book-end) to the new built-form before reaching the bridge.
- 7.30 The design of Block A is particularly interesting and innovative. It is appropriately designed with dual aspects acknowledging its frontage to the riverside and also St George's Quay. The scale of this building is admittedly taller than earlier buildings on this site, but is of a quality and appearance that is commendable. The extensive use of glazing on the north elevation creates a lighter aesthetic finish which will complement its riverside setting. The elevation facing St George's Quay takes references to the design and use of materials of Blocks B and D and provides a positive frontage in this location too. Block C is located to the rear of Blocks B and D adjacent to the retained Pump House. This building block is only 3-storeys high but designed to reflect the large building blocks to the north. The reduced scale in this location provides for an acceptable relationship with the conventional 2/3 storey housing development approved to the south. It also ensures that the development sympathetically sits adjacent to the retained and converted Pump House and does not appear overbearing.
- 7.31 Turning to the issue of site layout, the scheme has evolved during the pre-application stage. The proposed layout provides a strong continuous building line along St Georges Quay, albeit set back to enhance the pedestrian environment and legibility between the site and the historic built form of St Georges Quay to the east. The 'L' shaped Block B is designed in such a way to create a sense of enclosure to the rear of these blocks in order to enhance the public realm. This approach has been advocated by the Council's Urban Design Officer at the pre-application stage. The submitted, revised landscaping proposal provides a careful balance of soft and hard landscaping and acknowledges the need to retain an 8m easement with the River Lune. The areas of hard landscaping around Blocks A, B and D responds to the proposed mixed uses providing opportunities for appropriate commercial uses, such as cafes, to expand into these spaces to support the vitality of the area. In addition, the scheme provides linkages to the Riverside cycle path from the north (via the landscaped areas) and proposes appropriate hard landscaping under the arches in order to provide a link to River Street and

Quay Meadow. The incorporation of active commercial uses below residential development together with imposing and attractive buildings, suitable connections to the adjacent built and natural environment and high quality public realm provides the requisites for good place-making.

7.32 The only weakness here is the lack of “public” commercial space to the riverside. Block A is proposed to be for students only and therefore any commercial uses proposed within this block will not be available to the wider public. This is a dis-benefit to the wider community who may want to take in the attractive riverside setting of the development. Overall however, the scheme still delivers active frontages in this location and uses appropriate to the riverside setting. Commercial uses within blocks B and D will be available to serve the wider community and with high quality landscaping will still provide attractive and pleasant spaces to enjoy. The layout has been amended to improve the visual connections between the open spaces to the rear of this development and the pedestrian boulevard proposed as part of the Persimmon scheme in order to try and present appropriate legibility across the wider site towards Long Marsh Lane. The landscaping areas and public realm has been designed taking account of the building orientations to ensure sufficient natural surveillance. This helps create positive, safe and attractive streetscapes which will contribute to the visual amenity of the locality. Overall the layout of the development with the landscaping proposals put forward are considered compliant with policies SC1, SC5, DM35 and DM3 of the DM DPD.

7.33 **Open Space & connections**

The proposed development provides a good amount of public realm and open amenity space within the boundaries of the development site. The proposed landscaping proposals provide pedestrian connections to the riverside path, together with modest improvements to remove the current 90 degree bend. The scheme also provides a connection under the archway of Carlisle Bridge to River Street where there is a hard surfaced path up to the edge of Quay Meadow. This path was provided by the developer (Places for People) of the small terraced properties to the rear of River Street. Officers have subsequently sought contributions towards Quay Meadow towards pedestrian and cycle connections and public realm features (new benches and interpretation boards). The figures are significantly below the figures suggested by the Public Realm Officer on the basis that the higher figures could not be justified or quantified for physical improvements that would meet the planning obligation tests set out in paragraph 204 of the NPPF. The applicant has challenged the request querying the proposed cycle connections between St Georges Quay, through Quay Meadow towards the city centre. Their argument is that there is already a Riverside Cycle path that would provide connection to the north and east of the city and those wanting to travel to the city centre are more likely to travel through the Persimmon scheme to Long Marsh Lane. Officers have also sought a cycle connection between the north and south elements of the site so that provision is made for cyclists to safely access the Riverside path. The scheme provides for a link to River Street but at present between River Street and the grassed area of Quay Meadows there is no made path. The requested contribution would provide for a pedestrian gravel path through the wooded area including some tree works to facilitate the path. This request is considered proportionate to the development and well-related. Officers have secured a contribution of £19,000 towards an improved pedestrian links from River Street to Quay Meadow including new benches and interpretation boards. Officers are still negotiating cycle improvements at the time of drafting this report, and will provide a verbal update.

7.34 **Traffic and Parking Considerations**

National and local planning policy recognises that consideration of transportation has a vital role to play in facilitating sustainable development. In particular, developments that generate significant movements should be located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Core Strategy policy SC1 makes this point quite clear and indicates that a sustainable location for residential development is normally 400m safe walking distance from a public transport route; less than ½ by public transport from local services such as GP practice, employment areas and town centres, and; less than 1mk by a safe direct route to the Districts Strategic Cycle network (amongst other criteria). The purpose of Core Strategy policy E2 aims to support the District's regeneration, improve resident's quality of life and minimise the environmental impacts of traffic and to do this development should be focused in accessible and sustainable locations in the first instance. The Development Management DPD sets out more specific policies in respect of enhancing accessibility and transport linkages (DM20); protecting and improving the pedestrian environment and building on the District's designation as a 'Cycling Demonstration Town' (DM21); ensuing development has an appropriate provision of car parking (DM22), and; supporting opportunities to promote sustainable modes of travel through the encouragement of Travel

Plans (DM23). The applicant has been mindful of the policy position and has submitted a Transport Statement in support of their application.

- 7.35 It is accepted that the site occupies a sustainable location being only approximately 625m (along St George's Quay) to the city centre boundary. Bus Services run directly passed the site providing services to the city centre and the Universities beyond. There is an existing bus stop on St George's Quay (circa 400m from the site) and others on Lune Road. A strategic cycle route runs along the riverside adjacent to the northern parcel of land subject to this proposal.
- 7.36 St George's Quay is a single carriageway subject to a 30mph speed limit. It currently serves a large residential area and Lune Industrial Estate to the west. There is a height restriction at the Damside former railway bridge restricting particularly high vehicles running along St Georges Quay in the vicinity of the application site. Carlisle Bridge to the east of the site results in the narrowing of the carriageway where informal give-way arrangements operate.
- 7.37 The application is bisected by St Georges Quay and so the proposal incorporates a single priority controlled junction serving the proposed car parking area and Block A with minimum visibility splays of 2.4m x 34m. On the northern side of St Georges Quay a new 2m wide footway will be provided and shall connect under the arched bridged to the existing shared pedestrian/cycle riverside path. The scheme also incorporates a new bus shelter on this side of the road to provide easy access to the existing bus services. The larger portion of the development located to the south side of St Georges Quay shall be served off another single priority controlled junction to the west of Block D. This access and internal road layout is excluded from the red edge but is located within the applicant's ownership (blue edge) and already has the benefit of planning permission under 13/01200/FUL and the subsequent s73 application (14/01186/VCN). The applicant proposes to enter into a legal agreement which would place an obligation on them to provide this access and internal road in the event the Persimmon scheme is not implemented. The proposal also provides a significantly wider footway in front of Blocks B and D along St Georges Quay.
- 7.38 Given the scheme is bisected by St Georges Quay the development recognises the importance of ensuring a safe crossing between the two sites, particularly as the commercial ground for area of Block A is for students only. Subsequently, an uncontrolled pedestrian crossing is proposed as part of the scheme and is positioned centrally between Blocks B and D. In addition to the above highway works the applicant also proposes a series of traffic calming features from the west of the pedestrian crossing towards Lune Road. It is contended traffic calming is not necessary to the east of the crossing as Carlisle Bridge itself acts as a suitable traffic calming feature given the narrowing of the carriageway, though this will be formalised as part of the Section 278 (highway) works. The precise details of off-site highway works, provision and timetables for implementation can be secured through the imposition of a planning condition. Equally, such works will also be subject to s278 works under the Highway Act. County Highways have raised no objections to principle of the development, the access arrangements and off-site works.
- 7.39 In terms of parking provision it is accepted that student development located in sustainable locations would not attract a significant demand for parking. The proposal provides 79 spaces including 10 accessible spaces across the application site. 60 of these spaces are intended to be dedicated to the students which equates to a ratio of 1 space for every 7 students. These spaces are located to the west of Block A and some to the south of Block C. It is understood that these parking areas will be privately managed and controlled by a permit system. There is an argument to say this is an over provision of parking, however, it is contended that it strikes an acceptable balance between the demands for long term parking by some students and the parking policies adopted by the university's which prohibits student parking on campus. County Highways have not raised an objection to the level of parking for the student development.
- 7.40 The remaining 19 spaces will be available to visitors of the accommodation and commercial uses proposed as part of this scheme. There has been a lack of consideration within the submission concerning the parking requirements set out in policy DM22 and appendix B in connection with the proposed commercial uses. The parking standards would require a much greater level of parking based on the commercial floor area across the scheme and the nature of uses proposed. Understandably, it is difficult to define the exact parking provision requirements as the proposal seeks a flexible approach to the size and types of commercial uses proposed. For example, the parking standards require a greater level of parking (1 space per 32sq.m) for B1 (business) uses than A1 (retail) uses (1 space per 15sq.m).

- 7.41 Notwithstanding this, the parking standards are maximum standards rather than minimum standards and policy aims to encourage more sustainable modes of transport than use by private car. The site is sustainably located and the commercial uses are either aimed at solely serving the student accommodation (block A) or serving a location-specific need (akin to a local centre), therefore there is a strong argument that the commercial uses likely to operate in this area will draw in their customers from the site and immediate surrounding residential areas. It is most probably that most would walk to the site. Furthermore, the applicant is willing to implement a Travel Plan associated with the development to encourage the use of alternative forms of transport from the private car. With these considerations borne in mind, it is contended that the level of parking for the commercial elements should be adequate.
- 7.42 All the parking areas will be controlled and managed by the developer (or a subsequent management company). To ensure an appropriate balance is struck between the parking provision for the student accommodation and the commercial elements, it could be that through appropriate management regimes if there transpires to be an over-provision for the students and an under-provision for the commercial aspects, that the developer can reallocate spaces accordingly in order to prevent any unnecessary on-street parking in the area. This could be controlled by condition by the provision of a car parking management strategy. County Highways have raised no objections to the parking provision for commercial aspects of the development.
- 7.43 Turning to pedestrian/cycle connectivity and public transportation. County Highways have made representations advising the local planning authority to seek appropriate contributions towards public bus services. They indicate that the existing bus provider which operates a single-decker service along the Quay is willing to provide a double decker service. However, County Highway highlight that this is not possible because of the height restriction at the Damside bridge to the west of St George's Quay. It is suggested by County Highways that as this bridge is owned and managed by the City Council, contributions should be sought to resolve this situation. Unfortunately, the likelihood of contributions being sought to remove or amend the existing bridge arrangement's (which carries the cycle link) to allow a double decker service to operate are unrealistic and disproportionate to this current planning application. On this basis, no such contribution has been sought. The existing services in this location are not subsidised services and so the applicant would not be willing to contribute to bus services on this basis.
- 7.44 Improvements to the pedestrian environment are delivered through his scheme, including the new footway to the north of St Georges Quay, a new crossing and improved footway/public space to the south side of St Georges Quay. The scheme incorporates as part of its public realm and landscaping proposals links to the riverside path and a connection under Carlisle Bridge linking to River Street. Officers are also currently negotiating a contribution for a new pedestrian path from River Street to the recreation fields on Quay Meadow. These measures are considered to improve the pedestrian environment and so are compliant with policy DM21.
- 7.45 The development seeks to promote cycling through the provision of sufficient cycle provision (1 space per 2 students) in secure compounds. This far exceeds the Highway Authority requirements of 1 space per 10 students. In terms of cycle connections there are some weaknesses in the scheme, though not insurmountable. The proposed landscape proposal does include a connection to the riverside cyclepath, however, the new footway from the proposed new crossing does not cater for cyclists (only 2m wide). Officers are in negotiations regarding some improvements in this location in order to deliver safe crossing and connections for cyclists as well as pedestrians from the south side of the site to the riverside path. A verbal update will be provided. Officers have also sought a contribution towards cycle connections through Quay Meadow, however the suggested location for this link (off St Georges Quay at the Museum through the far eastern end of the public open space) is not likely to be considered directly-related to the development. Students wanting to cycle to the university are most likely going to travel via road to the west or along the Riverside route to the east towards the city centre.
- 7.46 The only other element of some concern to the Highway Authority is the proposed servicing arrangements for Blocks B and D. This is intended to be within the public realm space to the rear of the site. In the whole this area is kept clear (with the exception of 3 accessible spaces to the front of the Pump House) to create a permeable, safe and attractive public space in accordance good design and Policy DM3 which seeks to support proposals which discourage car-dominant environments. The concern relates to vehicle and pedestrian conflict within this space. It is accepted that in urban

design terms it would be disappointing to see valuable landscaped areas lost for standard delivery/servicing solutions. This would be particularly difficult here because of the dual aspect of the development – there is no ‘rear’ aspect to the scheme. Officers are negotiating the relocation of the electric charging bays to allow a further loading in the highway to potentially remove the need for servicing within this public realm space. A verbal update will be provided. Alternatively, a condition requiring a servicing and delivery management strategy could be pursued, which would demonstrate how and when servicing and deliveries would be made in the interests of maintaining a safe pedestrian environment.

7.47 **Biodiversity Considerations**

As noted in the introduction to this report the site lies in close proximity to the River Lune and its associated designations and a large groups of protected trees to the south of the site. The application is accompanied by an extended Phase 1 Habitat Survey Report which has had regard to the historical consents on site, planning policy and the implications of the proposed development on the biodiversity value of the site. National planning policy states that the planning system should contribute to and enhance the natural and local environment, by (amongst other criteria) minimising the impacts on biodiversity and providing net gains in biodiversity where possible (paragraph 109). Paragraph 118 of the NPPF makes it clear that if significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort, compensated, then planning permission should be refused. Policy DM27 follows the same principles but goes on to state that the onus will be on the applicant to demonstrate how impacts on biodiversity have been minimised.

7.48 Given the proximity of the development to nearby European nature conservation sites, Natural England initially advised that the local planning authority must assess whether the proposal alone or in combination is likely to significantly affect the special features of Morecambe Bay SPA/RAMSAR. Inadequate information was submitted to rule out any likely significant effects and so further information was requested to enable the authority to undertake a Habitat Regulations Assessment. The applicant submitted a draft Construction Environment Management Plan to address concerns as the potential impacts identified by Natural England related to the impacts from run-off/discharges during construction. Under the Habitat Regulations a precautionary approach must be adopted and so the level of information required was quite extensive. A Habitat Regulations Assessment has been undertaken and concludes that the application will not have any significant impact on the special interest of European Protected Sites, *providing* that a fully detailed CEMP is condition and agreed with the LPA before development commences and appropriate land contamination conditions are imposed, as per the advice of the Council’s Contaminated Land Officer.

7.49 With regards to protected species, the submitted report concludes that while there is no evidence of protected species found during the phase 1 survey, habitat with the potential to support bats and breeding birds was identified. Earlier consents were conditional of further survey effort in respect of breeding birds and bats prior to the commencement of any development (including demolition) including appropriate mitigation where necessary. This approach is accepted in this case, with GMEU raising no objections to the development subject to such conditions. GMEU recommend that mitigation should include the provision of bat boxes close to the river. Overall, it is accepted that the development, with appropriate conditions, would not adversely affect local biodiversity, protected species or the special features of the nearby European designations.

7.50 **Flood Risk and Drainage**

The site falls within Flood Zone 3 which is defined as having a high probability of flooding, albeit it in this case the Quay is protected by flood defences with crest levels of the defences at the site set at 8.29m above Ordnance Datum. The NPPF and policy DM38 of the DM DPD seeks to direct new development away from areas at highest risk of flooding. New development, in areas which are vulnerable to flood risk, are required to meet the Sequential and Exception Tests as appropriate and provide site-specific Flood Risk Assessments (FRA) to demonstrate the site is not at risk of flooding and would not increase the risk of flooding elsewhere.

7.51 As noted earlier in the report, the site is by-in-large covered by a housing allocation in the saved Local Plan (policy H3). Subsequently, there is no need to undertake a Sequential Test in accordance with the advice contained in the NPPF (paragraph 104) and NPPG (Paragraph 33). The applicant’s FRA acknowledges this approach but assumes the whole Luneside area is allocated which is not quite the case. The only element that is outside this existing housing land allocation is the land to the north of St George’s Quay (Block A). Whilst the application has not been supported by a Sequential Test assessment for this element of the scheme, it is clear that it forms part of a wider regeneration priority

area (under Core Strategy policy ER2) and has been the subject of previous consents for residential-led mixed use development. If the Sequential Test was applied, and in accordance with the NPPG, a pragmatic approach to the availability of alternative sites should be adopted. In this case, locating this one element of the proposed development to an area where there is a lower risk of flooding within the wider area subject to regeneration, would not be possible as most of the site falls with flood zones 2 and 3. Subsequently, it can be argued that the sequential test could be passed and it would be therefore reasonable to move to the Exception Test.

7.52 In terms of the Exception Test, it is contended that Block A and the redevelopment of the north side of St George's Quay is an integral part of the application proposal and so to disaggregate elements of the scheme would be unrealistic and would weaken the comprehensive approach to regenerating this part of Luneside East. Paragraph 36 of the NPPG states that where the site is part of a regeneration strategy it is very likely that it will provide the wider sustainability benefits to pass the first part of the Exception test. The second part of the Exception Test is to ensure the development will be safe and will not increase flood risk elsewhere.

7.53 The application has been supported by a FRA and Drainage Assessment. Both Statutory consultees, the Environment Agency (EA) and the Lead Local Flood Authority (LLFA), have considered the information submitted and have raised no objections to the development proposals, subject to conditions ensuring the development is carried out in accordance with the FRA and the mitigation measures set out therein. Specifically, this relates to the finished floor levels being set no lower than 6.86m above Ordnance Datum. It should also be acknowledged that in the majority of cases (except two cluster flats in Block A) all the residential accommodation is set at first floor level. With regards to the drainage, the LLFA have confirmed no objections to the development subject to an appropriate surface water drainage scheme being submitted for approval, based on sustainable drainage principles, and a separate condition dealing with the management and maintenance of an agreed surface water drainage scheme for the site. Overall, it is accepted that with the imposition of floor risk and drainage related conditions, the development will not be at risk of flooding and will not lead to a flood risk elsewhere. On this basis, the development accords with policies SC7, DM38, DM39 and paragraphs 100 – 104 of the NPPF.

7.54 **Standard of Accommodation & Residential Amenity Considerations**

Paragraph 17 of the NPPF sets out 12 Core Planning Principles. One of these principles states that planning should '*always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*'. Policy DM35 of the DM DPD expands on this national guidance and expects new development to ensure no significant detrimental impact to the amenity in relation to overshadowing, visual amenity, privacy, overlooking, massing and pollution.

7.55 There are three key issues to consider in relation to residential amenity in this case:

- 1) The physical relationship of the development to existing and permitted residential development;
- 2) The compatibility of residential uses with commercial uses;
- 3) The standard of student accommodation proposed.

7.56 Physical Relationship of development to neighbouring development

As discussed elsewhere in this report, the design and layout of the development has taken account of the scale and position of previously permitted development on the remaining part of the Luneside East site 'the Persimmon scheme'. The larger building blocks are located on the north side of St George's Quay and up to the edge of footway (albeit a widened footway) on the south side of the road. This in turn creates the large piazza to the rear of the main bulk of development thus resulting in appropriate interface distances between the proposed development and the housing scheme recently approved. Block C is of much reduced scale to take account of the 2/3 storey residential development to the rear. To quantify this Block D's rear elevation is circa 34.5m from the front elevations of the dwellings immediately behind this block. The retained Pump House is positioned circa 10.5m to the side elevation of the nearest permitted dwelling, though this has been accepted as an appropriate relationship when the Persimmon scheme was determined. The side elevation (west) of Block D is positioned approximately 18m from the side elevation of the permitted houses fronting St Georges Quay. The separation distance between the rear of Block C and the facades of the permitted dwellings to the rear is 21m. The taller Block B located in front of Block C is in excess of 60m from the front elevations of the permitted residential development to the rear of the site.

- 7.57 The proposed blocks have been designed to ensure that the main window openings serving the student bed spaces are generally orientated north and south (with the exception of Block B). This assists in reducing the impact on neighbouring residential amenity. In terms of direct overlooking (windows to windows) Block C maintains 21m separation and Block D maintains 34.5m separation. These interface distances, combined with the reduced scale of Block C, would not lead to an unacceptable impact to the amenities of future residents of the Persimmon scheme. In terms of impacts on property on River Street, the closest building is in excess of 44m but is clearly separated by Carlisle Bridge. In this regard the physical position and scale of the proposed buildings would not adversely affect existing or permitted residential development adjacent to the application site and is compliant with paragraph 17 of the NPPF and policy DM35 of the DM DPD.
- 7.58 Compatibility of the proposed (and permitted) residential development with commercial uses
The application was initially submitted with minimal information concerning the proposed commercial elements of the scheme. Officers raised concerns over this particularly in relation to consideration of town-centre uses out of town (as discussed above) but also in relation to the compatibility of commercial uses with the proposed and permitted residential development on the Luneside East site. As set out in the proposal section of this report, the applicant seeks planning permission for a range of commercial uses across 4 buildings. Block C does not propose any commercial space.
- 7.59 Block A proposes 653sq.m of commercial floor area at ground floor level comprising use classes A1 – A4, B1a and D2 (gymnasium) uses. A3 and A4 uses are most likely to generate potential conflicts with the residential development above and adjacent as there are 2 cluster flats located at ground floor level. This commercial space is intended to provide ancillary uses to the student accommodation and shall not be accessible to the wider public.
- 7.60 Block B proposes 453sq.m of commercial space ground floor level comprising use classes A1 – A4, B1a, D1 (Health clinic) and D2 (gymnasium) uses. This commercial space is intended to be for wider public use. Again, A3 and A4 uses are the uses most likely to generate potential conflicts with residential development directly above and in the immediate vicinity (Block C and the permitted Persimmon scheme). Block D proposes 491sq.m of commercial space occupying the same potential uses as Block B to wider public use also.
- 7.61 The applicant provided further supporting information in an attempt to address concerns over the compatibility of residential and commercial elements of the scheme. Subsequently, the applicant is willing to accept a series of planning conditions to ensure that the commercial uses can coexist alongside the residential development without there being any harm to the amenity of the area or its residents. These suggested conditions include:
- Maximum rating levels for external plant and machinery to be fixed;
 - Details of external plant to be submitted and agreed in writing;
 - Hours of operation for each commercial unit to be agreed;
 - Scheme for acoustic insulation of the proposed commercial uses; and,
 - Details of hours of operation of any external seating areas and scheme for noise reduction levels to be agreed.
- 7.62 Environmental Health recognise that there may be potential noise impacts on residential amenity arising from the commercial aspects of the proposed development and satisfactory mitigation measures will need to be put in place to ensure adequate protection from sound transmission between the residential and commercial aspects of the development proposal, including any environmental noise impacts (plant noise/delivery times etc). Environmental Health have confirmed in writing that such matters would be easily achievable and therefore conditions would be acceptable to this effect. Officers are in principle satisfied with the conditions suggested by the applicant, though question when some of the details should be agreed and would want to condition hours of deliveries and also details of any external amplified music systems. The exact wording of the conditions will be dealt with following the Members resolution and will be drafted in consultation with the developer. Ultimately, there has to be a careful balance reached between allowing flexibility for commercial uses and providing an acceptable level of residential amenity for future occupants of the site and the wider residential area. With these conditions, it is contended that the mixed-use nature of the development proposal would be compliant with paragraph 17 (core principles) and paragraph 123 (noise) of the NPPF, DM5 and DM35 of the DM DPD.

- 7.63 In terms of the general compatibility of the proposed student accommodation with existing and permitted family housing within the area, it is understandable that existing residents have concerns over the existing footfall of people walking St George's Quay (passed houses) at unsocial hours but this could occur with any form of housing. It is equally understandable that the perception of stereotypical student behaviour is a concern to local residents too. However, in the interests for place-making and developing a balanced community, a mix of housing types with commercial elements and open space too should be viewed positively. The land allocation endorses student accommodation as a suitable use and it equally contributes to our housing supply. Despite concerns in this regard, there is no policy justification to resist the proposal on this basis.
- 7.64 Standard of Student Accommodation
The schedule of accommodation is set out in the proposals section of this report. The development comprises a mix of cluster flats and studio apartments for student occupation. Policy DM46, Appendix D and F are relevant. These policies aim to ensure all proposals for student accommodation benefit from an acceptable level of residential amenity. In the case of the proposed cluster flats, the scheme provides a ratio of 5 bedrooms to 1 shared kitchen living space. All habitable rooms have an acceptable standard of outlook and natural light with access to internal refuge and laundry facilities at ground floor level. The proposed en-suite rooms all meet the space standards set out in the DM DPD. In the case of the studio apartments, again, all of these units benefit from adequate outlook and natural light and have access to refuge and laundry facilities at ground floor. The units are just shy of the minimum standard of 19 sq.m but overall given how the layout works with the proposed openings this would not lead to an unacceptable standard of living accommodation. The submission indicates that the scheme has been designed to accord with Lancaster University's accreditation scheme.
- 7.65 Blocks, B, C and D propose an accessible room on each floor, totally to 15 units of which 5 are accessible studio apartments. The scheme provides ample external amenity space including an external gym to the east of Block B. The commercial ground floor area to Block A is intended to serve the students only, along with accommodation within the Pump House, which is described as a Central Hub facility and can occupy A2, B1a or D1 (health clinic) uses. Given the internal arrangement of the Pump House it is envisaged that this could work well as a learning resource centre for the student accommodation, but this will ultimately depend on what commercial interest comes forward for this part of the scheme.
- 7.66 The applicant has had due regard to the proximity of the development with the adjacent railway line and the local highway network and has provided a noise and vibration assessment to assess the impacts and inform appropriate mitigation. The assessment sets out required glazing and ventilation specifications to certain elevations of the Blocks affected (those facing the road or railway line). Environmental Health are satisfied with the assessment of the relationship of the development with the railway line and highway in terms of noise and vibration impacts/mitigation, provided a condition is imposed for the required specifications to be implemented and retained thereafter. Overall, the standard of accommodation proposed is considered acceptable. The scheme will deliver high quality accommodation in a sustainable location complimented by ancillary commercial uses to support the local needs of the development and wider Luneside community.
- 7.67 Other Considerations
There is an objection on air quality grounds from Environmental Health. Given that the proposal is predominately for student accommodation (with comparably low car ownership) and the site is within a sustainable location with good access to alternative sustainable modes of travel, a refusal on the grounds that the development would impact the AQMA would not be justified, especially having regard to the previous outline consents and subsequent approval of residential development on the remaining part of Luneside East. It is acknowledged that electric charging points are proposed as part of the scheme, together with measures to encourage walking and cycling through a Travel Plan and physical measures on the ground.
- 7.68 The site has been subject to extensive remediation following the renewal of the original outline planning permission. It is agreed that standard contaminated land conditions should be imposed in relation to the footprint of the existing Mill. The Council's Contaminated Land Officer wants to extend this to land to the north of St Georges Quay where he understands some investigative work has been carried out but not to the extent of the wider site. The applicant is currently investigating the extent of previous work so as to understand whether the request by the Council's Contaminated Land Officer is necessary. A verbal update will be provided concerning the extent to which a full site investigation

is required. Notwithstanding this, with the imposition of these conditions, the development would be compliant with paragraph 121 of the NPPF which requires sites to be suitable for new uses taking account of ground conditions and hazards associated with former activities, including mitigation and remediation.

7.69 In order to ensure the site is developed in an appropriate manner and as comprehensively as possible, a condition of the planning permission should be to impose details of a phasing plan.

7.70 In relation to other issues, the proposal includes the provision of a sub-station. There are no details of this, although the landscape proposal shows its location. A condition will be required to ensure its position, design and enclosure is of an appropriate design. The proposed buildings include refuse storage internally with one external refuse area shown to the rear of Block C. There are no details of the external refuse compound. Details of this together with a refuse strategy (i.e. management and collection of refuse) should be conditioned in the interest of the amenity of the area.

8.0 Planning Obligations

8.1 As the proposal is for student accommodation there are no requirements for on-site or off-site contributions towards affordable housing. A condition controlling the occupation of the residential development to students will be required otherwise such contributions would be required. The same applies to education contributions.

8.2 The applicant is willing to contribute towards the provision of improved pedestrian links to Quay Meadow. A contribution of £19,000 to deliver a hard surfaced pedestrian footway from River Street, through the wooded part of Quay Meadow to the main recreational fields has been secured, including associated tree works and the provision of new benches and interpretation boards within Quay Meadow.

8.3 In addition, as the access and internal road serving the south element of the scheme is not included within the red edge, but has planning permission under the Persimmon scheme, the applicant is accepting of an undertaking for the developer of this scheme to provide the access and road if the Persimmon scheme is not implemented in advance of this development. The undertaking requires the developer to implement the road prior to the commencement of the development of Block C or the conversion of the Pump House.

9.0 Conclusions

9.1 This full application seeks permission for the remaining parcel of the Luneside East regeneration area. This residential-led mixed use development is considered compliant with the site's housing land allocation and its designation as a Regeneration Priority Area. Furthermore, the development of student accommodation will also positively contribute to the District's housing supply. NPPF Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of should not be considered up-to-date if the authority cannot demonstrate a 5 year housing land supply. The scheme is a different one from that which the council and external funding partners envisaged when the site was acquired a number of years ago. However this will not be a unique situation nationally as the severe economic downturn which began in 2008 will have rendered many regeneration proposals unviable and required local planning authorities and their development partners to be innovative and flexible in order to bring forward fresh proposals which try to achieve the key regeneration aims of earlier visions. Here in your officers opinion is such a scheme.

9.2 The presumption in favour of sustainable development means approving development proposals that accord with the Development Plan without delay; and where the development plan is out-of-date, grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the proposal, when assessed against the policies in the NPPF taken as a whole.

9.3 It is clear from the above considerations that in the whole the proposal is considered compliant with national and local planning policy. Similarly, the majority of potential adverse impacts can be suitably mitigated (flood risk, biodiversity, noise, contamination, etc). There are objections from the Conservation Officer and the Civic Society on heritage grounds, and the latter in terms of design, but it is contended that the impacts that have been identified are less than substantial and therefore

in accordance with paragraph 134 of the NPPF, this harm should be weighed against the public benefits of the proposal. The site is sustainably located and accessible to local services and amenities; involves the redevelopment of previously developed land; can be developed without incurring unacceptable flood risk/drainage problems; will not lead to adverse impacts to biodiversity and does not lead to severe highway impacts. It is contended that the only element of the scheme that has raised concerns is the scale of Block B, in particular its height and design, and its impact in short distance and direct views on the setting of the listed Castle and Priory. When considering the proposal against the policies in the NPPF taken as a whole, Members are recommended that the presumption in favour of development should apply and that the application should be supported.

Recommendation

That Planning Permission **BE GRANTED**, subject to signing of a legal agreement securing public open space contribution and the undertaking concerning the access and internal road serving the southern part of the development, and the following conditions:

1. 3 year Time Limit
2. Approved Plans List
3. Phasing Plan
4. Standard Demolition
5. Submission of Construction Environment Management Plan (CEMP)
6. Access details
7. Notwithstanding details a submitted scheme for off-site highway works to be delivered
8. Submission of car parking management strategy
9. Travel Plan
10. Details of all external materials & detailing (brickwork including mortar and pointing; junctions between approved materials; rainwater goods; roofing detailing; window and door details; curtain glazing details)
11. Drainage on separate systems
12. Full details of foul and surface water drainage scheme to be agreed
13. Maintenance and management plan of drainage scheme
14. Finished flood levels to be agreed
15. Scheme for the protection of noise transmission between residential and commercial spaces including acoustic insulation and details of plant and rating levels.
16. Construction Noise – pile driving
17. Site Investigation (confined to Mill and north side of St Georges Quay - TBC)
18. Importation of Soil, materials and hard-core
19. Development to be carried out in accordance with the Ecological Report – precautionary bat/bird surveys to be carried out before demolition. Scheme for mitigation to be included and agreed.
20. Tree Protection Measures
21. Sub-station details (position, appearance and enclosure details)
22. Restriction of operating hours and hours of use of external space for the commercial elements of the scheme.
23. Scheme for the management and maintenance of the public realm and landscaping areas, including the external gymnasium
24. Precise soft and hard landscaping details including schedule for re-use of stone to be submitted and agreed
25. Details of external lighting
26. Details of external refuse enclosure and refuse strategy to be agreed
27. Scheme for crime prevention measures including details of CCTV and access arrangement for the student accommodation including use of public realm under the arches.
28. Scheme for Odour Control (for any A3/A4) uses
29. Notwithstanding the details submitted, the location of the two electric charging bays to be agreed and shall be located outside the adopted highway
30. Development to be carried out in accordance with the FRA
31. Parking provision and cycle provision to be provided in accordance with approved layout drawing
32. Development to be carried out in accordance with glazing and ventilation specifications set out in Noise and Vibration Report
33. No amplified external music unless otherwise agreed with the LPA
34. Hours of Construction
35. Student Use condition
36. Commercial Uses (as applied for only) removing commercial PD
37. Commercial Space to Block A to remain ancillary to the student accommodation

38. No single operator to occupy the ground floor commercial space indicated on drawings for each Block
39. Maximum commercial unit size limited to 300sq.m
40. Removal of PD (Part 2 Minor Operations Class A) gates, fences and walls

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

In accordance with the above legislation, the City Council can confirm that it 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>Agenda Item</p> <p>A6</p>	<p>Committee Date</p> <p>19 September 2016</p>	<p>Application Number</p> <p>16/00570/FUL</p>
<p>Application Site</p> <p>Brookside Whams Lane Bay Horse Lancaster</p>	<p>Proposal</p> <p>Demolition of agricultural building, erection of a detached residential dwelling, a garage/workshop, installation of solar array panel and erection of two polytunnels</p>	
<p>Name of Applicant</p> <p>Mr Ken Parker</p>	<p>Name of Agent</p> <p>Chris Weetman</p>	
<p>Decision Target Date</p> <p>6 July 2016</p>	<p>Reason For Delay</p> <p>Awaiting additional plans, Committee cycle and deferral for a site visit</p>	
<p>Case Officer</p>	<p>Mrs Kim Ireland</p>	
<p>Departure</p>	<p>No</p>	
<p>Summary of Recommendation</p>	<p>Refusal</p>	

(i) Procedural Matters

The proposed development would normally fall within the scheme of delegation. However, Councillor Charles has requested that the application be referred to the Planning Committee for a decision on the grounds that the proposal will enhance the character and appearance of the countryside area due to the replacement of an outbuilding and a garage with a dwelling, garage/workshop, ground-mounted solar panels and polytunnel.

The planning application was presented to Planning and Highways Regulatory Committee on 22 August, whereby Members voted to defer the application to allow a site visit to take place on 12 September.

1.0 The Site and its Surroundings

1.1 The land which forms the subject of this application relates to land to the north east of the dwelling Brookside on Whams Lane in Bay Horse. Whams Lane lies approximately 3km south east of the village of Galgate and is a classified road (C499) which forms the main rural traffic route from Bay Horse on the A6 to Quernmore. The site is located in the open countryside within a continuous ribbon of residential development bisected by the M6 Motorway where Whams Lane crosses by bridge. The wider area is characterised by farmsteads and small clusters of buildings and isolated dwellings.

1.2 The site is allocated as a countryside area in the Lancaster District Local proposals map. There are two trees covered by a Tree Preservation Order that are situated east of the site boundary.

2.0 The Proposal

2.1 The application proposes the erection of one detached residential dwelling, a garage/workshop, installation of solar array panel and erection of two polytunnels. The proposed dwelling is to be sited to the north east of the dwelling of Brookside.

3.0 Site History

3.1 There have been three planning applications refused in 2005, 2007 and 2014 for the erection of a detached dwelling, two of which have been appealed and dismissed.

Application Number	Proposal	Decision
05/01600/FUL	Erection of a 2 storey detached dwelling and separate garage on land to the side	Refused
07/01613/OUT	Outline application for the demolition of existing bungalow and agricultural building and erection of two 4 bedroom houses	Refused (Appeal Dismissed)
14/00647/OUT	Outline application for the demolition of existing building and erection of one residential detached dwelling and detached garage	Refused (Appeal Dismissed)

4.0 Consultation Responses

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

Consultee	Response
Parish Council	No comments have been received during the statutory consultation period.
County Highways	No objections , subject to conditions requiring additional information being submitted in relation to a construction method statement and the materials that are to be used on the access. Conditions also regarding the access and turning space is to be built as per drawings and that any gateposts are positioned 5m behind the nearside edge of the carriageway.
Environmental Health	No objections , subject to conditions restricting the hours of construction and mitigating contaminated land.
National Grid	No comments have been received during the statutory consultation period.
Tree Protection Officer	No objections , subject to conditions requiring a Tree Works Schedule and a detailed arboricultural Method Statement, a scheme indicating type and distribution of all new trees and a tree protection plan. Also to make sure that the development is carried out as per submitted Arboricultural Implications Assessment.
United Utilities	No objection

5.0 Neighbour Representations

5.1 Two pieces of correspondence objecting to the application have been received. The reasons for opposition include the following:

- Poor design and the location of the dwelling severely impinges and overshadows the single storey adjoining premises.
- Much of the previous tree/orchard cover to the east of the site has been removed and would need to be replaced to preserve amenity.
- The site presents the last remaining open view area along this section of Whams Lane.
- The proposed plastic polytunnel, composting area and elevated solar panels will diminish the amenity value of the area and surrounding properties.
- The proposed polytunnels have the potential to create noise with flapping plastic

6.0 Principal National and Development Plan Policies

6.1 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:

National Planning Policy Framework (NPPF)

Paragraph 17 - 12 Core Principles

Paragraphs 14 – Presumption in Favour of Sustainable Development Criteria

Paragraph 47, 49, 53 and 55 – Delivering a Wide Choice of High Quality Homes

Paragraph 56 – Requiring Good Design

6.2 Development Management DPD

DM20 – Enhancing Accessibility and Transport Linkages

DM22 – Vehicle Parking Provision

DM28 – Development and Landscape Impact

DM35 – Key Design Principles

DM41 – New Residential Development

DM42 – Managing Rural Housing Growth

Appendix B: Car Parking Standards

6.3 Lancaster District Core Strategy

SC1 – Sustainable development

SC4 – Meeting housing requirements

6.4 Lancaster District Local Plan (saved policies)

E4 – Countryside area

7.0 Comment and Analysis

- 7.1
- The principle of development;
 - Scale, layout and design;
 - Impact on residential amenity of neighbouring properties;
 - Access and highway impacts; and
 - Impact on trees.

7.2 The Principle of Development

7.2.1 Paragraph 49 of the NPPF sets out that relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of housing. Although this is currently the case, the Council has a very clear approach to sustainable development within rural locations. It is not considered that a lack of a five year housing land supply justifies a dwelling in this location which does not comply with the Council's approach to sustainable development across the District.

7.2.2 In anticipation of the Local Planning Authority's policy position given its fairly recent determination of a similar proposal (14/00647/OUT) and the corresponding appeal decision by the Planning Inspectorate, within the applicant's supporting literature the applicant's agent advises that consideration should be given to the recent case law published in March this year following a High Court Decision (*Richborough Estates LLP v Cheshire East Council/DCLG*), which directly relates to whether Local Planning Authorities have a supply of deliverable sites to provide 5 years' worth of housing against their housing requirement.

7.2.3 This case law establishes 2 key legal principles:

- What policies should be considered relevant to the supply of housing; and
- How to apply the provisions of paragraphs 14 and 49 of the NPPF in the determination of planning applications.

7.2.3 On the first point, there appears to be no difference of opinion between the Local Planning Authority and the applicant's agent. Where a Local Planning Authority cannot demonstrate a 5 year supply of deliverable housing sites, Paragraph 49 of the NPPF states that "relevant policies for the supply of housing should not be considered to be up-to-date. Relevant policies are defined by the High Court Decision to not simply be those that "provide positively for the delivery of new housing in terms of numbers and distribution of the allocation of sites" but also to "policies whose effect is to influence the supply of housing land by restricting the locations where new housing may be developed". It

recognises that “policies may serve to form the supply of housing by either creating it or by constraining it”. It is this wider interpretation of what are deemed to be ‘relevant policies’ that there is agreement on.

7.2.4 However, there is a differing opinion on the application of paragraphs 14 and 49 of the NPPF. The latter advises that “housing applications should be considered in the context of the presumption in favour of sustainable development” and the former states that “where relevant policies are out-of-date permission should be granted unless any adverse impacts in doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole”. The applicant’s agent argues that as this proposal is for a dwelling (i.e. a housing application) it is deemed to be sustainable development, and as the ‘relevant policies’ are out-of-date then the application should be approved.

7.2.4 The Local Planning Authority does not agree with what it considers is a narrow interpretation of the NPPF, and from its review of the aforementioned case law this does not appear to be what the Judges consider to be an accurate interpretation either. The High Court Decision accepts that there will be many cases where restrictive policies (whether they be specific or general in nature) will have sufficient weight to justify the refusal of planning permission despite such policies being not ‘up-to-date’ with reference to paragraph 49 of the NPPF. Paragraph 46 of their High Court Decision makes this very clear:

‘We [the Judges] must emphasise here that the policies in paragraphs 14 and 49 of the NPPF do not make ‘out-of-date’ policies for the supply of housing irrelevant in the determination of a planning application or appeal. Nor do they prescribe how much weight should be given to such policies in the decision. Weight is, as ever, a matter for the decision maker.’

The same paragraph of the Decision goes on to state that policies should not simply be ignored or disapplied. Therefore the case law accepts that there will be many cases where restrictive policies (whether they be specific or general in nature) will have sufficient weight to justify the refusal of planning permission despite such policies being not ‘up-to-date’ with reference to paragraph 49 of the NPPF. This is reflected in paragraph 47 of the Decision.

7.2.5 Therefore whilst the applicant argues that in the absence of a 5 year housing supply the local planning policies relating to the supply of housing should not be applied, stating that policies cannot be used which restrict development across the district, this is incorrect. It does not mean that other, relevant, policies should not be given weight in the decision making process. It is for the decision maker to consider the level of weight that should be applied depending on circumstance.

7.2.6 In a follow-up letter to Members on this matter, the applicant’s agent states that the Local Planning Authority has not assessed the sustainability of the proposal correctly in light of the lack of a 5 year housing supply. He goes on to say that the sustainability of a location has to be considered in balance against the provision of housing, the removal of an eyesore of a building, the proposed dwelling will be carbon neutral and eco-friendly and there will be jobs, trades and businesses that will be benefit through the build process. Whilst the Local Planning Authority acknowledges that a proposal for a single dwelling is a housing application and therefore should be considered in the context of the presumption in favour of sustainable development, it cannot simply ignore other national and local planning policies. These points and associated policies are considered in turn below.

7.2.7 Bay Horse is not identified within policy DM42 as being a rural village that is considered to be in a sustainable location for new residential development. Development should be located in sustainable locations, where there is access to an appropriate range of local services that contribute to the vitality of these settlements. These services are local shops, education and health facilities, access to public transport and other valued community facilities. Proposals should demonstrate that they have clear benefits for the local community, and in particular will meet rural housing needs according to robust evidence. In terms of services, there are two public houses (The Fleece and the Bay Horse Inn) within 1.5km of the application site and a stop for school buses at Five Lane Ends (0.5km from the site).

7.2.8 In Paragraph 55 of the National Planning Policy Framework (NPPF) it sets out that where there are groups of smaller settlements, development in one village may support services nearby. This is

reflected in the wording of Development Management DPD policy DM42. However, this site would not have any discernible relationship with any of the other, more sustainable settlements in the surrounding area. Dolphinholme is the closest village but is located 2.5km to the east. Galgate, which contains more local services and facilities, is situated 3km to the north west. There are no safe walking routes to gain access to either of these settlements as the intervening highways are predominantly unlit with no footpaths and national speed limits. Therefore, any future resident of this proposal would be heavily reliant on private, motorised vehicles. There is not considered to be a convincing argument that the development of a single dwelling on this site would help sustain the vitality in either of the aforementioned villages given the distance and the absence of footpaths between them.

- 7.2.9 Policy DM20 of the Development Management DPD sets out that proposals should minimise the need to travel, particularly by private car, and maximise the opportunities for the use of walking, cycling and public transport and to focus development in locations which offer a choice of modes of transport. The villages of Galgate and Dolphinholme, which are in a similar part of the District, are currently identified as settlements where growth would be supported and these have more services which would reduce the need to travel. As such, by locating development in villages where there are services it will enhance or maintain the vitality of rural communities by supporting those existing services. This approach complies with the paragraph 17 of the NPPF, the overarching aim of which is a presumption in favour of sustainable development. As the proposal is not located within a settlement which is considered suitable for growth or in a location that can be made sustainable, the site would be dealt with in policy terms as it was located within the open countryside.
- 7.2.10 The NPPF (paragraph 55) sets out that new isolated homes in the countryside should be avoided unless there are special circumstances such as: the essential need for a rural worker to live permanently at or near their place of work in the countryside; where development would represent the optimal viable use of a heritage asset; where development would re-use redundant or disused buildings and lead to an enhancement of the immediate setting; or where a dwelling is of exceptional quality or innovative design. This proposal does not fall into any of these categories and as such it is considered that the proposal does not provide a sufficient justification for a new dwelling in a location which is considered to be unsustainable.
- 7.2.11 Notwithstanding the need to boost significantly the supply of housing (as defined by the NPPF, and paragraph 47 in particular), and the fact that housing applications should be considered in the context of the presumption in favour of sustainable development (paragraph 49), this proposal for a private detached residential dwelling in open countryside does not represent sustainable development. It is not a location that can be made sustainable and so approving the application would run contrary to the NPPF and Development Plan policies. This position has been supported by the Planning Inspector at the recent appeal for 14/00647/OUT. That appeal decision (23 July 2015), has been attached as a background paper. Members will note that the appeal was dismissed. The Inspector concluded that whilst utilisation of renewable energy, incorporation of sustainable building techniques, and self-sufficiency in respect of growing food would be factors that would weigh in support of the development, they do not outweigh the harm which was identified in respect of the sustainability of the location and therefore the proposal did not amount to sustainable development. Likewise the employment of builders for the construction period (which would be relatively limited given the proposal is predominantly for a single dwelling) would not weigh sufficiently in its favour either as an individual factor or cumulatively with those elements listed above. Matters relating to sustainability have not changed, and so the current application must also be recommended for refusal. The more recent High Court Decision has been considered, but it does not alter the outcome of the Officers' recommendation for the reasons stated.

7.3 Scale, Layout and Design

- 7.3.1 There is a mixture of different sizes and designs of dwellings in this locality that are predominantly two storey dwellings and bungalows. The proposed dwelling is of a simple design and proportion and will be made up of red brick walls, under a grey tiled roof with timber windows and doors.
- 7.3.2 The dwelling would be set back 8m away from the road with a small garden to the front. A shared footpath/driveway would be situated to the side, which would benefit from a permeable surface and form the access to a small parking court to the rear between the proposed dwelling and the proposed garage/workshop. The plans appear to show areas of private amenity space to the other side of the dwelling, which are considered to be an acceptable size and exceed the Council's adopted standard

of 50sq.m. However, the extent of the garden space is not explicitly stated on the submitted plan, so if Members are minded to approve this application the extent of the domestic garden associated with the new dwelling would need to be carefully considered and conditioned accordingly. Given the above, it is considered that the building is in keeping with the character and appearance of the area and will not have a detrimental impact on the locality.

7.3.3 The proposed garage/workshop would be 7m in width, 8.9m in length and 6.3m in height to the ridge and would be sited to the north west of the proposed dwelling and constructed of red brick walls, under a grey tiled roof with timber windows and side door. The proposed solar panels would be installed to the north of the proposed dwelling and would be 8.1m in length, 2.95m in width and 2.4m in height. The proposed polytunnels are to be sited to the north of the proposed solar panels and would be 23.5m in length, 15m in width and 3m in height.

7.3.4 Development Management DPD policy DM35 states that new development should make a positive contribution to the identity and character of the area through good design, having regard to local distinctiveness, appropriate siting, layout, palette of materials, separating distances, orientation and scale. Policy DM28 of the same DPD also states that the development proposals should, through their siting, scale, massing, materials and design seek to contribute positively to the conservation and enhancement of the protected landscape. Whilst the design of the dwelling is considered to be acceptable and meets the requirements of policy DM35, the polytunnels will all be highly visible from Whams Lane. However polytunnels are usually found in the countryside area and therefore the design, materials and having regard to the local distinctiveness are seen to comply with policies DM28 and DM35 and saved policy E4 of the Local Plan.

7.4 Impact on residential amenity of neighbouring properties

Policy DM35 of the Development Management DPD states that new development should make a positive contribution to the identity and character of the area through good design, having regard to local distinctiveness, appropriate siting, layout, palette of materials, separating distances, orientation and scale.

7.4.1 There have been two letters of objections received from neighbouring properties. One of the grounds of objection relates to the location of the proposed development and how it would severely impinge upon and overshadow the single storey adjoining property. Paragraph 17 of the NPPF states that one of the twelve principles of planning should be to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. To the east of the site is the two-storey property of Oak Villa. The nearest part of the proposed development is the polytunnels that are sited 23m away from the neighbouring property. Consequently given the distance to the neighbouring property, the proposed development is not thought to have a detrimental impact upon the residential amenity enjoyed by Oak Villa and are found contrary to DM35 of the Development Management DPD and the provisions of paragraph 17 of the NPPF.

7.5 Access and Highway Impacts

7.5.1 The application proposes access is to be established from Whams Lane. Given the road is used for access by all of the properties that are situated along Whams Lane and the nature and scale of the proposal, it is not considered that there would be an adverse impact upon highway safety. This is echoed by County Highways who have raised no objections to the proposal.

7.6 Impact on Trees

7.6.1 There are existing trees that are to the north, east and south boundaries of the site, some of which are subject to a Tree Preservation Order (TPO). There are no proposals to remove the trees with the exception of those that are identified to the north west of the existing dwelling of Brookside that are in a poor overall condition and are not subject to the TPO. The Tree Protection Officer has raised no objections subject to the submission of a tree protection plan, a tree works schedule and an arboricultural method statement.

8.0 Planning Obligations

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

9.0 Conclusions

- 9.1 Whilst the Local Planning Authority acknowledges that it lacks a 5 year housing supply of deliverable sites and the presumption in favour of sustainable development applies, the principle of the proposed private single dwelling in this location is not supported as the harm which has been identified in respect of the sustainability of the location, and the associated transportation implications, outweighs the presumption. The site remains unsustainable, as the Planning Inspector concluded last year, and the proposal is clearly contrary to Policy DM42 and section 6 of the NPPF, as it is proposed to be located within Bay Horse, which contains minimal key services and consequently is not sustainable in terms of its location. Additionally the proposal has not demonstrated that there are clear benefits for the local community, and in particular has not provided robust evidence that it will meet an identified rural housing need. Furthermore, it falls into none of the circumstances set out in paragraph 55 of the NPPF.
- 9.2 The proposal fails to satisfy Policy DM20 that sets out that the proposal should minimise the need to travel, particularly by car. The villages of Galgate and Dolphinholme have been identified as sustainable villages that can support growth as there are services within these settlements that will enhance and maintain the vitality of rural communities in which they serve. However, the application site is divorced from both of these villages by at least 2.5km. Future residents would be heavily reliant on private forms of motorised transport, which is also contrary to the overarching sustainability aims of the NPPF. These national and local policies are deemed to hold sufficient weight to override the presumption in favour of sustainable development
- 9.3 The proposed polytunnels by reason of their size, scale and footprint are thought to have an unneighbourly feature at a relatively close proximity to the neighbouring property of Oak Villa and therefore are contrary to policies DM35 DPD and paragraph 17 of the NPPF.

Recommendation

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

1. The site is located within Whams Lane in a central position of existing ribbon development in the rural hamlet of Bay Horse. Bay Horse contains minimal key services and as such is not considered to be sustainable in terms of its location. The site does not have immediate and direct access to key services and infrastructure and would realistically only be accessible by using a private car. In addition it has not been demonstrated that the development would enhance or maintain the vitality of the local community or help sustain services in nearby settlements. There has been no exceptional justification provided to support this development in an unsustainable rural location such as an existing agricultural or forestry need. As such the proposal is therefore contrary to the aims and objectives of the National Planning Policy Framework, in particular the Core Planning Principles, and does not fall within any of the circumstances set out in Paragraph 55, Core Strategy policy SC1, and Policies DM20 (criteria II) and DM42 of the Development Management Development Plan Document.
2. The proposed polytunnels, by virtue of their size, scale and footprint, will be a dominant feature in the wider landscape and will be an unneighbourly feature at relatively close proximity to the nearest neighbouring dwelling (Oak Villa). As a consequence they are considered to represent inappropriate development by virtue of the impact upon Oak Villa and are therefore considered contrary to policy DM35 of the Development Management DPD and the provisions of paragraph 17 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. Regrettably the applicant has failed to take advantage of this service and the resulting proposal is unacceptable for the reasons prescribed in the Notice. The applicant is encouraged to utilise the pre-application service prior to the submission of any future planning applications, in order to engage with the local planning authority to attempt to resolve the reasons for refusal.

Human Rights Act

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

Background Papers

1. Appeal Decision APP/A2335/W/15/3003571 – Brookside, Whams Lane, Bay Horse.

<p align="center">Agenda Item</p> <p align="center">A7</p>	<p align="center">Committee Date</p> <p align="center">19 September 2016</p>	<p align="center">Application Number</p> <p align="center">16/00722/FUL</p>
<p align="center">Application Site</p> <p align="center">Hest Bank Lane Garage Hest Bank Lane Slyne Lancaster</p>		<p align="center">Proposal</p> <p align="center">Erection of detached storage building</p>
<p align="center">Name of Applicant</p> <p align="center">Mr C. Bradley</p>		<p align="center">Name of Agent</p> <p align="center">Building Plan Services</p>
<p align="center">Decision Target Date</p> <p align="center">30 August 2016</p>		<p align="center">Reason For Delay</p> <p align="center">Deferred for a site visit</p>
<p>Case Officer</p>		<p>Mrs Kim Ireland</p>
<p>Departure</p>		<p>No</p>
<p>Summary of Recommendation</p>		<p>Approval</p>

(i) **Procedural Matters**

This form of development would normally be dealt with under the Scheme of Delegation. However, given the contentiousness surrounding the previous uses at this site and the high public interest in the application, the Chief Officer (Regeneration and Planning) has confirmed that the application should be determined by the Planning Committee.

The planning application was presented to Planning and Highways Regulatory Committee on 22 August, whereby Members voted to defer the application to allow a site visit to take place on 12 September.

1.0 The Site and its Surroundings

1.1 The property which forms the subject of this application relates to two single storey buildings located on Hest Bank Lane in Hest Bank. The property is used as a car garage with ancillary car sales. The surrounding area mainly consists of semi- detached and detached residential properties.

1.2 The site is allocated as a countryside area and is located within the North Lancashire Green Belt in the Lancashire District Local proposals map.

2.0 The Proposal

2.1 The application proposes the erection of a detached storage building to the rear of the site. The proposed storage building will be sited to the west of the existing buildings, with a length of 14.5m and a width of 6.3m. The mono-pitched roof would have a ridge height of 2.9m. The walls would be smooth rendered under coated-galvanised steel sheets with one light alloy garage door and two sets of white upvc windows and doors. The proposed detached outbuilding will provide storage for car parts for the business.

3.0 Site History

- 3.1 The former garage premises appears to have become established in the 1950s. The use at that time was a traditional garage and repair workshop with petrol filling facilities.
- 3.2 The site has previously been investigated (1999/2000) by the City Council’s Planning Enforcement Team in relation to the use of the site for car sales. At the time it was concluded that the sales were of such a lesser scale that they were ancillary to the primary planning unit, which remained the garage and workshop.
- 3.3 Enforcement investigations also occurred more recently (2015), in relation to the use of the site for business purposes and the siting of a large container. During those investigations it transpired that a small area at the front of the building had been sectioned off for the production of candles for sale at Christmas Markets. This use has since ceased. Car sales were occurring at the site, although at the time of the enforcement investigation this element remained ancillary to the vehicle repair use. This element continues to be monitored. Additionally, the Coastal Racing Team were reported to be meeting up at the premises and parking cars at the site over the weekend, whilst they travel to competitions.
- 3.4 The most recent planning application was in 2010 for the demolition of the existing garage building and the erection of 2 detached residential units, which has not been implemented (see below).

Application Number	Proposal	Decision
10/00450/OUT	Demolition of existing garage building and erection of 2 detached residential units	Permitted

4.0 Consultation Responses

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

Consultee	Response
Parish Council	No objections. However, the Parish Council notes that this area of Slyne has been liable to flooding
County Highways	A holding response was initially raised as a site plan was required to show onsite parking facilities. A site plan was received and no objections were raised, subject to a number of conditions to be applied to the decision.
Environmental Health	No objections subject to a number of conditions to be applied to the decision.
Lancaster Civic Society	Objection , on the grounds that incorrect information has been submitted on the form, as this area of Hest Bank has recently flooded and the site has an ongoing issue of parking on the road and obstructing the bus stop, is no parking were allowed in this area, then there would be no objections to the garage expansion.

5.0 Neighbour Representations

5.1 Fourteen pieces of correspondence (from 11 different local residents) have been received objecting to the proposed scheme. The reasons for opposition include the following:

- No information has been provided as to what is to be stored in the outbuilding;
- There is an existing problem with on street parking as there is not enough on-site parking for the business - the proposed storage building could result in less parking space available;
- Due to the existing on street parking problems there is a lack of visibility and traffic often builds up Hest Bank Lane. Vehicles visiting the business often park on the bus stop and across resident’s driveways;
- The proposed site is in an area of flooding (the garage and land flooded on 26 December 2015), though the application form states that it is not. Details of how the surface water is to be dealt with has not been included on the proposed plan; and
- There is no room for expansion on the small garage site.

6.0 Principal National and Development Plan Policies

6.1 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:

National Planning Policy Framework (NPPF)

- Paragraph **17** - 12 Core principles
- Paragraph **19** – Economic growth
- Paragraph **28** – Rural economy
- Paragraphs **67 and 68** – Requiring good design
- Paragraph **89** – Protecting Green Belt land

6.2 Development Management DPD

- DM7** – Economic development in rural areas
- DM11** – Green Belt
- DM15** – Employment land and premises
- DM35** – Key design principles

6.3 Lancaster District Core Strategy

- SC1** – Sustainable development
- SC5** – Design

6.4 Lancaster District Local Plan (saved policies)

- E1** – Green Belt
- E4** – Countryside area

7.0 Comment and Analysis

7.1 The key considerations arising from the proposal are:

- General principle of expanding an existing rural business;
- Design, including impact on the Green Belt;
- Impacts upon residential amenity;
- Impacts upon highways;
- Other matters

7.2 General Principle

7.2.1 The site is located within the village of Slyne-with-Hest. It is currently used as a car garage that specialises in service and repairs on BMW Mini's, including MOT services on all cars and the sale of a limited number of cars. The proposed outbuilding to the rear of the property is to be used for the storage of car parts, which are currently located within the site.

7.2.2 Policy DM7 states that employment proposals in rural areas will be supported in principle if the proposal is for the alteration, replacement, extension or change of use of existing buildings in accordance with other local plan policies.

7.2.3 Policy DM11 explains that development in the Green Belt will be considered appropriate if it does not materially have a greater impact upon the present use on the openness of the Green Belt, strict control is exercised over the extension of re-used buildings, which might conflict with the openness of the Green Belt, and the form, bulk and general design of the buildings are in keeping with their surroundings. This is reiterated within Paragraph 89 of the NPPF that states that an exception to the construction of new buildings within the Green Belt is the extension, or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

7.2.4 Policy DM15 states that proposals for employment generating uses of B1, B2, B8 and appropriate sui generis uses which seek to utilise previously developed land will be supported if there is sufficient access and capacity in the local highway network to accommodate the proposed use, that there is no significant detrimental impact on local residential amenity or natural environment, and the proposal is in accordance with the design guidance set out in policy DM35 of the Development Management DPD.

7.2.5 The principle of the outbuilding is looked upon favourably as the proposal is for the extension to existing premises within the rural area; it is not thought to have a materially greater impact upon the present use on the openness of the Green Belt (due to the presence and orientation of other buildings); and the form, bulk and general design of the outbuilding is in keeping with the existing building. There is sufficient access and capacity in the local highway network to accommodate the proposed use and there is not thought to be a significant detrimental impact on the local residential amenity or natural environment. These points are expanded upon below.

7.3 Design

7.3.1 Though the proposal would be screened by the existing buildings so as to effectively screen it from the streetscene, it has been designed to reflect the appearance of the existing buildings, including the proposed materials. It will therefore not be out of character and is deemed to be acceptable. The amended plan indicates a smooth render finish, but the precise colour would be a matter controlled by planning condition (as would the colour of the roof and doors. As the proposal is surrounded on all four sides by other properties and is only single storey in height, it is considered that there would be no adverse impact upon the openness of the Green Belt.

7.4 Impacts upon Residential Amenity

7.4.1 The proposed outbuilding is not seen to have an adverse and detrimental impact upon the residential amenities (through overbearing, overlooking and overshadowing), given the height and siting of the proposed outbuilding in relation to the neighbouring properties. To the south of the site is the neighbouring property of Grey Walls, 110A Hest Bank Lane. The rear elevation of the proposed development is sited 11m away from side elevation of the neighbouring property of Grey Walls. The boundary treatment is a 2m high timber fencing. The proposed outbuilding is not thought to have a detrimental impact upon the neighbouring property as the proposed eaves height to the southern elevation is 2.3m in height, which is only an additional 0.3m above the existing boundary treatment and there are no windows proposed to the south elevation. To the west of the site is the neighbouring property of 5 Beech Grove. The side elevation of the proposed development is sited 14m away from side elevation of the neighbouring property of 5 Beech Grove. Again the boundary treatment is a 2m high timber fencing. The proposed outbuilding is not thought to have a detrimental impact upon the neighbouring property as there are no windows or doors overlooking the property as they are all located to the northern elevation.

7.4.2 Environmental Health has raised no objections to the proposal, subject to conditions being applied to any consent granted relating to the hours of construction and site investigation into land contamination. As the building is to be used for the storage of car parts, it is not thought to create additional noise to the existing business use and therefore the proposal is found acceptable with Environmental Health. A condition should be applied to control the outbuilding's use.

7.5 Impacts upon Highways

7.5.1 14 letters of objections have been received from 11 local residents. One of the grounds of objection relates to there being an existing problem with on-street parking. Concerns have been expressed that if there is insufficient space within the site to accommodate vehicles now then the construction of a 91sq.m building on the site will exacerbate the current situation. Paragraph 17 of the NPPF states that one of the twelve principles of planning should be to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. The proposed outbuilding is to be used for the storage of car parts, which are currently located all over the site, which in turn will tidy up the site and allow for adequate off street parking within the site.

7.5.2 Through negotiations with the agent, a revised plan indicating on-site parking has been provided. This shows the front forecourt to be used for sales vehicles, four spaces to the north of the site that

are to be allocated as visitor/customer parking (with a further 3 spaces shown in an area currently occupied by a large vehicle transporter) and another 10 spaces to the west for overflow parking/long term parking. This area also provides a turning head. This plan initially showed 4 spaces to the rear of the existing building blocking the garage door to the proposed outbuilding. A further amendment was sought (and received) that rectifies this error by replacing a previously proposed vehicular door with a pedestrian door and window. All of the parking spaces shown measure the standard 2.4m by 4.8m and there is 7.8m between the facing rows of parking spaces to the rear of the site, which allows for an adequate turning area for vehicles. This shall remain unobstructed.

7.5.3 Having viewed this amended site plan, the County Council as Highway Authority has removed their holding response. County now raises no objection to the proposal subject to three conditions being applied to the decision, relating to details of the car park surface treatment, and the parking spaces and manoeuvring spaces shown on the amended site plan being provided and available for use prior to the development being brought into use/first occupied.

7.6 Other Matters

7.6.1 Whilst it is acknowledged that concerns have been raised that Hest Bank Lane experienced some considerable flooding problems, the site is not within Flood Zone 2 or 3, though parts of the site do fall within an area identified as having a surface water flooding issue of 1 in 1000. Therefore, it is at low risk of flooding. Furthermore the proposal is not introducing any additional non-permeable surfaces compared to the existing situation as the proposed building is to be situated on an area of existing hardstanding. Hence the proposal is not thought to have a detrimental impact upon flood risk within the area.

7.6.2 Given the nature of the uses on the site and the sensitivity of the surrounding uses, it is appropriate to impose a contamination condition to protect users of the application site and its environs.

8.0 Planning Obligations

8.1 Given the nature of the proposal there are no requirements for a legal obligation.

9.0 Conclusions

9.1 The expansion of an existing rural business is acceptable in principle. However the issues for Members is whether this proposal is acceptable in form and siting; whether it is acceptable in terms of its impact on the Green Belt, and whether the building leaves sufficient space for satisfactory car parking. The building is considered appropriate in terms of use and form, and for the reasons contained in this report is not considered to have a detrimental impact upon the Green Belt designation. In terms of satisfactory car parking, the agent has produced an amended plan showing how vehicle can be accommodated across the site and still leave room for on-site turning. County Highways have no objection to this arrangement. However a planning condition will require the spaces to be marked out to ensure that the spaces are as deliverable as the agent indicates. Further safeguards include a condition preventing outdoor storage (i.e. all storage to take place within the new building). Finally, a condition is also imposed restricting the use of the building to storage only, to prevent any excessively noisy activity occurring.

Recommendation

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

1. Standard 3 year timescale
2. Development to be carried out in accordance to the amended plans
3. Standard contamination condition
4. Materials (including colours and finishes) to match existing buildings
5. On site parking shall be carried out in accordance with the amended proposed site plan, and kept available for such use at all times
6. Details of the surface or paved car park to be submitted, including marking out of car spaces as per the approved plan
7. The building shall not be brought into use before condition 6 has been carried out
8. Hours of construction (Mon to Fri 0800-1800 and Sat 0800-1400 only)

9. The outbuilding to be used for the storage of car parts only. In particular no other operations (either than storage) shall take place within the outbuilding
10. No outdoor storage

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 decision 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 decision 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>Agenda Item</p> <p>A8</p>	<p>Committee Date</p> <p>19 September 2016</p>	<p>Application Number</p> <p>16/00606/FUL</p>
<p>Application Site</p> <p>Land To The South East Of Lower Addington Farm Kirkby Lonsdale Road Halton</p>		<p>Proposal</p> <p>Erection of an agricultural building for free-range hens and creation of a new access point</p>
<p>Name of Applicant</p> <p>W.A. Agriculture Ltd</p>		<p>Name of Agent</p> <p>Mr Richard Parker</p>
<p>Decision Target Date</p> <p>Extension of time until 23 September 2016</p>		<p>Reason For Delay</p> <p>Awaiting additional information</p>
<p>Case Officer</p>		<p>Mrs Eleanor Fawcett</p>
<p>Departure</p>		<p>None</p>
<p>Summary of Recommendation</p>		<p>Refusal</p>

1.0 The Site and its Surroundings

- 1.1 The site comprises an area of agricultural land located between the settlements of Aughton, Over Kellet and Gressingham and lies adjacent to Kirkby Lonsdale Road (C478). It forms part of a larger field which slopes downwards away from the highway to the north west, and is bounded on two sides by a dry stone wall and to the south west by a post and wire fence and some trees and fragmented hedgerow. There appears to be a ditch crossing the land in north west direction, leading to Swarthdale Beck which runs along the north western boundary of the field. There is a wooded area between the field and the highway, approximately 10 and 18 metres in depth, which has been covered by a Tree Protection Order (TPO) following the submission of the application. An area of woodland is also present on the south eastern side of Kirkby Lonsdale Road, and lies adjacent to the highway for a distance of approximately 450 metres.
- 1.2 The site is located within the Countryside Area, as identified on the local plan proposals map and is approximately 10 metres from the boundary of the Forest of Bowland Area of Outstanding Natural Beauty (AONB), which lies on the south eastern side of the highway. There is a high pressure gas pipeline crossing the field within which the development is proposed to be sited, c100 metres to the north west of the site boundary. There is a public footpath located c110 metres to the north east of the site boundary which crosses an adjacent field and extends between Kirkby Lonsdale Road and Birkland Barrow Road. It also links to a public footpath on the opposite side of Kirkby Lonsdale Road which extends into the AONB. The site is also located in a Mineral Safeguarding Area and an area identified as low risk from coal mining activities, although there are high risk areas to the south east of the highway.
- 1.3 The nearest existing development to the site is a small stable building, c140 metres to the south west, and a large poultry building, c300 metres to the north west. The nearest residential properties are a small group at Swarthdale, c 450 metres to the north and a detached dwelling, Oaken Head Farm, a similar distance to the south west. At both these locations there are existing equestrian businesses.

2.0 The Proposal

- 2.1 Planning permission is sought for the erection of a large agricultural building to house hens for free range egg production. It is proposed to be 170 metres long, 15 metres wide and have a height of 3.6 metres to the eaves and 5.6 metres to the ridge. Vents are proposed in the roof which would project above the ridge height to 6.3 metres above ground level. Four feed silos are proposed towards the centre of the south east elevation with a width of approximately 3 metres and a height of 7.8 metres. The building is proposed to house 32,000 birds in a multi-tier system and would be split into nine separate bays with the middle section comprising the control/plant area and egg packing zone. There would be pop-holes on the north side of the building to allow the hens to enter and leave the building during the day.
- 2.2 A new access is proposed from Kirkby Lonsdale Road, which would be approximately 16 metres wide adjacent to the edge of the carriageway, narrowing to approximately 7 metres and widening into the site to around 24 metres. Some trees are required to be removed to create the access and visibility splays. The building would be at a lower level than the highway, as a result of the existing topography, and would be sited parallel to this at a distance of c30 metres from the edge of the carriageway. Both excavation and building up of the land is proposed to create a level area for the building and hardstanding. A track is proposed to the front of the building, parallel to the highway, and would extend along its full length and around the side elevations of the building.

3.0 Site History

- 3.1 There is no planning history on the application site. However, there are a number of developments associated with the free-range poultry business. These relate to two agricultural buildings for free-range hens and an agricultural worker's dwelling. These are all accessed from Birkland Barrow Road, which is approximately 550 metres to the north east of the site. One of the agricultural buildings has been in use for some time, whereas the other has only recently been constructed. There is also consent for the erection of a wind turbine, approximately 160 metres to the west of the site. The relevant consents are listed below.

Application Number	Proposal	Decision
14/00492/FUL	Erection of a poultry shed including 4 silo grain stores with associated access and landscaping	Approved
12/01126/FUL	Erection of one 50kW wind turbine (24.7 metres hub height with a blade tip height of 34.4 metres)	Approved at appeal
12/00947/FUL	Erection of an agricultural workers dwelling in connection to the adjacent Poultry Farm	Approved
09/00554/FUL	Construction of an Agricultural building for Free-Range Hens	Approved

4.0 Consultation Responses

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

Consultee	Response
Nether Kellet Parish Council	No objection. However, expect the development to comply with necessary permit requirements, environmental requirements regarding waste, consideration of water course contamination, shielding with tree cover where possible and consideration of renewable resources to the running of the facility.
Halton with Aughton Parish Council	No comments received
Environmental Health	No objection. No significant environmental health implications were noted
Tree Protection Officer	Objection. The proposed tree losses have significant potential to adversely impact upon the character, and appearance that the existing woodland trees collectively convey. This adverse impact could not reasonably be mitigated with new replacement planting in the medium to long term, given that it is proposed in an alternative location and not in the location that losses are proposed.

County Highways	No objection subject to conditions requiring: scheme for construction of access; surfacing of access with a bound material for a minimum distance of 10 metres; visibility splays of 2.4 by 215 metres; and access gate set back from road by 10 metres.
County Council Planning	No comments received
Lead Local Flood Authority	No comments received
Public Rights of Way Officer	No comments received
Ramblers Association	No comments received
Environment Agency	Comments - Poultry farmers must apply to the Environment Agency for an Environmental Permit to operate if their livestock capacity exceeds 40,000 poultry.
Natural England	The interest features of both European and Nationally designated sites may be sensitive to impacts from aerial pollutants, such as those emitted from the proposed development. The consultation documents provided do not include any assessment of air quality impacts. An initial screening for air quality impacts should be completed prior to determination of the application.
National Grid	No objection.
Forest of Bowland AONB Partnership	Objection due to the likely impact on the landscape of the AONB.
Coal Authority	No comments received

5.0 Neighbour Representations

5.1 31 pieces of correspondence have been received objecting to the proposal and raise the following concerns:

- Industrial, utilitarian design of the building, its size and resulting landscape and visual impact including on the impact on the AONB
- Impact on the avenue of trees on the boundary with the AONB
- Industrialisation of the area
- Noise, odour and airborne pollution and cumulative impact with two other approved poultry buildings and associated health implications
- Disruption during construction
- Increase in traffic and impact on highway users including horse riders, cyclists and walkers and condition of the highway
- Access visibility proposed is insufficient given large size of vehicles and speed of the road
- Pollution to Swarth Beck from runoff water and impact on wildlife
- Will not support the community and will impact on nearby livery business
- No reference to use of renewables and will be constructed on a greenfield site
- Impact on users of the nearby public right of way
- Unsustainable location
- Will result in the loss of agricultural land
- Likely that a permit would be required from the Environment Agency given the number of hens in combination with the approved units

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 **28** – Supporting economic growth in rural areas

Paragraph **32** – Access and Transport

Paragraphs **56**, **58** and **60** – Requiring Good Design

Paragraph **109** – Protecting valued landscapes and minimising impacts on biodiversity

Paragraph **115** and **116** – Conserving Landscape and Scenic Beauty in Areas of Outstanding Natural Beauty

Paragraph **118** – Conserving and Enhancing Biodiversity

6.2 Lancaster District Core Strategy

SC1 – Sustainable Development
SC5 – Achieving Quality in Design

6.3 Lancaster District Local Plan - saved policies

E3 – Areas of Outstanding Natural Beauty
E4 – Countryside Area

6.4 Development Management Development Plan Document (DM DPD)

DM7 – Economic Development in Rural Areas
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
DM39 – Surface Water Run-Off and Sustainable Drainage

6.5 Other Material Considerations

The Forest of Bowland AONB Landscape Character Assessment (2009)
A Landscape Strategy for Lancashire: Landscape Character Assessment (2000)

7.0 Comment and Analysis

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

- Principle of development;
- Landscape and visual impact;
- Residential amenity;
- Access and highway impacts; and
- Impacts on ecology

7.2 Principle of development

7.2.1 The application relates to the erection of a large agricultural building to house hens for free-range egg production. The applicant has an existing operation within a building located c300 metres to the north west of the site, at its closest point. There is also consent for another unit, c600 metres to the north east. Both of these are accessed from Birkland Barrow Road.

7.2.2 The building would help to support the existing free-range egg production business in this location and the industry in general. The applicant has provided some information regarding the need for this type of development, advising that many supermarket retailers have been persuaded to adopt a "cage free" store offering by 2025. As a consequence of major retailers now committing to achieve this target many more free range units are required in the UK. The information goes on to say that there are approximately 38 million laying hens in the UK of which about half are caged and the rest in free range systems. If 18 million hens are to be moved from caged systems to free range systems over the next 9 years, then over 550 more 32,000 bird free range units are needed to deliver the pledges made by the retailers.

7.2.3 Paragraph 28 of the NPPF sets out that planning policies should support economic growth in rural areas including supporting the sustainable growth and expansion of all types of business through both the conversion of existing buildings and well-designed new buildings and promote the development and diversification of agricultural and other land-based rural businesses. DM7 of the DM DPD sets out that proposals for economic development will be supported where they maintain and enhance rural vitality and character and improve the sustainability of rural communities by bringing local, economic, environmental and community benefits. Other development proposals supported in principle include essential operations for agriculture where there is a proven and justified need.

7.2.4 The proposal will support the existing agricultural business and should not result in a significant increase in vehicle numbers to the area as it will utilise some of those associated with the existing business. Although on a large scale, it is a building for an agricultural enterprise and as such is considered to be acceptable in principle in a rural area.

7.3 Landscape and visual impact

7.3.1 The details of the size and position of the building are set out above in paragraphs 2.1 and 2.2. Given the nature and scale of the development, and the close proximity to the Forest of Bowland AONB, a landscape and visual impact assessment (LVIA) has been submitted. Although the site is located outside the AONB, it is covered by the Forest of Bowland AONB Landscape Character Assessment. The site is identified as landscape character type Drumlin Field, sub-type Docker-Kellet-Lancaster (13c), within the Lancashire Landscape Character Assessment, and is identified as sub-type Gressingham (K1) in the AONB assessment. Landscape character sensitivity is considered to be moderate to high as a result of the pattern of landscape features, including stone walls, hedgerows and pockets of woodland. Overall, the Drumlin Field Landscape Character Type is considered to have limited capacity to accommodate change without compromising key characteristics.

7.3.2 The site and surrounding landscape is characterised by rolling fields created by glacial activity which have drumlins of varying heights and steepness. There are also scattered areas of mature woodland which are characteristic of the landscape character type. In particular, there is an area of woodland around a former quarry to the north of the site and a belt of woodland adjacent to Kirkby Lonsdale Road which continues on the opposite side of the highway, within the AONB. The land slopes away from the highway which will help to reduce the prominence of the building when viewed from Kirkby Lonsdale Road. The trees provide a significant amount of screening of the field from the highway during summer months, although there are some views through. However, they are deciduous and, as such, the site would likely be more open during the winter months. The proposed access would also provide views into the site of the building and the associated hardstanding and vehicles.

7.3.3 More views of the building are likely to be gained from the public footpath which is located c110 metres to the north east of the site. Given the topography of the land, the site is clearly visible from most of the public footpath as it crosses the adjacent field. In addition to the siting of a building 170 metres in length, a significant amount of cut and fill is proposed to create a level area to site the building and hardstanding. Sections have been submitted with the application. The one through the building closest to the public right of way shows an increase in land levels of c3.2 metres. This will significantly alter the sloping topography of the land and will also reduce the effectiveness of some of the proposed screening around the building which will predominantly be at a lower level.

7.3.4 In addition to the alterations to the landform, it is considered that the building will appear overly prominent and incongruous within the landscape as a result of its significantly-large scale and utilitarian appearance, particularly when viewed from the public footpath. It is appreciated that there are two existing poultry buildings within the locality, but it is not considered that the proposal is well related visually to either of these, although one is already visible from the public right of way. If anything, the proposal would have a detrimental cumulative impact with the building to the north west, particularly from the footpath. Each application must be determined on its own merits and the specific characteristics of the current application site taken into consideration. It is also acknowledged that the building would be viewed against a significant number of trees. However, it is not considered that this or the proposed landscaping will adequately mitigate the landscape and visual impacts of this very large utilitarian building.

7.3.5 Views from the footpath have been considered within the submitted LVIA (viewpoints G and H). In the assessment it sets out that screening would reduce the impact of a section of the development over a 15 year period, but it will alter the current open aspect from this receptor and be of a different appearance to the existing vegetation. It goes on to say that it is considered that the significance of the development would be 'major adverse' at construction phase reducing to 'moderate adverse' at 15 years. In response to this, the AONB Partnership has set out that given the limited landscape mitigation proposed, they do not agree with this assertion that the significance will be reduced over time. However, the amount of landscaping proposed has now been significantly increased. The response does go on to say that the significance of the effects of 'moderate adverse' is sufficient to question whether the proposed development can be accommodated within the landscape without

compromising the local landscape character and that of the AONB designation. As set out previously, it is questionable how much screening would be afforded by the trees given the topography and how long these would take to have a reasonable screening impact. The presence of these trees within this open field would also alter the character of the landscape.

- 7.3.6 The other area of concern is in relation to the impact that the creation of the access will have on the character and appearance of this rural road. This will involve the removal of a number of trees for the access itself and to achieve adequate visibility splays. Concerns were originally raised by the Tree Officer in relation to the loss of a number of trees, and whether impacts had been fully assessed. As such an addendum to this has now been prepared. To overcome some of the issues raised, the building has been moved back from the highway from an original distance of 24 metres, to 30 metres from the carriageway edge. Trees are proposed to be felled including an Ash, 15 semi-mature trees (including sycamore, elm, beech and hawthorn) and 6 sycamore saplings, in order to accommodate access. A mature beech tree, and 4 semi-mature elm trees are proposed to be felled in order to provide the required visibility splay.
- 7.3.7 The trees within the site have strong physical and visual links with the woodland belt, established on the opposite side of the public highway and within the AONB. Aerial photographs (2013) show a continuous, unbroken cover of tree canopies across the public highway, to such an extent that it is virtually impossible to know that a public highway does in fact dissect this significant woodland area. In addition, whilst travelling in either direction along the public highway, the physical connections between trees on both sides of the road are obvious, with enclosing canopies creating a particularly pleasant, tunnel-like experience for users of the public highway. The loss of trees identified to provide the access will remove a block of tree planting, in effect destroying the existing character and appearance of what is an important continuous avenue of woodland planting. The proposed loss of the beech tree in order to accommodate visibility splays is a tree important for its contribution to the structure of the woodland belt and avenue effect. The loss of the beech tree has the potential to adversely impact upon the existing tree lined highway and the amenity that it currently conveys. Although the amended scheme now proposes the planting of a significant number of trees to compensate the loss of those adjacent to the highway, it is not considered that this would adequately mitigate the harm caused by their removal as they are in a different location.
- 7.3.8 In addition to the impact caused by the loss of trees, it is considered that the new access would have a significant urbanising effect on the rural road, which forms the boundary of the AONB. The access would be approximately 16 metres wide adjacent to the edge of the carriageway, narrowing to approximately 7 metres in an arc and then widening again into the site to around 24 metres. This would be surfaced in a bound material, likely tarmac or similar. The submission sets out that hardstanding adjacent to the building would be concrete. The LVIA also considers the landscape and visual impact of the track. This sets out that the impact of the development would be 'minor adverse' at time of construction reducing to 'negligible' with suitable additional planting at 15 years post construction. The justification for this is that this section of highway has a national speed limit with all site views being restricted to transient glimpses of the site, with screening provided by the trees adjacent to the highway. Although the visual impact of the access would be localised, it is considered that it would cause significant harm to the established woodland belt and introduce an incongruous element within this tree belt, having a detrimental impact on the character and appearance of this rural area.
- 7.3.9 The other location, from which there is considered to be some impact on views of the site, as acknowledged in the LVIA, is at a point along the public highway to the north of dwellings at Swarthdale (viewpoint D). The report sets out that this receptor point is illustrative both for occupants of vehicles traversing the highway, pedestrians using the highway and residents of 2 or 3 dwellings when exiting their properties onto the highway. It notes that the orientation of dwellings in this area is parallel to the highway and therefore windows within the dwellings are unlikely to have significant views of the site. The site is partially visible from this location, with the relative orientation of dwellings in this location and intervening vegetation partly screening the development at Year 1 with appropriate screening planting reducing the impact further by Year 15. The report goes on to say that it is considered that the significance of the development would be 'moderate adverse' at construction phase reducing to 'minor adverse' at 15 years.
- 7.3.10 Paragraph 109 of the NPPF sets out that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. Paragraph 115 sets out that great weight should be given to conserving landscape and scenic beauty in AONBs, and

such areas should have the highest status of protection in relation to landscape and scenic beauty. Although the site lies slightly outside the AONB boundaries, it does not mean that it cannot be considered as a valued landscape. It also has strong visual linkage with the AONB, particularly due to the woodland belt on either side of the highway. Policy DM28 of the DM DPD sets out that proposals should, through their siting, scale, massing, materials and design seek to contribute positively to the conservation and enhancement of protected landscapes. It goes on to say that outside protected landscapes, the Council will support development which is in scale and keeping with the landscape character and which is appropriate to its surroundings in terms of siting design, materials, external appearance and landscaping. Policy DM29 sets out that the council will support the protection of trees and hedgerows which positively contribute, either as individual specimens or as part of a wider group, to the visual amenity and/ or environmental value of the location. For the reasons set out above, it is not considered that the proposal complies with these policies.

7.4 Residential Amenity

7.4.1 The nearest residential properties are a small group at Swarthdale, approximately 450 metres to the north, and a detached dwelling, Oaken Head Farm, a similar distance to the south west. There are some other residential properties in the locality, though these are located at greater distances from the site. Given the distance, existing landform and trees, there will be no adverse impacts on outlook, daylight or privacy to the residential properties. Some concerns regarding noise and smells have been raised from neighbouring properties. However, Environmental Health has raised no objections to the scheme. No mechanical ventilation or extraction system has been shown on the submitted plans and it may be that it will rely on natural ventilation through vents in the roof. Clarification is being sought in relation to this, but given the separation distance it is unlikely that any mechanical ventilation system would cause a noise nuisance to occupiers of residential properties. This could be controlled by condition.

7.4.2 As a result of the concerns raised by neighbouring properties in relation to smells, the applicant has submitted an odour assessment. This sets out that no complaints have been received by the Council in relation to the existing unit which is slightly closer to residential properties. It goes on to say that modelling has been undertaken which predicts the odour units at specific receptor locations surrounding the site, including those closest to the proposed unit. Environment Agency guidance outlines benchmark level odour units, above which, there is likely to be unacceptable odour pollution. The proposed poultry unit would be categorised as a moderately offensive odour and the benchmark level for moderately offensive odours is 3 odour units. The largest odour unit that any of the residential properties would experience is 1.27 units, which is below the benchmark level. Therefore the assessment concludes that it is unlikely that there will be unacceptable odour pollution.

7.4.3 Concerns have also been raised regarding biohazards, impacts on health, the need for a permit and impacts as a result of spreading of manure. In terms of the health of animals and outbreaks of diseases, all owners and keepers of animals, including farmed poultry have a duty of care under the Animal Welfare Act (2006). National Control Programs (NCPs) for the reduction of Salmonella cover farm animal species which present a potential risk of transmitting Salmonella and other zoonotic agents to humans. Risks to health are therefore covered by other regimes outside the planning system. Poultry buildings containing more than 40,000 hens require an environmental permit from the Environment Agency. It is possible that this operation will require a licence as it will exceed this number when combined with the existing units. However, this is something that will be determined by the Environment Agency. If a permit is required, this will be considered by the Environment Agency and it is not for planning to duplicate other licensing regimes. In terms of spreading manure, the submission sets out that this will be taken away from the site every four days, but it is not clear if it will be spread on land surrounding the site. However, there is other statutory and non-statutory guidance with regards to the spreading of manure on land.

7.5 Access and highway impacts

7.5.1 A new access is proposed from Kirkby Lonsdale Road to serve the development. No objections have been raised from the Highways Authority, subject to the provision of visibility splays measuring 2.4 by 215 metres. These splays were greater than those shown on the submitted site plan. As such, speed surveys were undertaken to determine the actual speed that vehicles travel down the road and whether a reduced splay would be acceptable. An amended plan has been provided which shows a splay measuring 160 metres to the northeast and 215 metres to the southwest. A response is awaited from the Highways Officer to confirm whether this is acceptable. One of the pieces of

public correspondence raised that the setback for the splay should be 4.5 metres as a result of the size of vehicles and the position of a driver within a cab which is further from the highway than a driver within a car. This has also been raised with the Highways Authority and the response is awaited. A verbal update will be provided at the meeting.

7.5.2 In terms of vehicle movements, the submission sets out that the building requires infrequent servicing no more than 4 times a week – twice by tractor and trailer, and twice by no more than one 12.5 metre articulated vehicle to bring feed and to collect the eggs. There will be a visit at the start and end of the cycle for re-stocking purposes. The wagon which currently services the existing free range unit also has capacity to service the new unit. It sets out that typical vehicle movements for a venture of this nature are as follows:

- Pullet delivery on articulated flatbed once every 60 weeks;
- Feed delivery on articulated tipper once a week;
- Old hen collection on articulated flatbed once every 60 weeks;
- Manure removal on farm tractor and trailer once every 4 days; and
- Egg collection as per need within the cycle, but about 1 per week.

Car access would be daily for the member of staff looking after the birds. Visitor spaces are provided for vets and also the cleaning contractors who will fumigate the building at the end of the 60 week cycle.

7.5.3 A management plan currently exists for the existing poultry units which makes HGVs approach from the west. This routes vehicles from junction 35 of the M6 along the route that the quarry lorries take, along Back Lane to the northern fringes of Nether Kellet, left towards Over Kellet, and then turn right onto Addington Lane from the Nether Kellet Road. The vehicle would then service the other Free Range Units before arriving at this Unit. It would return via the same route. This would avoid the village of Over Kellet, and would follow the established route of the quarry lorries through the northern fringes of Nether Kellet. This can be controlled by condition. No objections have been raised to this by the Highways Authority.

7.6 Impacts on ecology

7.6.1 Natural England has been consulted on the application and have advised that further information is required in order to fully assess any impacts on European and Nationally designated sites. This is particularly in relation to aerial pollutants emitted from this type of development. Natural England has advised that an initial screening for air quality impacts should be completed prior to the determination of the application. The results of this screening should inform the need for any further, more detailed assessment which may be required to fully assess the impacts of the proposal. The sites that have the potential to be implicated by the development are listed below:

- Burton Wood Site of Special Scientific Interest (SSSI) - 1.6km from the site
- Thwaite House Moss SSSI - 4km from the site
- Crag Bank SSSI - 5km from the site
- Artle Dale SSSI, 5km from the site
- Morecambe Bay Special Protection Area (SPA), Special Area of Conservation (SAC) Ramsar Site and SSSI - 5.7km from the site
- Calf Hill and Cragg Woods Special Area of Conservation (SAC), 6.5km away from the site
- Bowland Fells SPA, 7km from the site
- Leighton Moss SPA and Ramsar Site, 8km from the site

7.6.2 In response to the comments raised, an air quality assessment has now been submitted. This sets out that the screening assessment results show that the threshold, above which a detailed assessment would be required, was not exceeded at any of the abovementioned designated sites for both ammonia and nitrogen deposition. It goes on to say that there is therefore no need to proceed to a detailed assessment and the proposed poultry unit will have insignificant effects on nearby designated sites. Natural England has been consulted in relation to this and the response will be verbally reported at the Committee meeting.

7.6.3 In relation to ecological considerations within and in the vicinity of the site, an Ecological Appraisal

has been submitted. The assessment included a desk based assessment, a visit to the site in order to assess the habitats present, a bat activity survey and an inspection of trees for evidence to support roosting or hibernating bats.

- 7.6.4 Most of the site is considered to comprise poor semi-improved grassland with a very low species diversity and ecological value. Whilst the assemblage of species within it is higher than improved pasture, the species are all indicative of regular grazing and disturbance and the report sets out that this habitat does not constitute a Biodiversity Action Plan (BAP) habitat. The intact hedge bounding the site to the south is species poor and contains a low diversity of woody plant species but all hedgerows are a UK BAP habitat. However, the hedge is not impacted by the proposal.
- 7.6.5 In relation to protected species, there are two records of badgers within 2km of the site, though the development will not impact on any existing badger runs or setts and the porosity of the surrounding fields to the passage of badgers will not be affected. Precautionary mitigation is considered appropriate during construction. There are 3 records of bats within 2km of the site, but the foraging habitat over most of the site is very poor for bat species being open and exposed pasture. The poor semi-improved grassland offers negligible foraging opportunities for bats. The woodland bounding the site, through which the access will be created, provides high quality foraging habitat. Whilst this area of the site is the most structurally diverse, it is not considered exceptional in the local area. More extensive areas of medium and high quality habitat occur locally, including large areas of adjacent woodland. The report sets out that it is not considered that there would be significant degradation of foraging habitat as a result of the proposal and the tree loss would open the canopy and provide more structural diversity within it.
- 7.6.6 All trees in and around the site perimeter were assessed for evidence of features to support bats and assigned a risk category of 2 (low) or category 3 (negligible) risk. No indications of roosting or highly suitable roost sites were located within the trees. A walked transect of the site for a period of 1 hour was also undertaken. The report sets out that the results of the activity survey confirm the assessment of the potential for the habitat and trees at the site to support bats. It goes on to say that it is considered that bat species are highly unlikely to rely on the site for feeding but may occur in the local area, and roosting by bats will not occur on the site. Precautionary mitigation would be appropriate in respect of ensuring the foraging habitat on site is at least improved for use by bats.
- 7.6.7 The woodland offers potential habitat for feeding and nesting birds. The poor semi-improved grassland has a low potential for use by nesting birds as the grassland is grazed and as such is usually short. Trampling risks are also very high within this area of the site. There were no rot holes or cracks in the trees within the site boundary which would support tree hole dwelling species such as woodpeckers. Precautionary mitigation is also recommended in relation to nesting birds. In relation to other species, the report sets out that the risk to brown hares is considered to be low, impacts on invertebrates are considered to be low, and no specific mitigation in relation to reptiles is considered necessary. The precautionary mitigation suggested above is detailed within the report and could be controlled by condition.
- 7.6.8 One area that does not appear to have been fully considered within the assessment, is the potential for run-off from the development to enter Swarth Beck to the north west of the site. In addition to impacts on water quality it also has implication on ecology. There appears to be a ditch across the site which has potential to provide a pathway for pollution. The design and access statement sets out that manure from the building would be removed from the building twice a week via a manure belt and collection is likely to occur every 4 days. It is not clear if the manure will be stored somewhere before collection, or loaded directly into a wagon. No area for external storage has been shown on the plan. However, mitigation could be put in place to ensure that contaminants did not enter the watercourse, both during and post construction and this could be adequately controlled by condition. A detailed drainage scheme would be required.

8.0 **Planning Obligations**

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

9.0 **Conclusions**

- 9.1 The need for this type of development needs to be balanced against the harm that the proposal will cause. Although there may be an increasing demand for free-range egg production, each planning

application must be considered on its own merits and the specifics of the individual sites and proposal taken into consideration. As set out in this report it is considered that, by reason of the size, siting and design of the building, the topography of the land and the significant engineering operations required, the development will have a detrimental impact on the character and appearance of the landscape, particularly when viewed from the nearby public right of way. Although a significant amount of planting is proposed, it is not considered that this will fully mitigate the visual impact of the building, given the sloping nature of the land, and the planting will take a significant length of time to mature. The presence of this within the open field will also alter the character of the landscape. The creation of the access would also have an urbanising effect on this rural road and would cause significant harm to the established woodland belt which has strong physical and visual links with the woodland belt, established on the opposite side of the public highway and within the AONB, which enjoys the highest status of protection. Although the landscape and visual impact is relatively localised, it is not considered that need for the development, set out by the applicant, or any other economic benefits will outweigh the significant harm caused by the development.

Recommendation

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

1. By reason of the size, siting and design of the building, the topography of the land, the size, design and location of the proposed access, including the removal of a section of woodland trees, and the associated engineering operations, the development will have a detrimental impact on the character and appearance of the landscape, including the incongruous and urbanising impact on this rural road and the significant harm to the established woodland belt. As a result of this, the development would also have an adverse impact on the setting of the Forest of Bowland Area of Outstanding Natural Beauty. The proposal is therefore contrary to the aims and objectives of the core Planning Principles and Sections 7 and 11 of the National Planning policy Framework, Saved Policies E3 and E4 of the Lancaster District Local Plan, and Policies DM28, DM29 and DM35 of the Development management Development Plan Document.

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

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

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

Human Rights Act

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

Background Papers

None

Agenda Item A9	Committee Date 19 September 2016	Application Number 16/00855/FUL
Application Site The Coach House Hornby Road Claughton Lancaster	Proposal Erection of a detached two-storey dwelling with attached garage	
Name of Applicant Mr Stephen Wilkinson	Name of Agent Michael Harrison	
Decision Target Date 19 September 2016	Reason For Delay N/A	
Case Officer	Mrs Petra Williams	
Departure	No	
Summary of Recommendation	Refusal	

(i) **Procedural Matters**

This form of development would normally be dealt with under the Scheme of Delegation. However, the applicant has declared that he is related to Councillor Wilkinson and, as such, the application must be determined by the Planning Committee.

1.0 The Site and its Surroundings

- 1.1 The application site is an area of garden (384sqm) which is associated with The Coach House which adjoins The Old Rectory and is within a group of properties adjacent to Hornby Road (A683) in the small village of Claughton. The submission refers to the development site as “side garden” however given its position beyond the Coach House towards Hornby Road it is perhaps more accurately described as part of a “front” garden. The front (north-west) boundary is formed by a dwarf wall and hedgerow planting but the site itself appears to be unkempt rough ground. The south-east boundary is largely open to the existing driveway which provides access to The Coach House and The Old Rectory which are set at a slightly lower level than the application site.
- 1.2 Claughton itself is a dispersed village with properties of varying age and design. The site is accessed off a narrow lane serving a small number of properties and a church yard associated the former St. Chads Church which is located on higher ground. The former church was granted consent in 2013 for conversion to a single dwelling. The Old Rectory and other nearby dwellings on this side of Hornby Road are stone under slate and date largely from the 19th century. To the west of the site on the opposite side of Hornby Road there are three semi-detached pairs of what appear to be local authority housing. Further west along Hornby Road there is Claughton Brickworks and a number of light industrial units as well as WCF LTD (West Cumberland Farmers) which is a Country and Garden Centre. To the north-east of the site there is a public house/restaurant which front Hornby Road. A bus route runs along the A683 through Claughton.
- 1.3 The site is within the Forest of Bowland Area of Outstanding Natural Beauty (AONB) and the designated Countryside Area. The Coach House is Grade II listed and was formally part of The Old Rectory which it adjoins. The site is in close proximity to the following listed buildings which are all accessed off the same narrow access lane:

- The Old Rectory – Grade II
- Church of St Chad – Grade II
- Cross Base south of St Chad – Grade II
- Barn North-East of Claughton Hall Farmhouse – Grade II
- Claughton Hall Farmhouse – Grade II*

2.0 The Proposal

2.1 The application proposes a two-storey detached 3 bed dwelling. The development would comprise stone elevations under a pyramidal slate roof with an attached flat roof garage to the eastern elevation and a single storey lantern roof projection to the western elevation. The development would include additional hedge planting and a 500mm stone boundary wall along the south-eastern and north-eastern boundaries.

3.0 Site History

3.1 There is no specific planning history relating to the proposed development site, however there are a number of applications associated with the host property (The Coach House).

Application Number	Proposal	Decision
08/00122/LB	Listed building consent for the installation of 2 windows and erection of porches to the front and side	Permitted
08/00117/FUL	Erection of a porch to front and erection of porch to side	Permitted
05/01090/CU	Change of use of former antiques shop and tea rooms to form extension to self-contained domestic accommodation	Permitted
05/01091/LB	Listed Building Application for change of use of former antiques shop and tea rooms to form extension to self-contained domestic accommodation	Permitted
05/00192/CU	Change of use and conversion of former antiques shop and tea rooms to form extension to self-contained domestic dwelling	Refused
05/00193/LB	Listed Building application for the change of use and conversion of former antiques shop and tea rooms to form extension for self-contained domestic dwelling	Refused

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objections.
Conservation Team	Objections - the proposal is inappropriately sited adversely impacts the setting of designated heritage assets, most prominently St Chads Church, which would be dominated by the dwelling). There is a strong objection on the grounds of failure to comply with Policy DM32.
Environmental Health Team	No objections – subject to conditions relating hours of construction and noise.
Forward Planning Team	Does not support the proposal as Claughton is not one of the villages identified within policy DM42 (comments received verbally)
Tree Protection Officer	No comments received at the time of compiling this report. Any comments subsequently received will be reported verbally.
Parish Council	No comments received at the time of compiling this report. Any comments subsequently received will be reported verbally.

5.0 Neighbour Representations

5.1 At the time of compiling this report 4 items of public comments have been received, all of which raise objections to the scheme. Points made are summarised as follows:

- Proposal inappropriately affects the setting of an open and active Church of England graveyard and the former St Chad's church.
- Proposed building is out of all proportion to the small size of plot.
- Inappropriate to site a new two storey property and garage within the frontage of a number of listed buildings.
- The proposed site is at the highest point of overall curtilages and in whatever form will intrusively dominate every surrounding structure.
- Points made regarding the labelling of properties on the submitted site plan.

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

6.3 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

6.4 Lancaster District Local Plan (Saved Policies)

E3 – Development affecting Areas of Outstanding Natural Beauty
E4 – The Countryside Area

7.0 Comment and Analysis

7.1 The main issues are:

- Principle of Development
- Scale, Design and Heritage Impacts
- Visual Impacts on the AONB

7.2 Principle of Development

7.2.1 The NPPF places sustainable development at the heart of decision-taking in the planning system. At the local level, this is further supplemented by a number of Development Plan policies. This

includes Core Strategy Policy SC1 which requires new development to be as sustainable as possible, in particular it should be convenient to walk, cycle and travel by public transport and homes, workplaces shops, schools, health centres, recreation, leisure and community facilities. Development Management DPD Policy DM20 sets out that proposals should minimise the need to travel, particularly by private car, and maximise the opportunities for the use of walking, cycling and public transport. Policy DM42 sets out settlements where new housing will be supported, of which Claughton is not one, and states that proposals for new homes in isolated locations will not be supported unless clear benefits of development outweigh the dis-benefits.

- 7.2.2 In terms of services Claughton is limited to a public house/restaurant and a bus route which runs along the A683. However, it is not considered that this in itself would make the site sustainable. The submitted Design and Access Statement makes reference to a nearby garden centre and claims that it also offers a limited range of household goods. However the main focus of sales is in respect of pet, equestrian and horticultural activities and could in no way be considered as a local convenience store. The Design and Access Statement also acknowledges the need to travel to nearby settlements to access shops and services on offer at other nearby settlements (Hornby and Caton) but argues that this could be done through a range of other transport options and does not rely solely on the private car for transport. However it is argued that in reality it is likely that such journeys would often be undertaken by car.
- 7.2.3 In geographical terms therefore, it is considered that the residential development proposed does not represent sustainable development given its relatively rural location. Paragraph 49 of the NPPF sets out that relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of housing. Even where this is the case, NPPF Paragraph 17 requires local planning authorities to actively manage patterns of growth to make the best use of public transport and other non-motorised travel options.
- 7.2.4 However the absence of a current five year supply of housing cannot be used as sufficient justification in this current case. NPPF Paragraph 14 makes it clear that where specific policies within the NPPF indicate that development should be restricted – such as within highly-protected areas such as the Forest of Bowland AONB – then those restrictive policies remain relevant. As a consequence, the lack of a five year housing land supply does not justify a new dwelling in this location and the benefits of this are not considered to outweigh the adverse impacts which will be discussed in forthcoming paragraphs of this report.
- 7.2.5 The Design and Access Statement highlights a number of other applications for small scale residential development outside the rural settlements identified in the Development Management Development Plan Document and argues that this has established a favourable precedent. The applications are highlighted are as follows:
- 14/00362/OUT - Outline application for the demolition of existing industrial buildings and erection of one 4-bed dwelling including associated access. However this case involved the removal of industrial buildings and so it represented an enhancement to the previously-developed site's appearance.
 - 14/01026/FUL - Erection of a detached bungalow. Although the site was not located within an identified settlement it had a long established residential use within a caravan and the application sought to provide similar level of replacement accommodation. It was also considered that the scheme would result in some visual improvements to the site and therefore it would not be detrimental to the character and appearance of the AONB.
 - 14/00006/FUL - Erection of one dwelling with associated parking and creation of a new access – Refused by local planning authority but allowed at appeal by the Planning Inspectorate.
 - 15/00972/FUL - Erection of two dwellings with associated access and landscaping – The site is located within a cluster of approximately 50 houses forming an area of development broadly bound by the A6 Lancaster Road and Hest Bank Lane. However, the site is well served by public transport, with a number of services running along the adjacent A6 linking the site south to Lancaster and north to towns and villages. Public houses and a restaurant lie to the north of the site, both within relatively easy walking distance. Slyne with Hest also has a local convenience store, church and village hall and recreational facilities. On balance the proposal was found to be acceptable.

Notwithstanding the examples provided above, local planning authority must determine each case on its own individual merits.

7.2.6 Overall it is considered that the proposed dwelling is not considered to be in a sustainable location due to the lack of available services in Claughton. It is not considered that the development would help support a nearby settlement which contains more services. Despite the examples given, none of them are comparable to the current proposal and therefore they do not present a convincing argument. As such the submission is contrary to policies SC1 of the Lancaster District Core Strategy and Policies DM20 and DM42 of the Development Management DPD.

7.2.7 Additionally, NPPF Paragraph 53 states that local planning authorities should consider setting out policies to resist inappropriate development of residential gardens, especially where this would cause harm to the local area. This is often referred to as 'garden-grabbing'. Development Management DPD Policy DM42 requires new rural housing to demonstrate good siting. This is not the case here, and the harm in this particular case is exacerbated by the siting of the property closer to the highway in front of the listed building.

7.3 Scale, Design and Heritage

7.3.1 The proposed stone under slate property would have a maximum height of 7.7m and an overall footprint of 16.5 metres by 8.5 metres. The dwelling has clearly been designed in attempt to reflect the character of The Old Rectory through the pyramidal roof style and windows with vertical emphasis. However the solid to void ratio is not considered to be an ideal arrangement and the single storey flat roof elements to the side elevations are at odds with the surrounding built form.

7.3.2 Because of the close proximity to a number of listed buildings (and in accordance with the Listed Building and Conservation Areas Act) when considering any application that affects a Listed building, a Conservation Area or their setting, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the heritage asset or its setting. This is reiterated by policies DM30, DM31 and DM32. The site is highly prominent when travelling along Hornby Road and lies approximately 18 metres to the west of the Grade II listed Coach House and The Old Rectory and is approximately 25 metres to the north-west of St Chads Church which is also Grade II listed and set on slightly elevated ground. Overall, it is considered that the proposal is not appropriately sited or designed and consequently would result in adverse visual impacts upon the setting of designated heritage assets, most prominently St Chads Church and the collection of buildings at The Old Rectory/Coach House. Although it is acknowledged that the proposed materials relate to surrounding built form, the scale, height and design of the proposal would completely dominate the views and setting of St Chads Church, thus causing substantial harm to its setting. In relation to the Old Rectory/Coach House, the development proposal will still lead to harm, albeit 'less than substantial' harm.

7.3.3 It is therefore considered that the proposal would weaken the visual strength of the current collection of designated heritage assets. It would fail to make a positive contribution to the built group and would not preserve or enhance the setting of the nearby designated assets. As a result, the significance of the heritage asset would be harmed through development within its setting. The development would be contrary to the provisions of policies DM32 and DM35 of the Development Management DPD and the provisions of section 12 of the NPPF.

7.4 Visual Impact on the AONB

7.4.1 Paragraph 115 of the NPPF places great weight on conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty which have the highest status of protection in relation to landscape, scenic beauty and cultural heritage. This approach is reflected in Policy DM28 of the Development Management DPD and saved Local Plan Policy E3. The site is within the setting of a traditional group and the land identified for this dwelling forms an important separation between the highway and the existing built form. The development would be 3.5 metres from the highway and it is considered that the proposal within such a prominent location would erode the character of the group setting within the AONB. As such it is considered that the submission is contrary to the provisions of paragraph 115 of the NPPF, Policy DM28 and saved Policy E3.

7.5 Other Matters

7.5.1 Impact on Residential Amenity – The proposed dwelling would be orientated with its main entrance to the south-east elevation. The Coach House is situated approximately 18 metres away to the east of the proposed dwelling and although this falls short of the recommended 21 metres separation distance the properties would be off-set from each other and as such there would be no direct overlooking from window to window. On balance the proposal is considered acceptable in terms of residential impacts.

7.5.2 Impact on Trees and Hedgerows - There are no trees located directly within the application site (it is understood that there have previously been trees within the site but since removed) but there is mature hedgerow along the site frontage to the highway. This currently provides a degree of screening to the site but may be implicated by the development. Comments have been sought from the Tree Protection Officer and will be reported at the meeting.

8.0 Planning Obligations

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

9.0 Conclusions

9.1 Whilst there is a need for more housing within the district, and the development will deliver that benefit, the current proposal would introduce a dwelling in a village that is not identified as being sustainable. It would be located within an AONB where scenic beauty should be conserved and an area which, by virtue of designation, enjoys the highest status of protection. Part of that scenic beauty is the undeveloped setting of long-established buildings. In this case, the proposal would cause substantial harm to the setting of St Chad's Church, and less than substantial harm to the Old Rectory and Coach House. This harm is exacerbated because of the inappropriate siting towards the main highway, thus weakening the visual relationship enjoyed by the designated heritage assets and detracting from their setting. As such, it is considered that the proposal does not comply with relevant policies in the Development Plan or the NPPF.

Recommendation

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

1. As a result of its prominent position closer to the highway, and the scale, design, height and massing of the proposed dwelling, the proposal would unduly impact upon the character and setting of the adjacent Grade II Listed buildings, causing substantial harm to the setting of Grade II listed St Chad's Church in particular, and harm to the setting of the Grade II listed Old Rectory and Coach House. As such the development is contrary to Policy SC5 of the Lancaster District Core Strategy, Policies DM32 and DM35 of the Development Management DPD and paragraph 7 and the provisions of Section 12 of the National Planning Policy Framework, most particularly Paragraphs 132 and 133.
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 of the Lancaster Core Strategy, Policies DM20 and DM42 of the Development Management DPD, and Paragraphs 7 and 14 of the National Planning Policy Framework.
3. As a result of its scale, height, massing and design the proposal would unduly impact upon the character of the group setting within the Forest of Bowland Area of Outstanding Natural Beauty. Additionally, the use of the residential garden causes such a degree of harm that the proposal As such it is considered that the submission is contrary to saved Policy E3 of the Lancaster District Local Plan, Policy DM28 of the Development Management DPD and the provisions of paragraph 115 of the National Planning Policy Framework.

4. The proposal causes such a degree of harm, as described by the other reasons for refusal, that the development would constitute an inappropriate use of an existing residential garden, which is discouraged by NPPF Paragraph 53 and Development Management DPD Policy DM42.

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

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

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

Human Rights Act

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

Background Papers

None

Agenda Item A10	Committee Date 19 September 2016	Application Number 16/00896/FUL
Application Site Bank Farm Aldcliffe Hall Lane Lancaster Lancashire		Proposal Demolition of rear WC, erection of a replacement balcony and relocation of existing external staircase
Name of Applicant Mr & Mrs Higgin		Name of Agent Mr Steve Donnelly
Decision Target Date 7 September 2016		Reason For Delay Committee Cycle
Case Officer		Mr Robert Clarke
Departure		No
Summary of Recommendation		Approval

(i) Procedural Matters

The proposed development would normally fall within the scheme of delegation. However, the applicant is an employee of Lancaster City Council and as such the proposal must be determined by the Planning Committee.

1.0 The Site and its Surroundings

- 1.1 The property which forms the subject of this application relates to a two-storey detached historic farmhouse located on Aldcliffe Hall Lane, Aldcliffe. The attached barn located to the side and rear of the dwelling has previously been converted into residential use and now forms part of the dwellinghouse. A small 4.6m² balcony is located to the rear elevation of the barn conversion. The farm house is stone built featuring white washed walls whilst the barn features a random rubble construction, both feature a natural slate roof and white timber framed double glazed units. The site boundary to the sides and rear is formed by a 1.6m high stone retaining wall and a mixed hedge varying in height between 1.8m – 2m.
- 1.2 Bank Farm is located within a prominent location with Aldcliffe Hall Lane to the north, the grade two listed Aldcliffe Cottages located 16m to the south and Aldcliffe Mews 20m to the south-west. The applicant dwelling forms a focal point within its location with the front elevations of the surrounding properties orientated towards the application site. The surrounding properties are residential in use. Local land levels reduce in elevation when heading in a westerly direction as such the top of the retaining wall that forms the site boundary forms the ground level of the dwellings garden.
- 1.3 The site is located within the Countryside Area, as identified on the Local Plan Proposals Map. It is also within a Mineral Safeguarding Area.

2.0 The Proposal

- 2.1 This application proposes the demolition of the existing WC outbuilding and existing balcony and the erection of a replacement balcony extending 2m from the rear elevation with a maximum width of 5.8m. The external spiral staircase will be relocated to the side (northern) elevation of the balcony,

the balcony will be constructed using a black metal frame and a 1.1m high clear frameless glass balustrade will be installed. Finally, composite timber decking will be installed to the balcony floor and a black uPVC door will be installed at ground floor level. A similar application was received by the Local Planning Authority earlier this year which featured a flat roof rear extension with a balcony above.

3.0 Site History

3.1 There have been planning applications at this property in the late 1980s and early 1990s associated with the initial conversion. The most recent application, also considered by the Planning and Highways Regulatory Committee, is detailed below.

Application Number	Proposal	Decision
16/00357/FUL	Demolition of rear WC and first floor balcony, erection of a single storey rear extension with balcony above and relocation of existing external staircase	Permitted

4.0 Consultation Responses

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

Consultee	Response
Conservation	No objection
County Council Mineral Planning	No response received during the statutory consultation period

5.0 Neighbour Representations

5.1 No neighbour representations received during the statutory consultation period.

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
 Paragraphs 131 – 134 – Designated Heritage Assets

6.2 Development Management DPD

DM35 – Key Design Principles
 DM28 – Development and landscape impact
 DM32 – The setting of Designated Heritage Assets

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

E4 – Countryside Area

7.0 Comment and Analysis

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

- General design;
- Impacts upon residential amenity; and

- Impacts upon the designated heritage assets.

7.2 General Design

7.2.1 It is considered the proposed development appears as a contemporary addition to a traditional stone built farm house and barn conversion. The appropriate scale of the proposal and the inset to the northern elevation ensures the development appears as a subservient addition. Moreover, the sharp yet simple lines as well as the use of contrasting materials aid in the differentiation between the traditional appearance of the dwelling and the proposed contemporary addition. The use of the staircase to the northern elevation and the frameless clear glazed balustrade provide a further break further aiding the separation between traditional and contemporary. As a result of the above it is considered the principle of the proposed contemporary addition to this dwelling is acceptable.

7.3 Impacts upon residential amenity

7.3.1 The existing balcony has a usable floor area of 4.6m² a space large enough for standing/a small table lending itself to relatively infrequent use. Due to the presence of the existing balcony and the fact that the balcony does not overlook the private amenity space of the nearby neighbours it is considered an appropriately increased balcony can be supported in this location. Aldcliffe cottages are located between 16m-18m away from the proposed balcony, views to the front elevation windows of these properties will be obscured by the 2m high hedging (the hedging is approximately 3.5m high when stood outside of the application site) and the reduction in land levels. As a result of the existing relationship between the applicant property and these cottages an appropriately increased balcony is not considered to result in unacceptable levels of privacy.

7.3.2 The 11.6m² floor area of the balcony is considered to limit the use of this space lending itself to uses more in line with the existing balcony, thus maintaining the existing relationship. Further, the increase in size is largely in a north-south lateral direction with the depth of the balcony increasing by only 700mm ensuring that the balcony's projection from the rear elevation of the barn is kept to a minimum. As such it is considered the amended scale of the balcony is appropriately sized for this raised location.

7.4 Impacts on the designated heritage assets

7.4.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed building, a Conservation Area or their setting, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the heritage asset or its setting. This is reiterated by policies DM30, DM31 and DM32.

7.4.2 The main consideration is the possible impact on the setting of the adjacent grade two listed Aldcliffe Cottages. The principal setting of the row of cottages is created by the road in front and the views along the terrace from the East and West. The view to the application site is separated by the existing low stone wall and hedge above (3 – 4 metres) and the garden area beyond. The proposed development site is set back from these immediate sightlines and will feature a clear frameless glass balustrade to replace a timber structure. In view of the above observations, it is not considered that the proposal will impact/harm the setting of the adjacent listed buildings unduly and is therefore acceptable.

8.0 Planning Obligations

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

9.0 Conclusions

9.1 It is considered the use of contrasting materials and sharp lines aid to differentiate this proposal from the traditional appearance of the barn, ensuring a contemporary approach, and as such it is considered acceptable in this location.

9.2 The principle of a balcony in this location is already established, as such it is considered the relatively small increase in its scale to 11.6m² is an acceptable form of development that will not result in unacceptable detrimental impacts to the residential amenity of the surrounding neighbours.

No objections have been received and the proposal 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. The balustrade to be fitted must be a Taperloc 9mm tempered clear frameless glass design with no handrail installed

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 A11	Committee Date 19 September 2016	Application Number 16/01051/CCC
Application Site Lancaster Wastewater Treatment Works Stodday Lane Lancaster Lancashire		Proposal Erection of solar photovoltaic panels and associated works including switchgear housing, security fencing and integral connection to Lancaster Waste Water Treatment Works
Name of Applicant United Utilities Water Limited		Name of Agent Mr David Palmer
Decision Target Date Extension of time agreed until 21 September to provide response to the County Council		Reason For Delay Committee Cycle
Case Officer		Mrs Eleanor Fawcett
Departure		No
Summary of Recommendation		That in response to the County Council consultation, the City Council offers no objection subject to additional landscaping and biodiversity improvements

(i) Procedural Matters

This application has been submitted to, and will be determined by, Lancashire County Council as they are responsible for planning matters that relate to waste and minerals (and the application site falls within the land ownership of United Utilities at their waste water treatment facility). Lancaster City Council has been consulted as the retrospective proposal falls within their District, and as such this report sets out the City Council's proposed **consultation response** to the solar farm scheme at Lancaster Waste Water Treatment Works in Stodday.

1.0 The Site and its Surroundings

- 1.1 The site relates to an area of agricultural land located to the north and west of the Lancaster Waste Water Treatment Works at Stodday, approximately 2.3km to the south west of the centre of Lancaster, approximately 0.7km to the north west of the hamlet of Stodday and approximately 1km to the south of the small settlement of Aldcliffe. There is access to the field off Arna Wood Lane. This road also serves a group of residential properties and stable at Low Wood Farm which are located adjacent to the site. To the west of the site is the Lune Estuary and a multi-use path which runs adjacent to this and the site boundary. The site is at a slightly higher level than this path and there is a field gate access linking the two. Along the north, south, east and part of the west boundary are hedgerows and trees. Apart from the dwellings immediately next to the site, the nearest residential properties are at Stodday and at Arna Wood Farm, approximately 0.55km to the north east.
- 1.2 The Lune Estuary is designated as a Site of Special Scientific Interest (SSSI) and is also covered by the Morecambe Bay Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar Site. Part of the site is located within Flood Zone 3. The site is also within the Countryside Area, as identified on the Local Plan Proposal Map. There are two lines of electricity pylons, approximately 120 metres to the south of the site which cross the estuary in a northwest direction.

2.0 The Proposal

2.1 Retrospective planning permission is sought for the siting of solar photovoltaic panels on the land and associated equipment and fencing. The application is being determined by the County Council as the submission sets out that it will provide electricity solely in association with the operation of treatment works. It is therefore associated with the waste operation and as such is a County matter. It is understood that the reason that the panels were installed without the benefit of planning consent was because United Utilities considered that it constituted permitted development on their operational land. However, the land had been previously used for agriculture with no obvious links to United Utilities' operation and was therefore not considered to be operational land. It was also not considered that likely significant effects on the adjacent European Designated Sites could be ruled out from the information provided with the application for a lawful development certificate. The development took place in December 2015.

2.2 The solar farm extends to 2.9 hectares and has a maximum (peak) generating capacity of up to 1.5MW. The panels are positioned in rows in an east-west direction and are mounted on frames at an incline of approximately 20 degrees facing south, with a front height of 0.6 metres and back panel height of up to 2.2 metres. It is proposed to be operational for 25 years. Green metal mesh fencing is sited around the site perimeter and has a height of 1.5 metres. A gap has been left between the fence and the northern boundary and part of the western boundary of the site to allow access for horses onto the multi-use path. Access would be required for routine maintenance, cleaning and vegetation management and is off Arna Wood Lane, via the track used to access the properties at Low Wood.

3.0 Site History

3.1 There is no planning history relating to the application site. However, there have been previous applications at the Waste Water Treatment Works which have been dealt with by the County Council. There is an approved scheme (14/00907/FUL) for a solar farm on nearby land to the north at Arna Wood Farm, which, at its closest, is approximately 100 metres from the current application site.

4.0 Consultation Responses

4.1 Because this planning application is submitted to (and will be determined by) the County Council, it is they who are responsible for the public and statutory consultation process.

4.2 In co-ordinating our response to the County Council, the City Council has consulted the Tree Protection Officer and Environmental Health Officers, and their responses will be reported verbally.

5.0 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 **56**, **58** and **60** – Requiring Good Design
Paragraphs **93**, **97** and **98** – Delivering Renewable and Low Carbon Energy
Paragraphs **118** and **119** – Conserving and Enhancing Biodiversity

6.2 Lancaster District Core Strategy

SC5 – Achieving Quality in Design
ER7 – Renewable Energy

6.3 Lancaster District Local Plan - saved policies

E4 – Countryside Area
E5 – The Open Coastline

6.4 Development Management DPD

DM7 – Economic Development in Rural Areas

DM17 – Renewable Energy Generation

DM20 – Enhancing Accessibility and Transport Linkages

DM21 – Walking and Cycling

DM25 – Green Infrastructure

DM27 – Protection and Enhancement of Biodiversity

DM28 – Development and Landscape Impact

DM29 – Protection of Trees, Hedgerows and Woodland

DM35 – Key Design Principles

6.5 Other Material Considerations

A Landscape Strategy for Lancashire – December 2000.

6.0 Comment and Analysis

7.1 The main issues to consider by the Council, as a consultee on this application relate to:

- Landscape and visual impact
- Impact on residential amenity
- Loss of agricultural land/consideration of sites

7.2 Landscape and visual impact

7.2.1 The solar panels are already located on the site and, as such, it is possible to make an assessment of the landscape and visual impact of the development by just visiting the site rather than partly relying on a landscape and visual impact assessment, which has also been submitted with the application. Views of the solar farm appear to be limited to the multi-use path adjacent to the Lune Estuary, although it is at the time of year when the site would benefit from the highest level of screening due to the vegetation being in full leaf. The site is relatively well contained by the existing waste water treatment works and dwellings at Low Wood which, along with existing trees, appear to adequately screen the development from viewpoints to the northeast, east and south of the site. From Arna Wood Lane, to the north east, would be the most likely location that the development would be viewed in conjunction with the approved solar farm to the north, which has not yet been constructed. However, as views of the panels on the current application are likely to be very limited, even in winter months, it is not considered that there would be an adverse cumulative impact from this location.

7.2.2 From the multi-use path, views of the panels are relatively limited, given the presence of existing vegetation along the site boundary and the relatively level topography of the site. There are gaps in the vegetation that provide views and it is considered that this could be mitigated by additional planting. It is not clear if the applicant has control over the existing hedgerow and trees. It would need to be ensured that sufficient screening could be secured and maintained for the lifetime of the development, which is proposed to be 20 years. There is a gate providing access to the path from the field. This is to provide access for horse riders, presumably from the development at Low Wood which has stable, but it is not clear if this is new. Unfortunately this does provide open views of the panels which are an urbanising influence in this rural area. However, this is for a very limited time travelling past the site and there are other elements within the landscape close to the site, such as the pylons that introduce man-made structures into the landscape.

7.2.3 When approaching the site from both the north and south, views are very limited and generally non-existent until adjacent to the site as a result of vegetation and landform, although this is likely to increase within winter months. However, to the north is a large bank extending up from the path. This also provides a good separation between views of this development and the approved site to the north. It is therefore considered that there will not be detrimental cumulative impacts from the multi-use path with the approved development. Overall it is not considered that the development has a significant landscape or visual impact, subject to some additional planting along the eastern boundary.

7.3 Impact on residential amenity

7.3.1 The only residential properties likely to be impacted by the development are the two adjacent to the site at Low Wood. At least one of these has views from windows across the site. The development is in close proximity, with approximately 30 metres between the dwelling and the nearest panels. However, given the height of the panels and the topography of the land it is not considered that there is an adverse impact on these properties, though some additional screening would help to break up views from these properties. There is some potential of glare from the panels and the response from Environmental Health will be reported at the meeting. However the panels face south and the properties are to the east so it would seem unlikely that there would be a significant adverse impact as a result of glare.

7.3.2 The most likely disturbance to the properties would have been during construction. However, as this has taken place it does not need to be considered. Vehicle movements to the site for maintenance have the potential to impact on residential amenity if at unsociable hours. However, it would be anticipated that this would take place during daylight hours. However, consideration should be given to controlling this by condition.

7.4 Loss of agricultural land/consideration of sites

7.4.1 The National Planning Practice Guidance (NPPG) sets out that local authorities should encourage the effective use of land by focussing large scale solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value. Where a proposal involves greenfield land, it should be considered whether:

- The proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and
- The proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.

7.4.2 The land is classified as Grade 3 which is Good to Moderate, and there are two classifications above and below this. It is understood that the land has most recently been used for the grazing of horses. The design of the panels allows the land to be grazed by sheep if desired. The land is not well linked to other agricultural land in the vicinity which makes it less desirable for agricultural use. The development is also associated with the adjacent waste water treatment works, and as such its siting appears to be appropriate in relation to the existing development. Land further from this would be unsuitable as it is proposed to provide power in relation to the existing operation. Given that the site does not consist of high-grade agricultural land, and its association with the works, it is considered that the loss of the agricultural land would not be a sufficient reason to object to the development.

7.5 Other issues

There are a number of other issues that will be considered in detail by the County Council when determining the application. These include flooding, highways impacts and ecology, including the adjacent designated sites. Many of these will rely on responses from statutory and non-statutory consultees. In relation to the impacts of the adjacent European designated sites, and particularly birds, Natural England will provide a detailed response. The County Council also has an ecologist who will review this and other ecological issues. It is worth noting, however, that within the ecology report it sets out that wintering bird surveys of the site were carried out before development commenced. However, one of these is 17 December 2015 and the Council received a complaint in relation to the siting of solar panels on this land on 14 December 2015. Enhancements to biodiversity are recommended and similar schemes to this have often included the requirement for a habitat management plan. This would also relate to how the land is managed, such as for grazing.

7.0 Planning Obligations

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

8.0 Conclusions

9.1 The site is adjacent to residential properties but is at a lower level and is relatively low in scale. Subject to the Environmental Health Officer raising no concerns with regards to glare from the

panels, it is not considered that there will be a detrimental impact on residential amenity, although some additional screening would help to limit views of the site from these properties. It is considered that the landscape impact could be mitigated by additional planting along the site boundary with the multi-use path. If the existing hedgerow and trees along this boundary are not under the control of the applicant then it is advised that additional planting is provided within the site to ensure that the development is adequately screened.

Recommendation

That the City Council has **NO OBJECTION** to the proposal, subject to the following:

- Additional planting takes place along the northwest boundary where gaps in the existing boundary treatment exist in order to help screen the development. If this boundary is not under the control of the applicant, additional planting should take place within the site, adjacent to the boundary to ensure that the development is adequately screened for the lifetime of its operation.
- Additional planting between the site and residential properties to help screen the development from residential properties should be considered.
- Some enhancement to biodiversity is recommended. Other similar sites have included the requirement for a Habitat Management Plan.
- Consideration given to hours/times of maintenance to ensure no detrimental impact on the adjacent properties.

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

This is not relevant as Lancashire County Council is the determining authority. Lancaster City Council is simply a consultee for this application.

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</p> <p>A12</p>	<p>Committee Date</p> <p>19 September 2016</p>	<p>Application Number</p> <p>16/00524/ADV</p>
<p>Application Site</p> <p>The Old Co Op Yard Kellet Road Carnforth Lancashire</p>	<p>Proposal</p> <p>Advertisement application for the display of a non-illuminated free standing sign</p>	
<p>Name of Applicant</p> <p>Mrs Isobel Taylor And Mr Paul Tomlinson</p>	<p>Name of Agent</p> <p>N/A</p>	
<p>Decision Target Date</p> <p>16 June 2016</p>	<p>Reason For Delay</p> <p>Awaiting amended plans</p>	
<p>Case Officer</p>	<p>Mr Andrew Clement</p>	
<p>Departure</p>	<p>No</p>	
<p>Summary of Recommendation</p>	<p>Approval</p>	

(i) Procedural Matters

This form of development would normally be dealt with under the Scheme of Delegation. However, the land is in the ownership of Lancaster City Council, and as such the application must be determined by the Planning Committee.

1.0 The Site and its Surroundings

1.1 The application site occupies a position at the vehicle access point to an industrial courtyard, accessed from the south side of Kellet Road in Carnforth. A number of small businesses operate from the industrial units, including a stone masons, metal fabricators and dance studio. To the south of the site, and from a separate access off Kellet Lane, there are a number of lock-up garages which are situated on slightly higher ground than the courtyard. The proposed free standing sign would be sited between the entrances to these 2 premises, on land which is owned by Lancaster City Council.

2.0 The Proposal

2.1 The application seeks advertisement consent for the display of one non-illuminated free standing sign, supported from a single post using an existing ground footing. The proposed sign will measure 1.5 metres tall and 0.8 metres wide, advertising the location of the entrance to the Old Co-op Yard industrial units and two current businesses operating from these premises, predominantly in colours blue and maroon.

3.0 Site History

3.1 There have been no recent applications that relate to this proposal.

4.0 Consultation Responses

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

Consultee	Response
Parish Council	No observation received
County Highways	No objection.
Tree Protection Officer	No objection. Originally objected due to lack of tree related information, but now satisfied with amended proposal for single post using existing footing so the adjacent tree can be undisturbed.
Property Services	No objection.

5.0 Neighbour Representations

5.1 No observations received.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

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

Paragraph 17: Core planning principles

Section 7: Requiring good design

6.2 Development Management DPD

DM6: Advertisements

DM29: Protection of Trees, Hedgerows & Woodland

DM35: Key design principles

6.3 Lancaster District Core Strategy – saved policies

SC5: Achieving quality in design

7.0 Comment and Analysis

7.1 The key considerations arising from the advertisement proposal are:

- Amenity; and,
- Public Safety.

7.2 Amenity

7.2.1 This application seeks consent to display one non-illuminated free standing sign at the vehicle entrance to the Old Co-Op Yard south of Kellet Road in Carnforth. An existing A-board sign (advertising the stone mason) is situated in this location, which is Lancaster City Council owned land, and the proposed sign is within 2 metres of an existing mature tree.

7.2.2 The proposed sign is considered to be modest in size, proportionate to the scale of the industrial yard, and appropriately located at the vehicle entrance to the site. The proposed colours, design and aluminium material are considered to be sympathetic to the area, which despite being predominantly residential is viewed in the vicinity of advertisements for the neighbouring educational and takeaway uses approximately 60 metres to the east along Kellet Road. Therefore, the visual impact of the proposal is considered acceptable and the proposal is consistent with policies DM6, DM35 and NPPF Section 7.

7.2.3 The application originally proposed two posts to support the signage 0.68 metres above the ground. The Tree Protection Officer raised an objection to the proposal, as any excavation of the ground would be likely to encounter the roots of the adjacent existing mature tree. If the proposal were to potentially damage this tree, which is visible from Kellet Road, this would have a negative impact upon the amenity of the area. Amended plans received on 27 August 2016 altered the proposal to a single post, to be mounted to the ground using an existing single footing already at the site. This alteration is considered to have an acceptable impact upon the adjacent mature tree, a view which is

shared by the Tree Protection Officer. Subject to a condition confirming this detail and for no disturbance of the tree structure above or below ground, the proposal is considered to be compatible with policy DM29.

7.2.4 The standard time limit for advertisement consents is 5 years. The current application states an advertisement time period of 10 years. However, no justification has been provided for the proposed extended period, and it is considered that the scheme should align with standard advertisement conditions.

7.3 Public Safety

7.3.1 The proposal has raised no objection from the Highway Authority, and it is considered that the scheme does not raise public safety issues.

8.0 Planning Obligations

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

9.0 Conclusions

9.1 It is considered that the proposed signage is proportionate in scale and a sympathetic design. The advertisement will help identify the location of the entrance to the yard and businesses within it, whilst raising no amenity or safety concerns. Subject to standard advertisement conditions, and a condition to ensure no disturbance to the adjacent tree, the application can be supported.

Recommendation

That Advertisement Consent **BE GRANTED** subject to the following conditions:

1. Standard Advertisement Timescale (5 years)
2. Advertisements to be carried out in accordance to amended plans (27/8/16) and details of colours (6/6/16)
3. Existing footing to be used and above ground tree structures to be undisturbed
4. Advertisement Standard Condition Number 1
5. Advertisement Standard Condition Number 2
6. Advertisement Standard Condition Number 3
7. Advertisement Standard Condition Number 4
8. Advertisement Standard Condition Number 5

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

Agenda Item A13	Committee Date 19 September 2016	Application Number 16/01007/FUL
Application Site 20 Alamein Road Carnforth Lancashire LA5 9BB	Proposal Demolition of outbuilding and erection of a single storey rear and side extension	
Name of Applicant Mr Tom Greenwood	Name of Agent Mr James Mullen	
Decision Target Date 30 September 2016	Reason For Delay N/A	
Case Officer	Mr Robert Clarke	
Departure	No	
Summary of Recommendation	Approval	

(i) Procedural Matters

This form of development would normally be dealt with under the Scheme of Delegation. However, the property is in the ownership of Lancaster City Council, and as such the application must be determined by the Planning Committee.

1.0 The Site and its Surroundings

- 1.1 The property which forms the subject of this application relates to a two storey semi-detached dwellinghouse located on the western side of Alamein Road in Carnforth. The property features a pebble dashed exterior with a pitched roof finished with slate, white uPVC windows are installed throughout. The property benefits from a driveway and garden to the front and a good size, 170m², garden to the rear.
- 1.2 Alamein Road is characterised by two storey semi-detached dwellinghouses of a similar appearance and age. Alamein Road drops in elevation in a northerly direction, as such there is some difference in land levels between the application site and its neighbours. The site is unallocated in the Lancaster District Local Plan proposals map.

2.0 The Proposal

- 2.1 The application proposes the demolition of the existing outbuilding to the rear and the erection of a single storey side and rear extension which will have a maximum depth of 6m measured from the rear elevation and a maximum width of 6.1m. There will be a slight dog leg within the extension to allow for sufficient internal space and to allow for daylight to the existing kitchen window. The extension will be finished with a mono-pitch roof with a maximum height of 3.4m. The materials that are proposed are pebble dashed walls, under a single ply membrane roof with white uPVC windows and doors. The proposed rear extension will provide a bedroom and a shower room for an individual with special needs.

3.0 Site History

3.1 There is no previous planning history for this property.

4.0 Consultation Responses

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

Consultee	Response
Parish Council	Approves of the application in principle
Property Services	No responses received at the time of compiling this report

5.0 Neighbour Representations

5.1 No responses received at the time of compiling this report.

6.0 Principal National and Development Plan Policies

6.1 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:

National Planning Policy Framework (NPPF)

Paragraph **17** – 12 Core Principles
 Paragraphs **67 and 68** – Requiring Good Design

6.2 Development Management DPD

DM35 – Key design principles

6.3 Lancaster District Core Strategy
SC1: Sustainable Development
SC5: Achieving Quality in Design

7.0 Comment and Analysis

7.1 The key considerations arising from the proposal are:

- General design; and
- Impacts upon residential amenity

7.2 General Design

The proposed development has been designed to reflect the character of the existing dwelling, particularly in terms of the material palette. Whilst the proposed extension will change the appearance of the rear elevation and is of a large scale only the side extension with a 1.8m width will be seen from within the street scene. This is set back from the front elevation considerably whilst a 1.8m timber fence and gate will be erected which will serve to obscure and break up the presence of the extension within the street scene. Although the extension is of a large scale it has been reduced from the initial proposal by 1.2m in depth, this reduced scale ensures sufficient private amenity space is retained. Given the needs of the occupants and the minimal visual presence this extension will have within the street scene, on balance it is concluded the extension is an acceptable form of development.

7.3 Impacts upon Residential Amenity

Due to the way in which the land levels in this area descend in a northerly direction the proposed extension will be set approximately 1m lower down than the neighbouring dwelling No. 22. Further

the boundary between these dwellings is formed by a 2m high close boarded panel fence. Within the garden of No. 22 and immediately adjacent to the boundary with the application site is a brick built pitched roof outbuilding and a timber shed. The differing land levels and the intervening boundary treatments along with the presence of the outbuilding and shed within the rear garden of No. 22 means that the proposed extension is not considered overbearing. With regards to No. 18, the shared boundary is formed by 1.8m high close boarded fence, whilst the dwelling itself benefits from a large lean to single storey rear extension. The proposed extension is set away from this boundary and therefore will not result in diminished daylight or privacy levels.

8.0 Planning Obligations

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

9.0 Conclusions

9.1 The reduced scale of the proposed extension is considered to be a more appropriate form of extension, whilst the proposed materials will ensure that the extension matches the appearance of the original dwelling. Further, as the proposal is not considered to result in harmful impacts to residential amenity, the application is deemed acceptable.

Recommendation

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

1. Standard three year timescale
2. Development to be carried out in accordance with the amended plans
3. Retention of existing boundary treatments

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

<p align="center">Agenda Item</p> <p align="center">A14</p>	<p align="center">Committee Date</p> <p align="center">19 September 2016</p>	<p align="center">Application Number</p> <p align="center">16/00942/FUL</p>
<p align="center">Application Site</p> <p align="center">Town Hall Dalton Square Lancaster Lancashire</p>	<p align="center">Proposal</p> <p align="center">Construction of a ramp to provide disabled access and creation of a doorway from an existing window opening on the side elevation</p>	
<p align="center">Name of Applicant</p> <p align="center">Mr Gary Watson</p>	<p align="center">Name of Agent</p> <p align="center">Ms Rachel Grimshaw</p>	
<p align="center">Decision Target Date</p> <p align="center">16 September 2016</p>	<p align="center">Reason For Delay</p> <p align="center">Committee cycle</p>	
<p>Case Officer</p>	<p>Mr Andrew Clement</p>	
<p>Departure</p>	<p>No</p>	
<p>Summary of Recommendation</p>	<p>Approval subject to conditions</p>	

(i) Procedural Matters

This form of development would normally be dealt with under the Scheme of Delegation. However, Lancaster City Council is the owner of the subject property, and as such the application must be determined by the Planning Committee.

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 15.8 metres, with a 1.2 metre ramp width. To facilitate access to the proposed development, 1.2 and 1.4 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. A near identical scheme was approved at 4th April 2016 Planning Committee through permissions 16/00160/FUL and 16/00161/LB. An application for Listed Building Consent for the proposed development has been applied for concurrently (Ref: 16/00943/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 25th August and advertisement publication expiring on 26th August 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

7.2.1 To enable access to the proposed development, 1.2 and 1.4 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
- 7.3.1 The scale of the proposed access ramp and landing areas is modest in comparison to the scale of the building, measuring 15.8 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.
- 7.3.2 A near identical scheme was approved at 4th April 2016 Planning Committee through permissions 16/00160/FUL and 16/00161/LB. However, due to minor amendments to the scheme requiring listed building consent, this current application is necessary to regularise the altered proposal. The current application proposes additional external lighting and the addition of one extra step to the north of the proposed new doorway, plus the relocation of the proposed ramp position to the centre of the basement void, as opposed to nearer the existing balustrade. Subject to agreeing the specific details of the proposed lighting, in particular the dimensions and materials of light fittings and the location of wiring, the altered proposal raises no concerns beyond those address through the previously approved application. The specifications of the proposed external lighting can be controlled through condition.
- 7.3.3 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 support of the Conservation Section. Historic England raised no objection to the application, whilst no observation was received from the Victorian Society or through the site notice and publication. As neither Historic England nor any of the other National Amenity Societies have maintained an objection, this application does not need to be referred to the National Planning Casework Unit.
- 7.3.4 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 of the doorway, lighting and sample of stonework.

Recommendation

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

1. ST01 – Standard 3 year timescale
2. ST08 – Development to be carried out in accordance to approved plans
3. Details to be submitted – door finish and door opening masonry

4. Submissions sample materials – Longridge or Derbyshire sandstone
5. Details of lighting and wiring

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

<p align="center">Agenda Item</p> <p align="center">A15</p>	<p align="center">Committee Date</p> <p align="center">19 September 2016</p>	<p align="center">Application Number</p> <p align="center">16/00943/LB</p>
<p align="center">Application Site</p> <p align="center">Town Hall Dalton Square Lancaster Lancashire</p>	<p align="center">Proposal</p> <p align="center">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.</p>	
<p align="center">Name of Applicant</p> <p align="center">Mr Gary Watson</p>	<p align="center">Name of Agent</p> <p align="center">Ms Rachel Grimshaw</p>	
<p align="center">Decision Target Date</p> <p align="center">16 September 2016</p>	<p align="center">Reason For Delay</p> <p align="center">Committee cycle</p>	
<p>Case Officer</p>	<p>Mr Andrew Clement</p>	
<p>Departure</p>	<p>No</p>	
<p>Summary of Recommendation</p>	<p>Approval subject to conditions</p>	

(i) Procedural Matters

This form of development would normally be dealt with under the Scheme of Delegation. However, Lancaster City Council is the owner of the subject property, and as such the application must be determined by the Planning Committee.

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 15.8 metres, with a 1.2 metre ramp width. To facilitate access to the proposed development, 1.2 and 1.4 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. A near identical scheme was approved at 4th April 2016 planning committee through permissions 16/00160/FUL and 16/00161/LB. An application for planning permission for the proposed development has been applied for concurrently (Ref: 16/00942/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 25th August and advertisement publication expiring on 26th August 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

7.2.1 To enable access to the proposed development, 1.2 and 1.4 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
- 7.3.1 The scale of the proposed access ramp and landing areas is modest in comparison to the scale of the building, measuring 15.8 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.
- 7.3.2 A near identical scheme was approved at 4th April 2016 planning committee through permissions 16/00160/FUL and 16/00161/LB. However, due to minor amendments to the scheme requiring listed building consent, this current application is necessary to regularise the altered proposal. The current application proposes additional external lighting and the addition of one extra step to the north of the proposed new doorway, plus the relocation of the proposed ramp position to the centre of the basement void, as opposed to nearer the existing balustrade. Subject to agreeing the specific details of the proposed lighting, in particular the dimensions and materials of light fittings and the location of wiring, the altered proposal raises no concerns beyond those address through the previously approved application. The specifications of the proposed external lighting can be controlled through condition.
- 7.3.3 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 support of the Conservation Section. Historic England raised no objection to the application, whilst no observation was received from the Victorian Society or through the site notice and publication. As neither Historic England nor any of the other National Amenity Societies have maintained an objection, this application does not need to be referred to the National Planning Casework Unit.
- 7.3.4 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 of the doorway, lighting and sample of stonework.

Recommendation

That Listed Building Consent **BE GRANTED** subject to the following conditions:

1. ST02 – Listed Building 3 year timescale
2. ST08 – Development to be carried out in accordance to approved plans
3. Details to be submitted – door finish and door opening masonry
4. Submissions sample materials – Longridge or Derbyshire sandstone

5. Details of lighting and wiring

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

<p align="center">Agenda Item</p> <p align="center">A16</p>	<p align="center">Committee Date</p> <p align="center">19 September 2016</p>	<p align="center">Application Number</p> <p align="center">16/0090/TPO</p>
<p align="center">Application Site</p> <p align="center">9 Waltham Court Halton Lancaster Lancashire</p>	<p align="center">Proposal</p> <p align="center">Crown reduction by 30%</p>	
<p align="center">Name of Applicant</p> <p align="center">Mr Chris Ollerton</p>	<p align="center">Name of Agent</p> <p align="center">-</p>	
<p align="center">Decision Target Date</p> <p align="center">20 September 2016</p>	<p align="center">Reason For Delay</p> <p align="center">N/A</p>	
<p>Case Officer</p>	<p>Miss Maxine Knagg</p>	
<p>Departure</p>	<p>No</p>	
<p>Summary of Recommendation</p>	<p>Tree Works Application – Grant Consent</p>	

(i) Procedural Matters

This is not a planning application but an application for works to a tree that is protected by a Tree Preservation Order. These types of applications are usually considered under delegated powers. However in this particular case, it is considered prudent to determine the application at Planning and Highways Regulatory Committee, because a City Council employee lives at the property.

1.0 The Site and its Surroundings

- 1.1 Waltham Court is a cul-de-sac accessed via Beech Road in the village of Halton. The property is a detached dwelling with a rear garden.
- 1.2 The tree that is subject to this application is an oak tree protected by Tree Preservation Order (TPO) Number 113 (1987). It is established within the rear garden of the property.

2.0 The Proposal

- 2.1 The Tree Works Application seeks consent to undertake works to thin the canopy and its raise the height of the canopy above ground level. The height of the crown lift has not been specified. The total volume of live branches to be removed has been identified as 30% of the existing live crown mass.

3.0 Site History

- 3.1 None relevant to this application.

4.0 Tree Works Assessment

- 4.1 The tree can be seen from the wider public domain and as such makes a positive contribution to the character and appearance of the wider public domain.
- 4.2 It is an important resource for wildlife with significant potential to provide habitat and foraging

opportunities for a range of wildlife communities, including protected species, such as nesting birds and bats. Both are protected under the terms of the Wildlife & Countryside Act (as amended 2010) 1981.

- 4.3 Generally the tree (known as T1) is in good overall condition. Leaf coverage, leaf shape, size, colour and distribution across the canopy are all within normal parameters. However, there is evidence of epicormic growth throughout the canopy, which may indicate heavy previous pruning events or an element of “stress”; new growth in the form of epicormic shoots can be produced by the tree, to either replace removed foliage or “boost” the energy producing capacity of the tree following a period of stress for whatever reason.
- 4.4 The applicant has proposed a 30% crown thin and lifting of the overall canopy height (not specified), in order to reduce the overhang of the canopy affecting several neighbouring properties. A tree of this species, age and maturity will inevitably overhang neighbouring properties given the constrained nature of the domestic property. Expectations must be realistic. The extent of work agreed must be appropriate to the trees species, age and condition.
- 4.5 A 30% loss of live foliage from T1 would be considered too extensive given the extensive presence of epicormic growth, its species and age. It would be more appropriate to limit the loss of live foliage to that of 15%, minimising the potential for an adverse impact on trees health, vitality and long term sustainability. The height of the canopy should not exceed 3m above ground level, with all pruning works limited to the removal of epicormic growth and secondary branches not exceeding 4cm in diameter. The natural shape and balance of the canopy must be maintained in the interest of good arboriculture practice and amenity value.
- 4.6 All tree work must be carried out in compliance to current standards of best practice, set out within BS 3998 (2010) Tree Work, and to ensure the visual amenity, health, vitality and long term sustainability of the trees are not adversely impacted upon.

5.0 Conclusions

- 5.1 Works are permissible to this protected tree, but not at the level originally applied for. Crown thinning by a maximum of 15% of the overall live crown mass would be appropriate.
- 5.2 Therefore Members are advised that subject to the recommendations below, consent can be granted.

Recommendation

That **CONSENT TO UNDERTAKE WORKS TO THE PROTECTED TREE IS GRANTED** subject to the following conditions:

1. That in respect of T1 – Oak - crown thinning and works to maintain the canopy height at 3m above ground level, by a maximum of 15% of the overall live crown mass. Live branches removed must be limited to epicormic growth and secondary branches not exceeding 4cm in diameter. The natural shape and balance of the canopy must be maintained.
2. That all work must be undertaken in accordance to British Standard (BS) 3998 (2010) – Tree Work.
3. Standard condition Nesting Birds and Bats

Human Rights Act

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

Background Papers

None.

LANCASTER CITY COUNCIL

APPLICATION NO	DETAILS	DECISION
16/00124/DIS	Lancaster Castle, Castle Park, Lancaster Discharge of conditions 4 and 5 on approved application 15/01621/CU for Mr Graeme Chalk (Castle Ward 2015 Ward)	Initial Response Sent
16/00125/DIS	19 Church Grove, Overton, Morecambe Discharge of condition 4, 5, 6, 8, 9, 10, 12, 13 and 14 on application 14/00366/OUT for Mr James Hutton (Overton Ward 2015 Ward)	Initial Response Sent
16/00130/DIS	19 Church Grove, Overton, Morecambe Discharge of condition 3 on application 15/00882/REM for Mr James Hutton (Overton Ward 2015 Ward)	Initial Response Sent
16/00131/DIS	7 Dallas Road, Lancaster, Lancashire Discharge of condition 4, 6, 7, 14, 15, 16 and 18 on approved application 13/00575/FUL for Mr Inayat Munshi (Castle Ward 2015 Ward)	Initial Response Sent
16/00132/DIS	Lancaster Castle, Castle Park, Lancaster Discharge of conditions 4, 5, 6, 7 and 8 on approved application 15/01620/LB for Mr Graeme Chalk (Castle Ward 2015 Ward)	Initial Response Sent
16/00134/DIS	Land Near 9 Leach House Lane, Galgate, Lancashire Discharge of condition 6, 14, 15 and 16 on approved application 16/00186/FUL for Mr E Bradshaw (Ellel Ward 2015 Ward)	Initial Response Sent
16/00135/DIS	Agricultural Barn, South Of Church Lane, Tunstall Discharge of condition 4 and 5 on approved application 16/00376/FUL for Mr Phil Stephenson (Upper Lune Valley Ward 2015 Ward)	Request Completed
16/00137/DIS	Boot And Shoe Hotel, 171 Scotforth Road, Lancaster Discharge of conditions 6, 7, 8 and 9 on approved application 16/00532/FUL for Mr Daniel Thwaites (Scotforth East Ward 2015 Ward)	Request Completed
16/00140/DIS	First Carnforth Scout Group, Kellet Road, Carnforth Discharge of conditions 5 and 6 on planning permission 15/00563/FUL for 1st Carnforth Scout Group 1st Carnforth Scout Group 1st C... (Carnforth And Millhead Ward 2015 Ward)	Initial Response Sent
16/00141/DIS	30 Main Road, Bolton Le Sands, Carnforth Discharge of conditions 4, 5 and 6 on approved application 14/00628/FUL for Sadrettin Ltd (Bolton And Slyne Ward 2015 Ward)	Initial Response Sent
16/00148/DIS	Williamson Court, 142 Greaves Road, Lancaster Discharge of condition 13 on planning permission 15/00520/VCN for McCarthy And Stone Developments Ltd (Scotforth West Ward 2015 Ward)	Request Completed
16/00152/DIS	University Of Cumbria, Bowerham Road, Lancaster Discharge of condition 3 on approved application 16/00681/FUL for Mr Paul Mcculloch (John O'Gaunt Ward 2015 Ward)	Request Completed

LIST OF DELEGATED PLANNING DECISIONS

16/00154/DIS	20 Castle Park, Lancaster, Lancashire Discharge of condition 4 on approved application 16/00192/FUL for Mr Weir (Castle Ward 2015 Ward)	Request Completed
16/00158/DIS	20 Castle Park, Lancaster, Lancashire Discharge of condition 4 on approved application 16/00193/LB for Mr Weir (Castle Ward 2015 Ward)	Request Completed
16/00416/FUL	Yew Trees, Upphall Lane, Priest Hutton Demolition of existing bungalow and erection of a 3-bed dwelling for Mrs P Thomas (Kellet Ward 2015 Ward)	Application Permitted
16/00506/FUL	Spinners Court, Queen Street, Lancaster Replacement of timber framed windows, doors and cladding with uPVC framed windows, doors and cladding to all elevations and installation of new aluminium framed doors to the rear elevation for Mrs Emma Nicholas (Castle Ward 2015 Ward)	Application Refused
16/00511/VLA	Land North Of 1 To 23, Stoney Lane, Galgate Variation of legal agreement to attached planning permission 15/00080/FUL to amend the affordable housing details for Mr Martin Nugent (Ellel Ward 2015 Ward)	Application Permitted
16/00577/FUL	Stubb Hall Barn, Scargill Road, Halton Erection of a garage below ground level for Mr & Mrs Mark Johnson (Halton-with-Aughton Ward 2015 Ward)	Application Permitted
16/00629/CU	31 - 33 Sun Street, Lancaster, Lancashire Change of use of offices (B1) to six 1-bed holiday let apartments (C1), installation of roof lights to front and rear elevations, external door and replacement window to rear elevation and Relevant Demolition of rear extension for Mr Iain Crabtree (Castle Ward 2015 Ward)	Application Permitted
16/00643/ADV	Roundabout At A6 And Junction 33, Preston Lancaster Road, Lancaster Advertisement application for the display of three non-illuminated free-standing signs for Mr Peter Bell (University And Scotforth Rural Ward)	Application Permitted
16/00646/ADV	Roundabout At Junction 35 And A6, Scotland Road, Warton Advertisement application for the display of four non-illuminated free-standing signs for Mr Peter Bell (Warton Ward 2015 Ward)	Application Permitted
16/00647/ADV	Roundabout At A6, Scotland Road, Warton Advertisement application for the display of three non-illuminated free-standing signs for Mr Peter Bell (Warton Ward 2015 Ward)	Application Permitted
16/00648/ADV	Roundabout At A6 And A6070, Borwick Lane, Warton Advertisement application for the display of four non-illuminated free-standing signs for Mr Peter Bell (Warton Ward 2015 Ward)	Application Permitted
16/00657/OUT	Land Adjacent To Hying Barn, Borwick Lane, Warton Outline application for the erection of an agricultural workers dwelling for Mr M Allen (Warton Ward 2015 Ward)	Application Refused

LIST OF DELEGATED PLANNING DECISIONS

16/00677/FUL	1 Gordon Cottages, Main Road, Bolton Le Sands Erection of a two storey side extension and construction of a replacement front porch for Mr Stephen Ellwood (Bolton And Slyne Ward 2015 Ward)	Application Permitted
16/00683/FUL	23 Yealand Drive, Lancaster, Lancashire Retrospective application for the retention of a first floor side extension, a two storey side extension, a rear external staircase and outbuilding and full planning permission for the erection of close boarded timber screens and installation of solar panels to flat roof of outbuilding. for Andrew Wood (Scotforth East Ward 2015 Ward)	Split Decision
16/00686/FUL	6 Hatlex Hill, Hest Bank, Lancaster Erection of a single storey side extension for Mr & Mrs R. Scarr (Bolton And Slyne Ward 2015 Ward)	Application Refused
16/00688/FUL	Land North West Of Number 47, Main Street, Cockerham Erection of a detached dwelling for Mr & Mrs R Ayrton (Ellel Ward 2015 Ward)	Application Permitted
16/00700/FUL	Avalon And West Mount, Heysham Head, Barrows Lane Erection of a shared double garage for Mr Hemingway (Heysham South Ward 2015 Ward)	Application Permitted
16/00705/CU	Packet Boat Hotel, 95 Main Road, Bolton Le Sands Change of use of public house (A4) to two three bed dwellings (C3), demolition of existing single storey and two storey rear extension, erection of small single storey extension to the rear, erection of a detached garage and erection of new and raising of existing boundary walls for Mr Geoff Harris (Bolton And Slyne Ward 2015 Ward)	Application Permitted
16/00706/LB	Packet Boat Hotel, 95 Main Road, Bolton Le Sands Listed Building application for the demolition of existing single storey and two storey rear extension, erection of single storey rear extension, erection of a detached garage, erection of new and raising of existing boundary walls, installation of new windows to the side, reinstated door to the side, new partition walls and a new staircase for Mr Geoff Harris (Bolton And Slyne Ward 2015 Ward)	Application Permitted
16/00713/FUL	46 - 48 Church Street, Lancaster, Lancashire Installation of a retractable canopy to the front elevation and a timber pergola to the rear for Mr Gavra (Castle Ward 2015 Ward)	Application Permitted
16/00714/LB	46 - 48 Church Street, Lancaster, Lancashire Listed building application for the installation of a retractable canopy to the front elevation and a timber pergola to the rear for Mr Gavra (Castle Ward 2015 Ward)	Application Permitted
16/00716/FUL	Beech Farm, Abbeystead Road, Abbeystead Erection of an extension to existing outbuilding to form garage for Mr A Cross And Ms G Sayers (Ellel Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

16/00744/ADV	Shell Garage, Caton Road, Lancaster Advertisement application for the display of two internally illuminated fascia signs to canopy, one non-illuminated fascia sign to shop and one internally illuminated 5m high totem sign, 5 non-illuminated directional signs and 2 non-illuminated poster signs for Shell (Bulk Ward 2015 Ward)	Application Permitted
16/00749/FUL	4 Yew Tree Gardens, Silverdale, Carnforth Erection of a single storey front extension, replacement of garage door with 2 windows, 1 door and cladding, widening of existing window and replacement of door with window. for Mr & Mrs Gordon and Suzanne Crabtree (Silverdale Ward 2015 Ward)	Application Permitted
16/00754/ADV	Tyre Force Carnforth, Haws Hill, Carnforth Advertisement application for the display of non-illuminated signage comprising of one fascia sign, one free-standing sign, and five window signs for Mr Steve Richardson (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
16/00762/FUL	15 Whitendale Drive, Bolton Le Sands, Carnforth Installation of a raised pitched roof to the side and rear elevations for Mr A Macluskie (Bolton And Slyne Ward 2015 Ward)	Application Permitted
16/00768/FUL	Field Number 8400, Jeremy Lane, Glasson Dock Change of use of land from agricultural to equestrian use with the creation of a new access track and hardstanding area, erection of stable and storage building and erection of 2 polytunnels for Mr Glen Jones (Ellel Ward 2015 Ward)	Application Permitted
16/00775/PLDC	Condergarth, Kit Brow Lane, Ellel Proposed lawful development certificate for the relocation of 5 static caravans for Mr Ken Drinkwater (Ellel Ward 2015 Ward)	Lawful Development Certificate Granted
16/00776/CU	7A Euston Road, Morecambe, Lancashire Change of use of first floor restaurant (A3) and second floor apartment (C3) to bed & breakfast accommodation for the Royal Hotel comprising 5 ensuite bedrooms and 2 2-bed suites (C1) and alterations to fenestration and cladding to north and west elevations for Royal Hotel Morecambe Ltd (Poulton Ward 2015 Ward)	Application Permitted
16/00778/FUL	38 Poulton Road, Morecambe, Lancashire Retrospective application for the change of use of ground floor shop (A1) to one 1-bed flat (C3), removal of door and windows and insertion of a replacement window for Mr P McChrystal (Poulton Ward 2015 Ward)	Application Refused
16/00784/FUL	The Lilacs, Kellet Road, Over Kellet Erection of a single storey rear and side extension, construction of a dormer extension to the side elevation and change of use of agricultural land to domestic garden for Mr & Mrs Jonathan and Sarah Whiley (Kellet Ward 2015 Ward)	Application Permitted
16/00792/LB	The Old Vicarage, Melling Road, Melling Listed building application for replacement windows with removal of door to the rear and creation of a replacement window for Mr Robert Burke (Upper Lune Valley Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

16/00793/PAA	Sellerley Barn, Sellerley Farm, Conder Green Road Prior Approval for the change of use of an agricultural building to two dwellinghouses (C3) for Mr Edward Newsham (Ellel Ward 2015 Ward)	Application Permitted
16/00795/FUL	32 Cleveleys Avenue, Lancaster, Lancashire Erection of a two storey side extension and first floor rear extension for Mr & Mrs I. Willey (Skerton West Ward 2015 Ward)	Application Permitted
16/00809/FUL	Tebay House, Main Street, Whittington Demolition of existing side extension and erection of a single storey side and rear extension for Ms S Hall (Upper Lune Valley Ward 2015 Ward)	Application Permitted
16/00810/CU	Irving House, Northgate, White Lund Industrial Estate Retrospective application for the change of use from sale of motor vehicles into gymnasium (use class D2) for Bay Fit Ltd (Westgate Ward 2015 Ward)	Application Refused
16/00812/FUL	46 Main Street, Heysham, Morecambe Retrospective application for the retention of a new shop front for Mr Wilson (Heysham Central Ward 2015 Ward)	Application Permitted
16/00813/FUL	Grasscroft, Borwick Avenue, Warton Erection of a detached 2-storey dwelling (C3) with associated access and landscaping for Mr Garry Brown (Warton Ward 2015 Ward)	Application Permitted
16/00814/FUL	Owen House, 6 Thurnham Street, Lancaster Change of use of carpet shop (A1) to student accommodation comprising of two 1 bed studios (C3), one 4 bed cluster (C4) and one 7 bed cluster (sui generis) for Back2Base Properties Ltd (Castle Ward 2015 Ward)	Application Withdrawn
16/00815/LB	Owen House, 6 Thurnham Street, Lancaster Listed Building application for internal and external alterations comprising of the removal of partition walls and the installation of a ground to first floor modern staircase, new stud partition walls and suspended ceilings to create a new third floor and staircase access and installation of roof windows and window in the north gable for Back2Base Properties Ltd (Castle Ward 2015 Ward)	Application Withdrawn
16/00818/ADV	Land At, Middleton Way, Heysham Advertisement application for the display of 1 non-illuminated acrylic letters, 2 externally illuminated logos, 3 non-illuminated wall mounted aluminium panels and 1 non-illuminated totem for Co Op (Heysham South Ward 2015 Ward)	Application Permitted
16/00829/CU	Unit E, Middlegate, White Lund Industrial Estate Change of use of office and storage (B1/B8) to ambulance maintenance/parking and associated offices (sui generis) and installation of 3 air conditioning units and 2 first floor windows on the side elevation for Mr J Smith (Westgate Ward 2015 Ward)	Application Permitted
16/00830/LB	Beech Farm, Abbeystead Road, Abbeystead Listed building application for erection of an extension to existing outbuilding to form garage for Mr A Cross And Ms G Sayers (Ellel Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

16/00831/FUL	O2 LNC018A SD47NE At Scout Camp, The Row, Silverdale Installation of a 0.6 metre transmission dish attached to existing mast with associated cabling and fixing for Airwave (Silverdale Ward 2015 Ward)	Application Permitted
16/00834/ADV	Former Booths Store, 338 Lancaster Road, Morecambe Advertisement application for the display of two externally illuminated fascia signs for Mr Zummarad Ajab (Torrisholme Ward 2015 Ward)	Application Permitted
16/00835/FUL	3 Kirkbeck Close, Brookhouse, Lancaster Demolition of existing rear porch and erection of conservatory to the rear with construction of external steps for Mr & Mrs Steven & Anne Young (Lower Lune Valley Ward 2015 Ward)	Application Permitted
16/00837/FUL	Greenholes Barn, Roeburndale Road, Littledale Change of use of grazing land for the siting of three camping pods and facilities building, including landscaping and car park for Mr A Dickinson (Lower Lune Valley Ward 2015 Ward)	Application Refused
16/00841/LB	Lancaster Girls Grammar School, Regent Street, Lancaster Listed building consent for replacement to part of the roof for Mr Tim Lynas (Castle Ward 2015 Ward)	Application Permitted
16/00843/FUL	7 Harrowdale Park, Halton, Lancaster Construction of a dormer extension to the rear elevation and erection of a replacement detached garage for Mr S Barnes (Halton-with-Aughton Ward 2015 Ward)	Application Permitted
16/00844/FUL	Bell Hill Barn, Bell Hill Farm, Littledale Road Erection of porch to the rear elevation for Mr & Mrs D Fulford (Lower Lune Valley Ward 2015 Ward)	Application Permitted
16/00846/LB	Lancaster Castle, Castle Park, Lancaster Listed Building application for removal of anti-climb spikes for Mr Graeme Chalk (Castle Ward 2015 Ward)	Application Permitted
16/00851/PLDC	106 Bowerham Road, Lancaster, Lancashire Proposed lawful development certificate for the erection of a single storey rear extension for Mr N. Oliver (Scotforth East Ward 2015 Ward)	Lawful Development Certificate Granted
16/00852/FUL	11 St Annes Close, Brookhouse, Lancaster Demolition of existing garage, erection of a replacement garage, erection of a two storey side extension, construction of a dormer extension to the rear elevation and erection of a front porch for Mr & Mrs Andrew Whittaker (Lower Lune Valley Ward 2015 Ward)	Application Permitted
16/00854/FUL	11A Coastal Road, Hest Bank, Lancaster Erection of a two storey rear extension for Mr & Mrs Lee & Laura Fisher (Bolton And Slyne Ward 2015 Ward)	Application Permitted
16/00858/FUL	Land South Of Mill Hill House, Lancaster Road, Heaton With Oxcliffe Installation of fencing and access gate for Mrs Karen Taylor (Overton Ward 2015 Ward)	Application Permitted
16/00860/FUL	14 Whitendale Drive, Bolton Le Sands, Carnforth Installation of a balcony to the rear elevation for Mr Noel Kelly (Bolton And Slyne Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

16/00861/FUL	Land To The Rear Of , Sunacre Court, Maple Avenue Erection of a 2-storey block of four flats and a pair of 2-storey semi-detached dwellings with associated access and parking for Mr Andrew Sheerin (Heysham North Ward 2015 Ward)	Application Permitted
16/00862/PLDC	3 Hutton Crescent, Morecambe, Lancashire Proposed lawful development certificate for the erection of single storey side extension to form garage for Mr T. Lewis (Harbour Ward 2015 Ward)	Lawful Development Certificate Granted
16/00863/FUL	24 Farmdale Road, Lancaster, Lancashire Erection of a garage to the side elevation and construction of a dormer extension to the front elevation for Mr & Mrs S. King (John O'Gaunt Ward 2015 Ward)	Application Permitted
16/00870/LB	Gressingham Hall, Fall Kirk, Gressingham Listed Building application for re-roofing works including replacement lead flashings and re-pointing of chimney stacks and copings utilising lime mortar for Ms Jane Paxman (Upper Lune Valley Ward 2015 Ward)	Application Permitted
16/00875/RCN	28 Lister Grove, Heysham, Morecambe Erection of a conservatory to rear (pursuant to the removal of condition 4 on planning permission 13/00442/FUL to remove the obscure glazed window restriction on the North elevation) for Mr Andrew Pattison (Heysham South Ward 2015 Ward)	Application Refused
16/00876/FUL	244 Oxcliffe Road, Heysham, Morecambe Construction of two dormer extensions to the front elevation and replacement of a partially hipped roof with gable ends for Mr Henry Brockhill (Westgate Ward 2015 Ward)	Application Permitted
16/00880/PLDC	15 Hatlex Drive, Hest Bank, Lancaster Proposed lawful development certificate for the construction of a dormer extension to the rear elevation and hip to gable roof extension for Mr & Mrs Rigby (Bolton And Slyne Ward 2015 Ward)	Lawful Development Certificate Granted
16/00882/PLDC	6 Lawson Close, Lancaster, Lancashire Proposed Lawful Development certificate for the erection of a single storey rear extension for Mr Lee Jackson (Scotforth West Ward 2015 Ward)	Lawful Development Certificate Granted
16/00883/PLDC	1 Johnson Close, Carnforth, Lancashire Proposed lawful development certificate for the erection of a front porch for Mr R. Mayor (Carnforth And Millhead Ward 2015 Ward)	Lawful Development Certificate Refused
16/00884/FUL	Nottage House, Hornby Road, Claughton Erection of a single storey side extension for Mr J Adams (Lower Lune Valley Ward 2015 Ward)	Application Permitted
16/00886/FUL	Mast South Of Four Acres, Detron Gate Farm, Dertern Lane Replacement of telecommunications equipment and installation of 3 additional transmission dishes for CTIL And Vodafone Ltd (Bolton And Slyne Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

16/00888/PLDC	86 Cleveleys Avenue, Lancaster, Lancashire Proposed lawful development certificate for the erection of a first floor rear extension, construction of hip to gable extension and dormer extension to the rear elevation for Mr C Hallows (Skerton West Ward 2015 Ward)	Lawful Development Certificate Granted
16/00894/FUL	30 Cowdrey Mews, Lancaster, Lancashire Installation of window to the first floor side elevation for Mrs Kelsey (Marsh Ward 2015 Ward)	Application Permitted
16/00898/NMA	Ex Focus Do It All, Westgate, Morecambe Non material amendment on planning permission 16/00492/VCN to amend the shop front colour to ocean blue RAL 5020 for T J Morris Limited (Westgate Ward 2015 Ward)	Application Permitted
16/00899/FUL	Stoneleigh, 1 Mill Lane, Warton Erection of a single storey rear extension for Mr Oliver Taylor (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
16/00917/LB	Lancaster Castle, Castle Park, Lancaster Listed building application for repairs to masonry and window to the former female penitentiary building for Mr Graeme Chalk (Castle Ward 2015 Ward)	Application Permitted
16/00928/CCC	Low Broomfield, Kirkby Lonsdale Road, Arkholme Importation of waste concrete to be used for stabilisation of the river bank for Mr A Wallbank (Kellet Ward 2015 Ward)	No Objections
16/00930/FUL	The Cottage, 1A Fern Bank, Lancaster Replacement of existing window with Rosewood UPVC french doors to north elevation for Mr J Carroll (Scotforth West Ward 2015 Ward)	Application Permitted
16/00931/CU	Halls Farm, Scorton Marshaw Road, Over Wyresdale Change of use of part of barn to form additional living accommodation for the adjacent dwelling for Mrs E Stamford Davis (Ellel Ward 2015 Ward)	Application Permitted
16/00933/FUL	Church View, Church Brow, Halton Installation of a raised replacement roof to create first floor accommodation, construction of a balcony to the rear elevation and removal of two chimney stacks for Mr Philip Hindle (Halton-with-Aughton Ward 2015 Ward)	Application Refused
16/00944/NMA	10 New Street, Lancaster, Lancashire Non material amendment to planning permission 12/00794/CU to replace rear roof windows with smoke venting windows for Ms Jan Alam (Castle Ward 2015 Ward)	Application Permitted
16/00946/AD	Lodge Farm, Lodge Lane, Melling Agricultural determination for the erection of an agricultural building to house machinery/equipment and livestock for Mr Mark Parker (Upper Lune Valley Ward 2015 Ward)	Prior Approval Not Required
16/00949/FUL	6 Langden Brook Mews, Morecambe, Lancashire Erection of a single storey side/rear extension for Mr J. Cocker (Skerton West Ward 2015 Ward)	Application Refused
16/00952/FUL	24 Meldon Grange, Heysham, Morecambe Erection of a conservatory to the side for Mr G Wilkinson (Heysham South	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS Ward 2015 Ward)

16/00953/FUL	27 Knowlys Avenue, Heysham, Morecambe Erection of a porch to front elevation for Mr And Mrs Church-Morrell (Heysham Central Ward 2015 Ward)	Application Permitted
16/00954/FUL	Glendene, 19 Shaw Lane, Nether Kellet Erection of a porch to front elevation for Mrs V Atkinson (Kellet Ward 2015 Ward)	Application Permitted
16/00965/NMA	Land North Of 1 To 23, Stoney Lane, Galgate Non-material amendment to planning permission 16/00255/VCN to reconfigure the parking arrangement for plot 7 for Mr Martin Nugent (Ellel Ward 2015 Ward)	Request Completed
16/00968/FUL	38 Lancaster Road, Overton, Morecambe Erection of a part single and part 2 storey side, front and rear extension to replace existing single storey side extension for Mr & Mrs J. Bottomley (Overton Ward 2015 Ward)	Application Permitted
16/00977/FUL	6 Chapel Walk, Warton, Carnforth Construction of dormer extensions to the front, side and rear elevations for Mr A Shanks (Warton Ward 2015 Ward)	Application Permitted
16/00998/FUL	11 The Shore, Bolton Le Sands, Carnforth Demolition of existing rear extension, erection of a replacement single storey rear extension, construction of a flue and a raised platform to the rear for Mr & Mrs M. Brzezinka (Bolton And Slyne Ward 2015 Ward)	Application Permitted
16/01014/FUL	89 Watery Lane, Lancaster, Lancashire Erection of a rear conservatory for Mr P Turnbull (Skerton West Ward 2015 Ward)	Application Permitted