



**Committee:** PLANNING AND HIGHWAYS REGULATORY COMMITTEE

**Date:** MONDAY, 6<sup>TH</sup> FEBRUARY 2017

**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 9<sup>th</sup> January, 2017 (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 that the proposed development has particular implications for community safety, the issue is fully considered within the main body of the individual planning application report. The weight attributed to this is a matter for the decision-taker.

## Local Finance Considerations

Section 143 of the Localism Act requires the local planning authority to have regard to local finance considerations when determining planning applications. Local finance considerations are defined as a grant or other financial assistance that has been provided; will be provided; or could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments), or sums that a relevant authority has, will or could receive in payment of the Community Infrastructure Levy. Whether a local finance consideration is material to the planning decision will depend upon whether it could help to make development acceptable in planning terms, and where necessary these issues are fully considered within the main body of the individual planning application report. The weight attributed to this is a matter for the decision-taker.

## Human Rights Act

Planning application recommendations have been reached after consideration of The Human Rights Act. Unless otherwise explicitly stated in the 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.

5	<b>A5 16/00847/FUL</b>	<b>Filter House, Scotforth Road, Lancaster</b>	<b>University and Scotforth Rural Ward</b>	<b>(Pages 1 - 12)</b>
		Erection of two 4-storey student accommodation buildings comprising of 28 6-bed cluster flats (C4) with associated car parking and bin and cycle stores for William Mason		
6	<b>A6 16/01310/REM</b>	<b>TNT Garage, Hornby Road, Caton</b>	<b>Lower Lune Valley Ward</b>	<b>(Pages 13 - 20)</b>
		Reserved matters application for the erection of 30 dwellings with associated accesses and internal roads for Mulbury Homes Limited & Regenda Limited		
7	<b>A7 16/01308/REM</b>	<b>Land For Proposed Bailrigg Business Park, Bailrigg Lane, Lancaster</b>	<b>University and Scotforth Rural Ward</b>	<b>(Pages 21 - 29)</b>
		Reserved Matters application for the erection of a 5 storey research and development building (B1) with ancillary facilities, new internal road, car parking and landscaping for Lancaster University		

<b>8</b>	<b>A8 16/01373/FUL</b>	<b>Land To The Rear Of Dragons Head Hotel, Main Street, Whittington</b>	<b>Upper Lune Valley Ward</b>	<b>(Pages 30 - 39)</b>
		Demolition of outbuildings, conversion of barn to dwelling, erection of 3 dwellings with associated landscaping, parking and alterations to the existing access for Mr Simon Nutter		
<b>9</b>	<b>A9 16/01475/VCN</b>	<b>Tesco, Lodge Quarry, Lancaster Road</b>	<b>Carnforth and Millhead Ward</b>	<b>(Pages 40 - 43)</b>
		Erection of a food retail store and relocation of existing plant hire company including demolition works and ancillary servicing and alterations to access (pursuant to the variation of condition 20 on planning permission 15/01438/VCN in relation to hours of deliveries) for Tesco Stores Ltd		
<b>10</b>	<b>A10 16/01567/LB</b>	<b>Assembly Rooms, King Street, Lancaster</b>	<b>Castle Ward</b>	<b>(Pages 44 - 47)</b>
		Listed building application for the removal of internal walls and the construction of an internal draught lobby for Ms Sarah Price		
<b>11</b>	<b>A11 15/00825/ADV</b>	<b>Storey Institute , Meeting House Lane, Lancaster</b>	<b>Castle Ward</b>	<b>(Pages 48 - 52)</b>
		Advertisement application for the display of eleven non-illuminated signs for Lancaster City Council		
<b>12</b>	<b>A12 15/00821/LB</b>	<b>Storey Institute , Meeting House Lane, Lancaster</b>	<b>Castle Ward</b>	<b>(Pages 53 - 56)</b>
		Listed building application for the fixing of eleven new signs for Lancaster City Council		
<b>13</b>	<b>Quarterly Reports (Pages 57 - 63)</b>			
<b>14</b>	<b>Delegated Planning Decisions (Pages 64 - 73)</b>			

## **ADMINISTRATIVE ARRANGEMENTS**

### **(i) Membership**

Councillors Carla Brayshaw (Chairman), Helen Helme (Vice-Chairman), June Ashworth, Stuart Bateson, Eileen Blamire, Dave Brookes, Abbott Bryning, Claire Cozler, Andrew Kay, 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](mailto:tmott@lancaster.gov.uk).

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

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

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Published on Wednesday 25<sup>th</sup> January, 2017.

Agenda Item A5	Committee Date 6 February 2017	Application Number 16/00847/FUL
<p align="center"><b>Application Site</b></p> <p align="center">Filter House Scotforth Road Lancaster Lancashire</p>	<p align="center"><b>Proposal</b></p> <p align="center">Erection of two 4-storey student accommodation buildings comprising of 28 6-bed cluster flats (C4) with associated car parking and bin and cycle stores</p>	
<p align="center"><b>Name of Applicant</b></p> <p align="center">William Mason</p>	<p align="center"><b>Name of Agent</b></p> <p align="center">Mr David Hall</p>	
<p align="center"><b>Decision Target Date</b></p> <p align="center">27 February 2017</p>	<p align="center"><b>Reason For Delay</b></p> <p align="center">Not applicable</p>	
<p><b>Case Officer</b></p>	<p>Mr Mark Potts</p>	
<p><b>Departure</b></p>	<p>Yes</p>	
<p><b>Summary of Recommendation</b></p>	<p>Approval (Subject to No Objections from National Grid and Environmental Health Officers otherwise the scheme be refused)</p>	

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

- 1.1 The application site relates to a parcel of land of 0.8ha on the west side of the A6, south of the urban area of Lancaster. The site is triangular, around 240m in length from north to south and 60m in width at the north end, tapering to a point at the southern end. The site is located within designated countryside area approximately 3km from Lancaster City Centre. Under the saved Local Plan the site is allocated for business use and adjoins land to the east (opposite the A6) that is allocated for the Bailrigg Science Park (Health Innovation Campus).
- 1.2 The site remains vacant and has done now for some considerable length of time. It was occupied by a former water filter house which has since been demolished. The only building now on the site is an electricity substation which dates from the 1960's. The site has suffered from quite extensive vandalism and graffiti over recent years.
- 1.3 The application site is tightly positioned between the A6 to the east of the site, which is a busy strategic vehicular access corridor into and out of the city, and the West Coast railway line to the west side. It therefore occupies a very prominent position at the southern gateway to the city. Beyond these access corridors the site is surrounded by open countryside, predominately used for agricultural purposes. Burrow Beck runs along the northern boundary of the site and is identified as a Biological Heritage Site. It also forms part of the Urban Greenspace designation which creates a natural edge to the boundaries of the urban area of Lancaster.
- 1.4 Vehicular access to the site is directly from the A6 into an area of hardstanding previously used for servicing and car parking. There is a pedestrian footway on the opposite (east) side of the A6 but no pedestrian crossing, although there is a pedestrian refuge at the centre of the carriageway. The south bound bus stop adjoins the site at its southern end whilst the north bound stop is opposite the northern part of the site. The closest strategic cycle network is to the east of the A6 near the settlement of Bailrigg. This cycle path links the residential areas of South Lancaster to the University.

**2.0 The Proposal**

- 2.1 The proposed development consists of two purpose-built accommodation blocks. The first of which is a 4 storey building which measures 14 metres in height at its highest point and would be 107 metres in length by 11 metres wide. The proposed materials consist of un-coursed stone facing to the ground floor, with darkened larch along the A6 frontage and native larch cladding within the inner courtyard elevation. The roof material would consist of a membrane in lead effect finish with standing seams.
- 2.2 Block B is located north of the existing substation on the site, and would be 30 metres in length, 8 metres in width and a maximum of 14 metres in height. Materials would include a mix of native larch cladding and un-coursed stone to the lower ground floor.
- 2.3 The proposed accommodation consists of student “cluster unit” consisting of 28 flats, being up to 6 bedrooms per cluster flat. In total the scheme would provide for 168 bedrooms across the two buildings. Car parking is to be provided in the form of 38 car parking spaces. Cycle stores would accommodate 56 bicycles, and provision is also made for refuse storage together with amendments to the position of the site access.

**3.0 Site History**

- 3.1 The site has been the subject of a number of planning applications.

Application Number	Proposal	Decision
15/00135/FUL	Demolition of existing buildings	Approved
13/00321/OUT	Demolition of former car showroom and erection of a food store (use class A1) and construction of a new access, servicing and parking areas	Refused and appeal withdrawn.
09/01102/CU	Resubmission of application 09/00859/CU for change of use from car showroom to A1 non-food bulky goods retail	Refused and dismissed at appeal.
09/00859/CU	Change of use from car showroom to A1 Non-food bulky goods retail	Withdrawn
99/01191/CU	Change of use to two units for the sale of cars/motor vehicles including works for parking, access and landscaping	Approved subject to the provision of a right turn lane and all other accesses to be closed.
99/00690/CU	Change of use to specialist car sales/servicing and carpet storage	Refused on highway grounds and landscaping.
98/00075/CU	Engineering/demolition works, incidental to the existing use of the land including altering land levels and resurfacing to facilitate temporary use of the site for storage purposes	Approved
98/00593/CU	Change of use to class B1 (Business/Light Industrial Use). Retention of new access and car parking.	Approved

**4.0 Consultation Responses**

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

Consultee	Response
Scotforth Parish Council	<b>Concerns</b> – safety implications for students crossing the A6, poor standard of access and the built form is out of context with the adjacent approach to the city.
County Highways	Initially requested additional information, however following receipt of additional information raise <b>No Objection</b> to the scheme subject to planning conditions controlling offsite highway works, a construction method statement, cycle and

	motorcycle facilities, a traffic regulation order restricting waiting on the A6, together with conditions for car parking and wheel cleaning.
<b>Tree Protection</b>	<b>No objection.</b>
<b>Greater Manchester Ecology Unit</b>	<b>No objection;</b> recommends conditions to protect Burrow Beck during construction activities and a boundary between the site. A water vole survey is also recommended should any works to the becks banks occur.
<b>Lancaster Civic Society</b>	<b>Object</b> to the development on the basis that it is in an unsustainable location and would advise that the City Council suspend further consideration of the planning application.
<b>Conservation Officer</b>	<b>No objection.</b>
<b>Environment Agency</b>	<b>No objection,</b> subject to conditions controlling contamination and highlight that Burrow Beck is main river and works within 8 metres will require their consent.
<b>Lancaster University</b>	<b>Objection</b> on the basis of planning policy conflict, sustainability credentials, highway safety concerns, noise, residential amenity concerns and design. Further <b>Objection</b> (19 <sup>th</sup> January 2017) raising concerns regarding the compatibility of the proposal with the prospective garden village, concerns on layout and design, and transportation issues.
<b>University of Cumbria</b>	No observations received within the required timescales.
<b>Mineral Safeguarding</b>	No observations received within the required timescales.
<b>National Grid</b>	<b>No objection</b> to the initial proposals. Awaiting observations regarding the siting of Block B adjacent to overhead lines and these observations will be reported to members.
<b>Network Rail Asset Protection</b>	<b>No objection</b> in principle, however raise issues in connection with the safe operation of the existing west coast mainline.
<b>Lead Local Flood Authority</b>	<b>Objection</b> based upon a non-suds compliant drainage scheme. Members will be verbally updated regarding their stance to the applicant's revised proposals.
<b>United Utilities</b>	<b>No objection</b> on the basis that the applicant disregards the suggestion that the site will be drained via the existing oversized pipe and should be drained to the watercourse at Burrow Beck.
<b>Lancashire Constabulary</b>	<b>No objection,</b> recommend conditions associated with secured by design, physical security, CCTV and lighting.
<b>Environmental Health (Air Quality)</b>	<b>Objection</b> to the proposal as insufficient information has been supplied in relation to Air Quality in particular in relation to the Air Quality Management Areas at Galgate and Lancaster.
<b>Environmental Health (Contaminated Land)</b>	<b>No Objection,</b> recommends conditions associated with contaminated land.
<b>Environmental Health (Noise)</b>	<b>No Objection,</b> recommends conditions ensuring the internal noise levels meet the required standards. Advice has been sought on the amended proposals given the proximity of Block B to the overhead power cables and members will be informed verbally at Committee.
<b>Local Plans</b>	<b>No objection</b> to the scheme, whilst the scheme is a departure from the local plan the marketing that has been carried out over recent years is considered acceptable.
<b>Electricity North West</b>	<b>No objection,</b> however note that the development is adjacent to the ENWL substation.
<b>Dynamo</b>	<b>No objection</b> to the development for student accommodation however they do raise objection as cycle provision is on piecemeal basis and that development of South Lancaster is not joined up.

## 5.0 Neighbour Representations

5.1 The application has been advertised in the press and by site notice. To date there has been no representations received in response to the scheme.

## 6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework

Paragraph 12 and 14 – Presumption in favour of Sustainable Development  
Paragraph 17 – Core Principles  
Section 1 (paragraph 18 – 22) – Building a strong, competitive economy  
Paragraph 28 – Supporting the rural economy  
Section 4 (paragraphs 29 – 41) – Promoting sustainable transport  
Paragraphs 56, 58, 61, 64 – Good Design  
Paragraph 69 – Promoting healthy communities  
Paragraph 123 - Noise  
Paragraphs 188-190 – Pre-application engagement  
Paragraphs 196-198 – Determining planning applications

## 6.2 Local Planning Policy Overview – Current Position

At the 14 December 2016 meeting of its' Full Council, the local authority resolved to undertake public consultation on:

- (i) The Strategic Policies and Land Allocations Development Plan Document (DPD); and,
- (ii) A Review of the Development Management DPD.

This will enable progress to be made on the preparation of a Local Plan for the Lancaster District. It is envisaged that the public consultation will commence on 27 January 2017 and conclude on 24 March 2017, after which (if the consultation is successful), the local authority will be in a position to make swift progress in moving towards the latter stages of; reviewing the draft documents to take account of consultation outcomes, formal publication and submission to Government, and, then independent Examination of the Local Plan. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in 2018.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan. Following the Council resolution in December 2016, it is considered that the Strategic Policies and Land Allocations DPD is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan's preparation progresses through the stages described above.

The **Review of the Development Management DPD** updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making. Where any policies in the draft 'Review' document are different from those adopted in 2014, and those policies materially affect the consideration of the planning application, then these will be taken into account during decision-making, although again with limited weight. The weight attributed to the revised policies in the 'Review' will increase as the plan's preparation progresses through the stages described above.

## 6.3 Lancaster District Core Strategy (adopted July 2008)

E1- Environmental Capital  
SC1 – Sustainable Development  
SC2- Urban Concentration  
SC4 – Meeting the District's Housing Requirement  
SC5- Quality in Design

## 6.4 Lancaster Local Plan

EC1 – Lancaster Science Park  
E29 – Urban Greenspace

## 6.5 Development Management DPD

DM20 – Enhancing Accessibility and Transport Linkages  
DM21 – Walking & Cycling  
DM22 – Vehicle Parking Provision  
DM23 – Transport Efficient and Travel Plans



DM35 – Key Design Principles  
DM36 – Sustainable Design  
DM37 – Air Quality Management and Pollution  
DM38 – Development and Flood Risk  
DM39 – Surface Water Run-Off and SUDS  
DM46 – Accommodation for Students  
Appendix B – Car Parking Standards  
Appendix D – Purpose Built and Converted Shared Accommodation  
Appendix F – Studio Accommodation

### 6.6 Strategic Policies and Land Allocations DPD (Consultation January 2017)

Policy DOS5 – Land at the Old Filter House, South Lancaster  
Policy SG1 – Bailrigg Garden Village

## **7.0 Comment and Analysis**

7.0.1 The main considerations with the application are as follows;

- Principle of Student Accommodation (including Prematurity);
- Loss of Employment Land;
- Highways/Accessibility;
- Design and Amenity;
- Ecology;
- Drainage and Infrastructure;
- Noise and Vibration;
- Air Quality;
- Landscaping;
- Other Matters.

### 7.1 Principle of Student Accommodation (including Prematurity)

7.1.1 The Local Planning Authority are supportive of new purpose built student accommodation, and would generally look to direct this to Lancaster City Centre. Generally, the development of purpose-built student accommodation provides an opportunity to seek to return some of the traditional housing stock (including areas of Primrose, Bowerham and Greaves) back to the residential open market, hopefully providing much-needed affordable accommodation for first time buyers. The site can be accessed via a 1.5km walk from Lancaster University (walking along the A6 and then via Bigforth Drive – although students are more likely to walk via Bailrigg Lane which is around 1.25km) and is approximately 3km from the University of Cumbria. However the site is located on the main bus stop route (which will change slightly as part of the Health Innovation Campus proposals) and is served by a variety of bus services which go directly to both Universities. The nearest supermarket is Booths – also located on the same bus route – and lies approximately 1km from the site. There is also the Shell Garage (Spar Convenience Store) on Scotforth Road (775 metres to the north). Whilst other amenities are slightly further away than ideally would be required for a scheme that proposes the number of bedrooms that this scheme does; given its relationship to the University, and being on the main bus route, this weighs in support in terms of the planning balance. The nature of the use proposed – student accommodation – has greater potential for linkage with the University and the proposed Health Innovation Campus than other previous proposals for the site (e.g. retail).

7.1.2 The need for student accommodation in Lancaster is identified within the Development Management DPD and Policy DM46 sets out criteria by which proposals will be assessed, such as ensuring appropriate living conditions, occupancy conditions, development that is sympathetic to heritage assets and satisfies all relevant planning policies. The local authority are supportive of student accommodation, however would ordinarily wish to see this located within the City Centre as highlighted in Paragraph 7.1.1. Lancaster University have significant concerns with regards to the sites location and question the sustainability credentials, and considers the application is highly speculative and offers nothing in the way of significant benefits to ensure that the students receive the best possible experience whilst studying at the University. Officers share the views of the University in-so-far as the site is quite isolated, and to get to basic amenities there will be a need to cross the busy A-Road, with the pavement along the A6 (to the rear of Oakwood Gardens) being

under the standard 2m pavement width, however a number of students and non-students currently use this route to get to the local amenities in Scotforth.

- 7.1.3 At the start of the year the area of Bailrigg was announced as one of 14 new Garden Villages in the country. The Government has emphasised that the Garden Villages would be distinct new places with their own community facilities, rather than extensions to urban areas. The application site is located within the Bailrigg Garden Village area.
- 7.1.4 The Garden Village is also an emerging land allocation in the Development Plan with the intention to create a well-planned and distinctive place. Under emerging Policy SG1 developments will be supported where they satisfy design, environmental, transport and infrastructure considerations. These issues are examined in more detail throughout this report. Whilst at present the site does feel quite divorced from surrounding development and infrastructure, it is still a brownfield site in a prominent location. It is envisaged over time that development will come forward around the application site, but of course each application has to be assessed on their own specific strengths and weaknesses.
- 7.1.5 More recent correspondence regarding this planning application includes representations that say that the planning application should not be determined until more is known about the Garden Village. Local Planning Authorities must determine planning applications in a timely manner and cannot defer them indefinitely. To do so would almost certainly lead to an applicant appealing against 'non-determination' of the planning application. Whilst indefinite deferral is clearly not an option, there is (in extreme circumstances) the option of refusing an application on the grounds of prematurity.
- 7.1.6 National Planning Practice Guidance provides useful commentary on the issue of prematurity. It states:
- "Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process".*
- 7.1.7 When considering whether this particular development is premature (i.e. ahead of masterplanning the Bailrigg Garden Village), the two questions that need to be considered are:
- (a) Is the development proposed so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and,
  - (b) Is the emerging plan is at an advanced stage (even though it is not yet formally part of the development plan for the area).
- 7.1.8 In response to the first issue, whilst masterplanning will be so fundamental to successfully delivering the Garden Village, it is considered that the Filter House site can be developed ahead of this work. This is because the site is unique in being immediately bounded by Burrow Railway Bridge to the south, the West Coast mainline to the west and the A6 to the east. This means that the concept or eventual layout of the Garden Village is unlikely to be constrained by approving this site for student accommodation. On the second issue, Paragraph 6.2 provides an accurate summary of the current position.
- 7.1.9 It is therefore considered that redevelopment of this individual site is not premature ahead of masterplanning the Garden Village.

## 7.2 Loss of employment land

- 7.2.1 The application site was considered to have had a long term potential to perform an ancillary role to the Lancaster Science Park, and this was the reason for its inclusion within the former science park designation under Policy EC1 of the Local Plan. However the site is not included on current permission for the Science Park (or Health Innovation Campus as it is now known), and is land within

separate control. The 1999 planning application (99/01191/CU) allowed, on an exceptional basis, a non-B1 use and it is clear that the retention of the site in business use is not essential to the development of the Innovation Campus, (but there are naturally benefits to this). Under the current emerging Land Allocations Policy DOS5 goes onto say that the local planning authority will support the regeneration and redevelopment of the site which could include employment, commercial and recreational uses. Notwithstanding the above, any student residential use would be considered a Departure from the Development Plan.

7.2.2 Paragraph 22 of the NPPF states that the long term protection of employment sites should be avoided where there is no reasonable prospect of a site being used for that purpose. Given the repeated submission of planning applications for this new uses for this site, and the length of time that it has remained vacant, it is clear that the site has either not proved attractive or viable to developers; or that the use being proposed was inappropriate (e.g. retail); or that the natural constraints of the site are such that render development impractical.

7.2.3 The applicant has submitted marketing material to demonstrate that the site is no longer viable or appropriate. Whilst it provides a narrative of how the site has been marketed over the last few years it would have been more beneficial to see some further information in support of marketing for employment-generating uses. Lancaster University have stated in their letter of objection that they would remain interested to purchase the site to ensure compatible development with the wider growth masterplan of the University and particularly the Health Innovation Development side. Notwithstanding this point, on balance it is considered that sufficient information has been provided to allow for this departure from policy and therefore the scheme accords with the principles contained within Policy DM15 of the Development Management DPD.

### 7.3 Highways

7.3.1 Given the scale of the development proposed the scheme is accompanied by a Transport Statement. The proposed site access will remain essentially the same as the existing, however widened slightly with provision made for a 2 metre footway either side with the kerb radii at 10 metres. This extends outwards to 3 metres in width along the building frontage before arriving at a proposed toucan crossing on the site frontage, which is aimed at improving safety for pedestrians crossing between the site and the eastern part of the A6. On the eastern side of the A6 it is proposed to provide a 3 metre footway/cycleway in replacement of the existing footway. A new bus stop to quality bus standards is proposed for the southbound bus stop opposite the site. Visibility splays in the region of 2.4 metres x 120 metres were initially proposed however this has since increased to 4.8m x 120m visibility in the leading direction and 4.5m x 120m visibility splay in the non-leading direction. Whilst parking has been provided on the site, it is likely that this would be more utilised for drop-off at the start of term/collection etc. Officers did question the need for permanent parking areas and the applicant was amenable to reducing the number, however County Highways considered that the 38 parking spaces were required to allow capacity for drop off and collection of students in this particular location, otherwise it could represent a highway safety concern with dropping off potentially occurring on the A6.

7.3.2 The County Council initially requested that further information was supplied with respect to off-site highway works, parking, the illumination of Bailrigg Lane, waiting restrictions between the site and Collingham Park, servicing arrangements for the substation and covered motorcycle parking. The applicant has provided additional information to satisfy these concerns, including providing four disabled car parking spaces and a secured bike store to serve Block B. This results in no objection being offered by the County Council on highway grounds nor in terms of geographical sustainability. The County Council accept that a key consideration of the sustainability of this site is that students will be the only occupiers and on that basis they ask that this is controlled by planning condition.

7.3.3 Whilst there is no objection from County Highways. Officers retain some concern regarding students walking down Bailrigg Lane to access the University, as Bailrigg Lane does not feature a pavement nor is it lit (until the junction with the cycle track). The applicant has committed to illuminate this and this can be delivered. In terms of widening this to accommodate a footway, it is unlikely to be possible without the benefit of third-party land and the County Council have not requested that this is necessary, and therefore whilst it has merit, there is no prospect of this satisfying the national tests without support from County Highways. Furthermore none of Bailrigg Lane currently benefits from a pavement; however its junction with the A6 is particularly narrow and the alignment is not straight.

7.3.4 The University appointed their own transport consultant (White Young Green) to review the applicant's transport assessment who considered that the assessment lacked detail on matters such as highway safety, visibility splays, pedestrian and cycle improvements, car and cycle parking, servicing arrangements and general concerns regarding the accessibility of the site. Additional information has been supplied by the applicant's transport consultant to address some of these concerns. Since the submission of the amended transport statement in November 2016, comments have been received from Lancaster University (19<sup>th</sup> January 2017) who continue to raise concern regarding the crossing facility across the A6. They cite the possible problems with international students who they consider could be vulnerable given different traffic rules apply. The same is true for students not used to the area or indeed the speed of the A6. Additionally they maintain concerns regarding the swept path analysis used for refuse vehicles and also the security barrier, which is only 17 metres from the A6 and therefore they consider that this could cause vehicles backing onto the A6 should a fault occur. Given the response from the statutory consultee - County Highways - there does not appear to be sufficient highway safety or efficiency grounds to merit a refusal of permission. Should permission be granted the off-site highway works will have to occur before any occupation of the building, and this would be controlled via planning condition.

### 7.4 Design and Amenity Considerations

7.4.1 The initial proposals were considered by officers to represent inappropriate design on such a prominent location, being rather lacklustre and homogenous in form and massing and not befitting a gateway location. In view of these concerns the scheme has been amended to be more imaginative, and whilst the massing of the main block of accommodation (Block A) is similar, the use of saw-tooth windows and emphasis upon the northern and southern elevations of the building have helped to make the building more striking. The revised proposals for Block A have attempted to animate the northern and southern elevations of the building given these are the principal elevations that would be viewed for motorists. The applicant has appeared to try to take some inspiration from some of the buildings that are on the University Campus. It is considered that the cantilevered design, use of saw tooth windows and darkened larch cladding to the A6 frontage will deliver a building that is contemporary. The site's isolated position allows the applicant to adopt such an approach. The proposal includes a series of pitched roofs that run through this main block. The length of the building does raise concerns, given that it could be 'read' as one singular mass of (107 metres in length), and ideally the provision of two smaller blocks would have introduced some relief into this building.

7.4.2 Block B is sited to the north of the site and is more modest in scale, standing at 30 metres in length and 4 storeys in height. In design terms it is splayed to the east and west and would contain a flat roof within the centre of the building. When viewed from the north and south (assuming the delivery of high-quality materials controlled via planning condition) it is considered that this building would assist in screening the existing substation. The success of the scheme will be dependent on those high quality materials, such as the un-coursed stone to the ground floor. Whilst there is some reticence about the use of larch cladding on such a mass of a building, over time this is likely to turn quite silver and could be quite striking assuming the development is executed well. All design is subjective, however it is considered that compared to the previous iteration of the scheme there has been significant progress made, and on balance does demonstrate a standard of design that officers feel that they can support and therefore conforms to Policy DM35 of the Development Management DPD.

7.4.3 In terms of room sizes these all comply with Appendix D of the DM DPD in terms of bedrooms being in excess of 11sqm with an acceptable kitchen/living space. The vast majority of the rooms would receive an acceptable outlook but there is some concern for the southern part of Block A where 8 of the bedrooms of the ground floor overlooking the railway would be looking onto fencing. There has been significant improvement over the earlier iteration of the scheme which for certain bedrooms would have compromised privacy, together with bedrooms overlooking the substation. Block B does raise concerns with amenity associated with the overhead power lines such as the low frequency hum and associated concerns with the electric and magnetic fields and potential health risks. At the time of compiling this report none of the consultees have objected to the development on health and amenity, and it would appear that the minimum separation to the overhead lines can be achieved; however confirmation from National Grid is still required. Environmental Health Officers have still to provide comment to the amended plans and therefore this element will be reported verbally to Members.

7.4.4 As mentioned, the scheme provides good levels of communal living accommodation associated with the cluster flats, but it is considered that a weakness of the proposal is that it does not contain private dining, gymnasiums, games room, or quiet study areas which - given the number of bedrooms may have assisted in providing a better student experience. Notwithstanding this, there is nothing in policy requiring these additional facilities, and on balance it is considered that residential amenity will not be compromised and that the scheme provides for adequate room sizes and overall when taken as a whole, outlook levels would be acceptable.

### 7.5 Ecology

7.5.1 Given the developed nature of the site in between two significant transportation routes the site is not of substantive ecological value but the northern boundary of the site does abut a Biological Heritage Site (BHS) in the form of Burrow Beck. Whilst no physical development is proposed to the BHS, the surface water from the development and the car park is to be directed towards the beck in line with the sustainable urban drainage system (SUDs) hierarchy. Whilst no objection has been raised by the Council's ecological advisors they have suggested that a water vole survey should be carried out prior to works commencing on the site that would involve direct encroachment into the BHS and also direct works to the banks of the beck. The applicant's ecological assessment did not highlight any impact on water voles, but given the comments of Greater Manchester Ecological Unit it is considered reasonable to impose a condition should members determine to approve the application. Measures to protect Burrow Beck and prevent encroachment into the beck are also proposed and given Burrow Beck is a main river any works within 8 metres of the watercourse are likely to require the consent of the Environment Agency.

7.5.2 Natural England initially raised concerns as there was insufficient information to determine whether the likelihood of significant effects could be ruled out on Morecambe Bays Internationally Designated Conservation Interests and to address the concern the applicant supplied a construction method statement for the works around Burrow Beck and also a drainage plan (which showed a connection to the sewer and not directly to Burrow Beck as what should be sought). Natural England also suggested the provision of information packs to inform future occupiers of the Bay and its important qualities. Officers consider there is unlikely to be increased pressure exerted on the Morecambe Bay Special Protected Area (SPA), Ramsar Site, Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) (2km to the west of the scheme) as a result of this application. However planning conditions associated with drainage and ecology should be imposed on any permission. The site is not used by protected species and it is considered that concerns of pollution entering burrow beck can be addressed by means of planning condition.

### 7.6 Drainage and Infrastructure

7.6.1 The application is accompanied by a Flood Risk Assessment. The majority of the site falls within Flood Zone 1 (at least possible risk of flooding), how a small section to the north of the site is within Flood Zone 2 however this area proposes to accommodate the car parking together with a very small element of Block B. The applicant's initial proposal was to direct surface water towards Burrow Beck, however the applicant changed the proposal midway through the application process to connect to the existing infrastructure which consists of a 15" diameter site sewer (given this already exists and therefore is a logical suggestion by the applicant). There is however Burrow Beck watercourse adjacent to the site, and given the applicant did initially propose to connect to this within their original Flood Risk Assessment and then amended their proposal based on the fact there is existing infrastructure here, but there is no justification as to why the proposal to connect into Burrow Beck cannot be facilitated. The views of the Lead Local Flood Authority (LLFA) on the applicant's initial proposal to connect to Burrow Beck was one of No Objection subject to conditions. The LLFA and United Utilities have objected to the applicant's intention to drain surface water direct to the existing sewer, since the objections raised the applicant has confirmed that they would be amenable to draining the site sustainably via Burrow Beck and therefore a condition to this effect should be attached to any grant of consent directing surface water to be drained sustainably and the foul via the existing foul drainage network. The applicant has supplied an amended drainage strategy and the views of the LLFA and UU will be reported verbally to Members.

7.6.2 There are overhead power lines running along the northern boundary of the site and whilst National Grid raised no objection to the original site layout, the revised proposal seeks to site Block B in very close proximity to these power lines. Officers consider the outer line is approximately 6 metres to

the north of Block B and are in the region of 20 metres above ground level. Block B is proposed to be a maximum of 14metres in height. The above however does not cater for any swing which can be associated with pylons. National Grid do advocate that 5.3 metres should be provided between lines and any object or building and therefore on face value it would seem to imply that the relevant separation distances can be met. National Grid's response is required to enable a positive recommendation, should they object to the scheme, then Members will be advised that planning permission should be refused for the development. It should be noted however that officers do have concerns regarding the levels of the site for a four storey development and consider that the site levels should be lowered in any event to facilitate a positive recommendation (Paragraph 7.10.1).

### 7.7 Noise and Vibration

7.7.1 The application is supported by a noise and vibration assessment given the presence of the West Coast Mainline and also the A6. The views of Environmental Health have been sought on the application who do not raise an objection to the scheme on the basis that the triple glazing and acoustic wall vents are incorporated into the build and that the buildings are constructed in standard blockwork and not a lightweight cladding system. The applicant's acoustician recommends a condition requiring a condition demonstrating compliance with the recommended internal noise levels of BS 8233:2014. This is considered reasonable as the applicants noise report has not been amended following the amended site layout. With respect to vibration the applicant's vibration assessment concludes there will be a low probability of adverse comment, Environmental Health comments are still to be received in relation to this report, and will be reported verbally to members.

### 7.8 Air Quality

7.8.1 The Council's Air Quality Officer considers that the traffic generated by the development will potentially impact on the two Air Quality Management Areas in Lancaster and Galgate, and the Air Quality Officer considered that whilst the impact from the development is not expected to be large, measures should be put in place to mitigate the anticipated impact and considers the application should be refused. In reality this is student accommodation and occupants are more likely to travel to Lancaster University on a daily basis (should they opt to use a car – which for the reasons in Paragraph 7.3.1 officers note that this may not happen in any event) and therefore unlikely to pass through each of the Air Quality Management Areas. The concerns of the Air Quality Officer are noted but Officers consider that it would not be sufficient to warrant refusal of the planning application and it is considered a reasonable suggestion to include electronic vehicle charging points as part of the scheme.

### 7.9 Landscaping

7.9.1 There is potential to provide hard and soft landscaping within the scheme (notably to the west of Block A and also to the south of the site) and the initial proposal did include a landscape scheme in support of the submission, which has not been updated to reflect the amended scheme and therefore a condition is recommended requiring the submission of a landscaping scheme and associated long term maintenance.

### 7.10 Other Matters

7.10.1 Officers do have concerns regarding the differing levels of the site, because the site is higher than the A6. These concerns are exacerbated now that the scheme has evolved to provide 4-storey buildings as opposed to a combination of 3 and 4-storey buildings. A condition regarding site levels is necessary to ensure that the buildings are built at the same level as the A6 and not the current level of the site. This will assist in making the scheme less dominant and should also afford further protection to the overhead pylons. A condition restricting the use of the building for student occupation at Lancaster University and University of Cumbria is also recommended. Given the historical nature of the site (as an old filter house) there is likely existing pipework and there are water mains on the site and therefore United Utilities will need access for operating and maintaining it, although no objection has been raised. The site is adjacent to the West Coast Mainline, and Network Rail have no objection to the development however they have raised some concerns in terms materials, landscaping, and issues associated with maintenance, the applicants attention has been drawn to the need to obtain the relevant agreements from Network Rail for the proposed works.

**8.0 Planning Obligations**

8.1 There are no planning obligations proposed.

**9.0 Conclusions**

9.1 The Filter House site has been in a poor condition for too long. The development of the site is capable of positively regenerating the locality and the setting of the wider area. It is an unusual design, and the scale and massing of the proposal is unusual, but then the site is an unusual shape and has almost unique constraints. The amendments that have been sought mean that the proposal is more innovative. The use of high quality materials should ensure that this prominent gateway site benefits from a building capable of standing the passage of time.

9.2 Although the site is not in a location where student accommodation would routinely be supported, the geographical relationship that the site would have with Lancaster University (in particular) is such that on balance it is considered to represent an appropriate location for this particular use. The package of off-site highway works that have been proposed are required to enable occupiers to travel to and from the University safely and the application has the support of the County Council as Highway Authority.

9.3 The scheme has found to be acceptable in general amenity terms for future occupiers, however there are concerns regarding the presence of the overhead power cables in relation to Block B and Members updated verbally as to the response of Environmental Health and National Grid on this point. Members are therefore advised that subject to no objections from Environmental Health and National Grid that the scheme be supported.

**Recommendation**

That subject to the receipt of further consultation responses from the statutory consultees, Planning Permission **BE APPROVED** subject to the below conditions:

1. Timescales
2. Approved Plans
3. Ecological Mitigation
4. Submission of finished floor levels
5. Access Details
6. Offsite highway works (fully implemented prior to first occupation)
7. Car Parking in accordance with approved details including submission of Car Parking Management Plan
8. Access to the south of the site to be permanently stopped up.
9. Cycle Facilities
10. Contaminated Land
11. Foul Drainage
12. Surface Water Drainage
13. Landscaping (Hard and Soft Landscaping)
14. Building Materials (Accommodation blocks, refuse, motorcycle, cycle and refuse stores, fencing and gates and acoustic fencing)
15. Noise Mitigation
- 16.. Ventilation
17. Student Accommodation Only
18. Security Measures
- 19: Electric Vehicle Charging Points

**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.

**Background Papers**

Not applicable



<b>Agenda Item</b> A6	<b>Committee Date</b> 6 February 2017	<b>Application Number</b> 16/01310/REM
<b>Application Site</b> TNT Garage Hornby Road Caton Lancaster		<b>Proposal</b> Reserved matters application for the erection of 30 dwellings with associated accesses and internal roads
<b>Name of Applicant</b> Mulbury Homes Limited & Regenda Limited		<b>Name of Agent</b> Miss Emily Robinson
<b>Decision Target Date</b> Extension of time agreed until 15 February 2017		<b>Reason For Delay</b> Negotiating amendments to the scheme
<b>Case Officer</b>		Mrs Eleanor Fawcett
<b>Departure</b>		None
<b>Summary of Recommendation</b>		Approval subject to the receipt of amended plans

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

- 1.1 The site is located on the north eastern edge of the village of Caton adjacent to Hornby Road, within the Forest of Bowland Area of Outstanding Natural Beauty (AONB). It is currently vacant industrial land, with an area of approximately 1.2 hectares and comprises large areas of hardstanding, a large building towards the south west boundary, some smaller buildings and grassed areas. The Thirlmere Aqueduct crosses the site in a north/south direction and has an associated easement which is undeveloped. There are large mature conifer trees along the eastern and southern boundaries which provide effective screening when approaching along Hornby Road from the east. The site is mostly within Flood Zone 3, with the remainder in Flood Zone 2.
- 1.2 To the west of the site is a detached residential property which is separated from the other housing on Hornby Road by Artle Beck. Adjacent to the eastern boundary is a track leading to Ellers Farm which is approximately 225 metres from the highway. The land to the east and on the opposite side of the road is agricultural and to the north is a cycle path which follows the line of the former railway. The site is located within the Countryside Area, as identified on the Local Plan Proposals Map.

## **2.0 The Proposal**

- 2.1 This is a reserved matters application following the grant of outline consent for the erection of up to 30 dwellings. Only the principle was approved at outline stage and therefore consent is sought for the access, appearance, landscaping, layout and scale of the development. The scheme is for the erection of 30 dwellings, predominantly arranged around two separate access roads. The site will be divided by a linear strip of amenity space which follows the line of the Thirlmere Aqueduct and its easement. Two of the dwellings are now proposed to have direct access from Hornby Road, following amendments to the scheme. All the open market houses are proposed to have four bedrooms, and three different house types for these are proposed. The affordable housing is proposed to be in the form of two three-bedroom and three two-bedroom shared ownership properties with four two bedroom properties for affordable rent.

### 3.0 Site History

3.1 There is an extensive planning history on the site relating to the industrial use of the site. The most relevant application relates to the outline consent for up to 30 dwellings (14/00768/OUT). This was refused by the Council in November 2014 as a result of the loss of employment land without sufficient marketing or justification. However, the proposal was subsequently approved at appeal in January 2016.

### 4.0 Consultation Responses

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

Consultee	Response
<b>Parish Council</b>	<b>Comments.</b> More variation in the materials, window sizes and placement would make the houses less uniform, there are concerns about the use of reconstituted stone, and the preference would be for natural stone. Request that the boundary with Hornby Road is natural stone and boundaries within the site are walls or hedges rather than fences. Reassurance is needed that the site will be adequately protected from flooding and how drainage will be improved. Clarification is required in relation to the height after flood mitigation measures have been included. Request that the 30 mph speed limit be moved further along Hornby Road to reduce traffic speeds, with an additional step to 40 mph before this. Three bedroom houses should also be provided on the site to meet needs of local families and it is disappointing that there is no provision for the elderly. Amenities of residents should be protected during construction.
<b>Environmental Health</b>	Comments. No additional comments in relation to contamination from the ones made on the outline application. Some additional investigation is required.
<b>Tree Protection Officer</b>	<b>No objection in principle</b> subject to the submission of: a detailed landscaping scheme; further details in relation to the cycle link; a reconsideration of the relationship of trees to plot 6.
<b>Public Realm Officer</b>	<b>Comments.</b> The plan provides good accessible amenity space. Question whether it has been followed up with the parish as to whether this should be for allotments as they have been seeking appropriate land in the past.
<b>Highways Authority</b>	<b>No objections in principle.</b> Offsite highway works are required in the form of a change to the speed limit to the east of the site and the introduction of gateway treatment measures.
<b>Lead Local Flood Authority</b>	No comments received during the statutory consultation period.
<b>County Strategic Planning</b>	No comments received during the statutory consultation period.
<b>Natural England</b>	<b>No objection.</b>
<b>Environment Agency</b>	<b>No objection in principle</b> subject to the inclusion of the conditions detailed in the response to the outline application. Artle Beck adjoining the site is designated a "main river" and the developer may need an Environmental Permit.
<b>Forest of Bowland AONB</b>	<b>Comments.</b> Request that a mixed hedgerow is planted (hawthorn, blackthorn, hazel), interspersed with hedgerow trees as a boundary treatment for the southern boundary, rather than singles species (hawthorn); and driveways are standard rather than coloured tarmac.
<b>United Utilities</b>	<b>No objection</b> subject to conditions requiring: foul and surface water to be drained on a separate system; the submission of a surface water drainage scheme; and management and maintenance of sustainable drainage systems.
<b>Lancashire Fire and Rescue</b>	<b>Comments.</b> It should be ensured that the scheme fully meets all the requirements of Building Regulations Approved Document B, Part B5 'Access and facilities for the Fire Service'.

### 5.0 Neighbour Representations

5.1 3 pieces of correspondence have been received which raise an objection to the proposal and highlight the following concerns:

- Design issues – use of local sandstones would be more appropriate; vertical elements

around windows could be considered; colour of windows and doors should be white; roofs should not be too steep or high; roofing material should reflect local slates; garden walls adjacent to the road reflect the drystone wall opposite and hedges used instead of fences

- Drainage requires improvements using SUDs techniques such as ponds and reed beds
- Trees and hedges should be encouraged using native species
- Flooding concerns – this site was flooded during the December 2015 event
- Impacts on the highway network.
- Density of the housing and impact of this on aesthetics and local facilities

5.2 1 piece of correspondence has been received which neither supports or objects to the proposal but raises the following comments:

- The end boundary to the development should be stock proof to prevent livestock entering gardens

## **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

Paragraphs 100 -103 – Flooding and Drainage

Paragraphs 115 and 116 – Areas of Outstanding Natural Beauty

Paragraph 118 – Conserving and Enhancing Biodiversity

### **6.2 Local Planning Policy Overview – Current Position**

At the 14 December 2016 meeting of its Full Council, the local authority resolved to undertake public consultation on:

- (i) The Strategic Policies and Land Allocations Development Plan Document (DPD); and,
- (ii) A Review of the Development Management DPD.

This will enable progress to be made on the preparation of a Local Plan for the Lancaster District. It is envisaged that the public consultation will commence on 27 January 2017 and conclude on 24 March 2017, after which (if the consultation is successful), the local authority will be in a position to make swift progress in moving towards the latter stages of; reviewing the draft documents to take account of consultation outcomes, formal publication and submission to Government, and, then independent Examination of the Local Plan. If an Inspector finds that the submitted DPDs have been soundly prepared, they may be adopted by the Council, potentially in 2018.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan. Following the Council resolution in December 2016, it is considered that the Strategic Policies and Land Allocations DPD is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan's preparation progresses through the stages described above.

The **Review of the Development Management DPD** updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making. Where any policies in the draft 'Review' document are different from those adopted in 2014, and those policies materially affect the consideration of the planning application, then these will be taken into account during decision-making, although again with limited weight. The weight attributed to the revised policies in the 'Review' will increase as the plan's preparation progresses through the stages described above.

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

SC1 – Sustainable Development

SC5 – Achieving Quality in Design

## 6.4 Development Management Development Plan Document

DM20 – Enhancing Accessibility and Transport Linkages  
DM22 – Vehicle Parking Provision  
DM25 – Green Infrastructure  
DM26 – Open Space, Sports and Recreational Facilities  
DM27 – The Protection and Enhancement of Biodiversity  
DM28 – Development and Landscape Impact  
DM29 – Protection of Trees, Hedgerows and Woodland  
DM35 – Key Design Principles  
DM38 – Development and Flood Risk  
DM39 – Surface Water Run-Off and Sustainable Drainage  
DM41 – New Residential Development  
DM42 – Managing Rural Housing Growth

## 7.0 Comment and Analysis

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

- Scale, siting, design and landscape impact
- Residential amenity
- Highway safety
- Impact on trees
- Flooding and drainage
- Ecological impacts
- Affordable housing

### 7.2 Scale, siting, design and landscape impact

7.2.1 The site is located on the eastern edge of Caton, and to the north of Hornby Road. With the exception of a single dwelling, no other residential development extends beyond Artle Beck in this part of the village. Whilst the site has been previously developed, it is afforded a large amount of screening, although most of this is non-native and could be considered to be harmful to the landscape in itself. There is no other development on the opposite (southern) side of Hornby Road, and as such, the site is in a relatively prominent position, marking the gateway to the settlement and is within the Forest of Bowland AONB. Given this, it is important that any development on this site not only respects the character and appearance of the settlement but is sensitive to the surrounding landscape, providing an appropriate form of built development marking the entrance to the village.

7.2.2 The layout that was submitted with the application resulted in a development that was very inward facing and did not provide a strong frontage to Hornby Road or a strong built form to the edge of the settlement. None of the properties fronted the main highway and the design of the dwellings presented the side of buildings to the highway rather than trying to create a dual frontage. It also resulted in a number of boundaries with side and rear gardens abutting the highway. The presence of the Thirlmere Aqueduct and its associated easement has resulted in two separate sections of development, with their own access roads, as the only way to cross this within the site would be to construct a bridge which would not be viable given the scale of development. This does limit the layout of the development, particularly as the applicant is unwilling to reduce the number of units on the site. There were also concerns regarding the design of the road, the use of integral garages on some of the plots, a concentration of parking at the end of one of the roads and the siting of a garage at the end of another and it was felt that this resulted in an overly suburban scheme, rather than being sympathetic to its rural surroundings. It was also considered that the use of artificial stone and tiles to the roof would not fully respect the character and appearance of the area.

7.2.3 Following the concerns being raised, a number of changes have been made to the layout. Two of the dwellings are now proposed to front onto Hornby Road, and have their own separate accesses from this road. An initial amended layout proposed more of the dwellings to directly front the highway, however, there were some concerns raised by the Highways Officer. Three are proposed to have the side wall and garden fronting the road and one a narrow section of rear garden. Subject to precise details of the design, to show that an appropriate frontage and boundary treatment can be

achieved, this is considered to be acceptable. One with an access off the newly created road will front Hornby Road. The position of the road serving the larger section of the development has remained in the same position but the position of some of the house types has changed in order to reduce the pre-dominance of parking at the front of properties in one area of the site, visible from the main road. The road serving the smaller section of the development has been softened by making this less angular and some of the dwellings have been rearranged to create a stronger built form at the end of the cul-de-sac. There are still properties that have parking to the front, rather than down the side, and ones with integral garages, however these are spread throughout the scheme and are interspersed with front gardens which soften this.

- 7.2.4 It has been advised that a better frontage is given to the properties adjacent to the amenity space. The new layout has three side walls and two rear gardens facing this area. Suggestions have been made about introducing windows into the side walls to provide better natural surveillance, however, amended plans have not yet been provided. The position and shape of the amenity space is not ideal, but has been dictated by the presence of the aqueduct. A link to the cycleway to the north is proposed from the site and the position of this has been amended to be through this area and a path has been shown linking the two sections of the site. This now provides improved legibility and visual and practical links between the two elements and the amenity space. This should encourage this area to be utilised and will provide extra surveillance through increased movements by pedestrians and cyclists. It has been suggested that the boundary between the gardens and the amenity area is softened by the use of living fences, and it is not considered that timber fences would be appropriate on this part of the site.
- 7.2.5 In terms of materials, the agent has confirmed that the applicant would be willing to incorporate a mix of natural stone and render, with the former predominantly on the Hornby Road facing properties. The details of this are awaited and no information has been provided in relation to the roofs. Policy DM28 sets out that proposals should, through their siting, scale, massing, materials and design, seek to contribute positively to the conservation and enhancement of the protected landscape. It is considered that the use of natural materials, characteristic of this area, are an important component of this. The use of natural stone walls to front boundaries would also be beneficial to the scheme. Some concerns have also been raised about the windows and it was suggested that these were simplified. Windows are proposed to be grey UPVC which is considered to be appropriate in principle. There are some concerns regarding the use of white fascias, and a darker colour may be more appropriate if fascias are to be used. However, this is something that could be covered by condition.
- 7.2.6 There are a mix of dwellings proposed, with three styles of four bedroom properties shown on the plan, some two bedroom dwellings and two three bedroom dwellings. The latter has been recently added so there are no elevations of these as yet, however, it is expected that they will be similar to the two bedroom units. These are relatively simple pitched roof dwellings with a canopy on the front. The detailing will be key, in terms of materials and window recesses, to ensure that they are appropriate. The initial designs for the four bedroom units have a bit more interest in the front elevations with the use of bay windows, stepped eaves lines and canopies over doors. Again the detailing of these features will be important. Most of the dwellings have a ridge height around 8.5 metres, with the exception of one house type which is 9.2 metres. This does not appear to have taken account of an increase required as flood mitigation. However, studying the original topographical survey, it does not look like it would require a significant increase in levels. There would need to be an increase of around 600mm towards the rear of the site, but it would remain similar towards the front. Clarification has been sought about this and whether it affects the elevations. Many of the traditional dwellings fronting Hornby Road are quite high, despite being only two storey. Given that the site is not elevated, and the pitches are all similar, this is likely to be acceptable. Amended plans are still awaited in order to address the concerns which predominantly relate to the frontage to the highway.
- 7.2.7 All the four bedroom properties, which do not have an integral garage, are proposed to have an attached or detached garage. However, details do not appear to have been provided of these. In terms of amenity space, whilst not quite all of the properties show gardens with a depth of 10 metres, they all provide rear gardens at least 50 square metres in area, although some of the units only just meet this standard. Subject to the receipt of appropriate designs, it is considered that the layout provides an acceptable form of development, in keeping with the existing settlement and will not harm the character or appearance of the AONB. Landscaping does also form a key consideration and is considered separately below.

## 7.3 Residential amenity

7.3.1 There is only one nearby residential property, 85 Hornby Road, that has the potential to be affected by the development. This is located to the west of the site and the dwelling is close to the boundary. At first floor there are two dormer windows in the side elevation facing the site. From the original plans of the dwelling it appears that these serve a bathroom and a bedroom. There are also windows at ground floor. Four of the proposed dwellings will back onto this property, with the rear wall of three of these facing the side wall of the neighbouring dwelling. The closest will be 13 metres from the boundary and 17 metres from the side wall, but will not face any of the windows directly. The other two will be 17 metres from the boundary and 21 metres from the dwelling. This is considered to be an appropriate separation distance to protect the privacy of the occupiers of both existing and proposed properties. There will be some overlooking of the garden areas of the new dwellings, however, it is not considered that this will be significant given the limited number of openings in the upper floor of the neighbouring dwelling.

7.3.2 There are appropriate separation distances between all the new properties in order to prevent overlooking. There were some concerns about the siting of the dwelling on plot 17 in relation to that on plot 18 on the initial amended plan. It was considered that there may be a detrimental impact on light to no. 17. As such the garage and dwelling on the plot have been swapped. The amended plan provides a better relationship, although this could be improved if the buildings were parallel to each other. However, the position is constrained by the adjacent amenity space.

## 7.4 Highway safety

7.4.1 Some initial comments have been provided by the Highways Authority, though formal comments, following receipt of the amended plan are awaited. It has been verbally confirmed that there are no objections on highway safety grounds to two of the dwellings having separate accesses onto Hornby Road and these are set away from the eastern edge of the site. The carriageway immediately adjacent to the site is subject to a speed classification of 30 mph, terminating at its eastern edge with a change to the national speed limit. No County Council traffic counts records are available in the immediate vicinity, although the Highway Officer has suggested that 85% of vehicular speeds are generally at or slightly in excess of the 30mph speed limit. It has therefore been advised that the existing 30mph zone is extended in an easterly direction along the frontage of the site with an incremental increase to 40mph and subsequently 60mph (national speed limit). This should also incorporate significant gateway treatment measures as a means of reinforcing the speed change. These are considered to make the development acceptable in highway safety terms and would be covered by a condition and a Section 278 agreement with the highway authority. It has also been advised that the internal access road and associated cycle link should be constructed to Lancashire County Council highway adoption standards via a Section 38 highway agreement.

7.4.2 In terms of parking, all of the 2 bedroom properties have 1 parking space each, the three bedroom units have 2 spaces and the four bedroom units have at least two spaces and a garage. Whilst this does not really allow for visitor parking, it is difficult to accommodate such facilities into the scheme without reducing the number of units. Given the width of the road with footways, it is unlikely that this would lead to overspill parking onto Hornby Road.

## 7.5 Impact on trees

7.5.1 A detailed Arboriculture Survey and Tree Protection Plan (TPP) have been submitted. The measures proposed are satisfactory for the retention and protection of those trees proposed for retention. A total of 11 tree items have been identified comprising 3 individual tree, 6 groups and 2 hedges. Most trees along the northern and eastern boundaries are proposed to be retained, but all others are proposed for removal. A new cycle link is proposed to the northern boundary which will inevitably have implications for retained trees and hedges along this boundary. Further details are required to be submitted in relation to this and have been requested, although it is noted that the position of the link has now changed.

7.5.2 It is considered that the planting scheme should include a diverse range of appropriate native and an element of non-native species. The species selected, their location and distribution across and effective incorporation into the overall design will be a key element of the scheme, particularly given the large scale loss of trees from the site and the "open" nature that their loss ultimately creates.

Species should also be selected and planted to benefit wildlife communities, including fruit bearing native species. An amended scheme is awaited in relation to this, following the amendments to the site layout. It has been suggested that there is a strong boundary to the eastern side of the site and that this landscaping should be kept outside the domestic curtilages to ensure its long term maintenance and retention. Also groups of trees in front gardens have been encouraged instead of individual specimens. Landscaping is limited in the amenity space due to the easement for the aqueduct, although it may be possible to plant shrubs within this. There were some concerns in relation to overshadowing from trees and the pressure for their removal. However, the amendments appear to have mostly overcome this.

### 7.6 Flooding and drainage

7.6.1 The impacts of flooding were considered at the outline stage and a condition was added to ensure that finished floor levels were set no lower than 21.19 Above Ordnance Datum (AOD) and surface water run-off was limited to 1 in 100 year plus climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site. There are also detailed conditions on the outline consent requiring a surface water drainage scheme and a management and maintenance scheme prior to works starting on site.

7.6.2 It needs to be ensured at this stage that it is possible to accommodate an appropriate drainage scheme within the site layout. The details submitted with the application show that a pumping station will be provided for both foul and surface water to pump it from the eastern section to the western section of the site. The surface water will eventually discharge to Artle Beck. There were concerns that the scheme relied on land outside the site, to the west, to provide additional surface water storage in cellular units. Although the precise details will be considered through a discharge of condition, it should be ensured that surface water can be adequately dealt with within the site. The agent has advised that this is the case and confirmation of this is to be provided.

### 7.7 Ecological Impacts

7.7.1 An ecological appraisal was submitted with the outline application and set out that the main habitats are towards the edges of the sites where there are trees and hedgerows. In relation to bats, the report set out that the foraging habitat at the site is very poor for bat species, being open and exposed and this was confirmed by activity surveys showing low use. The hedge and tree lines to the north and north-west offer the most suitable habitat for bats but these are not exceptional in the local area. A condition was added to the outline consent to provide mitigation for protected species, in addition to a scheme for bird nesting and bat roosting opportunities. An additional phase 1 habitat survey has been submitted with the current application, although it does not consider the layout of the development, just the principle. It does not raise any additional issues than the original application and it is not considered that the layout would have a detrimental impact on ecology, subject to appropriate planting throughout the scheme, to be agreed through a landscaping scheme.

### 7.8 Affordable Housing

7.8.1 The scheme proposes nine affordable units with four of these as affordable rent and five as shared ownership. Two of those for shared ownership will have three bedrooms with the remainder having two. The only concern is that the terrace is proposed for shared ownership and this may not be desirable to registered providers as they are usually expected to be in the form of semi-detached properties. However, the overall provision is considered acceptable and complies with the requirement of 30% set out in the legal agreement.

## **8.0 Planning Obligations**

8.1 There are none to consider as part of this application. The outline consent includes a S106 agreement which relates to the provision of affordable housing and open space.

## **9.0 Conclusions**

9.1 Following amendments to the layout, the proposed development now better relates to the existing settlement, the adjacent highway and the surrounding landscape. Subject to the receipt of appropriate amended elevation plans and landscaping details, it is considered that the development will be acceptable in terms of its scale and appearance and not have a detrimental impact on the

character of the area or the AONB. It is also considered that the proposal will not have an adverse impact on highway safety or residential amenity and is therefore considered to be acceptable.

### **Recommendation**

That Planning Permission **BE GRANTED** subject to the receipt of amended plans and the following conditions:

1. Standard reserved matters condition
2. List of approved plans, including revisions
3. Offsite highway works
4. Highway construction details
5. Visibility splays
5. Materials/details including: stone; render; roofing material; windows and doors; rainwater goods; eaves, verge and ridge details; canopy details, surfacing materials, boundary treatment details
6. Landscaping scheme

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

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

Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the 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 report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

### **Background Papers**

None



<b>Agenda Item</b> A7	<b>Committee Date</b> 6 February 2017	<b>Application Number</b> 16/01308/REM
<b>Application Site</b> Land For Proposed Bailrigg Business Park Bailrigg Lane Lancaster Lancashire	<b>Proposal</b> Reserved Matters application for the erection of a 5 storey research and development building (B1) with ancillary facilities, new internal road, car parking and landscaping	
<b>Name of Applicant</b> Lancaster University	<b>Name of Agent</b> CBRE	
<b>Decision Target Date</b> 26 January 2017	<b>Reason For Delay</b> Awaiting further information and Committee cycle	
<b>Case Officer</b>	Mr Andrew Drummond	
<b>Departure</b>	No	
<b>Summary of Recommendation</b>	Approval	

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

- 1.1 The application site is located between the southern periphery of the city and the northern boundaries of Lancaster University just to the south of Bailrigg Lane. There is one existing building in the north-west corner of the wider site, which is a small electricity sub-station which will be retained. The land continues to be farmed and comprises Grade 3a and Grade 3b agricultural land. It has no public access. The site would be accessed from the A6 to the west, not Bailrigg Lane to the north. These roads are bordered by a mix of hedgerows, trees and a stone wall. Whilst the eastern boundary is not defined as it is proposed to divide an existing agricultural field into two parts. The university campus is separated from the site by an established woodland.
- 1.2 The site is accepted as being part of the southern approach into Lancaster. Bailrigg Lane, a relatively narrow semi-rural road, bounds the site to the north and connects the village of Bailrigg to the A6 to the west. The southern boundary of the site consists of a mature landscaping belt which forms an effective visual screen to the University's sporting pitches. Further agricultural land lies to the west and east of the site. The land is gently undulating, sloping upwards towards the south-east, with the land draining to a small stream known locally as Ou Beck. The eastern edge of the site is most visible from Bailrigg village. The site is not visually prominent from distant views along the A6, because of the orientation of the road and the existing mature planting. However, the site is clearly visible at close quarters and the rising nature of the landscape emphasises its prominence in short views. The A6 is a well served bus corridor and has regular services linking the University with the city's bus and rail stations. Services also operate at least once an hour to Galgate, Garstang, Preston and Blackpool. The West Coast Main Line runs adjacent to the A6 but there is no immediate rail access to the site. Bailrigg Lane forms part of the District's cycle network.
- 1.3 The Lancaster District Local Plan identified this land for inward investment and high-quality economic development. It was formerly allocated as the 'Bailrigg Business Park', although it has since been acknowledged by the Council, the County and the former North West Development Agency (NWDA) that this site would be developed as a science park. This is reiterated in Policy ER1 of the Lancaster District Core Strategy. The allocation protects the site for B1 (Business) use only.

1.4 A narrow parcel of land on the eastern edge of the application site falls within the Countryside Area and the Key Urban Landscape and Urban Greenspace. The part of the university land immediately to the south is allocated as Key Urban Landscape and Urban Greenspace. There are also 2 Tree Preservation Orders (TPO Nos 291 and 385) on the site protecting trees and hedgerow along Bailrigg Lane and 2 trees on the site towards the southern boundary respectively. The site does not benefit from any statutory nature conservation or heritage status, nor is it crossed by public footpaths. However, it does fall within the setting of Bailrigg House, which is a Grade II Listed building.

**2.0 The Proposal**

2.1 A hybrid application was approved in 2009. It was hybrid in nature because part of the proposal was applied for in full and the other part in outline. The outline consent was granted for a science park (approximately 34,000 sq.m of B1 use floorspace) and full planning permission was granted for a new access off the A6, construction of an internal spine road and provision of landscaping. This application relates to the former – a Reserved Matters application for Phase 1 of the Science Park that follows the outline consent.

2.2 The application primarily seeks Reserved Matters approval for a single research and development building. This building would stretch 122.5m in length with its southern end being 2 storeys in height, its core extending to 5 storeys and the northern section of the structure being over predominantly over 4 floors. It would have a maximum depth of 41m and maximum height of 19m. It is proposed to use natural stone aggregates to form the concrete panels along with anodised aluminium mullions and panels, which will be textured, perforated and bronze toned. The only other material proposed for the elevation is full height glazing. The flat roof would be utilised for securing an array of photovoltaic panels to its central section and a sedum roof would be planted to the outer edges.

2.3 Other elements of the scheme that are being applied for are an internal road to serve a 161 space car park that will incorporate 16 mobility spaces, 10 with electric charging points and 7 motorcycle spaces. In addition 100 covered and secured cycle spaces are proposed and a sub-station.

**3.0 Site History**

3.1 Further to a withdrawn outline application (05/01114/OUT) in 2007, a hybrid application for the Science Park (in outline) and the new access, internal spine road and landscaping scheme (in full) was approved in 2009, and subsequently renewed in 2012 and varied in 2016:

Application Number	Proposal	Decision
<b>05/01114/OUT</b>	Outline application for erection of science park and restaurant/cafe with car parking, servicing, roads, footpaths and cycleways, public transport facilities, landscaping and public open space	Withdrawn
<b>09/00330/DPA</b>	Outline application for a Science Park (approx 34,000 sq.m of B1 use floorspace) and full application for a new access off the A6, construction of an internal spine road and provision of landscaping	Permitted
<b>12/00626/RENU</b>	Renewal of application 09/00330/DPA for the outline application for a science park (approx 34,000 sq.m of B1 use floorspace) and full application for a new access off the A6, construction of an internal spine road and provision of landscaping	Permitted
<b>16/00117/VCN</b>	Renewal of application 09/00330/DPA for the outline application for a science park (approx 34,000 sq.m of B1 use floorspace) and full application for a new access off the A6, construction of an internal spine road and provision of landscaping (pursuant to the variation and removal of conditions 3, 4, 5, 6, 7, 8, 9, 11, 12, 15, 16, 17, 18, 19, 21, 22, 23, 24 and 27 on the full planning permission 12/00626/RENU to enable phased implementation and remove duplicated requirements)	Permitted

#### **4.0 Consultation Responses**

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

<b>Consultee</b>	<b>Response</b>
<b>County Highways</b>	No comments received.
<b>Greater Manchester Ecology Unit</b>	<b>No objection</b> , subject to conditions relating to details of the Ou Beck crossings, environmental construction measures to protect the watercourse, external lighting, implementation of the submitted landscaping scheme and no tree removal or other vegetation removal during optimum period for bird nesting (March to July inclusive)
<b>Natural England</b>	Natural England has <b>no comments</b> to make on this application
<b>Local Lead Flood Authority</b>	No comments received.
<b>Environment Agency</b>	The Agency wishes to abstain from commenting - under current procedures this form of development in this location would be the responsibility of the LLFA to respond.
<b>United Utilities</b>	<b>No objection</b> , though advises that a water main/trunk main crosses the site and an access strip either side of the centre line of the pipe is required. This should be taken into account in the final site layout, or a diversion will be necessary, which will be at the applicant's expense.
<b>Conservation Officer</b>	<b>No objection</b> . The proposal is deemed to cause harm, but not substantial harm, to the Grade II Listed Bailrigg House and gardens.
<b>Tree Officer</b>	<b>No objection</b> . The proposed soft landscaping scheme is satisfactory and must be implemented in full and maintained thereafter.
<b>Environmental Health</b>	No comments received.
<b>City Council Engineers</b>	Initial concerns raised over the alignment of the proposed cyclepath and the works to the existing land drain. These have been addressed through the submission of amended plans and additional information.
<b>Ramblers</b>	No comments received.
<b>Public Right of Way Officer</b>	No comments received.
<b>Lancaster Civic Society</b>	No comments received.
<b>Fire &amp; Rescue</b>	It should be ensured that the scheme fully meets all the requirements of Building Regulations Approved Document B, Part B5 'Access and facilities for the Fire Service'

#### **5.0 Neighbour Representations**

5.1 One letter has been received which is in general support of the development of the Innovation Centre, but ultimately is an **objection** based on the lack of information regarding surface water drainage and flood risk, and the continued use of Bailrigg Lane as part of the cyclepath link.

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

##### **6.1 National Planning Policy Framework**

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

Paragraph **17** - 12 core land-use planning principles  
 Paragraphs **19** and **20** – economy  
 Paragraphs **56**, **58** and **60** - good design

##### **6.2 Local Planning Policy Overview – Current Position**

At the 14 December 2016 meeting of its Full Council, the local authority resolved to undertake public

consultation on:

- (i) The Strategic Policies and Land Allocations Development Plan Document (DPD); and,
- (ii) A Review of the Development Management DPD.

This will enable progress to be made on the preparation of a Local Plan for the Lancaster District. It is envisaged that the public consultation will commence on 27 January 2017 and conclude on 24 March 2017, after which (if the consultation is successful), the local authority will be in a position to make swift progress in moving towards the latter stages of; reviewing the draft documents to take account of consultation outcomes, formal publication and submission to Government, and, then independent Examination of the Local Plan. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in 2018.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan. Following the Council resolution in December 2016, it is considered that the Strategic Policies and Land Allocations DPD is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan's preparation progresses through the stages described above.

The **Review of the Development Management DPD** updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making. Where any policies in the draft 'Review' document are different from those adopted in 2014, and those policies materially affect the consideration of the planning application, then these will be taken into account during decision-making, although again with limited weight. The weight attributed to the revised policies in the 'Review' will increase as the plan's preparation progresses through the stages described above.

## 6.3 Development Management DPD

Policy **DM15** Employment Premises  
Policy **DM20** Enhancing Accessibility  
Policy **DM21** Cycling and Walking  
Policy **DM27** Biodiversity  
Policy **DM28** Landscape Impact  
Policy **DM29** Trees and Hedgerows  
Policy **DM32** The setting of Designated Heritage Assets  
Policy **DM33** Non-designated Heritage Assets  
Policy **DM35** Design  
Policy **DM39** Surface Water Run-off

## 6.4 Lancaster District Core Strategy

Policy **SC1** Sustainable Development  
Policy **ER1** Higher and Further Education

## 6.5 Lancaster District Local Plan

Saved Policy **E4** Countryside Area  
Saved Policy **EC1** Bailrigg Business Park  
Saved Policy **E29** Urban Greenspace  
Saved Policy **E31** Key Urban Landscape

## 6.6 Other Material Considerations

Whilst Supplementary Planning Guidance and Documents (SPGs and SPDs) do not form part of the Development Plan, they are a material consideration. The Council's Supplementary Planning Guidance 5 (Lancaster University/Bailrigg Business Park Development Brief – April 2002) is therefore relevant to the consideration of this application.

**7.0 Comment and Analysis**

7.1 There are 6 key planning considerations arising from the proposal:

- Principle of development
- Design
- Landscape and heritage impacts
- Highway related matters
- Ecology (including impacts on Ou Beck)
- Drainage

7.2 Principle of Development

7.2.1 The science park was designated within the Local Plan, which was adopted in 2004. However, its development parameters had previously been set out in the earlier Supplementary Planning Guidance 5 (Lancaster University/Bailrigg Business Park Development Brief – April 2002). Whilst the designated area does not cover the full extent of the proposed science park, the subsequent hybrid planning consent in 2009 established the use for the whole site. Therefore the proposed first phase of this strategic economic development comes on the back of a principle that was established over 15 years ago.

7.2.2 One of the key issues arising from previous applications related to the end users. A science park was proposed in this location to establish its connections with the university and to bring about collaborative working to establish small to medium enterprises that could develop their ideas and innovations alongside research being undertaken by a world renowned educational institute. In other words, it was not to develop into another (standard) business park (such space being available close to junction 34 of the M6). The outline permission within the hybrid consent required the applicant to submit an entry criteria to the Local Planning Authority to ensure that the B1 consent was not utilised for standard office accommodation, but for research and development purposes. This condition has been recently agreed by way of a discharge of condition application, which specifies that the following criteria must be met by any future occupier of science park development:

- The business use or research and development operation is of a scientific, technological, medical or educational nature (including research, knowledge accumulation, exchange, development and relevant ancillary teaching and training);
- The use or operation has a direct and defined requirement to be located within Lancaster's Science and Innovation Park Development (Park); and,
- The use or operation is committed to make a significant contribution to the achievements of the Park (including active collaborations with the University and other occupiers within the Park).

7.3 Design

7.3.1 The development of a 122.5m long building with a height of up to 5 storeys (19m) on an undeveloped site requires very careful consideration. This is precisely what the applicant has undertaken in bring forward this proposal, and is evidenced in the 110 pages of the submitted Design and Access Statement. In 2009 when the original hybrid consent was granted permission, it was envisaged that the first phase of development would be situated close to the A6 to provide a presence along this southern approach to the city from the motorway. However, since then the sports centre has been constructed within the campus, and aligning this first phase with it brings about a number of advantages, including (but not exclusively) proximity to the main campus of the university to form meaningful connections, not jeopardising the location of future phases of development, making the most of the existing landform, utilising the existing belt of trees to protect the building from the direct southern sunrays and orientating the building to allow natural light to penetrate from the east and west.

7.3.2 The main length of the building will be sited along a plateau to the east of the Ou Beck, taking advantage of one of the few flat areas on the wider site. The topography then rises steeply to the south. The building will sit into this landform, providing opportunity for first floor access at the southern end of the building. The ground floor will be accessed from the principal entrance which faces towards a landscaped area that slopes down toward the beck and the potential future phases

of the development.

- 7.3.3 It is proposed to utilise a limited palette of materials – natural stone aggregates to form robust lightweight concrete panels that will weather over time; and bronze toned anodised aluminium mullions and panels. The former will emphasise the horizontal strata of the building, whilst the bronze coloured panelling seeks to echo the verticality and materiality of the surrounding trees. The latter will be complimented by the full height glazing, which seeks to reflect the surrounding landscape and trees, further connecting the building with its environment. The panelling will also be textured and perforated to create a living surface through reflections and shadows. Varying levels of perforation and porosity will create further animation to the façade.
- 7.3.4 The layout has been proposed to create easy forms of access, whether by car, bus, cycle or on foot. The proposed car park is densely packed with spaces, but in doing so it allows its edges to be planted up to screen the 161 vehicles whilst maintaining visibility across the car park for security purposes. The drop-off point to the north end of the building neither conflicts with the pedestrian and cycle routes, nor interfere with the external breakout areas to the west of the building that allow views over Ou Beck. The palette of materials proposed for the landscaped areas compliments its natural environment but will need to be hardwearing as a result, and the planting proposals are deemed acceptable in terms of spatial design, species and ecology.
- 7.3.5 It is deemed that the correct approach has been adopted in bringing forward this first phase of development in terms of the building's design. However, it is important to consider the design in light of the landscape and heritage impacts associated with it.

## 7.4 Landscape and Heritage Impacts

- 7.4.1 A 5 storey building extending 122.5m in length cannot be hidden within this undulating and undeveloped landscape. Situating the building in the south east corner, upon some of the highest contours within the site, will make this building very prominent. Therefore the building and its associated landscape proposals need to be of a very high quality and require careful consideration. As indicated on the photomontages, the building will form a prominent part of the foreground when viewed from the west (on the A6) and from the north (Bailrigg Lane) but it will not exceed the height of the established tree belts beyond. The woodland to the south will therefore screen the building from viewpoints in this direction. Given the way that the building has been designed to sit below the tree line, the impacts are considered acceptable. Furthermore, due to the undulating topography in this part of South Lancaster, most medium to long distance views towards the site will not afford any glimpse of the building.
- 7.4.2 However, views of the Grade II Listed Bailrigg House will be lost from the A6 by this development proposal, but more significantly the largest impact will be from the east, particularly from views out of the gardens of Bailrigg House across the flat intervening playing fields. The gardens of this Grade II property are considered to be a non-designated heritage asset as evidenced in Lancashire County Council's assessment of it. Given the proximity of the proposed building to the application site's eastern boundary there is little that can be achieved to screen the 5 storey building. However, it will be important to plant semi-mature trees along this boundary to ensure that the building's eastern elevation is softened naturally in the short and medium term, not just the long term.
- 7.4.3 The NPPF states that when considering the impact of a proposed development on the significance of a designated heritage assets, 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 ... 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"*. Paragraph 132 of the NPPF seeks to express the statutory presumption set out in s66(1) of the 1990 Act. How the presumption is applied is covered in the following paragraphs of the NPPF, such as paragraph 132 which advises that where harm is less than substantial it needs to be weighed up against the public benefits of the proposal. However, 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.
- 7.4.4 In reviewing the proposal in light of the statutory and national policy requirements, the Local

Planning Authority has little doubt that the proposal will lead to harm to the designated and non-designated heritage assets, but the harm caused is less than substantial due to the separation distance (approximately 230m) between the proposed building and the heritage assets. Whilst harm should be avoided, it is recognised that the development of this site in the context of these heritage assets is a longstanding commitment, not just within the Local Plan but also within regional economic strategies during the last 15 to 20 years, and is now being realised by Lancaster University as being a key element of its future strategies. The public benefits of realising these economic aspirations, including the jobs that will be created in the construction and occupational phases of this development, outweigh the less than substantial harm caused by the proposal on the setting of the heritage assets.

### 7.5 Highway Related Matters

7.5.1 The highway matters arising from the original development of this site for a science park are complex. The 2005 application was ultimately withdrawn to allow extensive discussions to take place between the Highway Agency (now Highways England), the Highway Authority, the Local Planning Authority and the applicant's transport consultant. Whilst complex in the detail, the issue was primarily the capacity of the A6 to accommodate the traffic associated with the science park in the morning and afternoon peaks to ensure that the highway safety and efficiency were not jeopardised, especially at junction 33 of the M6 and the crossroads in Galgate and Hala. The outline planning consent was ultimately approved for up to 34,000sq.m of B1 floorspace to be created, but only on the basis that up to 11,000sq.m of floorspace could come forward initially, with additional works and monitoring to occur within the highway network before the next tranche of development (up to 23,000sq.m) could be delivered. Further highway improvement works and monitoring would be required thereafter to allow the remaining 11,000sq.m to be realised. Furthermore the new junction onto the A6 and the access road into the site were approved in full as part of the hybrid application. Conditions attached to its consent have been agreed, which allowed works to commence, thereby ensuring that the consent became extant.

7.5.2 In addition to the conditions attached to the outline planning consent that control the phasing of development as it relates to the highway, there were also conditions imposed that cover car and motorcycle parking and its management, cycle storage, cyclepaths, bus stops and a Travel Plan. These details have been recently submitted as part of a separate discharge of condition application, and with a few exceptions approved as they relate to this first phase of development. The first exception relates to the car parking management strategy, which needs additional work, especially as it relates to enforcement. The applicant is aware of this and additional work is currently being undertaken in this regard. The other exception relates to the Travel Plan, but as it is a pre-occupation requirement, not a pre-commencement one, one is not required at this stage. The applicant is, however, aware of its existence and the need to agree a Travel Plan and have it in place before any part of the development is occupied or brought into use. In terms of the details that have been approved to date, the spaces shown for cars, cycles and motorcycles are deemed acceptable to the Highway Authority to serve this development. The proposed internal road would be accessed off the previously approved access road, providing a link between it and the proposed car park and building. This road is proposed to carry both cars and buses.

7.5.3 One of the key transport improvements to be brought forward by this development was envisaged in the 2002 Development Brief (SPG5), which is a cyclepath cutting across the site in a north-south direction to form a direct link between the university campus to the south and the existing cyclepath that connects to Bailrigg Lane immediately to the north of the site. This is even more critical given that the sports centre has been opened in the intervening years. The existing cyclepath is convoluted and not especially safe, sharing Bailrigg Lane and other access tracks with vehicles, often to the detriment of highway safety due to the conflict arising between the users. Despite pre-application advice to the contrary, the original submission proposed a cyclepath along the site's eastern boundary, which would have required Bailrigg Lane to still be utilised for part of the cyclepath network. This has been amended, so whilst the link does not cross the middle of the site as initially envisaged in 2002, it provides a route that avoids Bailrigg Lane (other than a crossing point – details of which will be required by condition) and areas of the site that have more significant land level changes or would jeopardise future phases of development. The implementation of the cyclepath prior to the development being brought into use or first occupied is already controlled by a condition on the outline consent. A separate application has been submitted to create the link from the sports centre to the southern boundary of this site as it falls outside the red edge of the outline consent.

## 7.6 Ecology

The site comprises Grade 3a and Grade 3b agricultural land, which continues to be farmed, so its ecological value is limited. The exceptions are its hedgerows and its watercourse, Ou Beck. These were assessed in details as part of the original 2009 hybrid application and again with subsequent applications, and appropriate conditions were imposed on the outline consent accordingly. The applicant has continued to work with the Local Planning Authority's ecology consultee to ensure that the emerging proposals meet with relevant statutory requirements and those set out in the conditions. One of the main differences between the proposed scheme and the earlier illustrative layouts is that development is now located south of Ou Beck requiring additional crossing points (when previously only one was proposed as part of the north-south cyclepath). However, the submitted scheme has been assessed by Greater Manchester Ecological Unit (GMEU) and deemed to be acceptable in biodiversity terms subject to a few conditions. One of these relates to nesting birds, which is covered by other legislation, but others are in association with the protection of Ou Beck, particularly (though not solely) during construction. Such details include measures to protect the integrity of the natural structure (i.e. how the crossing points will be created without adversely affecting its semi-natural character) and its water quality. A Construction Environmental Management Plan has already been agreed for the access road and A6 junction works, so this could potentially be expanded to include this first phase of development and incorporate these details. GMEU also recommend that details of external lighting should be submitted and agreed, but this is already a condition on the outline consent so should not be duplicated should Members approved this application.

## 7.7 Drainage

7.7.1 A Surface Water Drainage Strategy is required by condition 23 on the outline consent. Whilst this has been provided as part of a separate discharge of condition application, the Environment Agency, who initially requested the condition back in 2009, are abstaining from commenting on the details as subsequent changes to the way that drainage is considered now means that it is the Local Lead Flood Authority's responsibility to consider drainage to non-main rivers. However, the LLFA does not get involved in historic cases where they were not party to previous consultation. Unfortunately this matter is ongoing but senior management within the Council are working with Lancashire County Council to resolve it. However, whilst the specific detail of the drainage system has yet to be assessed, the principle of whether there is a feasible drainage solution has been considered previously by the Environment Agency, and it is considered that the site can accommodate a suitable drainage system that neither increases flood risk on the site nor elsewhere. In other words, this should not delay the determination of the application, but ultimately it could delay the applicant's start on site given drainage is a pre-commencement condition on the outline consent.

7.7.2 The applicant's drainage engineer is aware of the water mains that run through the site and will work with United Utilities to ensure that access easements are maintained along their length. They have also worked with the Council's Engineers to satisfy them that the proposal can accommodate the improvements to the existing land drain that is culverted within the application site. It currently serves the field to the north of Bailrigg Lane and has an outfall into Ou Beck. New and wider pipework will assist the drainage in this regard.

## 7.8 Other Matters

7.8.1 Sustainable Design – 2 conditions on the outline consent require the development to meet BREEAM "excellent" standard or equivalent and for at least 10% of the development's energy requirements to be provided by on-site renewable energy measures. The design of the proposal has had these requirements in mind, which has led to the orientation, materials, accessibility, landscaping, drainage and photovoltaic panels being proposed.

7.8.2 Air Quality – This was considered as part of the hybrid application given that traffic from/to the south is highly likely to pass through the Air Quality Management Area (AQMA) of Galgate, and traffic from/to the north is likely to travel through Lancaster's AQMA. Vehicle emission increases were considered in light of the concentration of air borne pollutants in these 2 designated areas and through the use of highway improvements some of the effects could be mitigated, making any changes to concentration marginal. However, since 2009 there has been a review in the way that air quality assessments are compiled and reviewed given the health risks associated with poor air



quality. Whilst concentration assessments are still appropriate, they should be accompanied by emission assessments where development would generate significant amounts of motorised journeys, such as this proposal. Such emissions should then be offset, wherever possible, by appropriate mitigation measures such as electrical vehicle charging points. 10 such points are proposed and their provision should be controlled by condition.

7.8.3 Protecting Water Quality – This is considered in the ecology section above and a relevant condition is deemed appropriate in this regard.

### **8.0 Planning Obligations**

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

### **9.0 Conclusions**

9.1 The principle of the development is well established, both in terms of designation in the Local Plan and the approval of previous planning applications. Through the negotiations during the determination period of a number of amendments and clarifications, the proposal is now deemed to not only bring forward the first phase of this strategically important economic development, but also to do so in a manner that adheres to policy requirements and the conditions attached to the associated outline planning consent. Due to the number of planning conditions attached to the outline planning consent, and the range of issues that they cover, this Reserved Matters application is being recommended for approval with very few additional conditions.

### **Recommendation**

That Approval of Reserved Matters **BE GRANTED** subject to the following conditions:

1. Standard Reserved Matters approval timescale – 2 years
2. Development in accordance with amended plans
3. Construction Environmental Management Plan, including construction details of Ou Beck crossings
4. Materials – roof, elevations, outbuildings, surfaces, boundaries (including colours and finishes)
5. Details of the cyclepath “junctions” with the access road and Bailrigg Lane – to be submitted, agreed and implemented in full in association with the internal cyclepath
6. Approved electrical vehicle charging points to be implemented prior to the development being brought into use or first occupied

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

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

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

### **Background Papers**

None.

<p align="center"><b>Agenda Item</b></p> <p align="center">A8</p>	<p align="center"><b>Committee Date</b></p> <p align="center">6 February 2017</p>	<p align="center"><b>Application Number</b></p> <p align="center">16/01373/FUL</p>
<p align="center"><b>Application Site</b></p> <p align="center">Land to the rear of Dragons Head Hotel Main Street Whittington Carnforth</p>	<p align="center"><b>Proposal</b></p> <p align="center">Demolition of outbuildings, conversion of barn to dwelling, erection of 3 dwellings with associated landscaping, parking and alterations to the existing access</p>	
<p align="center"><b>Name of Applicant</b></p> <p align="center">Mr Simon Nutter</p>	<p align="center"><b>Name of Agent</b></p> <p align="center">Mr Andrew Tait</p>	
<p align="center"><b>Decision Target Date</b></p> <p align="center">Extension of time agreed until 13 February 2017</p>	<p align="center"><b>Reason For Delay</b></p> <p align="center">Deferred at Committee for a site visit</p>	
<p><b>Case Officer</b></p>	<p>Mrs Eleanor Fawcett</p>	
<p><b>Departure</b></p>	<p>No</p>	
<p><b>Summary of Recommendation</b></p>	<p>Refusal</p>	

**(i) Procedural Matters**

This form of development would normally be dealt with under the Scheme of Delegation. However, a request has been made by Councillor Peter Williamson for the application to be reported to the Planning Committee. The reasons for the request relates to: the proximity to recently approved dwellings; the access has been used for many years by the public house; and issues raised by the Authority in relation to design. The application was deferred at the Planning Committee Meeting on 9 January 2017 to allow Members to undertake a site visit.

**1.0 The Site and its Surroundings**

- 1.1 The site is located within the small settlement of Whittington, which is located towards the north east of the District. It relates to land associated with the Dragon’s Head Hotel, comprising a large area of hardstanding, a grassed area, an outbuilding, beer garden, and a detached barn. Part of the site appears to have been previously used as a Caravan Club Certified Site, but it is likely that this use ceased in 2015. There are a number of mature trees along the site boundaries and the land slopes significantly downwards towards the rear of the site (east), and rises again beyond the site boundaries.
- 1.2 Part of the site is located within the Conservation Area and there are some Grade II Listed Buildings Located approximately 25 metres to the south west and 60 metres to the north west. It is within the Countryside Area, as identified of the Local Plan Proposals Map. Part of the land to the east, outside the application site boundary is located within Flood Zone 3.

**2.0 The Proposal**

- 2.1 Planning permission is sought for the demolition of outbuildings at the rear of the public house, with this and some of the adjacent land used as car parking. The barn to the south of the site would be converted to a single dwelling and a terrace of three dwellings is proposed towards the east of the site, with associated gardens and parking. A significant amount of engineering works appear to be required given the changes in levels across the site. This is a resubmission of a previously refused application. The only alterations to the scheme relate to the proposed barn conversion.

### **3.0 Site History**

3.1 A planning application (16/00238/FUL) was submitted earlier in 2016 for a similar proposal to the current application. It was refused for the following reasons:

1. *The site is located within a small rural settlement with very limited services and as such is not considered to be sustainable in terms of its location. It is not considered that a sufficient and robust justification has been put forward to justify four new dwellings in this unsustainable location and it is likely that the proposal could have a detrimental impact on the viability and vitality of the pub business which it proposes to support. The proposal is therefore contrary to the aims and objectives of the National Planning Policy Framework, in particular the Core Planning Principles and Sections 6 and 8, Policy SC1 of Lancaster District Core Strategy and Policies DM20, DM42 and DM49 of the Development Management Development Plan Document.*
2. *The proposed alterations and extension to the barn do not respect the agricultural character and appearance of the building and would result in an overly domestic appearance. The design and layout of the new dwellings do not relate well to the surrounding built heritage and fail to provide an appropriate level of private amenity space, including in relation to the barn conversion, and will lead to pressure on mature boundary trees. It is therefore considered that the proposal does not represent good design and is contrary to the aims and objectives of the National Planning Policy Framework, in particular the Core Planning Principles, Section 7, and Section 12, and policies DM8, DM31, DM32, DM33, DM35 and DM42 of the Development Management Development Plan Document.*
3. *As a result of increased traffic movements and poor visibility at the site's entrance, the application has failed to demonstrate that it will benefit from a safe access point onto the public highway. The proposal is therefore contrary to the aims and objectives of the National Planning Policy Framework, in particular Section 4, and policies DM20 of the Development Management Development Plan Document.*

3.2 The other relevant site history is set out below.

Application Number	Proposal	Decision
15/00468/PRETWO	Conversion of the existing public house to a mixed use scheme comprising a public house, shop and self-contained flat, conversion of a barn into a residential dwelling and erection of 18 residential dwellings with associated access road (Pre-application advice)	Unlikely to be acceptable
07/01055/FUL	Erection of retractable canvas awning	Refused
1/80/1368	Erection of a garage	Approved
1/79/1182	Use land for siting caravan for occasional summer use	Refused
1/79/1349	Use land for siting caravan for occasional summer use	Refused

### **4.0 Consultation Responses**

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

Consultee	Response
Parish Council	<b>Support.</b>
County Highways	<b>Object.</b> The proposal will result in an increase in peak hour traffic movements and the development has not demonstrated that it will benefit from a safe access point onto the public highway.
Environmental Health	No comments received during the statutory consultation period.
Conservation	<b>Raises concerns.</b> The proposed new dwellings which, although propose the use of some sympathetic materials to the conservation area, are not considered appropriate in design, containing conflicting features, and do not relate well to the surrounding built form of Whittington. Improvements have been made to the barn conversion, however there are still concerns about aspects of the fenestration.

<b>Tree Protection Officer</b>	<b>No objection</b> subject to conditions requiring: additional tree planting and development carried out in accordance with the submitted Arboricultural Implications Assessment. Any potential future conflict between occupiers of the proposed dwellings and adjacent trees could be lessened through an alteration in design, in effect to increase the distance between the proposed dwellings and boundary trees.
<b>Public Realm Officer</b>	<b>No comments to make.</b>
<b>Lancashire Archaeological Advisory Service</b>	<b>No objection.</b> There is only a low probability of remains of a Roman Road being encountered on the site and therefore it is not considered that any formal archaeological intervention is justified.
<b>United Utilities</b>	No comments received during the statutory consultation period.
<b>Fire Safety Officer</b>	It should be ensured that the scheme fully meets all the requirements of part B5 of the Building Regulations.

## **5.0 Neighbour Representations**

5.1 Three pieces of correspondence have been received, two of which raise an objection whilst the third just raises some concerns. These cover the following points:

- Impact on flooding to neighbouring properties;
- Appear to be no improvements to the access to serve the properties;
- No evidence that the works will contribute to the re-opening of the public house and post office;
- Impact on neighbouring property from existing smoking shelter; and,
- Limited need for new properties in village as there are a number for sale.

## **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 70 – Social, Recreational and Cultural Facilities  
Paragraphs 117 and 118 – Biodiversity  
Paragraphs 131 – 134 and 137 – Designated Heritage Assets  
Paragraph 135 – Non-designated Heritage Assets

6.2 Local Planning Policy Overview – Current Position

At the 14 December 2016 meeting of its' Full Council, the local authority resolved to undertake public consultation on:

- (i) The Strategic Policies and Land Allocations Development Plan Document (DPD); and,
- (ii) A Review of the Development Management DPD.

This will enable progress to be made on the preparation of a Local Plan for the Lancaster District. It is envisaged that the public consultation will commence on 27 January 2017 and conclude on 24 March 2017, after which (if the consultation is successful), the local authority will be in a position to make swift progress in moving towards the latter stages of; reviewing the draft documents to take account of consultation outcomes, formal publication and submission to Government, and, then independent Examination of the Local Plan. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in 2018.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan. Following the Council resolution in December 2016, it is considered that the Strategic Policies and Land Allocations DPD is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan's preparation progresses through the stages described above.

The **Review of the Development Management DPD** updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making. Where any policies in the draft 'Review' document are different from those adopted in 2014, and those policies materially affect the consideration of the planning application, then these will be taken into account during decision-making, although again with limited weight. The weight attributed to the revised policies in the 'Review' will increase as the plan's preparation progresses through the stages described above.

### 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 (adopted 2004)

E4 – Countryside Area

### 6.5 Development Management Development Plan Document (adopted July 2014)

DM7 – Economic Development in Rural Areas  
DM8 – The re-use and Conversion of Rural Buildings  
DM20 – Enhancing Accessibility and Transport Linkages  
DM27 – Protection and Enhancement of Biodiversity  
DM28 – Development and Landscape Impact  
DM29 – Protection of Trees, Hedgerows and Woodland  
DM31 – Development Affecting Conservation Areas  
DM32 – The Setting of Designated Heritage Assets  
DM33 – Development Affecting Non-Designated Heritage Assets or Their Settings  
DM35 – Key Design Principles  
DM40 – Protecting Water Resources and Infrastructure  
DM41 – New Residential Development  
DM42 - Managing Rural Housing Growth  
DM49 – Local Services

### 6.6 Other Material Considerations

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

## **7.0 Comment and Analysis**

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

- Principle of the development
- Scale, siting and design and impact on heritage assets
- Impact on residential amenity
- Highway safety and parking provision
- Ecological implications
- Impact on trees
- Contaminated land
- Public Sewer

### 7.2 Principle of the development

7.2.1 Core Strategy Policy SC1 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 lists settlements where new housing will be supported and indicates that proposals for new homes in isolated locations will not be supported unless clear benefits of development outweigh the dis-benefits. The application is not located within one of the settlements, the nearest of these being Arkholme, which is approximately 4km, to the south. The settlement of Kirkby Lonsdale, which is outside the District contains a number of services and is located approximately 2.8km to the north.

- 7.2.2 Policy DM42 also goes on to say that proposals for housing in other rural settlements will be supported if it can be demonstrated that the development will enhance or maintain the vitality of the local community and proposals lacking a sufficient justification will be considered under the Rural Exception Sites criteria. Whittington is a small and relatively linear settlement, with development predominantly following the main roads through the village. It has a church and village hall and a public house, which is currently closed. There has previously been a more frequent bus service through the village, however there currently only appears to be one bus service from Kirkby Lonsdale to Whittington, continuing through to Lancaster, which is only on school days. Therefore someone living in this location would be wholly reliant on private transport. There are also currently no shops in the village, although one has been proposed as part of another housing scheme to redevelop a farm complex within the village. The submission sets out that one would be proposed in the re-opened public house, although it does not form part of the current scheme. The site is therefore not in a location where new residential development would usually be supported as it is not considered to be sustainable.
- 7.2.3 The submission explains that the proposal will help to maintain the existing vitality of the local community through the refurbishment and reopening of the Dragon's Head. There have been no details provided with the submission in how it would enable the public house to be reopened (for example the need for and costs of any refurbishment required that the dwellings might contribute towards). It would need to be fully demonstrated through robust evidence that the level of development proposed was required to bring the public house back into use. There are also no assurances that the development would lead to the reopening of the pub and, if anything, it is likely to lead to the business being less viable with the loss of the beer garden. It would normally be expected that this would be maintained, and possibly enhanced, as it would be a key attraction to a rural village pub.
- 7.2.4 The submission sets out that the applicant's expertise in the leisure industry, having owned and managed a number of cafes and licenced facilities, and illustrates that serious intention to bring the pub business back into use. It also states that the proposals clearly include the construction of a car park for the pub and the applicant would accept a condition that the car park is completed prior to the occupation of the houses and that bringing the car park closer to the pub will make it more useable, particularly for disabled customers. A statement has also been provided from the applicant to show how he would run the public house. In addition to setting out that it is the intention to operate a bed and breakfast, this sets out that the sitting-out area would be moved to the front and that he never used the rear garden when he visited the pub many years ago. The plans do not show this, and it is still considered that an enhanced area at the rear would benefit the business and provide an area away from the road, which would be particularly beneficial for families. The application does not give any certainty that the development would lead to the re-opening of the public house, even if the car park is extended, or is required to allow for this.
- 7.2.5 Enabling development could be a strong justification for the four new dwellings, however there is not currently sufficient evidence to support this and the scheme put forward would more likely impact on the ability of the pub to become a thriving business, rather than help it. In addition, within the pre-application advice, it was set out that the need for housing in Whittington should be justified with a robust, well evidenced local housing need assessment. The resubmission refers to the one carried out for a development which was approved in the village earlier in the year at Whittington Farm for 18 houses, although does not go into this in detail. It is not clear that this development would meet an identified housing need, particularly in conjunction with the approved development. This decision has also been referred to by the agent. However, each application must be determined on its own merits. The approved scheme provided some very clear benefits which weighed in favour of the development. These were: the provision of a village shop and tea room within a converted barn; delivery of market and affordable housing; enhancements to the Conservation Area; utilisation of brownfield land and the provision of open space. The main justification for the current proposal, in addition to the provision of housing, is that it will allow the public house to re-open. However, as set out above, this has not been evidenced. Given this and the above, it is not considered that the

proposal currently complies with Policy DM42 of the DM DPD.

7.2.6 Paragraph 55 of the NPPF sets out that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities, and local authorities should avoid new isolated homes in the countryside unless there are special circumstances. These include: the essential need for a rural worker to live 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 to the immediate setting; or the exceptional quality or innovative nature of the design of the dwelling. Part of the proposal includes the conversion of a barn. This is an attractive building and is located within the Conservation Area. Its retention would therefore be beneficial. The current scheme has included amendments to the design, however it is still considered that some of the changes would have a detrimental impact on the character and appearance of the building. It is considered that this could be resolved through amendments which would likely result in the principle of this aspect being considered acceptable, although there are some other issues which are discussed below. It may be that the conversion of this building will provide the revenue necessary to carry out renovation works to the public house.

7.2.7 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. In addition the NPPF is very clear that there are three dimensions to sustainable development which are economic, social and environmental. Although the proposal could meet the economic and social roles by allowing the public house to re-open, the submission does not demonstrate that the development is required to do this or that the money from this would be used to renovate the building and support the business. The proposal would also fail to meet a social role by locating housing where occupiers would be wholly reliant on private transport to reach services. It could also be argued that once someone is travelling to work or to take children to school, they are more likely to use services, particularly larger shops, in these locations rather than support small facilities within the village. It is not therefore considered that a lack of a five year housing land supply justifies four new dwellings in this location, which lacks sufficient services, with occupiers wholly reliant on private transport. The justification put forward is not considered to be sufficient or robust enough to outweigh the adverse impacts.

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

7.3.1 Whittington Conservation Area was designated in 1981 for its retention of late-17th to 19th century vernacular buildings. The Dragon's Head Hotel is a late 19th century infill to the Whittington settlement, however it responds well to the surrounding vernacular appearance of the area. The barn, located behind The Old Post Office, is shown on the 1890 Ordnance Survey map. The submission sets out that the Dragon's Head was originally built as a dwelling for a Hutton Roof quarry owner and the barn was constructed as a stables. The outbuildings (proposed to be demolished) and the barn to be converted are located within the Conservation Area. The proposed dwellings are immediately on the boundary of the Conservation Area.

7.3.2 It is not considered that the demolition of the outbuilding would have a significant impact on the character and appearance of the existing building or the Conservation Area. The proposal would increase the amount of hardstanding, and surfacing treatments would need to be appropriate. The scheme for the barn conversion utilises the existing openings but also proposes one additional window opening and three rooflights in the front elevation, a replacement door opening and an additional window opening in the side (east) elevation and two rooflights and two new narrow windows in the rear elevation, although there does appear to be a blocked up larger opening. The proposed rooflights were not shown on the elevation plans for the previous scheme, although they appear to have been on the floor plans. As such, the current proposal actually increases the number of openings in the front elevation, adding to the domestic appearance that the scheme will introduce. The roof lights shown on the plan are also quite large and not of a conservation type. It is likely that they would be required to be large in size as bedroom 3 is only served by three rooflights, and bedroom 2 is only served by one which will be at a high level. Given the poor level of light and outlook afforded to these rooms it is likely that, once occupied, there would be significant pressure for further openings that would further diminish the character of the building. The room in the roof space also has very limited full height space. The internal accommodation would be improved by removing the third bedroom and repositioning bedroom 2 and the en-suite so that the bedroom

utilises the existing opening in the centre of the front elevation. This would also help to preserve the character of the building and reduce pressure for further openings.

- 7.3.3 The treatment of the larger opening has now been amended, with the sliding barn door retained as a feature, and the precise detailing of the glazing could be conditioned. This has helped to retain some of the character of the building. However, a smaller window previously proposed in this location is still shown on layout plan. Clarification has been sought in relation to this. The openings have been reduced in the east elevation and an extension removed, which is considered to be an improvement from the previous scheme. However, the position of the new door and window opening does appear awkward in relation to the retained larger door opening. Overall, it is considered that the proposals would harm the character and appearance of the building, introducing overly domestic elements. However, it is considered that amendments could be made to make this acceptable, but this would involve removing one of the bedrooms.
- 7.3.4 The three dwellings are proposed to the east of the site, at a much lower level than the highway. Two large retaining structures are required above and below the dwellings, given the significant changes in levels. The land rises beyond the site, and the development is therefore relatively well contained within the landscape. However, there are still significant concerns regarding the design. The front elevations lack a strong frontage, having timber lean-to porches. The windows are also square in appearance. The dwellings are proposed to be two-storey at the front and three-storey at the rear. Three projecting glazed gables are proposed on the rear elevation. It is not considered that the design of the dwellings relate well to the surrounding built heritage of the village. The location of the buildings also does not correspond well to the general linear nature of the settlement although there are some situations where there are dwellings to the rear of the main built frontage, such as the opposite development, The Maltings.
- 7.3.5 The layout is considered to be poor in terms of the location of parking for the public house in relation to the converted barn and the deficiencies in private amenity space. There is very little private amenity space shown in relation to the barn conversion which is considered to be unacceptable. At the side there is a very small paved area providing access to two adjacent parking spaces. At the front a small paved area is proposed but it does not appear that this would be enclosed and also lies next to parking to serve the public house, which would be 3.3m from the front wall of the building. Given its location and the character of the building, it is unlikely that a high boundary treatment to enclose this area would be considered acceptable. The three detached dwellings also have relatively open front gardens, likely to be overlooked from the car park area at a higher level, but also from each garden area. At the rear, the garden areas are very limited with one only having around 14 sq.m. One is much larger, but it is not clear if this is affected by the sloping land and would be overshadowed by adjacent mature trees. The submission sets out that drawings have been provided to show how the dwellings meet the Council's standards in relation to amenity space. However, this also includes areas that are overlooked by neighbouring properties, heavily overshadowed by trees and are parking spaces. It appears that the concerns have been misunderstood and that by private amenity space, the agent has understood this to mean privately owned rather than not overlooked. The guidance supporting Policy DM35 sets out that new houses should look to ensure at least 50 sq.m of useable garden space which is not directly overlooked by neighbouring properties. Overall it is not considered that the scheme provides an acceptable level of private amenity space for future occupiers and is a poor aspect of the overall layout and design of the scheme.
- 7.3.6 The Lancashire Archaeological Service have advised that the Historic Environment Record shows a potential Roman Road line crossing the site. This is the northern end of a road from Lancaster that is only seen fleetingly along the north side of the Lune valley and is thought to be heading to a junction with the Roman road leading from the fort at Over Burrow northeast towards the fort at Watercrock near Kendal. The first part of the Over Burrow – Watercrock route is reasonably certain, and is thought to pass approximately 200m to the north of the development site. The route of the road from Lancaster however is poorly understood and there is only a low probability of remains being encountered on the development site. It has been advised that this low probability means that it is not considered that any formal archaeological intervention is justified.

#### 7.4 Impact on residential amenity

- 7.4.1 The three dwellings at the rear of the site have the main windows in the front and rear walls, with none serving habitable room windows in the side wall. The adjacent residential development fronts the highway, however, they appear to have long rear gardens extending at least until the eastern



end of the application site. Given the siting and design, it is not considered that this part of the proposal will have a detrimental impact on residential amenity.

7.4.2 The barn shares boundaries with adjacent residential properties. There are no windows proposed to the west elevation, facing the rear of properties fronting onto the highway. There are three facing the garden of a neighbouring property, in the south elevation, one of which appears to be existing, with one previously infilled. However, these could be fitted with obscure glazing which would prevent overlooking. This was shown on the plans for the previous application, but has not been indicated on the current plans. The plans have also introduced roof lights, which were not shown on the elevations for the previous application. There are concerns that the higher level roof light at the rear would result in overlooking to the rear gardens of the adjacent properties as the bottom of this would be 1.5m above the floor level. If repositioned slightly higher and installed as a fixed light then it may overcome these concerns.

### 7.5 Highway safety and parking provision

7.5.1 County Highways advise that the proposal will increase traffic movements at the site access during the peak hours and the current layout offers a substandard visibility to the left (south) on exit. The submitted documents put forward various scenarios to improve visibility if the speed limit is reduced to 20mph and the carriageway narrowed to bring forward the give way line. In respect of the former, it has been confirmed by the Highways Authority, that there is no intention to introduce a 20 mph speed limit in Whittington as it is unlikely that the relevant criteria will be met. The other option was to bring forward the give-way line by marking an edge of carriageway line along the frontage of the site. Notwithstanding the fact that the narrowing would need to be kerbed along the length, this approach would not be acceptable as it would introduce a reduced carriageway width in a village setting on a bend and opposite an existing junction (The Maltings).

7.5.2 The submission refers to the historic use of the land to the rear of the pub for camping and caravans but there is no evidence provided to substantiate this or provide an indication of the level of traffic generation associated with this usage. From carrying out research, there is no planning consent relating to these uses, however it appears that the site may have been a Caravan Club exemption site for five vans. The inclusion of family housing would increase movements to and from the site in the peak periods raising concerns regarding the poor visibility at the site entrance. The agent has set out that the applicant has the agreement of his neighbour to the south to reduce the boundary height. This comprises a low stone wall and a hedge. Even if a Grampian condition was added to ensure this was reduced before work started, a condition requiring it to be maintained at a height of no more than 1 metre would be unenforceable as it is outside the control of the applicant.

7.5.3 In respect of the internal parking layout, the parking spaces reserved for the occupiers of the barn conversion are not considered to be fully accessible. They do not have sufficient space to reverse into or out of the spaces without utilising the adjacent pub parking spaces. In the event of these spaces being occupied then the scenario would be vehicles reversing out onto the highway which would not be acceptable. In response to this, a vehicle manoeuvring plan has been provided to show that vehicles can enter the highway in a forward gear, although it does appear very convoluted. The position of the access to the parking serving the three new dwellings and its width, appears to be restricted with the likelihood of vehicle /vehicle or vehicle pedestrian conflict.

7.5.4 On this basis, the Highways Authority recommend that the application be refused on the grounds that the development has not demonstrated that it will benefit from a safe access point onto the public highway, and that the development will result in an increase in peak hour traffic movements.

### 7.6 Ecological Impacts

7.6.1 A bat, barn owl and nesting bird survey has been submitted with the application and was carried out in November 2014. This has focussed on the public house and barn to be converted. There are no proposals in relation to the pub, with the exception of the demolition of the outbuildings. There was no past or current evidence of bats roosting found at the site during the survey. The report sets out that the buildings are unlikely to be used by significant numbers of bats for roosting. It is highly unlikely the buildings are essential for species survival and precautionary mitigation is considered to be appropriate. Barn owls are currently considered to be absent and there was no indication of current use of the site by nesting birds. It is not therefore considered that the proposals will have a detrimental impact on bats, barn owls or nesting birds, subject to appropriate mitigation.

## 7.7 Impact on Trees

7.7.1 An Arboriculture Implications Assessment (AIA) has been submitted. A total of 7 individual trees and 6 groups have been identified in relation to the proposed development. Species include sycamore, cypress, ash, willow, birch, hawthorn, damson, and elder. The majority of trees are confined to boundary lines, many of which occupy offsite locations. Trees within and around the site provide a significant element of greening and site screening. In addition, they are a significant resource for wildlife including the potential to provide habitat and foraging opportunities for protected species. It is proposed that an early-mature sycamore (subject to confirmation of ownership) and a semi-mature willow are both removed in order to accommodate the proposed development. All other trees are to be retained. There are currently no proposals to remove any other existing trees. However, measures will be required to ensure trees are protected during the proposed development, demolition and construction phases.

7.7.2 The proposals currently encroach into the root protection areas and canopy areas of trees to the northern boundary and also to the south of the site. However, to the north this potential impact is lessened by the presence of pre-existing built up levels. Encroachment issues are further lessened with the use of Cellwebb, and hand dig construction methods which are satisfactory. Similarly, a short section of hard standing exists to the southern side of the site, it is considered that this access road will have constrained rooting from the adjacent trees. A "no dig" approach is proposed for the construction of the occasional visitor car parking area and a Geocell system is proposed which would minimise the potential impact upon tree roots. There is no scope for an alteration in ground level within identified root protection areas.

7.7.3 There is however, likely to be an ongoing conflict with overhanging branches from the neighbouring site trees. It should be noted that future occupiers of the proposed new dwellings would have Common Law Rights to prune back any overhanging branches back to the boundary line. This could result in an adverse impact on the natural shape and balance of trees and result in a loss of amenity and wildlife benefit. As such, the trees have been assessed for their suitability for inclusion within a tree preservation order. It is the intention to protect a linear group of trees comprised of 6 ash trees to the northern boundary and a single sycamore tree to the southern boundary with a tree preservation order. In effect the order prohibits the lopping, topping, felling, uprooting, pruning or otherwise damage to any such tree without the written authorisation of the local authority. However, it is still considered that any potential future conflict could be lessened through an alteration in design, in effect to increase the distance between the proposed dwellings and boundary trees.

## 7.8 Contaminated land

7.8.1 The Contaminated Land Officer previously requested a preliminary risk assessment and further investigation and remediation if necessary. This is appropriate and can be controlled by condition.

## 7.9 Public Sewer

7.9.1 United Utilities have previously outlined that a sewer crosses the site and an easement of 3 metres would be required either side of this. This appears to have been incorporated into the layout.

## **8.0 Planning Obligations**

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

## **9.0 Conclusions**

9.1 The site is located within a location which is considered to be unsustainable. Although the re-opening of the public house would help to maintain the vitality of the settlement, this is not actually provided through the proposal. There is no certainty that the scheme will result in this and it also removes the associated beer garden which could adversely impact on the viability and vitality of the public house. In addition, no evidence has been provided to demonstrate that the development is required to bring the public house back into use and there has been no robust justification put forward as to how the proposal would provide for local housing needs. Part of the scheme does propose the conversion of a traditional building, however it is not considered that it would improve the setting of the building and would likely result in harm to the non-designated heritage asset and

potentially the Conservation Area. It is not therefore considered that the benefits of the proposal outweigh the harm. It is noted that a recent scheme for residential units has been granted in Whittington. However, this proposed to replace agricultural buildings and there were other clear benefits of the scheme which outweighed the unsustainable location. In addition to the above, it is not considered that the proposal provides a safe means of access or delivers high quality design.

- 9.2 Notwithstanding the need to significantly boost the supply of housing (as defined by the NPPF, Section 6, Para 47 in particular), and the fact that housing applications should be considered in the context of the presumption in favour of sustainable development (Para 49), for the reasons set out above it is not considered that the proposal represents sustainable development and the benefits do not outweigh the harm.

### **Recommendation**

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

1. The site is located within a small rural settlement with very limited services and as such is not considered to be sustainable in terms of its location. It is not considered that a sufficient and robust justification has been put forward to justify four new dwellings in this unsustainable location and it is likely that the proposal could have a detrimental impact on the viability and vitality of the pub business which it proposes to support. The proposal is therefore contrary to the aims and objectives of the National Planning Policy Framework, in particular the Core Planning Principles and Sections 6 and 8, Policy SC1 of Lancaster District Core Strategy and Policies DM20, DM42 and DM49 of the Development Management Development Plan Document.
2. The proposed alterations to the barn do not respect the character and appearance of the building and would result in an overly domestic appearance. The design and layout of the new dwellings does not relate well to the surrounding built heritage and fails to provide an appropriate level of private amenity space, including in relation to the barn conversion. It is therefore considered that the proposal does not represent good design and is contrary to the aims and objectives of the National Planning Policy Framework, in particular the Core Planning Principles, Section 7, and Section 12, and policies DM8, DM31, DM32, DM33, DM35 and DM42 of the Development Management Development Plan Document.
3. As a result of increased traffic movements and poor visibility at the site's entrance, the application has failed to demonstrate that it will benefit from a safe access point onto the public highway. The proposal is therefore contrary to the aims and objectives of the National Planning Policy Framework, in particular Section 4, and policies DM20 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 that it has taken a positive and proactive approach to development proposals, in the interests of delivering sustainable development. As part of this approach the Council offers a pre-application service, aimed at positively influencing development proposals. Whilst the applicant has taken advantage of this service prior to submission of the application, the resulting proposal is unacceptable for the reasons prescribed in this report.

### **Background Papers**

None

<p style="text-align: center;"><b>Agenda Item</b></p> <p style="text-align: center;">A9</p>	<p style="text-align: center;"><b>Committee Date</b></p> <p style="text-align: center;">6 February 2017</p>	<p style="text-align: center;"><b>Application Number</b></p> <p style="text-align: center;">16/01475/VCN</p>
<p style="text-align: center;"><b>Application Site</b></p> <p style="text-align: center;">Tesco Lodge Quarry Lancaster Road Carnforth</p>	<p style="text-align: center;"><b>Proposal</b></p> <p style="text-align: center;">Erection of a food retail store and relocation of existing plant hire company including demolition works and ancillary servicing and alterations to access (pursuant to the variation of condition 20 on planning permission 15/01438/VCN in relation to hours of deliveries)</p>	
<p style="text-align: center;"><b>Name of Applicant</b></p> <p style="text-align: center;">Tesco Stores Ltd</p>	<p style="text-align: center;"><b>Name of Agent</b></p>	
<p style="text-align: center;"><b>Decision Target Date</b></p> <p style="text-align: center;">15 February 2017</p>	<p style="text-align: center;"><b>Reason For Delay</b></p> <p style="text-align: center;">None</p>	
<p><b>Case Officer</b></p>	<p>Mrs Eleanor Fawcett</p>	
<p><b>Departure</b></p>	<p>No</p>	
<p><b>Summary of Recommendation</b></p>	<p>Approval</p>	

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

1.1 The site relates to a supermarket located on the north west side of Scotland Road, towards the southern edge of Carnforth. The supermarket is close to the north west boundary with a large car park to the front and north. The predominant land use surrounding the site is residential in nature with dwellings along Grosvenor Place backing onto the supermarket site along the north western boundary with further properties along Victoria Street, Albert Street and Fern Bank to the south and on Alexander Road on the opposite side of Scotland Road. The site is located adjacent to the Carnforth Conservation Area.

## **2.0 The Proposal**

2.1 Planning permission is sought to vary a condition which restricts the hours of deliveries to the supermarket. The original grant of planning permission (98/01043/FUL) on the site restricted deliveries between 0630-2130 Monday to Friday and 0800-1800 on Sundays. A previous proposal under a Section 73 application (15/01438/VCN) was granted consent in 2016 to allow deliveries and servicing between 0630 and 2130 hours Monday to Sunday and one delivery between midnight and 0200 on a daily basis. Prior to this, a temporary consent was given to this arrangement (14/01079/VCN). The current application seeks to vary the approved arrangements to allow one delivery a day between midnight and 0200 hours or 0500 and 0630 hours. The submission sets out that Carnforth is one of several Tesco stores where the night shift is to be removed. Therefore the requirement will be for the first delivery to commence at 0500 hours except for busier periods in the year (e.g. Christmas and Easter) where there will be a requirement for a delivery between midnight and 0200 hours.

## **3.0 Site History**

3.1 There is an extensive history on this site. The most relevant is set out below.

Application Number	Proposal	Decision
15/01439/VCN	Erection of a food retail store and relocation of existing plant hire company including demolition works and ancillary servicing and alterations to access (pursuant to the variation of condition 19 on planning permission 14/01079/VCN in relation to hours of trading)	Approved
15/01438/VCN	Erection of a food retail store and relocation of existing plant hire company including demolition works and ancillary servicing and alterations to access (pursuant to the variation of condition 20 on planning permission 14/01079/VCN in relation to hours of deliveries)	Approved
14/01079/VCN	Erection of a food retail store and relocation of existing plant hire company including demolition works and ancillary servicing and alterations to access (pursuant to the temporary variation of condition 20 on application 98/01043/FUL to allow night time deliveries on a daily basis and Sunday evening deliveries to the food retail store)	Approved
98/01043/FUL	Erection of a food retail store and relocation of existing plant hire company including demolition works and ancillary servicing and alterations to access	Approved

#### **4.0 Consultation Responses**

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

Consultee	Response
<b>Parish Council</b>	<b>Approve in principle</b>
<b>County Highways</b>	<b>No objection.</b>
<b>Environmental Health</b>	<b>No objection.</b> It is unlikely there will be 'observed effect levels' associated with the proposed delivery times.
<b>Conservation</b>	<b>No objection.</b>

#### **5.0 Neighbour Representations**

5.1 One piece of correspondence has been received which raises an objection to the proposal and sets out the following concerns:

- Noise and disturbance from extended opening hours
- Loss of privacy

#### **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 123 – Noise implications of development

6.2 Local Planning Policy Overview – Current Position

At the 14 December 2016 meeting of its' Full Council, the local authority resolved to undertake public consultation on:

- The Strategic Policies and Land Allocations Development Plan Document (DPD); and,
- A Review of the Development Management DPD.

This will enable progress to be made on the preparation of a Local Plan for the Lancaster District. It is envisaged that the public consultation will commence on 27 January 2017 and conclude on 24 March 2017, after which (if the consultation is successful), the local authority will be in a position to

make swift progress in moving towards the latter stages of; reviewing the draft documents to take account of consultation outcomes, formal publication and submission to Government, and, then independent Examination of the Local Plan. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in 2018.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan. Following the Council resolution in December 2016, it is considered that the Strategic Policies and Land Allocations DPD is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan's preparation progresses through the stages described above.

The **Review of the Development Management DPD** updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making. Where any policies in the draft 'Review' document are different from those adopted in 2014, and those policies materially affect the consideration of the planning application, then these will be taken into account during decision-making, although again with limited weight. The weight attributed to the revised policies in the 'Review' will increase as the plan's preparation progresses through the stages described above.

### 6.3 Lancaster District Core Strategy (adopted July 2008)

SC1 – Sustainable Development

### 6.4 Development Management Development Plan Document (adopted July 2014)

DM35 – Key Design Principles

## **7.0 Comment and Analysis**

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

- Impact on residential amenity

### 7.2 Impact on residential amenity

7.2.1 The current hours of delivery have been in operation since May 2015, originally granted under a temporary consent. This application seeks to amend the night time hours to allow flexibility to the store as the night shift is to be removed. It is proposed to still have one night time delivery each day and this would be between the hours of either midnight and 0200 hours (as previously approved) or 0500 and 0630 hours. The submission sets out that the baseline noise data measured at the site shows that the noise levels for these two periods of time is similar, with the period between 0500 and 0630 generally noisier than the earlier period. The submission goes on to say that, whilst this does not mean that the later period is any less sensitive, with the existing noise climate being generally higher, this should provide increased noise masking to delivery noise.

7.2.2 Environmental Health has advised that in view of the previous application to extend and vary the delivery hours presenting no evidence of adverse impacts, with reference to the previous noise assessment, it is considered that it is unlikely there will be an adverse impact on the amenity of nearby residential properties. The previous consents required deliveries to the store being undertaken in accordance with the Service Yard Noise Management Plan and a written log to be undertaken to record HGV deliveries between midnight and 0200. It is reasonable to require this, with the log covering the additional night time delivery hours.

## **8.0 Planning Obligations**

8.1 There are none to consider as part of the application.

## **9.0 Conclusions**

9.1 It is considered that the alterations to the delivery hours will not have a detrimental impact on the amenities of the nearby residential properties and the proposal is therefore considered to be

acceptable.

**Recommendation**

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

1. Control of Goods for sale
2. Development in accordance with plans
3. Car parking
4. Servicing
5. Hours of trading of supermarket
6. Servicing and deliveries to supermarket
7. Parking of refrigerated vehicles
8. Hours of operation/ use of industrial units
9. Processes carried out within industrial buildings
10. Collection and emptying of recycling bins
11. Disposal of surface water by infiltration methods
12. Surface water passed through an oil interceptor
13. Impermeable base to areas used for the storage of fuels/oils/chemicals
14. Service Yard Management Plan

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

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

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

**Background Papers**

None

<p style="text-align: center;">Agenda Item A10</p>	<p style="text-align: center;">Committee Date 6 February 2017</p>	<p style="text-align: center;">Application Number 16/01567/LB</p>
<p style="text-align: center;"><b>Application Site</b></p> <p style="text-align: center;">Assembly Rooms King Street Lancaster Lancashire</p>	<p style="text-align: center;"><b>Proposal</b></p> <p style="text-align: center;">Listed building application for the removal of internal walls and the construction of an internal draught lobby.</p>	
<p style="text-align: center;"><b>Name of Applicant</b></p> <p style="text-align: center;">Ms Sarah Price</p>	<p style="text-align: center;"><b>Name of Agent</b></p> <p style="text-align: center;">Mr Andrew Raynor</p>	
<p style="text-align: center;"><b>Decision Target Date</b></p> <p style="text-align: center;">6 February 2017</p>	<p style="text-align: center;"><b>Reason For Delay</b></p> <p style="text-align: center;">Committee Cycle</p>	
<p><b>Case Officer</b></p>	<p>Mr Robert Clarke</p>	
<p><b>Departure</b></p>	<p>No</p>	
<p><b>Summary of Recommendation</b></p>	<p>Approval</p>	

**(i) Procedural Matters**

This application is one which would normally be dealt with under the Scheme of Delegation but has been placed before the Planning Committee as the site is owned by the City Council.

**1.0 The Site and its Surroundings**

1.1 This application relates to a two storey building located on the west side of King Street. It is constructed of dressed sandstone to the front elevation and random rubble to other elevations, with a pitched roof finished in natural slate. The building is Grade II Listed and dates from 1759 with early and late nineteenth century alterations. It was originally constructed by the Trustees of the Penny's Hospital, which lies immediately to the south and is Grade II\* Listed. The ground floor is currently used as an indoor market with a small café. The first floor is occupied by a dance studio with a separate ground floor access to the front elevation. The property lies within Lancaster Conservation Area.

**2.0 The Proposal**

2.1 This application seeks listed building consent for the removal and addition of internal partition walls to facilitate a change in layout to the existing kitchen and toilet facilities and for the construction of an internal draught lobby within the entrance to the building.

2.2 The proposed internal draught lobby will feature a maximum depth of 1.6m, a maximum width of 2.6m and a maximum height of 2.8m and will be constructed using 200mm partition walling whilst the automatic doors will be constructed using softwood to match the appearance of the existing external doors.

**3.0 Site History**

3.1 Since 1982, the application site has been the subject of a number of applications including change of use, listed building consent and advertisement consent. The most recent applications are detailed below.



Application Number	Proposal	Decision
08/00324/LB	Listed building application for repointing works to front elevation	Approved
10/01100/DPA	Emergency strengthening works to south gable involving internal restraint bars within floor construction and anchor plates on wall face of gable	Approved
13/00295/LB	Listed building application for remedial works to part of ceiling, re-pointing of south facing gable wall and repair plaster cornice in dance hall	Approved

#### **4.0 Consultation Responses**

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

Consultee	Response
Conservation Section	<b>No objection</b> in principle though amendments requested to the internal draught lobby.
Ancient Monuments Society	<b>No comments</b> received within the statutory consultation period
The Council For British Archaeology	<b>No comments</b> received within the statutory consultation period
Georgian Group	<b>No comments</b> received within the statutory consultation period
Society For The Protection Of Ancient Buildings	<b>No comments</b> received within the statutory consultation period
The Victorian Society	<b>No comments</b> received within the statutory consultation period
Twentieth Century Society	<b>No comments</b> received within the statutory consultation period
Property Services	<b>No comments</b> received within the statutory consultation period

#### **5.0 Neighbour Representations**

5.1 **No comments** received within the statutory consultation period

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

6.1 National Planning Policy Framework (NPPF) – adopted March 2012

Paragraph 14 - Presumption in favour of sustainable development  
Paragraph 17 - 12 core planning principles  
Section 7 - Requiring Good Design  
Section 12 - Conserving and Enhancing the Historic Environment

6.2 Local Planning Policy Overview – Current Position

At the 14 December 2016 meeting of its' Full Council, the local authority resolved to undertake public consultation on:

- (i) The Strategic Policies and Land Allocations Development Plan Document (DPD); and,
- (ii) A Review of the Development Management DPD.

This will enable progress to be made on the preparation of a Local Plan for the Lancaster District. It is envisaged that the public consultation will commence on 27 January 2017 and conclude on 24

March 2017, after which (if the consultation is successful), the local authority will be in a position to make swift progress in moving towards the latter stages of; reviewing the draft documents to take account of consultation outcomes, formal publication and submission to Government, and, then independent Examination of the Local Plan. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in 2018.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan. Following the Council resolution in December 2016, it is considered that the Strategic Policies and Land Allocations DPD is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan's preparation progresses through the stages described above.

The **Review of the Development Management DPD** updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making. Where any policies in the draft 'Review' document are different from those adopted in 2014, and those policies materially affect the consideration of the planning application, then these will be taken into account during decision-making, although again with limited weight. The weight attributed to the revised policies in the 'Review' will increase as the plan's preparation progresses through the stages described above.

### 6.3 Development Management DPD

**DM30:** Development Affecting Listed Buildings

**DM31:** Development affecting Conservation Areas

**DM35:** Key Design Principles

### 6.4 Lancaster District Core Strategy

**SC1:** Sustainable Development

**SC5:** Achieving Quality in Design

## 7.0 Comment and Analysis

7.1 The main issues in this particular case are:

- Principle of the development
- Scale, design and impacts on the character of the Listed building and Conservation Area

### 7.2 Principle of the Development

7.2.1 This application seeks consent for the alteration of the layout, through the removal and addition of partition walls of the existing kitchen and toilets to the rear of the property at ground floor level. These are within the late 19<sup>th</sup> Century rear extension. Furthermore, an internal draught lobby featuring automatic sliding doors will be constructed within the entrance of the property. These works are part of a general package of refurbishment works proposed for the ground floor of the building. It will create improved kitchen, toilets and changing facilities to help improve the operation of the building, whilst the proposed entrance lobby will overcome the draught and traffic noise problems which are created by having the external doors continually open when the premises are in use. It is considered that the principle of the proposed works is acceptable as they will contribute towards ensuring the existing use of the property remains viable therefore facilitating the continued use of this listed building.

### 7.3 Scale, Design and Impacts on the character of the Listed Building and Conservation Area

7.3.1 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 and DM31.

7.3.2 With regards to the alteration to the layout of the kitchen and toilets, some sections of plain non-architectural walling will be removed. These sections of wall are within the late 19<sup>th</sup> century extension

to the rear of the original property and their removal will not impact upon the historical significance of the overall character of the property. Therefore this is considered to be acceptable. The proposed new sections of partition walling will feature a steelwork frame finish with a plasterboard lining. The Conservation Officer is satisfied with these proposals.

- 7.3.3 It is considered that the original 1759 main hall forms an integral and significant part of this heritage asset. The footprint of the lobby is smaller than a standard entrance lobby to avoid it appearing as a dominant feature within the main hall. However, concerns were raised by Officers with the initial proposal as it was considered that the blank partition walling failed to respect the historic character of the original hall. Following negotiation, amendments were made to the design so that it appears as a more sympathetic addition. The amendments include the addition of vertical glazing to the walls which break up the mass of the lobby making it less intrusive within the hall. The addition of a dado rail, moulds to the roof edge and door, and a plinth block to the door's architrave add architectural interest to the lobby which will respect the historic significance of the main hall. It is acknowledged that the proposed lobby will intrude into the open space of the hall. However, having regard to paragraphs 134 and 135 of the NPPF, the benefits of the proposal in terms of reducing draughts, heat loss and noise penetration are concluded to outweigh the potential harm to the heritage asset that the introduction of the lobby may present. The lobby will contribute to safeguarding the existing use of the property, which is a public benefit. The majority of the works are internal though some views of the draft lobby will be achieved from within the public domain. It is considered that its presence and impact within the surrounding Conservation Area will be minimal. Therefore from a conservation and heritage perspective the proposal is considered to be in compliance with policies DM30 and DM31 and Sections 7 and 12 of the NPPF, which guide development in relation to heritage assets and design.

### **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, this proposal does not adversely affect the character of the Listed building and will act to preserve one of the city's significant heritage assets. It is on this basis that Members are advised that this application can be supported, subject to conditions to ensure the suitability of methodologies, details and samples.

### **Recommendation**

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

1. Standard 3 year timescale
2. Works to be carried out in accordance with the approved plans
3. Samples to be submitted and agreed (unless otherwise resolved prior to the Committee Meeting)

### **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.

### **Background Papers**

None.

<p align="center"><b>Agenda Item</b></p> <p align="center">A11</p>	<p align="center"><b>Committee Date</b></p> <p align="center">6 February 2017</p>	<p align="center"><b>Application Number</b></p> <p align="center">15/00825/ADV</p>
<p align="center"><b>Application Site</b></p> <p align="center">Storey Institute Meeting House Lane Lancaster Lancashire</p>	<p align="center"><b>Proposal</b></p> <p align="center">Advertisement application for the display of eleven non-illuminated signs</p>	
<p align="center"><b>Name of Applicant</b></p> <p align="center">Lancaster City Council</p>	<p align="center"><b>Name of Agent</b></p>	
<p align="center"><b>Decision Target Date</b></p> <p align="center">4 November 2016</p>	<p align="center"><b>Reason For Delay</b></p> <p align="center">Awaiting additional information and plans</p>	
<p><b>Case Officer</b></p>	<p>Mrs Kim Ireland</p>	
<p><b>Departure</b></p>	<p>No</p>	
<p><b>Summary of Recommendation</b></p>	<p>Approval</p>	

**(i) Procedural Matters**

This form of development would normally be dealt with under the Scheme of Delegation. However, the application site is owned by, and the applicant is, 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 Storey Institute was designed by Paley and Austin and constructed between 1887 and 1891. The Institute, which is of significant architectural and historic merit, occupies a prominent corner position at the junction of Meeting House Lane and Castle Hill. The building dominates the approach to the Castle Hill Precinct and contributes significantly to the city's townscape. The building is constructed in sandstone ashlar with a slate roof, and is in Jacobean Revival style. It has façades on two fronts, with a turret on the corner, with a lead dome surmounted by a spirelet.

1.2 The building is used by a number of businesses and hosts a variety of events, including business conferences, seminars and networking, film, music and theatrical recitals, literacy performances, workshops and art exhibitions.

1.3 The Storey Institute is a Grade II Listed building. The site is located within the Lancaster Conservation Area.

**2.0 The Proposal**

2.1 The application seeks advertisement consent for the display of two banners, three menu boards, one projecting sign, two poster cabinets and three fascia signs. The signage is required to advertise the building and the services/uses that are available.

### 3.0 Site History

- 3.1 There is a considerable amount of planning history which relates to the Storey Institute most of which seeks Listed Building Consent for minor internal and external alterations. However, the two applications listed below relate to the existing signage displayed:

Application Number	Proposal	Decision
09/00516/ADV	Erection of 2 fascia signs	Permitted
09/00517/LB	Listed building application for the erection of 2 external fascia signs, internal signage and window graphics	Permitted

### 4.0 Consultation Responses

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

Consultee	Response
Conservation Officer	<b>No objection</b> subject to conditions requiring details of the brackets that the banners are fixed to including location, sample of the banner material, details of the projecting sign and the bracket.
County Highways	<b>No objection</b> subject to an advice note requiring a 2.4m clearance head room for any wall mounted hanging signs that are likely to project over/onto the surrounding lengths of the public highway.
Property Services	<b>No comments</b> at the time of compiling this report.

### 5.0 Principal National and Development Plan Policies

#### 5.1 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 – 12 Core Principles

Paragraphs 67 and 68 – Requiring Good Design

Paragraphs 131 to 134 – Conserving and Enhancing the Historic Environment

#### 5.2 Local Planning Policy Overview – Current Position

At the 14 December 2016 meeting of its Full Council, the local authority resolved to undertake public consultation on:

- (i) The Strategic Policies and Land Allocations Development Plan Document (DPD); and,
- (ii) A Review of the Development Management DPD.

This will enable progress to be made on the preparation of a Local Plan for the Lancaster District. It is envisaged that the public consultation will commence on 27 January 2017 and conclude on 24 March 2017, after which (if the consultation is successful), the local authority will be in a position to make swift progress in moving towards the latter stages of; reviewing the draft documents to take account of consultation outcomes, formal publication and submission to Government, and, then independent Examination of the Local Plan. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in 2018.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan. Following the Council resolution in December 2016, it is considered that the Strategic Policies and Land Allocations DPD is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan's preparation progresses through the stages described above.

The **Review of the Development Management DPD** updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making. Where any policies in the draft 'Review' document are different from those adopted in 2014, and those policies materially affect the consideration of the planning application, then these will be taken into account during decision-making, although again with limited weight. The weight attributed to the revised policies in the 'Review' will increase as the plan's preparation progresses through the stages described above.

### 5.3 Development Management DPD

**DM6** – Advertisements

**DM30** – Development affecting Listed Buildings

**DM31** – Development affecting Conservation Areas

**DM35** – Key Design Principles

### 5.4 Lancaster District Core Strategy – saved policies

**SC5** – Achieving Quality in Design

### 5.5 Other Material Considerations

**SPG7** – Advertisements and shop fronts design guide

## **6.0 Comment and Analysis**

6.1 The key considerations arising from the advertisement proposal are:

- Design/appearance
- Impacts upon the Conservation Area and Listed building; and
- Highway safety.

### 6.2 Design/Appearance

6.2.1 The two banners will be fixed to the west of the southern elevation. The larger banner of the two will be 0.75m in width and 6m in height and the smaller banner will be 0.6m in width and 2m in height. Two of the three menu boards will be fixed to either side of the entrance located on the southern elevation, with the third menu board being fixed to the south of the entrance located on the eastern elevation. The three menu boards will be 0.13m in width and 0.18m in height. The projecting sign will be installed to the south of the entrance located on the eastern elevation and will be 0.57m in width and 0.57m in height. The two poster cabinets will be installed to the south of the eastern elevation, under and in alignment with two windows serving the ground floor. The poster cabinets will be 1.02m in width and 0.72m in height respectively. The first fascia sign will be installed to the south eastern elevation, under the ground floor window. It will be 1.71m in width and 0.76m in height. The second fascia sign will be installed to the north of the entrance located on the eastern elevation. It will be 0.65m in width and 0.95m in height. The third fascia sign will be installed north western elevation and will be 1.66m in width and 0.83m in height. The large banner will be finished in RAL 3020 traffic red colour and the remainder of the signs will be finished in RAL 7024 graphite grey colour. This is with the exception of the smaller banner that will display exhibitions available at the Storey Institute and therefore the colours and information will vary.

6.2.2 Through negotiations with the applicant, a revised plan was received to show simpler designs, signs that are in keeping with the scale of the property, use of colours that complement the sandstone and additional details in relation to the brackets and fixings of the signs.

6.2.3 The Conservation Officer has raised no objections to the scheme, subject to conditions requiring details including the precise location of the brackets that the banners are to be fixed to, sample of the banner material, details of the projecting sign and the bracket. The applicant has provided additional information that the brackets of the banners and the projecting sign will be powder coated in RAL 7024 to match the majority of the signage with corrosion protection built in. A sample of the banner material will be conditioned to be provided. Likewise details of the framework, together with how the planks will be joined and the finish of the projecting sign will also be conditioned. It has been agreed that where possible all of the signs will be fixed into the masonry joints or existing holes will be reused, so as to prevent holes being created into the ashlar stone work.

6.2.4 The proposed signage is of a simple design, uses colours that complements the sandstone and are in keeping with scale of the property. Therefore the proposed signage will not result in any adverse visual impacts when viewed from within the street scene and is not thought to cause substantial harm to the visual amenity of the Conservation Area. The proposed signage is seen to comply with DM6, DM31, DM35 and NPPF paragraphs 131 to 134.

## 6.3 Impacts upon the Conservation Area and Listed Building

6.3.1 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 and DM31.

6.3.2 The proposed signs are of a simple design and scale and are thought to be in keeping with the visual context of the building and surrounding area. Therefore they are not seen to have significant visual impacts upon the historic setting of the Conservation Area or its wider heritage assets. Furthermore it is also acknowledged that the display of the signs are fully reversible and like all advertisements the consent expires following five years from the date of installation, in which case a further application would be required to be submitted, allowing due consideration to be given to the impacts which may or may not arise. It is considered that the proposed works will have a less than substantial harm on this Listed building. The signage will assist in adequately advertising the building and the uses provided within, which will in turn prolong the long term preservation of the building. It is therefore considered the less than substantial harm caused to the building fabric is offset by the public benefits.

## 6.4 Highway Safety

6.4.1 When assessing advertisement applications, local planning authorities have to always consider the public safety implications arising from signage. County Highways has raised no objections to the proposal, subject to an advice note requiring a 2.4m clearance head room for any wall mounted hanging signs that are likely to project over/onto the surrounding lengths of the public highway.

## **7.0 Planning Obligations**

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

## **8.0 Conclusions**

8.1 In conclusion, it is considered that the proposed signage is of a simple design and style that is in keeping with the scale of the property, that advertises the building and the services/uses that are available. The works will preserve the setting of the Conservation Area, but result in less than substantial harm to the significance of the Listed building. However, harm to the building fabric is offset by the public benefits, and therefore is deemed to comply with the requirements of Policies DM6, DM30 and DM31 of the Development Plan Document. Furthermore the scheme has been assessed against paragraph 134 of the NPPF and is considered to be acceptable.

## **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 approved plans
3. Advertisement Standard Condition Number 1
4. Advertisement Standard Condition Number 2
5. Advertisement Standard Condition Number 3
6. Advertisement Standard Condition Number 4
7. Advertisement Standard Condition Number 5
8. Sample of the banner material and details of the projecting sign framework and materials to be submitted, agreed and implemented as approved

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

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

**Background Papers**

None



Agenda Item A12	Committee Date 6 February 2017	Application Number 15/00821/LB
<p style="text-align: center;"><b>Application Site</b></p> <p style="text-align: center;">Storey Institute Meeting House Lane Lancaster Lancashire</p>	<p style="text-align: center;"><b>Proposal</b></p> <p style="text-align: center;">Listed building application for the fixing of eleven new signs</p>	
<p style="text-align: center;"><b>Name of Applicant</b></p> <p style="text-align: center;">Lancaster City Council</p>	<p style="text-align: center;"><b>Name of Agent</b></p>	
<p style="text-align: center;"><b>Decision Target Date</b></p> <p style="text-align: center;">4 November 2016</p>	<p style="text-align: center;"><b>Reason For Delay</b></p> <p style="text-align: center;">Awaiting additional information and plans</p>	
<p><b>Case Officer</b></p>	<p>Mrs Kim Ireland</p>	
<p><b>Departure</b></p>	<p>No</p>	
<p><b>Summary of Recommendation</b></p>	<p>Approval</p>	

**(i) Procedural Matters**

This form of development would normally be dealt with under the Scheme of Delegation. However, the application site is owned by 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 Storey Institute was designed by Paley and Austin and constructed between 1887 and 1891. The Institute, which is of significant architectural and historic merit, occupies a prominent corner position at the junction of Meeting House Lane and Castle Hill. The building dominates the approach to the Castle Hill Precinct and contributes significantly to the city's townscape. The building is constructed in sandstone ashlar with a slate roofs, and is in Jacobean Revival style. It has façades on two fronts, with a turret on the corner, with a lead dome surmounted by a spirelet.
- 1.2 The building is used by a number of businesses and hosts a variety of events including business conferences, seminars and networking, film, music and theatrical recitals, literacy performances, workshops and art exhibitions.
- 1.3 The Storey Institute is a Grade II Listed building. The site is located within the Lancaster Conservation Area.

**2.0 The Proposal**

- 2.1 The application seeks listed building consent for the fixing of eleven new signs that include two banners, three menu boards, one projecting sign, two poster cabinets and three fascia signs. The signage is required to advertise the building and the services/uses that are available.

**3.0 Site History**

- 3.1 There is a considerable amount of planning history which relates to the Storey Institute most of which seeks Listed Building Consent for minor internal and external alterations. However, the two applications listed overleaf relate to the existing signage displayed:

Application Number	Proposal	Decision
09/00516/ADV	Erection of 2 fascia signs	Permitted
09/00517/LB	Listed building application for the erection of 2 external fascia signs, internal signage and window graphics	Permitted

#### **4.0 Consultation Responses**

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

Consultee	Response
<b>Conservation Officer</b>	<b>No objection</b> subject to conditions requiring details of the brackets that the banners are fixed to including location, sample of the banner material, details of the projecting sign and the bracket.
<b>Lancaster Civic Society</b>	<b>No objection</b> in principle

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

##### 5.1 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 – 12 Core Principles

Paragraphs 67 and 68 – Requiring Good Design

Paragraphs 131 to 134 – Conserving and Enhancing the Historic Environment

##### 5.2 Local Planning Policy Overview – Current Position

At the 14 December 2016 meeting of its Full Council, the local authority resolved to undertake public consultation on:

- (i) The Strategic Policies and Land Allocations Development Plan Document (DPD); and,
- (ii) A Review of the Development Management DPD.

This will enable progress to be made on the preparation of a Local Plan for the Lancaster District. It is envisaged that the public consultation will commence on 27 January 2017 and conclude on 24 March 2017, after which (if the consultation is successful), the local authority will be in a position to make swift progress in moving towards the latter stages of; reviewing the draft documents to take account of consultation outcomes, formal publication and submission to Government, and, then independent Examination of the Local Plan. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in 2018.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan. Following the Council resolution in December 2016, it is considered that the Strategic Policies and Land Allocations DPD is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan's preparation progresses through the stages described above.

The **Review of the Development Management DPD** updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making. Where any policies in the draft 'Review' document are different from those adopted in 2014, and those policies materially affect the consideration of the planning application, then these will be taken into account during decision-making, although again with limited weight. The weight attributed to the

revised policies in the 'Review' will increase as the plan's preparation progresses through the stages described above.

### 5.3 Development Management DPD

**DM6** – Advertisements

**DM30** – Development affecting Listed Buildings

**DM31** – Development affecting Conservation Areas

**DM35** – Key Design Principles

### 6.0 Comment and Analysis

6.1 The key issue to consider in determining this Listed building application is whether the proposal is considered acceptable in terms of its impacts upon the historic fabric and architectural merit of the Grade II Listed building.

6.2 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 and DM31.

6.3 Through negotiations with the applicant, a revised plan was received to show simpler designs, signs that are in keeping with the scale of the property, use of colours that complement the sandstone and additional details in relation to the brackets and fixings of the signs.

6.4 The Conservation Officer has raised no objections to the scheme, subject to conditions requiring details including the precise location of the brackets that the banners are to be fixed to, sample of the banner material, details of the projecting sign and the bracket. The applicant has provided additional information that the brackets of the banners and the projecting sign will be powder coated in RAL 7024 to match the majority of the signage with corrosion protection built in. A sample of the banner material will be conditioned to be provided. Likewise details of the framework, together with how the planks will be joined and the finish of the projecting sign will also be conditioned. It has been agreed that where possible all of the signs will be fixed into the masonry joints or existing holes will be reused, so as to prevent holes being created into the ashlar stone work.

6.5 The proposed works will clearly be visible on all elevations and this will of course impact on the appearance of the building as new materials will be replacing original or historic fabric. Paragraph 134 of the NPPF is therefore relevant and states that: *"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use."*

6.6 It is considered that the proposed works will have a less than substantial harm on this Listed building. The signage will assist in adequately advertising the building and the uses provided within, which will in turn prolong the long term preservation of the building. It is therefore considered the less than substantial harm caused to the building fabric is offset by the public benefits.

### 7.0 Planning Obligations

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

### 8.0 Conclusions

8.1 In conclusion, it is considered that the proposed signage is of a simple design and style that is in keeping with the scale of the property, that advertises the building and the services/uses that are available. The works will preserve the setting of the Conservation Area, but result in less than substantial harm to the significance of the Listed building. However, harm to the building fabric is offset by the public benefits, and therefore is deemed to comply with the requirements of Policies DM30 and DM31 of the Development Plan Document. Furthermore the scheme has been assessed against paragraph 134 of the NPPF and is considered to be acceptable.

## **Recommendation**

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

1. Standard Listed Building time limit
2. Development to accord to approved amended plans
3. Sample of the banner material and details of the projecting sign framework and materials to be submitted

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

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

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

## **Background Papers**

None

## Planning & Highways Regulatory Committee - Quarterly Reports

(a) Planning Application Determination Timescales

*The table provides performance figures for the determination of Major Applications, Minor Applications and Other Applications by Planning Officers in accordance with national timescales.*

(b) Number of Planning Applications and Related Cases

*The table lists the number of planning applications and other planning application-related cases that are received by the Development Management Service per quarter.*

(c) New Tree Preservation Orders Made

*The table lists the location of new Tree Preservation Orders (TPOs) made during the last quarter.*

(d) Number of Applications for Works to Trees

*The table lists the number of Tree Works applications received in respect of protected trees (protected by TPO or by Conservation Area status)*

(e) Planning Appeal Decisions

*The table lists the planning appeal decisions issued by the Planning Inspectorate during the last quarter.*

(f) Planning Enforcement Casework

*The table lists the planning enforcement case turnover by Planning Enforcement Officers during the last quarter.*

(a) Planning Application Determination Timescales

Period	Major Applications Determined In Time *	Major Applications Determined In Under 13 Weeks	Minor Applications Determined In Time *	Minor Applications Determined In Under 8 Weeks	Other Applications Determined In Time *	Other Applications Determined Under 8 weeks
Jan - Mar 2015	100%	62.5%	50%	48%	66%	66%
Apr - Jun 2015	100%	56%	45%	42%	65%	63%
Jul - Sep 2015	94%	71%	32%	32%	54%	53%
Oct - Dec 2015	86%	64%	56%	50%	72%	70%
Jan - Mar 2016	100%	57%	76%	64%	83%	81%
Apr - Jun 2016	100%	73%	83%	51%	95%	84%
Jul - Sep 2016	100%	60%	88%	64%	96%	83%
Oct - Dec 2016	100%	67%	96%	68%	99%	83%

Year	Major Applications Determined In Time *	Major Applications Determined In Under 13 Weeks	Minor Applications Determined In Time *	Minor Applications Determined In Under 8 Weeks	Other Applications Determined In Time *	Other Applications Determined Under 8 weeks
2012 Average	47%	47%	55%	55%	66%	66%
2013 Average	63%	59%	65%	65%	82%	82%
2014 Average	88%	75%	59%	58%	69%	68%
2015 Average	95%	64%	46%	43%	64%	63%
2016 Average	100%	65%	86%	62%	93%	83%

\* Total applications determined in time includes those where the applicant and the local planning authority have agreed an extension of time.

(b) Number of Planning Applications and Related Cases

	Jan-Mar 2015	Apr-Jun 2015	Jul-Sep 2015	Oct-Dec 2015	2015 TOTAL	Jan-Mar 2016	Apr-Jun 2016	Jul-Sep 2016	Oct-Dec 2016	2015 TOTAL
Major Applications	10	15	20	16	<b>61</b>	18	21	14	26	<b>79</b>
Minor Applications	71	49	62	76	<b>258</b>	63	93	79	87	<b>322</b>
Other Applications	179	226	170	176	<b>751</b>	188	194	189	171	<b>742</b>
Discharge of Planning Condition Applications	48	56	42	54	<b>200</b>	59	65	44	43	<b>211</b>
Non-Material Amendment Applications	11	11	9	15	<b>46</b>	14	16	12	18	<b>60</b>
Variation of Legal Agreement/Condition Applications	2	2	1	3	<b>8</b>	5	2	2	5	<b>14</b>
Prior Approval (Commercial/Householder PA, Flexible Use etc) Applications	16	19	17	8	<b>60</b>	15	19 *	11	9	<b>54 *</b>
<b>TOTAL NUMBER OF DECISION-MAKING APPLICATIONS</b>	<b>337</b>	<b>378</b>	<b>321</b>	<b>347</b>	<b>1384</b>	<b>362</b>	<b>410 *</b>	<b>351</b>	<b>359</b>	<b>1482 *</b>
<b>Pre-Application, Consultations and EIA Screening/Scoping Opinions</b>										
Environmental Screening and/or Scoping Opinions	4	7	3	4	<b>18</b>	5	8	2	6	<b>21</b>
Infrastructure Planning Commission Consultations	0	0	0	0	<b>0</b>	0	0	0	0	<b>0</b>
Pre-Application Advice Submissions or Charged Meetings	24	47	38	33	<b>142</b>	54	35	33	36	<b>158</b>

\* includes one Ecclesiastical Exemption application

(c) New Tree Preservation Orders Made

<b>Tree Preservation Order Number</b>	<b>Date Made</b>	<b>Location</b>	<b>Extent of Protection</b>
584 (2016)	01.11.16	27, Williamson Road, Lancaster	T1 (willow)
585 (2016)	01.11.16	Vicarage, Priory Close, Lancaster	T1 & T2 (both oak)
586 (2016)	01.11.16	Land between The Herb Garden and plots 1 & 2, The Sheilings, Arkholme	G1
587 (2016)	23.11.16	Land to rear the Dragons Head Hotel, Whittington	G1 & T1 (ash)
588 (2016)	25.11.16	Greenbank Cottages, Kellet Road, Over Kellet	T1 (beech)
589 (2016)	05.12.16	The Corner House, Lindeth Road, Silverdale	W1
590 (2016)	05.12.16	Land at 2 Hall Garth Close, Over Kellet	Revoked
591 (2016)	28.12.16	28 St Michael's lane, Bolton le Sands	T1 (sycamore)



(d) Number of Applications for Works to Trees

	<b>Applications for Works to Trees Protected by Tree Preservation Orders</b>	<b>Applications for Works to Trees Protected by Conservation Area Status</b>
January-March 2015	21	18
April-June 2015	19	16
July-September 2015	20	24
October-December 2015	20	21
<b>TOTAL APPLICATIONS 2015</b>	<b>80</b>	<b>79</b>
January-March 2016	15	21
April-June 2016	22	12
July-September 2016	23	22
October-December 2016	22	23
<b>TOTAL APPLICATIONS 2016</b>	<b>82</b>	<b>78</b>

(e) Planning Appeal Decisions

<b>Application Number</b>	<b>Application Site</b>	<b>Proposal</b>	<b>Appeal Decision</b>
<b>16/00623/RCN</b>	Scale House Farm Conder Green Road Galgate	Change of use and conversion of existing redundant barn to create 4 self-contained holiday accommodation (C3) and conversion of existing outbuilding to create external storage area (pursuant to the variation of condition 17 and removal of conditions 18 and 19 on planning permission 14/00784/CU in relation to the curtilage and to allow the holiday units to be used as unfettered residential dwellings)	Appeal Allowed
<b>15/00653/FUL</b>	Addington Lodge Stables Addington Road Nether Kellet	Demolition of 2 stable buildings and erection of 2 single storey buildings comprising offices, staff welfare facilities and a plant room	Appeal Dismissed
<b>16/00669/CU</b>	Sea View Ringstones Lane Lowgill	Change of use of agricultural buildings to two dwellings (C3)	Appeal Dismissed
<b>13/00564/UNAUTU</b>	Moorlands Hotel Quarry Road Lancaster	Appeal against Enforcement Notice	Notice Quashed
<b>16/00675/ADV</b>	Unit 1 Bulk Road Lancaster	Advertisement application for the display of 1 internally illuminated fascia signs, 3 non illuminated fascia signs and 2 new poster frames	Appeal Withdrawn by appellant
<b>16/00610/FUL</b>	2 Church Grove Overton	Erection of a two storey side and rear extension with the installation of a Juliet balcony to the rear	Appeal Withdrawn by appellant

(f) Planning Enforcement Casework

Period	Number of Current Live (Allocated) Enforcement Cases (at the time of compiling this table)								New Cases Received Within the Quarter	Closed Cases Within the Quarter
	Breach of Condition	Conflicts with Approved Plans	(Separate) Conservation Area Development	Unauthorised Adverts	Unauthorised Development	Unauthorised Use	Untidy Land (& Tipping)	Works Affecting a Listed Building		
Jan – Mar 2016	-	-	-	-	-	-	-	-	-	-
April-June 2016	-	-	-	-	-	-	-	-	-	-
Jul - Sep 2016	-	-	-	-	-	-	-	-	-	-
Oct - Dec 2016	33	20	2	28	89	53	20	19	71	99
Jan - Mar 2017										
Apr - Jun 2017										
Jul - Sep 2017										
Oct - Dec 2017										

Note: This is new data, and is collected from 1<sup>st</sup> October 2016 onwards.

## LANCASTER CITY COUNCIL

APPLICATION NO	DETAILS	DECISION
15/01112/CU	Strand Meadow, The Shore, Hest Bank Retrospective application for the change of use of land for siting of a residential caravan for Mrs S Jones (Bolton And Slyne Ward 2015 Ward)	Application Refused
16/00175/DIS	Land North Of 1 To 23, Stoney Lane, Galgate Discharge of condition 20 on approved application 15/00080/FUL for Mr Martin Nugent (Ellel Ward 2015 Ward)	Closed
16/00189/DIS	Land South West Of West House, Kirkby Lonsdale Road, Arkholme Discharge of conditions 3 and 4 on approved application 15/01584/FUL for Mr Knight (Kellet Ward 2015 Ward)	Initial Response Sent
16/00196/DIS	Carnforth Brow, Carnforth, Lancashire Discharge of Conditions 3, 4, 5, 9 and 10 on approved application 16/00798/REM for Loxam Riley Loxam Riley (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
16/00198/DIS	Redfields, Wyresdale Road, Quernmore Discharge of condition 4 on planning permission 15/00188/FUL for Mr Anthony Gardner (Lower Lune Valley Ward 2015 Ward)	Application Permitted
16/00202/DIS	St Georges Quay Development Site, St Georges Quay, Lancaster Discharge of conditions 4, 7, 8, 9, 11, 12, 13, 18, 20, 22, 23, 25 and 30 on approved application 14/01186/VCN for Mr Chris Gowlett (Castle Ward 2015 Ward)	Initial Response Sent
16/00219/DIS	G And L Car Services, Wheatfield Street, Lancaster Discharge of conditions 4, 9, 12, 19 and 24 on approved application 14/01208/FUL for Mr Richard Harrison (Castle Ward 2015 Ward)	Request Completed
16/00330/FUL	24 Grasmere Road, Lancaster, Lancashire Erection of a single storey rear extension for Mr P Ham (Bulk Ward 2015 Ward)	Application Permitted
16/00505/FUL	Silver Sapling Camp Site, Chapel Lane, Silverdale Erection of a single storey bunk house and activity building for Lancaster, Garstang And Morecambe Girl Guides (Silverdale Ward 2015 Ward)	Application Permitted
16/00516/FUL	39 Clougha Avenue, Halton, Lancaster Retrospective application for boundary walls and engineering works to garden area and erection of a new car port and summer house for Mr & Mrs P. Read (Halton-with-Aughton Ward 2015 Ward)	Application Permitted
16/00940/FUL	County Hotel, Lancaster Road, Carnforth Alterations to form new entrance to front elevation, creation of a beer garden and revised parking layout for Mr Mark Chambers (Carnforth And Millhead Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

16/01022/CU	Morecambe Lodge Caravan Camp, Shore Lane, Bolton Le Sands Change of use of land for the siting of static and touring caravans for holiday occupation from 8 months to 11 months of the year for Mr Andrew Towers (Bolton And Slyne Ward 2015 Ward)	Application Permitted
16/01039/FUL	Sofidel (UK) Limited, Lansil Way, Lansil Industrial Estate, Lancaster Erection of a pump house for Mr Alessandro Dinucci (Bulk Ward 2015 Ward)	Application Permitted
16/01043/FUL	Lidl, 98 Westgate, Morecambe Erection of a side extension to existing retail unit, recladding of existing elevations, removal of canopy, installation of door to south elevation, alterations to the vehicular access point and rearrangement of existing car park layout for Mr E Whalley (Westgate Ward 2015 Ward)	Application Permitted
16/01075/LB	6 Fenton Street, Lancaster, Lancashire Listed building application for replacement of two windows at first and second floor levels on the rear elevation for Mrs Sue Hodgson (Castle Ward 2015 Ward)	Application Permitted
16/01107/FUL	Well House, Wyresdale Road, Lancaster Erection of one 2-storey detached dwelling for Mr James Gray (John O'Gaunt Ward 2015 Ward)	Application Permitted
16/01128/CU	1 Deansgate, Morecambe, Lancashire Change of use from storage (B8) to mixed use comprising of ground floor meeting place and prayer room (D1) and a first and second floor 4-bed house in multiple occupation (C4) for Miss Anna Dean (Poulton Ward 2015 Ward)	Application Withdrawn
16/01130/LB	1 Deansgate, Morecambe, Lancashire Listed building application for the insertion and relocation of partition walls to the ground, first and second floors to form new rooms, installation of new soil pipes to the rear elevations for Miss Anna Dean (Poulton Ward 2015 Ward)	Application Withdrawn
16/01164/FUL	Belmount Farm, Hasty Brow Road, Slyne Erection of an agricultural building for Mr J Hoggarth (Bolton And Slyne Ward 2015 Ward)	Application Permitted
16/01186/CU	Guys Farm Outdoor Centre, Gleaves Hill Lane, Ellel Change of use of agricultural land for the creation of two recreational ponds with associated landscaping for Kevin Greene (Ellel Ward 2015 Ward)	Application Permitted
16/01199/LB	Poplar House, Main Street, Wray Listed building application for the installation of a new soil and vent pipe to the southern elevation, roof vent to the rear elevation, new internal door, replacement staircase to attic, replacement joists and new partition walls in attic for Dr I Parkinson (Lower Lune Valley Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

16/01202/FUL	Abbeystead Reservoir, Abbeystead, Lancashire Erection of a detached powerhouse and semi submerged concrete intake structure with associated railings, construction of an underground concrete header tank, pipe, discharge channel and electrical cable, improvements to the fish pass and entrance including 3 resting pools and construction of a new access track for Mr Neil Kilgour (Ellel Ward 2015 Ward)	Application Permitted
16/01205/FUL	4 Blackberry Hall Crescent, Heysham, Morecambe Erection of a single storey rear extension for Mrs M. Kelly (Heysham Central Ward 2015 Ward)	Application Permitted
16/01222/CU	14 Slip Inn Lane, Lancaster, Lancashire Change of use from cafe (A3) to takeaway (A5) for Mr N Khan (Castle Ward 2015 Ward)	Application Permitted
16/01223/OUT	Land Adj Railway, Warton Road, Carnforth Outline application for the erection of 24 dwellings with associated access for Austringer Capital Limited (Carnforth And Millhead Ward 2015 Ward)	Application Refused
16/01225/FUL	27 - 29 North Road, Lancaster, Lancashire Installation of a replacement shop front and a retractable roof to the rear for Mr Mark Diggle (Bulk Ward 2015 Ward)	Application Permitted
16/01237/OUT	87 White Lund Road, Morecambe, Lancashire Outline application for the erection of up to 9 dwellings with associated access for Mr Darren Gates (Westgate Ward 2015 Ward)	Application Refused
16/01240/CU	56A Main Road, Galgate, Lancaster Change of use from ground floor retail (A1) and 1st and 2nd floors house of multiple occupancy (C4) to a mixed use comprising of retail (A1) and holistic therapies (D1) for Mrs Sarah McMillan (Ellel Ward 2015 Ward)	Application Permitted
16/01250/FUL	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 Cartmell (Westgate Ward 2015 Ward)	Application Refused
16/01257/FUL	Land Adjacent, 153 North Road, Carnforth Erection of five 2-storey detached dwellings with associated access for Global Cattle Exports Ltd (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
16/01261/FUL	Land To The Rear Of , 33 McDonald Road, Heysham Change of use of land for the siting of a residential caravan for Mr V Atkinson (Overton Ward 2015 Ward)	Application Refused
16/01265/FUL	Priory Farm, Priory Lane, Hornby Erection of agricultural building including associated earthworks and creation of a hardstanding and relocated silo for Mr Norris (Upper Lune Valley Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

16/01268/FUL	14 Damside Street And 20 Wood Street, Lancaster, Lancashire Redevelopment of properties and land adjacent, comprising of change of use of first and second floors of 20 Wood Street to one 3 bedroom student cluster flat, erection of first and second floors to 14 Damside Street to create two 3 bedroom and two 5 bedroom student cluster flats and erection of a new 3 storey building of one 4 bedroom and one 6 bedroom student cluster flats and 9 bay car park at rear for AHB Property Holdings (Bulk Ward 2015 Ward)	Application Permitted
16/01272/FUL	25 Heysham Park, Heysham, Morecambe Erection of a first floor rear extension for Mr Neil Kelly (Heysham South Ward 2015 Ward)	Application Permitted
16/01275/FUL	Batty Hill Farm, Lancaster Road, Cockerham Demolition of existing dwelling and erection of a new detached dwelling and creation of hardstanding for Mr P Hewitt (Ellel Ward 2015 Ward)	Application Permitted
16/01306/OUT	Sweetings Farm, Sandside, Cockerham Outline application for the erection of an agricultural workers dwelling for Mrs Lawson (Ellel Ward 2015 Ward)	Application Permitted
16/01309/FUL	Lancaster University, Bailrigg Lane, Lancaster Construction of a footpath/cycle link with associated lighting north of the sports centre for Lancaster University (University And Scotforth Rural Ward)	Application Permitted
16/01321/FUL	Latham House, Abbeystead Lane, Dolphinholme Creation of a new agricultural access for Mr & Mrs Armer (Ellel Ward 2015 Ward)	Application Permitted
16/01326/FUL	11 Cove Road, Silverdale, Carnforth Construction of a dormer extension to the rear, demolition of existing garage and erection of a new detached garage for Mr & Mrs G. Dyer (Silverdale Ward 2015 Ward)	Application Permitted
16/01334/FUL	18 Stankelt Road, Silverdale, Carnforth Construction of a dormer extension and a first floor balcony to the rear elevation and a replacement external staircase for Mr & Mrs Swindley (Silverdale Ward 2015 Ward)	Application Permitted
16/01357/OUT	Land Adjacent To , 2-4 Main Street, Cockerham Outline application for the erection of one dwelling and creation of an associated access for Mr David Wood (Ellel Ward 2015 Ward)	Application Permitted
16/01368/FUL	8 Sand Lane, Warton, Carnforth Conversion of existing garage to form a utility room and erection of a single storey side extension with integral garage for Mr John Tyson (Warton Ward 2015 Ward)	Application Permitted
16/01380/FUL	Sand Villa Farm, Sandside, Cockerham Erection of an agricultural livestock building for Mr Richard Jones (Ellel Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

16/01383/FUL	58 Chequers Avenue, Lancaster, Lancashire Erection of a single storey rear extension, construction of dormer window to side elevation, installation of rooflights to the front elevation and re-grading of land to create a new lowered driveway for Mr P Bohdan (John O'Gaunt Ward 2015 Ward)	Application Permitted
16/01384/FUL	Parkfield Garage, Bowerham Road, Lancaster Erection of four 2-storey dwellings for Mr David Peters (Scotforth West Ward 2015 Ward)	Application Permitted
16/01385/ADV	Sainsburys, Cable Street, Lancaster Advertisement application for the display of additional vinyl sign to two existing wall mounted aluminium panels, vinyl panel to freestanding sign, replacement of aluminium directional panel and 3 non-illuminated wall mounted aluminium panels for Sainsbury's Supermarkets Ltd (Bulk Ward 2015 Ward)	Application Permitted
16/01389/FUL	11 St Michaels Crescent, Bolton Le Sands, Carnforth Demolition of rear conservatory and erection of a 2-storey rear extension, single storey side extension, installation of a replacement roof to the side garage, construction of 2 dormer extensions to the front elevation and raised decking to rear for Mr & Mrs Newall (Bolton And Slyne Ward 2015 Ward)	Application Permitted
16/01390/FUL	78 Broadway, Morecambe, Lancashire Demolition of existing rear extension and conservatory and erection of a single storey rear extension, construction of a side dormer extension and raised decking to the rear for Mr & Mrs Carl and Sarah Naylor (Bare Ward 2015 Ward)	Application Permitted
16/01392/FUL	78 Coastal Road, Hest Bank, Lancaster Erection of a single storey rear extension and construction of raised decking for Mr & Mrs M. Entwistle (Bolton And Slyne Ward 2015 Ward)	Application Permitted
16/01395/FUL	40 Vernon Crescent, Galgate, Lancaster Erection of a two storey side extension for Mr & Mrs S. Villers-Stubbs (Ellel Ward 2015 Ward)	Application Permitted
16/01398/ADV	Sainsburys, Lancaster Road, Morecambe Advertisement application for the display of 1 internally illuminated aluminium panel to existing totem sign, 2 non-illuminated vinyl panels to existing freestanding signs, 3 internally illuminated fascia sign, 6 non-illuminated aluminium panels and 3 non-illuminated vinyl sign for Sainsbury's Supermarkets Ltd (Westgate Ward 2015 Ward)	Split Decision
16/01400/FUL	51 Green Street, Morecambe, Lancashire Replacement of 15 wooden windows and 2 wooden doors with new uPVC doors and windows for Mr Sharpe (Poulton Ward 2015 Ward)	Application Refused
16/01402/FUL	Bare Post Office, 47 Princes Crescent, Morecambe Retention of a replacement shop front with improved access. for Mr S Livesey (Bare Ward 2015 Ward)	Application Permitted
16/01405/FUL	Ripley St Thomas Church Of England Academy, Ashton Road, Lancaster Installation of wrought iron gates to the rear entrance for Mr Ripley St Thomas C of E Academy (Scotforth West Ward 2015 Ward)	Application Permitted



LIST OF DELEGATED PLANNING DECISIONS

16/01406/LB	Ripley St Thomas Church Of England Academy, Ashton Road, Lancaster Listed Building application for the installation of wrought iron gates to the rear entrance for Mr Ripley St Thomas C of E Academy (Scotforth West Ward 2015 Ward)	Application Permitted
16/01407/FUL	Halton Green House, Green Lane, Halton Erection of a single storey side extension with link corridor to the main house for Mr Alan Sellers (Halton-with-Aughton Ward 2015 Ward)	Application Permitted
16/01411/FUL	The Greyhound, 10 Low Road, Halton Removal of double doors to west elevation and replacement with a feature window for Star Pubs And Bars (Halton-with-Aughton Ward 2015 Ward)	Application Permitted
16/01414/ADV	Royal Hotel, Main Street, Heysham Advertisement application for the display of an externally illuminated parking entrance sign and non illuminated signage of 2 directional signs, 3 poster signs, 1 A board sign and 2 slate plaque signs for Mr John Booth (Heysham Central Ward 2015 Ward)	Application Permitted
16/01415/FUL	11 New Quay Road, Lancaster, Lancashire Erection of rear conservatory for Mrs Peil (Marsh Ward 2015 Ward)	Application Permitted
16/01416/LB	Royal Hotel, Main Street, Heysham Listed building application for the fixing of an externally illuminated parking entrance sign and non illuminated signage of 2 directional signs, 3 poster signs and 2 slate plaque signs for Mr John Booth (Heysham Central Ward 2015 Ward)	Application Permitted
16/01417/FUL	Beaumont Grange Farm, Green Lane, Slyne Erection of an agricultural livestock building for Mr S Hill (Bolton And Slyne Ward 2015 Ward)	Application Permitted
16/01418/FUL	196 Main Street, Warton, Carnforth Erection of a single storey extension to North West elevation for Mr Paul Holroyd (Warton Ward 2015 Ward)	Application Permitted
16/01419/FUL	Land To The South Of, Middleton Road, Middleton Creation of a new access for Mr Robert John Walker (Overton Ward 2015 Ward)	Application Permitted
16/01421/FUL	Red Bank House, Shore Lane, Bolton Le Sands Erection of a single storey rear/side extension and chimney stack to the side elevation for Mr & Mrs R. Taylor (Bolton And Slyne Ward 2015 Ward)	Application Permitted
16/01429/FUL	Land At, Greenways, Over Kellet Erection of three detached dwellings for Mr Phil Rogerson (Kellet Ward 2015 Ward)	Application Permitted
16/01431/FUL	2 Broadway, Morecambe, Lancashire Demolition of existing conservatory, erection of a two storey rear extension and alterations to existing side balcony for Mr & Mrs J Harwood (Bare Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

16/01432/FUL	Royal Lancaster Infirmary, Ashton Road, Lancaster Replacement ground and first floor windows and modification of some existing windows and doors at ground floor level for Mr Ian Ferguson (Scotforth West Ward 2015 Ward)	Application Permitted
16/01433/FUL	12 Sandown Road, Lancaster, Lancashire Erection of a front porch for Mr And Mrs Nicholas (Scotforth East Ward 2015 Ward)	Application Permitted
16/01435/FUL	Jubilee Garage, Main Road, Bolton Le Sands Erection of a single storey link extension to the rear elevation and retention of a car wash canopy for Mr Rimantas Stasiukynas (Bolton And Slyne Ward 2015 Ward)	Application Permitted
16/01438/PLDC	Lune Water Pumping Station, Caton Road, Quernmore Proposed lawful development certificate for the installation of a photovoltaic solar array comprising solar panels, inverter station, switchgear, ring-main unit, 2.4 metre high security fencing and underground cabling for United Utilities (Lower Lune Valley Ward 2015 Ward)	Lawful Development Certificate Refused
16/01440/FUL	184 Main Street, Warton, Carnforth Erection of a part single part two-storey side extensions to existing annexe to facilitate the conversion to a separate dwelling with associated landscaping and creation of a new access point for Mr & Mrs J Collins (Warton Ward 2015 Ward)	Application Refused
16/01441/FUL	23 Hawthorn Avenue, Brookhouse, Lancaster Installation of a replacement roof to existing rear conservatory for Mrs Bainbridge (Lower Lune Valley Ward 2015 Ward)	Application Permitted
16/01442/FUL	29 Greenfields, Caton, Lancaster Demolition of existing rear conservatory and erection of a single storey side and rear extension for Neil Oughton (Lower Lune Valley Ward 2015 Ward)	Application Permitted
16/01445/FUL	41A - 45 North Road, Lancaster, Lancashire Relevant Demolition of existing 2 storey building and attached single storey workshop to rear and erection of a 4 storey building comprising of a ground floor retail unit (A1), office unit (B1), cycle storage and 20 one-bed studios for student accommodation above for Z Mister (Bulk Ward 2015 Ward)	Application Withdrawn
16/01453/FUL	6 Hawthorn Avenue, Brookhouse, Lancaster Construction of a replacement dormer extension to the side elevation for Mr And Mrs Benner (Lower Lune Valley Ward 2015 Ward)	Application Permitted
16/01456/PLDC	72 Eastham Street, Lancaster, Lancashire Proposed lawful development certificate for demolition of outbuilding and erection of a single storey rear extension for Cottam Trust (John O'Gaunt Ward 2015 Ward)	Lawful Development Certificate Granted
16/01459/FUL	5 Oxcliffe Road, Heysham, Morecambe Erection of a single storey rear extension for Mr J. Holmes (Heysham Central Ward 2015 Ward)	Application Permitted
16/01460/FUL	10 Bazil Lane, Overton, Morecambe Erection of a detached garage for Mr & Mrs P. Gallagher (Overton Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

16/01462/FUL	313 - 315 Marine Road Central, Morecambe, Lancashire Erection of a new front porch for Mr J Bracken (Poulton Ward 2015 Ward)	Application Refused
16/01465/FUL	91 Broadway, Morecambe, Lancashire Demolition of rear extension and erection of a new single storey rear extension with raised patio and fencing for Mr & Miss Robinson -Young (Bare Ward 2015 Ward)	Application Permitted
16/01469/LB	Narr Lodge Farmhouse, Wyresdale Road, Quernmore Listed building application for the erection of a single storey side extension for Mr And Mrs Bancroft (Lower Lune Valley Ward 2015 Ward)	Application Permitted
16/01472/FUL	51 Blades Street, Lancaster, Lancashire Conversion of one dwelling into three 1-bed flats (C3) for Mr Philip Brierley (Castle Ward 2015 Ward)	Application Refused
16/01474/FUL	Narr Lodge Farmhouse, Wyresdale Road, Quernmore Erection of a single storey side extension for Mr & Mrs Bancroft (Lower Lune Valley Ward 2015 Ward)	Application Permitted
16/01482/FUL	Boot And Shoe Hotel, 171 Scotforth Road, Lancaster Installation of flue and erection of bamboo treatment to side elevation for Mr Daniel Thwaites (Scotforth East Ward 2015 Ward)	Application Permitted
16/01483/FUL	Marshrange, Castle Park, Lancaster Provision of a new pedestrian gate access onto Long Marsh Lane. for Mr Gary Rycroft (Castle Ward 2015 Ward)	Application Permitted
16/01485/FUL	10 Peacock Lane, Hest Bank, Lancaster Installation of a raised replacement roof to create second floor accommodation and re-cladding to existing elevations for Mr D Hardman (Bolton And Slyne Ward 2015 Ward)	Application Permitted
16/01489/RCN	3 Gillison Close, Melling, Carnforth Erection of a first floor front and side extension and replacing existing septic tank with a biological treatment plan (pursuant to the removal of condition 4 on planning permission 16/00474/FUL in relation to the existing hedgerow) for Miss K Mallaband (Upper Lune Valley Ward 2015 Ward)	Application Permitted
16/01494/OUT	1 Hazelwood, Silverdale, Carnforth Outline application for the demolition of existing dwelling and erection of two detached dwellings for C/o agent (Silverdale Ward 2015 Ward)	Application Refused
16/01496/REM	Land Corner Of Warton Road And Midland Terrace, Carnforth, Lancashire Reserved Matters application for the erection of 2 dwellings for Austringer Land Limited (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
16/01503/CU	214 Heysham Road, Heysham, Morecambe Change of use from a dwelling (C3) to 3 self contained flats (C3) for Mr Michael Phillips (Heysham North Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

16/01508/FUL	Land Adjacent West Sheen, 2 The Drive, Hest Bank Erection of a detached dwelling with integral garage and associated access for Mr A Crabtree & Miss C Rogerson (Bolton And Slyne Ward 2015 Ward)	Application Permitted
16/01513/VCN	142 Greaves Road, Lancaster, Lancashire Erection of 54 extra care apartments for the over 70s (use class C2) with associated landscaping & car parking (pursuant to the variation of conditions 1, 4, 7, 12 and 13 on planning permission 15/00520/VCN to amend highway construction and footway improvement details, changes to boundary and landscaping details) for McCarthy And Stone (Scotforth West Ward 2015 Ward)	Application Permitted
16/01524/CU	1 Walker Grove, Heysham, Morecambe Change of use of part garage for dog grooming (A1) for Deborah Dixon (Heysham South Ward 2015 Ward)	Application Permitted
16/01526/PLDC	14 Tarnbrook Close, Carnforth, Lancashire Proposed lawful development certificate for the erection of a single storey rear extension for Mr & Mrs Giudici (Carnforth And Millhead Ward 2015 Ward)	Lawful Development Certificate Granted
16/01530/FUL	33 Bay View Avenue, Slyne, Lancaster Retrospective application for the demolition of existing garage, erection of a replacement garage and erection of a two storey extension to the rear for Mr Michael Child (Bolton And Slyne Ward 2015 Ward)	Application Permitted
16/01532/AD	Limestones, Crag Road, Warton Agricultural determination for the erection of an agricultural storage building for Mrs Catherine Grayson (Warton Ward 2015 Ward)	Prior Approval Not Required
16/01542/ADV	12 Victoria Street, Morecambe, Lancashire Advertisement application for the display of 2 externally illuminated fascia signs, 1 non-illuminated fascia sign and 1 non-illuminated projecting sign for Mr S Clayton (Poulton Ward 2015 Ward)	Application Permitted
16/01562/FUL	23 Hillmount Avenue, Heysham, Morecambe Erection of a single storey side and rear extension for Mr & Mrs E. Gilmour (Heysham South Ward 2015 Ward)	Application Permitted
16/01568/FUL	81 Hest Bank Lane, Hest Bank, Lancaster Retrospective application for the erection of a two storey side extension for Mr P. Jackson (Bolton And Slyne Ward 2015 Ward)	Application Permitted
16/01575/PLDC	9 Cambridge Avenue, Lancaster, Lancashire Proposed lawful development certificate for the construction of a dormer extension to the rear, installation of upper floor windows to the side elevations and replacement sliding doors to the rear elevation for Mrs S Parkin (John O'Gaunt Ward 2015 Ward)	Lawful Development Certificate Granted
16/01576/CCC	Westgate Primary School, Langridge Way, Morecambe Installation of 2.4 metre high security fencing and gate to Gaisgill Avenue boundary of the school for Mr S Robinson (Westgate Ward 2015 Ward)	No Objections

## LIST OF DELEGATED PLANNING DECISIONS

16/01582/PLDC	14 Hayfell Avenue, Morecambe, Lancashire Proposed lawful development certificate for the erection of a single storey rear extension, construction of a hip to gable extension and rear dormer extension and installation of a flue to the side elevation for Mr & Mrs P. McNally (Westgate Ward 2015 Ward)	Lawful Development Certificate Granted
16/01604/AD	Brunstow, Main Road, Galgate Agricultural determination for the erection of a livestock building for Mr James Heyhurst (Ellel Ward 2015 Ward)	Prior Approval Not Required
17/00001/DIS	23 Princes Crescent, Morecambe, Lancashire Discharge of condition 3 on approved application 16/01076/CU for Mr Val McCann (Bare Ward 2015 Ward)	Request Completed
17/00035/NMA	Site Of Former Squires Snooker Club, Penny Street, Lancaster Non material amendment to planning permission 15/00718/VCN to change the cladding to split face stone on the first to third floors of the south elevation for Mr Damien Spencer (Castle Ward 2015 Ward)	Application Permitted