



**Committee:** PLANNING AND HIGHWAYS REGULATORY COMMITTEE

**Date:** FRIDAY, 6 APRIL 2018

**Venue:** LANCASTER TOWN HALL

**Time:** 10.30 A.M.

## A G E N D A

PLEASE NOTE THAT THE PUBLIC SPEAKING DEADLINE FOR THIS PLANNING COMMITTEE MEETING IS **12 NOON ON WEDNESDAY 4<sup>TH</sup> APRIL 2018.**

This is in line with Part 4 Section 9 of the City Council's Constitution regarding Public Speaking Procedure Rules and is a result of the 2017/18 timetable scheduling and bank holidays.

**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 5<sup>th</sup> March, 2018 (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.

<b>5</b>	<b>A5 17/00959/REM</b>	<b>Land Between Low Road And Forge Lane, Halton</b>	<b>Halton-with-Aughton Ward</b>	<b>(Pages 1 - 13)</b>
		Reserved matters application for the erection of 76 dwellings with associated landscaping		
<b>6</b>	<b>A6 17/01133/FUL</b>	<b>Land North Of Kellet Road, Over Kellet</b>	<b>Kellet Ward</b>	<b>(Pages 14 - 23)</b>
		Erection of car showroom (sui generis), maintenance workshop and preparation building (B2), display area, storage compound with associated access and landscaping		
<b>7</b>	<b>A7 17/00073/FUL</b>	<b>Land Adjacent Aikengill, Scotforth Road, Lancaster</b>	<b>Scotforth East Ward</b>	<b>(Pages 24 - 36)</b>
		Erection of 7 dwellings with associated new access and cycle paths		

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|----|--|---|------------------------------------|------------------------|
| 8  | <b>A8 18/00028/CU</b>                          | <b>Castleview Caravan Parks, Castle View Park, Borwick Road, Capernwray</b>   | <b>Kellet Ward</b>                 | <b>(Pages 37 - 42)</b> |
|    |  | Change of use of land for the siting of 36 static caravans/lodges including retrospective raising of land levels, creation of a new road and installation of a sewage treatment plant   |                                    |                        |
| 9  | <b>A9 18/00077/FUL</b>                         | <b>Gibraltar Farm Campsite, Lindeth Road, Silverdale</b>  | <b>Silverdale Ward</b>             | <b>(Pages 43 - 50)</b> |
|    |  | Creation of hard standings for 11 caravan pitches and associated access roads   |                                    |                        |
| 10 | <b>A10 18/00103/OUT</b>                        | <b>Land Adjacent To 25 Crag Bank Crescent, Carnforth</b>  | <b>Carnforth and Millhead Ward</b> | <b>(Pages 51 - 58)</b> |
|    |  | Outline application for the erection of one dwelling and creation of a new access   |                                    |                        |
| 11 | <b>A11 18/00170/FUL</b>                        | <b>4 Miller Court, Lancaster</b>  | <b>Scotforth West Ward</b>         | <b>(Pages 59 - 62)</b> |
|    |  | Demolition of existing porch and erection of a single storey front extension, conversion of garage to create ancillary accommodation, replacement of existing wall render and timber boarding with new and insertion of new window to the western elevation |                                    |                        |
| 12 | <b>Delegated Planning List (Pages 63 - 70)</b> |   |                                    |                        |

## **ADMINISTRATIVE ARRANGEMENTS**

### **(i) Membership**

Councillors Carla Brayshaw (Chairman), Helen Helme (Vice-Chairman), June Ashworth, Jon Barry, Eileen Blamire, Dave Brookes, Abbott Bryning, Ian Clift, Claire Cozler, Andrew Kay, Jane Parkinson, Robert Redfern, Sylvia Rogerson, Susan Sykes and Malcolm Thomas

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

Councillors Stuart Bateson, 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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CHIEF EXECUTIVE,  
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Published on Wednesday 21<sup>st</sup> March, 2018.

<b>Agenda Item</b> A5	<b>Committee Date</b> 6 April 2018	<b>Application Number</b> 17/00959/REM
<b>Application Site</b> Land Between Low Road And Forge Lane Halton Lancashire		<b>Proposal</b> Reserved matters application for the erection of 76 dwellings with associated landscaping
<b>Name of Applicant</b> Mr Martin Nugent		<b>Name of Agent</b> N/A
<b>Decision Target Date</b> 22 November 2017 Extension of time agreed until 13 <sup>th</sup> April 2018		<b>Reason For Delay</b> Negotiations on design and viability matters
<b>Case Officer</b>		Mrs Jennifer Rehman
<b>Departure</b>		None
<b>Summary of Recommendation</b>		Approve, subject to the Council's Tree Protection Officer and GMEU being satisfied with the proposed planting proposals.

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

- 1.1 The application site relates to approximately 5 hectares of agricultural land divided into three fields situated within the settlement of Halton. The site is accessed off Low Road opposite the community centre and playing fields. The site is bound by Low Road to the north (with residential and community uses beyond); existing residential development (Forgewood Drive) to the north east; an agricultural field benefiting from an outline planning permission for 60 dwellings to the south east; the redeveloped Halton Mills site to the south (including Lancaster Cohousing); and Town End Farm (now a residential conversion complex with paddock) to the west. The surrounding land uses are predominately residential, though there are existing employment uses abutting the site to the south within the Halton Mills site (Wenning House, Riverside House, and Out of the Woods).
- 1.2 The site is located adjacent to the village Conservation Area which contains a number of listed buildings. Town End Farmhouse (and curtilage listed barns – all grade II listed) and the Grade II\* Manor House are the closest listed buildings to the site. The site is also relatively close to the boundary of the Forest of Bowland Area of Outstanding Natural Beauty (AONB). The River Lune Biological Heritage Site and its associated recreational corridor is located to the south of the site, albeit separated by the Halton Mills development. The south-eastern corner of the proposed site abuts the Lancaster Cohousing site where public footpath FP01 runs from Mill Lane through the Cohousing site along the northern banks of the River Lune towards the Crook of Lune.
- 1.3 The topography of the site varies with the land positioned between Low Road and Forge Lane appearing relatively flat, though there is a very gradual incline from the western end of the site at circa 14m Above Ordnance Datum (AOD) to the eastern boundary at circa 25m AOD. The site then extends southwards and wraps around Wenning House and Riverside House where land rises steeply to 36m AOD at its highest point. A belt of protected trees are positioned on a steep escarpment (between 24-34m AOD) on this section of the site with land falling to the far southern part of the site towards Mill Lane to approximately 21m AOD. The existing boundary treatments

are made up of stone walls (to the north and west), mature hedgerows (to the eastern and far southern boundaries) with tree planting and fencing along the boundary with Forge Lane.

1.4 The site is allocated in the saved Local Plan as a Geological Heritage Site (GHS) with the majority of the site protected for minerals (mineral safeguarding land). There are a number of protected trees within the site with the most notable being those located on the elevated part of the site in the south-eastern corner and the single tree close to the western boundary. The site is predominately in flood zone 1, with a slither of land to the far south east being in flood zone 2 and 3 (within 25m of the River Lune).

**2.0 The Proposal**

2.1 The applicant seeks reserved matters approval (layout, appearance, landscaping and scale) for the erection of 76 dwellings (reduced from 87 based on the original reserved matters submission). Details pertaining to the access were secured via the outline planning permission. The proposed position of the main vehicular access located off Low Road remains as previously approved and is consistent with the outline consent.

2.2 The residential development proposed is broken down as follows:

- 8 no. one-bedroom apartments;
- 4 no. two-bedroom dwellings;
- 17 no. three-bedroom dwellings;
- 38 no. four-bedroom dwellings; and
- 9 no. five-bedroom dwellings.

2.3 With the exception of two bungalows, the proposed dwellings and the apartments shall be constructed over two storeys. The proposal includes thirteen different house types to be finished mainly in render with some feature natural stone elevations to certain plots throughout the development. The roofs shall be finished in a natural slate across the entire scheme. A sub-station is proposed in the centre of the development.

2.4 The development shall be accessed off Low Road with an internal spine road running in a west-east direction through the site. Off this main spine road there are secondary roads, shared and private drives serving smaller cul-de-sacs of development. Footways are provided along the full length of the spine road forming pedestrian connections between the proposed footpath from Mill Lane, through the site to Low Road. The proposed layout accommodates a pedestrian connection to Forge Lane and to the adjacent development site (Wrenman Homes) to the east.

**3.0 Site History**

3.1 The site has a relatively simple planning history with an outline planning permission for up to 90 dwellings granted earlier last year. The outline planning permission was subject to a number of conditions, including limiting the developable area to the land essentially between Low Road and Forge Lane, and a legal agreement securing the following:

- an education contribution;
- an open space contribution towards an upgrade to the village football playing pitch;
- public open space management scheme; and
- agreement of an affordable housing scheme to provide for up to 40%, subject to viability.

3.2 For reference purposes, the relevant planning history associated with land to the east of the site is included in the table below also.

Application Number	Proposal	Decision
17/00165/OUT	Outline application for the erection of up to 90 dwellings with associated new access.	Approved 17 July 2017
14/01344/OUT	Outline application for the development of 60 dwellings with associated access	Approved on 21 September 2015

17/00959/REM	Reserved matters application for the erection of 60 dwellings and associated infrastructure	Reported to Planning Committee last month. (resolved to be approved subject to delegation back to the Planning Manager)
17/00186/DIS	Application to agree details reserved by conditions 5 and 9 on approved application 17/00165/OUT	Partial Approval
18/00033/DIS	Application to agree details reserved by conditions 4, 6, 7, 8, 15, 16, 18 and 20 on approved application 17/00165/OUT	Pending Consideration

#### 4.0 Consultation Responses

4.1 The following responses (in summary) have been received from statutory and non-statutory consultees:

Consultee	Response
County Highways	<b>No objections</b> to the principle of development but comments that the development should adhere to the Council's parking policy and questions the size of the garages; states that limited consideration has been given to traffic calming measures internally within the site; contrasting range of external materials needed to the carriageway to define pedestrian/vehicular priorities; the layout should adhere to County's adoptable standards and comments indicating that the proposed highway drainage could affect prospects of adoption.
Parish Council	<b>No objections</b> - the Parish Council is pleased to see the reduction in total numbers to increase the open space provision and support the proposed connections between the site and its surroundings.
Natural England	<b>No objections</b>
Tree Protection Officer	<b>Objections</b> to the proposal layout around a single protected tree within the western section of the site.
Environmental Health Service	No comments received within the statutory time period or at the time of drafting this report. If comments are provided in advance of committee a verbal update will be provided.
Conservation Officer	Following amendments to the scheme, the Conservation Officer has no objections subject to conditions securing precise specifications and detailing of external materials and finishes.
United Utilities	Comments that the site should be drained on separate systems with foul connecting to the surface water sewer and surface water draining in a sustainable way. UU advises that a drainage easement crosses the site and that the layout may need to be modified or a diversion of the affected sewer considered.
Lead Local Flood Authority	No comments received within the statutory time period or at the time of drafting this report. If comments are provided in advance of committee a verbal update will be provided.
Environment Agency	<b>No objections</b>
Lancashire Archaeology Advisory Service	Initially did not recommend that the reserved matters application is determined until the outcome of the trial trenching for archaeological investigation is understood. LAAS have later confirmed that the findings of the trial trenching will not affect the layout of the development.
Lancashire County Council (Schools Planning Team)	In accordance with the terms of the legal agreement, a contribution of £312,780.82 is sought towards the full pupil yield of this development (22 primary school places). This assessment is being reviewed following a further reduction in dwelling numbers. A verbal update will be provided.
Public Realm Officer	No comments received within the statutory time period or at the time of drafting this report. If comments are provided in advance of committee a verbal update will be provided.

<b>PROW Officer</b>	No comments received within the statutory time period or at the time of drafting this report. If comments are provided in advance of committee a verbal update will be provided.
<b>Ramblers Association</b>	No comments received within the statutory time period or at the time of drafting this report. If comments are provided in advance of committee a verbal update will be provided.
<b>Lancashire Fire and Rescue Service</b>	Advisory comments in relation to compliance with Document B, Part 5 of the Building Regulations.

## **5.0 Neighbour Representations**

5.1 At the time of compiling this report 11 letters of objection have been received in response to the original scheme and an amended scheme of 77 dwellings.

A summary of the main areas of concern are set out below:

Flooding and Drainage matters, including incorrect plotting of the existing sewer location which will affect the proposed layout; objections to building too close to the sewer; questioning whether the existing sewers cannot deal with the impacts of expansion; objections to the FRA and the interpretation of the requirements for a sequential/exception test; concerns that the development site itself will flood (from exceedance flows) and that it will increase flooding off site (reference to the November 2017 flood event) where flooding had occurred on site and on neighbouring land; lack of a convincing drainage strategy and details to confirm the basin is of sufficient size; there should be a requirement for over-specifications for surface water management given the increasing frequency of intensive rainfall events and where downstream development has insufficient drainage capacity there should be a requirement to cater for this on upstream sites.

Visual Amenity matters, including whilst the reduction in numbers is welcomed, the development is not considered sympathetic to the village and existing properties and a lower density development would be preferred; the land should be protected as greenspace; a greater mix of material should be used to dwellings in the south east corner of the site to add interest.

Residential Amenity matters, including scale of development along Forgewood Drive (i.e. should be dormer bungalows); overlooking and loss of privacy to existing properties; loss of natural light; two-storey dwellings along boundary with Forgewood Drive should be replaced with bungalows to minimise impacts.

Impacts upon infrastructure, including lack of school places; lack of bus services from Low Road; Low Road cannot accommodate increased traffic (especially at the pinch point at the pub); the increased traffic near the community centre access is a concern; pressure on GP surgery.

There are nearby developments incomplete, derelict and unsold.

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

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

Paragraphs 7, 12 and 14 – Achieving Sustainable Development

Paragraph 17 – Core Principles

Paragraphs 35 and 39 – Promoting Sustainable Transport

Paragraphs 50 – Delivering wide choice of quality homes

Paragraphs 56, 57, 58, 60, 61, 64 – Requiring Good Design

Paragraphs 69, 70, 72, 73 and 75 – Promoting Healthy Communities

Paragraphs 100 to 104 – Flood Risk

Paragraph 109, 112, 118, 119, 120 and 121 – Conserving the Natural Environment

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

At the 20 December 2017 meeting of its Full Council, the local authority resolved to publish the following 2 Development Plan Documents (DPD) for submission to the Planning Inspectorate:

- (i) The Strategic Policies and Land Allocations DPD; and,



## (ii) A Review of the Development Management DPD.

This enables progress to be made on the preparation of a Local Plan for the Lancaster District. The DPDs will be published in February, after which there will be a 6 week period for representations prior to the submission of the documents to the Planning Inspectorate for independent Examination. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in late 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 2017, 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  
SC4 – Meeting Housing Requirements  
SC5 – Achieving Quality in Design  
E1 – Environmental Capital

### 6.4 Lancaster District Local Plan – saved policies (adopted 2004)

E4 – Countryside Area  
E17 – Sites of County Conservation Importance

### 6.5 Development Management DPD

DM20 – Enhancing Accessibility and Transport Linkages  
DM21 – Walking and Cycling  
DM22 – Vehicle Parking Provision  
DM25 and DM26 – Green Corridors and Open Space  
DM27 – Protection and Enhancement of Biodiversity  
DM28 – Development and Landscape Impact  
DM29 – Protection of Trees, Hedgerows and Woodland  
DM31 and DM32 – Development affecting Conservation Areas and setting of Designated Heritage Assets  
DM35 – Key Design Principles  
DM38 – Development and Flood Risk  
DM39 – Surface Water & Sustainable Drainage  
DM41 – New Residential Dwellings  
DM42 – Managing Rural Housing Growth  
DM48 – Community Infrastructure

### 6.6 Other Materials Considerations

National Planning Policy Guidance  
Meeting Housing Needs Supplementary Planning Document  
Halton Conservation Area Appraisal  
Halton with Aughton parish Plan (2013)  
Halton with Aughton Neighbourhood Plan Area Designation Consultation Report (May 2015)  
Open Space in New Residential Development Planning Advisory Note (PAN) (October 2015)  
Lancashire County Council Infrastructure and Planning Annex 2 Education (November 2017)  
Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990

## **7.0 Comment and Analysis**

- 7.1 As this is an application for reserved matters approval pursuant to the outline consent, the principal planning considerations relate to the following:
- Housing mix;
  - Heritage, design and landscape considerations;
  - Residential amenity;
  - Access, parking and connectivity; and
  - Compliance with the outline consent.
- 7.2 An application for reserved matters approval is not an application for planning permission. Reserved matters are those aspects of the proposed development which an applicant can choose not to submit details of at the outline stage, and are details reserved for subsequent approval. Article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 defines reserved matters as access, appearance, landscaping, layout and scale. In this case, access was applied for and considered as part of the outline planning permission.
- 7.3 The applicant has chosen to submit all the remaining reserved matters (appearance, layout, scale and landscaping) relating to the outline permission at once. This application has also been made in compliance with condition 1 of the outline application (and therefore section 92 of the Town and Country Planning Act 1990) in relation to the time limit within which an application for reserved matters approval can be made pursuant to the outline permission.
- 7.4 The local planning authority can only assess the details submitted relating to the 'reserved matters'. Matters relating to the principle of the development, such as the need for housing, traffic impacts, flood risk, loss of agricultural land, impacts on geodiversity and ecology are matters previously considered and accepted conditionally as part of the approval of outline planning permission. This does not mean that some aspects covered by the outline permission, such as landscape/townscape considerations, will not be assessed as part of the consideration of reserved matters, but such will relate only to whether the proposed reserved matters enables or prejudices compliance with the outline permission. In short, consideration of the reserved matters is not an opportunity to re-examine the principle of the redevelopment of the site for residential development. This has been accepted by the grant of outline planning permission in summer 2017.
- 7.5 **Housing Mix**  
The proposed housing mix clearly favours larger houses, but overall still provides an adequate provision of smaller family sized units, together with a number of one-bedroom apartments. The requirement for one-bedroom properties was a requirement of our Strategic Housing Officer during the consideration of the outline proposal. Officers are encouraged that the developer has committed to provide this as part of the overall mix. The scheme is weak when it comes to the provision of 2-bedroom units but based on current policy, and on balance, officers do not feel that this alone would be something that would substantiate a refusal of this application for reserved matters. As part of the proposed mix, all the one and two-bedroom properties are intended to be allocated as the affordable homes - a matter that will be addressed later in this report.
- 7.6 **Heritage, Landscape and Design Considerations**  
In accordance with the outline permission (condition 2), the proposed development is limited to the area between Low Road and Forge Lane. This condition was imposed in the interests of protecting the character and appearance of the area and to ensure future development appropriately responds to the existing built form of the settlement. Whilst limiting the developable area to the land between Low Road and Forge Lane (circa 2.9ha of the wider site) a number of key landscape and townscape features within and surrounding the developable area have influenced the layout, scale, landscaping and appearance of the development. These include the protected trees within the site, the boundary hedgerows and stone walls and the views into, out and across the Conservation Area together with the setting of the listed Town End Farm complex in particular. The initial submission proposed 87 residential units. This has now dropped to 76 residential units in order to appropriately respond to the above considerations.
- 7.7 The area of land to the far western part of the site is the area where the most significant amendments have been made to the scheme. This is where a large protected Sycamore tree forms a very important landscape feature. The original scheme proposed a number of dwellings in this area which was judged to adversely affect the setting of the nearby designated heritage assets, to

adversely affect the protected tree, to compromise the standard of residential amenity of the dwellings proposed and to compromise the ability for the developer to secure an adequate drainage strategy (a requirement of the outline). This area is now free from any dwelling houses and will form part of the site's public open space (as amenity land). It will also accommodate any necessary surface water drainage features, which will eventually be considered as part of the determination of the pending discharge of condition application.

- 7.8 In accordance with earlier conservation advice the frontage of the development to Low Road has also been set back from the stone boundary wall to secure important views towards the designated heritage assets (Listed buildings and the Conservation Area) to preserve their setting. The substantial set back is also consistent with the townscape character along Low Road, where low Low Road/Forgewood estate is also set back from the principal carriageway.
- 7.9 Existing boundary treatments will largely be retained. This includes the stone wall to the north and western parts of the site (except for the breaking through of the permitted access) and the hedgerow to the eastern boundary with Forgewood Drive. The trees and hedgerows to the southern boundary along Forge Lane shall be retained and protected as these lie outside the application site. To secure adequate residential amenity for future and existing residents – like most housing schemes – additional fencing is proposed around the perimeter of the site where dwellings flank or back onto Forgewood Drive and Forge Lane.
- 7.10 The large belt of protected trees within the far south-eastern part of the site (outside the developable area) shall be protected and are free from development, with the exception of the gravel path, in accordance with the outline permission which limits the development to the land between Low Road and Forge Lane. This land will be retained as open space with a simple gravel track forming a connection between Mill Lane and Low Road.
- 7.11 To complement the existing landscape features within the site, the applicants have submitted detailed planting plans. This comprises a new native hedgerow (100m in length), modest new tree planting along the site frontage and in the western open space area, mixed grasses, bulb planting, semi-native and ornamental shrub/hedge planting throughout the development.
- 7.12 The scale of the development is limited to two-storey properties with the exception of two bungalows positioned along the boundary with Forgewood Drive. The proposed housetypes are varied in design and scale with a number of the units, such as the Warwick and Taunton housetypes, appearing part 2/part 1.5 storey units with the use of large roofs and dormer windows. The different scales, heights and roof forms of the individual housetypes adds interest to the development and enables the scheme to respond to the varied building forms surrounding the site.
- 7.13 The proposed dwellings will be finished in render, with feature natural stone elevations to certain plots. The amended scheme proposes the use of natural slate roofs across the entire development. Whilst the stonework is limited to only 20 dwellings, the proposed palette of material is judged, on balance, to be acceptable in this location. The roofscape on this particular site has been given careful consideration as a consequence of the elevated views of the site from High Road and development to the north, and given the close proximity of the development to designated heritage assets. It is for these reasons officers have strongly pursued the use of a natural slate roof rather than securing additional stone work detailing to the dwellings within the site.
- 7.14 The proposed dwellings are standard housetypes offered by Story homes. Such have been accepted and developed out across a number of sites in our district, including within the grounds of the Listed Moor Hospital site in Lancaster and in Galgate. Generally, the fenestration detailing across all the proposed housetypes is simple and articulated relatively well through the use of window surrounds, heads, cills, stone quoin detailing and lean-to style roof canopies/porches. This detailing offers some commonality with the local vernacular of the village and the district generally. The precise stonework detailing, render texture and colours (together with samples of the materials) will need to be agreed by condition to ensure such reflects and complements surrounding development.
- 7.15 The overall scale and layout of the development has been heavily influenced by the relatively linear nature of the permitted 'developable area', the vehicular access location, layout requirements to preserve the setting of nearby designated heritage assets (discussed above), protecting existing trees and the drainage easement through the centre of the site. This has led to a reduction in the

number of units anticipated by the outline permission (up to 90 dwellings) and from the number of units originally applied for under this reserved matters application (87) to the 76 units that now forms the assessment of this submission.

- 7.16 The provision of 76 dwellings provides a medium density development which does not feel out of character with the area given the high density development to the south on Halton Mills and slightly lower density developments to the north and east of the site. The design and layout of the development secures a strong frontage to Low Road, provides a gateway into the scheme (through the orientation of plots 75 to 77, is outward looking in locations where it is considered essential (facing the Conservation Area and facing the large area of public open space to the south) and internally creates its own sense of place with development fronting the main spine road. The weaker elements of the scheme relate to how the development responds to Forge Lane and the layout in the south-eastern corner around Wenning House.
- 7.17 The development does turn its back on Forge Lane with all the proposed dwellings in this location orientated with either their rear or site elevations (and gardens and boundaries) facing this street. Whilst it would have been desirable to create some frontage development in this location, there are a number of reasons why this is considered difficult:
- 1) limited space available between the proposed spine road (and drainage easement) and the boundary with Forge Lane;
  - 2) the site is elevated above Forge Lane;
  - 3) the existing tree/planting belt along Forge Lane is protected and is outside the applicant's control; and
  - 4) Forge Lane is unadopted and privately maintained therefore the prospects of allowing access points onto Forge Lane (at this time of assessing the reserved matters) would potentially be difficult.

For these reasons and to ensure efficient and effective use of the land for housing, there is limited opportunity to vastly improve this relationship. Having said that, this boundary is not going to have a particularly 'hard' boundary with Forge Lane as existing and proposed landscaping in this location will soften the appearance of any domestic garden fencing proposed and the development itself.

- 7.18 The south-eastern corner of the site represents slightly denser development due to a cluster of smaller units in this location, more on-street parking (forward of the building lines) and less space for landscaping. However, the layout still secures a frontage to the open space and a mix of house types to add interest to the street scene. The amended scheme has tried to improve this with alterations to the boundary treatments in this location and some additional planting between the proposed development and Wenning House.
- 7.19 On balance, the scale, layout, landscaping and appearance of the development (herein the reserved matters), is considered acceptable and compliant with the thrust of design, landscape and heritage related planning policy, which seeks to promote high quality development that reinforces local distinctiveness, establishes a strong sense of place and is visually attractive, protects and enhances existing landscape features and suitably integrates with the existing built and historic environment.
- 7.20 **Residential Amenity**  
Planning policy (paragraph 17 of the NPPF and DM35 of the DM DPD) requires planning policies and decisions to secure a good standard of amenity for all existing and future residents. In this case, residential property along Forgewood Drive and Town End Way (backing Forge Lane) are the most affected by the development. Concerns raised relate to overlooking and loss of privacy due to the position and scale and proposed development.
- 7.21 Plots 55 to 59 of the proposed development either back or side onto Forge Lane behind Nos. 8 to 21 Town End Way. The level difference between the proposed site and the property on Town End Way in this area is between circa 1.3m and 2m with the proposed development elevated above Forge Lane. The proposed interface distances between the rear of the proposed dwellings and the rears of property on Town End Way are between 23m and 31m. The interface distances increase as the elevation of the site increases. This level of separation, together with the presence of the existing landscaping in this location and existing and proposed boundary treatments, would not lead to a significant detrimental impact to the amenity of existing or future residents and therefore would not conflict with the requirements of paragraph 17 of the NPPF and policy DM35.

- 7.22 Plots 12, 14 to 17 and plot 21 are located alongside the eastern boundary of the site with either their side or rear elevations facing the rear of properties (and their gardens) on Forgewood Drive (2 to 12 Forgewood Drive). The properties on Forgewood Drive comprise a mix of bungalows and dormer bungalows. The proposed dwellings in this location are predominately two-storey with two bungalows located immediately behind nos. 4 to 8 Forgewood Drive. The proposed site levels vary along this eastern edge of the site and with the exception of some of the plots to the front of the site (e.g. plot 12 and 15), most of the proposed dwellings are set at a lower finished flood level (FFL) than the properties on Forgewood Drive. Along this boundary Forgewood Drive rises to approximately 27m above ordnance datum (AOD) (at No. 12). The proposed two-storey dwellings adjacent to No. 12 Forgewood Drive have proposed FFLs at 24.5m AOD (plot 17) and 25.1m AOD (plot 21). The interface distances between these proposed dwellings and No.12 Forgewood Drive are 25m and 21m respectively. The layout and orientation of the proposed properties close to number 12 Forgewood Drive will create a sense of enclosure and will alter their outlook (as it will for most of the existing dwellings on Forgewood Drive), but given the FFLs and the interface distance in this location, the impacts would not lead to significant adverse impacts on amenity. The interface distances between the proposed bungalows and the existing bungalows also meets the required separation distances and therefore secures a satisfactory standard of amenity for existing and future residents.
- 7.23 The layout, orientation and separation (in excess of 21m) of the two-storey dwellings adjacent to No. 2 Forgewood Drive (true bungalow) also enables a satisfactory standard of amenity for existing and future residents to be secured, despite the scale of the proposed properties being somewhat larger than this existing bungalow.
- 7.24 As noted earlier in the report, the eastern hedgerow boundary shall be retained as part of the landscaping of the development but the developer proposes high timber fencing to be erected alongside the hedgerow. This is intended to secure privacy for existing and future residents. Officers are negotiating a compromise whereby the hedgerow is exposed in the areas where private gardens are not proposed and will be seeking advice on this from our Tree Protection Officer. A verbal update will be provided.
- 7.25 The other existing property of note is the property known as The Forge off Mill Lane. This converted dwelling extends into the southern part of the site. The applicant proposes to plant native hedgerow planting around the curtilage of this property to ensure their amenity is protected from the people walking through the site along the new footpath. The new hedgerow would be within the applicant's control and would need to be maintained by the developer/management.
- 7.26 Internally the proposal has, by in large, been designed to meet the requirements of DM35 relating to amenity standards. There are some locations where interfaces distances are tight but given the orientation of the proposed properties, such would not lead to significant adverse impacts.
- 7.27 Access, parking and connectivity  
The site access was secured as part of the outline permission, together with a range of off-site highway works to support traffic movements along Low Road, in particular at the pinch point in the carriageway close to Town End Farm, and to provide safer facilities crossing Low Road (amongst other matters). The access shown on the proposed layout is in accordance with the outline permission.
- 7.28 The layout of the scheme demonstrates each dwelling unit will have sufficient parking provision to satisfactorily accord with the Council's parking standards set out in the DM DPD. The adopted standards are maximum standards. For the majority of the proposed house types, particularly the larger units, parking provision is provided at the maximum level but does include the garages as part of the parking allocation (not to all plots). The dimensions for the external garages slightly shy of the County's preference for 6m x 3m garages. Integral garages are slightly smaller but are capable of accommodating vehicles if needed. Cycle parking can be accommodated within garages for those plots with garages. For those plots without garages, cycle parking provision needs to be catered for. This will require some external structures within gardens or within communal areas around the affordable units (located along the eastern boundary). A condition will be imposed to address this matter.
- 7.29 Planning policy seeks to prioritise walking and cycling in the interests of minimising emissions from vehicle use but also in the interests of peoples' well-being and health. As part of the outline

permission there are conditions to secure off-site highway improvements to enable safer passage across Low Road to the village hall and the recreational facilities, a footpath between Low Road and the existing public right of way (PROW) on Mill Lane and in the event Forge Lane is adopted a connection to be provided here too. The proposed layout secures the above. The layout of the path through the open space and the locations of the proposed connections to Mill Lane and Forge Lane have been heavily influenced by the site topography and the external levels of the adjacent roads.

- 7.30 With regards to the PROW link, the gravel track through the proposed open space will not enable suitable access for all users (i.e. not a level surface). Officers had requested a more useable surface but the applicant has declined on the basis that existing track on Mill Lane where the connection is to be secured is also a gravel track and that in bitmac surface would not be particularly sensitive to the landscape character of this part of the site. There is some validity in the points raised which would make it difficult for the authority to substitute a strong position otherwise. Within the site there are a network of footways leading to the main access to Low Road. Officers have not sought any additional pedestrian openings between the site along the Low Road frontage on the basis that the stone boundary wall forms a strong townscape feature which does not warrant unnecessary puncturing of openings.
- 7.31 The internal highway network includes a hierarchy of streets which will be treated in different surfacing materials with footway provision to the principal streets. A variation in external surfacing materials adds interests and visual articulation of the public realm within the scheme but also serves to define changes in pedestrian/vehicle environments. It is understood that the layout has been designed to be built to the County's adoptable standards. The layout also secures a pedestrian link to the adjoining development site (to the east) offering a greater level of legibility between the developments and the surrounding area. The details of such will be secured by condition, though it is understood that due to the level differences this link may be steeper than preferred and may not suit all users. Overall, the scheme satisfactorily promotes and enhances the walking environment/experience to the benefit of existing and future residents' health and well-being and the promotion of good inclusive design.
- 7.32 Compliance with outline permission  
The applicant has submitted two separate discharge of condition applications to address certain pre-commencement conditions. The first application sought the discharge of condition 9 (invasive species) and agreement of the written scheme for archaeological investigation for condition 5. Condition 9 has been discharged and Condition 5 agreed. Trial trenching has recently been taking place on site. Whilst no formal application has been made to report the findings of the trial trenching the applicant's archaeologist has been in communication with Lancashire Archaeology Advisory Service (LAAS). LAAS has confirmed that the findings do not warrant further field work or adaption of the housing layout. The second discharge of condition application has only recently been received. This covers details pertaining to the site drainage, external levels, ecology mitigation, noise mitigation and contamination.
- 7.33 There is no requirement (in statute) for the discharge of condition application to be dealt with, and matters agreed, at the same time or in advance of the decision relating to the reserved matters application. The conditions imposed on the outline permission stipulate the trigger by which details need to be agreed and, in this case, include a number of pre-commencement conditions. What is important at this stage is that proposed layout, scale, appearance and landscaping of the development (herein the reserved matters) should not prejudice the ability for the applicant to comply with the outline conditions. The critical conditions here relate to site drainage and ecology.
- 7.34 With regards site drainage, the vast majority of the public representations made to this application referred to the impacts of the development and flood risk. This is particularly understandable following the recent flood event of November 2017 where properties close to the application site suffered flooding and the site itself was affected by exceedance flow from upstream. It is the conditions imposed on the outline planning permission that govern the acceptability (or otherwise) of the proposed drainage strategy (not this application for reserved matters approval). However, the layout of the scheme still needs to be able to respond to the site wide drainage strategy (as submitted or amended). In accordance with the original FRA, the western part of the site (where the levels are lowest) will accommodate provision for surface water drainage attenuation. The layout and scale of the development has been amended to ensure the site can accommodate any such requirements. The drainage strategy suggests the individual plots will drain to soakaways and for the roads to drain

to an infiltration basin. The scheme involves the replacement of the existing sewer that runs through the site, which follows the line of the proposed new carriageway. The details of such will be set out in the drainage scheme but are also controlled under a s104 sewer adoption agreement with United Utilities (UU).

7.35 UU and the LLFA are yet to comment on the proposed drainage details under the condition application. Officers have already sought more details relating to the proposed drainage strategy, including exceedance flows (recognising concerns of residents downstream of the site). Given the changes to the layout and the subsequent reduction in the number of units, officers are satisfied that the proposed reserved matters would not prejudice the ability for the developer to comply with the drainage conditions.

7.36 With regards to ecology, the principal issue here relates to whether the proposed development sufficiently mitigates against the loss of greenfield land and hedgerow removal. The applicant has provided detailed planting proposals. As landscaping is a reserved matters consideration, officers are hoping that GMEU will provide some early advice on the acceptability, or otherwise, of the applicant's ecological mitigation plan and planting proposals. The Council's Tree Protection Officer is yet to comment on the planting proposals following recent amendments. A verbal update will be provided.

### 7.37 Use of conditions

Because the site is sensitively located adjacent to the Conservation Area and due to the relationship of the proposed dwellings to one another and existing neighbouring dwellings, officers are of the opinion that there are exceptional reasons why the removal of certain permitted development rights (set out in the conditions list below) should be imposed by condition should Members support the proposal. The applicant has accepted this position and confirmed this would not be unreasonable. This would not remove the ability for future homeowners to apply for planning permission, but that the impacts of such permitted development would need to be carefully assessed due to the potential harm to visual and residential amenity. Conditions are also considered necessary to secure the high-quality finish to the scheme. This includes final agreement of materials and stonework detailing to the buildings, the external surfacing and details of the sub-station.

## **8.0 Planning Obligations**

8.1 The outline planning permission was subject to a legal agreement securing the following:

- Up to 40% provision of affordable housing (percentage, tenure, size, type to be agreed at Reserved Matters stage subject to viability);
- Public open space land to be identified at the Reserved Matters Stage and secure by a management scheme;
- Education contribution – the figure to be calculated upon the preparation of reserved matters and to be paid based on the phasing set out in the obligation; and
- Playing pitch contribution

### 8.2 Affordable Housing

The applicant had submitted a viability appraisal to the local planning authority under the terms of the outline permission (and associated obligation) setting out that the site's abnormal costs adversely affect development viability and initially offered no affordable dwellings. The Council appointed an independent consultant to review the applicant's appraisal. After lengthy negotiations, the agreed position is that the development can viably deliver 17 affordable housing units of the total dwellings proposed. Whilst this provision is lower than the policy expectations, on the advice of our consultant it is reasonable given the extent of abnormal costs. The layout accommodates this agreed level of provision with 8no. 1 bedroom rented units, 2no. 2 bedroom rented units, 2no. 2 bedroom shared ownership units and 5no. 3 bedroom shared ownership units.

### 8.3 Education

The County Council's School's Planning Team have provided regular assessments as and when the proposal has been amended. In this case the s106 requires the education contribution to be calculated at the point of preparation of reserved matters approval. The latest position indicates that the Education Authority would be seeking a contribution from the developer in respect of the full pupil yield of this development, i.e. 22 places. Based on 77 units this equates to contribution of

£312,780.82. This has been factored into the viability discussions and is accepted by the developer. A further assessment is due following a further reduction to the total number of dwellings to 76 residential units. There will be a verbal update on this. The County Council have confirmed that the contribution would be towards Caton primary school and have confirmed that there are no other s106 contributions pooled against Caton Community Primary School to ensure compliance with the CIL Regulations.

8.4 The playing pitch contribution has also been factored into viability discussions. This application for reserved matters approval is not affected by this contribution.

### 8.5 Open Space

The legal agreement requires the areas of open space, landscaping areas, unadopted roads and areas reserved for surface water drainage to be submitted at the reserved matters stage. The proposed layout complies with the outline permission limiting development to the identified developable area and reserving the land to the south as landscaped open space. The amended scheme secures small pockets of landscaping within the body of the development with a more formal area of amenity land to the western end of the proposed site. This exceeds the level of formal amenity space required by the Councils' open space planning advisory document. The locations of open space and landscaped areas is considered acceptable and contributes to the overall design of the development. The open space will provide for biodiversity benefits as well as supporting the health and well-being of existing and future residents. A Public Open Space Management Scheme (securing this space in perpetuity) is due to be submitted to comply with the requirements of the legal agreement.

## 9.0 Conclusions

9.1 Subject to confirmation from our Tree Protection Officer and GMEU that the ecology mitigation and planting plans are acceptable, and following detailed negotiations concerning the design of the scheme and the housing mix (affordable housing), the proposed scale, layout, appearance and landscaping of the development (herein reserved matters) are considered acceptable and would not conflict with policies in the Development Plan or the Framework. On this basis, Members are recommended to support this reserved matters application.

## Recommendation

Subject to the Council's Tree Protection Officer and GMEU being satisfied with the proposed planting proposals, that Reserved Matters **BE APPROVED** subject to the following conditions:

1. Time limit for reserved matters
2. Development to be constructed in accordance with approved plans (list of drawings)  
**Details to be agreed before construction of the super structures**
3. Precise details of the pedestrian connection to the east of the site adjacent to plot 21, together with a timetable for implementation. The link shall be retained at all times thereafter.
4. Notwithstanding the details submitted, samples and specifications of all materials to the external face of the dwellings, including surfacing materials/stonework detailing, to be agreed with the LPA.
5. Details of the substation to be agreed.
6. Details of the location, size and finish of external cycle storage for plots without garages to be agreed and implemented before occupation of respective dwellings and retained at all times thereafter.  
**Control conditions**
7. Landscaping to be implemented and maintained.
8. Tree protection and implementation in accordance with amended Arboricultural Implications Assessment and Arboricultural Method Statement
9. Parking to be provided in accordance with the site layout plan and provided before occupation and thereafter retained with garages use limited to parking/storage.
10. Removal of PD (extensions, roof additions, outbuildings)
11. No insertion of new, altered windows/doors
12. Removal of PD relating to the formation of hardstanding adjacent to a highway
13. Removal of PD relating to fences, gates and means of enclosures adjacent to a highway



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

**Background Papers**

None

<p><b>Agenda Item</b></p> <p>A6</p>	<p><b>Committee Date</b></p> <p>6 April 2018</p>	<p><b>Application Number</b></p> <p>17/01133/FUL</p>
<p><b>Application Site</b></p> <p>Land North Of Kellet Road Over Kellet Carnforth Lancashire</p>		<p><b>Proposal</b></p> <p>Erection of car showroom (sui generis), maintenance workshop and preparation building (B2), display area, storage compound with associated access and landscaping</p>
<p><b>Name of Applicant</b></p> <p>Parker And Parker Limited</p>		<p><b>Name of Agent</b></p> <p>Miss Hannah Walker</p>
<p><b>Decision Target Date</b></p> <p>8 January 2018 (Extension of time agreed till 14 April 2018)</p>		<p><b>Reason For Delay</b></p> <p>Awaiting amended highway design and further information regarding sequentially preferable sites</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>Refusal</p>

**1.0 The Site and its Surroundings**

- 1.1 The site is located 1km to the east of Carnforth town centre and 1.25km to the west of the village of Over Kellet, and extends to 2 hectares. The site forms the southern portion of a wider field parcel totalling around 5 hectares, and is currently used for cattle grazing. The site is undulating; generally reducing in height to 31 metres Above Ordnance Datum (AOD) as the site drops to the west towards the M6 motorway, with the highest part of the site adjacent to the A601(M) at circa 39 metres AOD.
- 1.2 A post and wire fence marks the western boundary with open views across the site from the M6 motorway. The southern boundary is defined by a strong tree belt limiting views into the site from Kellet Road. The eastern boundary is defined by mature hedgerow with a grass verge between the A601 (M) and the site. Current access is afforded to the site via an existing gated access from Kellet Road close to the junction of the A601(M).
- 1.3 To the north of the site includes the wider field parcel currently used for cattle grazing and this is bound by the roundabout at Junction 35 of the M6. The land beyond the A601(M) to the east comprises open agricultural land. Leapers Wood Quarry is located to the south of the site but is screened by substantial vegetation. The M6 is the west with Carnforth Business Park beyond.
- 1.4 The site is allocated as Countryside Area in the adopted Local Plan (and within the emerging plan), and the entire site is covered by a mineral safeguarding zone. The Kellet Lane verges are located on the southern periphery of the site and these are Biological Heritage Sites. Footpath number 5 is located 60 metres to the west of the proposal which runs parallel to the M6 motorway.

**2.0 The Proposal**

- 2.1 The application seeks full planning permission for the development of a car showroom (to be used by Porsche) and ancillary maintenance workshop, wash and preparation building, display area, storage compound, parking and soft and hard landscaping, together with a new access off the A601(M).

- 2.2 The Porsche Centre would be two storeys in height (measuring 51m x 38m x 7.5m) with a gross internal floor space of 1,820 sq.m (across the two floors). The ground floor would accommodate a welcome area for customers, sales reception, car showroom, specification lounge and a sales and handover area, a manager's office and small café. There is also proposed 2 x MOT servicing bays, a workshop with 6 bays and a parts storage area. On the 1<sup>st</sup> floor this would include a meeting room for staff, accounts offices and staff room with kitchen areas. The building proposed is contemporary in form and the centre will have a rectangular form with a curved façade along the west elevation of the building (when viewed from the M6). The materials would consist of silver rainscreen cladding, grey black horizontal trapezoidal cladding and curtain walling.
- 2.3 The vehicle preparation building would measure 25m x 11m x 5m, and is proposed to be constructed in a grey black horizontal trapezoidal cladding. The building would provide for valeting, smart repair and wash facilities.
- 2.4 Externally the scheme provides for a car display area for 28 vehicles, and a platform for a display of a single vehicle facing the site's new access off the A601(M) with a new shared cycle/pedestrian access cutting through the site to Kellet Road. Landscaping in the form of trees, hedgerow and shrubs are proposed along the western boundary of the site.

### **3.0 Site History**

- 3.1 There is no recent planning history on the site though the applicant has engaged with the Local Planning Authority with respect to development the wider part of the site.

Application Number	Proposal	Decision
18/00125/EIR	Erection of car showroom (sui generis), maintenance workshop and preparation building (B2), display area, storage compound with associated access and landscaping	EIA not required
16/01619/PRETWO	Proposed mixed use development to include B1, B2, B8, A4 and C1	Advice Provided

### **4.0 Consultation Responses**

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

Consultee	Response
<b>County Highways</b>	Initially raised an <b>Objection</b> due to a lack of information in regard to: <ul style="list-style-type: none"> <li>• Visibility splays (to be set back to 4.5m not 2.4m);</li> <li>• Revised site access plans, addressing lane widths on the A601(M);</li> <li>• Shared pedestrian access from Kellet Road;</li> <li>• Queue survey Information to be submitted;</li> <li>• Further traffic modelling to account for the impact of the proposed development at the Kellet Road junction, and account for the completion of Carnforth Business Park.</li> </ul> <p>The applicant has subsequently met with County Highways in January 2018 and an amended Transport Statement which looked to address the above concerns and has been submitted in support of the scheme in March 2018. The observations of the County have still to be received and these will be reported verbally to Members.</p>
<b>Over-Kellet Parish Council</b>	<b>Objects</b> to the development: <ol style="list-style-type: none"> <li>1) development is within the countryside area and should be retained as such;</li> <li>2) land should be safeguarded for agricultural purposes;</li> <li>3) the land is adjacent to the Kellet Road Verges BHS;</li> <li>4) highways impacts associated with increased queuing at the times on the A601(M) at the junction of the B6524; and</li> <li>5) consider that there are alternative sites available for development in Carnforth.</li> </ol>

<b>Carnforth Town Council</b>	<b>No Objection</b> and approves of the application in principle.
<b>Cadent Gas</b>	<b>No Objection</b> , though makes reference that there is a gas pipeline located within Kellet Road.
<b>United Utilities</b>	<b>No Objection.</b> Recommends conditions that foul and surface water is drained on separate systems and that a surface water drainage scheme is submitted for consideration.
<b>Local Plans Team</b>	<b>Advice:</b> Recommends that the amended assessment of alternative sites from February 2018 is sufficiently robust and no suitable locations exist within local settlement areas. However, a balance needs to be made against the economic benefits of the scheme and the associated impact on amenity.
<b>Environmental Health (Noise)</b>	<b>No Objection</b> , though would recommend conditions associated with hours of construction and dust control mitigation.
<b>Greater Manchester Ecology Unit</b>	<b>No Objection.</b> Conditions are recommended associated with protection and enhancement of the Kellet Road Verges, protection of habitat for nesting birds and landscaping.
<b>Natural England</b>	<b>No Objection</b>
<b>Tree Protection Officer</b>	<b>No Objection in principle</b> subject to further clarification over visibility splays and the associated impact on existing trees, understanding the drainage system and the implication that this may have on trees and that ensuring existing land levels within root protection areas of retained trees or hedgerows are maintained.
<b>Environment Agency</b>	No observations to make on the application
<b>Lead Local Flood Authority</b>	<b>No Objection</b> to the proposed development subject to the inclusion of conditions associated with a final detailed surface water drainage scheme and management and maintenance plan.
<b>Highways England</b>	<b>No Objection.</b> Highways England recommend that the development would not result in there being a severe traffic impact upon the operation of the M6, and recommends the following conditions: 1) There shall be no development on or adjacent to the M6; 2) No drainage from the proposed development shall connect to the M6 drainage; 3) No mud, surface water or dust shall transfer between the site and M6; 4) No access of any kind between the M6 and the site; 5) No lighting from the development shall be directed towards the M6; 6) No works associated with the development shall require the closure of the motorway to traffic; 7) No works shall occur on land within the control of Highways England; and 8) There shall be no planting of trees that are of a height that when mature could fall on the motorway and recommends revisions to the landscaping scheme to ensure driver distraction is kept to a minimum.
<b>Fire Safety Officer</b>	<b>No objection</b>
<b>Engineering Team</b>	No observations received within the statutory timescales
<b>Ramblers Association</b>	Neither objects or supports the scheme

## **5.0** Neighbour Representations

5.1 One letter of objection has been received raising the following concerns:

- Landscape and visual impacts and views from the footpath across the motorway will be severely compromised and recommends that when viewed from the AONB there could be adverse views;
- Highway Safety – Concerns over the access road arrangements; and
- Sustainability – The site would be better located on the Industrial Estate in Carnforth.

Thirteen letters of support (including one from Porsche) has been received:

- The local authority should be supporting the applicant's proposals and support for this scheme will be good for other business in Carnforth;
- The building is eye catching, hi-tech and modern; and
- Current dealership is incapable of expansion.

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

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

Paragraphs 7, 14 and 17 – Sustainable Development and Core Principles  
Section 1 Building a Strong, competitive economy  
Section 3 – Supporting a prosperous rural economy  
Section 4 – Promoting Sustainable Transport  
Section 7 – Requiring Good Design  
Section 8 – Promoting Healthy Communities  
Section 10 – Meeting the challenge of climate change, flooding and coastal change  
Section 11 – Conserving and Enhancing the Natural Environment  
Section 12 – Conserving and Enhancing the Historic Environment

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

At the 20 December 2017 meeting of its Full Council, the local authority resolved to publish the following two Development Plan Documents (DPD) for submission to the Planning Inspectorate:

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

This enables progress to be made on the preparation of a Local Plan for the Lancaster District. The DPDs will be published in February, after which there will be a 6 week period for representations prior to the submission of the documents to the Planning Inspectorate for independent Examination. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in late 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 2017, 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 Policies**

SC1 – Sustainable Development  
SC5 – Achieving Quality in Design  
E2 – Transportation Measures

### **6.4 Development Management DPD**

DM7 – Economic Development in Rural Areas  
DM15 – Proposals involving employment land and premises  
DM20 – Enhancing Accessibility and Transport Linkages  
DM21 – Walking and Cycling  
DM22 – Vehicle Parking Provision  
DM23 – Transport Efficiency and Travel Plans  
DM27 – Protection and Enhancement of Biodiversity  
DM28 – Development and Landscape Impact  
DM29 – Protection of Trees, Hedgerows and Woodland

DM35 – Key Design Principles  
DM37 – Air Quality Management and Pollution  
DM38 – Development and Flood Risk  
DM39 – Surface Water Run-Off and Sustainable Drainage  
DM40 – Protecting Water Resources

## 6.5 Lancaster District Local Plan Saved Policies

E4 – Development within the Countryside

## 6.6 Joint Lancashire Minerals and Waste Local Plan

M2 – Safeguarding Minerals

## 6.7 Other Material Considerations

- Surface Water Drainage, Flood Risk Management and Watercourse Planning Advisory Note (May 2015);
- Provision of Electric Vehicle Charging New Points (September 2017)
- Provision of electric vehicle charging points new developments (September 2017)
- Low Emissions and Air Quality (September 2017).

## **7.0 Comment and Analysis**

The application raises the following main issues:

- Principle of Development;
- Landscape Impact and Design Matters;
- Trees and Hedgerows;
- Highways;
- Drainage;
- Ecological Matters;
- Other Matters.

### 7.1 Principle of Development

7.1.1 National guidance is clear that development in rural areas should be carefully managed in order to protect its intrinsic value, and the local authority will consider the loss of greenfield sites if it can be demonstrated by the applicant that there are no alternative, more suitably located, brownfield sites that exist, and that the benefits of the proposal outweigh any adverse impacts that may result from development. Policy DM7 of the Development Management DPD is one of the policies that must be considered in determining this planning application, given the development is within the open countryside on greenfield land. The Review of the Development Management DPD at Policy DM46 has very similar wording, and therefore there is conformity between the adopted Development Management Document and the emerging Development Management Document. The site is allocated as Countryside Land (Policy E4) in the adopted Local Plan and continues with this allocation within the emerging Land Allocations document.

7.1.2 The applicant has been looking for a number of years to relocate its current operations from Kendal, but have been unable to identify any available opportunities. It is understood that Parker and Parker Limited (the applicant) is one of the last remaining privately-owned Porsche dealerships in the UK. They consider the application site is relatively unconstrained, has the space available, and is an accessible gateway location, and the site is considered to provide the only suitable, and desirable site within the North Lancashire/ South Cumbria area, in which to meet the applicant's requirements to relocate its business. Officers do accept that Porsche continues to be a relatively small manufacturer, with less than 40 dealerships in the whole of the UK, therefore, the appropriate site must be strategically located to look after a wider geographical area.

7.1.3 The applicant is seeking a key gateway location to meet the needs of a wider sub-regional area of North Lancashire and Cumbria. The applicant has not stated that there needs to be a specific requirement for the development to be located in Carnforth other than it represents a central location

within the North Lancashire/Cumbria Region (but by the applicant's own submission on the limits of the sub-regional area given sites in Lancaster have been discounted). The applicant has, however, as part of their submission included an assessment of availability of other sites within the town such as at Carnforth Business Park, Kellet Road Business Park, the Former TDG Site on Warton Road, the former Thomas Graveson's site on Warton Road (also referred to as Millhead) and Lundsfield Quarry. A flaw of the original assessment was that it failed to take into account every allocated employment site within the Carnforth area, notably the employment sites on Scotland Road which represent the main northern most gateway into the town. Taking these issues aside, the assessment process highlights that the conclusions over the preferred location for this development is not driven by the availability of land, moreover that the decision is driven by the desire for the applicant to secure a site which is considered to be a prestige location and this is highlighted within the conclusions reached for the former TDG site where it is apparent that the site is available but does not provide an attractive environment for the applicant.

- 7.1.4 Returning to Paragraph 7.1.2 the Porsche Centre is considered to be of sub-regional importance to the business but very little justification was initially provided to show that other sites within the sub-region such as Kendal, Penrith, Lancaster, Morecambe, and Heysham were considered. Further comment in this regard was sought from the applicant. Policy DM7 is quite clear in that development proposals on greenfield sites within the open countryside will be supported where it is demonstrated that no alternative suitable locations exist within local settlement areas and that the benefits of the proposal outweigh the impacts on local amenity. Given there was a lack of information as to why the proposal needs to be in Carnforth, it was important that the assessment considered all local settlements which (at least) include settlements along the M6 corridor including Kendal (where the business has successfully operated for many years), Milnthorpe, Carnforth and Lancaster.
- 7.1.5 Given the concerns raised above, additional information was supplied by the applicant in February 2018 where further consideration of alternative sites was put forward, essentially strengthening the position which was put forward in the original assessment. Sites in Carnforth were examined such as Lodge Quarry (where Tesco is sited within), Scotland Road (where the southern edge is occupied by Booths and Aldi) and Carnforth Levels (where Travellers Choice Coaches and Ashlea Landscapes are located). These sites were discounted due to being unavailable or unsuitable for development and therefore the applicant considered that there are no suitable locations within Carnforth to deliver the proposed development. The applicant has also provided details on sites within Kendal and Milnthorpe. Officers consider that there would be scope within Lancaster to site the business but the applicant has not considered such sites because it is too far south to serve customers in Cumbria (despite land available at Junction 34 on Lancaster Business Park being located 6km away). A new Porsche showroom with associated facilities has recently been approved in Preston and this would serve the catchment around Central Lancashire, so there is value to suggest maybe a more central facility in the likes of Penrith or Kendal could be more suitable to serve Cumbria and North Lancashire. Planning Policy officers consider that the amended assessment of February 2018 does assist with addressing the concerns over the choice of location and that the assessment of alternative sites is robust and there are a lack of available locations within local settlement areas for the needs of the business. Nevertheless, the case officer still has concerns over the appropriateness of the assessment and whilst an argument has been put forward to suggest Junction 34 of the M6 has been discounted due to being outside the catchment of the site this is purely on the basis that it does not meet the locational/operational requirements of Porsche. If the assessment was to be followed this in reality would have to result in a personal permission for Porsche, something which legally would be challenging to do. The applicant has expressed a willingness for a personal consent and officers are considering the legalities of such a consent.
- 7.1.6 The local planning authority is supportive of new business ventures within the district and the diversification and continuity of existing business. The applicant has stated the benefits will amount to economic investment in Carnforth and will create 9 new jobs (in addition to those already at the site in Kendal) and that there will be a visual improvement to the key gateway and this proposal would act as a catalyst for economic growth. Benefits can relate to economic, social and environmental matters and amenity can relate to a wide range of matters such as visual amenity and landscape impact. It is welcomed that a prestigious brand such as Porsche wishes to invest in the district, however, many of the claims made by the applicant are not backed up by evidence. The 9 new jobs are welcomed but bearing in mind this is a 2 hectare greenfield site, the benefits are rather weak when compared against the area of the development, though it is recognised that a small number of other associated jobs might be created in the area as a result as this development.

The business would seek to support local apprenticeships and this is something to be supported and encouraged. Officers continue to have significant concerns as to the proposed levels of economic benefit associated with the scheme occupying quite a sizeable footprint but delivering little in the way of new employment prospects.

7.1.7 Officers welcome inward investment into the district. However, the proposed scheme is a sui-generis use comprising employment, storage and retail uses on a non-allocated greenfield site outside of the urban core, in what is open countryside land (albeit accepting the presence of the motorway). Whilst Porsche is proposed, in reality any consent will permit any car dealership to operate from the site, though the comfort is that the building as proposed is the unique Porsche building. There are certainly benefits of the proposals and there is the aspiration that Porsche could act as a catalyst for growth in the Carnforth area, however, it is only an aspiration. On balance, whilst there is significant support for inward investment, the scheme is a departure from the local plan and the benefits associated with the scheme are very limited. It is considered that the proposal fails to conform to the policy requirements of DM7 of the Development Management DPD in that the benefits of the proposal do not outweigh the harm caused to the landscape (which is discussed further at Section 7.2).

### 7.2 Landscape Impact and Design Matters

7.2.1 The development is not within a protected landscape though the Arnside and Silverdale Area of Outstanding Natural Beauty is located 1.4km to the west. The applicant has included a detailed landscape and visual impact assessment in support of the planning application and some helpful photomontages. The conclusions of which assume that the proposed development would be visually contained by the landform that rises to the east and the existing vegetation of the boundary hedgerows. The applicant's assessment assumes that there would be a moderate impact once the landscaping, as a form of mitigation, has been implemented and this is notably from the Public Right of Way to the west of the M6, and from Kellet Road on the bridge over the M6. There will inevitably be impacts by virtue of the site's transition from grazing land to a car showroom and associated facilities. Due to the engineering works that are involved in creating the platform for which the building would be sited, this will actually exacerbate the visual impact of the building, and rather than working with the landform it would be engineered to facilitate the development. The landform is quite distinctive and the site straddles the Lancashire County Council Landscape Character Areas - Low Coastal Drumlins – Warton/Borwick (12b) and Drumlin Field – Docker, Kellet and Lancaster (13c).

7.2.2 The building itself is contemporary in nature, utilising aluminium cladding and glazed curtain walling with a curved façade fronting the M6 and the vehicle preparation building whilst smaller would be constructed in grey black cladding. The building is modern, but does stand alone, and given the land level changes that would be required to facilitate the development it would project above existing motorway level. Officers had advocated a more sensitive split level building which would have blended into the landscape in a more sympathetic way and took more reference to the local countryside area. However, the applicant wished to stand by the current design. There will be at its maximum extent a 4 metre increase in land levels which is quite significant and this raises the prominence of the building. It is clear from the submitted plans that the design strategy for the site is to provide a modern, purpose built showroom and given the commanding position of the site adjacent to the M6 it is clear that the building is intended to maximise visibility of the proposed building from the M6 and make use of this frontage. Design is subjective and the Framework at Paragraph 64 states that planning permission should be refused for developments of poor design that fails to take the opportunities for improving the character and quality of an area and that way it functions. It is the case that other Porsche dealerships in the North West such as the site on Manchester Road in Bolton utilises a very similar building and the same will be true of the site off Watery Lane in Preston. It is considered that the innovative and iconic landmark type building fits well into a more urban environment, and would so in the centre of Carnforth, or Lancaster for example. However, in a semi-rural environment it is considered that the building lacks to respond to the local character of the site and therefore fails to respond positively to Policy DM28 of the Development Management DPD.

7.2.3 As part of the application process and assisting with officer concerns regarding landscape impact the applicant has sought to address concerns regarding the regrading of the site, and has proposed landscaping in the form of hedgerows and amenity shrubs along the western boundary which will assist with softening the landscape impacts. Specimen trees along the cycle/pedestrian route to the



eastern boundary have also been proposed. However, the amended landscaping scheme submitted in February 2018 only mitigates the level changes marginally.

## 7.3 Trees and Hedgerows

7.3.1 The Council's Tree Protection Officer has no objection to the scheme in principle, but has asked for further information with respect to visibility splays (and the associated impact on trees and hedgerows), together with an understanding that there will be no levels changes within close proximities of trees or hedgerows. The site does look to amend levels quite significantly and the plans submitted in support of the scheme show a level reduction along the A601(M) roadside verge (the location where hedgerows and trees are planted and therefore within root protection areas). The concerns have been conveyed to the applicant's agent and further comment is required, as there is concern that since the visibility splays have been increased in March 2018 this could lead to an increase in the amount of trees and hedgerows that need to be removed to facilitate the development (given the AIA only recommends the removal of 40m of hedgerow). It is considered that there is insufficient information to allow for a positive recommendation in this regard as officers cannot be sure of the extent of removal of hedgerow on the site and the impact the change in levels will have on the existing hedgerows along the A601(M). The scheme therefore fails to conform to Policy DM29 of the Development Management DPD.

## 7.4 Highways

7.4.1 Access to the site would be afforded off the A601(M) via the creation of a new vehicular access measuring 7.3m in width. The formation of the new junction would include the widening (to the north) of the A601(M) to provide a deceleration and right turning lane, with both running lane and the turning lane being 3.65m in width. The site access has been amended to enable HGVs to turn left out of the access without using carriageway space in the right turn lane on the A601(M). The scheme initially proposed visibility splays in the region of 2.4m x 120m in each direction, and the provision of a new foot and cycle pathway measuring 3 metres in width and would connect the site to the existing farm access (on the southern periphery of the site). The County initially had quite significant concerns with the content of the Transport Assessment and an amended assessment was submitted for consideration in March 2018. Additional information with respect to trip rates associated with vehicle movements on the local highway network has been included which takes into account committed developments such as Carnforth Business Park. As part of the amended submission the visibility splays have been increased to 4.5m x 160m to the north east and south west, and the cycleway that connects to the existing gate to the south of the site has been increased from 3m to 3.5m in width. At the time of compiling this report no observations have been received from County Highways. However, given collaborative working has occurred with County Highways it is hoped that the amended Transport Statement adequately addresses their concerns and therefore whilst this report has included highway safety as a reason for refusal this may be omitted by the point of determination by Planning Committee, dependent on the stance of County Highways. Members will be verbally updated in this regard.

## 7.5 Drainage

7.5.1 The application is supported by a Flood Risk Assessment which concludes that the site would be drained by a combination of permeable surfaces and positively drained impermeable (i.e. with interceptors) areas prior to discharge to the subsurface via infiltration based SuDS. The use of an infiltration trench along the western and eastern boundary is proposed. The Lead Local Flood Authority have no objections to the development on the understanding that the detailed calculations are controlled by means of planning condition and associated maintenance. Highways England advises that no drainage from the proposed site shall connect into any part of the motorway drainage system, and this can be controlled as such. Some of the proposed drainage measures are located outside the red edge boundary, so the applicant is providing amended plans to contain this within the red edge though at the time of drafting this report these amended plans have not been received. Members will be updated verbally.

7.5.2 Foul water from the site would be connected to an independent package treatment plant and treated effluent will be discharged to an existing culverted watercourse / land drain. No objection has been received from United Utilities on the basis of flood risk or foul water. It is therefore considered that a planning condition can be utilised to ensure foul water is controlled in a safe and responsible manner.

7.6 Ecological Matters

7.6.1 The application is accompanied by an ecological statement which was carried out in May 2017, and a full botanical survey of the site has been undertaken. The Kellet Road Verges are Biological Heritage Sites (BHS) and form part of the southern boundary of the site though will not be impacted on by the development. The proposal includes a buffer between this and the development. There is an outstanding question on land ownership and this has been highlighted with the applicant's agent, as it unclear whether this forms part of the adopted highway; the adoption plans seem to suggest not. The state of the verges are in poor condition though the BHS should be protected, and where possible enhanced, during and post construction. The site itself consists of species poor neutral grassland which is used for livestock grazing. From an ecological perspective whilst the development will result in the loss of a small area of low ecological value grassland, mitigation can be achieved on site. There could be net gain achieved through the imposition of planning conditions providing high quality landscaping and attractive boundary and entrance features.

7.7 Other Matters

7.7.1 The scheme is likely to promote additional journeys through the air quality management area (AQMA) of Carnforth, and it is the case that some additional movements will pass the AQMA. It is considered that whilst there would be an impact on the AQMA this is likely to be minimal and therefore NO<sub>2</sub> and PM10 concentrations are not proposed to be significant. The applicant is proposing 5 electric vehicle charging points as part of the proposal and this is considered acceptable. The land has been historically grazed and therefore it is unlikely that it would be contaminated to a degree of any significance, and therefore this could be satisfactorily addressed by the imposition of planning conditions.

7.7.2 The site is located within a mineral safeguarded zone. It is not expected given the proximity to the motorway that the site would be commercially worked for aggregate. No observations have been received from either Back Lane or Leapers Wood Quarries, nor have the County Council as the waste and mineral planning authority for Lancashire expressed an interest in this planning application. It is therefore considered that the development would not adversely prejudice any commercial extraction of mineral deposits (likely to be sand and gravel, or limestone).

**8.0 Planning Obligations**

8.1 Given the application is proposed to be refused, there are no planning obligations to consider as part of this planning application.

**9.0 Conclusions**

9.1 Members are faced with a delicately balanced planning argument on both sides. The Framework is explicit that government is committed to ensuring that the planning system does everything it can to support *sustainable* (our emphasis) economic growth, and naturally significant weight does need to be attached to this. The City Council wholeheartedly adopts this stance also. Members have to determine whether the benefits associated with the development of this greenfield site, outside the urban core of Carnforth, outweigh the impacts the development would have on the amenity of the area, namely in the form of the development's impact on the local landscape character. Officers consider that the benefits of the scheme are relatively low when considered against the scale of the development proposed. Whilst there is an impact on the landscape the harm caused has been mitigated to a limited extent via the provision of landscaping. Taking this into account, in the view of officers, this does not outweigh the harm caused, and whilst officers are supportive of new development within the district they cannot recommend support for the scheme from a principle objective.

9.2 Whilst amended information with respect to the development's impact on the local highway network has been submitted, the views of the County Council as Highway Authority were not available at the time of drafting, and therefore there is uncertainty as to whether the scheme proposed can be found acceptable from a highway perspective.

9.3 The Arboricultural Implications Assessment has failed to examine the impact of the proposed access arrangements and in particular the necessary visibility splays, and therefore it is impossible to conclude the likely extent of hedgerow removal in this location. Furthermore, given the applicant's

desire to regrade the site, the regrading would be undertaken in close proximity to the existing hedgerow along the A601 (M), which could undermine the future success of the hedgerow. Taking the above into consideration it is recommended that the scheme cannot be supported.

### **Recommendation**

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

1. The site is allocated as countryside area, which is divorced from the main built form of Carnforth and the benefits associated with the proposed development fail to outweigh the harm to the landscape, which is intensified by landform changes on the site, and the appearance of the built form as proposed. The scheme therefore fails to conform to Policies DM7, DM28 and DM35 of Development Management DPD and saved Policy E4 of the Lancaster District Local Plan.
2. There is insufficient information to demonstrate to the satisfaction of the Local Planning Authority that the existing highway network can safely accommodate the proposed development which proposes an access that is considered to raise highway safety concerns. The proposal therefore fails to conform to Policies DM20 and DM35 of the Development Management DPD and Paragraph 32 of the National Planning Policy Framework.
3. The submitted Arboricultural Implications Assessment fails to demonstrate the loss of hedgerow that would be needed to safely construct the access and the associated visibility splays and how the change in levels associated with the development will impact on the root protection areas of existing trees and hedgerows. The proposal therefore fails to conform to Policy DM29 of the Development Management DPD.

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

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

### **Background Papers**

None

Agenda Item A7	Committee Date 6 April 2018	Application Number 17/00073/FUL
<b>Application Site</b>  Land Adjacent Aikengill Scotforth Road Lancaster Lancashire	<b>Proposal</b>  Erection of 7 dwellings with associated new access and cycle paths	
<b>Name of Applicant</b>  Fellside Land Developments Ltd	<b>Name of Agent</b>  JWPC Chartered Town Planners	
<b>Decision Target Date</b>  24 April 2017	<b>Reason For Delay</b>  Negotiations to resolve highway safety issue and requirement to undertake a re-consultation	
<b>Case Officer</b>	Ms Charlotte Seward	
<b>Departure</b>	No	
<b>Summary of Recommendation</b>	Approval	

**(i) Procedural Notes**

The 31 May 2017 Planning and Highways Regulatory Committee resolved that planning permission be granted but delegated back to the Chief Officer (Regeneration and Planning) to resolve the outstanding highways issues and subject to conditions.

Following extensive negotiations to resolve highways safety issues the access design has been amended. These changes have resulted in subsequent changes to the internal road layout, plot layout, site levels, landscaping, and drainage. These changes fall outside of the scope of the decision making powers delegated to the Chief Officer, and therefore are required to be determined at Committee. The key changes to the proposed development include the following:

- Widening of access to the north and south with corresponding increased loss of hedgerow
- Increase in access radii to north and south
- Widening of sections of footpath on Scotforth Road
- Lengthening of section of straight internal road including creation of a retaining wall
- Reduction of gradient of access and internal road
- Shift of access road serving units 5 to 7 from the front of units to the rear
- Creation of turning head in the east part of the site
- Creation of pedestrian/cycle dropped crossing
- Shifting of units 5 to 7 in a westerly direction and change to garden layout, parking and increase in finished floor levels with corresponding impact on eaves and ridge heights
- Shifting of units 1 to 3 in a southerly direction and change to garden layouts, parking and increase in finished floor levels with corresponding impact on eaves and ridge heights

**1.0 The Site and its Surroundings**

1.1 The proposed site lies to the east of the A6 and is surrounded by residential development to the north, east and south, including Collingwood Park, Oakwood Gardens, Mulberry Lane and Brantwood Drive. The site is an undulating area of unmanaged grassland, whose ground level is elevated above the A6. The boundaries of the site are characterised by a retaining wall and

hedgerow to the west and hedgerow to the east of the site. To the south is a boundary fence. A group of trees to the south of this boundary are protected by a Tree Preservation Order. There is an existing public right of way (footpath no.55) which runs through the site and is well used by local residents for dog walking. The site is not allocated for development within the existing or emerging Local Plan.

**2.0 The Proposal**

- 2.1 This proposal seeks to develop the site for 7 4-bed houses with associated access, parking, drainage and landscaping. The scheme also includes the provision of a cycleway to form part of the Strategic Cycle Network.
- 2.2 Each of the dwellings is proposed to have a garden space and access to 2 or 3 parking spaces, with 5 of the dwellings having a garage each. The dwellings will be brick faced and will feature a projecting gable to their front elevation and external chimney breasts to the side. The site will be re-graded to facilitate its development with retaining walls between the gardens of each unit. A scheme for landscaping and planting is proposed.
- 2.3 An access is proposed to be created onto the A6 Scotforth Road. The access road will split to the south to serve units 1 to 4 and to the north to serve units 5 to 7. The proposal also includes the formation of a shared use cycleway running along the east of the site from north to south.

**3.0 Site History**

- 3.1 Pre-application advice was provided in April 2016 (Ref: 16/00316/PRETWO) for a proposal at this site for 14 dwellings. The advice given identified that the principle of housing at this location could be considered acceptable but that issues such as streetscene impact, spatial standards, footpath/cycle linkage, lack of amenity space and highway arrangements resulted in a proposal that could not be supported at application.
- 3.2 A subsequent application (16/01037/FUL) for 13 dwellings with associated access and re-grading of land was withdrawn. This was principally in relation to the number of the dwellings proposed and highway safety concerns.
- 3.3 On 31 May 2017 the Planning and Highways Regulatory Committee resolved that planning permission be granted but delegated back to the Chief Officer (Regeneration and Planning) to resolve the outstanding highways issues and subject conditions.
- 3.4 Planning Officers have subsequently been working with the applicant and County Highways to facilitate the design of an acceptable access.

**4.0 Consultation Responses**

- 4.1 The following responses have been received from statutory and non-statutory consultees to the amended proposal.

Consultee	Response
<b>Revised comments</b>	
<b>County Highways (Revised comments)</b>	<b>No objection</b> subject to the following conditions: requirement for the internal roads to be constructed prior to occupation; visibility splays to be free of any structures/planting over 1m in height; off-site highways improvements to pedestrian/cycle link, relocation of street lighting, improvements at the junction including thermoplastic lines, traverse stop and give way lines.
<b>Tree Protection Officer</b>	<b>No objection</b> subject to conditions – Agreed an Arboricultural Method Statement, Implementation of Arboricultural Report and soft landscaping planting plan.
<b>Planning and Housing Policy Team</b>	<b>Comments</b> – The Council currently reports a 4 year housing land supply. Progression has been made on the Bailrigg Garden Village proposals with a Broad Area of Growth being shown in the Local Plan. Our past comments remain relevant
<b>Regeneration Team</b>	Affirm that the past comments of the Housing and Planning Policy Team remain relevant.

New comments	
<b>Fire Safety Officer</b>	<b>Comments.</b> It should be ensured that the scheme fully meets all the requirements of Building Regulations Approved Document B, Part B5
Un-amended Comments	
<b>United Utilities</b>	<b>No objection</b> subject to the following conditions: separate foul and surface water systems, provision of surface water drainage in relation to the drainage hierarchy as set out in the NPPF, management and maintenance of surface water drainage system.
<b>Natural England (NE)</b>	<b>Comments</b> – refers the Council to the NE’s standing advice.
<b>Lead Local Flood Authority (LLFA)</b>	<b>Comments</b> – It is not listed in the ‘When to consult the LLFA document or in the Development Management Procedure Order 2010.’
<b>Ramblers Association</b>	<b>Comments</b> - Request for the cycleway to be formally adopted preferably as a bridleway and that the whole length of the public right of way is modified accordingly.

## **5.0 Neighbour Representations**

5.1 Four letters of representation have been received to the recent consultation, three in objection and one of concern. The material considerations raised include:

- Loss of green space
- Impact of increased use of highways network
- Safety of proposed access
- Scale of development in the context of the proposed Bailrigg Garden Development
- Land stability
- Removal of hedgerow to the south end of the cycle track
- The design of the cycleway and footpath with blind corned and narrow passage
- Increase in finished floor levels of Unit 7 in relation to 15 Brantwood Drive
- Disturbance and activity close to existing residential properties
- Maintenance of highways were not adopted including cycleway
- Maintenance of private drainage system
- Premature removal of hedgerow in location of access

5.2 The original consultation process received 8 letters of objection, including two responses from landowners PEEL and CEP, the following material planning concerns were raised:

- Prematurity in relation to Bailrigg Garden Village and the potential for conflict with access onto the A6 and over the railway line
- Safety of the proposed highways access and cycleway entrance in relation to the proposed Booths access and proposed access for Bailrigg Garden Village – including a request for a Road Safety Audit
- Access visibility
- Traffic generation and the impact on traffic congestion and air quality;
- Safety and amenity of proposed cycleway, including the potential impact on the security of surrounding residential properties;
- Prematurity in relation to the Bailrigg Garden Village;
- Loss of amenity of the public footpath from open natural path to enclosed path by high timber fences;
- Impact of loss of the hedgerow on habitat and amenity;
- Responsibility of the management of retained hedgerow;
- Scale of two-storey dwellings in relation to neighbouring properties and the levels of the site;
- Adverse impact on scale and design of new dwellings on privacy of existing neighbouring properties; and,
- Objection to suggested use of Mulberry Lane as an alternative access on amenity of the residential of Mulberry Lane.

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

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

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 80 – Sustainable Drainage

## 6.2 Local Planning Policy Overview – Current Position

At the 20 December 2017 meeting of its Full Council, the local authority resolved to publish the following 2 Development Plan Documents (DPD) for submission to the Planning Inspectorate:

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

This enables progress to be made on the preparation of a Local Plan for the Lancaster District. The DPDs were published on 9 February, and there will be an 8 week period for representations prior to the submission of the documents to the Planning Inspectorate for independent Examination. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in late 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 2017, 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
- SC2: Urban Concentration
- SC4: Meeting the District's Housing Requirement
- SC5: Quality in Design

## 6.4 Development Management Development Plan Document (DPD)

- NPPF1: Presumption in favour of sustainable development
- DM20: Enhancing Accessibility and Transport Linkages
- DM21: Walking and Cycling
- DM22: Vehicle Parking Provision
- DM23: Transport Efficiency and Travel Plans
- DM27: The Protection and Enhancement of Biodiversity
- DM29: Protection of Trees, Hedgerows and Woodland
- DM35: Key Design Principles
- DM39: Surface Water Run Off and Sustainable Drainage
- DM41: New Residential Development
- DM48: Community Infrastructure

## **7.0 Comment and Analysis**

### 7.1 The main issues are:

- Principle of development
- Housing Land Supply

- Housing Mix
- Affordable Housing Contribution
- Site Layout
- Scale, Design and Appearance
- Residential Amenity
- Access, Parking and Traffic Generation (including prematurity in relation to Bailrigg Garden Village)
- Cycleway
- Surface Water Drainage Scheme and Foul Drainage
- Public Open Space
- Impact on Trees and Proposed Landscaping Plan
- Habitat
- Contamination

## 7.2 Principle of Development

7.2.1 The Committee resolution of the 31 May 2017 established that the principle of development of this site for housing is acceptable. Given the location of this development within the urban area, within an established residential area, within reasonable walking distance to services and open space, and having access to sustainable forms of transport, the development of this site for housing is supported in principle, subject to detailed matters being acceptable.

## 7.3 Housing Land Supply

7.3.1 Paragraph 14 of the NPPF sets out the presumption in favour of sustainable development. Where the development plan is out of date, or the local planning authority does not have a 5 year housing land supply permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole or specific policies in the NPPF indicate development should be restricted.

7.3.2 In October 2017 Lancaster City Council published a 5 year housing land supply position. Based on the adopted housing requirement of 400 dwelling per annum the housing supply position is 4 years. As a consequence there is a clear expectation that unless material considerations imply otherwise, sites that offer the opportunity for housing delivery should be considered favorably.

## 7.4 Housing Mix

7.4.1 The principle of developing the site for 7 four bed houses was accepted in May 2017. Subsequent to the Committee resolution updated evidence on housing needs have been published in the Lancaster Strategic Housing Market Assessment Part II 2018.

7.4.2 In the assessment of the proposal in May 2017 it was identified that whilst the proposal would not be meeting the predominant identified need for Lancaster, the 2013 Meeting Housing Needs SPD did not exclude the delivery of detached market 4-bed homes. As such the delivery of 7 4-bed homes would still assist in delivering a balanced housing market. Given the constrained nature of this site, and the density of the surrounding residential development, the delivery of a single house type at this site can be considered to be acceptable.

7.4.3 The most recent information from the Lancaster Strategic Housing Market Assessment Part II 2018 states that the predominant affordable need is for 1 or 2 bed houses and the type of dwelling is detached. It also identifies that there is an oversupply in 3 bed plus homes (11 homes). However, for market housing, while the predominant needs is for 3 bed homes, there is some outstanding need for 4 bed homes. On this basis, a small development for 4 bed homes can be supported.

## 7.5 Affordable Housing Contribution

7.5.1 The Lancaster City Council Affordable Housing Practice Note (Sept 2017) was published to provide clarity on the current requirements for the district. This scheme is for 7 houses in an urban area and is less than 1000sqm GIA. In accordance with Table 1 of the Practice Note there is no requirement for affordable housing contribution. It should be noted that the proposal just falls within this threshold with a GIA of 999.6sqm. Should the applicant seek to vary the approved plan



(condition 2) in the future in such a manner that the development exceeded 1000 sq.m, then a financial contribution could be secured at that time.

### 7.6 **Site Layout**

7.6.1 The site is constrained by the surrounding housing development, the existence of the public right of way across the site, the topography of the site, the proximity and orientation of neighbouring properties, protected trees and the need to create an access onto the A6. The site layout has had to respond to these in a way which manages these constraints but also delivers a comprehensive design.

7.6.2 The amended scheme reflects the density of the surrounding housing development, and allows the development to be better situated in relation to existing and proposed houses to ensure appropriate levels of residential amenity. These elements will be discussed in more detail in the following assessment.

### 7.7 **Scale, Design and Appearance**

7.7.1 The number of houses and their design has not been altered by the amended plans. The May 2017 decision accepted the principle of the design and the materials proposed. Subject to the control of materials the scale, design and appearance of the proposed houses would be sympathetic to the character of the surrounding residential properties.

### 7.8 **Residential Amenity**

7.8.1 Policy DM35 sets out the key design principles which new development should address. The following assessment addresses overlooking, overbearingness, overshadowing, garden space and facilities for refuse and recycling.

#### 7.8.2 **Overlooking**

7.8.2.1 Proposed housing should be designed to ensure that new dwellings are as private and as free from overlooking as possible. As a general rule a distance of 21m between windows serving habitable rooms and 12m between windows serving habitable rooms and a blank elevation should be achieved. Between the proposed houses the 12m distance between windows serving habitable rooms and blank/side elevations has been maintained. However, to ensure privacy is maintained the first floor bathroom window will be required to be obscure glazed by condition of any permission granted.

7.8.2.2 The distance between facing windows serving habitable rooms of the amended units exceeds the 21m for all the units with the exception of units 3 and 4 which at its closest point is 18.8m, which is an increase on the originally proposed 17.6m. Given the constraints of the layout of this site it is difficult to see how this distance could be increased. As a standalone issue it is considered that this could be a robust reason for refusal.

7.8.2.3 In relation to the existing neighbouring properties the rear elevation of 1 Oakwood Gardens is within 15.5m of unit 3, which has reduced following amendment from the original 16m. In addition, the finished floor level of the property has been reduced by 0.4m to 46.0 AOD. At ground level the intervening hedgerow and fence will ensure that no adverse impact on privacy for both properties. At first floor level 1 Oakmere Gardens has the potential to overlook on proposed unit 3 with a potential for an adverse impact. It is considered that whilst the distance between the properties has reduced, the height of the property has also been reduced which will mean that the potential for harmful overlooking is reduced as views are more likely to over sail the property. Given the constraints on the layout it is difficult to eliminate any impact as it is very difficult to amend the layout without promoting impact on other properties or the internal road design.

7.8.2.4 There is a potential for the privacy of units 3, 4 and 7 to be adversely affected by the proposed cycleway. The layout is not proposed to be amended due to the likelihood of this creating separate issues. However, it is possible to mitigate the impact from the cycleway by raising sections of the boundary treatment to 1.8m and by having landscaping to help screen any views from the cycleway. As such conditions requiring the final details and fencing can be secured by condition.

On balance it is considered that the dwellings' amenity would not be so adversely affected that it would warrant refusal.

7.8.2.5 The amended plans have increased the distance between proposed Unit 1 and 3 Oakwood Gardens from 18m to 18.42, and maintained the distance between proposed Unit 2 and 2 Oakwood Gardens at 12m. The finished floor levels of the properties have been reduced by 0.3m. The distance and finished floor level are acceptable for habitable room to blank elevation. Furthermore, any potential impact is limited by the angle of orientation of the neighbouring properties to each other.

7.8.2.6 In relation to 1 and 6 Mulberry Lane these properties are on a higher ground level and present blank elevations to the proposed units 3 and 4. As the blank elevations of units 3 and 4 face these elevations and are of a distance greater than 12m, this relationship can be considered acceptable. In relation to Aikengill, the closest proposed property is Unit 7 and this is of an increased distance of 18.3 at its closest point. The angle of the properties to each other and the physical separation by boundaries together will ensure that there would be no adverse impact on either properties.

### 7.8.3 Overbearingness

7.8.3.1 The topography of the site results in the ground level of the proposed units varying by a significant amount. Units 1, 2 and 3 will be stepped up in terms of finished ground level. This will result in the scale of unit 2 relative to unit 1 being perceived as larger, and 3 relative to 2. It is proposed that the boundaries between the properties would be 1.8m, but together with the proposed retaining walls this would be perceived as a 3m boundary on the lower side. This will be in addition to the side elevation of the proposed unit adding 1 to 1.2m to the overall perceived height of the dwelling. This would not affect the amenity within units 1 or 2 due to the side elevations facing each other having no windows with exception of the obscure glazed bathroom window on unit 2. Unit 2 will perceive unit 1 as being lower and as such can be considered acceptable. However, this would have an impact on the amenity of the garden. Unit 1 would have an unimpeded outlook to the west and as such the impact can be considered not to be detrimental. The rear garden of unit 2 would feel quite enclosed as a result of the surrounding properties. On balance though it is considered to be insufficiently adverse to refuse.

7.8.3.2 Units 4 and 7 are unaffected by the levels of the site in relation to the other proposed units. The amended plans have altered the site levels and the distances between properties 4, 5 and 6. The finish floor level of unit 5 has increased by 2.3m and, Unit 6 by 1.25m and unit 4 by 0.4m. This results in the properties from the street scene appearing more at level with the other development at the site which is more visually appealing, and in addition to this reduces the level differences between the units, particularly Unit 4 and Unit 5 which has been reduced to a difference of to 1.10m AOD rather than 4.4m AOD. This has helped to remove any potential adverse impacts as a result of overbearingness from the site and bring Unit 4 more in line with the levels of the rest of the plots. The change in the layout to accommodate the internal road has also increased the distances between Unit 4, 5 and 6 which results in a better degree of openness and outlook for each of the properties.

7.8.3.3 Units 1, 2 and 3 would be within 7.3m and 8.5m of the rear boundary of the site and the garden boundary with the houses at Oakwood Gardens. The amended plans have seen this reduce by approximately 0.5m for each property. Whilst this is a fairly short distance to the boundaries, the character of the boundary is timber fence and trees of varying size so it is a soft rather than a hard boundary. As such it is unlikely to have an adverse impact in terms of overbearingness.

7.8.3.4 Given the finished levels of the site are key to the amenity of the proposed dwellings, full details of the finished floor and site levels will be required by condition.

### 7.8.4 Overshadowing

7.8.4.1 The orientation, separation distances and site levels between Units 4 and 7 are such that no adverse impact as a result of overshadowing would amount, and the amended plans have resulted in an improved relationship. The orientation of Units 1 to 3 would result in some overshadowing in the morning. In the middle of the day the properties would be unaffected by each other. In the afternoon/evening there would be potential for some overshadowing but the stepped nature of the plots in levels and to be progressively set further north in the site would ensure that each of the

properties would benefit from unobstructed light on the principle elevations and front gardens of the properties.

### 7.8.5 Garden space

7.8.5.1 Rear gardens as a general rule should achieve a depth of 10m and an overall area of 50sqm. The amended plans have resulted in the gardens which achieve this depth reduced from 5 Units to only 1. 3 of the units' gardens have a depth of approximately 9m and the remaining 3 between 7 and 8m. Whilst the desired depth has not been achieved, the overall garden space of each of the properties significantly exceeds the 50sqm requirement, such that the proposal can be considered to provide an appropriate overall garden provision. Whilst this is the case, the applicant will still need to define, via condition discharge, a curtilage plan for each of these dwellings, especially in relation to the drainage attenuation tank. Additionally the landscaping close to the cycleway north connection point will require clarification.

7.8.5.2 Any potential overlooking between the properties' gardens has been managed by the design of the elevations and the condition to make the first floor side elevation windows obscure glazed. Furthermore, boundary fences have been proposed to protect privacy at a ground level. The final details of these boundaries need to be controlled by condition. Any potential overlooking from the cycleway is to be managed by landscaping and boundary fencing, the final details which are to be agreed by condition. This will ensure adequate protection of the amenity of gardens for units 3, 4 and 7.

### 7.8.6 Refuse and recycling

7.8.6.1 The amended plans show a specified location for bins and recycling, which can be considered acceptable.

### 7.9 Access, parking and traffic generation

7.9.1 Policy DM20 sets out the requirements that need to be met in order to ensure that new development is acceptable in terms of location, access, parking, provision of safe streets and reducing as far as possible negative impacts of cars.

7.9.2 When the original Committee report was drafted for the May 2017 Planning Committee, County Highways had a position of no objections on the principle of the access in the proposed location, subject to a number of conditions. However, a few days in advance of Committee County Highways issued further comments requesting that the overall width of the access be constructed to 5.5m, include 2m continuous footways and 10m junction radii. It was on the basis of the need to address these further comments that Committee resolved to approve the development subject to the resolution of the highways safety issues. In addition to this, objections have been received about the relationship of the proposed access to the Bailrigg Garden Village in terms of conflict with a potential further access and on the grounds of prematurity (this element is considered in 7.10). On this basis Committee resolved to approve the proposal subject to the resolution of highways safety concerns.

7.9.3 Subsequent to the Committee resolution extensive negotiations have been undertaken between County Highways and the applicant facilitated by the case officer. Amended plans were submitted on numerous occasions with County Highways raising concerns in relation to location and width of the access, ingress into vehicle running lanes of vehicles exiting the site, junction radii, turning space within the site, access and internal road gradients, width of footway on Scotforth Road, provision for cyclists, and the design of the proposed cycleway to have a narrowing at its southern extent.

7.9.4 Responding to advice provided by County Highways a comprehensive redesign of the access, internal roads and the plot layout has been undertaken. The current plans show an access which has been widened, junction radii has been increased, access and internal road gradients have been reduced, turning head has been made larger and moved into the site away from the junction, width of footways have been increased, and a provision has been made for a dropped pedestrian crossing. This design has improved the highway safety of the site and Scotforth Road for vehicles and pedestrians, and helped to further mitigate any perceived potential conflict with the extant Booths access.

- 7.9.5 County Highways has now advised that, subject to the imposition of proposed conditions, the implications of the proposals are unlikely to have a detrimental impact on the operation and safety of surrounding lengths of the public highway as a whole. Subject to the imposition of the proposed conditions the proposal would not result in any highway safety issues and therefore can be supported on this basis.
- 7.9.6 County Highways has provided a number of comments in relation to standards where the applicant would seek highway adoption. The applicant has advised to date that they intend for the highways to be privately maintained. County Highways has made clear that in the event that the highway is not adopted the impacts of this would not be detrimental to highway safety and therefore the principle of a privately maintained highway on this site is acceptable. Comments were also made in relation to parking standards, surface water drainage and cycleway design which are addressed below.
- 7.9.7 It should be noted that within the original objection to the scheme it had been requested that access through Mulberry Lane be considered as an alternative to the proposed access onto the A6. In addition, an objection has been received from a resident of Mulberry Lane to the suggestion of a proposed alternative access through Mulberry Lane. Access through Mulberry Lane has been considered by the applicant, who advises that this is not feasible due to likely adverse possession and resident objection.
- 7.10 Prematurity in relation to Bailrigg Garden Village
- 7.10.1 Objections were received to the original submission from adjacent landowners Peel Investments (North) Limited and on behalf of CEP. The objections focused on the positioning of the proposed access conflicting with a possible connection point to the A6 to provide a crossing point over the railway on the grounds that the approval of this site would be premature in relation to the Bailrigg Garden Village proposals. The Committee resolution of 31 May 2017 established that the assessment of the acceptability of this application was not premature in relation to Bailrigg Garden Village at that time.
- 7.10.2 Planning Policy Team has advised that, whilst there has been progression of the consideration of the Bailrigg Garden Village through the inclusion of a Broad Area of Growth with the Local Plan, their previous comments remain that a determination to refuse this proposal on grounds of prematurity at this time could not be sustained. The Regeneration Team have also affirmed that the past comments of the Housing and Planning Policy Team remain relevant. No further comments have been received from PEEL or CEP in relation to the amended plans at the time of writing of the report.
- 7.10.3 On this basis, it is considered that the advancement of Bailrigg Garden Village in the Local Plan, has not made a degree of change that would mean that the approval of this development would result in a significant constraint such that a refusal on the grounds of prematurity could be warranted and the proposal can be supported on this basis.
- 7.11 Parking
- 7.11.11 The location of the proposed development is sustainable. It is well related to public transport and within close access of services. Appendix B of the Development Management DPD requires 3 parking spaces for 4 bed dwellings. 5 of the 7 houses will have access to 3 car parking spaces. The parking spaces shown outside and within the garages are of an appropriate size. The site does not make provision for turning within each plot, but given the small size of the development and that there is no through road, it is considered that turning in the private road would not amount to any highways safety issues. Appendix B also requires the provision for bicycle storage. 5 of the 7 properties have garages which are of a size which will allow for the provision of bicycle storage. The 2 units which do not have a garage have sufficient rear garden space to accommodate an external bike store which would facilitate 2 bike storage spaces. On balance, given the sustainable location of this proposal, the parking and bike store provision is appropriate.
- 7.12 Transport Statement
- 7.12.1 Policy requires that the negative impacts of cars, including volumes of traffic, fumes and noise, are sought to be reduced as far as possible. This application has been submitted with a revised

transport statement. This detailed non car based transport options and concluded that the site is highly accessible and sustainable. The document concludes that the proposal would not have a perceptible impact in highways safety and operation in the area. It suggests that the proposal's traffic generation would be minimal.

7.12.2 The scale of the development is anticipated to generate 32 trips per day for the 7 dwellings, with an estimation of 4 trips per dwelling. This number of trips in the context of the traffic volume on the A6 is limited, and would not be considered to impact traffic in a way that would cause any change to congestion issues in the wider context. In relation to Bailrigg Garden Village, the scale of this development is minor and is unlikely to have an undue impact on the ability of the proposed master-planning to come forward. In summary, the proposed traffic generation from 7 houses would not have an adverse impact on the highway in relation to trip generation.

### 7.13 **Cycleway**

7.13.1 The proposal site is identified as part of the Strategic Cycle Network within the Local Plan Proposals Maps 2004. The proposed development seeks to provide this section of cycle route to ensure that the site can function as part of the wider strategic network. This will also form an alteration and diversion of the public right of way.

7.13.2 The amended plans have not made change to the proposed cycleway considered in May 2017. However, County Highways has raised comment to the amended plans to request the provision of triple staggered barriers to substantially reduce the speed of cyclists before reaching Scotforth Road. No further comments have been received to the amended plans from the Ramblers Association or the Council's Project Engineer.

7.13.3 As previous recommended, the final details of the design of the cycleway can be controlled through condition which requires the agreement of details prior to commencement of development. Overall the provision of the cycleway will be a small but strategic provision to the District's cycle network.

### 7.14 **Surface Water Drainage Scheme and Foul Drainage**

7.14.1 Changes to the access and internal roads have resulted in amendment to the drainage strategy and general drainage arrangement plan. At the time of writing no further comments have been received from United Utilities in relation to the proposal and so their original comments of no objections subject to the proposal being in accordance with the drainage hierarchy still stand. County Highways has maintained their concern for the potential for surface water run-off into the highway, and connection into the surface water drainage into combined sewer exacerbating existing drainage issues.

7.14.2 The proposed drainage strategy has been designed so that foul and surface water are dealt with separately on site and then merged to enter the combined public sewer. The strategy submitted sets out that ground infiltration is not possible in this location due to clay soil and the area's risk to ground water flooding also suggests that on site drainage is not practicable. However, it is not clear whether infiltration tests have been carried out. No information has been provided in relation to a surface water body or an alternative surface water drain. From site visits it would appear that there is not a surface water body that the site could drain to although this is not addressed within the statement. The drainage strategy does not describe why a surface water sewer cannot be connected to a separate surface water sewer and why the combined sewer is the only option. However, County Highways has advised that they would not support connection to the surface water drain in this area. Whilst at this stage the strategy does not provide evidence that more sustainable options in the hierarchy have been discounted, it is considered with confidence that the only likely option for this site is to connect to the public sewer. Subject to a condition to prove the drainage hierarchy has been met the principle of connecting to the public sewer can be supported.

7.14.3 Notwithstanding the requirement for further evidence to justify a connection into the public sewer, a drainage scheme has been designed. The scheme proposed to deal with surface water includes a mixture of filter drains across the east and west part of the site, pipe gullies and 6 man holes for surface water across the site and along the access area, narrowing pipe gauges, a hydrobrake and a 80m<sup>3</sup> attenuation tank. Together these elements are estimated to provide 85m<sup>3</sup> of storage on site which has been designed to address 1 in 100 year storm plus +30% for climate change,

this is a 15 m<sup>3</sup> of storage from the original proposal. The design also includes details of how rainwater will be prevented from overtopping onto the highway by fall of the road and position of gully designed to capture the water before it reaches the highway. Final details are required to be agreed to ensure that the correct level of attenuation is provided and that the design of the road and locations of gullies will ensure that the water will be able to connect into the attenuation tank before reaching the highway. This can adequately be dealt with by condition to ensure that the proposal would not result in any increase to flood risk on or off site.

7.14.4 Limited details have been provided in relation to the management and maintenance of the proposed foul and surface water drainage. The strategy suggests that this would be limited to making the drainage strategy available to owners of the properties. Individual owner responsibility would not allow for the effective maintenance and management of the system. As such, details of this will be required by condition to be approved prior to the commencement of development.

### 7.15 **Impact on Trees and Proposed Landscaping Plan**

7.15.1 Concurrent to the amended plans a revised Arboricultural Implications Assessment and Landscaping Plan have been submitted.

7.15.2 The implications of the change to the plans have resulted in an additional 4m of hedgerow being removed to accommodate the proposal access. The proposal to remove the north eastern hedgerow boundary fully and a small section of the southern boundary on the cycle path remain unchanged. The remaining trees and hedgerows are to be retained and protected during development. The Council's Tree Protection Officer has not raised an objection to the proposal subject to conditions to require the implementation of Arboricultural Report and Soft Landscaping Planting Plan. The imposition of these conditions would reasonably ensure the protection of the retained trees. In addition to this an additional requirement has been requested for the agreement of an Arboricultural Method Statement where utilities are proposed within root protection areas. This is considered a reasonable condition as laying of utilities can have an adverse impact on hedgerows and trees. An informative of any permission granted should also clarify that any works to the trees protected by a Tree Preservation Order will require the submission of a separate tree and written approval obtained.

7.15.2 A revised soft landscaping scheme has been submitted to address the amended plans. The scheme includes a similar level and type of planting to the original scheme, which includes replacement hedgerows, planting along the eastern boundary, some beech hedgerows on the access and access road and individual planting in the front and rear gardens of the proposed units.

7.15.3 The planting will help soften views within and outside the site between the existing and proposed properties. Individual trees within the gardens of the proposed houses will help to ensure that the character of the area is reflective of the suburban character of this location. Shrub planting and climbing plants on the retaining wall will also help to soften the infrastructure of the site. Subject to a condition requiring the implementation of this landscape plan, the landscaping of the site will ensure a high level of amenity and help to ensure privacy of the dwellings from the cycleway.

### 7.16 **Habitat**

7.16.1 An Extended Phase 1 Habitat Survey was submitted with the original application. Assessment of the report in the context of the limited biodiversity interest of the site concluded that subject to conditions required replanting of lost hedgerow to be dealt with through the landscaping conditions, the control of lighting of the cycleway through the agreement of the final details of the cycleway and the provision of provision of bird and bat boxes, that the impact on biodiversity is acceptable.

7.16.2 Together with the amended plans, an update to the Extended Phase 1 Habitat Survey dated the 16.02.18 has been submitted. This details an additional site visit carried out on 15.02.18 and concludes that no change has occurred at the site since the original site visits and states that the conclusions of the original report remain valid and applicable.

### 7.17 **Contamination**

7.17.1 A Phase 1 Land Contamination Assessment (dated May 2016) was submitted with the original application. No further details on land contamination have been provided

7.17.2 Assessment of the report suggests that there are no contamination issues at the site. The chemical results indicated that no contaminants were detected above generic screening levels for a residential (with home-grown produce) end use. The geotechnical results indicated that the soil can be classified as a clay soil with low plasticity. The site is within an intermediate probability Radon Affected Area, as 5-10% of homes are above the action level. Basic radon protection measures are required in the construction of new dwellings or extensions. Whilst no consultation response has been provided by Environment Health, based on the findings (subject to an advice note in relation to building control requirements for Radon Affect Area between 3-10%), the development can be considered satisfactory in relation to land contamination.

## 7.18 Public open space

7.18.1 Local policy states that planning obligations may be sought from any development irrespective of type and size that creates an impact which requires mitigation. NPPF states that planning obligations must meet tests set out in paragraph 204 – necessary, relevant and fair and reasonable in scale and kind. The proposal site is not allocated as public open space. It is currently a field with a designated public right of way across the site with access to other local recreational and open space facilities. As such the loss of this area of land can be considered acceptable in relation to the existing protected areas. It should be noted that due to the scale of this proposal consultation with Public Realm Officer is not required, and as such no comments have been provided. Given the scale of this proposal, the lack of designation of the existing site and the proximity of open space to this site it is considered that it would be unreasonable to require a contribution to the provision of open space. In addition, the site is too constrained in scale to provide any communal open space.

## 8.0 Planning Obligations

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

## 9.0 Conclusions

9.1 This proposal would deliver seven homes within a part of the urban area of Lancaster that would reduce the need to travel, helping to meet the housing needs of the District. The proposed layout and design of the houses would be well related to the neighbouring residential development at Collingwood Park, Mulberry Lane and Brantwood Drive without adversely impacting on residential amenity. The proposed dwellings would have an acceptable level of amenity and outlook with appropriate provision for garden space and parking. Despite the site constraints amended plans have been provided which show an access which would not have any determinate impact on the safety of its users or those of Scotforth Road, and would not result in conflict with the extant Booths access position. In addition, the proposed access is not considered to prejudice the delivery of the Bailrigg Garden Village and a refusal on grounds of prematurity would be unreasonable. The proposal also presents an opportunity to deliver an important, albeit small, section of the Strategic Cycle Network. Initial proposals in relation to drainage, landscaping, site levels, cycleway and materials are considered acceptable subject to further details being secured by condition.

## 10.0 Recommendation

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

1. Standard 3 year timescale
2. In accordance with agreed plans
3. Foul and surface water drainage details
4. Surface water management and maintenance
5. Provision of vehicular access to base course prior to commencement of other works and then fully implemented prior to first occupation, including protection of visibility splay throughout
6. Finished floor and site levels
7. Full construction details of cycleway and subsequent implementation prior to first occupation
8. Off-site highway improvement works for traffic calming measures
9. Landscaping scheme
10. Material details for the dwellings
11. Location and material details of all boundaries, including retaining walls

12. Tree protection and mitigation
13. Implementation of ecological mitigation measures and amended AIA
14. First floor window on side elevations for bath rooms to be obscure glazed
15. Removal of PD rights

**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 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> A8	<b>Committee Date</b> 6 April 2018	<b>Application Number</b> 18/00028/CU
<b>Application Site</b> Castleview Caravan Parks Castle View Park Borwick Road Capernwray		<b>Proposal</b> Change of use of land for the siting of 36 static caravans/lodges including retrospective raising of land levels, creation of a new road and installation of a sewage treatment plant
<b>Name of Applicant</b> Mr J McCarthy		<b>Name of Agent</b> Mr H R Wheatman
<b>Decision Target Date</b> 20 April 2018		<b>Reason For Delay</b> None
<b>Case Officer</b>		Mrs Eleanor Fawcett
<b>Departure</b>		None
<b>Summary of Recommendation</b>		Approval, subject to the receipt of satisfactory information in relation to alternative sites.

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

- 1.1 This application relates to a large static caravan site located off Borwick Road within the dispersed settlement of Capernwray. It is a long established site with a total of 280 static caravan pitches for holiday use. The pitches are located within two distinct groups as it was previously two sites under different ownerships. Closest to the application site is the former Capernwray Caravan Park which appears to have been purchased by the applicant in 2007. Part of this extends up to Borran Lane to the northwest and has an access from Hobsons Lane to the southwest. It is also served by the access from Borwick Road and there is a road linking the two main parts of the caravan site which are separated by slightly sloping fields. Crossing these fields is a public footpath, extending from Borwick Road to Gamekeepers Tower on a raised area of land to the south.
- 1.2 The application site relates to land adjacent to the northwestern part of the caravan park, which separates the two distinct sections. There are three main parts of the application site. The one to the southwest of the access road is grassed but the site levels have been increased by the use of hardcore. To the northeast of this is an area which has been hard surfaced and is used to display caravans for sale. The largest section relates to an undeveloped field and extends adjacent to the access road, to the southeast. It does contain a package treatment plant associated with existing caravans to the south. Adjacent to this is a group of trees, with a woodland area extending up to Borwick Road which are protected by a Tree Preservation Order. To the northeast of the site is an equestrian centre and dwelling, which are also owned by the applicant.
- 1.3 The site is located within the Countryside Area, as identified on the Local Plan Proposals map.

## **2.0 The Proposal**

- 2.1 Planning permission is sought for the change of use of land for the siting of 36 static caravans or lodges. The proposal also includes the raising of levels on part of the site and the creation of a new access road, both of which have already been undertaken. The new road runs adjacent to the south eastern edge of the field boundary, where the caravans are proposed, and links the existing road serving the caravan site to that of the equestrian centre. As part of the scheme, additional

landscaping is also proposed.

### **3.0 Site History**

3.1 There is an extensive planning history in relation to the caravan site. The most relevant, in relation to the application site, is set out below.

Application Number	Proposal	Decision
17/01363/CU	Change of use of land for the siting of 44 static caravans/lodges including retrospective raising of land levels	Withdrawn
17/00813/PRETWO	Siting of 44 caravan/lodges on vacant land	
10/00185/CU	Change of use of land for extension to existing caravan park, erection of an office building, provision of a new treatment plant and reed bed pond	Approved
08/00485/FUL	Creation of a new private access road	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>Object.</b> Existing high concentration of caravans in this area; detrimental impact of further vehicular movements on the existing roads; concerns about accuracy of transport statement; need to ensure they are occupied for holiday use;
<b>Environmental Health</b>	<b>No objection</b> subject to standard contamination condition.
<b>Tree Protection Officer</b>	<b>Comments.</b> Concerns in relation to the poor quality of the raised area of land and ability for new landscaping in this area to establish and provide long term screening.
<b>County Highways</b>	<b>No objection.</b> Advise an occupancy restriction to limit length of stay and use as a family home.
<b>Lancashire Fire and Rescue Service</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 No representations have been received.

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

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

Paragraphs 7, 14 and 17 – Sustainable Development and Core Principles  
 Paragraph 28 – Supporting economic growth in rural areas  
 Paragraph 32 – Access and Transport  
 Paragraphs 56, 58 and 60 – Requiring Good Design  
 Paragraph 109 – Protecting valued landscapes and minimising impacts on biodiversity  
 Paragraph 118 – Conserving and Enhancing Biodiversity

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

At the 20 December 2017 meeting of its Full Council, the local authority resolved to publish the following 2 Development Plan Documents (DPD) for submission to the Planning Inspectorate:

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

This enables progress to be made on the preparation of a Local Plan for the Lancaster District. The

DPDs will be published in February, after which there will be a 6 week period for representations prior to the submission of the documents to the Planning Inspectorate for independent Examination. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in late 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 2017, 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  
ER6 – Developing Tourism

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

E4 – Countryside Area

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

DM7 – Economic Development in Rural Areas  
DM14 – Caravan Sites, Chalets and Log Cabins  
DM20 – Enhancing Accessibility and Transport Linkages  
DM21 – Walking and Cycling  
DM27 – Protection and Enhancement of Biodiversity  
DM28 – Development and Landscape Impact  
DM35 – Key Design Principles  
DM39 – Surface Water Run-Off and Sustainable Drainage

## **7.0 Comment and Analysis**

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

- Principle of the proposal
- Landscape and Visual Impact
- Highway Safety Issues
- Ecological Issues
- Drainage

### 7.2 Principle of the proposal

7.2.1 The proposal is for an extension to an existing caravan site to accommodate 36 additional static caravan/lodges. Policy DM14 of the Development Management DPD sets out that extensions to existing static or touring caravan sites will be supported in principle within the district, and outside areas of designated landscape importance and to an appropriate scale, subject to the following criteria:

- Priority is given to previously developed sites and, where greenfield sites are identified, it should be demonstrated that no alternative, suitable brownfield sites exist in the locality;

- The proposal has no adverse impact on landscape character or significant detrimental impact on the visual amenity of the locality, and includes satisfactory proposals for additional landscaping where required;
- The layout retains onsite features and provides compensatory planting and other nature conservation measures;
- The proposal maintains and enhances existing areas of recreational open space or creates new areas which are proportionate in scale;
- The proposal does not have an adverse impact on biodiversity;
- The proposal does not have an adverse impact on surrounding residential amenity; and
- The proposal is in an accessible location and has no adverse impact on the capacity of the highway network, or on highway safety.

7.2.2 Whilst some of the application site contains hardstanding, this does not benefit from planning consent and as such all of the site is greenfield. It lies immediately alongside the current caravan site and is within the ownership of the applicant. It does not appear that there are any suitable alternative locations to provide an expansion to this site which are previously developed. However, this evidence has been requested from the agent and will be updated at the meeting. Subject to satisfactory information being provided as to the lack of any suitable alternative locations for the expansion of the site, the principle is considered to be acceptable, subject to the proposal meeting the criteria listed above.

### 7.3 Landscape and Visual Impact

7.3.1 The existing caravan site, which comprises two distinct separate areas, benefits from established planting and existing woodland for screening. The main public view of the application site is from a public footpath which crosses one of the fields to the southeast. Otherwise, it is partly visible from the access into the caravan park from Borwick Road. The caravans would be seen against those to the northwest, particularly as the land rises. However, from aerial photographs, it appears that these would have benefitted from a significant amount of screening when viewed from the public footpath which would have reduced their visual impact within the landscape. It is not clear when this was removed or exactly how much screening it would have provided. However, a detailed and robust landscaping scheme is considered to be important if an expansion is to be approved, extending into the open area which separates the main sections of the caravan site.

7.3.2 Concerns were raised at the pre-application stage in relation to the proposed density of the caravans and the large amounts of hardstanding proposed with limited landscaping. Unfortunately, these concerns were not fully taken into account by the previous submission, which led to this application being withdrawn. The current application has reduced the number of proposed caravans by 8 and an additional amenity area has been proposed which will also help to provide additional screening to the raised area. This is in addition to the amenity area proposed in the centre of the largest section of the site. Overall, areas of hardstanding have been reduced with some additional green spaces to the front of pitches and around the three areas. There are concerns in relation to the ability for trees to establish within the raised area of land, given the poor quality of the ground. It is also considered that more landscaping could be provided to help break up views of and soften the appearance of the caravans.

7.3.3 An amended landscaping scheme has now been submitted and the Tree Officer consulted. This also provides details in relation to ground works proposed to ensure that the trees can establish and mature. The response will be reported at the meeting, however, if sufficient details have not been provided, it may be the case that these can be agreed through a condition. Additional landscaping has already been put in place adjacent to the new access road. Whilst some of this is outside the application site, it is considered important to be included within the landscaping scheme to ensure that it is maintained and retained in order to provide additional screening to the site, particularly from the footpath. Unfortunately it does not appear to have been included within the amended scheme, but has been requested from the agent.

7.3.4 Overall, subject to a robust landscaping scheme, it is considered that the proposal will not have a significant adverse landscape and visual impact, particularly as it will be viewed against existing caravans and will still retain an open green space between the two main sections of the caravan park.

## 7.4 Highway Safety Issues

7.4.1 The application will increase the number of caravans/lodges at the caravan site which will increase the number of vehicle movements. The Highway Authority has raised no objections to the proposal but has suggested that the length of stay in a unit by a single occupier and the continuous use of the units as family homes be restricted. A legal agreement is proposed, in addition to a condition, to ensure that the lodges are used for holiday purposes only. However, the rest of the site is already used on a 12 month basis, and period of stay is not usually limited for caravans as these are often individually owned. As such, it is considered that the use for holiday purposes can be adequately controlled without restricting the length of stay by a single occupier.

## 7.5 Ecological Issues

7.5.1 An ecological appraisal has been submitted with the application and was undertaken in August 2017. In relation to the site, it sets out that this is mostly semi-improved grassland which is grazed by sheep and horses with low species diversity and ecological value. There are no records of great crested newts within 2 kilometres of the site, though there are three ponds within 250 metres. One of these is approximately 5 metres from the southern edge of the site, and the report sets out that this has been constructed relatively recently and is fed solely by surface water run-off and dries on a regular basis. The other two are large fishing ponds stocked with coarse fish and were seen to support large numbers of waterfowl such as mallard which would exert a strong predatory pressure on newts and are considered sufficient to preclude their occurrence in these ponds. As a result, the potential for great crested newts to inhabit the ponds and forage or hibernate on the site is considered to be low.

7.5.2 In relation to bats, the report sets out that these are highly unlikely to rely on the site for feeding but may occur in the local area. The additional planting proposed, which includes hedgerows is likely to improve habitat for both bats and birds. No other protected species are likely to be impacted by the proposal. Some precautionary mitigation has been proposed for amphibians, badgers, bats, birds, invertebrates and reptiles. It is considered that the proposal should not have a significant impact on biodiversity and there should be some benefits from the proposed landscaping.

## 7.6 Drainage

7.6.1 Two package treatment plants have been proposed to serve the development which will drain to an existing watercourse to the north of the site. Subject to any necessary consents, separate to planning, this is considered to be acceptable to serve the development.

## **8.0 Planning Obligations**

8.1 A Unilateral Undertaking is required in order to ensure that the caravans are used wholly for holiday accommodation given that the site will be operated on a 12 month basis.

## **9.0 Conclusions**

9.1 The application proposes an extension to an existing caravan site and will help to promote tourism within the area. Subject to confirmation that no alternative previously developed sites exist in the locality, the principle of the proposal is considered to be acceptable. The site will be seen in the context of existing caravans and will maintain an open green area separating the two main sections of the caravan park. Providing that sufficient landscaping details are provided, it is considered that the proposal will not have a significant adverse landscape and visual impact. It is also considered that the scheme is acceptable in terms of impacts on highway safety, ecology and residential amenity.

## **Recommendation**

That Planning Permission **BE GRANTED** subject to the receipt of satisfactory information in relation to alternative sites, and signing and completing of a Unilateral Undertaking to ensure that the caravans are used wholly for holiday accommodation, and the following conditions:

1. Standard 3 year timescale
2. In accordance with plans

3. Assessment/ remediation of contamination
4. Ecology mitigation
5. Landscaping scheme
6. Implement drainage in full prior to first occupation/being brought into use
7. Implement amenity spaces in full prior to first occupation/being brought into use
8. Restriction of number of units and layout as on submitted plans
9. Restriction of use to holiday units

**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> A9	<b>Committee Date</b> 6 April 2018	<b>Application Number</b> 18/00077/FUL
<b>Application Site</b> Gibraltar Farm Campsite Lindeth Road Silverdale Carnforth		<b>Proposal</b> Creation of hard standings for 11 caravan pitches and associated access roads
<b>Name of Applicant</b> Mr & Mrs James Burrow		<b>Name of Agent</b> Mr Glynn Burgin
<b>Decision Target Date</b> 28 March 2018		<b>Reason For Delay</b> Committee Cycle
<b>Case Officer</b>		Mrs Eleanor Fawcett
<b>Departure</b>		None
<b>Summary of Recommendation</b>		Approval subject to amendments to resolve archaeological concerns

**(i) Procedural Matters**

This form of development would normally be dealt with under the Scheme of Delegation. However, given the history of the site, it was considered appropriate for the application to be reported to the Planning Committee.

**1.0 The Site and its Surroundings**

- 1.1 The application relates to an existing caravan and camping site located adjacent to a farm complex, accessed off Lindeth Road, at the southern edge of Silverdale. The application site relates to the northwest corner of the area identified for caravans, and is at a lower level than the highway. The northern boundary, adjacent to this, comprises a stone wall, and beyond this is agricultural land. To the west is a field which is used for overflow camping from the main area to the southwest. There is a main track running through the caravan site, which has a few offshoots, and the pitches are a mix of grass and chippings. There are areas of woodland to the south, part of which is covered by a Tree Preservation Order (TPO).
- 1.2 The site is located within the Arnside and Silverdale Area of Outstanding Natural Beauty (AONB) and the Countryside Area, as identified on the Local Plan Proposals Map. Morecambe Bay is located approximately 300 metres to the west, and is designated as a Site of Special Scientific Interest (SSSI), Special Protection Area (SPA), Special Area of Conservation and Ramsar Site. The application site is also located within a Mineral Safeguarding Area.

**2.0 The Proposal**

- 2.1 Planning permission is sought for the creation of 11 hard standings to provide formal caravan pitches and three separate access tracks to serve these. These will be located within the northwest corner of the existing caravan site and will comprise timber framing filled with 100mm of limestone chippings.

### 3.0 Site History

3.1 In March 2013 a report was taken to Planning Committee in order to aim to resolve issues in relation to an intensification of use at the site, including the addition of areas of hardstanding following significant concerns being raised by members of the public. It was resolved that the Local Authority enter into a Section 106 Legal Agreement with the owners of the caravan site in order to regulate the existing uses of the land, and provide some control over works which might usually not require consent. The legal agreement was completed on 9 December 2013. The important details contained in the agreement that are relevant to this planning application are that it:

- Defines the parts of the site to be used by touring caravans as parcels 1a and 1b. The details indicated are that the site shall contain 60 pitches for touring caravans, 37 of which are marked out with hardstanding.
- Clarifies that the number of touring caravans (within the defined area) is set at 60 pitches according to the Council's Environmental Health Caravan Site Licence dated 15 August 2011.
- Includes a Council Covenant (in the Third Schedule) which states: "The City Council acknowledges that the number of touring caravans may be increased if a new Caravan Site Licence is issued for a higher number (currently set out in the City Council's Environmental Health Caravan Site Licence dated 15 August 2011)."
- The owners shall obtain express planning permission for development or use of land not authorised by the agreement.

The plan referred to within the legal Agreement is appended to this report.

3.2 Since the agreement was signed, the owners sought consent for a new Caravan Site Licence from the Council's Environmental Health Service for an additional 14 caravan pitches. The new Site Licence was issued on 23 April 2014, and it includes consent for 74 pitches. The current application is to lay out hardstanding for 11 pitches contained within parcel 1b (also known as The Hill), which is land north of the main access road. This land was one of the most contentious areas disputed by local residents.

3.3 The relevant site history is set out below.

Application Number	Proposal	Decision
10/00253/ELDC	Application for a Certificate of Lawful (Existing) Use of Land as a Touring Caravan Site (Re-Submission of 09/00704/ELDC)	Approved
09/00704/ELDC	Application for existing lawful development certificate for use of land as a caravan site and non - compliance with conditions 3 & 4 of application reference 1/76/1303 relating to numbers of caravans on the site and time period for use as camping site	Split decision
1/76/1303	Use of land for touring caravans (limited to 15 and between 1 March and 31 October)	Approved

### 4.0 Consultation Responses

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

Consultee	Response
Parish Council	<b>No comments to make.</b>
Environmental Health	No comments received within the statutory consultation period.
County Highways	<b>No objections.</b>
Natural England	<b>Comments.</b> The application could have potential significant effects on Arnside & Silverdale AONB. Further information is required in relation to landscape character and visual amenity to guide the Local Planning Authority's decision.
Arnside and	<b>Object.</b> The current proposals will lead to further cumulative impact on the landscape



<b>Silverdale AONB Unit</b>	character and visual amenity of this part of the AONB, will increase the period of the year that caravans will be present on these pitches, and will be visible from the proposed National Coastal Path.
<b>Lancashire Archaeological Advisory Service</b>	<b>Comments.</b> Recommend that pitch 23 is removed and the track is not extended further than the north edge of pitch 24 and that pitches 20, 21 and 24, plus the tracks adjacent to them, are subject to a scheme of archaeological stripping and recording.
<b>Lancashire Fire and Rescue Service</b>	<b>Comments.</b> It should be ensured that the scheme fully meets all the requirements of Building Regulations Approved Document B, Part B5.

## **5.0 Neighbour Representations**

5.1 1 piece of correspondence has been received which raises an objection to the proposal and the following concerns:

- Visual impact – The caravans above these pitches are visible across the Bay, will increase use of pitches for greater period of year;
- Some existing hard standings were installed without consent but were not enforced against within required time period so should not set a precedent;
- The site is already a substantial size;
- Should comply with existing and emerging policy;
- Inconsistencies between plans and statement in relation to number of existing pitches.

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

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

Paragraphs 7, 14 and 17 – Sustainable Development and Core Principles  
 Paragraph 28 – Supporting a prosperous rural economy  
 Paragraphs 56, 58 and 60 – Requiring Good Design  
 Paragraph 109 and 115 – Areas of Outstanding Natural Beauty  
 Paragraph 118 – Conserving and enhancing biodiversity  
 Paragraph 216 – Weight of emerging plan

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

At the 20 December 2017 meeting of its Full Council, the local authority resolved to publish the following 2 Development Plan Documents (DPD) for submission to the Planning Inspectorate:

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

This enables progress to be made on the preparation of a Local Plan for the Lancaster District. The DPDs will be published in February, after which there will be a 6 week period for representations prior to the submission of the documents to the Planning Inspectorate for independent Examination. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in late 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 2017, 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  
ER6 – Developing Tourism

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

E3 – Development Affecting Areas of Outstanding Natural Beauty  
E4 – Countryside Area

6.5 Development Management Development Plan Document (adopted July 2014)

DM7 – Economic Development in Rural Areas  
DM14 – Caravan Sites, Chalets and Log Cabins  
DM27 – Protection and Enhancement of Biodiversity  
DM28 – Development and Landscape Impact  
DM33 – Development Affecting Non-Designated Heritage Assets or their Settings  
DM34 – Archaeological features and Scheduled Monuments  
DM35 – Key Design Principles

6.6 Draft Arnsdale and Silverdale Area of Outstanding Natural Beauty (AONB) DPD

Further to publishing this draft Development Plan Document in late 2017 it was submitted to the Secretary of State on 28 February 2018 for examination along with all representations received during the post-publication period of 2 November 2017 to 14 December 2017. An independent Inspector will be appointed to conduct a public examination in mid-2018 into the soundness of the plan, taking account of the representations made. The most relevant policies in relation to this proposal are:

AS01 – Development Strategy  
AS02 – Landscape  
AS11 – Camping, Caravan and Visitor Accommodation

**7.0 Comment and Analysis**

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

- Landscape and Visual Impact
- Impacts on ecology
- Impacts on archaeology

7.2 Landscape and Visual Impact

7.2.1 The site is located within the existing caravan site which comprises a main access road, with some offshoots, and a mix of hard surfaced and grassed pitches for caravans and campervans. There are wooded areas to the south with the land more open to the north and a boundary wall separating this from the adjacent field. The application site is located towards the bottom of a hill which contains several rows of caravans. Only the row immediately above these appears to have existing hard standings, although it was unclear during the site visit given the presence of caravans on the pitches above these. Clarification has been sought from the agent as there are discrepancies in the submitted plans.

7.2.2 The site is at a lower level than the adjacent highway and, given the topography, none of the caravans are visible from Lindeth Road. There are currently no public rights of way crossing the site, the nearest terminating around 360 metres to the northwest. However, it is understood that a National Coastal Path is proposed adjacent to Morecambe Bay and that this is likely to be close to the cliff, although the precise route has not been finalised. It is therefore likely that public views will be gained of the caravan site from the west.

7.2.3 Policy DM14 sets out that, within AONBs, proposals for new static or touring sites, or the extension

to existing sites will not be permitted where it is concluded that such proposals will have an adverse impact on conserving the landscape and scenic beauty of these areas. Policy DM28 relates specifically to landscape impact and 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 and consideration will be given to both the individual and cumulative impacts of a proposal. It goes on to say that, proposals which would have a significant adverse effect upon the character of the landscape or which would harm the landscape quality, nature conservation interests, geodiversity interests or cultural heritage will not be permitted, and proposals within the Arnside and Silverdale Area of Outstanding Natural Beauty will be required to meet the requirements of the forthcoming Development Plan Document (DPD) for this area.

7.2.4 The Draft Arnside and Silverdale Area of Outstanding Natural Beauty (AONB) DPD has now been published and submitted to the Secretary of State for Examination. The most relevant policy to this proposal is Policy AS11 in relation to camping and caravans. It sets out:

“Within the Arnside & Silverdale AONB, development proposals:

- (I) will not be permitted for new caravan, chalet, cabin or lodge style development, in order to conserve the landscape character or natural beauty of the AONB.
- (II) may be supported within existing caravan or camping sites for small-scale tented camping and other low impact visitor accommodation. Proposals should be within the developed, screened footprint of an existing site, able to diversify the local offer and enhance the landscape character and natural beauty of the AONB. Proposals will be required to show no adverse impact on the capacity of road, sewerage or other infrastructure.
- (III) will not be permitted for the replacement of tent or touring caravan pitches or other low impact accommodation with static caravans, chalets, cabins or lodges.

Exceptions and permissions for incremental changes or additions to or intensification of camping and caravan sites will not be allowed on the basis of any incidental or unapproved previous uses of the site including for camping or storage, including the storage of caravans.”

7.2.5 Paragraph 216 of the NPPF sets out that, from the day of publication, decision takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation;
- The extent to which there are unresolved objections to relevant policies; and
- The degree of consistency to the NPPF.

The plan is at an advanced stage, having been recently submitted to the Secretary of State for Examination. However, there have been objections raised to all the policies identified above. The most relevant to the proposal is Policy AS11 and specific objections have been raised in relation to the more restrictive nature than the current policy. In particular it has been raised that it should allow for redevelopment and additions within approved boundaries. Given that there are unresolved objections to the specific text that relates to this proposal, it is considered that limited weight can be given to this, and the development should be determined in accordance with the adopted policy and the NPPF.

7.2.6 The application site is already used for the siting of caravans. However, the owners wish to make this area more usable as it suffers from heavy water flow during adverse weather conditions and have advised that motor homes have a tendency to become stuck. A total of 11 hardstanding caravan pitches have been proposed which would be in three rows served by three new separate accesses from the existing track. These are proposed to be surfaced in limestone chippings similar to the other pitches. The submission sets out that consideration has been given to providing mesh ground cover, but usage has provided poor reviews as to efficiency.

7.2.7 As set out above, the site is well contained within the landscape with the most likely public views from the proposed National Coastal Path, which is not yet in place. There is a stone wall along the northern boundary of the caravan site which provides separation from the agricultural land to the north. Along the western boundary of the application site is a post and wire fence with some planting. However, beyond this, towards Morecambe Bay, are at least two boundary walls. The land rises to the east of the site, with three rows of caravans sited at a higher level. Only the row immediately

above the site appears to have hardstanding for the pitches, though clarification has been sought from the agent. There were caravans present on most of these higher pitches when the site was visited in February.

7.2.8 The hardstanding in itself will not be visible from outside the site. There are some concerns that the creation of additional hard pitches will encourage caravans to be kept on the site throughout the year, and the potential harm caused by this needs to be considered. However, the site is at the lower part of the field, and if any views are gained of these caravans from the proposed National Coastal Path this would be wholly in the context of those at a higher level, many of which appear to be sited during winter months without the presence of hardstanding. Given this, and that the site is wholly within the existing caravan site which is defined by distinct boundaries and caravans can be sited in this location at present, it is considered that the proposal would not have a significant visual impact within the landscape.

7.2.9 The field does retain some of its character, maintaining open green spaces between caravans and where grass pitches are not in use. Access tracks are quite limited which helps to retain the open nature. Given this, the agent has been asked to consider how the proposed areas of hardstanding could be limited and other, less intrusive, materials be considered for at least parts of the proposal. Three separate tracks are proposed, and it is considered that at least one of these could be removed, with two rows of pitches served by one track. It has also been suggested that enhancements are considered in order to provide some mitigation for the new hardstanding, such as a hedgerow along the western boundary. Any amendments will be reported at the planning meeting.

7.2.10 However, the site is wholly within the confines of the defined caravan site and, as such, the character of this part of the landscape has already been altered by the presence of the caravans. In addition, there are no restrictions limiting the months of the year when the site can be occupied. Given this and that the site is at a lower part of the site, which is considered less sensitive than the more elevated section to the east, it would be difficult to reach a conclusion that the proposal would have a significant adverse impact on the character or quality of the landscape. These works are also wholly reversible. As such, the proposal is considered to comply with both National and Local planning policy.

### 7.3 Impacts on archaeology

7.3.1 The Lancashire Archaeological Advisory Service has advised that Gibraltar Farm was included in a rapid assessment survey undertaken by the then Lancaster University Archaeological Unit in 1993. Two cairns were identified on the boundaries of the field and have been entered into the Lancashire Historic Environment Record (HER). One of these is located on the western boundary of the application site and is described as:

*"A large, sub-circular cairn, measuring approximately 9m across and standing 1m high. A stone wall boundary and hedge run over the top of the cairn and therefore post-dates the cairn. On the top of the cairn is a small shallow depression. This feature is probably a clearance cairn."*

The second cairn is located towards the north east corner of the caravan site and is described as:

*"A large oval stone clearance cairn, measuring approximately 9m in length and standing to 1.2m. The cairn has little turf cover but is overlain by a mature hedge showing that the cairn predates the present field boundary"*.

7.3.2 The response goes on to say that the identification of these cairns as 'clearance cairns' will have been done visually and that no excavation will have been undertaken. It is therefore possible that they are burial cairns which have been subject to later 'dumping' of field clearance stones. The field boundaries stated to cross the cairns are extant on the OS 1848 mapping and the proposal field and those surrounding it is classified as 'Ancient Enclosure' in the Lancashire Historic Landscape Characterisation. This part of the county is known to have been settled in the middle prehistoric period. A settlement site at Storrs Moss (around 2.6km to the northeast) was dated to c.3500BC and the large monument of Warton Crag hillfort demonstrates a significant and organised population in later prehistoric times. It is therefore possible that the cairns at Gibraltar Farm could have been early burial cairns or, even if they are clearance cairns, that they originated at some time from the mid-prehistoric onwards.

7.3.3 A plan has been provided with the consultation response showing the location of the two cairn sites, with the one closest to the application site surrounded by an 18 metre radius circle centred on the grid reference given for its location. This allows for some inaccuracy in the grid reference and the possibility that the cairn extends further than the obvious surface deposits or (if a burial cairn) is surrounded by a ditch. This circle cuts through the proposed pitches 20, 21 and 24, with pitch 23 entirely within it and immediately adjacent to the plotted position of the cairn. A 5 metre radius circle from the cairn grid reference, touches the electricity point to pitch 23 and damage to the heritage asset is therefore probable during its construction and use. It has been recommended that pitch 23 is removed from the proposals and that the adjacent track is not extended further than the north edge of pitch 24. The agent has been made aware of this and has been asked to amend the plans to address these concerns. It has also been recommended that pitches 20, 21 and 24, and the adjacent tracks, are subject to a scheme of archaeological stripping and recording. This can be secured by a planning condition.

## **8.0 Planning Obligations**

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

## **9.0 Conclusions**

9.1 Given the location of the site and the nature of the proposal, it is considered that there will not be a significant impact on the character or appearance of the protected landscape. However, it is considered that amendments could be made to limit the impacts, in addition to enhancements to the site, which would benefit the landscape and biodiversity. It should also be acknowledged Arnside & Silverdale AONB is a popular tourist and visitor destination, with a well-developed range of camping, caravan and visitor accommodation which brings many economic benefits to the area, which must be carefully balanced against the landscape character and natural beauty of the AONB. Overall it is considered that the proposal complies with both local and national planning policy, subject to the removal of one pitch and part of the access track in order to avoid damage to the identified buried heritage asset.

## **Recommendation**

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

1. Standard three year timescale
2. In accordance with amended plans
3. Scheme of archaeological stripping and recording
4. Surfacing
5. Landscaping

## **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**

Plan identifying areas within the caravan and camping site referred to within the S106 Agreement at the site dated 9 December 2013 (ref AMP/109/5/374) in relation to the scale and nature of the lawful development.



<b>Agenda Item</b> A10	<b>Committee Date</b> 6 April 2018	<b>Application Number</b> 18/00103/OUT
<b>Application Site</b> Land Adjacent To 25 Crag Bank Crescent Carnforth Lancashire LA5 9EQ	<b>Proposal</b> Outline application for the erection of one dwelling and creation of a new access	
<b>Name of Applicant</b> Mrs S Robinson	<b>Name of Agent</b> HPA	
<b>Decision Target Date</b> Extension of time agreed until 12 April 2018	<b>Reason For Delay</b> Committee Cycle	
<b>Case Officer</b>	Mrs Eleanor Fawcett	
<b>Departure</b>	None	
<b>Summary of Recommendation</b>	Approval	

**(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 John Reynolds for the application to be reported to the Planning Committee on the grounds that the unique environment of the area will be impacted, and concerns over safe access.

**1.0 The Site and its Surroundings**

- 1.1 This site is located to the northwest of a row of bungalows on Crag Bank Crescent, at the southern edge of Carnforth. It comprises a small part of the domestic curtilage of Thwaite Lodge (25 Crag Bank Crescent) in addition to a roughly triangular piece of agricultural and which is part of a larger field. The land slopes away from the highway to the west and is used for grazing animals. Just beyond the site is an agricultural building and a group of trees covered by Tree Preservation Order. There was also a protected tree within the site and the curtilage of Thwaite Lodge. However, this has been removed through a Tree Works application and a replacement recently planted.
- 1.2 The North Lancashire Green Belt abuts the western boundary of the site but is not marked by any feature within the landscape. The site is located just outside the urban area of Carnforth, within the Countryside Area, as identified on the Local Plan Proposals Map. The West Coast Main railway line lies approximately 130 metres to the west and the site is partly with a mineral safeguarding area. Crag Bank Site of Special Scientific Interest is located beyond the railway line around 170 metres to the west.

**2.0 The Proposal**

- 2.1 Outline planning permission is sought for the erection of one dwelling with a new access from the end of Crag Bank Crescent. All matters are reserved, though the access has been indicated as utilising the north eastern edge of the residential curtilage of Thwaite Lodge.

### **3.0 Site History**

3.1 Outline planning permission was refused in September 2017 for the erection of three dwellings on a larger piece of land, which includes the current application site. The reasons for the decision are set out below:

1. As a result of the constrained nature of the site, which has been defined by the Green Belt boundary, the significant change in levels, the encroachment into the elevated part of the larger field and the awkward access arrangement, it is considered that the development would relate poorly to the existing edge of Carnforth, would not contribute positively to the surrounding landscape or townscape and would fail to represent high quality design and a sustainable form of development. The proposal is therefore contrary to the aims and objectives of the National Planning Policy Framework, in particular the Core Planning Principles and Section 7, saved Local Plan policy E4, and Policies DM35 and DM41 of the Development Management Development Plan Document.
2. The application fails to fully demonstrate that the development could be undertaken without having a detrimental impact on trees protected by a Tree Preservation Order, particularly in relation to the proposed changes in levels required to accommodate the development. It is therefore contrary to the aims and objectives of the National Planning Policy Framework, in particular the Core Planning Principles and Section 11 and Policy DM29 of the Development Management Development Plan Document.

3.2 There have also been some historic applications covering a larger part of the field and some at the end of the cul-de-sac which includes Thwaite Lodge. It is understood that a consent for an additional dwelling at the end of Crag Bank Crescent is likely to be extant as the turning head, approved by this consent, has been implemented. The approval relates to a part single part two storey dwelling, to the northeast of the application site.

3.3 The most relevant planning history is listed below.

Application Number	Proposal	Decision
17/00906/OUT	Outline application for the erection of 3 dwellings and creation of a new access	Refused
16/0173/TPO	To fell an over-mature ash tree	Approved
00/00646/FUL	Amendments to approved application 98/627 re: turning head and design and repositioning of dwelling number two	Refused but approved at appeal
98/00627/FUL	Renewal of 93/1162 to form turning head and erect two dwelling houses	Approved
93/01162/FUL	Erection of two houses with Turning Head	Approved
93/00390/OUT	Outline application to erect five dwellings and turning head	Refused

### **4.0 Consultation Responses**

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

Consultee	Response
<b>Town Council</b>	<b>Object</b> on the following grounds: Aerial photography shows the property does not follow the line of Crag Bank Crescent; address of the applicant is incorrect; the ecology report is the same as submitted for an earlier application and since that time otters have been sighted near to the site; tree report does not mention a protected tree and members of the public have suggested that the replacement is not in the correct location; members of the public have suggested that the proposal would be against the Local Plan.
<b>Environmental Health</b>	No comments received within the statutory timescale
<b>Tree Protection Officer</b>	No objection. The submitted AIA must be revised and updated as it relates to the previous proposal, the location of the replacement silver birch ref. 16/0173/TPO has been plotted inaccurately, and a condition will be required in relation to landscaping.



<b>County Highways</b>	<b>No objection.</b>
<b>Natural England</b>	<b>No objection</b> on the understanding that foul drainage will be discharged to the main sewer system.
<b>United Utilities</b>	<b>Comments.</b> Recommend a surface water drainage scheme in accordance with the drainage hierarchy.
<b>Lancashire Fire and Rescue Service</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 19 pieces of correspondence have been received objecting to the proposal and raise the following concerns:

- Impact on residential amenity – loss of privacy, light pollution, impact on views.
- Impact on highway and pedestrian safety including during construction; existing pavement is narrow on road condition; width of access is excessive for 1 dwelling; awkward access arrangements.
- Detrimental visual impact on the landscape; not in keeping with character of area – different type, size and material to existing houses; visible from the A6 and will appear to be in the middle of a field; unclear how building next to the Green Belt would strengthen this; should be incorporated into the Green Belt and such boundaries should follow natural features.
- Surface water drainage concerns.
- Impact on wildlife including Runoff into SSSI.
- Replacement of felled TPO tree should be where access is proposed and of a comparable size and species.
- Previous applications refused consent on land and has not overcome reasons for refusal of proposal for 3 dwellings.
- Loss of agricultural land.
- Set a precedent for further housing.
- Need for new dwellings in this area given other development proposed or under construction and emerging plan; 1 dwelling makes a negligible contribution to housing supply.
- Number of supporting documents are inaccurate or misleading – tree survey, ecology report, landscape and visual impact assessment.
- Vagueness in terms of proposal.
- Need for size of dwelling proposed.
- Consideration should be given to impact on approved dwelling (not constructed) at the end of Crag Bank Road.
- Applicant does not live at address shown.
- Covenant on 23 Crag Bank Road restricting development within 100 yards in a westerly direction.

## **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 79, 80, 81, 87, 88, 89 and 90 – Protecting Green Belt land  
Paragraph 109 – Protecting and enhancing valued landscapes  
Paragraph 118 – Conserving and enhancing biodiversity

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

At the 20 December 2017 meeting of its Full Council, the local authority resolved to publish the following 2 Development Plan Documents (DPD) for submission to the Planning Inspectorate:

- (i) The Strategic Policies and Land Allocations DPD; and,

(ii) A Review of the Development Management DPD.

This enables progress to be made on the preparation of a Local Plan for the Lancaster District. The DPDs will be published in February, after which there will be a 6 week period for representations prior to the submission of the documents to the Planning Inspectorate for independent Examination. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in late 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 2017, 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)

DM20 – Enhancing Accessibility and Transport Linkages  
DM22 – Vehicle Parking Provision  
DM27 – Protection and Enhancement of Biodiversity  
DM28 – Development and Landscape Impact  
DM29 – Protection of Trees, Hedgerows and woodland  
DM35 – Key Design Principles  
DM41 – New Residential Dwellings

**7.0 Comment and Analysis**

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

- Principle of the development of the land for housing
- Landscape and visual impact
- Highway impacts
- Impacts on residential amenity
- Ecology and tree implications

7.2 Principle of the development of the land for housing

7.2.1 The site is located within the Countryside Area, just outside the defined urban area of Carnforth and abuts the Green Belt. Given that it lies adjacent to the Green Belt boundary, rather than within it, the proposal cannot be considered to be contrary to Green Belt policy. However, the line of the Green Belt in this location does not follow any field boundary or other obvious feature on the ground and is instead a line drawn between two corners of the larger field. Visually the application site is part of the remainder of the field, although Thwaite Lodge does partly encroach into this, and the land is at a lower level than the highway and adjacent development, and slopes downwards to the west.

- 7.2.2 The Green Belt boundary leaves a relatively narrow triangular piece of field, outside the designation, to the rear of the bungalows fronting Crag Bank Crescent. The gardens to these properties reduce in length significantly to the north west of the row and, as such, one consideration when the Green Belt was originally designated could have been to leave the potential for the properties with shorter gardens to be extended in line with others, although this is not known. This piece of land formed part of the previous application for the erection of three dwellings. The current application relates to the erection of one dwelling to the northwest of Thwaite Lodge.
- 7.2.3 Although the site is within the Countryside Area, it is adjacent to the urban area of Carnforth and, as a result, the development would be in reasonably close proximity to services within the town. Therefore, from a locational perspective it would be considered to be sustainable. There were significant concerns with regard to the previous proposal for three dwellings that the development did not form a logical extension to the current edge of Carnforth or rounding off to the settlement. The access was considered to be awkward, utilising the garden of a residential property, and the development was considered to relate poorly, particularly in terms of its layout to the adjacent residential properties, mainly due to the very constrained nature of the site which has been determined by the boundary of the Green Belt. This particularly related to the two proposed dwellings in the narrow triangular section of land to the rear of the existing buildings which created an awkward form of backland development.
- 7.2.4 The current proposal does not form a natural rounding off to the development on Crag Bank Road, particularly due to the change in levels. However, it does relate better to the existing built development than the previous proposal as it would continue the line of development to the northwest and not extend to the rear of the existing bungalows. The site would still utilise the same access point. However, as it would only serve a single dwelling it would not create the same awkward relationship. The application boundary still extends up to the Green Belt, which does not follow any feature within the field. The submitted site plan and visualisation appears to show a garden boundary set in from this, more in line with the furthest extent of the garden to Thwaite Lodge. However, the red line boundary would allow the domestic curtilage to extend beyond this. Given this, the agent has been asked to amend the red line to correspond to the proposed field boundary. In response, it has been set out that the Green Belt Review 2016 identified that the Green Belt in this location has a weak boundary which is vulnerable to encroachment as no physical boundary is visible. The response goes on to say that by providing a physical boundary, they are demarking the Green Belt, therefore strengthening the boundary and reducing the risk of encroachment into the area. However, it is not clear how a strong boundary, more in line with the adjacent properties, would make the Green Belt vulnerable to encroachment, and having the boundary extending up to the Green Belt results in a greater visual encroachment into this field. The submitted plan also shows landscaping along the line of the Green Belt in order to strengthen this boundary. However, as set out above, this does not follow any natural feature so would likely create an unusual line of trees within the field and it would be more appropriate that the site boundary was reduced, as discussed above, and a strong boundary created at this point if consent was to be granted.
- 7.2.5 One of the purposes of the Green Belt is to assist in safeguarding the countryside from encroachment. Although the site is outside the Green Belt, it was considered that the previous proposal would result in a significant encroachment into the countryside due to its poor relationship to the adjacent development in terms of form and layout and the sloping nature of the site, which is a clear part of the undulating pasture which makes up the adjacent Green Belt land that surrounds Carnforth on its southern side and contributes to the landscape setting of the town. As set out above, whilst the current proposal is at a lower level than the adjacent development, and would encroach into the field, it is better related to the existing development, particularly if the site boundary is reduced. Some of the supporting documentation appears to show the building as single storey, though the agent has confirmed that this would be split level, following the contours of the site. However, the design, scale and layout would be a reserved matter and is not considered at this stage.
- 7.2.6 A number of the responses received to the application have raised that earlier applications on this land have been refused and this proposal should be resisted for the same reasons and that it could set a precedent for further development. However, the current application must be determined on its own merits in accordance with the relevant planning policy at this time including a presumption in favour of sustainable development set out in the NPPF. Although this development would only contribute a single dwelling, Lancaster District has a significant undersupply of housing and this

therefore carries significant weight. Given that the current proposal would be outside the Green Belt, adjacent to the existing built up area of Carnforth, and better related to the existing layout of development, particularly if the site boundary is reduced, on balance it is considered that the principle of a single dwelling in this location is acceptable.

### 7.3 Landscape and visual Impact

7.3.1 The visual impacts of the proposal are contained by the existing topography; the main views of the development being from nearby residential properties, the end of Crag Bank Crescent and possibly briefly from the railway line, although there is a significant band of intervening trees. There may also be more distant views from the A6, although these would be limited due to existing development along this road and a wooded area that is likely to screen the site in summer months. It would also be seen in the context of existing dwellings. The submission does not set out how high the dwelling would be, though it has been advised that this would be single storey where it faces the road and two storey at the rear, following the contours of the site. The building would be set at a lower level than the highway and lower than the adjacent bungalows, which would limit its visual impact and prominence within the street scene. Overall, given the limited viewpoints and the position at the end of the row of dwellings, it is considered that there would not be a significant adverse visual impact as a result of the development.

7.3.2 The site does form part of the rolling drumlin landscape and, although the development is small in scale, it would alter the appearance of this. There were concerns in relation to the previous proposal that there would be stepped areas and retaining walls due to the engineering operations to create a level area for the dwellings. However, this is likely to be more limited with the current proposal and it could be designed in a way to follow the contours of the site, particularly if the height is kept lower than the adjacent development and the boundary brought more in line with Thwaite Lodge to limit the impact of associated domestic paraphernalia from more distant views. As set out above, the creation of a line of planting following the Green Belt boundary would likely create an unusual feature within the landscape. However, some planting could be incorporated to help soften the development along its boundaries.

7.3.3 A landscape and visual impact assessment has been submitted, but it just provides a visual amenity assessment and proposes some mitigation in terms of landscaping. Some concerns have been raised in the public comments about inaccuracies within this which have been noted. It also does not appear to provide an assessment of the impact on the landscape. However, for the reasons set out above, it is considered that a dwelling could be accommodated within the site without having a significant adverse landscape and visual impact. The siting, design and scale of this would be considered through a subsequent reserved matters application if consent is granted.

### 7.4 Highway Impacts

7.4.1 The Highways Authority has raised no objections to the application on highway safety grounds. The application relates to a small scheme and therefore there is unlikely to be a significant amount of traffic generated and there will only be the shared access drive/ road which would not benefit from a footway. Whilst access is a reserved matter, there is only one option given the location of the site. Clarification has been sought with the agent in relation to how the new access could be arranged to ensure that there were no conflicts with users of the driveway to Thwaite Lodge. The agent has advised that an extension to the dropped kerb could be made if necessary, and a plan has been provided to show how the two properties could use the access. The precise details would be covered by a subsequent reserved matters application. It would be expected that two parking spaces were created, and there is considered to be sufficient space to provide this.

### 7.5 Impacts on residential amenity

7.5.1 The site lies adjacent to Thwaite Lodge, 25 Crag Bank Road, and is at a lower level. The site plan has demonstrated that sufficient distance could be created in order to prevent overlooking between the properties or loss of light. Care would need to be taken in relation to boundary treatments, and the boundary to Thwaite Lodge is quite open at present. The presence of Thwaite Lodge and the topography would prevent any overlooking to the other adjacent bungalows on Crag Bank Crescent. It is considered that there would not be a significant impact in terms of light pollution from a single dwelling located adjacent to existing development.

- 7.5.2 Some concerns have been raised from the owner of the adjacent land, where there is consent for a single dwelling. This may be extant as the turning head, approved as part of that application, has been implemented. Considering the approved plans, a new dwelling could be positioned on the site without having a detrimental impact on future occupiers of the approved dwelling.
- 7.6 **Ecology and tree implications**
- 7.6.1 An ecology appraisal has been submitted with the application. This is the same as submitted with the previous application and was carried out in July 2017. Whilst it refers to the previous proposal, it covers the application site and is considered to be within an appropriate timescale to allow for impacts of the development to be adequately assessed.
- 7.6.2 No objections have been raised by Natural England in relation to potential impacts on the nearby designated site, Crag Bank SSSI, subject to the proposal connecting to the existing sewer system for the disposal of foul drainage. The agent has confirmed that it is envisaged this would be pumped up to the existing system. The submitted report sets out that the site comprises semi-improved grassland with low species diversity and ecological value. In terms of protected species, the site is considered to be of low value to amphibians, and no evidence of badgers were found although there are records within 2 kilometres. In terms of bats, it is considered that there would not be significant degradation of foraging habitat as a result of the proposal and no trees are proposed to be felled. The grassland is considered to have low value for nesting birds, the risk to brown hares is considered low, it is considered that the site is not of any local significance for invertebrates and the majority of the site has low value for reptiles although they may occur along the railway line. Overall, it is considered that the ecological value of the site does not provide a significant constraint to the development and some precautionary mitigation has been advised in the report.
- 7.6.3 Some of the public comments submitted have advised that there is a badger sett on the other side of the railway line and otters have been seen in the area. Mitigation has already been proposed within the ecology report as badger setts are known to occur within 2 kilometres. This mitigation is during construction to ensure that impacts will be minimised to badgers passing over the site and would also be relevant to otters and other animals to ensure that they do not become trapped in open trenches. The ecological value of the site has been fully considered in the report and therefore, subject to the precautionary mitigation, it is considered that there would not be a detrimental impact to protected species as a result of the proposal. In relation to bats it has been advised that roosting provision for crevice dwelling bats could be incorporated into the buildings on site or bat boxes could be erected in retained trees. These details can be requested by condition.
- 7.6.4 There is a single veteran ash tree to the north-western corner of the site which is implicated by the development. Unfortunately, the submitted assessment relates to the previous scheme for three dwellings and has not been revised to reflect the current proposals. This does need to be updated, however, it is likely that the scheme could be undertaken without undue pressure on either the above or below ground structures of this tree. A silver birch has been planted as a direct replacement following the authorised removal of a mature ash tree under permission 16/073/TPO, but has been inaccurately plotted on the proposed site plan. The replacement tree has been planted to the northern aspect of the existing boundary line, not to the southern aspect as shown. However, it is considered that it does not form a significant constraint to the development and, whilst the location is different to the original ash tree, this is acceptable. It is currently a small tree and could be transplanted if required in order to accommodate the access and it does assume the protection as the original tree which was subject to a TPO.
- 8.0 Planning Obligations**
- 8.1 There are no planning obligations to consider in relation to this proposal.
- 9.0 Conclusions**
- 9.1 The site is in close proximity to the existing urban area of Carnforth, and whilst it does not form a natural rounding in relation to the edge of the settlement, it is considered that the proposal would not have a sufficient landscape or visual impact to warrant refusal of the proposal. It also would not have a significant impact on highway safety, residential amenity or biodiversity. In accordance with paragraph 49 of the NPPF, housing applications should be considered in the context of the presumption in favour of sustainable development, and relevant policies for the supply of housing

should not be considered up-to-date if a five year supply of deliverable housing sites cannot be demonstrated. Therefore it is considered that any adverse impacts caused by the proposal do not significantly outweigh the benefits of the dwelling.

### **Recommendation**

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

1. Standard outline timescale
2. Approved plans – in relation to location plan
3. Investigation of contamination
4. Foul and surface water drainage scheme
5. Ecology mitigation – including new bat roosting opportunities
6. In accordance with arboricultural implications assessment (to be updated) including tree protection measures
7. Remove permitted development rights – extensions and outbuildings

### **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> A11	<b>Committee Date</b> 6 April 2018	<b>Application Number</b> 18/00170/FUL
<b>Application Site</b> 4 Miller Court Lancaster Lancashire LA1 5XB		<b>Proposal</b> Demolition of existing porch and erection of a single storey front extension, conversion of garage to create ancillary accommodation, replacement of existing wall render and timber boarding with new and insertion of new window to the western elevation
<b>Name of Applicant</b> Mrs Ursula Deriaz		<b>Name of Agent</b> Mr Jon Clayton
<b>Decision Target Date</b> 11 April 2018		<b>Reason For Delay</b> N/A
<b>Case Officer</b>		Mrs Kim Ireland
<b>Departure</b>		No
<b>Summary of Recommendation</b>		Approval

**(i) Procedural Matters**

This form of development would normally be dealt with under the scheme of delegation. However, the applicant is related to an employee of Lancaster City Council and as such the application must be determined by the Planning Committee.

**1.0 The Site and its Surroundings**

1.1 The property which forms the subject of this application relates to a two storey detached property with integrated double garages, which is located on Miller Court in Lancaster. The cul-de-sac consists of 5 detached properties, which generally reflects the character and urban form of the surrounding area with the exception of the apartment building known as Maryvale House that is located to the east of Miller Court.

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

**2.0 The Proposal**

2.1 The application proposes the demolition of the existing porch and erection of a single storey front extension, conversion of garage to create ancillary accommodation, replacement of existing wall render and timber boarding with new and insertion of new window to the western elevation.

2.2 The proposed extension is to project from the southern elevation by 1.3m with a width of 1.8m and a lean-to roof 3.1m above ground level. The materials that are proposed to be used are western cedar board to the walls with a dark grey plain tiled roof. The proposed front extension will provide a utility room.

2.3 The proposed conversion of the garage to create ancillary accommodation involves the replacement of one of the garage doors with an entrance door and installing a partition wall to separate the existing garage and the new ancillary accommodation. The entrance door will be made up of western cedar boarding with glazed side screens. The proposed ancillary accommodation will

provide a lobby and boot room.

2.4 It is proposed to replace the existing render on all of the elevations, with a Polar White coloured K-rend. The existing coursed natural stone on the north and south elevations is to remain. The existing timber boarding located on the mini gable on the north elevation and the bay window and feature panel on the south elevation are to be replaced with western red cedar board.

2.5 The proposed new window is to be inserted into the western elevation. It will be made up of white upvc. The window is proposed to provide light into the boot room, which is being created with the proposed conversion of the garage.

### **3.0 Site History**

3.1 There is no relevant planning history related to this application.

### **4.0 Consultation Responses**

4.1 No requirement to consult any statutory consultees on this proposal.

### **5.0 Neighbour Representations**

5.1 At the time of compiling this report no representatives have been received.

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

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

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

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

At the 20 December 2017 meeting of its Full Council, the local authority resolved to publish the following 2 Development Plan Documents (DPD) for submission to the Planning Inspectorate:

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

This enables progress to be made on the preparation of a Local Plan for the Lancaster District. The DPDs will be published in February, after which there will be a 6 week period for representations prior to the submission of the documents to the Planning Inspectorate for independent Examination. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in late 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 2017, 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**

**DM35 – Key Design Principles**



## **7.0 Comment and Analysis**

7.1 The key considerations arising from the proposal are:

- General design; and
- Impacts upon residential amenity

### **7.2 General Design**

The proposed development has been designed to reflect that of the existing dwelling, particularly in terms of the material palette and therefore the proposed appearance is considered to not be out of character with the surrounding properties. Whilst the proposed works will change the appearance of the dwelling, the dwelling is set back within the cul-de-sac and therefore will not result in any adverse visual impacts when viewed from within the street scene.

### **7.3 Impacts upon Residential Amenity**

The proposed single storey extension to the front will have a window located to the north elevation. This will look onto the neighbouring property of 3 Miller Court with no intervening boundary treatment. However, the proposed extension will be set 14m away from the neighbouring property of 3 Miller Court and it will accommodate a non-habitable room (utility room). Therefore the proposed works are thought to have a minimal impact upon the residential amenity.

7.4 There are large trees located along the eastern boundary of the dwelling. Therefore the proposed new window to be inserted into the western elevation will be screened from the properties located within Maryvale House.

7.5 The remaining proposed works are considered to have no impact upon the residential amenity as they involve converting the garage to create ancillary accommodation and, replacing existing wall render and timber boarding with new.

7.6 The loss of the garage will result in the loss of one parking space but the property will retain a single garage and a large driveway, which together provide more than sufficient parking space for a 4-bed dwelling.

## **8.0 Planning Obligations**

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

## **9.0 Conclusions**

9.1 In conclusion, the proposed works have been designed to reflect that of the existing dwelling, and they would not have a detrimental impact on residential amenity. This is due to the proposed front extension being set a good distance away from 3 Miller Court and existing trees located on the eastern boundary screening the proposed new window to be located in the western elevation from the residents of Maryvale House. In addition, sufficient parking remains to serve the dwelling. The application is therefore recommended for approval.

## **Recommendation**

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

1. Standard 3 year timescale
2. Development to accord to approved plans
3. Development is to be finished with the samples received by hand on 12/03/18.

## **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

## LIST OF DELEGATED PLANNING DECISIONS

## LANCASTER CITY COUNCIL

APPLICATION NO	DETAILS	DECISION
17/00204/DIS	Development Site, Bulk Road, Lancaster Discharge of condition 19 on approved application 16/01084/FUL for Eric Wright Construction (Bulk Ward 2015 Ward)	Split Decision
17/00210/DIS	Land To The Rear Of 2 And 2A , Silverdale Avenue And, 37 Heysham Mossgate Road Discharge of conditions 6 & 7 on approved application 16/00997/FUL for Mr Lee Ogle (Heysham South Ward 2015 Ward)	Application Permitted
17/00212/DIS	Land For Proposed Bailrigg Business Park, Bailrigg Lane, Lancaster Discharge of condition 3 on approved application 16/01308/REM for Mr Jason Homan (University And Scotforth Rural Ward)	Application Permitted
17/00213/DIS	Land Opposite Greendale Drive, Mill Lane, Warton Discharge of conditions 4, 6, 8, 10, 12 and 14 on approved application 14/00376/OUT for Steve Bleasdale (Carnforth And Millhead Ward 2015 Ward)	Split Decision
17/00769/OUT	Moss Side Farm, Moss Road, Heaton With Oxcliffe Outline application for the erection of an agricultural worker dwelling for Mr Edward Thornton (Overton Ward 2015 Ward)	Application Permitted
17/01079/FUL	Downlands Farm, Moss Road, Heaton With Oxcliffe Erection of two agricultural livestock buildings including underground slurry tanks for Mr Edward Thornton (Overton Ward 2015 Ward)	Application Permitted
17/01127/FUL	Land Adjacent Keer Bridge A6, Scotland Road, Warton Erection of a 2-storey detached building for agricultural vehicle sales and hire with associated parking and access for Mr Bryan Hoggarth (Warton Ward 2015 Ward)	Application Permitted
17/01304/FUL	48 Market Street, Lancaster, Lancashire Retrospective application for the installation of a flue to the rear for Mr Kwan (Castle Ward 2015 Ward)	Application Permitted
17/01305/LB	48 Market Street, Lancaster, Lancashire Listed building application for the installation of a flue to the rear for Mr Kwan (Castle Ward 2015 Ward)	Application Permitted
17/01384/FUL	342 Oxcliffe Road, Heaton With Oxcliffe, Morecambe Demolition of existing dwelling and detached garage and erection of 5 detached 2-storey dwellings with associated access and landscaping for Tom Hill (Westgate Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

17/01398/FUL	Manor House Farm, Manor House Road, Farleton Conversion of existing agricultural building into 2 3-bed houses and 1 5-bed house with ancillary annexe, and creation of access road parking and domestic curtilage for Oyston Estates (Upper Lune Valley Ward 2015 Ward)	Application Withdrawn
17/01425/FUL	Olivet Baptist Church, Stanley Road, Heysham Erection of a single storey front extension, creation of 2 raised platforms and construction of a ramp for Trustees Of Stanley Road Baptist Church (Heysham North Ward 2015 Ward)	Application Permitted
17/01443/LB	Falcon House, 4 Queen Square, Lancaster Listed building application for the installation of replacement windows to the rear and a smoke vent on the roof for Aldcliffe Hall Estates (Guernsey) Ltd (Castle Ward 2015 Ward)	Application Permitted
17/01477/FUL	Land Adjacent To Highfield, Wagon Road, Dolphinholme Erection of a detached dwelling and detached garage for Sue Swire (Ellel Ward 2015 Ward)	Application Permitted
17/01490/FUL	6 Bare Avenue, Morecambe, Lancashire Erection of a single storey outbuilding to form a 1-bed annexe for Mr John Anderson (Bare Ward 2015 Ward)	Application Permitted
17/01496/REM	Land To The Rear Of, Taps On The Green, 77 Kellet Road Reserved matters for the erection of 8 residential dwellings with associated access and landscaping and a new car park layout for Mr Rogerson (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
17/01498/FUL	89 Silverdale Road, Yealand Redmayne, Carnforth Demolition of existing garage, change of use of summerhouse to single storey dwelling, erection of a single storey front and side extension and creation of a new access for Mr & Mrs W Hughes (Silverdale Ward 2015 Ward)	Application Withdrawn
17/01505/FUL	Fleet House, 11 New Road, Lancaster Replacement of single glazed curtain walling with double glazed curtain walling for Ms Elspeth Rainford (Castle Ward 2015 Ward)	Application Permitted
17/01534/FUL	22 Yealand Road, Yealand Conyers, Carnforth Demolition of existing dwelling, erection of new dwelling and detached garage, alterations to vehicular access and associated landscaping for Mr & Mrs N Smith-Hilliard (Warton Ward 2015 Ward)	Application Permitted
17/01539/FUL	43 Sand Lane, Warton, Carnforth Erection of single storey rear and front extensions for Messrs John & Jack Benson (Warton Ward 2015 Ward)	Application Permitted
17/01540/FUL	1 Downham Cottages, Chapel Lane, Galgate Erection of a two storey side extension for Mr & Mrs J Barnes (Ellel Ward 2015 Ward)	Application Refused
17/01546/FUL	20 Longlands Lane, Heysham, Morecambe Erection of a replacement detached garage for Mr Sandy Fowler (Heysham Central Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

17/01548/ELDC	Tarn Farm, Gulf Lane, Cockerham Existing lawful development certificate for the siting of a clubhouse for Mr Neil Sutcliffe (Ellel Ward 2015 Ward)	Lawful Development Certificate Granted
17/01572/FUL	Former Ridge Hotel Site, 10 Patterdale Road, Lancaster Erection of two 2-storey buildings comprising of 16 one-bed affordable flats (C3) with associated parking and landscaping for The Guinness Partnership (Bulk Ward)	Application Permitted
17/01577/LB	Moorlands, Moorside Road, Brookhouse Listed building application for a replacement roof for Drs David And Jennifer Walmsley (Lower Lune Valley Ward 2015 Ward)	Application Permitted
17/01579/CU	1 Hubert Place, Lancaster, Lancashire Change of use of residential living support unit (C3b) to an 8-bed student house of multiple occupation (suis generis) for Mrs Susan Rossi (Marsh Ward 2015 Ward)	Application Permitted
17/01583/OUT	Hawkshead Farm, 1 The Nook, Bolton Le Sands Outline application for the erection of a 2 3-bed dwellings and alterations to existing access for D. Jackson L. Holden A Jenner P. Williams (Bolton And Slyne Ward 2015 Ward)	Application Withdrawn
17/01584/FUL	Hawkshead Farm, 1 The Nook, Bolton Le Sands Change of use and conversion of 2 existing barns to 3 2-bed dwellings and alterations to existing access for D. Jackson, L. Holden, A. Jenner P. Williams (Bolton And Slyne Ward 2015 Ward)	Application Withdrawn
17/01585/LB	Hawkshead Farm, 1 The Nook, Bolton Le Sands Listed building application for works to facilitate the change of use and conversion of 2 existing barns into 3 2-bed dwellings for D. Jackson, L. Holden, A. Jenner P. Williams (Bolton And Slyne Ward 2015 Ward)	Application Withdrawn
17/01587/FUL	Atkinsons Fish & Chip Takeaway & Restaurant, 16 - 18 Albert Road, Morecambe Installation of new shop front for Atkinsons Fish & Chip Shop (Harbour Ward 2015 Ward)	Application Permitted
17/01594/LB	Royal Kings Arms Hotel, 75 Market Street, Lancaster Listed building application for alterations to basement and ground floor layout to create new reception, cafe/bar and bar/restaurant areas, erection of a single storey rear extension, construction of a canopy and decking area, replacement of condenser units, alterations to first floor layout to facilitate new business centre including removal and addition of new partition walls, relocation of an existing stairwell and removal of a further stairwell to the first, second, third and fourth floors for Mr Tony Flanagan (Castle Ward 2015 Ward)	Application Permitted
17/01595/FUL	39 Twemlow Parade, Heysham, Morecambe Erection of a canopy to the front, single storey rear and side extension and first floor rear balcony and construction of a raised decking area for Mr & Mrs M. Kirby (Heysham Central Ward 2015 Ward)	Application Permitted
18/00001/DIS	Towneley, Haverbreaks Road, Lancaster Discharge of conditions 4 and 6 on approved application 17/00260/FUL for Mr & Mrs D Watson (Scotforth West Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

18/00001/FUL	11 St Michaels Crescent, Bolton Le Sands, Carnforth Demolition of rear conservatory and erection of a 2-storey rear extension, conversion of garage to habitable room, single storey side extension, 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
18/00002/DIS	Aldi, Marine Road West, Morecambe Discharge of conditions 3, 4, 5, 6, 7, 9, 10 and 11 on approved application 17/00534/FUL  for Mr Stuart Parks (Harbour Ward 2015 Ward)	Split Decision
18/00008/DIS	High Barn, Snab Green Lane, Arkholme Discharge of condition 3 on approved application 17/01015/FUL for Mr & Mrs J Brassington (Kellet Ward 2015 Ward)	Application Permitted
18/00008/LB	West Lodge, Quernmore Road, Lancaster Listed building application for the removal of a stone fireplace and surrounding wall to create an enlarged opening, infill of existing internal doorway and creation of a new doorway, removal of a window and blind door to create new doorway to existing patio, removal of a partition wall and creation of a new doorway on the first floor and installation of 2 external vents for Mrs Janet Stuart (Bulk Ward 2015 Ward)	Application Permitted
18/00010/DIS	Taps On The Green, 77 Kellet Road, Carnforth Discharge of conditions 1, 3, 4, 5, 6, 7 and 9 on approved application 16/01536/OUT for Mr Rogerson (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
18/00011/DIS	Scale House Farm, Scale House Lane, Wray Discharge of conditions 3 and 7 on approved application 17/00720/FUL for Mr F Towers (Upper Lune Valley Ward 2015 Ward)	Application Permitted
18/00012/DIS	Hall Farm Barns, Kellet Road, Over Kellet Discharge of condition 4, 6, 10, 11 and 12 on approved application 15/00001/CU for John Benson (Kellet Ward 2015 Ward)	Application Permitted
18/00013/DIS	Hall Farm Barns, Kellet Road, Over Kellet Discharge of condition 3, 4 and 5 on approved application 15/00002/LB for Mr John Benson (Kellet Ward 2015 Ward)	Application Permitted
18/00013/FUL	Land Rear Of The Dell, 91 Coastal Road, Bolton Le Sands, Carnforth Erection of two 2-storey detached dwellings and a single storey detached pool house with associated internal roads and landscaping for Mr Harvey Bainbridge (Bolton And Slyne Ward 2015 Ward)	Application Withdrawn
18/00014/DIS	Aldi, Marine Road West, Morecambe Discharge of conditions 8, 12, 14, 15, 19 on approved application 17/00534/FUL for Mr Stuart Parks (Harbour Ward 2015 Ward)	Application Permitted
18/00014/FUL	1 Winmarleigh Road, Lancaster, Lancashire Erection of front porch and wall and fence to front and side boundaries, and conversion of garage to summer house for Mr & Mrs Love (Scotforth East Ward 2015 Ward)	Application Withdrawn

## LIST OF DELEGATED PLANNING DECISIONS

18/00017/DIS	5 Great John Street, Lancaster, Lancashire Discharge of condition 3 on approved application 17/00986/CU for Miss L Carrington (Castle Ward 2015 Ward)	Split Decision
18/00018/DIS	Moorgarth, Moorside Road, Brookhouse Discharge of condition 3 on approved application 17/01564/LB for Mr Hugh And Mrs Jenny Clay (Lower Lune Valley Ward 2015 Ward)	Application Permitted
18/00020/DIS	9 Pennine View, Dolphinholme, Lancaster Discharge of condition 7, 8, 9 and 11 on approved application 15/00113/FUL for Mr & Mrs Prest (Ellel Ward 2015 Ward)	Application Permitted
18/00021/FUL	Woodside Holdings, Swarthdale Road, Over Kellet Retrospective application for the retention of a stable building for Mr R. Barker (Kellet Ward 2015 Ward)	Application Permitted
18/00022/CU	Melling Farm, Melling Road, Melling Change of use of barn and land to create one residential dwelling (C3) with associated domestic garden for Hyperion And Baltac (Upper Lune Valley Ward 2015 Ward)	Application Permitted
18/00022/DIS	Grasscroft, Borwick Avenue, Warton Discharge of conditions 3 and 6 on application 16/00813/FUL for Mr Garry Brown (Warton Ward 2015 Ward)	Application Permitted
18/00026/FUL	158 Bare Lane, Morecambe, Lancashire Erection of a single storey side and rear extension for Mr Mark Guy (Torrisholme Ward 2015 Ward)	Application Refused
18/00027/DIS	197 Heysham Road, Heysham, Morecambe Discharge of condition 3 on approved application 17/01340/CU for Mr Richard Witt (Heysham North Ward 2015 Ward)	Application Permitted
18/00029/PLDC	72 Broadway, Morecambe, Lancashire Proposed lawful development certificate for the change of use of two 1-bed flats (C3) to one 3-bed dwelling (C3) for Mr Jordan Lamb (Bare Ward 2015 Ward)	Lawful Development Certificate Granted
18/00031/DIS	Colloway Farm, Lancaster Road, Overton Discharge of condition 3 on approved application 17/00917/CU for Sarah Jackson (Overton Ward 2015 Ward)	Application Permitted
18/00034/DIS	18 The Row, Silverdale, Carnforth Discharge of conditions 3 and 4 on approved application 17/01224/FUL for Mr Sarah Killalea (Silverdale Ward 2015 Ward)	Application Permitted
18/00035/LB	Brookhouse Old Hall, Brookhouse Road, Brookhouse Listed building application for installation of raised roof to garage, glass canopy, replacement timber windows to include reinstatement of historic window openings and new entrance door, insertion and removal of internal walls, removal of internal doors, insertion of 2 pairs of bi-fold doors and window into an enlarged opening, installation of flue liner and re-pointing with hot lime on south elevation for Mr & Mrs Horner (Lower Lune Valley Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

18/00037/FUL	4 Hayfell Grove, Hest Bank, Lancaster Demolition of existing conservatory and carport, erection of a single storey side and rear extension, erection of a single storey front extension, raising the height of the roof and erection of a detached shed to the rear for Mr & Mrs Hoggarth (Bolton And Slyne Ward 2015 Ward)	Application Permitted
18/00042/LB	Friends Meeting House, Meeting House Lane, Lancaster Listed Building application for the installation of acoustic foam panels to 2 internal walls and ceiling for Dr Graham Bartram (Castle Ward 2015 Ward)	Application Permitted
18/00046/FUL	Sunningdale, Holme Lane, Brookhouse Erection of a single storey rear extension for Mr N Whiley (Lower Lune Valley Ward 2015 Ward)	Application Permitted
18/00048/FUL	2 Oxcliffe Road, Heysham, Morecambe Erection of a dwelling (C3) and detached garage for Mr James Robb (Heysham Central Ward 2015 Ward)	Application Permitted
18/00049/FUL	11 Brantwood Drive, Lancaster, Lancashire Erection of a two storey side extension for Mr M Campbell (Scotforth East Ward 2015 Ward)	Application Permitted
18/00050/FUL	15 - 16 Daisy Bank, Quernmore Road, Quernmore Change of use of one dwelling into two dwellings (C3) and erection of a single storey rear extension for Martin Hulme (Lower Lune Valley Ward 2015 Ward)	Application Permitted
18/00053/FUL	31 Sandylands Promenade, Heysham, Morecambe Construction of a first floor balcony to front elevation for Mrs P. Melrose (Heysham North Ward 2015 Ward)	Application Permitted
18/00056/FUL	14 Hornby Bank, Hornby, Lancaster Erection of a two storey side and rear extension and erection of a front porch for Mr & Mrs Sedwick (Upper Lune Valley Ward 2015 Ward)	Application Permitted
18/00057/PAA	Hillam Barn, Hillam Farm, Hillam Lane Prior approval for the change of use of an agricultural building to 3 residential dwellings (C3) for Mr David Winder (Ellel Ward 2015 Ward)	Prior Approval Granted
18/00061/FUL	7 Scowcroft Drive, Morecambe, Lancashire Erection of a first floor rear extension for Mr & Mrs D. Edwards (Torrisholme Ward 2015 Ward)	Application Permitted
18/00064/FUL	26 Littledale Road, Brookhouse, Lancaster Insertion of a first floor and installation of a raised replacement roof with a chimney to the side elevation for Mr & Mrs D Kilburn (Lower Lune Valley Ward 2015 Ward)	Application Permitted
18/00065/FUL	5 Bleasdale Grove, Heysham, Morecambe Erection of a 2 storey side extension for Mr Andrew Farrer (Heysham Central Ward 2015 Ward)	Application Permitted
18/00066/FUL	6 Grosvenor Court, Carnforth, Lancashire Erection of a detached garage for Mr Thomas Bateman (Carnforth And Millhead Ward 2015 Ward)	Application Permitted



LIST OF DELEGATED PLANNING DECISIONS

18/00070/LB	5-7 Great John Street, Lancaster, Lancashire Listed building application for the creation of an internal doorway and the installation and removal of partition walls for Ms N Temple (Castle Ward 2015 Ward)	Application Permitted
18/00071/ADV	Bella Italia, 26 - 28 Church Street, Lancaster Advertisement application for the retained display of 4 internally illuminated fascia signs and 2 internally illuminated projecting signs for Casual Dining Group (Castle Ward 2015 Ward)	Application Refused
18/00073/FUL	1 Gordon Cottages, Main Road, Bolton Le Sands Erection of a porch to the front elevation for Mr Stephen Ellwood (Bolton And Slyne Ward 2015 Ward)	Application Withdrawn
18/00082/LB	Lancaster Railway Station, Westbourne Road, Lancaster Listed Building application for repair and refurbishment of footbridge including replacement windows and works to stair wells for Network Rail Infrastructure Ltd (Castle Ward 2015 Ward)	Application Permitted
18/00084/FUL	Royal Kings Arms Hotel, 75 Market Street, Lancaster Erection of a single storey rear extension, construction of a canopy, decking area and installation of a door to the rear for Mr Tony Flanagan (Castle Ward 2015 Ward)	Application Permitted
18/00085/FUL	10 Hall Garth Gardens, Over Kellet, Carnforth Demolition of detached garage and existing conservatory to the rear elevation and erection of a single storey rear extension for Mr Steve Adamson (Kellet Ward 2015 Ward)	Application Permitted
18/00090/CU	91 Penny Street, Lancaster, Lancashire Change of use of mixed use unit comprising of takeaway (A5) and 7 student studios (C3) and to a mixed use unit comprising of retail/professional services office (A1/A2) and 8 student studios (C3), erection of a bike store, insertion of new windows on the side elevation and installation of a new shopfront for Ms Jian Guo (Castle Ward 2015 Ward)	Application Permitted
18/00091/CU	48 Chatsworth Road, Morecambe, Lancashire Change of use of dwellinghouse into one 2-bed flat and one 3-bed maisonette (C3) for Mr D Lynch (Harbour Ward 2015 Ward)	Application Permitted
18/00092/FUL	10 Sharpes Avenue, Lancaster, Lancashire Erection of a single storey side and rear extension with raised terrace for Mr Stuart Foy (Scotforth West Ward 2015 Ward)	Application Permitted
18/00097/FUL	15 Moorside Road, Brookhouse, Lancaster Demolition of existing side porch and erection of a two storey side extension for Mr Ian Conroy (Lower Lune Valley Ward 2015 Ward)	Application Permitted
18/00099/FUL	42 Fell View, Caton, Lancaster Demolition of existing single storey side and rear extension and erection of a replacement single storey side and rear extension for Mr & Mrs Okeefe (Lower Lune Valley Ward 2015 Ward)	Application Permitted
18/0010/HDG	Locations Between Westgate And Imperial Road, , Removal of hedgerows for United Utilities (Overton Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

18/00101/PLDC	Melling Electricity Substation, Melling Road, Melling Proposed lawful development certificate for the installation of a 15m monopole on concrete base to include antennas, feeder cables, ductwork, and ancillary equipment for n/a (Upper Lune Valley Ward 2015 Ward)	Lawful Development Certificate Granted
18/00117/FUL	49 Main Street, Cockerham, Lancaster Erection of a first floor side extension for Mr T Salisbury (Ellel Ward 2015 Ward)	Application Permitted
18/00132/PLDC	343 Heysham Road, Heysham, Morecambe Proposed lawful development certificate for the construction of a hip to gable extension and dormer to the rear for Mr & Mrs M. Bracewell (Heysham Central Ward 2015 Ward)	Lawful Development Certificate Granted
18/00142/FUL	8 Armitage Way, Galgate, Lancaster Erection of a rear conservatory for Mr & Mrs Duffield (Ellel Ward 2015 Ward)	Application Permitted
18/00143/FUL	Piccadilly Garage, Carr House Lane, Lancaster Installation of replacement slate roof, 3 rooflights to the front and 6 rooflights to the rear for Mr & Mrs Greenan (Castle Ward 2015 Ward)	Application Permitted
18/00145/FUL	5 Heversham Close, Lancaster, Lancashire Demolition of garage and erection of single storey side and rear extension for Mr Peter Butler (Scotforth East Ward 2015 Ward)	Application Permitted
18/00146/FUL	2 Hatlex Hill, Hest Bank, Lancaster Partially retrospective application for the erection of a detached timber framed outbuilding for Mr T Devenish (Bolton And Slyne Ward 2015 Ward)	Application Permitted
18/00147/VCN	60 Slyne Road, Bolton Le Sands, Carnforth Demolition of conservatory and erection of single storey rear and side extension (Pursuant to the variation of condition 2 on planning permission 17/01309/FUL to amend approved plans to remove and re-install kitchen window from south to north elevation) for Mr Carl Hough (Bolton And Slyne Ward 2015 Ward)	Application Permitted
18/00161/PLDC	6 The Gardens, Halton, Lancaster Proposed lawful development certificate for a single storey rear extension for Mr Gareth Briggs (Halton-with-Aughton Ward 2015 Ward)	Lawful Development Certificate Granted
18/00162/FUL	1 Rushley Mount, Hest Bank, Lancaster Construction of a hip to gable extension and dormer extension to the rear elevation for Mr T Hatton (Bolton And Slyne Ward 2015 Ward)	Application Permitted
18/00175/PAD	Meadowfield, Middleton Road, Heysham Prior approval notification for demolition of bungalow for Mr Shedrack Nelson (Heysham South Ward 2015 Ward)	Prior Approval Granted
18/00243/CCC	Bleasdale House School, Emesgate Lane, Silverdale Erection of a single storey therapy room with access ramp for Mrs Val Tomlinson (Silverdale Ward 2015 Ward)	No Objections