



Committee: PLANNING AND HIGHWAYS REGULATORY COMMITTEE

Date: MONDAY, 20 AUGUST 2018

Venue: LANCASTER TOWN HALL

Time: 10.30 A.M.

A G E N D A

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

1 Apologies for Absence

2 Minutes

Minutes of meeting held on 23 July, 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.

5	A5 18/00777/FUL	Queen Victoria Memorial, Dalton Square, Lancaster	Castle Ward	(Pages 1 - 7)
		Construction of temporary ice rink, temporary siting of chillers and generators, erection of temporary fencing and hoardings, and temporary siting of marquee and tents for skate hire and the sale of refreshments		
6	A6 18/00778/LB	Queen Victoria Memorial, Dalton Square, Lancaster	Castle Ward	(Pages 8 - 11)
		Listed building application for works to facilitate the construction of temporary ice rink and the erection of temporary fencing and hoardings		
7	A7 18/00639/FUL	Bay View Garden Centre, Mill Lane, Bolton Le Sands	Bolton and Slyne	(Pages 12 - 17)
		Demolition of various buildings, erection of glasshouse and open sided canopies, construction of car park and associated landscaping		
8	A8 18/00882/PLDC	46 Shrewsbury Drive, Lancaster	John O'Gaunt Ward	(Pages 18 - 26)
		Proposed Lawful Development Certificate for the erection of a single storey rear extension and side dormer		

9 Quarterly Reports (Pages 27 - 34)

10 Delegated Planning List (Pages 35 - 42)

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Carla Brayshaw (Chairman), Helen Helme (Vice-Chairman), June Ashworth, Jon Barry, Stuart Bateson, Alan Biddulph, Eileen Blamire, Dave Brookes, Abbott Bryning, Ian Clift, Jane Parkinson, Jean Parr, Robert Redfern, Sylvia Rogerson and Susan Sykes

(ii) Substitute Membership

Councillors Claire Cozler, Sheila Denwood, Mel Guilding, Tim Hamilton-Cox, Andrew Kay, Geoff Knight and Malcolm Thomas

(iii) Queries regarding this Agenda

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

(iv) Changes to Membership, substitutions or apologies

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

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

Published on Monday 6th August, 2018.

Agenda Item	Committee Date	Application Number
A5	20 August 2018	18/00777/FUL
Application Site		Proposal
Queen Victoria Memorial Dalton Square Lancaster Lancashire		Construction of temporary ice rink, temporary siting of chillers and generators, erection of temporary fencing and hoardings, and temporary siting of marquee and tents for skate hire and the sale of refreshments
Name of Applicant		Name of Agent
Mr Martin Horner		HPA
Decision Target Date		Reason For Delay
29 August 2018		N/A
Case Officer	Mrs Petra Williams	
Departure	No	
Summary of Recommendation	Approval of temporary consent for one year subject to resolution of outstanding matters in respect of tree protection	

- (i)** The application is one which would normally be dealt with under delegated powers but is required to be brought before the Planning and Highways Regulatory Committee as the site in question is within the ownership of the City Council.

1.0 The Site and its Surroundings

- 1.1 The application site is within the centre of Lancaster and relates to Dalton Square which surrounds the Queen Victoria monument and a small section of highway to the front of Palatine Hall. Dalton Square is an oval shaped public space enclosed by stone boundary balustrades. The area has approximate dimensions of 70 metres by 35 metres and comprises simple flag paving, mature trees, grass and public seating with the grade II* Queen Victoria monument at its centre. Due to the differing surrounding land levels there are steps up to the square from the northern end and steps down into the square from the south.
- 1.2 Lancaster Town Hall is located to the south of the site and Palatine Hall is situated to the northern side of the square. Other commercial and office buildings surround the square including shops, bars and restaurants. It is understood that there are a limited number of residential units mainly located on the western side of the square above commercial premises. Sulyard Street to the north-east of the site contains a number of residential dwellings as well as flats within Wesley House. The one-way gyratory road runs in a southerly direction adjacent to the western side of the square with two way traffic running along its southern boundary. One way traffic is directed northwards along the eastern side of the square and can travel west along the northern site boundary feeding into the gyratory or, either onwards to Friar Street or right on to Sulyard Street. Two pedestrian crossings provide connectivity between the site and the heart of the city centre to the west. The eastern and northern sides of the square contain a number of pay and display parking bays.
- 1.3 As highlighted above, the Queen Victoria monument is grade II* listed and the balustrades around the square are grade II listed. The square is surrounded by numerous designated heritage assets including the grade II* listed Lancaster Town Hall and the grade II listed Palatine Hall. Both the

eastern and western sides of the square contain a number of grade II listed buildings including the nearby War Memorial in addition to buildings which are considered as non-designated heritage assets. The site is within Lancaster Conservation Area – Character Area 4. The square is designated as a civic space within the Lancaster District Local Plan proposals map, and within the emerging Land Allocations Policies Map is identified as an area of Open Space, Recreation and Leisure. The western half of the square is within an Air Quality Management Area. Dalton Square and the immediate surrounding area is within a Residential Parking permit zone.

2.0 The Proposal

2.1 The application proposes a temporary ice rink to be erected within Dalton Square around the Queen Victoria monument for use between 24 November 2018 and 6 January 2019 (plus 10 days before for construction and 1 week after for dismantling). The proposal includes the provision of three marquees/tents for selling food and drink, skate rental and administration which will be located at the northern end of the square in front of Palatine Hall. Associated generators and ice machines will be sited within the southern portion of the square. The scheme will require the temporary closure of the northern section of road to Dalton Square. Proposed hours of operation are between 10:00 and 22:00 for 7 days per week. The application form sets out that consent is sought for the scheme to be repeated within the same time frames over the next ten years.

2.2 The key features of the proposal will comprise:

- Ice skating rink – 20m x 35m (with an 8m x 8m cut out for the statue) temporary ice rink system with standard white and clear barrier;
- 1 skate exchange marquee/tent – 10m x 20m clear span temporary marquee structures, with double doors and both glass and solid wall panels;
- 2 food and beverage marquees/tents – 6m x 6m with double doors and both glass and solid wall panels;
- Generators and chillers will be located in an area of 6m x 19m and will include acoustic barriers; and
- Temporary fencing and hoardings will be put in place during the construction and dismantling period.

3.0 Site History

3.1 The most relevant site history is set out below.

Application Number	Proposal	Decision
18/00778/LB	Listed building application for works to facilitate the construction of temporary ice rink and the erection of temporary fencing and hoardings	Under Consideration

4.0 Consultation Responses

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

Consultee	Response
Senior Conservation Officer	Support – Subject to conditions regarding precise details of proposed scaffolding, construction and dismantling phases, protection of steps and photographic survey prior to commencement. Suggest that consent is granted for the time specified for the coming winter initially: between 24 November 2018 and 6 January 2019 (plus 10 days before for construction and 1 week after for dismantling).
Tree Protection Officer	Objections – subject to the receipt of the submission and agreement in writing of a detailed Tree Protection Plan, and Arboriculture Method Statement.
Environmental Health	No objections – While there may be some observed effects to nearby residential receptors from people noise, this is not likely to be intrusive or unreasonable considering the existing level of ambient noise in this location as it is a well trafficked area by people and is served by an existing number of licensed premises which operate in line with the proposed times for operation of the temporary rink.

Property Group (Lancaster City Council)	No objections – Very much in support such an event. A detailed formal agreement would have to be negotiated and agreed with Property Group and documented by Legal Services before the applicant could use the land.
Public Realm Development Manager	No objections – Applicant will be required to submit a formal event application to the Council to hold an event on Council land.
Parking Services (Lancaster City Council)	No comments to make in respect of this application. Any operational issues would be dealt with by Parking Services outside the planning process.
Licensing	No objections – Should the applicant wish to conduct licensable activities they must apply for the appropriate premises licence. Activities that are licensable include the sale of alcohol and regulated entertainments (including but not limited to playing of recorded music).
County Highways	No objections
Lancashire Fire and Rescue	No comments received at the time of compiling this report. Any forthcoming comments will be reported verbally to Committee.
Lancashire Constabulary	No objections
Historic England	No comments to make - suggest that the views of the Senior Conservation Officer are obtained.
Lancaster Civic Society	No objections – It is noted that steps will be taken to mitigate intrusion of noise to neighbouring properties. Care should be taken to protect the listed structure.
Cadent/ National Grid	No objections – Recommendations and advice provided for attention of the applicant.

5.0 Neighbour Representations

5.1 No public comments have been received at the time of writing this report.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraphs 7, 8 and 11 - Sustainable Development

Paragraphs 80, 81 and 82 – Building a Strong Competitive Economy

Paragraph 85 – Ensuring the Vitality of town centres

Paragraphs 92 and 95 – Promoting Healthy and Safe Communities

Paragraph 97 – Open Space and Recreation

Paragraphs 124 and 127 - Achieving Well Designed Places

Paragraph 170 - Natural Environment (Trees)

Paragraphs 184, 189, 190, 193, 194 and 196 – 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 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 the 9 February for an 8 week consultation in preparation for submission 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 Saved Policies (adopted July 2008)

SC1 – Sustainable Development
SC5 – Achieving Quality in Design

6.3 Development Management DPD

DM1 – Town Centre Development
DM3 – Public Realm and Civic Space
DM4 – The Creation and Protection of Cultural Assets
DM20 – Enhancing Accessibility and Transport Linkages
DM21 – Walking and Cycling
DM22 – Vehicle Parking Provision
DM27 – The Protection and Enhancement of Biodiversity
DM30 – Development affecting Listed Buildings
DM31 – Development Affecting Conservation Areas
DM32 – The Setting of Designated Heritage Assets
DM33 – Development Affecting Non-Designated Heritage Assets or their settings
DM34 – Archaeological Features and Scheduled Monuments
DM35 – Key Design Principles
DM39 – Surface Water run-off and Sustainable Drainage

6.5 Other Material Considerations

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

7.0 Comment and Analysis

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

- Principle
- Impact on Heritage Assets
- Impact on Trees
- Impact of Residential Amenity
- Highway Implications

7.2 Principle

7.2.1 The NPPF is supportive of economic growth and policy DM12 of the Development Management DPD sets out that minor leisure facilities or attractions will be considered favourably where they are located within an accessible town centre and would not result in an adverse impact on the visual amenity of the area. Policy DM3 relates to public realm and civic space and seeks to ensure that proposals within the urban areas make a positive contribution to their surroundings.

7.2.2 As part of the build-up of festivities in the city centre, it is considered that the temporary ice rink would animate this attractive historic area and enable many more people to enjoy and appreciate it at a time of year when it is usually only passed through transiently. It is considered that Dalton Square is a viable city centre location as the ice rink will complement and provide linked trips with the surrounding retail and leisure uses. Therefore the scheme would bring associated economic benefits to the city and help raise the profile of Lancaster as a visitor destination. The ice rink

represents seasonal entertainment that will enhance the vitality and viability of the city centre during this temporary 6 week period. As such it is considered that the principle of the proposal is acceptable subject to other material considerations which will be discussed below.

7.3 Impact on Heritage Assets

- 7.3.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed Building and or a Conservation Area or their setting, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the heritage asset or its setting. This is reiterated by policies DM30, DM31 and DM32.
- 7.3.2 The ice rink, will only be operational for a limited temporary period of 6 weeks (24 November 2018 and 6 January 2019). The proposed development is considered to lead to less than substantial harm to the significance of the grade II* monument and this harm (which will be temporary) should be weighed against the public benefits of the proposal as set out above, including securing its optimum viable use as per NPPF Paragraph 196.
- 7.3.3 The temporary rectangular ice rink and access ramp would be placed above the paved area and grass around and up to the grade II* listed Queen Victoria monument and therefore careful consideration must be given as to how this will be achieved in order to provide assurance that the historic physical structure will not be damaged. Consideration must also be given to the protection of the listed stone balustrade and steps, particularly during the construction and dismantling phase.
- 7.3.4 The rink will be 35 metres by 20 metres and will be set out upon a scaffold frame with a 2 metre wide access ramp at the northern end. However, the applicant would not be in a position to provide precise details until the final contract has been signed with the ice rink supplier and this cannot be done until planning consent has been granted. It is always preferable in the case of designated heritage assets to consider detailed information prior to determination of applications, but the Senior Conservation Officer is satisfied in this instance that an acceptable solution can be achieved and that this can be conditioned.
- 7.3.5 The submitted Design and Access Statement advises that 'sterile zones' will be provided during the delivery of the infrastructure and during its deconstruction in order to ensure that the listed balustrades around the square are not impacted unduly during the delivery of the events infrastructure and during its deconstruction. While this indicates mindful consideration of the heritage assets involved, this method statement would require updating once the scaffolding contractor has been appointed. This point will be conditioned.
- 7.3.6 As highlighted above, ancillary structures are required to support the function and viability of the ice rink. The three marquees/tents to be located in the northern part of Dalton Square to the front of Palatine Hall are of a temporary nature and are not considered to be substantially harmful to the setting of the listed structures. The design of these temporary structures are appropriate for a public event space. At the southern end of the square and within the confines of the balustrades, the generators and ice machines will be located (area E on plan). The generators will be enclosed by acoustic barriers. This part of the square is set lower than the adjacent highway and this will help minimise the visual impact of this element of the scheme.
- 7.3.7 While offering full support for the scheme in principle, the Senior Conservation Officer has advised against this temporary permission being granted over a ten year period in the first instance. Given the importance of the heritage assets involved it would be prudent to grant consent initially for one year only at this time. This would allow the applicant and the Council to assess the effect of the works on the site. A pre-commencement condition would require the carrying out of a detailed photographic survey to be produced prior to the works being carried out. This would allow an accurate assessment of impacts (if any) following the dismantling of the temporary structures. If there is no adverse impact, then an application to vary the timescale condition could be made to allow the event to be repeated the following year.
- 7.3.8 The proposed temporary development would lead to a level of harm on the setting and significance of designated and non-designated heritage assets and this harm is considered to be less than substantial. A balancing of detriment against benefits is set out in NPPF paragraph. 196 where 'justification' is required. In the circumstances the social, economic and cultural benefits of the

entertainment provided by the temporary ice rink may be used to balance against the undoubted detriment. The proposal would be subject to conditions to ensure that the affected heritage assets are returned to their current state in good condition and without any resulting physical damage immediately after the festivities. Therefore the proposal is considered to accords with the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990.

7.4 Impact on Trees

- 7.4.1 There are a range of large mature lime trees as well more recently planted lime trees within and around the square. The largest trees are the original trees planted circa 1909, when Dalton Square was first developed. These trees make a significant visual and historic impact on the city centre and are a legacy which should be retained and protected for future generations to enjoy. As the site is within the Conservation Area these trees are protected by law. It is therefore critical that the proposal would not have adverse impacts on these trees.
- 7.4.2 It is considered that where the structures are proposed on established areas of hardstanding there is unlikely to be any significant impacts upon the rooting areas of the trees or the above ground structures. However, the location of the infrastructure within the southern end of the square is to be located on soft ground immediately adjacent to established protected trees. Consequently the Tree Protection Officer has requested the submission and agreement of an Arboricultural Method Statement (AMS) and Tree Protection Plan (TTP) to ensure that the proposed infrastructure is placed without causing damage to tree root systems, through compaction of the soil profile. The Tree Protection Officer is confident that an acceptable mitigation solution could be achieved. An AMS and TTP have now been submitted but at the time of writing this report, these details have yet to be considered and agreed by the Tree Protection Officer. Members will be updated on this critical point during the presentation of the application at the Planning Committee meeting.

7.5 Impact of Residential Amenity

- 7.5.1 It is acknowledged that there are a number of residential properties in the vicinity of Dalton Square. It is the view of the Environmental Health Officer that the ambient noise levels at this busy city centre location are relatively high and this is dominated by road traffic noise. While there may be some observed effects to nearby residential receptors from people noise, this is not likely to be intrusive or unreasonable considering the busy commercial location and the proposed times for operation of the temporary rink. The Environmental Health Officer is satisfied that the acoustic barriers proposed for mitigation in respect of the generators is acceptable considering the distance away from nearest residential receptors. A scheme will be conditioned regarding the location of 2 speakers which will be provided to the ice rink to ensure that they are not directed towards any residential property. In the event that noise complaints arise, the Environmental Health Team would take action to address this issue under separate Environmental Health legislation.

7.6 Highway Implications

- 7.6.1 Dalton Square is easily accessible by a choice of sustainable travel modes including foot, cycle and public transport. The surrounding pedestrian environment is of an acceptable quality, with footways being well lit adding to a sense of personal security. Signage and the built form add to a good level of legibility with adjacent pedestrian footway links providing an acceptable means of access to the site. Cycle parking stands are available within the square and the site is within a short walking distance of a number of public car parks on the edge of the city centre.
- 7.6.2 As highlight earlier in this report, the scheme would involve the temporary closure of an area of public highway to vehicles along the northern part of the square and this would require authorisation under Section 16 (Temporary Traffic Regulation Order) of the Road Traffic Regulation Act which is separate legislation to planning. The scheme would also result in the temporary loss of 9 pay and display parking bays which are located to the front of Palatine Hall. The submission has been considered by the County Highways consultee who has raised no objections to the scheme but rightly highlights the fact that the area surrounding the site is traffic sensitive with high numbers of vehicle movements. However, there request for the submission of a traffic management scheme for the construction and dismantling phases is unacceptable as this should be covered by the aforementioned Order, and not planning conditions.

8.0 Planning Obligations

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

9.0 Conclusions

9.1 The application represents an exciting opportunity for the temporary use of a public space which will undoubtedly attract visitors to the city centre and have associated economic benefits. While the proposal will lead to a level of harm on the settings of both the designated and non-designated heritage assets this impact will be temporary. On balance, the social, economic and cultural benefits of the entertainment provided by the temporary ice rink and ancillary buildings within this public space are considered to outweigh the temporary impacts to the setting of the Queen Victoria monument and other surrounding designated heritage assets. With the addition of conditions to provide certainty that there will be no detrimental physical impacts it is considered that the requirements of policies DM30, 31 and 32 of the DM DPD would be satisfied. Subject to the applicant resolving the outstanding matters in respect of the protection of on-site trees, Members are recommended that the application can be supported on a temporary one year basis.

Recommendation

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

1. Temporary consent for one year
2. Development in accordance with approved plans
3. Full details and sectional drawings of scaffolding around the Queen Victoria Memorial, including ground levelling platform, ramp and handrail, to be submitted and agreed prior to commencement.
4. Revised method statements and risk assessment to cover the construction and dismantling phases, and protection of the Queen Victoria Memorial and stone balustrade to be submitted and agreed prior to commencement.
5. Precise details of the method and materials proposed to protect the stone steps to the Queen Victoria Memorial be submitted and agreed prior to commencement.
6. AMS and TTP
7. No equipment/ advertisements/ lighting to be attached to trees
8. Precise details of marquees/tents including layout
9. Photographic survey of the site (including all elevations of the Queen Victoria Memorial) to be carried out prior to the installation of the scaffolding as a record of the condition of the area prior to commencement.
10. Hours of operation 10:00 to 22:00 7 days a week
11. Scheme to be provided for the location/position of speakers and lighting
12. Implementation of mitigation for generator noise.

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:

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

Agenda Item	Committee Date	Application Number
A6	20 August 2018	18/00778/LB
Application Site		Proposal
Queen Victoria Memorial Dalton Square Lancaster Lancashire		Listed building application for works to facilitate the construction of temporary ice rink and the erection of temporary fencing and hoardings
Name of Applicant		Name of Agent
Mr Martin Horner		HPA
Decision Target Date		Reason For Delay
29 August 2018		N/A
Case Officer		Mrs Petra Williams
Departure		No
Summary of Recommendation		Delegate back to allow expiration of site notices and approval of temporary consent for one year subject to conditions.

- (i) The application is one which would normally be dealt with under delegated powers but is required to be brought before the Planning and Highways Regulatory Committee as the site in question is within the ownership of the City Council.

1.0 The Site and its Surroundings

- 1.1 The application site is within the centre of Lancaster and relates to Dalton Square which surrounds the Queen Victoria monument and a small section of highway to the front of Palatine Hall. Dalton Square is an oval shaped public space enclosed by stone boundary balustrades. The area has approximate dimensions of 70 metres by 35 metres and comprises simple flag paving, mature trees, grass and public seating with the grade II* Queen Victoria monument at its centre. Due to the differing surrounding land levels there are steps up to the square from the northern end and steps down into the square from the south.
- 1.2 As highlighted above, the Queen Victoria monument is grade II* listed and the balustrades around the square are grade II listed. The square is surrounded by numerous designated heritage assets including the grade II* listed Lancaster Town Hall and the grade II listed Palatine Hall. Both the eastern and western sides of the square contain a number of grade II listed buildings including the nearby War Memorial in addition to buildings which are considered as non-designated heritage assets. The site is within Lancaster Conservation Area – Character Area 4.

2.0 The Proposal

- 2.1 The application proposes a temporary ice rink to be erected within Dalton Square around the Queen Victoria monument for use between 24 November 2018 and 6 January 2019 (plus 10 days before for construction and 1 week after for dismantling). The proposal includes the provision of three marquees/tents for selling food and drink, skate rental and administration which will be located at the northern end of the square in front of Palatine Hall. Associated generators and ice machines will be sited within the southern portion of the square. The scheme will require the temporary closure of the northern section of road to Dalton Square. Proposed hours of operation are between 10:00

and 22:00 for 7 days per week. The application form sets out that consent is sought for the scheme to be repeated within the same time frames over the next ten years.

2.2 The key features of the proposal, insofar as they relate to the Listed structure, will comprise:

- Ice skating rink – 20m x 35m (with an 8m x 8m cut out for the statue) temporary ice rink system with standard white and clear barrier; and
- Temporary fencing and hoardings will be put in place during the construction and dismantling period.

3.0 Site History

3.1 The most relevant site history is set out below.

Application Number	Proposal	Decision
18/00777/FUL	Construction of temporary ice rink, temporary siting of chillers and generators, erection of temporary fencing and hoardings, and temporary siting of marquee and tents for skate hire and the sale of refreshments	Under consideration

4.0 Consultation Responses

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

Consultee	Response
Senior Conservation Officer	Support – Subject to conditions regarding precise details of proposed scaffolding, construction and dismantling phases, protection of steps and photographic survey prior to commencement. Suggest that consent is granted for the time specified for the coming winter initially: between 24 November 2018 and 6 January 2019 (plus 10 days before for construction and 1 week after for dismantling).
National Amenity Societies	No comments received at the time of compiling this report. Any forthcoming comments will be reported verbally to Committee.
Historic England	No comments to make - suggest that the views of the Senior Conservation Officer are obtained.

5.0 Neighbour Representations

5.1 No representations have been received at the time of writing this report.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraphs 7, 8 and 11 - Sustainable Development

Paragraphs 184, 189, 190, 193, 194 and 196 – 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 2 Development Plan Documents (DPD) for submission to the Planning Inspectorate:

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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 Development Plan Document

DM30 – Development affecting Listed Buildings

6.4 Other Material Considerations

Section 66 of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended states that the local planning authority shall have regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

7.0 Comment and Analysis

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

- Impact on the listed structures

7.2 Impact on listed structures

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

7.2.2 The ice rink, will only be operational for a limited temporary period of 6 weeks (24 November 2018 and 6 January 2019). The proposed development is considered to lead to less than substantial harm to the significance of the grade II* monument and this harm (which will be temporary) should be weighed against the public benefits of the proposal as set out above, including securing its optimum viable use as per NPPF paragraph 196.

7.2.3 The temporary rectangular ice rink and access ramp would be placed above the paved area and grass around and up to the grade II* listed Queen Victoria monument and therefore careful consideration must be given as to how this will be achieved in order to provide assurance that the historic physical structure will not be damaged. Consideration must also be given to the protection of the listed stone balustrade and steps, particularly during the construction and dismantling phase.

7.2.4 The rink will be 35 metres by 20 metres and will be set out upon a scaffold frame with a 2 metre wide access ramp at the northern end. However, the applicant would not be in a position to provide precise details until the final contract has been signed with the ice rink supplier and this cannot be done until planning consent has been granted. It is always preferable in the case of designated heritage assets to consider detailed information prior to determination of applications, but the Senior Conservation Officer is satisfied in this instance that an acceptable solution can be achieved and that this can be conditioned.

7.2.5 The submitted Design and Access Statement advises that ‘sterile zones’ will be provided during the delivery of the infrastructure and during its deconstruction in order to ensure that the listed balustrades around the square are not impacted unduly during the delivery of the events infrastructure and during its deconstruction. While this indicates mindful consideration of the heritage assets involved, this method statement would require updating once the scaffolding contractor has been appointed. This point will be conditioned.

- 7.2.6 While offering full support for the scheme in principle, the Senior Conservation Officer has advised against this temporary permission being granted over a ten year period in the first instance. Given the importance of the heritage assets involved it would be prudent to grant consent initially for one year only at this time. This would allow the applicant and the Council to assess the effect of the works on the site. A pre-commencement condition would require the carrying out of a detailed photographic survey to be produced prior to the works being carried out. This would allow an accurate assessment of impacts (if any) following the dismantling of the temporary structures. If there is no adverse impact, then a further Listed building application (which incurs no application fee) could be made to allow the event to be repeated the following year.
- 7.2.7 The proposed temporary development would lead to a level of harm on the setting and significance of designated and non-designated heritage assets and this harm is considered to be less than substantial. A balancing of detriment against benefits is set out in NPPF paragraph 196 where 'justification' is required. In the circumstances the social, economic and cultural benefits of the entertainment provided by the temporary ice rink may be used to balance against the undoubted detriment. The proposal would be subject to conditions to ensure that the affected heritage assets are returned to their current condition and without any resulting physical damage immediately after the festivities. Therefore the proposal is considered to accords with the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990.

8.0 Planning Obligations

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

9.0 Conclusions

- 9.1 While the proposal will lead to a level of harm on the settings of both the designated and non-designated heritage assets this impact will be temporary. On balance, the social, economic and cultural benefits of the entertainment provided by the temporary ice rink and ancillary buildings within this public space are considered to outweigh the temporary impacts to the setting of the Queen Victoria monument and other surrounding designated heritage assets. With the addition of conditions to provide certainty that there will be no detrimental physical impacts it is considered that the requirements of policy DM30 of the DM DPD would be satisfied. Members are recommended that the application can be supported on a temporary one year basis.

Recommendation

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

1. Temporary consent for one year
2. Development in accordance with approved plans
3. Full details and sectional drawings of scaffolding around the Queen Victoria Memorial, including ground levelling platform, ramp and handrail, to be submitted and agreed prior to commencement.
4. Revised method statements and risk assessment to cover the construction and dismantling phases, and protection of the Queen Victoria Memorial and stone balustrade to be submitted and agreed prior to commencement.
5. Precise details of the method and materials proposed to protect the stone steps to the Queen Victoria Memorial be submitted and agreed prior to commencement.
6. Photographic survey of the site (including all elevations of the Queen Victoria Memorial) to be carried out prior to the installation of the scaffolding as a record of the condition of the area prior to commencement.

Background Papers

None

Agenda Item	Committee Date	Application Number
A7	20 August 2018	18/00639/FUL
Application Site		Proposal
Bay View Garden Centre Mill Lane Bolton Le Sands Carnforth		Demolition of various buildings, erection of glasshouse and open sided canopies, construction of car park and associated landscaping
Name of Applicant		Name of Agent
L And P Clarke		Mr Chris Primett
Decision Target Date		Reason For Delay
2 August 2018		Committee cycle
Case Officer	Mr Andrew Clement	
Departure	Yes	
Summary of Recommendation	Approval subject to agreement on tree details	

(i) Procedural Matters

The application would ordinarily be determined under delegated powers, but the scheme is a departure from the Development Plan (given its location within the North Lancashire Green Belt), and Officers are recommending support of the scheme. Therefore it has to be determined by Planning Committee.

1.0 The Site and its Surroundings

1.1 The application site relates to an established garden centre in Bolton-le-Sands, to the west of the railway (the west coast mainline) and to the north of Mill Lane. The site is immediately north of an existing dwellinghouse within the same ownership, and part of a built cluster of former mill buildings, now converted to predominantly residential dwellings and a small furniture warehouse. The site is within the North Lancashire Green Belt and the District's Countryside Area, and approximately 150 metres west of the site is the Lancashire Coastal Way public right of way route, beyond which is the Morecambe Bay Special Area of Conservation, Special Protection Area, RAMSAR, and Site of Special Scientific Interest (SSSI).

2.0 The Proposal

2.1 The application proposes the installation of walls to the existing open ended structure to partially enclose this space for garden centre sales and café seating area, with an extension to this retail space projecting 10.8 metres to the north of the existing structure and a further 9.6 metre projection to provide an open sided canopy for the display of plants under protection from the weather. Another open sided canopy area, measuring 7.6 metres by 22.3 metres, is also proposed to the east of the proposed extension, linking the two existing buildings and the proposed extensions. To facilitate the proposed extensions, the following is proposed:

- additional car parking and service yard area with associated landscaping;
- removal and demolition of a number of existing polytunnels and structures; and
- amalgamation of the covered space into the retained buildings.

3.0 Site History

3.1 The most relevant planning application and pre-application advice to the site is set out below:

Application Number	Proposal	Decision
95/00168/FUL	Erection of two poly tunnels	Permitted
00/00247/FUL	Erection of a greenhouse extension	Permitted
06/01576/FUL	Erection of a replacement shop and new cafe building and improvements to car park	Permitted
16/00127/PREONE	Erection of a Venlo greenhouse extension to current building	Advice provided

4.0 Consultation Responses

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

Consultee	Response
Parish Council	No observation received
Tree Protection Officer	Objection due to the lack of detailed tree related information submitted with the application proposing the removal of trees
County Highways	No objection , subject to the agreement of a construction method statement and additional signage and road markings to mitigate increased traffic movements and maintain highway safety
Environmental Health	No observation received
Network Rail	No objection . Comments regarding requirements for works within proximity to the operational railway
Cadent Gas	No objection . Comments regarding requirements for works within proximity to gas pipes

5.0 Neighbour Representations

5.1 No observations received to date, with the publication, advertisement and site notice consultation period due to expire on 10 August 2018. Any consultation responses received will be reported verbally to the Planning Committee meeting.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF) 2018

Paragraphs 8 and 11 – Sustainable Development
 Section 6 – Building a strong, competitive economy
 Section 9 – Promoting Sustainable Transport
 Section 12 – Achieving well-designed places
 Section 13 – Protecting Green Belt land
 Section 15 – Conserving and Enhancing the Natural Environment

6.2 Development Management DPD

DM7 – Economic Development in Rural Areas
 DM11 – Development in the Green Belt
 DM16 – Small Business Generation
 DM21 – Walking and Cycling
 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
 Appendix B – Car Parking Standards

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

SC5 – Achieving Quality in design

6.4 Lancaster District Local Plan Saved Policies (adopted April 2004)

E1 – Green Belts

E4 – Development within the Countryside

E5 – Coastlines

7.0 Comment and Analysis

7.1 The key material considerations arising from the proposal are:

- Principle of the Development;
- Promoting and Enhancing the District's Economy
- Scale, Design and Landscape Impact upon the Openness of the Green Belt;
- Impact upon trees and hedgerows;
- Highways and Parking; and
- Residential Amenity.

7.2 Principle of the Development

7.2.1 The site is an existing and established garden centre located to the west side of Bolton-le-Sands, within the North Lancashire Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The construction of new buildings should be regarded as inappropriate in the Green Belt, except for the extension or alteration of a building, provided that it does not result in disproportionate additions over and above the size of the original building, which is amongst other exception cases for development within the Green Belt. Substantial weight is given to any harm to the Green Belt, and any harm resulting from the proposal must be clearly outweighed by other considerations.

7.2.2 The proposal seeks for the extension and alterations to the existing garden centre buildings, expanding upon the existing garden centre and ancillary homeware and café elements of the business. These developments are to be facilitated by the removal of several existing small scale structures, in addition to an increased parking and service yard area to address an existing issue of insufficient parking provision and to provide adequate facilities for the proposed expansion.

7.2.3 Subject to the issues discussed later in this report, the principle of the development to refurbish and expand the existing garden centre business is acceptable under exceptional development within the Green Belt.

7.3 Promoting and Enhancing the District's Economy

7.3.1 A garden centre business has been established in this location for 30 years, and currently employs 46 people full-time. The application form anticipates that the proposed developments and expansion of the business will facilitate an additional 12 people being employed full-time by the business, totalling 58 following development. The last planning permission for development at this site was granted in 2007, and further development of these existing facilities to compete with the altered market over this period and into the future will hopefully allow the continuation of the garden centre operating from this site. This brings economically sustainable benefits, expanding the existing business and allowing this to continue to operate from this site within the District. Paragraph 83 of the NPPF encourages planning decisions that enable the sustainable growth and expansion of rural business through conversion of existing buildings and well-designed new buildings.

7.3.2 Given the duration that the business has operated from this site, the garden centre use is considered to be the optimal viable use of this site, and its retention should be encouraged and weigh in favour of the proposal. Garden centre uses tend to occupy out of centre locations due to the scale and external area required, and the retention of this use through the expansion of the existing garden centre would hopefully contribute to the continued operation at this site, rather than seeking new premises in an alternative rural location within or outside of the District. Expansion of existing facilities is often the most sustainable approach to economic development, and subject to a condition controlling the appropriate expansion of garden centre sales area and existing café use,

the proposal will contribute sustainable economic benefits that weigh in favour of this proposal. The application is considered to contribute positively to the criteria within policies DM7, DM16 and NPPF Sections 6.

7.4 Scale, Design and Landscape Impact upon the Openness of the Green Belt

- 7.4.1 The proposed developments are of a matching or slightly subservient height to the existing buildings, and through amended plans received to address concerns regarding aspects from the open west side of the site, the entrance and canopy structures to the western part of the extensions have been reduced to an eaves height of 2.7 metres above finished floor level and ridge of 3 metres tall. The proposal would result in an additional 746 sq.m of covered floorspace, further to the existing 1,265 sq.m existing floor area of the two main buildings and open ended canopy. This excludes the structures to be removed, which are predominantly lightweight and temporary structures such as polytunnels and cabins. However, given the matching and subservient heights at the floorspace proposed, these are considered to be proportionate additions to the original buildings, meeting this exception criteria. Although the structures to be removed as part of the proposal are relatively modest in height and scale, however cumulatively these total 550 sq.m in floorspace, and the eradication of these poorly designed structure spread across the site will benefit the openness of the Green Belt. The proposed replacement development more closely sited to the existing established building group, and the amalgamation of built form through removal of existing structures across the site weighs in favours in terms of impact upon the openness of the Green Belt.
- 7.4.2 This western elevation is to be finished in a timber frame and glazing, under a clear polycarbonate roof, similar to the taller profiled metal framed retail space and open sided canopies. The additional walls to the existing structure are to be finished in matching materials of green profiled metal and glazing. These materials are commonly used for garden centre buildings. The predominantly light green or transparent colours are considered to be appropriate to the proposed use and sympathetic to the Green Belt in which the site is located, consistent with policy DM35 and NPPF Section 12.
- 7.4.3 Although proportionate and finished in appropriate materials, given the increase built form and visibility within the Green Belt, this will have a greater impact on the openness of the Green Belt than the existing development. Substantial weight is given to any harm to the Green Belt, and this should be mitigated and balanced against the positives of the proposal, as detailed within the concluding paragraph 9.1 of this report.

7.5 Impact upon trees and hedgerows

- 7.5.1 There are a large number of existing trees and hedgerows within the site, as detailed in the submitted Arboriculturalist's Report. The Council's Tree Protection Officer has objected to the proposal due to the lack of tree related information, namely a detailed Arboricultural Implications Assessment (AIA). This AIA is required due to the proposed site plan indicating the removal of three trees and a 50 metre length of hedgerow, which must be satisfactorily mitigated through replacement planting, and must ensure all other trees within the site can be protected during the development and retained and maintained thereafter.
- 7.5.2 It should be noted that the presently submitted arboricultural information falls short of addressing this objection. However, a detailed AIA and proposed mitigative planting scheme is expected to be received shortly, which can be verbally reported along with an updated Tree Officer consultation response to the Planning Committee meeting. The mitigative planting scheme has been discussed with the agent, and an element of planting to the western elevation of the proposed entrance structure is anticipated to form part of the proposed planting scheme to provide visual mitigation to the development. Satisfactorily addressing this objection and proposing suitable mitigative planting will form an important factor in whether there are sufficient benefits to the proposal to clearly outweigh the potential harm to the Green Belt.

7.6 Highways and Parking

- 7.6.1 The site has an existing parking provision of 51 vehicle spaces and additional staff parking, which the submitted Design and Access Statement declares as insufficient for the existing use. The proposed parking is to include 78 parking spaces, including 11 parking spaces for staff and 4 accessible spaces, 3 motorcycle parking spaces and an increase in bicycle parking. Overall the car parking provision available to customers is to increase by 16 through the proposal. The proposal

adhere to the parking standards in Appendix B of the Development Management DPD (applying retail warehouse standards given the works are to sales areas), and therefore the proposed parking and service yard area is considered to offer sufficient provision to cause no severe impact upon the highway.

- 7.6.2 The site is accessed either over the single width bridge on Mill Lane across the railway lane, or through a narrowing of St Nicholas Lane under the railway line, both of which accommodate two direction traffic. The County Highway consultee returned no objection to the proposal, although improvements to signage and a construction management plan have been recommended through planning conditions. This is required to satisfactorily mitigate the increased vehicular movements the expanded garden centre may attract, as recognised in the Design and Access Statement and through proposed additional parking, combined with the limitations of the existing highway access. The construction management plan would be expected to detail suitable delivery arrangements and works compound areas that do not restrict the use of the existing parking provision if the garden centre is to remain open or partially open for business during construction. Subject to these conditions and agreement of satisfactory details, the proposal is considered to include sufficient parking provision and would result in no severe highway impact, compatible with policies DM21, DM22 and NPPF Section 9.

7.7 Residential Amenity

- 7.7.1 The application site is within a small building group of predominantly residential properties, immediately north of an existing dwellinghouse under the same ownership. The application proposes to use approximately 190 sq.m of existing residential curtilage area to this dwellinghouse for the expanded parking provision for the garden centre use by moving the existing retaining wall. Although this will reduce the level of amenity that this dwellinghouse currently experiences, the property will continue to be set within an ample curtilage with sufficient private amenity space, and therefore the proposal retains a satisfactory level of residential amenity for occupiers.
- 7.7.2 There are a number of dwellinghouses to the opposite south side of Mill Lane, whom may notice an increase in vehicular movements to and from the proposal, but this would not be to the detriment of residential amenity. A small area of landscaping is proposed to the south of the proposed parking provision, and proposed extensions are located over 80 metres from the nearest neighbouring resident. The proposal is considered to have an acceptable impact upon residential amenity.

8.0 Planning Obligations

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

9.0 Conclusions

- 9.1 The proposal seeks to expand upon an established garden centre use, facilitating the continuation of this business within its existing site, which represents an economically sustainable development. The proposal is considered to have an acceptable impact upon residential amenity and the public highway, subject to planning conditions, and has been designed and located in a manner to minimise the visual and landscape impact upon the openness of the Green Belt. Subject to these reports and documentation being received in sufficient time to be presented at Planning Committee and to the satisfaction of the Tree Officer to address the current objection, it is considered that the economic and sustainability benefits of the proposal outweigh the substantial weight given to the impact on the openness of the Green Belt, especially given the enhancements proposed by virtue of the removal of the existing scattered structures. Therefore if the tree objection is addressed prior to determination, the application can be supported.

Recommendation

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

1. Standard 3 year timescale
2. Development to be carried out in accordance with the amended plans
3. Construction management plan (to detail suitable delivery arrangements, works compound areas and customer, staff and contractors parking provision during construction)
4. Implementation of approved Arboricultural Implications Assessment (details to be agreed prior to

- determination)
- 5. Remove polytunnels and structure indicated on site plan prior to erection of any of the extensions hereby permitted
 - 6. Off-site highways improvement works to signage and road marking prior to first use or occupation
 - 7. Parking provision and service yard provided in full prior to first use or occupation and retained for this purpose
 - 8. Implementation of approved landscaping scheme (details to be agreed prior to determination) and maintained and retained at all times thereafter
 - 9. Sales area and café seating area as per floorplan. Café use incidental to main use and only open to public when garden centre is trading. Restriction for the sales of plants and garden related items only.

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

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

Background Papers

None

Agenda Item	Committee Date	Application Number
A8	20 August 2018	18/00882/PLDC
Application Site		Proposal
46 Shrewsbury Drive Lancaster Lancashire LA1 4BA		Proposed Lawful Development Certificate for the erection of a single storey rear extension and side dormer
Name of Applicant		Name of Agent
Mr Stephen Metcalfe		J Cronshaw
Decision Target Date		Reason For Delay
30 August 2018		None
Case Officer		Mr Andrew Clement
Departure		No
Summary of Recommendation		Planning Consent is not required and a Lawful Development Certificate for a Proposed Use or Development should be issued

(i) Procedural Matters

The application is one which would normally be dealt with under delegated powers but is required to be placed before the Planning and Highways Regulatory Committee as the applicant is an employee of the City Council.

1.0 The Site and its Surroundings

1.1 The application property is a semi-detached mid-20th century dwellinghouse constructed with external facings of brick to the ground floor and dashing to the first floor under a hipped tiled roof. It forms part of a larger development of similarly designed and finished residential properties in the Bowerham suburb of Lancaster.

There are no statutory development restrictions affecting the property. Specifically, it is not situated within Article 2(3) Land; (in Lancaster this means a Conservation Area or Area of Outstanding Natural Beauty) and is not subject to an Article 4 Direction or the removal by condition of householder permitted development rights.

2.0 The Proposal

2.1 This is not a planning application but an application for a Lawful Development Certificate for a Proposed Use or Development (PLDC). PLDC applications seek to establish whether a building, use or activity is 'permitted development' under the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). If it is considered to be 'permitted development' (and thus, does not require express planning permission), then a Certificate is granted to confirm this. It is purely a determination as to whether the proposal complies with the provisions of the aforementioned Order.

2.2 In this particular case the applicant has submitted a PLDC to ascertain whether the erection of a single storey rear extension, rear patio, side dormer and rooflight requires the benefit of planning

permission or whether it is 'Permitted Development' by virtue of the provisions of Schedule 2, Part 1, Classes A, B and C of the aforementioned Order. Class A refers to the enlargement, improvement or alteration of a house, Class B to additions to the roof of a dwellinghouse, and Class C to other alterations to the roof of a dwellinghouse.

- 2.3 The proposed works would involve the erection of a single story rear extension facilitating the enlargement of the existing kitchen and sitting rooms. The extension will project 3 metres from the existing rear elevation at 6.15 metres wide, and will stand up to 3.8 metres above ground level, with a 3 metre tall eaves height. It will be finished in materials matching the original dwelling house, namely facing brick walls under a Redland concrete tile lean-to roof. The sitting room will open out externally onto a patio area 0.22 metres above the ground level. To the side elevation, an existing opening to the side elevation is to be closed with the construction of a cavity wall finished in matching facing brick.
- 2.4 To facilitate an additional bedroom within the roof space of the dwellinghouse, a side dormer roof extension is proposed, at a width of 3.4 metres and projecting up to 2.6 metres from the existing roof plane. The dormer will be finished in matching roof tiles to the hipped roof and vertically hung on the walls, with side facing windows to be fixed and obscure glazed. Natural light and outlook from the bedroom is to be provided by one existing rooflight plus one additional new rooflight to the rear facing roof pitch.

3.0 Site History

- 3.1 The application site was granted a Lawful Development Certificate under the below application at the 11 December 2017 Planning Committee.

Application Number	Proposal	Decision
17/01315/PLDC	Proposed Lawful Development Certificate for the erection of a single storey rear extension	Lawful Development Certificate Issued

4.0 Consultation Responses

- 4.1 As the application is purely a legal determination based on a factual assessment of the proposal against 'permitted development' rights, no consultations are involved.

5.0 Neighbour Representations

- 5.1 For the reasons given in 4.1 above, no neighbour consultations were undertaken at the time of writing this report.

6.0 Principal National and Development Plan Policies

- 6.1 None (not applicable)

7.0 Comment and Analysis

- 7.1 There are no matters for Members to consider other than to determine whether or not the proposal is 'permitted development'. The wording of the relevant legislation is provided within the background papers.
- 7.2 For the purpose of determining this proposal it should be considered against the provisions of Class A of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 which allows for the enlargement, improvement or other alteration of a dwellinghouse. The rear extension and patio have been assessed against the aforementioned Order and have been found to wholly comply with all the criteria of Class A of Part 1 to Schedule 2 of the Order. The development is single storey and does not exceed 4 metres in height or that of the original dwellinghouse, the eaves do not exceed 3 metres in height or that of the original dwellinghouse, it is sited to the rear elevation projecting no more than 3 metres from the rear wall of the original dwellinghouse, to be finished in similar appearance exterior materials, and the patio has a height no greater than 0.3 metres.

7.3 For the purpose of determining this proposal it should be considered against the provisions of Class B of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 which allows for additions to the roof of a dwellinghouse. The side dormer has been assessed against the aforementioned Order and has been found to wholly comply with all the criteria of Class B of Part 1 to Schedule 2 of the Order. The development does not exceed the highest part of the existing roof, sited to the side elevation roof pitch, resulting in no more than 50 cubic metres of additional roof space, sited more than 0.2 metres from the eaves of the original roof within the outer face of any external wall of the original dwellinghouse, to be finished in exterior materials of a similar appearance with the side facing windows being obscure glazed and non-openable.

7.4 For the purpose of determining this proposal it should be considered against the provisions of Class C of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 which allows for other alterations to the roof of a dwellinghouse. The rear rooflight has been assessed against the aforementioned Order and has been found to wholly comply with all the criteria of Class C of Part 1 to Schedule 2 of the Order. The development does not exceed the highest part of the original, does not protrude more than 0.15 metres from the plane of the slope of the original roof, and is sited to the rear facing roof pitch.

8.0 Planning Obligations

8.1 None (not applicable)

9.0 Conclusions

9.1 It is considered that the development as proposed meets the requirements of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) and that Planning Consent **IS NOT REQUIRED** for the proposed works.

Recommendation

That a Certificate of Lawfulness of Proposed Use or Development be granted.

Background Papers

1. Class A, B and C of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended)

SCHEDULE 2 Permitted development rights

PART 1 - Development within the curtilage of a dwellinghouse

Class A – enlargement, improvement or other alteration of a dwellinghouse

Permitted Development

A. The enlargement, improvement or other alteration of a dwellinghouse.

Development not permitted

A.1 Development is not permitted by Class A if—

- (a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use);
- (b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);
- (c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;
- (d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;
- (e) the enlarged part of the dwellinghouse would extend beyond a wall which—
 - (i) forms the principal elevation of the original dwellinghouse; or
 - (ii) fronts a highway and forms a side elevation of the original dwellinghouse;
- (f) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or
 - (ii) exceed 4 metres in height;
- (g) until 30th May 2019, for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or
 - (ii) exceed 4 metres in height;
- (h) the enlarged part of the dwellinghouse would have more than a single storey and—
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or
 - (ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;
- (i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;
- (j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—
 - (i) exceed 4 metres in height,
 - (ii) have more than a single storey, or
 - (iii) have a width greater than half the width of the original dwellinghouse; or

(ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);

(k) it would consist of or include—

(i) the construction or provision of a verandah, balcony or raised platform;

(ii) the installation, alteration or replacement of a microwave antenna;

(iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or

(iv) an alteration to any part of the roof of the dwellinghouse.

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if—

(a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;

(b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or

(c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.

(d) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (b) and (c).

Conditions

A.3 Development is permitted by Class A subject to the following conditions—

(a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

(b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be—

(i) obscure-glazed, and

(ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and

(c) where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

A.4— (1) The following conditions apply to development permitted by Class A which exceeds the limits in paragraph A.1(f) but is allowed by paragraph A.1(g).

(2) Before beginning the development the developer must provide the following information to the local planning authority—

(a) a written description of the proposed development including—

(i) how far the enlarged part of the dwellinghouse extends beyond the rear wall of the original dwellinghouse;

(ii) the maximum height of the enlarged part of the dwellinghouse; and

(iii) the height of the eaves of the enlarged part of the dwellinghouse;

(iv) where the enlarged part will be joined to an existing enlargement of the dwellinghouse, the information in sub-paragraphs (i) to (iii) must be provided in respect of the total enlargement (being the enlarged part together with the existing enlargement to which it will be joined);

- (b) a plan indicating the site and showing the proposed development and any existing enlargement of the original dwellinghouse to which the enlarged part will be joined;
- (c) the addresses of any adjoining premises;
- (d) the developer's contact address; and
- (e) the developer's email address if the developer is content to receive communications electronically.

(3) The local planning authority may refuse an application where, in the opinion of the authority—

- (a) the proposed development does not comply with, or
- (b) the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with, the conditions, limitations or restrictions applicable to development permitted by Class A which exceeds the limits in paragraph A.1(f) but is allowed by paragraph A.1(g).

(4) Sub-paragraphs (5) to (7) and (9) do not apply where a local planning authority refuses an application under sub-paragraph (3) and for the purposes of section 78 (appeals) of the Act such a refusal is to be treated as a refusal of an application for approval.

(5) The local planning authority must notify each adjoining owner or occupier about the proposed development by serving on them a notice which—

- (a) describes the proposed development, including—
 - (i) how far the enlarged part of the dwellinghouse extends beyond the rear wall of the original dwellinghouse;
 - (ii) the maximum height of the enlarged part of the dwellinghouse; and
 - (iii) the height of the eaves of the enlarged part of the dwellinghouse;
- (a) describes the development by setting out the information provided to the authority by the developer under paragraph A.4(2)(a);
- (b) provides the address of the proposed development;
- (c) specifies the date when the information referred to in sub-paragraph (2) was received by the local planning authority and the date when the period referred to in sub-paragraph (10)(c) would expire; and
- (d) specifies the date (being not less than 21 days from the date of the notice) by which representations are to be received by the local planning authority.

(6) The local planning authority must send a copy of the notice referred to in sub-paragraph (5) to the developer.

(7) Where any owner or occupier of any adjoining premises objects to the proposed development, the prior approval of the local planning authority is required as to the impact of the proposed development on the amenity of any adjoining premises.

(8) The local planning authority may require the developer to submit such further information regarding the proposed development as the authority may reasonably require in order to determine the application.

(9) The local planning authority must, when considering the impact referred to in sub-paragraph (7)—

- (a) take into account any representations made as a result of the notice given under subparagraph (5); and
- (b) consider the amenity of all adjoining premises, not just adjoining premises which are the subject of representations.

(10) The development must not begin before the occurrence of one of the following—

- (a) the receipt by the developer from the local planning authority of a written notice that their prior approval is not required;
 - (b) the receipt by the developer from the local planning authority of a written notice giving their prior approval; or
 - (c) the expiry of 42 days following the date on which the information referred to in subparagraph (2) was received by the local planning authority without the local planning authority notifying the developer as to whether prior approval is given or refused.
- (11) The development must be carried out—
- (a) where prior approval is required, in accordance with the details approved by the local planning authority;
 - (b) where prior approval is not required, or where sub-paragraph (10)(c) applies, in accordance with the information provided under subparagraph (2), unless the local planning authority and the developer agree otherwise in writing.
- (12) The local planning authority may grant prior approval unconditionally or subject to conditions reasonably related to the impact of the proposed development on the amenity of any adjoining premises.
- (13) The development must be completed on or before 30th May 2019.
- (14) The developer must notify the local planning authority of the completion of the development as soon as reasonably practicable after completion.
- (15) The notification referred to in subparagraph (14) must be in writing and must include—
- (a) the name of the developer;
 - (b) the address or location of the development, and
 - (c) the date of completion.
- (16) When computing the number of days in subparagraph (5)(d), any day which is a public holiday must be disregarded.

Class B – additions etc to the roof of a dwellinghouse

Permitted development

B. The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

Development not permitted

B.1 Development is not permitted by Class B if—

- (a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use);
- (b) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;
- (c) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;
- (d) the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than—
 - (i) 40 cubic metres in the case of a terrace house, or
 - (ii) 50 cubic metres in any other case;
- (e) it would consist of or include—

- (i) the construction or provision of a verandah, balcony or raised platform, or
- (ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or
- (f) the dwellinghouse is on article 2(3) land.

Conditions

B.2 Development is permitted by Class B subject to the following conditions—

- (a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
- (b) the enlargement must be constructed so that—
 - (i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension—
 - (aa) the eaves of the original roof are maintained or reinstated; and
 - (bb) the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; and
 - (ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse; and
- (c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be—
 - (i) obscure-glazed, and
 - (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Interpretation of Class B

B.3 For the purposes of Class B, “resulting roof space” means the roof space as enlarged, taking into account any enlargement to the original roof space, whether permitted by this Class or not.

B.4 For the purposes of paragraph B.2(b)(ii), roof tiles, guttering, fascias, barge boards and other minor roof details overhanging the external wall of the original dwellinghouse are not to be considered part of the enlargement.

Class C – other alterations to the roof of a dwellinghouse

Permitted development

C. Any other alteration to the roof of a dwellinghouse.

Development not permitted

C.1 Development is not permitted by Class C if—

- (a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use);
- (b) the alteration would protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;
- (c) it would result in the highest part of the alteration being higher than the highest part of the original roof; or
- (d) it would consist of or include—

- (i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
- (ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.

Conditions

- C.2** Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse must be—
- (a) obscure-glazed; and
 - (b) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Planning & Highways Regulatory Committee - Quarterly Reports

(a) Planning Application Determination Timescales

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

(b) Number of Planning Applications and Related Cases

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

(c) New Tree Preservation Orders Made

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

(d) Number of Applications for Works to Trees

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

(e) Planning Appeal Decisions

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

(f) Planning Enforcement Casework

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

(g) Planning Enforcement Casework – Performance Standards

The table lists the performance against planning enforcement standards stated in the Planning Enforcement Charter.

(a) Planning Application Determination Timescales

Period	Major Applications Determined In Time *	Major Applications Determined In Under 13 Weeks	Minor Applications Determined In Time *	Minor Applications Determined In Under 8 Weeks	Other Applications Determined In Time *	Other Applications Determined Under 8 weeks
Jan - Mar 2017	90%	67%	99%	64%	99%	70%
Apr - Jun 2017	100%	94%	100%	63%	99%	83%
Jul - Sep 2017	100%	90%	98%	91%	100%	90%
Oct – Dec 2017	100%	50%	100%	68%	100%	90%
Jan - Mar 2018	100%	70%	100%	78%	97%	88%
Apr - Jun 2018	100%	30%	98%	72%	98%	87%
Jul - Sep 2018						
Oct – Dec 2018						

Year	Major Applications Determined In Time *	Major Applications Determined In Under 13 Weeks	Minor Applications Determined In Time *	Minor Applications Determined In Under 8 Weeks	Other Applications Determined In Time *	Other Applications Determined Under 8 weeks
2014 Average	88%	75%	59%	58%	69%	68%
2015 Average	95%	64%	46%	43%	64%	63%
2016 Average	100%	65%	86%	62%	93%	83%
2017 Average	97.5%	75%	99%	71.5%	99.5%	83%
2018 Average	100% to date	50% to date	99% to date	75% to date	98.75% to date	87.5% to date

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

Annual Average to Date Only

(b) Number of Planning Applications and Related Cases

	Jan-Mar 2017	Apr-Jun 2017	Jul-Sep 2017	Oct-Dec 2017	2017 TOTAL	Jan-Mar 2018	Apr-Jun 2018	Jul-Sep 2018	Oct-Dec 2018	2018 TOTAL
Major Applications	25	12	23	16	76	9	18			
Minor Applications	70	78	88	53	289	83	82			
Other Applications	183	207	188	173	751	188	199			
Discharge of Planning Condition Applications	50	56	40	55	201	55	45			
Non-Material Amendment Applications	12	11	14	10	47	9	12			
Variation of Legal Agreement/Condition Applications	3	3	4	0	10	2	1			
Prior Approval (Commercial/ Householder PA, Flexible Use etc) or Ecclesiastical Applications	14	11	9	13	47	10	13			
TOTAL NUMBER OF DECISION-MAKING APPLICATIONS	357	378	366	320	1421	356	370			
Pre-Application, Consultations and EIA Screening/Scoping Opinions										
Environmental Screening and/or Scoping Opinions	8	2	8	6	24	7	3			
Infrastructure Planning Commission Consultations	0	0	0	0	0	0	0			
Pre/Post-Application Advice Submissions or Charged Meetings (inc. Specialist Heritage Advice)	31	40	50	54	175	45	53			

(c) New Tree Preservation Orders Made

Tree Preservation Order Number	Date Made	Location	Extent of Protection
650(2018)	05.18	Land adj. Scotland Road, Carnforth	T1-T8; G1
651 (2018)	05.18	St. John's Hospice, Slyne	T1-T31
652 (2018)	05.18	Undercroft, Main Street, Arkholme	T1
653 (2018)	05.18	Hazlemount Drive, Warton	T1 & G1
654 (2018)	31.05.18	Land off Wyresdale Road, Lancaster	W1 & W2
655 (2018)	04.06.18	Land off Imperial Road, Heysham	W1 & W2

* T = Individual Tree; G = Group of Trees; W = Woodland of Trees; A = Area of Trees.

(d) Number of Applications for Works to Trees

	Applications for Works to Trees Protected by Tree Preservation Orders	Applications for Works to Trees Protected by Conservation Area Status
January-March 2017	18	19
April-June 2017	21	25
July-September 2017	18	27
October-December 2017	16	19
TOTAL APPLICATIONS 2017	73	90
January-March 2018	28	30
April-June 2018	17	19
July-September 2018		
October-December 2018		
TOTAL APPLICATIONS 2018	45 to date	49 to date

(e) Planning Appeal Decisions

Application Number	Application Site	Proposal	Appeal Decision
16/00377/UNAUTD	9 Leach House Lane, Galgate	Appeal against enforcement notice – rear extension	Appeal dismissed
17/01531/FUL	42 Woodhill Lane, Morecambe	Erection of a single storey detached outbuilding to provide ancillary living accommodation	Appeal dismissed
17/00664/FUL	Patty's Barn, Cockerham	Erection of a single storey side extension	Appeal dismissed
17/00974/FUL	Poole House, Arkholme	Erection of a detached dwelling with associated hardstanding, landscaping and access	Appeal dismissed
17/00712/FUL	Sainsbury's, Morecambe	Erection of a side extension to existing foodstore for use as an online grocery distribution hub (B8) and installation of 2.4 metre high timber fencing with associated landscaping and parking, alterations to existing highway and creation of a new access point	Appeal dismissed
16/01551/FUL	Land at Bowerham Lane, Lancaster	Erection of 25 dwellings and creation of a new access and access roads	Appeal allowed
17/00340/VCN	Land at rear of Cemetery, Back lane, Carnforth	Outline application for 16 affordable residential units with associated access, drainage and landscaping arrangements (pursuant to the variation of condition 5 on the approved application 11/00668/OUT in relation to flood mitigation measures)	Appeal against variation of condition dismissed
17/00523/PLDC	282 Oxcliffe Road, Heaton with Oxcliffe	Proposed lawful development certificate for the siting of 12 caravans without occupancy of the caravans being limited to gypsies	Appeal dismissed

(f) Planning Enforcement Casework – Volume and Breakdown of Cases

Period	Number of Current Live (Allocated) Enforcement Cases (at the time of compiling this table)								New Cases Received Within the Quarter	Closed Cases Within the Quarter
	Breach of Condition	Conflicts with Approved Plans	(Separate) Conservation Area Development	Unauthorised Adverts	Unauthorised Development	Unauthorised Use	Untidy Land (& Tipping)	Works Affecting a Listed Building		
Jan - Mar 2017	32	19	2	31	92	62	24	43	113	75
Apr - Jun 2017	38	14	3	28	85	73	25	30	107	88
Jul - Sep 2017	43	23	3	40	93	85	26	27	116	90
Oct - Dec 2017	37	23	4	36	88	80	22	28	70	87
Jan - Mar 2018	35	22	4	30	92	86	24	18	95	76
Apr - Jun 2018	48	25	4	28	107	99	27	24	96	77
Jul - Sep 2018										
Oct - Dec 2018										

(g) Planning Enforcement Casework – Performance Standards

Period	Breaches Remedied Within 60 Working Days	% of Cases closed within the Quarter, where the Initial Investigations were concluded within Enforcement Charter Standards	% of Cases where Notice Compliance Site Visits Occurred Within 5 Working Days	Number of New Notices Issued by Enforcement Officers
Jan – Mar 2017	36%	80%	50%	3
April-June 2017	30%	64%	100%	9
Jul – Sep 2017	40%	56%	75%	6
Oct – Dec 2017	43%	53%	50%	0
2017 AVERAGE/ TOTALS	37% AVERAGE	63% AVERAGE	69% AVERAGE	18 TOTAL
Jan - Mar 2018	49%	55%	0%	2
Apr - Jun 2018	61%	44%	0%	2
Jul - Sep 2018				
Oct - Dec 2018				
2018 AVERAGE/ TOTALS	55% to date	49.5% to date	0% to date	4 to date in total

LIST OF DELEGATED PLANNING DECISIONS

LANCASTER CITY COUNCIL

APPLICATION NO	DETAILS	DECISION
18/00076/DIS	Lune Valley Lawnmowers, Sylvester Street, Lancaster Discharge of conditions 3, 4, 5, 6, 7, 8 and 9 on approved application 16/01150/FUL for Mr K Jayousi (Castle Ward 2015 Ward)	Split Decision
18/00078/DIS	Old Smithy House, Bentham Road, Wennington Discharge of condition 3 on approved application 17/00876/FUL for Mr R Gargini (Upper Lune Valley Ward 2015 Ward)	Application Permitted
18/00079/DIS	Orchard House, Uggle Lane, Lancaster Discharge of conditions 3 and 4 on approved application 17/01120/FUL for Mr Paul West (Scotforth West Ward 2015 Ward)	Application Permitted
18/00080/DIS	Site Of Former Fire Station, Cable Street, Lancaster Discharge of conditions 15 and 17 on approved application 15/01510/FUL for Mr Ian Riding (Bulk Ward 2015 Ward)	Split Decision
18/00081/DIS	Toll House Inn, 120 Penny Street, Lancaster Discharge of conditions 3 and 4 on approved application 17/00694/LB for Mr Stewart Watson (Castle Ward 2015 Ward)	Application Permitted
18/00082/DIS	Arna Wood Farm East, Arna Wood Lane, Aldcliffe Discharge of condition 6 on approved application 16/01617/VCN for Mr Lee Moscovitch (Scotforth West Ward 2015 Ward)	Application Permitted
18/00088/DIS	23-25 North Road, Lancaster, Lancashire Discharge of conditions 3, 6, 7, 8 and 9 and part discharge of conditions 4 and 5 on approved application 16/00274/FUL for Mr John Clarke (Bulk Ward 2015 Ward)	Split Decision
18/00089/DIS	23-25 North Road, Lancaster, Lancashire Part discharge of conditions 3 and 4 on approved application 16/00275/LB for Mr John Clarke (Bulk Ward 2015 Ward)	Split Decision
18/00102/DIS	Land For Proposed Bailrigg Business Park, Bailrigg Lane, Lancaster Discharge of condition 15 on approved application 16/00117/VCN for Mr Jason Homan (University And Scotforth Rural Ward)	Application Permitted
18/00103/DIS	Land East Of Railway Line, St Michaels Lane, Bolton Le Sands Discharge of conditions 4, 6 and 7 on approved application 15/01167/FUL for Oakmere Homes (Bolton And Slyne Ward 2015 Ward)	Application Permitted
18/00105/DIS	Lancaster University, Bigforth Drive, Bailrigg Discharge of part of condition 8 on approved application 16/00476/FUL for Lancaster University (University And Scotforth Rural Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

18/00224/PLDC	52 Manor Road, Slyne, Lancaster Proposed lawful development for construction of hip to gable extension, dormer extension to the rear elevation, two rooflights and erection of a single storey rear extension for Mr & Mrs G. Davies (Bolton And Slyne Ward 2015 Ward)	Lawful Development Certificate Granted
18/00285/FUL	St Johns Hospice, Slyne Road, Lancaster Alterations and extension to existing car park including the provision of motor cycle parking, electric car charging points, modifications to existing lighting and services and erection of a cycle shelter for Mrs Shirley Morsch (Bolton And Slyne Ward 2015 Ward)	Application Permitted
18/00295/FUL	Hawes Villa, Moss Lane, Silverdale Retrospective application for two yurts with covered porch and decking, decking area with hot tub, paved footway and outdoor seating areas, conversion of former agricultural building into kitchen and bathroom facilities building and creation of car parking area for Fiona Lawton (Silverdale Ward 2015 Ward)	Application Refused
18/00324/LB	St Michaels Manse, Parkgate Drive, Lancaster Listed building application for the retention of a wood burning stove and fire place and installation of a flue to the front elevation for Mrs Cheryl Mulqueeney (John O'Gaunt Ward 2015 Ward)	Application Permitted
18/00336/OUT	Bank House Fly Fishery Car Park, Lancaster Road, Caton Outline application for the erection of 1 dwelling for Mr & Mrs Dobson (Lower Lune Valley Ward 2015 Ward)	Application Withdrawn
18/00337/FUL	Lunecliffe Barn, Lunecliffe Road, Lancaster Change of use and conversion of equine storage building to a detached dwelling, including single storey side extension, raising of roof and the creation of new openings and change of use of agricultural land to form domestic garden and the creation of a footpath link to Ashton Road for Mrs Sarah Watson (Scotforth West Ward 2015 Ward)	Application Permitted
18/00351/OUT	Land North Of 1 Mellings Hall, Mellings Road, Mellings Outline application for the erection of a detached dwelling and creation of an access for Mr And Mr G Vass (Upper Lune Valley Ward 2015 Ward)	Application Refused
18/00391/FUL	Low Hall Barn And Shippon, Main Street, Whittington Change of use of barn and shippon to form 1 2-storey dwelling and 1 single storey dwelling (C3) and erection of a single storey rear extension for Mrs L Collinson (Upper Lune Valley Ward 2015 Ward)	Application Withdrawn
18/00392/LB	Low Hall Barn And Shippon, Main Street, Whittington Listed building application for works to facilitate the change of use and conversion of barn and shippon into 2 dwellings, erection of a single storey rear extension, construction of a roof and installation of roof lights, installation of windows and doors in existing openings and installation of new internal partition walls for Mrs L Collinson (Upper Lune Valley Ward 2015 Ward)	Application Withdrawn

LIST OF DELEGATED PLANNING DECISIONS

18/00408/FUL	5 Tithebarn Hill, Glasson Dock, Lancaster Demolition of detached garage and construction of detached 2 storey dwelling and associated parking and garden for Mr Bernard W. Black (Ellel Ward 2015 Ward)	Application Refused
18/00410/FUL	3 Rose Grove, Galgate, Lancaster Erection of a part two storey and part single storey rear extension for Mr & Mrs W. MacLachlan (Ellel Ward 2015 Ward)	Application Permitted
18/00470/FUL	19 St Peters Road, Lancaster, Lancashire Erection of a part two storey part single storey rear extension, and construction of a rear balcony for Mr G Hammond (Bulk Ward 2015 Ward)	Application Permitted
18/00530/FUL	Unit 1 And Unit 2, Irving House, Northgate Change of use of 2 units comprising the sales of motorcycles with workshop and store and sales of motor vehicles to 1 mixed use unit comprising motorcycle sales, workshop, sales of motorcycle parts and memorabilia, training facility and café (sui generis) for Mr Philip Rogerson (Westgate Ward 2015 Ward)	Application Permitted
18/00534/FUL	Dolphinholme Church Of England School, Abbeystead Lane, Dolphinholme Erection of single storey timber clad modular building and creation of new access for The Diocese of Blackburn (Ellel Ward 2015 Ward)	Application Permitted
18/00539/CU	Throstle Nest Farm, Main Road, Thurnham Change of use of a barn into two dwellings (C3) and construction of two detached garages with associated access and landscaping for Mr McShannon (Ellel Ward 2015 Ward)	Application Permitted
18/00555/FUL	New Brows Farm, Carr Lane, Middleton Demolition of existing agricultural building and erection of a cattle storage building and yard cover for Mr Liam Baxter (Overton Ward 2015 Ward)	Application Permitted
18/00565/CU	Old Builders Yard, Chapel Lane, Galgate Retrospective application for the change of use of land to car park for Mr John Barnes (Ellel Ward 2015 Ward)	Application Refused
18/00568/VCN	The Old Vicarage, Abbeystead Lane, Abbeystead Erection of a single storey side and rear extension, installation of decking to side and conversion of detached garage at first floor level to form habitable accommodation including installation of external staircase (pursuant to the variation of condition 2 on planning permission 16/01605/CU to vary the approved plans) for Mr Ben Samuelson (Ellel Ward 2015 Ward)	Application Permitted
18/00571/ADV	Royal Kings Arms Hotel, 75 Market Street, Lancaster Advertisement application for the display of 5 non-illuminated fascia signs, 2 non-illuminated hanging signs and 1 externally illuminated poster sign for Mr Tony Flanagan (Castle Ward 2015 Ward)	Application Permitted
18/00575/OUT	Builders Yard Forgewood House, Wennington Road, Wennington Outline application for the erection of 8 residential dwellings for Mr T Metcalfe (Upper Lune Valley Ward 2015 Ward)	Application Refused

LIST OF DELEGATED PLANNING DECISIONS

18/00587/FUL	14 Hyndburn Close, Morecambe, Lancashire Change of use of land to domestic garden area and erection of a new boundary fence for Mr Paul Hartley (Skerton West Ward 2015 Ward)	Application Permitted
18/00589/FUL	Wrayton Hall Stables, Back Lane, Wrayton Partially retrospective application for the installation of a replacement roof, a clock tower and roof lights and construction of a porch canopy to existing stable building for Mr A North (Upper Lune Valley Ward 2015 Ward)	Application Permitted
18/00603/FUL	Church Of Our Lady Immaculate, Station Road, Caton Erection of a single storey front and side extension and regrading of land for Church Of Our Lady Immaculate (Lower Lune Valley Ward 2015 Ward)	Application Permitted
18/00605/FUL	1 Pottery Gardens, Lancaster, Lancashire Conversion of existing garage into ancillary living accommodation and removal of garage doors and installation of 2 replacement windows to the existing front elevation for Mr & Mrs Wood (John O'Gaunt Ward 2015 Ward)	Application Withdrawn
18/00622/CU	33 Silverdale Road, Yealand Redmayne, Carnforth Change of use of land to domestic garden area, works to ground levels to create two terraces with retaining walls and fencing for Ms Jan Walker (Silverdale Ward 2015 Ward)	Application Permitted
18/00623/FUL	23 Palatine Avenue, Lancaster, Lancashire Erection of a single storey side extension and creation of a basement store and new access for Mr Lee Dodgson (Scotforth East Ward 2015 Ward)	Application Permitted
18/00626/FUL	Pine Trees, Lancaster Road, Cockerham Conversion of outbuilding to create ancillary accommodation in association with Pine Trees for Mr And Mrs Boardman (Ellel Ward 2015 Ward)	Application Permitted
18/00627/FUL	8 Well Lane, Warton, Carnforth Erection of a porch to front elevation for Mr & Mrs R. Newton (Warton Ward 2015 Ward)	Application Permitted
18/00629/FUL	5 Woodman Lane, Burrow, Carnforth Demolition of existing single storey side extension, erection of a two storey side extension with canopy, single storey rear extension, front porch and construction of canopy for Mr Carr (Upper Lune Valley Ward 2015 Ward)	Application Permitted
18/00634/PLDC	6 Whinfell Drive, Lancaster, Lancashire Proposed Lawful Development Certificate for the erection of a single storey rear extension and extension to existing rear dormer for Mr Ben Horobin (Scotforth East Ward 2015 Ward)	Lawful Development Certificate Granted
18/00635/FUL	56 - 58 King Street, Lancaster, Lancashire Change of use of retail unit (A1) to a mixed use scheme comprising a retail unit (A1) and 2 student studios (C3) with construction of boundary wall and railings for Mr James Thoms (Castle Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

18/00638/FUL	31 And 31A Moor Gate, Lancaster, Lancashire Change of use of ground floor shop (A1) to mixed use unit comprised of a pottery studio/workshop(B1) and shop (A1), erection of a single storey rear extension, replacement shopfront and windows for Mr & Mrs Andrew and Denise Whittle (Bulk Ward 2015 Ward)	Application Permitted
18/00642/LB	Royal Bank Of Scotland, 2 New Street, Lancaster Listed building application for the removal of external and internal signs, removal of the ATM machine and night safe, the installation of infill panels on the New Street elevation and the removal of the cashiers desk for Mr Charles Barnett (Castle Ward 2015 Ward)	Application Permitted
18/00649/FUL	2 Dennis Grove, Morecambe, Lancashire Erection of a two storey side extension for Mr & Mrs C. oldham (Harbour Ward 2015 Ward)	Application Permitted
18/00652/FUL	11 Borwick Close, Warton, Carnforth Construction of a dormer extension to the side elevation for Mr & Mrs D. Liley (Warton Ward 2015 Ward)	Application Permitted
18/00653/CU	5 Mary Street, Lancaster, Lancashire Change of use of shop (A1) to restaurant and bar (A3/A4) for Sutton (Castle Ward 2015 Ward)	Application Permitted
18/00655/FUL	Land Off, Penrod Way, Heysham Erection of a 2-storey office building (B1a) with associated parking, access and landscaping for DST Group Ltd (Heysham South Ward 2015 Ward)	Application Permitted
18/00658/FUL	Brookdale, Littlefell Lane, Lancaster Erection of a single storey rear extension for Mr & Mrs Croasdale (University And Scotforth Rural Ward)	Application Permitted
18/00665/FUL	10 Heysham Hall Grove, Heysham, Morecambe Erection of single storey side and rear extension for Mr Mark Kitchen (Heysham South Ward 2015 Ward)	Application Permitted
18/00673/FUL	Farr Bank, Uggle Lane, Lancaster Demolition of existing bungalow and erection of a 2-storey dwelling (C3) for Mr & Mrs Makinson (Scotforth West Ward 2015 Ward)	Application Permitted
18/00674/FUL	Coppers, Farleton Old Road, Farleton Demolition of existing detached garage and erection of a single storey side extension for Mr Michael Adamson (Upper Lune Valley Ward 2015 Ward)	Application Permitted
18/00675/PLDC	53 Rutland Avenue, Lancaster, Lancashire Proposed Lawful Development Certificate for the erection of a single storey rear extension and construction of a raised decking area for Mr & Mrs Archer (Scotforth East Ward 2015 Ward)	Lawful Development Certificate Granted
18/00683/ADV	Land South Of, Low Road, Halton Advertisement application for the display of 2 non-illuminated double pole mounted signs and 3 flagpoles for Wrenman Homes (Halton-with-Aughton Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

18/00685/FUL	3 Gold Lane, Lancaster, Lancashire Erection of a rear conservatory for Mr & Mrs Quatela (Marsh Ward 2015 Ward)	Application Permitted
18/00695/FUL	The Thorns, Coastal Road, Hest Bank Erection of two single storey extensions to the side elevation for Morpress Properties (Bolton And Slyne Ward 2015 Ward)	Application Permitted
18/00700/FUL	Agricultural Grazing Land, Kirkby Lonsdale Road, Arkholme Erection of an agricultural barn for storage of animal feed and machinery and creation of a new access and access road for Mr & Mrs David Harwood (Kellet Ward 2015 Ward)	Application Permitted
18/00703/FUL	19 Leyster Street, Morecambe, Lancashire Conversion of existing garage into habitable room including raised roof for Mr & Mrs A. Mayor (Poulton Ward 2015 Ward)	Application Permitted
18/00705/FUL	2 Shore Green, Silverdale, Carnforth Erection of a single storey rear extension for Mr Eric Freeman (Silverdale Ward 2015 Ward)	Application Permitted
18/00706/LB	1 Greystones Cottages, Main Street, Wray Listed building application for a replacement front door and 3 windows to the front elevation for Mr Lowis (Lower Lune Valley Ward 2015 Ward)	Application Permitted
18/00707/PLDC	15 Cove Road, Silverdale, Carnforth Proposed Lawful Development Certificate for the conversion of the existing garage and conservatory to form a self-contained annexe ancillary to the dwelling for Mr & Mrs McInnes (Silverdale Ward 2015 Ward)	Lawful Development Certificate Granted
18/00708/PAA	Swarthdale Barn, Swarthdale Road, Over Kellet Prior approval for the change of use of an agricultural building to 2 residential dwellings (C3) for Ryan Cook (Kellet Ward 2015 Ward)	Prior Approval Refused
18/00709/FUL	125 Torrisholme Road, Lancaster, Lancashire Erection of a two storey side extension and single storey rear extension for Mr & Mrs B. Iddon (Skerton West Ward 2015 Ward)	Split Decision
18/00714/FUL	Camping Bothy, Sellerley Farm, Conder Green Road Change of use of camping bothy to a 1-bed dwelling, creation of a garden area and construction of boundary walls for Mrs Jill Bargh (Ellel Ward 2015 Ward)	Application Permitted
18/00718/FUL	123 Torrisholme Road, Lancaster, Lancashire Demolition of existing single storey rear extension and erection of a single storey rear and side extension for Mr R Uphill (Skerton West Ward 2015 Ward)	Application Permitted
18/00726/FUL	4 Main Street, Heysham, Morecambe Erection of a detached garage for Mr & Mrs John and Adelle Ellison (Heysham Central Ward 2015 Ward)	Application Refused
18/00732/FUL	38 Beaumont Place, Lancaster, Lancashire Erection of a single storey front extension and bay window, demolition of existing garage and erection of detached outbuilding for Miss Emma Kierzek (Skerton East Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

18/00733/AD	Challan Park, Ford Lane, Silverdale Agricultural determination for an agricultural storage building and creation of a covered area of hardstanding for Mrs Catherine Grayson (Silverdale Ward 2015 Ward)	Prior Approval Refused
18/00736/PLDC	36 Barley Cop Lane, Lancaster, Lancashire Proposed Lawful Development Certificate for the erection of a single storey side extension and conversion of garage for Mr & Mrs J. Mayes (Skerton East Ward 2015 Ward)	Lawful Development Certificate Granted
18/00737/PLDC	46 Walker Grove, Heysham, Morecambe Proposed lawful development certificate for the construction of 2 dormer extensions to the side elevation for Mr P. Phelps (Heysham South Ward 2015 Ward)	Lawful Development Certificate Granted
18/00739/PLDC	26 Hampsfell Drive, Morecambe, Lancashire Proposed lawful development certificate for erection of a single storey side extension for Mr & Mrs L. Stainsby (Westgate Ward 2015 Ward)	Lawful Development Certificate Granted
18/00746/FUL	13 Aldcliffe Hall Drive, Aldcliffe, Lancaster Erection of a shed and a summerhouse to the rear for Mr Clive Million (Scotforth West Ward 2015 Ward)	Application Permitted
18/00765/FUL	42 Oxcliffe Road, Heysham, Morecambe Erection of single storey rear extension with external steps for Mr K. Burns (Heysham Central Ward 2015 Ward)	Application Permitted
18/00769/ADV	Unit A , 112 Penny Street, Lancaster Advertisement application for the display of 1 externally illuminated fascia sign for Mr Rehan Chaudhary (Castle Ward 2015 Ward)	Application Permitted
18/00771/FUL	14 Fern Bank, Lancaster, Lancashire Erection of a single storey rear extension for Mrs Atkinson (Scotforth West Ward 2015 Ward)	Application Permitted
18/00782/FUL	28 Langdale Road, Carnforth, Lancashire Demolition of existing side porch and detached garage and erection of a 2 storey side extension and detached garage for Mrs Carol Sedgwick (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
18/00785/FUL	4 Lindeth Close, Silverdale, Carnforth Erection of a front porch and a single storey rear extension for Mr John Mason (Silverdale Ward 2015 Ward)	Application Permitted
18/00787/FUL	4 Hayfell Grove, Hest Bank, Lancaster Demolition of dwelling and erection of a new dwelling (C3) for Mr & Mrs R Hoggarth (Bolton And Slyne Ward 2015 Ward)	Application Permitted
18/00788/FUL	16 Thirsk Road, Lancaster, Lancashire Erection of a replacement front porch for Mrs Armstrong (Scotforth East Ward 2015 Ward)	Application Permitted
18/00828/PAD	Central Garage, Main Road, Galgate Prior approval for demolition of building to the North of Central Garage for Mr Brian Hilton (Ellel Ward 2015 Ward)	Prior Approval Refused

LIST OF DELEGATED PLANNING DECISIONS

18/00907/NMA	Holme Cottage, Lancaster Road, Caton Non-material amendment to planning permission 17/01041/FUL to alter the garage door material to steel for Mr Robert Hamilton (Lower Lune Valley Ward 2015 Ward)	Application Permitted
18/00916/NMA	Moss View, New Road, Warton Non material amendment to planning permission 17/01394/FUL to install an additional window to the north elevation for Mr & Dr Wooldridge (Warton Ward 2015 Ward)	Application Permitted
18/00933/NMA	14 Clarksfield Road, Bolton Le Sands, Carnforth Non material amendment to planning permission 18/00111/FUL to change the window arrangement on the ground floor south elevation for Mr Lawrence Young (Bolton And Slyne Ward 2015 Ward)	Application Permitted
18/00957/CCC	Field Between A683 And B6480, Wennington Road, Hornby Importation of material to restore waterlogged hollow created by collapsed drain and highway surface water run-off so area can be used for grazing for Mr Andrew Norris (Upper Lune Valley Ward 2015 Ward)	No Objections