



Committee: PLANNING REGULATORY COMMITTEE

Date: MONDAY, 24 JUNE 2019

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 3 June, 2019 (previously circulated).

3 Items of Urgent Business authorised by the Chair

4 Declarations of Interest

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

Councillors 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, Councillors 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, Councillors 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 18/01100/FUL	B And Q Superstore, Aldcliffe Road, Lancaster	Castle Ward	(Pages 1 - 19)
		Relevant Demolition of existing retail building (A1) and associated water tank and enclosure and erection of a food store (A1) with associated external plant and enclosure, car parking, servicing areas with hard and soft landscaping		
6	A6 19/00351/VCN	G And L Car Services, Wheatfield Street, Lancaster	Castle Ward	(Pages 20 - 23)
		Erection of 41 houses and 24 apartments with associated access, roads and landscaping (pursuant to the variation of condition 2 and 16 and the removal of conditions 17 and 20 on planning permission 14/01208/FUL to retain the spoil and omit the area of open space to the southern part of the site and erect new fencing and an ivy screen fence)		
7	A7 19/00164/OUT	Land east of Lancaster Road & north of Willey Lane, Lancaster Road, Cockerham	Ellel Ward	(Pages 24 - 31)
		Outline application for the erection of up to 24 dwellings (C3) and		

provision of new vehicular access,
and pedestrian access to Willey
Lane

- | | | | | |
|---|--|---|--|------------------------|
| 8 | A8 18/01642/FUL | Keer Park, Warton Road,
Carnforth | Carnforth
and Millhead
Ward | (Pages 32 - 36) |
| | | Erection of three blocks each
comprising of seven light industrial
units (B1) with associated parking | | |

9 Delegated Planning List (Pages 37 - 46)

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Sandra Thornberry (Chair), Dave Brookes (Vice-Chair), Paul Anderton, Mandy Bannon, Alan Biddulph, Victoria Boyd-Power, Abbott Bryning, Keith Budden, Tim Dant, Janice Hanson, Cary Matthews, Michael Mumford, Robert Redfern, Malcolm Thomas and 1 Conservative vacancy.

(ii) Substitute Membership

Councillors Kevin Frea, Jake Goodwin, Mike Greenall, Mel Guilding, Tim Hamilton-Cox, Colin Hartley, Joyce Pritchard and David Whitworth

(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.

KIERAN KEANE,
CHIEF EXECUTIVE,
TOWN HALL,
DALTON SQUARE,
LANCASTER, LA1 1PJ

Published on Wednesday 12th June, 2019.

Agenda Item	Committee Date	Application Number
A5	24 June 2019	18/01100/FUL
Application Site B And Q Superstore Aldcliffe Road Lancaster Lancashire	Proposal Relevant Demolition of existing retail building (A1) and associated water tank and enclosure and erection of a food store (A1) with associated external plant and enclosure, car parking, servicing areas with hard and soft landscaping	
Name of Applicant Mr Stuart Parks	Name of Agent Miss Emily Roberts	
Decision Target Date 2 January 2019	Reason For Delay Submission of amended plans, supporting documents and re-consultation.	
Case Officer	Mrs Jennifer Rehman	
Departure	No	
Summary of Recommendation	Approval (subject to expiry of consultation period)	

1.0 The Site and its Surroundings

- 1.1 The application site relates to a 0.59 hectare brownfield site located approximately 120 metres southwest of the city centre (and its primary shopping area), occupying an edge of centre location. Surrounding development is largely residential with some nearby commercial uses located along Queen Street and Aldcliffe Square. The rears of 25 – 49 Portland Street and the side of 50 Aldcliffe Road flank the western boundary of the site. 23 Portland Street and its rear garden, Speights warehouse (food suppliers) and 24 Queen Street and its garden border the northern boundary. Queen Street borders the north eastern corner of the site with Spinners Court (sheltered housing) beyond. Aldcliffe Road runs along the south eastern boundary of the site. South of this road lies Chancellors Wharf (student accommodation) and Lancaster Canal. The Water Witch public house, Aldcliffe Yard (residential conversion) and the Royal Lancaster Infirmary are south of the canal.
- 1.2 Access/egress is taken off Aldcliffe Road circa 35m north east of the junction with Queen Street. The site has a triangular form and currently accommodates a large retail unit occupied by the B&Q DIY store, which comprises a large single portal framed building together with its associated car parking, serving and storage areas, water tank and landscaping. A small sub-station is located on the southern boundary. The building occupies most of the northern half of the site with the car parking dominating the southern part of the site.
- 1.3 The existing building has a simple rectangular form with a flat roof. It is finished in a combination of random coursed natural sandstone (to the front), buff brick (to the sides and rear) and grey (with red trim) box profile cladding. It is a relatively tall single storey building (approximately 7.8m) with no first floor accommodation/mezzanines internally. The store's customer entrance comprises a flat roof box-like canopy on the southern elevation of the building, with a large illuminated advert above. A further large, illuminated advert is on the eastern elevation of the building.
- 1.4 A secure external storage compound is located along the western elevation of the building where the store's service access is located. Additional storage areas extend along this boundary within the car park and around the existing water tank. The western boundary comprises a relatively high

retaining wall alongside the building that extends into a narrow wooded embankment. The store's external garden centre is located to the east of the building, enclosed with high palisade fencing. This sits above the stonewall facing Queen Street and wraps around the front of the building. Within the car park, there are small incidental pockets of planting together with existing lighting columns.

- 1.5 The topography of the site is relatively flat with an elevation of approximately 22m Above Ordnance Datum (AOD), with a slight fall towards the southern western corner. The site sits marginally higher than Aldcliffe Road and Queen Street. Neighbouring properties on Portland Street are elevated above the site.
- 1.6 The site is situated within Lancaster Conservation Area (High Street Character Area), immediately adjacent to the Aldcliffe Road Conservation Area. There are a number of Listed buildings in relatively close proximity to the site (e.g. 20-22 Queen Street and the Aldcliffe Yard buildings associated with Lancaster Canal basin), with a number of non-designated heritage assets of local importance situated immediately adjacent to the site (e.g. Portland Street/Speights Warehouse building). Trees within the site not subject to individual Tree Preservation Orders but are protected by virtue of the Conservation Area designation. A deciduous tree belt runs along western boundary elevated on a small embankment.
- 1.7 The site is outside a flood risk area (i.e. within flood zone 1) or critical drainage area. The northern boundary of the site is subject to surface water flooding (1 in 100yr and 1 in 1000yr). The city's Air Quality Management Area (AQMA) is located approximately 160m east of the centre of the site. Lancaster Canal is a Biological Heritage Site and in the saved Local Plan enjoys 'Green Corridor' and 'Informal Recreational Area' allocations.

2.0 The Proposal

- 2.1 The applicant seeks consent for the Relevant Demolition of the existing building and the erection of a new building for a foodstore (A1 use class) with a gross internal area of 1,801square metres (net sales equating to 1,254 square metres). The new building accommodates the northern half of the site and has a similar footprint to the existing building, measuring 64 metres in length (longest part along the northern boundary) and 32 metres deep. The proposed building has a mono-pitched roof with its highest part facing into the proposed car park (south). This forms the front of the building. The tallest part of the building measures approximately 8.2 metres falling to approximately 5.4 metres to the rear of the building (north). The south and east elevations incorporate significant areas of glazing with a metal canopy to form the principal entrance and trolley bay area. The building will also feature Kingspan cladding (suggested Grey Beige) and vertical timber cladding to the principal facades, with an incidental brick plinth. Windows and doors shall be powder-coated aluminium in a dark grey, with a grey standing seam metal roof.
- 2.2 Service provision is proposed along the western side of the proposed building and comprises a delivery ramp and dock leveller system (i.e. loading and unloading to be undertaken largely from inside the building). The levels in this location will need to drop around 1.3m to provide appropriate levels for the service vehicles to reverse into the loading bay doors. The existing car park shall be reconfigured, together with a small area for parking to the east of the proposed building, to provide a total of 97 parking spaces (6 of which would be accessible, 9 parent and child, 10 staff spaces and 5 motorcycle bays). Cycle parking provision (10 cycles) is proposed to the east of the building. Landscaping is proposed between the boundary with Queen Street and the parking area to the east of the building (where the existing garden centre is located) with some incidental planting within the body of the car park. The existing priority-controlled T-junction off Aldcliffe Road shall serve the proposed development with minor changes to the kerb lines and the wall at this junction.
- 2.3 As part of the proposal, plant equipment (refrigeration and condenser units) shall be located between the northern elevation of the building and the boundary with 23 Portland Street/Speights in the north-western corner of the site. The tallest plant equipment is approximately 2.4m high from the lowest ground level on the site. The plant enclosure is approximately 11m from the western boundary of the site and immediately abuts the northern boundary of the site.

3.0 Site History

- 3.1 The applicant has engaged with the Local Planning Authority at the pre-application stage in the form of our level 1 (in-principle) pre-application advice. The applicant did not pursue detailed advice in relation to the specifics of the scheme and its design.

Application Number	Proposal	Decision
18/00166/PREONE	Demolition of existing building and erection of a replacement building with associated car parking, servicing areas with hard and soft landscaping	Subject to consideration of the sequential test, the principle likely to be acceptable.
12/00917/PLDC	Lawful development certificate for proposed use as a food store	Certificate granted for unrestricted retail use.
99/00668/FUL	Erection of a 3.6 metre high galvanised weld mesh fence to form secure compound - Approved	Approved
82/01247	DIY store with car parking (Reserved Matters)	Approved
81/1196	Erection of a DIY retail unit with associated parking	Allowed at Appeal

4.0 Consultation Responses

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

Consultee	Response
Local Highway Authority (LHA)(Lancashire County Council)	<p>No objections – following the submission of amended information, the LHA is satisfied that the indicative off-site highway improvements will address pedestrian access concerns previously raised: the amendments to limit parking to the east of the building for staff parking spaces will reduce conflicts at the access/egress, and the inclusion of a service management plan could replace previously suggested condition to restrict delivery hours. The LHA are satisfied that the traffic generated from the development will not adversely affect the safe operation of the network.</p> <p>The LHA continues to raise concerns over the location of the cycle parking area and lack of taxi drop-off though notes that such may affect the internal car park circulation, and that such impacts are unlikely to have direct consequences on highway safety.</p> <p>The following conditions are recommended:</p> <ul style="list-style-type: none"> • Scheme for construction of access • Access and turning as indicated on the approved plans to be provided before first use • Scheme for off-site highway works to be agreed and implemented • Provision of car, motorcycle and bicycle parking before first use • Car Parking and Service Management Plan • Travel Plan • Construction Management Plan
Lead Local Flood Authority (LLFA) (Lancashire County Council)	<p>No objections - following the submission of an amended FRA, the LLFA has withdrawn their objection, subject to the following condition:</p> <ul style="list-style-type: none"> • Detailed surface water drainage scheme
United Utilities (UU)	<p>No objections subject to the following conditions:</p> <ul style="list-style-type: none"> • the drainage for the development is carried out in accordance with the amended FRA and surface water discharging to the public combined sewer does not exceed 20 litres per second. • Foul and surface water shall be drained on separate systems. • Management and maintenance of any sustainable drainage systems

Environmental Health Service (Air Quality Officer)	No objections - following the submission of further information and the proposed mitigation measures, the Air Quality Officer no longer objects to the development subject to securing the prescribed mitigation.
Environmental Health Service (EHO Officer - Noise)	No objections – following the submission of an amended Noise Assessment, changes to the proposed servicing hours and additional survey effort, the Council's EHO is satisfied that there will be no adverse noise impacts associated with deliveries and the operation of the site or the plant equipment, subject to the noise mitigation to ensure the rating levels of the plant equipment does not exceed representative background noise levels.
Environmental Health Service (Contaminated Land Officer)	No objections - subject to the imposition of standard contaminated land conditions.
Conservation Officer	No objections - following amendments to the use of materials to the proposed building, the Council's Conservation Officer does not have any objections to the proposals, but reiterates the Civic Society's comments on the possible reuse of stonework instead of brick.
Lancashire Archaeology Advisory Service	No objections - comments received note that the proposal will not have significant impacts on designated heritage assets, but suggests that there may be some impact on buried remains. LAAS recommend an archaeology condition be imposed if the development is approved.
Lancaster Civic Society	The Civic Society have raised no objection to the principle of the development and recognise the development would be a considerable improvement on the existing B&Q store. However, they have raised some concerns over the signage and use of materials. The Civic Society have a strong preference for the reclaimed stone to be re-used in the redevelopment of the site.
Tree Officer	No objection subject to the following conditions: <ul style="list-style-type: none"> • Development to be carried out in accordance with the submitted Arboricultural Constraints Plan • Landscape Scheme to be implemented and maintained • An Arboricultural Method Statement and Tree Protection Scheme to be submitted for approval before site clearance/works commence.
Natural England	No comments and directs the Local Planning Authority to their Standing Advice for protected species.
Canal and Rivers Trust	No comments on the proposal.
Dynamo Cycle Campaign	Objection on the following grounds: <ul style="list-style-type: none"> • Increase in traffic and operational hours would increase the risk of accidents to cyclists particularly at the junction with Queen Street; • Recommends Queen Street is closed to two-way traffic; • Poor internal arrangements for cyclists.
Fire Safety Officer	No objections – provides standard advice in relation to Part B5 of Building Regulations relating to access and facilities for the Fire Service.

5.0 Neighbour Representations

5.1 At the time of drafting this report, 34 letters of objection have been received in response to the original application and amended consultations. The main reasons for opposition are as follows:

Traffic and safety issues, including:

- inadequate and misleading Transport Assessment, including lack of consideration of Queen Street/Lindow Square/Carr House Lane in relation to traffic flows/junction analysis;
- lack of consideration of deliveries vehicles parked on Queen Street and Aldcliffe Road associated with adjacent warehouse (Speights) and B&Q;
- general concerns over the increase in traffic along Aldcliffe Road (an surrounding streets) and increase risk of accidents;
- whilst overall increase in trips may be small residents are concerned about the diversion of traffic on the network;

- local residential streets unsuitable and unsafe to deal with additional traffic (e.g. one-way routes, on-road parking, narrow carriageways, poor pedestrian crossing facilities within the locality);
- lack of mitigation to address traffic impacts;
- poor pedestrian connections to bus stops on South Road;
- access to alternative sustainable modes of transport is unrealistic given most people will shop in bulk and travel by car;
- on-site safety concerns due to the parking layout and circulation routes;
- loss of DIY store will have knock-on effects to the local highway network;; and
- concerns over the Highway Authority's comments to the application.

Noise and pollution issues, including:

- inadequate noise and air quality assessments;
- unacceptable operation and delivery hours;
- intolerable noise, disturbance and pollution from the additional traffic;
- no details of what measures will be put in place to protect residential amenity;
- inappropriate location and consideration for the plant equipment and the delivery loading bay alongside neighbouring residential gardens;
- the development will add to poor air quality in the AQMA where the objective levels are already exceeded;
- concerns over the effectiveness of the proposed air pollution mitigation;
- additional noise generated from electric vehicle charging points;
- concerns over mis-use of the car park (24 hours a day 365 days a year); and
- overall objectors are fundamentally concerned that the development will adversely affect their residential amenity, health and well-being and the right to the peaceful enjoyment/tranquillity of their homes and gardens.

Design and amenity considerations including:

- appropriateness materials given position within the Conservation Area;
- the building remains the same scale of the existing store;
- it is a clone store with little architectural merit; and
- late opening hours (including sale of alcohol) has the potential to risk anti-social behaviour and litter in the neighbourhood.

Principle matters including:

- the site is too constrained and is inappropriate for a food store due to the proximity to residential development and the configuration and character of the highway network;
- there are more suitable alternative sites, such as the Lancaster Canal Quarter site or somewhere on the Quay; and
- lack of a need for a food store given others in the area; and
- concerns over the loss of the only DIY store in Lancaster.

Other matters including:

- lack of consideration of the wildlife value of the trees along the northern and western boundaries with increased pollution negatively impacting local wildlife;
- lack of details over lighting and security measures;
- lack of consideration of pest control which would increase due to the nature of the use;
- incorrect assertions and facts set out in supporting documents as a result of copying and pasting other work, resulting in a lack of confidence in the preparation of the submission;
- no visits from the Officers or Councillors to assess the impacts of the development and appreciate the relationship of the site to neighbouring property.

5.2 A further response has been received providing the Local Planning Authority with a copy of a response sent direct to the Highway Authority following their statutory representations. The letter raises concerns over the Highway Authority's consideration of the application and urges them to reconsider their position.

5.3 A petition opposing the development has also been received. This has 51 signatures from 16 individual properties on Portland Street (backing onto the proposed site). The petition focusses on the noise impacts associated with the development and requests consideration be given to a

reconfiguration of the development on the site to reposition the servicing area and plant equipment to the Queen Street side of the development away from Portland Street.

5.4 The Local Planning Authority has also received representations from a legal firm objecting to the proposal on behalf of residents from 21, 23, 31, 33 and 35 Portland Street and 51 and 57 Regent Street. The objection letter acknowledges the fact that the site benefits from an Existing Lawful Development Certificate (ELDC) for an A1 (food store), but goes on to state that the impacts are associated with matters of design and are additional to any adverse impacts from using the existing building as an A1 retail store and summarises these as follows:

- Increase of 76 sq.m of floor space;
- An increase of an additional 22 parking spaces;
- Extended delivery and operational hours;
- Introduction of refrigeration and condenser plant in close proximity to neighbouring residential property;
- Reconfigured car park layout and servicing arrangements;
- Increased deliveries and vehicle movements for longer on site; and
- Excessive glass to the elevations and a design that does not have enhancing qualities.

In summary, the objectors contend that due to very different nature of the retail operator (convenience) from the existing B&Q store and because of the above, the development would result in adverse conditions in respect of neighbouring residential amenity and quality of life (noise/light pollution); impacts on biodiversity (light and traffic fumes); adverse highway conditions and a negative impact on air quality. Other matters raised include:

- Failure to undertake a robust noise assessment (noise monitoring undertaken was unrepresentative, overestimated the traffic noise impacts of the nearby hospitals, inappropriate noise monitoring location);
- Applicant has failed to address Environmental Health Officer concerns over noise from plant equipment and operational hours;
- The proposal has an impact on Air Quality and the Air Quality Assessment fails to assess the impact on properties on Portland Street;
- The proposal fails the sequential assessment and the Planning Policy Officer's conclusions that there are no other sequentially preferable sites is wholly irrational given the analysis of the consideration of the Canal Quarter site;
- Great weight has not been given to the harm the development would have on heritage assets; and
- Failure to secure taxi drop off/pick up point would be contrary to DM20

In summary, this objection letter concludes that the proposal fails to accord with the Development Plan and without material considerations to explain why the development is contrary to the Development Plan, if approved there would be a breach of the statutory obligations set out in the Planning Acts.

5.5 3 letters neither objecting to nor supporting the proposal have been received, commenting on the following points:

- A supermarket south of the river is a positive addition and will reduce traffic;
- No commitment in the submission to provide electric vehicles charging facilities;
- Electric vehicle charging facilities should be provided within the site;
- Preference for the retention of the B&Q store over a food store;
- The proposed building does not seek to preserve or enhance the Conservation Area - it is a design that is merely different from the existing building – the incorporation of shutters is a retrograde step.
- Requests for stone to be used on the building and consideration of a “green roof/green walls”;
- Queries concerning car park management (and gates) to prevent misuse outside operational hours;
- Measures to encourage traffic to leave towards Penny Street and avoid the local residential streets are required;
- Poor pedestrian crossing facilities across Aldcliffe Road;

We have received 16 letters of support. As summary of the comments received are set out below:

- A food store south of the river is a positive addition to the city;

- Provides a more affordable supermarket in the city;
- The proposal will reduce people living south of the river traveling north of the river to do their convenience shopping;
- Its location is within easy walking distance and accessible.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework

Paragraphs 7 – 10 Achieving sustainable development
Paragraph 11 – 12 The Presumption in favour of sustainable development
Paragraphs 38 – 43 – Pre-application engagement and front loading
Paragraphs 47 – 50 Determining applications
Paragraphs 54 – 55 Planning conditions
Paragraphs 85 – 87 & 90 Ensuring the vitality of town centres (sequential testing)
Paragraphs 91 – Promoting healthy and safe communities
Paragraphs 102, 108 – 110 – Promoting sustainable transport
Paragraphs 117 – 118, 122 – 123 – Making effective use of land
Paragraphs 124, 127, 129, 130 - Achieving well-designed places
Paragraphs 170, 174-175, 178 – 183 Conserving the natural environment
Paragraphs 189-192, 196, 197 and 200 – Conserving and enhancing the historic environment
Paragraphs 213/214 – Annex 1 Implementation

6.2 On 15 May 2018, and in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), Lancaster City Council submitted the following documents to the Secretary of State (Planning Inspectorate) for examination:

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

The Examination Hearing Sessions took place in April 2019.

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.

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.

Given the current stage of both DPDs, it is considered that significant weight can be attributed to the policies contained therein subject to the extent to which there are unresolved objections to the relevant policies and their consistency with the National Planning Policy Framework.

6.3 Development Management DPD (adopted December 2014)

DM1 – Town Centre Development
DM20 – Enhancing Accessibility and Transport Linkages
DM21 – Walking and Cycling
DM22 – Vehicle Parking Provision
DM27 – Protection and enhancement of Biodiversity
DM29 – Protection of Trees, Hedgerows and Woodland
DM31 – Development affecting Conservation Areas
DM32 – The setting of Designated Heritage Assets
DM33 – Development Affecting Non-designated Heritage Assets
DM34 – Archaeology
DM35 – Key Design Principles
DM36 – Sustainable Design
DM37 – Air Quality Management and Pollution
DM39 – Surface Water Run-off and Sustainable Drainage
DM48 – Community Infrastructure

6.4 Lancaster District Core Strategy (adopted July 2008)

ER4 - Town Centres and Shopping
ER5 - New Retail Development
SC1 – Achieving Quality in Design

6.5 Submission Version of the Emerging Local Plan – A Local Plan for Lancaster District 2011-2031:

Part One: Strategic Policies and Land Allocations DPD

TC1 – The Retail Hierarchy for Lancaster District

TC2 – Town Centre Designations

TC3 – Future Retail Growth

SG 5 – Canal Corridor North, Central Lancaster

Submission Version of the Emerging Local Plan – A Local Plan for Lancaster District 2011-2031:

Part Two: Review of Development Management DPD

DM16 – Town Centre Development

DM28 – Employment and Skills Plans

6.6 Other material considerations

National Planning Practice Guidance

Employment and Skills Plans Supplementary Planning Document (SPD) August 2018

Low Emission and Air Quality Planning Advisory Note (PAN) November 2018

Provision of Electric vehicle Charging Points for New Development (PAN) September 2017

Noise Policy Statement for England (NPSE) March 2010

BS 8233:2014: Guidance on Sound Insulation and Noise reduction for Buildings

BS 4142:2014 Methods for Rating and Assessing Industrial and Commercial Sound

World Health Organisation (WHO) 1999: Guidelines for Community Noise

Lancaster Conservation Area Appraisal

Case Law - Mansell v Tonbridge and Malling BC [2017] EWCA Civ 1314

Procedural Matters

Ahead of reporting this planning application to Planning Committee, a Committee site visit took place on Monday 28 January 2019.

7.0 Comment and Analysis

In assessing this proposal, the main issues are:

- 1) Principle of retail development;
- 2) Traffic, parking and sustainable travel considerations;
- 3) Air Quality implications;
- 4) Design, Built heritage and Archaeology considerations;
- 5) Residential Amenity and Noise implications;
- 6) Other considerations (ecology, flood risk, drainage and site contamination).

7.1 Principle of retail development

7.1.1 Planning law requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan (insofar as it is relevant to this application) includes the saved Local Plan, the Core Strategy and the adopted Development Management DPD. The relevant policies are set out under section 6 of this report. The National Planning Policy Framework ('the Framework') sets out the Government's planning policies for England and is a material consideration in planning decisions.

7.1.2 *Site history and Fall-back position*

The application site was once occupied by an industrial mill, known as Queens Mill. In the early 1980s planning permission was sought for the erection of a DIY retail unit on the site. This was refused planning permission by the Local Planning Authority but subsequently allowed on appeal. It is this planning permission that currently rests with the land. The existing B&Q DIY store has occupied the site for a considerable period. In 2012, an application for a Lawful Development Certificate for a Proposed Use (PLDC) was submitted seeking confirmation from the Local Planning Authority that there were no planning restrictions upon the range of goods that could be sold from the existing retail unit - meaning the building could be lawfully used for any A1 retail purpose. The PLDC was granted confirming, in effect, there would be no material change in use from the current retail use (as a bulky comparison retail) to any other form of retail, such as convenience retailing.

7.1.3 It is also noted from the original planning permission for the DIY store and subsequent permissions, that there are also no planning restrictions limiting the hours of operation, hours of deliveries and parking provision. As a consequence, the applicant could legitimately convert the existing B&Q store to a food store and operate as such without any restrictions over the type of retail sold or the hours of use and hours of servicing. This provides a legitimate fall-back position for a similar proposal to that applied for. Officers are mindful that whilst the applicant could utilise the existing building, some elements of the development currently being applied for could require separate planning permissions.

7.1.4 In order for the fall-back position to be given weight in the determination of this application, the basic principle of the fall-back position is that there is a real prospect that the fall-back position could be implemented. 'Real prospect' is a matter that has been through the courts and determined that a 'real prospect' does not need to be probable or likely: possibility will suffice.

7.1.5 The applicant is the current owner of the site. The fact they now own the site; they have submitted pre-application requests to the Council to develop the site as a food store; and have advanced to a formal planning application (with specific reference to the PLDC) makes it clear that they are intent on developing the site. The evidence before us suggests that it is clear that the applicant would prefer a new building which follows their standardised model rather than utilising an existing building. However, it would be wholly unrealistic to suggest that the applicant would not consider re-using the existing retail unit as a food store if the applicant could not obtain planning permission for the development now proposed. Having regard to relatively recent case law on the matter (*Mansell v Tonbridge And Malling Borough Council* [2017] EWCA Civ 1314), it is reasonable to conclude that the fall-back position is realistic and that it should be regarded a material consideration in this case.

7.1.6 *Sequential Test*

The proposed site is an unallocated site within the existing built-up area of the city of Lancaster, save for being located within Lancaster's Central Parking Area. It is located outside the City Centre boundary and Primary Shopping Area. Given its close proximity to the centre it is accepted as an edge-of-centre site. Policy DM1 of the Development Management Development Plan Document (DM DPD) requires proposals for main town centre uses (such as retail), which are not located in town centre locations, to undertake a sequential assessment of alternative in-centre and edge-of-centre sites. If having undertaken an assessment there are sequentially preferable sites suitable and available, planning permission should be refused. Significant weight should be afforded to the outcome of the sequential test. This echoes national policy set out in Section 7 of the Framework.

7.1.7 Both local and national planning policy stress that main town centre uses should be located in town centres, then edge-of-centre locations and only if suitable sites are not available should out-of-centre sites be considered. Where there are no town centre sites capable of accommodating the proposed development, preference is given to edge-of-centre sites that are well connected to the centre by means of good pedestrian and public transport networks. The fundamental purpose of this policy approach is to support, maintain and enhance the vitality and viability of town centres.

7.1.8 In accordance with the Framework and the National Planning Practice Guidance ('NPPG'), the scope of the sequential assessment was subject to pre-application discussions with the Local Planning Authority. This related to the catchment area and the existing centres that needed to be assessed. The catchment area is largely defined to Lancaster City Centre based on the scale, form and type of retail proposed (Class A1 discount food retail of 1,725sqm Gross Internal Area (GIA) together with associated parking and servicing). When considering alternative sites, the sequential

assessment should consider sites suitable for the development proposed by the applicant and sites that are available within a reasonable period. Paragraph 87 of the Framework and policy DM1 also requires both developers and Local Planning Authorities to demonstrate flexibility on issues such as scale and format. This is to ensure opportunities to utilise suitable town centre sites or edge-of-centre sites are fully explored. There is no requirement for a retail impact assessment (RIA) due to the scale of the development. The threshold (2,500sqm GIA) for a RIA is set out at paragraph 89 of the Framework.

- 7.1.9 The submitted Sequential Assessment identifies two edge-of-centre sites in Lancaster City Centre, namely land at Bulk Road/Lawsons Quay and land now known as Lancaster Canal Quarter. Given the scale of the development proposed, Officers are satisfied that there are no other sequentially preferable sites that should be considered. The Bulk Road site is not accepted as a sequentially preferable site not least because the Local Planning Authority would judge it out-of-centre. The Canal Quarter site is of greater relevance. It is an edge-of-centre site and is identified in both the adopted and emerging Local Plan as a key regeneration area. In particular, the site is expected to deliver a sustainable expansion of the City Centre and is envisaged to deliver a mix of uses, including both comparison and convenience retail.
- 7.1.10 At the pre-application stage, Officers were not satisfied with the applicant's justification to discount the Canal Quarter site (on the grounds on availability and suitability) as a more sequentially preferable site. The submitted assessment does not advance the matter further. The applicant contends the Canal Quarter site would not be suitable or available for the following reasons and that the Aldcliffe Road site is better suited for the proposed development:
- Unrealistic that early phased delivery on the site would occur close to the applicant's timescales for delivering the development;
 - Past performance (non-delivery) suggests it is a large and complex site and will require a greater period of time to deliver it in the manner envisaged by the Council (as set out in the emerging Local Plan);
 - Due to the scale of the development it could not be 'ancillary' convenience retailing to compliment other town centre uses;
 - The proposed parking arrangements for the Canal Quarter site would be incompatible with the applicant's operations/needs;
 - Concerns over the impacts of the proposed development on designated heritage assets; and
 - Highway constraints.
- 7.1.11 There remain deficiencies in the applicant's assessment for the Canal Quarter site. Notwithstanding this, it is accepted that the proposed site is also sequentially preferable (to the Canal Quarter site) as it too is on the edge of the defined centre. It is accepted that there are no in-centre sites that would be sequentially preferable to the proposed site.
- 7.1.12 Policy then turns to sites on the edge of the centre that are well connected by means of public transport and pedestrian networks. There are arguable differences between the two sites as objectors have pointed. However, it would be unreasonable to conclude the proposed site is not well-connected to the existing centre, particularly having regard to the pedestrian improvements proposed to link the site to South Road (see highway section below). In conclusion, whilst there are deficiencies in the sequential assessment undertaken, given the proposed site is also an edge-of-centre site; it is marginally closer to the primary shopping area than the Canal Quarter site; the site is clearly available and more suitable to deliver the proposals in a more timely manner (compared to advancing proposals on the Canal Quarter site); and finally the fact there is a clear fall-back position; on balance, a refusal of planning permission on the grounds that the sequential test fails could not be substantiated. Subsequently, the principle of the site being developed for convenience retail is considered acceptable.
- 7.2 Traffic, parking and sustainable travel considerations
- 7.2.1 The submitted application has been submitted by a Transport Assessment, Framework Travel Plan and additional technical highway notes in response to matters raised by the Local Highway Authority (LHA) during the determination period of the application.

7.2.2 *Traffic generation*

The applicant's assessment of traffic impacts has been considered and judged acceptable by the LHA. There is a clear recognition that the traffic generated for the proposed retail use will be markedly different to that for B&Q. However, it is accepted that there would only be 20% of new trips on the local highway network. The applicant's assessment (using TRICS, the industry accepted trip generation modelling software) indicates that the trip generation for the proposed food store is anticipated to be 138 two-way vehicle trips in the weekday AM peak, 321 two-way vehicle trips in the weekday PM peak. However, taking into account pass-by and diverted trips, it is anticipated the additional traffic generated from the development on the highway network would be much less (28 two-way trips during the weekday AM peak, 65 two-way trips during the PM peak). The trip generation, trip proportions and trip distributions used to undertake operational capacity assessments is accepted. The junctions evaluated do not show any significant/severe detrimental effects and all the junctions tested are shown to operate within theoretical capacity. The LHA has raised no objections to the applicant's assessments or the traffic impacts anticipated from the development. On this basis, the development does not conflict with the relevant parts of DM20, DM35 and paragraph 108 of the Framework.

7.2.3 *Servicing*

Due to the constrained nature of the site (and like other Aldi stores), service vehicles will utilise the main customer access/egress off Aldcliffe Road. The service bay is proposed to the west of the building alongside the wooded embankment neighbouring the rear of properties on Portland Street. This means service vehicles would need to manoeuvre along the front of the building, then head southwards before reversing up along the western boundary into the proposed service bay. The submission indicates that approximately four articulated service vehicles, one bin collection and one milk delivery would access the site each day (a total of 6).

7.2.4 The position of the service bay is similar to the existing arrangements for B&Q. The main differences relate to the routing for service vehicles and the hours of deliveries. B&Q has an external service yard alongside the western boundary of the existing building. Currently service vehicles stop on Aldcliffe Road and reverse into the proposed site (with banksman/staff) and alongside the front of the existing building. Goods are dispatched from the service vehicles into the external yard area and then manually, or with fork lift trucks, moved from the yard into the building. Currently, residents indicate that the existing DIY store does not have deliveries before 8am or after 5pm Monday to Friday and no deliveries at the weekend. Officers are also led to believe there are currently fewer deliveries to the existing store than what is proposed by the application. The proposed reconfiguration of the car park has been designed to enable service vehicles to enter and exist in forward gear. From a public highway safety perspective this is far more acceptable than the current arrangements.

7.2.5 The applicant originally requested serving hours of 06:00-23:00hrs Monday-Saturday and 08:00-17:00 on Sundays. Following further assessment (see noise considerations below), the applicant has reduced this slightly to 07:00-22:00 hrs Monday to Saturday. On Sundays, the latest noise assessment assumes 08:00-18:00 hrs. The LHA has raised no objections to the servicing arrangements, subject to a Service Management Plan condition. The purpose of this is to ensure most deliveries take place outside highway peak times. The applicant is amenable to this condition.

7.2.6 *Parking*

The proposed level of parking falls below the maximum standards set out in DM22 and appendix B. Based on the proposed 1,725sqm (GIA), the car parking standards indicate that there should be one parking space for every 16sqm (assuming a town centre location). This would equate to 108 spaces. The proposed parking provision (97 spaces) falls marginally below the maximum standards but given the ambitions set out in the Travel Plan and the site's edge of centre location, this the level of parking proposed is deemed acceptable. As part of the overall parking provision, the scheme also provides sufficient accessible and parent and child parking, as well as motorcycle bays and cycle provision (10 spaces). A further 10 car parking spaces are intended to be for staff. This is to prohibit excessive vehicle movements within the site from the junction northwards to the east of the proposed building. There are no objections from the LHA in respect of the level of parking proposed, other than a requirement to secure an appropriate Car Parking Management Plan by condition. This is intended to manage and control the length of time shopper's park on the site and to prevent the car park being misused. The applicant is agreeable to such a condition and has already indicated in the submission that they intend to implement an Automatic Number Plate

recognition (ANPR) system with a limit of 90 minutes, but amenable to a 60 minute limit if deemed appropriate.

7.2.7 *Sustainable Travel*

Planning policy requires development proposals and decisions to give priority to pedestrian and cycle movements and to facilitate access to public transport (DM20, DM21 and paragraph 110 of the Framework). The site's edge-of-centre site within the urban area of the city means that there is relatively good access to existing pedestrian and cycle infrastructure. There are footways along the site frontage to Aldcliffe Road linking to the residential areas to the west and the mixed residential and commercial areas to the north and east. The canal towpath provides alternative routes towards the city, west towards Aldcliffe and across the canal toward the RLI and residential areas beyond. The city's cycle network is also within close proximity to the site. The most significant concern has been the lack of appropriate crossing facilities on Aldcliffe Road for pedestrians to access the bus stops on South Road to the south east of the site. This was a concern to the LHA in their original response. The applicant now proposes off-site highway improvements to the south side of Aldcliffe Road close to the junction with South Road. This involves the removal of the existing lay-by and the formation of a new footway extending approximately 33m down Aldcliffe Road from this junction. New dropped kerbs with tactile paving are proposed on Aldcliffe Road approximately 5m southwest of the junction with Henry Street. The LHA is satisfied with the proposed highway improvements.

7.2.8 Given the scale and type of development proposed, the applicant has submitted a Framework Travel Plan (FTP). This has adopted typical measures to encourage sustainable travel to and from the store, particularly for staff, such as car sharing initiatives, cycle provision, promotional information including bus routes/timetables and the like, and the appointment of a Travel Plan Coordinator. The FTP also supports the proposed aims of the recommended Service Management Plan, to avoid deliveries at the peak times on the local highway network and will form part of the development's air quality mitigation package. A full travel Plan will be required by planning condition and must include realistic targets, monitoring and review measures.

7.2.9 In conclusion, it is accepted that the proposed development would not result in unacceptable impacts on the local highway network and that the scheme would not lead to unsafe or unacceptable highway conditions. The scheme satisfactory caters for pedestrians and cyclists with the proposed off-site highway works providing improved connections between the site and public transport services. Overall, the scheme is compliant with the Development Plan and the Framework with regard to highway-related considerations.

7.2.10 *Internal circulation*

The internal layout of the development follows the same model as the existing store's layout with the majority of the parking located in the southern half of the site. The position of the access remains as existing also. The inclusion of customer parking to the east of the building (north of the site access) was not accepted due to the potential risks of queuing internally backing up into the public highway. There were also concerns over the increased risk of pedestrian, cyclists and vehicle conflict. The applicant now proposes this to be staff parking (controlled through the Car Parking Management Plan condition), which would limit the number vehicle movements from the access into this area of parking. This has resolved the public highway safety concerns originally posed. The applicant maintains a position that the cycle parking and motorcycle bays north of the site access would not be unacceptable. Pedestrian conflicts can be safely managed through the provision of the crossing facilities marked internally within the site and direct access from the adjacent footway on Aldcliffe Road in the site. With fewer vehicle movements here, conflicts with cyclists will be less. Concerns have also been raised about the conflicts between service vehicles and customers when the store is open. Like many food stores, service vehicles will utilise the principal (customer) access/egress into the site. It is accepted that this may not be ideal and there will be conflicts during certain periods of the day. The Service Management Plan should consider this matter and ideally look to avoid peak shopping times. The concerns here can be satisfactorily addressed by ensuring the pedestrian crossings are provided as indicated on the plans, together with the Service Management Plan and Car Parking Management Plan. Planning conditions can deal with these matters.

7.3 Air Quality

7.3.1 The proposed development lies approximately 130m west of the City's Air Quality Management Area: an area designated due to poor air quality conditions. Subsequently, the applicant has

submitted an Air Quality Assessment with their submission. The applicant's assessment concludes that the development was not predicted to result in any exceedances of the relevant air quality objectives and therefore the impact on air quality was predicted to be negligible/slight. The Council's Air Quality Officer raised concerns that the assessment relied on overly optimistic pollution reduction assumptions over a short period and that whilst the predicted impacts were small, given the objective levels within the Air Quality Management Area (AQMA) remains above the objective level the impacts would be significant. For this reason, the Council's Air Quality Officer was of the opinion more robust assessment and mitigation were required. Following original objections to the scheme from the Council's Air Quality Officer, additional technical notes and evidence have been submitted.

7.3.2 DM37 requires new development within or adjacent to an AQMA to not significantly adversely affected by the air quality within the AQMA and include mitigation where appropriate. Paragraph 181 of the Framework seeks planning policy and decisions to sustain and contribute towards compliance with objective air pollutant levels taking account of AQMAs. It recognises that green infrastructure improvements and traffic and travel management are ways in which air quality impacts can be mitigated. The Framework also requires decisions to be consistent with the local air quality action plan. Based on the latest assessments from the developer, the traffic generated from the development (having provided a more realistic assessment of the traffic generation - increase in daily vehicle trips estimated to be around 340) would negatively impact air quality within the AQMA where exceedances already existed. The proposed mitigation (in the form of a rapid charging electric vehicle point on site and the implementation of a full Travel Plan) would result in a reduction of approximately 24% of the total predicted development-generated traffic emissions. At this stage this is relatively conservative and over time the improvements could be more significant as the uptake in electric vehicles becomes greater (year on year). In addition, the applicant also seeks to promote sustainable travel through improvements to the footway network along Aldcliffe Road. The Council's Air Quality Officer no longer objects to the proposal subject to securing the mitigation measures proposed, together with a condition to control dust during demolition/construction phases (though this is covered by other legislation). With mitigation, the proposed development would not significantly adversely impact the air quality around the site and within the AQMA and therefore does not conflict with the Development Plan or the Framework.

7.4 Residential Amenity and Noise implications

7.4.1 The relationship of the proposed development with neighbouring residential properties is a major consideration given how close the development is to dwellings and gardens along the north and western boundaries of the site. The most affected neighbours are 24 Queen Street, 23 – 49 Portland Street and 50 Aldcliffe Road. 24 Queen Street and 23 Portland Street have their properties and rear gardens abutting the northern boundary of the site. The remaining properties on Portland Street lie adjacent to the site, separated by a wooded embankment and back alley (for some of the properties). Nevertheless, the rear elevations of these properties (taken from the outrigger elements of the buildings) are within 5 metres of the site boundary and around 9 metres of the proposed building and car park.

7.4.2 These neighbouring residents currently sit alongside the existing B&Q store and share a similar relationship (in physical terms) to the proposed scheme. In fact, the proposed building has a smaller massing than the existing building because of the reduced roof height to the rear (mono-pitched roof). It also has a marginally smaller footprint than the existing store, which is more notable to the east as the proposed building is pulled away from 24 Queen Street. The proposed design, appearance and use of materials to the new building is also an improvement to the existing building. On this basis, the outlook for neighbours will not be adversely affected by virtue of the building.

7.4.3 The proposed development includes a plant enclosure between the northern elevation of the building and the northern boundary of the site. This will be positioned at the same finished floor level as the proposed building (22 metres Above Ordnance Datum). The applicant has provided additional information to evidence that the acoustic fencing required around the enclosure, which needs to be 0.5 metres above the height of the tallest plant equipment, shall not exceed the height of the boundary treatment (fence above the stonewall) to 23 Portland Street. Therefore, the outlook for this neighbour should not be adversely affected by this element of the scheme. Conditions are recommended to control the precise position, appearance and design of any enclosures on the site.

7.4.4 For 27 and 29 Portland Street the redevelopment of the site will result in a reduced building mass immediately adjacent to them, thus improving their outlook slightly.

- 7.4.5 Generally, residents are not concerned so much about the building design and massing and the associated impact of this on their residential amenity, but are critically concerned about the nature and characteristics of the retail development proposed. The applicant originally sought opening hours of 08:00-23:00 hours Mon-Sat and 10:00-18:00 hours on Sundays with deliveries 06:00-23:00 hours Mon-Sat and 08:00-17:00 hours on Sundays. Compared with how B&Q currently operate (08:00-20:00 hours Mon-Sat and 10:00-16:00 hours on Sundays), the proposed change, understandably, causes residents concern. B&Q currently limit deliveries to weekdays only and not after 17:00 hours. However, these hours are not controlled by the planning permission that rests with the land. We understand the delivery hours/times have been mutually agreed between the operator and the community.
- 7.4.6 Paragraph 127 of the Framework and policy DM35 of the DM DPD requires development proposals to secure high standards of amenity for all. In particular, development proposals should ensure no significant detrimental impact to residential amenity in relation to visual amenity, privacy, overlooking, massing and pollution. Paragraph 180 of the Framework requires planning decisions to take into account likely effects of pollution on health, living conditions and the natural environment. It goes on to state that in doing so, development proposals (and decisions) should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development - and avoid noise that would give rise to significant adverse impacts. Regard has been paid to the Noise Policy Statement for England (NPSE) as well as the relevant British Standards and associated guidance. The NPSE indicates that Significant Observed Adverse Effect Level (SOAEL) would lead to significant adverse effects on the health and quality of life of receptors affected. This should always be avoided. Where Lowest Observed Adverse Effect Levels (LOAEL) are detected mitigation should be provided to minimise the impacts arising from potential noise sources.
- 7.4.7 An acoustic report accompanies the planning application that originally concluded the development with the hours originally proposed would not result in significant adverse effects. This was disputed by Officers. There was, and remains, strong opposition from the local community over the adequacy of the report (and survey effort) and the effects the proposed development (operations/servicing and plant) on the health and well-being and overall living conditions (amenity) for nearby residents. The Council's Environmental Health Officer originally objected to the proposal raising concerns over the survey period and the potential noise effects of the development, particularly in the early hours and late evening hours of the day. Despite some reluctance from the applicant, additional surveys have now been conducted and a revised assessment has been submitted. Despite objections and concerns to the contrary, there are now no objections from the Councils' Environmental Health Officer over the scope and methodology of the assessment, noting this accords to the relevant standards. The noise monitoring has been carried out in a representative position to capture sensitive receptors along Portland Street.
- 7.4.8 Following lengthy negotiation over the impacts of noise, the applicant has agreed to reduce the proposed opening hours and delivery hours. The hours have not reduced significantly from what was originally proposed, but are sufficient to ensure that the development would not result in adverse effects. The position of the servicing bay has been a serious concern to residents. Currently the existing store has fewer deliveries compared to the proposed use (6 per day) and does not take deliveries after 17:00 hours or at the weekend. However, the unloading of the deliveries takes place externally, manually using folk lift trucks. The applicant has attempted to address these concerns by enclosing the servicing area to ensure all unloading takes place inside the building – this is similar to their set up in Carnforth and Morecambe (new store). Residents remain concerned as this arrangement will result in additional noise from the service delivery vehicles manoeuvring along the boundary (with beepers) between the proposed delivery hours. This will result in a change from the current situation which may cause some disturbance. However, based on the outcome of the noise assessment, the level of deliveries proposed, conditions to manage service deliveries on site, including hours of operation/delivery, a refusal of planning permission could not be substantiated.
- 7.4.9 The noise impacts associated with the plant equipment have also been a significant concern. Whilst the applicant originally contended the noise from the plant would not significantly exceed the background noise levels, they have now accepted that in order to protect the amenity of residents at 23 Portland Street (garden area in particular), a planning condition would be imposed to ensure the plant noise does not exceed above the background noise levels. This has resulted in the provision of an acoustic enclosure around the plant, which shall be designed to reduce the plant

noise by around 10dB. The Council's Environmental Health Officer is satisfied with the overall assessment conclusions, subject to conditions to ensure the development is carried out and operates in accordance with the agreed details. This relates to controls for the revised hours of operation and hours for deliveries and the provision of the acoustic measures for the plant equipment.

- 7.4.10 The noise assessment has assumed delivery hours on Sundays between 08:00-18:00, which have been accepted. However, Officers are mindful of the originally permitted opening and delivery hours for the applicant's Aldi site in Morecambe. In the interests of being consistent and recognising that this site is far closer to residential property than the Aldi Morecambe store (the new store), the applicant has agreed to hours of opening and deliveries on Sunday between 09:00-17:00 hours.
- 7.4.11 The impact of the development does not just relate to noise, but the general disturbance and increased activity on the site in close proximity to neighbouring residents. Concerns associated with nuisance and security are matters that are capable of being addressed and mitigated by planning condition and through good operational management on site. There are a number of planning conditions recommended to help manage and reduce such impacts, including boundary treatments and enclosures, external lighting, refuse provision and car parking and service management plans.
- 7.4.12 Officers have been particularly mindful of the potential impacts the development would have on neighbouring residential amenity. Suggestions from the community to redesign the development and relocate the servicing areas to the east of the site, rather than west, were discussed with the applicant. These suggestions were discounted due to the knock on impacts this would have on highway safety and the impact of the resultant development on the visual amenity and the character of the area. Overall it is recognised that the proposed development will alter the environmental conditions surrounding neighbouring residents affected. However, such impacts are not considered so significant to justify a refusal of planning permission. Due regard must be given to the fact that the site could operate as a retail unit with no restrictions or planning controls.

7.5 Design, and Cultural Heritage Considerations

7.5.1 *Design matters*

Planning policy places a strong emphasis on importance of good design in delivering sustainable development. It is also recognised in planning policy and guidance that good design is more than aesthetics and is about place-making. The design of the proposed building is not ground-breaking. It has a functional form to suit the operator and practically replicates the scale and form of the large box-like building that currently occupies the site. The existing building does not positively contribute to the character and appearance of the area. Its loss with an alternative building provides an opportunity to visually improve the appearance of the site and its relationship with its surroundings.

- 7.5.2 The proposed development does not markedly improve the character of the area – it proposes to replace a large building with another large building on similar footprint of a similar scale. However, the appearance of the proposed building (in its amended form) is considered a betterment to the appearance of the area and the site itself. The mono-pitched roof, glazed elevations, feature canopy and more subtle use of materials will provide a more contemporary addition to the built form in the area. The proposed timber cladding shall consist of different sized (width and depth) vertical timber planks to provide some depth and articulation to the elevations. This timber cladding will extend along the front elevations and wrap around both side elevations. This will be complimented by the proposed beige coloured cladding (opposed to the black and silver cladding originally proposed) and the glazing/mock glazing to the corner facing Queen Street and Aldcliffe Road.

7.5.3 *Landscaping*

The scheme proposes the removal of the large water tank and timber enclosure within the existing car park, the removal of the high metal fencing currently enclosing the garden centre and seeks to retain the existing stone boundary walls around the site, subject to some minor changes to the wall at the access. The wooded embankment will be protected and retained with some additional planting within car park area and along the far eastern boundary. The Council's Tree Officer has considered the scheme and has raised no objections subject to appropriate conditions to adequately protect the trees along the western boundary and for the landscaping scheme to be fully implemented. The hard landscaping around the building and within the car park are matters that can be controlled by condition and do not raise significant concerns, provided there is some variation in materials to aid internal pedestrian circulation and to break up the mass of car parking areas.

The design, scale and appearance of the proposed development satisfactorily accords with policy SC5 of the Core Strategy and policies DM29 and DM35 of the Development Management DPD.

7.5.4 Cultural Heritage

The NPPF states that when considering the impact of a proposed development on the significance of designed heritage assets, great weight should be given to the assets conservation. Similarly, the local planning authority in exercising its planning function should have regard to s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states *“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”*. Similarly, section 72 requires that *in the exercise of planning duties special attention shall be paid to the desirability of preserving and enhancing the character or appearance of conservation areas*. Paragraph 195 and 196 of the NPPF seeks to express the statutory presumptions set out in s66(1) and s72 of the 1990 Act. It is clear that the statutory presumption is to avoid harm. The exercise is still one of planning judgment but it must be informed by the need to give significant weight to the desirability to preserve the heritage asset(s).

7.5.5 The proposed site lies within the Conservation Area (High Street Character area) and adjacent to Aldcliffe Road Conservation Area. There are also a number of designated heritage assets within the immediate surroundings of the site, including 29 Queen Street, 20 and 22 Queen Street, Toll House Inn, Lancaster Canal Basin, Lancaster Canal Old Blacksmiths Shop and Basin bridge and the Royal Lancaster Infirmary. There are also a number of non-heritage designated assets close to the site including Lancaster Canal and the properties flanking the site on Portland Street and Speights Warehouse. The redevelopment of the site has the potential to have impacts on the setting of these heritage assets as well as the potential to affect more directly the character and appearance of the Conservation Area.

7.5.6 The existing building does not make a positive contribution to the setting and significance of the Conservation Area or surrounding designated and non-designated heritage assets. Therefore the redevelopment of the site provides an opportunity to improve the quality of the area and the significance of the heritage assets affected.

7.5.7 The proposed site occupies a prominent position within the Conservation Area. The loss of the existing building and its ancillary structures (garden centre enclosure and water tank) are welcomed changes. Whilst the proposed development remains a large single building, similar to the scale and massing of the existing building, its overall design and appearance would be an improvement to the area. The development will provide a more contemporary, high quality building (compared to the existing), which would not materially affect the townscape qualities in this location. The building materials are now more subtle in tone and colour and will complement the traditional building materials surrounding the site. Whilst the loss of stone from the building is regrettable, it would not render the scheme unacceptable. There are no intentions to remove the historic stonewalls around the site, which clearly make a positive contribution to the Conservation Area, though a planning condition is recommended to control any new or amended boundaries and enclosures in the interests of preserving the character and appearance of the area. The amended use of materials and the overall design of the development is considered to make a neutral to slight positive contribution to the significance of the Conservation Area and the setting of nearby heritage assets. The Council's Conservation Officer has no objections to the proposal, nor do the Civic Society - save for request to re-use the existing stone. Consequently, the development is considered compliant with Policy SC1 of the Core Strategy, policies DM31, DM32, DM33 and DM35 of the Development Management DPD and paragraph 127 and 192 and 193 of the Framework. Due regard has been paid to Section 66 of the Planning (Listed Building and Conservation Area) Act 1990 and it is considered that the Conservation Area and nearby listed buildings would be preserved.

7.5.8 The impact of the development on buried archaeology is a material consideration in the determination of the application. Given the site previously occupied Queen's Mill (1840, cotton spinning mill) and that the site lies within close proximity to known archaeological interests, the potential for buried remains is considered relatively high. Whilst previous historic buildings have been demolished, given there are no buildings on the southern half of the site it is reasonable to assume those buildings may only have been demolished to ground floor level. The level of ground

disturbance proposed for this area is unknown at this stage, although assumed to be minimal given the intended car park use. However, there are risks associated with the proposed drainage works and as such, a condition is recommended to ensure appropriate archaeological investigations are undertaken before development commences. This accords with the requirements of Policy DM34 of the DM DPD.

7.6 Other considerations

7.6.1 Ecology

The site is brownfield, dominated by buildings and hard surfacing offering minimal valuable habitat for wildlife. Nevertheless, there is a belt of trees and scrub along the western boundary that provides suitable foraging habitat for birds and bats in particular. The application has been supported by a tree report and ecological appraisal. This proposes mitigation in the form of replacement tree planting (replacement of trees to be removed from the eastern boundary) and demolition/clearance works to occur outside of the bird-nesting season. The submitted appraisal also recommends that any external lighting be carefully designed to avoid excessive light disturbance to the wooded embankment. Biodiversity enhancement measures in the form of 3 bird boxes and 3 bat boxes are also proposed. The measures set out in the submission adequately demonstrate the development will have minimal impacts on local biodiversity and that the proposal will make a positive contribution overall. Such measures must be secured by planning condition so that the development accords with DM27 and DM29 of the DM DPD and paragraph 175 of the Framework.

7.6.2 Flood Risk, Drainage and Contamination

The Council's Contaminated Land Officer has requested conditions associated with a contaminated land and given it is previously developed land this is considered acceptable. The Lead Local Flood Authority (LLFA) have now removed their objection and are satisfied that a suitable surface water drainage scheme is feasible on the site. This will involve draining to the public sewer (as other more sustainable means are not possible in this location) at a restricted rate requiring attenuation on site. This offers a betterment from the existing drainage arrangements serving the B&Q store. The LLFA recommends precise details of the surface water drainage scheme by condition. United Utilities is satisfied with the proposals provided the surface water and foul water drains separately. United Utilities has confirmed acceptance for the surface water to drain to the public sewer at a restricted rate. A condition is also recommended to ensure any sustainable drainage features on site (attenuation) is appropriately maintained to prevent the risk of flooding on site or elsewhere due to a lack of maintenance.

7.6.3 Economic benefits

The application indicates that the proposal would generate 50 full time jobs (which is more than existing), plus employment during the construction stages of the development, thus providing economic benefits to the local area. This application has met the threshold for requiring production of an Employment and Skills Plan (ESP). The ESP will need to detail how opportunities for, access to and up-skilling local people through the construction phase of the development proposal will be provided. Development Management policy DM48 (Community Infrastructure) establishes the requirement and is supported by an ESP Supplementary Planning Document. As such, a pre-commencement condition will need to be applied to any consent granted to deliver the ESP.

8.0 Planning Obligations

8.1 No planning obligations are required for this development. Where planning controls are required to make the development acceptable, such can be adequately dealt with by planning condition.

9.0 Conclusions

9.1 The proposed redevelopment of the site for a food store will bring social, economic and environmental benefits to the area. This includes additional jobs both during construction and once operational; providing a discount food store in an area where such provision has previously been deficient; (and reduce the need to travel further afield); replacing the existing unsightly building and its enclosures; enhancements to the character and appearance of the Conservation Area, and; enhancements to the local pedestrian network. On the other hand, it is recognised that the proposal will lead to some negative impacts. This primarily relates to the impact on neighbouring residents and to a lesser extent air quality. The impact on neighbours is a direct consequence of the changing characteristics of the type of retail operating from the site and the effects on the new plant equipment and serving arrangements. This has been described in the above assessment. Whilst neighbouring

residents will experience a change to their local environmental characteristics, the evidence before the Local Planning Authority indicates that the impacts on residential amenity (by virtue of noise in particular) would not be significantly adverse to substantiate a reason to resist the development. The identified air quality impacts are small and are capable of mitigation to minimise the level of harm.

- 9.2 Finally, regard must also be given to the fact that there is a realistic fall-back position should Councillors find the proposal unacceptable. This is a material consideration that should be afforded substantial weight in this decision. If the planning permission was resisted and the applicant did choose to operate the existing building as a food store, the impacts identified through the consideration of this application (save for some matters) would occur without any mitigation or future planning controls.
- 9.3 There have been lengthy negotiations during the consideration of this application to ensure the development is capable of being implemented without significant adverse impacts on the local environment and the community surrounding it. By in large the proposed development, with mitigation, accords with the Development Plan. Where there is a degree of conflict there are material considerations (fall-back position) which would outweigh such conflict. Councillors are therefore recommended to support this application.

Recommendation

Delegate back to the Planning Manager for the consultation period to expire and subject to no new and valid material considerations being raised that are not considered by this report that Planning Permission **BE GRANTED** subject to the following conditions:

1. Time limit (3 Years)
2. Approved plans list
- Pre-commencement conditions***
3. Construction of site access and off-site highway works
4. Submission of Tree Protection Plan and Arboricultural Method Statement
5. Site Investigation for contamination
6. Surface water drainage scheme to be agreed limiting discharge rate to 20 litres per second.
7. Written Scheme for Investigation (Archaeology)
8. Precise details plant equipment, vents, ducts and their enclosures
9. Employment Skills Plan
- Pre-construction of the building (above ground level) conditions***
10. Precise details (and samples) of all external materials to the building, enclosures, boundaries and surface treatments to be agreed
11. Scheme for external lighting and security measures (CCTV)
12. Precise scheme for refuse provision
13. Precise scheme for the provision of EV charging facilities and cycle provision
- Development to accord with the ecological mitigation set out in the submission with precise details of the enhancements measures to be agreed with the Local Planning Authority and thereafter retained.
- Before first use/opening of the store***
14. Surface water drainage management and maintenance condition
15. Car Parking Management and Service Delivery Management Plan
16. Car, cycle, motor cycle provision to be provided and retained
17. Travel Plan
- Control conditions***
18. Foul and surface water to drain on separate systems
19. Net sales shall not exceed 1,300 sqm. No more than 20% of the net sales floorspace shall be used for the display and sale of comparison goods.
20. Hours of operation limited to 08:00 – 22:00 Monday – Saturday and 09:00 – 17:00 Sundays and Bank Holidays
21. Hours of deliveries limited to 07:00 – 22:00 Monday – Saturday and 09:00 – 17:00 Sundays and Bank Holidays
22. Landscaping condition to be implemented and maintained
23. Noise mitigation and noise levels for plant to be secured and maintained

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

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

Background Papers

None

Agenda Item	Committee Date	Application Number
A6	24 June 2019	19/00351/VCN
Application Site G And L Car Services Wheatfield Street Lancaster Lancashire	Proposal Erection of 41 houses and 24 apartments with associated access, roads and landscaping (pursuant to the variation of condition 2 and 16 and the removal of conditions 17 and 20 on planning permission 14/01208/FUL to retain the spoil and omit the area of open space to the southern part of the site and erect new fencing and an ivy screen fence)	
Name of Applicant Jigsaw Homes Group	Name of Agent Miss Hannah Walker	
Decision Target Date 16 July 2019	Reason For Delay N/A	
Case Officer	Mrs Petra Williams	
Departure	No	
Summary of Recommendation	Approval	

1.0 The Site and its Surroundings

- 1.1 The application site is located approximately 0.3km west of the city centre. It is a 1.46 hectare linear parcel of land that was a brownfield site, but has subsequently been developed for 65 affordable residential units comprising 41 houses and 24 flats. The site is orientated north/south with the western boundary abutting the West Coast Rail Line. A small section of the site fronts Wheatfield Street from which vehicular access to the site is gained. Pedestrian access can also be gained to the site from the southern end of Blades Street, adjacent to the children's play area. Whilst the site is unallocated in the Local Plan, the properties on Blades Street and the properties on the east side of Wheatfield Street fall within Lancaster Conservation Area.

2.0 The Proposal

- 2.1 The application seeks to remove conditions 17 (boundary treatments) and 20 (landscaping and open space management plan) and to vary conditions 2 (the list of approved drawings) and 16 (landscaping scheme) on planning permission 14/01208/FUL to retain a pile of spoil and omit the area of open space to the southern part of the site, plant some new vegetation and erect an ivy screen fence.

3.0 Site History

- 3.1 The most relevant application relating to this site and the current proposal is:

Application Number	Proposal	Decision
14/01208/FUL	Erection of 41 houses and 24 apartments with associated access, roads and landscaping	Approved

4.0 Consultation Responses

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

Consultee	Response
Fire and Rescue	Advises that it should be ensured that the scheme fully meets all the requirements of Building Regulations Approved Document B, Part B5 'Access and facilities for the Fire Service.
Network Rail	Advises that the fence must be maintained and constructed wholly within the applicant's land ownership including foundations.
Tree Protection Officer	No objections to an amendment to the landscape proposals to create a bund in place of the original landscaped area. However, the applicant should make provision for additional planting elsewhere in the site to contribute to the loss. A revised landscape scheme will be required.
Public Realm Officer	No comments received within the statutory consultation period.
Conservation Team	No comments received within the statutory consultation period.

5.0 Neighbour Representations

5.1 10 local residents from within the development and the adjacent residential area have objected to the application for the following reasons:

- Loss of privacy;
- Adverse noise impacts;
- Adverse visual impacts;
- Adverse impact on prices of property on the adjacent residential road;
- Anti-social behaviour;
- Pressure on limited public open space in the area; and
- Lack of provision of public open space within the development.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraphs 124, 127, 128 – Achieving well-designed places

Paragraphs 91, 92, 96 – Open space

6.2 Local Planning Policy Overview – Current Position

On 15 May 2018, and in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), Lancaster City Council submitted the following documents to the Secretary of State (Planning Inspectorate) for examination:

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

The Examination Hearing Sessions commenced on 9 April 2019

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.

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.

Given the current stage of both DPDs, it is considered that significant weight can be attributed to the policies contained therein subject to the extent to which there are unresolved objections to the relevant policies and their consistency with the National Planning Policy Framework.

6.3 Lancaster District Core Strategy (adopted July 2008)

SC1 – Sustainable Development
SC5 – Achieving Quality in Design

6.4 Development Management Development Plan Document (adopted July 2014)

DM26 – Open Space, Sports and Recreational Facilities
DM35 – Key Design Principles

7.0 Comment and Analysis

7.1 There are 2 materials considerations arising from the proposal:

- Design and layout; and
- Loss of open space.

7.2 The southern end of the development site is currently served by 4 parking spaces behind which is a 2m high close-boarded timber fence. Between the tarmac surface and the visually impenetrable fencing, it gives the appearance of a very hard finish within this end of the site, which should have had a softer, verdant look. This application seeks to replace the close-boarded timber fencing with an ivy screen and a set of dark green metal mesh gates. The ivy screen will be set back 1.5m from the parking bays to allow this strip to be planted. These changes will improve the design and appearance of this part of the site, so conditions will need to be applied to ensure the works are undertaken and they are retained and maintained accordingly. Likewise, the acoustic fence to the western boundary of the site will need to be retained.

7.3 The approved plans showed a triangular area of green space to the southern end of the site. It was shown to measure 19m wide at the northern end of the space (excluding the embankment), narrowing to a point some 80m to the south. There was no requirement for this space to be provided by the Council's Public Realm Officer when the original application was being considered, with the Committee report for the original application only making reference to the space in passing as part of the description of the proposed development. In effect, it is a piece of land that was, and still is, very restricted given the proximity of the railway to the west, houses and their associated gardens to the east and the land levels. Furthermore, during the development of the site Officers considered that the space could be used for the depositing of some excess spoil (measuring c20m in length, 9m in width and over 2m in height). The space remains planted up and verdant in appearance, but it is not publicly available. However, the site does benefit from other public open spaces in close proximity - Dallas Road Gardens (c125m), Blades Street equipped play area (c25m), Fairfield Millennium Green (c500m), Quay Meadows (c600m), Giant Axe (c400m) and Lancaster Canal (c525m). 11 of the 51 replacement trees, to compensate for the loss of 20 individual trees and 11 groups of trees to facilitate the development, were due to be planted within this green space. In fact, 14 trees have been planted, though 4 of them appear to be dead, and 7 will require re-planting to facilitate the proposal. An updated landscaping plan has been requested and a verbal update will be provided to the Committee meeting in this regard.

7.4 Approving a Section 73 application effectively grants a new planning consent, so all the other conditions imposed on the original permission need to be considered. Many of the conditions have been fully satisfied insofar as details were agreed and those approved details have been implemented. However, a number of the conditions need to be re-imposed, albeit re-worded, as the approved and implemented details need to be retained and/or managed for the lifetime of the development. However, one condition relates to off-site highway improvement works, of which 2 elements have been implemented and the third (a contraflow cycle lane on the west-east section of Blades Street) is currently outstanding though the applicant has entered into a Section 278 agreement with the Highway Authority in this regard. The onus is on the Highway Authority to deliver these works and this is being chased accordingly by the City Council. A verbal update will be provided at the Committee meeting regarding this matter.

8.0 Planning Obligations

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

9.0 Conclusions

- 9.1 The changes being proposed to the boundary treatments are acceptable and an improvement on the current situation, especially with the strip of landscaping being proposed between the parking bays and the southern boundary. The loss of the open space to the southern end of the site is unfortunate but is considered to be acceptable given the space was not a requirement of the original development, the space was and remains constrained, and site benefits from a number of other publicly available open spaces within a short walking distance. The application is therefore recommended for approval subject to conditions requiring the ongoing retention, maintenance and management of particular facilities and details.

Recommendation

That planning permission **BE GRANTED** subject to the following conditions:

1. Amended list of approved plans
2. Details of gates to be submitted and agreed; gates and replacement boundary treatments to be implemented within 3 months of the date of the decision and retained at all times thereafter, and new planting undertaken within the first planting season after the date of the decision and maintained thereafter
3. Affordable housing scheme Local letting plan
4. Protection of the visibility splays
5. Retention of cycle and refuse storage facilities
6. Retention of car parking facilities and managed in accordance with the approved Traffic and Parking Management Plan
7. Off-site highway works – contraflow cycle lane on Blades Street
8. Landscaping Management Plan
9. Retention of materials/details, including noise mitigation measures and boundary treatments
10. Maintenance and management of surface water and foul drainage systems
11. Removal of PD rights (Part 1 Classes A to G, Part 2 and Part 14)

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

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

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

Background Papers

None

Agenda Item		Committee Date	Application Number
A7		24 June 2019	19/00164/OUT
Application Site		Proposal	
Land east of Lancaster Road & north of Willey Lane Lancaster Road Cockerham Lancashire		Outline application for the erection of up to 24 dwellings (C3) and provision of new vehicular access, and pedestrian access to Willey Lane	
Name of Applicant		Name of Agent	
Mr P & M Hewitt		Mr Avnish Panchal	
Decision Target Date		Reason For Delay	
1 August 2019			
Case Officer		Mr Mark Potts	
Departure		No	
Summary of Recommendation		Refusal	

1.0 The Site and its Surroundings

- 1.1 The site is located on the northern fringes of the village of Cockerham, which is located 9km to the south of Lancaster City Centre. The site is farmland and reaches its highest point at circa 24 metres Above Ordnance Datum (AOD) within the centre of the site, and falls either side of this to around 20 metres AOD. To the north lies Batty Cottage and to the east lies open fields. A linear form of development lies to the south consisting of 6 residential dwellings served off Willey Lane.
- 1.2 The site extends to around 1.7 hectares, and the boundaries to the north west and south consist of a mixture of fencing, hedgerows and walling. To the east there is no boundary in place. The site is allocated as Countryside Area in the adopted Local Plan and Willey Lane, which is located 30 metres to the south of the site, is a Public Right of Way. The site lies within an aerodrome safeguarding zone where structures greater than 6 metres will not be permitted.

2.0 The Proposal

- 2.1 The application is made in outline form for the erection of up to 24 residential dwellings, with the only matter that is being considered in full is the provision of the access into the site. Matters associated with scale, appearance, layout and landscaping are proposed to be considered under the Reserved Matters application process. The scheme initially provided for 31 dwellings, but Officers had concerns regarding the density across the site, and therefore a reduced quantum of housing has been proposed. An indicative layout plan is submitted in support of the scheme that illustrates how 24 dwellings could be delivered on the site. It includes a connection to the Public Right of Way on Willey Lane together with open space.

3.0 Site History

- 3.1 There is no site history relevant to this application.

4.0 Consultation Responses

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

Consultee	Response
Natural England	Originally raised concerns with the application given additional recreational pressure on the Morecambe Bay Special Protection Area (SPA) and also whether wintering birds could utilise the site. Following negotiation with the applicant no objection has now been received.
Greater Manchester Ecology Unit	Initially raised concerns with the submitted environmental appraisal and raised concerns on wintering birds. However, based on the amended submission they are now satisfied that the proposals will not impact on wintering birds and the land is not functionally linked to the SPA. Additional information has been shared by the applicant to address issues of ponds and also the proximity of the site to Biological Heritage Sites. Comments are awaited in this regard.
Lead Local Flood Authority	Objection. Consider that infiltration testing is provided to demonstrate that the site can be sustainably drained.
United Utilities	No objection on the understanding that the development is undertaken in accordance with the submitted Flood Risk Assessment
County Highways	Objection. Unable to support the application given the location of the site in an unsustainable area and also concerns regarding highway safety.
Cockerham Parish Council	Comments - The entrance to the proposed application is situated on a main road and on a bad bend where there have been 2 accidents recently. This issue is compounded by the fact that there are no footpaths. There are also concerns regarding the management of water and the current infrastructure is inadequate for this proposed development and would require improvement.
Tree Protection Officer	No objection
Lancashire Archaeological Advisory Service	No objection. Recommend a condition associated with a written scheme of investigation.
Contaminated Land Officer	No objection. Recommends land contamination related conditions.
Environmental Health Officer (Noise and Air Quality)	No observations received within the statutory timescales.
County Council Education	Recommend provision for 2 secondary school places and a maximum of 4 primary school places for primary, resulting in a contribution of £48,370.20 and £64,202.16 respectively.
Waste and Recycling Officer	No objection though recommends amendments to the layout associated with collection points for wheelie bins and for house types for plots 10-14, 18-25 and 30-31.
Dynamo (Lancaster and District Cycle Campaign)	Objection. The scheme does not include the provision for a safe, sustainable cycle route between the new development and the wider area.
Public Right of Way Officer	No observations received within the statutory timescales.

5.0 Neighbour Representations

5.1 5 objections to the proposal have been received raising the following concerns:

- Loss of a greenfield site;
- Detrimental impact upon residential amenities;
- Highway safety and accessibility concerns;
- Ground conditions and pollution control;
- Contaminated land;
- Utilities – Water pressure is a particular concern;
- Outlook and loss of amenity for properties along Willey Lane; and
- Impact on employment and local economy.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Section 2 – Delivering Sustainable Development
 Section 4 – Decision Making
 Section 8 – Promoting healthy and safe communities
 Section 9 – Promoting Sustainable Transport
 Section 11 – Making effective use of land
 Section 12 – Achieving well designed places
 Section 14 – Meeting the challenge of climate change, flooding and coastal change
 Section 15 – Conserving and enhancing the natural environment
 Section 16 – Conserving and enhancing the natural environment

6.2 Local Planning Policy Overview – Current Position

On 15 May 2018, and in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), Lancaster City Council submitted the following documents to the Secretary of State (Planning Inspectorate) for examination:

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

The Examination Hearing Sessions commenced on 9 April 2019.

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.

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.

Given the current stage of both DPDs, it is considered that significant weight can be attributed to the policies contained therein subject to the extent to which there are unresolved objections to the relevant policies and their consistency with the National Planning Policy Framework.

6.3 Lancaster District Core Strategy (adopted July 2008)

SC1 – Sustainable Development
 SC4 – Meeting the District’s Housing Requirements

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

E4 – Countryside Area

6.5 Development Management DPD

DM20 – Enhancing Accessibility and Transport Linkages
 DM21 – Walking and Cycling
 DM22 – Vehicle Parking Provision
 DM26 – Open Space, Sports and Recreational Facilities
 DM27 – Protection and Enhancement of Biodiversity
 DM28 – Development and Landscape Impact
 DM29 – Protection of Trees, Hedgerows and Woodland
 DM30 – Development affecting Listed Buildings
 DM32 – The Setting of Designated Heritage Assets
 DM35 – Key Design Principles
 DM38 – Development and Flood Risk
 DM39 – Surface Water Run-off and Sustainable Drainage
 DM41 – New Residential dwellings
 DM42 – Managing Rural Housing Growth

6.6 Other Material Considerations

- National Planning Practice Guidance;
- Meeting Housing Needs Supplementary Planning Document;
- Lancaster City Council 2018 SHELAA (January 2019)
- Cockerham Neighbourhood Plan;
- Low Emissions and Air Quality (September 2017);
- Housing Needs Affordable Practice Note (September 2017);
- Provision of Electric Vehicle Charging Points – New Developments (February 2016).
- Open Space Provision in new residential development (October 2015);

7.0 Comment and Analysis

7.0.1 The main issues associated with the application include the following matters;

- Principle of development;
- Highways;
- Layout and design;
- Drainage;
- Landscape;
- Ecology;
- Infrastructure; and
- Other matters

7.1 Principle of Development

7.1.1 Cockerham is listed as a Sustainable Rural Settlement under Policy DM42 of the adopted Development Management DPD and continues to be allocated within the forthcoming Strategic Land Allocations document. Cockerham is a village in principle where sustainable housing will be supported. Policy DM42 indicates that in all cases, proposals for new residential development on non-allocated sites must:

- Be well related to the existing built form of the settlement;
- Be proportionate to the existing scale and character of the settlement unless exceptional circumstances can be demonstrated;
- Be located where the environment and infrastructure can accommodate the impact of the development; and,
- Demonstrate good siting and design in order to conserve and where possible enhance the character and quality of the landscape.

7.1.2 The proposal is sited on the eastern fringes of the village, with Batty Cottage located to the north, and residential dwellings to south and therefore it is considered that the development is well related to the built form of Cockerham. It is fair to suggest that in recent years the village has seen a number of planning applications approved for residential schemes, namely the Village Road development which has now been built out for 17 houses (13/01018/FUL); together with 18 units off Rectory Gardens (17/00723/OUT); and land at Manor Inn for 24 units (18/00877/OUT). Permission had been previously granted for 36 dwellings off Marsh Lane (16/00494/OUT and 15/00587/OUT), though this permission is now not capable of being implemented.

7.1.3 This application does need to be considered in the context of the previously approved schemes, though there is no certainty that any of the approved schemes will come forward for development. Officers consider that even taking account of the approved schemes, this scheme is capable of being of a scale and character appropriate to the settlement, and is capable of demonstrating a high quality design. It is therefore considered that the development complies with the requirements of Policy DM42 of the Development Management DPD.

7.1.4 As part of this application the applicant has committed to providing *the full* (our emphasis) 40% affordable housing provision, so this would relate to the provision of nine affordable dwellings (37.5%). This is afforded significant weight in the decision making process and one that could be controlled as such via the Section 106 Legal Agreement process.

7.2 Highways

- 7.2.1 One vehicular access is proposed off Lancaster Road (A588). The County Council did raise concerns to the original scheme regarding the sustainability credentials (the location of the site in relation to local services/facilities) and also from a highway safety perspective. The scheme originally proposed visibility splays in the region of 4.5m x 73m and 4.5m x 70m, and these have been increased during the application process to 2.4m x 92m to the north and 2.4m x 94m to the south. The County's original response was to provide visibility splays of 2.4m x 120m, though when the revised scheme was submitted (which included additional transportation information) they did not comment over whether the reduced visibility splays are acceptable. The Case Officer has sought clarification from the Highway Authority on this matter, as realistically visibility splays of 2.4m x 120m would not be possible within land in control of the applicant. They have since responded advising that visibility splays of 2.4m x 120m are indeed required to ensure that the site can be accessed in a safe manner.
- 7.2.2 Officers have re-examined the Transport Assessment (TA) submitted in support of application 17/00723/OUT at Rectory Gardens (this site is on the opposite side of the A588 and consent is for 18 residential dwellings). The 85th percentile speed here was 37.4mph (northbound) and 42.3mph (southbound). The applicants TA in support of this application states that 85th percentile speeds are 31.9mph northbound and 31mph southbound. There is significant concern that given the sites are adjacent to one another why there is such a discrepancy. The observations of the County have been sought on this and they raise concern with the application if visibility splays in the region of 2.4m x 120m cannot be achieved. It is therefore considered that approval based on the current iteration of the scheme would generate highway safety concerns and cannot be supported.
- 7.2.3 The County Council has requested a footway along the site entrance to tie in with the existing footway which is adjacent to Hallgarth. The principle of connecting the footway is acceptable, although some clarification has been sought from the County Council over how feasible it is to include a footway given the highway is only 8.5 metres at this pinch-point and given this is an A-road whether in reality the County would allow these works is questioned.
- 7.2.4 Willey Lane is a Public Right of Way and the applicant has included a footway which connects to this, Officers from the City and County Councils were keen to see this included as a secondary means of access to amenities within the village such as primary school, churches and public house. This can be secured by means of planning condition, should the scheme be supported.

7.3 Layout and Design

- 7.3.1 Layout, scale and appearance are Reserved Matters, and therefore Councillors are making a decision on whether they consider that the site can accommodate up to 24 residential dwellings. The applicant has, however, included an indicative layout in support of the application to demonstrate how the site could be developed. The original iteration of the scheme including 31 dwellings and there was some concern when travelling southwards to the village on Lancaster Road how the dwellings could sit in relation to Batty Cottage. The applicant has removed this element of the scheme, and left this area reserved for landscaping. Overall the scheme has the potential to be developed sensitively, and whilst there would need to be amendments at the Reserved Matters stage it is considered that the concept of the proposed layout has the potential to work in this location.
- 7.3.2 Given the gradient across the site and to ensure a high quality layout, it is considered necessary to include planning conditions requiring the submission of the finished floor levels. This should include gardens associated with the plots and also open space and roads and pavements. Whilst the gradient creates a challenge, the indicative layout has not sought to propose dwellings on the highest parts and this is to be supported via any future Reserved Matters application. Concern has been raised amongst those residents on Willey Lane regarding loss of privacy and overlooking issues. The rear garden boundaries along Willey Lane have low boundary treatments, and therefore any future application would need to ensure suitable separation distances to ensure that privacy matters could be protected. All these matters could be addressed within any future Reserved Matters submission.

7.4 Drainage

- 7.4.1 One of the early concerns of Officers was whether the site could be drained with sustainable drainage techniques, as there is no point of connection to the main sewer network directly outside the site, and there are no watercourses or drains which are accessible to direct surface water to. The Flood Risk Assessment submitted in support of the scheme does state that infiltration would be a likely suitable means of surface water discharge from the site and the applicant has stated that the site at Rectory Gardens has a soil infiltration co-efficient of 0.113 m/hour. United Utilities records show that surface water drainage for the individual residential properties on Village Road immediately to the south of the proposed development are being drained by individual soakaways located in the rear gardens. United Utilities also advocate draining the site sustainably, and in line with what the applicant is proposing. The Lead Local Flood Authority (LLFA) object to the development as no site specific assessment of the local geology has been submitted in support.
- 7.4.2 In an effort to overcome the concern, the applicant's drainage engineer has submitted additional information, but no investigative work. The additional information has been shared with the LLFA as to whether this overcomes the concerns or whether further site investigation works are required. Whilst the applicant states that soil investigation works have occurred at Rectory Gardens this is not the case from a review of application 17/00723/OUT, as this application used the results of the Village Road development also. Whilst Village Road is less than 100 metres from the site, the Local Planning Authority need to be convinced that the drainage solution as proposed is capable of being implemented. Without an understanding of the ground conditions Officers cannot offer support of the scheme, as without an appropriate drainage solution surface water flooding could be made worse elsewhere. Officers have consulted the LLFA on the additional material and Councillors will be verbally updated at the Committee meeting.

7.5 Landscape

- 7.5.1 The site is currently pastoral farmland, with open views across the Forest of Bowland to the east. It is accepted that there would be a moderate degree of harm associated with the development, However, whilst the development occupies an area of greenfield between the built form, the proposal represents a logical extension to the village. The impact on the landscape can be mitigated via high quality design, and the use of soft landscaping. These are issues that can be addressed at the Reserved Matters stage.

7.6 Ecology

- 7.6.1 The proposal is supported by an ecological appraisal and this has been reviewed by Greater Manchester Ecology Unit. They initially raised concerns about whether wintering birds utilise the site. However, following additional information supplied by the applicant, GMEU withdrew their concerns in this regard. GMEU has raised concerns regarding a lack of Great Crested Newt Survey on a pond to the north of the site and the applicant has responded to this by stating the pond is not accessible to survey. The additional information was only shared by the applicant on the report deadline, and therefore Councillors will be verbally updated as to whether an additional reason for refusal needs to be included.
- 7.6.2 Natural England (NE) initially objected on the basis that insufficient information was submitted to enable them to conclude whether or not the site could be used by wintering birds and also concerns regarding recreational pressure on Morecambe Bay. The applicant has provided additional information, which has been considered by NE. NE has removed its objection subject to a homeowner pack being secured by planning condition.

7.6 Infrastructure

- 7.6.1 The County Council as Education Authority for the District has requested there would be a shortfall of 205 secondary places in 5 years' time. This equates to a need of a financial contribution of £48,370.32, for the provision of 2 secondary school places. With respect to primary places no contribution would be required as it is only envisaged that there would 87 pupils at Cockerham Parochial School in 2024 when the future planned capacity is 102, although the County caveat that this position could change with planning applications that are pending consideration. Approval of this scheme would assist in contributing to the vitality of the school, as this is a key community asset. The applicant is amenable to the financial contributions being secured by legal agreement.

7.7 Other Matters

- 7.7.1 The development proposes in excess of 20 dwelling houses and therefore it is considered necessary and reasonable for a condition to be applied requiring an Employment Skills Plan. The Council's contaminated land officer has requested a suite of planning conditions associated with contaminated land though it is only reasonable to include a condition associated with unforeseen contamination. Whilst not within an air quality management area, it is considered reasonable and appropriate to include electric vehicle charging points for mitigation against emissions generated by the development's traffic.
- 7.7.2 The site lies within an aerodrome safeguarding zone whereby obstacles higher than 6 metres will not be permitted. The principle of development would not pose a danger to aircraft or parachutists on the basis of two storey dwellings and in any event the Civil Aviation Authority would be consulted at Reserved Matters stage.
- 7.7.3 The scale of the site is such that there is unlikely to be a need for an on-site play area, although there will be a need for open space to be provided on the site. It is recommended that a condition is imposed regarding the provision of open space and also for an open space contribution to be assessed based on the needs of the village once the reserved matters application has been received (to be addressed by legal agreement).

8.0 Planning Obligations

- 8.1 Whilst the scheme is being recommended for refusal by Officers, the applicant is amenable to securing the following requirements by way of a legal agreement. These requirements are considered to meet the tests set out in paragraph 56 of the NPPF:
- The provision of 40% of affordable housing to be based on a 50:50 (affordable rented : shared ownership) tenure split as required by policy (percentage, tenure, size, type, phasing to be address at Reserved Matters stage based on local housing needs);
 - The payment of **£48,370.32** for two secondary places (to be assessed at Reserved Matters stage when the number of units and bedroom numbers is known).
 - Off-site open space contribution to be assessed based on the needs of the village of Cockerham (at the time of the Reserved Matters application); and,
 - Long term maintenance of non-adopted highways, open space, landscaping and creation of Management Company.

9.0 Conclusions and Planning Balance

- 9.1 Cockerham is a sustainable rural settlement and therefore the principle of sustainable housing in the village is acceptable. The proposal would result in the provision of 24 dwellings which are likely to come forward within the next five years. The framework is a material consideration, and it seeks to boost significantly the supply of housing. The Local Planning Authority cannot demonstrate a deliverable 5 year housing land supply, nor can it demonstrate an up to date Local Plan. There is a clear need for affordable housing in the local area, and the scheme would deliver 9 affordable homes. Significant weight should be attached to the provision of market housing and affordable housing given the shortfall and the need in Lancaster District.
- 9.2 The site benefits from being sited within a sustainable rural village and whilst public transport is limited, there is a bus stop within 150 metres of the site, and the site is on the northern loop cycle route. Therefore whilst private car transport is likely to be the mainstay of trip movements there are other options open to future residents.

- 9.3 Surface water management has been raised as a concern by local residents and Officers are acutely aware that many parts of the District were affected by flooding in November 2017 and also in July 2018. United Utilities raise no objection to the applicant's proposal based on the information as contained within the applicants Flood Risk Assessment. However, the applicant has failed to convince the Local Planning Authority that the site can be drained via infiltration methods, as there is no real opportunity for a connection to the watercourse or the main sewer within the village.
- 9.4 Overall, it is considered that the weight attached to the provision of housing within the District outweighs the landscape harm associated with the development, but the technical matters associated with drainage and highways leads Officers to recommend refusal of the scheme for the reasons as noted below.

Recommendation

That outline planning permission be **REFUSED** for the following reasons:

1. The proposed vehicular access is not considered to be a safe and suitable access, as the visibility splays proposed are not sufficient enough to allow for a safe means of vehicular access and egress, and therefore there will be an unacceptable impact on highway safety on the A588. The development fails to conform to Paragraphs 108 and 109 of the National Policy Framework, and Policies DM35 and DM42 of the Development Management DPD.
2. It has not been demonstrated to the satisfaction of the Local Planning Authority that surface water run-off from the site can be managed in a sustainable way. The Local Planning Authority has insufficient information before them to deduce whether the development would increase surface water run off rates, and therefore create flooding within site, and to other properties and businesses within the village. The development fails to conform to Paragraph 163 of the National Planning Policy Framework and Policies DM35, DM39 and DM42 of the Development Management DPD.

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

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

Background Papers

None

Agenda Item A8	Committee Date 24 June 2019	Application Number 18/01642/FUL
Application Site Keer Park Warton Road Carnforth Lancashire	Proposal Erection of three blocks each comprising of seven light industrial units (B1) with associated parking	
Name of Applicant Mr Phil Rogerson	Name of Agent Stuart Begg	
Decision Target Date 6 June 2019	Reason For Delay Committee Cycle	
Case Officer	Mrs Petra Williams	
Departure	No	
Summary of Recommendation	Approval	

1.0 The Site and its Surroundings

- 1.1 The proposal site is an area of land adjacent to an existing industrial warehouse building that lies within the former TDG Depot in Carnforth, which is accessed off Warton Road. The site is situated on the east side of Warton Road and is in close proximity to the Carnforth railway junction with the West Coast main line running close to the south-eastern site boundary.
- 1.2 The existing buildings within the wider site formed part of TDG's distribution facilities, which were occupied until the early 2000s. Many of the units have now been re-let to provide range of commercial and office spaces.
- 1.3 The boundary of Carnforth Conservation Area is located approximately 50 metres away from the site. The site falls within the Carnforth's Air Quality Management Area and a Site of Special Scientific Interest impact risk zone. The site is identified within the saved Local Plan as an Existing Employment Area and is identified within the emerging Strategic Policies and Land Allocations DPD as a Development Opportunity Site for a mixture of uses, including employment, commercial, residential and recreational uses.

2.0 The Proposal

- 2.1 The application proposes the erection of three blocks, which will be set out in a linear arrangement adjacent to the existing warehouse building, each comprising seven light industrial units (B1) with associated parking. The proposed will provide small, flexible starter units.

3.0 Site History

- 3.1 There is no site history relevant to this application.

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objections subject to the inclusion of conditions to ensure cycle storage provision and off site highways works.
Environmental Health – (Air quality)	No objection. The development can be classified as a Type 1 development for air quality purposes, requiring standard mitigation approaches. Suggests conditions in relation to a construction environmental management plan and electric vehicle charging facilities.
Contaminated Land Officer	No objection. The proposed development may fall within land formerly occupied by a second world war army camp. Based on information available to date the City Council would anticipate that safety risks arising from this former use are likely to be low or very low.
Conservation	No objection. The existing large industrial buildings do not make a positive contribution to the setting of the Conservation Area and the addition of modern clad industrial units will have a neutral impact on the setting and significance of the designated and non-designated heritage assets.
Natural England	No comments to make in respect of this application.
Network Rail	No objection providing the development does not impact on the safe operation and integrity of the railway. This will be ensured through the imposition of relevant conditions in relation to a Risk Assessment and Method Statement for construction as well as drainage. Advice will also be attached to the decision notice with regard to working in proximity to the railway.
Engineering Team	No comments to make in respect of this application.
Lead Local Flood Authority	No comments received.
Lancashire Archaeology	No objection but advises that the site appears to have been requisitioned as a military headquarters or depot in 1939 and a section of this potential munition store is still extant immediately outside the present development red line. If in existence this should be considered as of at least local, if not district, historical importance and should not be needlessly damaged or destroyed without careful consideration. It may be that the Council should consider including this surviving element in their register of Locally Listed Buildings.
Fire Safety Officer	Neither objects nor supports the scheme but provides advice in respect of access for fire appliances and water supplies for firefighting purposes. Comments to be provided to the applicant as advice.
United Utilities	No objection subject to conditions to ensure that the site is appropriately drained.
Cadent Gas	No objection. No record of apparatus in the immediate vicinity of proposed development.
Dynamo Cycling Campaign	Objection. Supports the regeneration of a disused industrial area, but points out that the application does not take into account National Cycle Network route 90 that runs along Warton Road. Increased traffic movement resulting from the development would pose an increase danger to cyclists without mitigation.

5.0 Neighbour Representations

5.1 No comments received within the statutory consultation period.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraph 11: The presumption in favour of sustainable development
Paragraph 108 -111: Promoting sustainable transport
Paragraph 118-119: Making effective use of land
Paragraph 127: Achieving well designed places
Paragraph 178: Contamination
Paragraph 181: Air Quality
Paragraph 192: Heritage Assets

6.2 Local Planning Policy Overview – Current Position

On 15 May 2018, and in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), Lancaster City Council submitted the following documents to the Secretary of State (Planning Inspectorate) for examination:

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

The Examination Hearing Sessions commenced on 9 April 2019.

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.

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.

Given the current stage of both DPDs, it is considered that some weight can be attributed to the policies contained therein where no significant objection to them has been raised.

6.3 Lancaster District Core Strategy (adopted July 2008)

SC1 – Sustainable Development
SC5 – Achieving Quality in Design

6.4 Lancaster District Local Plan (saved policies)

EC5 – Improving the District's Existing Employment Areas (Warton Road, Carnforth)

6.5 Development Management Development Plan Document (adopted July 2014)

DM16 – Small Business Generation
DM20 – Enhancing Accessibility and Transport Linkages
DM21 – Walking and Cycling
DM22 – Vehicle Parking Provision
DM25 – Green Infrastructure
DM35 – Key Design Principles
DM39 – Surface Water Run-off and Sustainable Drainage

7.0 Comment and Analysis

7.1 The main issues are:

- Principle and emerging policy;
- Design and heritage impacts;
- Highways;
- Air quality; and
- Other matters

7.2 Principle and emerging policy

7.2.1 The NPPF supports the sustainable growth and expansion of business through the conversion of existing buildings and well-designed new buildings. It also gives substantial weight to the value of using suitable brownfield land or the use of underused land and buildings. The site is identified as an existing Employment Site within the saved Local Plan and is identified as a Development Opportunity Site within the emerging Local Plan. It is considered that the proposal is consistent with the principles of existing and emerging policies. Policy DM16 of the Development Management DPD also identifies support for small business generation or expansion in the built up area of Carnforth. It is therefore considered that the principle of development of this site for a B1 use can be supported.

7.3 Design and heritage impacts

7.3.1 The NPPF requires that developments are visually attractive and are sympathetic to local character, and should positively contribute to local character and distinctiveness of heritage assets. Policy DM35 requires development to make a positive contribution to the surrounding landscape. There are a mix of buildings within the site, including modern industrial units and Ironworks House - a non-designated heritage asset that fronts Warton Road. The application site is also within the setting of the Carnforth Conservation Area.

7.3.2 The development has been designed to allow access to the adjacent existing building for the purposes of maintenance and means of escape. The elevations would comprise facing masonry cladding up 2.4m above floor level and profiled dark grey cladding under dark grey aluminium profile roofing with integrated roof lights. The units will include dark grey roller shutters to match the cladding. It is considered that the three mono-pitched units would sit comfortably next to the adjacent, larger units. It is considered that the existing large, modern industrial buildings within the site do not make a positive contribution to the heritage setting. As such it is considered that the addition of the proposed units, which will be of smaller scale, will have a neutral impact on this setting.

7.4 Highways

7.4.1 The NPPF requires that opportunities for sustainable transport are maximised, safe and suitable access to the site is provided and significant impacts on the network are effectively managed. The development site is currently used as an informal parking area for adjacent units. The scheme will provide 32 car parking spaces, six of which will be allocated for persons with impaired mobility. This accords with the maximum required standards set out within Appendix B of the Development Management DPD, which relates to car parking standards. Cycle shelters will be provided between the buildings.

7.4.2 The scheme will utilise the existing point of access to the site off Warton Road. Concerns have been raised by Dynamo Cycle Group regarding the impacts of an increase in vehicle movements on the National Cycle Network route that runs along Warton Road. The Highway Authority has also raised this point and suggested a minor element of off-site highway improvement works to include laying of a short length of centre line, transverse & Stop / Give Way thermoplastic markings in order to mitigate against the consequences of increased pedestrian / vehicular movements over the surrounding public highway network in the vicinity of the application site. Given that the development will undoubtedly result in an increase in vehicle movements to and from Warton Road, this request is considered reasonable.

7.5 Air quality

7.5.1 National policy requires that planning decisions should sustain and contribute toward complying with relevant limit values or objectives for pollutants and opportunities for mitigation of impacts should be identified. Policy DM37 requires that new development located within or adjacent to an air quality management area must not be significantly adversely affected by the development and include mitigation measures where appropriate.

7.5.2 The site is within Carnforth Air Quality Management Area and as such an Air Quality Mitigation Statement has been provided and considered by the Council's Air Quality Officer. Standard mitigation provisions are proposed within the Air Quality Mitigation Statement and this includes the acknowledgement that a construction environmental management plan will be required in addition to the provision of electric vehicle infrastructure. This approach is considered acceptable by the Air Quality Officer.

7.6 Other matters

7.6.1 The scheme includes provision for limited tree planting within the site. It is considered that this will offer a positive impact within this light industrial setting. As such details of a landscaping scheme will be conditioned.

7.6.2 Lancashire Archaeological has provided comments in respect of the application and suggests that part of the site may have historically contained a munitions store. However, following enquires

undertaken by the Contaminated Land Officer the safety risks arising from this former use are likely to be low or very low. However, an advice note will be included with the decision notice if consent is granted.

8.0 Planning Obligations

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

9.0 Conclusions

9.1 The proposed development would result in employment development in a location that is supported in policy and matters relating to highways and air quality can be adequately dealt with by condition. On this basis this application is recommended for approval.

Recommendation

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

1. Standard 3 year timescale
2. Plans
3. Submission of a foul and surface water drainage scheme
4. Construction and environmental management plan
5. Risk Assessment and Method Statement for construction
6. Electric vehicle charging points
7. Landscaping scheme
8. Cycle and bin storage prior to occupation
9. Car parking prior to occupation
10. Separate foul and surface water drainage
11. Unforeseen contamination
12. Use restricted to B1

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

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

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

Background Papers

None

LIST OF DELEGATED PLANNING DECISIONS

LANCASTER CITY COUNCIL

APPLICATION NO	DETAILS	DECISION
18/00868/FUL	Church House, 96 Church Street, Lancaster Change of use of offices (B1) to 10 apartments for holiday use (C3) for Church House 96 LTD (Castle Ward 2015 Ward)	Application Permitted
18/00869/LB	Church House, 96 Church Street, Lancaster Listed building application for alterations to staircases, creation of openings in existing internal walls, installation of partition walls and installation of replacement internal doors for Church House 96 LTD (Castle Ward 2015 Ward)	Application Permitted
18/01079/FUL	3 Alexandra Road, Morecambe, Lancashire Construction of a first floor balcony to the rear elevation for Mr & Mrs Jane Mcvickers (Harbour Ward 2015 Ward)	Application Permitted
18/01523/FUL	3-7 Mary Street, Lancaster, Lancashire Partially retrospective application for the change of use of print works (B1) to student accommodation comprising 1 5-bed cluster flat (C4) and installation of replacement windows to the front and side elevations for Mr Sutton (Castle Ward 2015 Ward)	Application Refused
18/01525/VCN	85-89 Penny Street, Lancaster, Lancashire Demolition of existing buildings and erection of a 6-storey building comprising use classes A1, A2 and/or A3 at lower ground floor and student accommodation above comprising 58 en-suite bedrooms within seven cluster flats and eight studio apartments and the formation of an enclosed external courtyard with landscaping and refuse enclosure (pursuant to the variation of conditions 2 and 15 of planning permission 18/00588/FUL to amend the lower ground floor plan for use as a dental practice (D1) for Ms Ruth Bower (Castle Ward 2015 Ward)	Application Permitted
18/01611/FUL	Land North Of, Royal Oak Meadow, Hornby Erection of 28 dwellings (C3) and associated access for Mr John Beard (Upper Lune Valley Ward 2015 Ward)	Application Refused
18/01637/CU	Everglades Residential Care Home, 394 Marine Road East, Morecambe Change of use of residential care home (C2) into one 2-bed maisonette and three 2-bed flats (C3), demolition of three storey outrigger to the rear, demolition of two storey projection to the front with extension to bay windows, replacement windows and doors for Mr K. Otter (Poulton Ward 2015 Ward)	Application Permitted
19/00014/DIS	Carnforth Business Park, Kellet Road, Carnforth Discharge of conditions 3, 4, 5, 6 and 7 on approved application 18/01144/FUL for Mr Tim Devonish (Carnforth And Millhead Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

19/00015/DIS	Falcon House, 4 Queen Square, Lancaster Discharge of condition 3 on approved application 16/01408/CU for Mr Colin Elderton (Castle Ward 2015 Ward)	Application Permitted
19/00016/DIS	Falcon House, 4 Queen Square, Lancaster Discharge of condition 3 on approved application 16/01409/LB for Mr Colin Elderton (Castle Ward 2015 Ward)	Application Permitted
19/00043/DIS	Land North Of Kellet Road , Over Kellet, Lancashire Discharge of conditions 6,7,9,10,13,18 and 19 on approved application 17/01133/FUL for Mr Ian Parker (Kellet Ward 2015 Ward)	Split Decision
19/00047/DIS	Luneside East, St Georges Quay, Lancaster Discharge of condition 7 on approved application 18/01543/VCN for Luneside East Limited (Marsh Ward 2015 Ward)	Application Refused
19/00048/DIS	Land Off, Penrod Way, Heysham Discharge of conditions 3,4,5,6,7,9 and 10 on approved application 18/00655/FUL for DST group Ltd DST Group Ltd (Heysham South Ward 2015 Ward)	Application Permitted
19/00049/DIS	Gibraltar Farm Campsite, Lindeth Road, Silverdale Discharge of condition 4 on approved application 18/01239/FUL for Mr & Mrs Burrow (Silverdale Ward 2015 Ward)	Application Permitted
19/00052/DIS	Outbuilding To The Rear Of , 98 Church Street, Lancaster Part discharge of condition 3 on approved application 19/00082/LB for Mr & Mrs Andrew Dennis (Castle Ward 2015 Ward)	Split Decision
19/00053/DIS	Nightingale Hall, Quernmore Road, Lancaster Discharge of condition 15 on approved application 17/00046/VCN for Miss Nicole Clarke (Bulk Ward 2015 Ward)	Application Permitted
19/00056/FUL	41 Thornton Road, Morecambe, Lancashire Change of use and conversion of a 1 bed flat and a 8 bed dwelling to two 1-bed flat, one 2-bed flats and one 3-bed maisonette (C3) and installation of windows to the side elevation for Mr & Mrs Paul Harrison (Poulton Ward 2015 Ward)	Application Permitted
19/00057/DIS	Nightingale Hall, Quernmore Road, Lancaster Discharge of part of condition 15 on approved application 17/00046/VCN for Miss Nicole Clarke (Bulk Ward 2015 Ward)	Application Permitted
19/00065/DIS	Unit 1, Kingsway Retail Park, Caton Road Discharge of condition 2 and 3 on approved application 18/01069/VCN for Company (Bulk Ward 2015 Ward)	Application Permitted
19/00066/DIS	Unit 1, Kingsway Retail Park, Caton Road Discharge of condition 3 on approved application 18/01070/FUL for Company (Bulk Ward 2015 Ward)	Application Permitted
19/00067/DIS	Far Waterslack, Waterslack Road, Silverdale Discharge of condition 4 on approved application 18/00368/FUL for Mr M Holmes (Silverdale Ward 2015 Ward)	Application Permitted
19/00074/FUL	1 Conder Brow, Carnforth, Lancashire Erection of a single storey rear extension for Mr & Mrs Farmer (Carnforth And Millhead Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

19/00083/FUL	Marsh House Farm, Crag Bank Lane, Carnforth Change of use of land for the siting of a mobile home to be occupied by an agricultural worker and the installation of a package treatment plant for Mr E Parker (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
19/00141/FUL	Lunesdale View, Old Moor Road, Wennington Erection of single storey extensions to front, side and rear for S And P Poulton (Lower Lune Valley Ward 2015 Ward)	Application Permitted
19/00210/VCN	Aldi, Marine Road West, Morecambe Demolition of existing supermarket, bowling alley and retail units and erection of a replacement supermarket with associated car parking and hard and soft landscaping (Pursuant to the variation of condition 1 on application 18/01423/VCN to amend the approved plans and also to delete condition 2c to remove the requirement for the removal of street furniture) for Mr Stuart Parks (Harbour Ward 2015 Ward)	Application Permitted
19/00212/FUL	Ivyleigh, Woodwell Lane, Silverdale Erection of a single storey rear extension, single storey outbuilding and porch for Ms C Boydell (Silverdale Ward 2015 Ward)	Application Permitted
19/00225/FUL	School House, Main Street, Whittington Demolition of existing outbuilding, erection of a single storey rear extension and erection of detached garage for Mr + Mrs Raistrick (Upper Lune Valley Ward 2015 Ward)	Application Permitted
19/00226/LB	School House, Main Street, Whittington Listed building application for works to internal walls and partition, demolition of existing outbuilding and erection of a single storey rear extension for Mr + Mrs Raistrick (Upper Lune Valley Ward 2015 Ward)	Application Permitted
19/00236/VCN	Plantopia Nurseries, Stoney Lane, Galgate Erection of horticultural buildings, creation of an access track and changes to the existing access arrangements (pursuant to the removal of condition 12 on application 18/00569/VCN to remove the restriction of the personal permission) for Mr & Mrs Haley (Ellel Ward 2015 Ward)	Application Permitted
19/00250/FUL	5 Salisbury Close, Heaton With Oxcliffe, Morecambe Erection of a two storey rear extension and ground floor link to garage for Mr Alex Howard (Westgate Ward 2015 Ward)	Application Withdrawn
19/00251/FUL	9 And 11 Swaledale, Galgate, Lancaster Erection of a joint single storey rear extension for Mr Ties van Ark (Ellel Ward 2015 Ward)	Application Permitted
19/00268/FUL	27 Silverdale Road, Yealand Redmayne, Carnforth Erection of a 3-bay garage for Mr Richard Bradfield (Silverdale Ward 2015 Ward)	Application Permitted
19/00269/FUL	59 Copy Lane, Caton, Lancaster Erection of a single storey rear extension, construction of a rear dormer extension and erection of a two storey front and first floor extension to existing garage and change of use of garage to ancillary living accommodation for Ms Nicola Meldrum (Lower Lune Valley Ward 2015 Ward)	Split Decision

LIST OF DELEGATED PLANNING DECISIONS

19/00275/FUL	69 North Road, Lancaster, Lancashire Partial demolition of part of first floor roof and part of first floor front wall, erection of extension up to third floor level, reconfiguration of ground floor retail unit (A1) and change of use of first, second and third floors into student accommodation comprising one 5-bed cluster flat (C4) for Mr Wahid Mayer (Castle Ward 2015 Ward)	Application Permitted
19/00287/FUL	287 Heysham Road, Heysham, Morecambe Conversion of existing detached garage to the rear, including single storey extension, to form granny annexe for Mr & Mrs A. Dalton (Heysham Central Ward 2015 Ward)	Application Permitted
19/00288/FUL	17 Hodder Avenue, Morecambe, Lancashire Erection of a single storey rear/side extension and erection of an outbuilding to the rear to create ancillary accommodation for Mrs Wendy Shorrocks (Skerton West Ward 2015 Ward)	Application Permitted
19/00289/FUL	141 Lancaster Road, Carnforth, Lancashire Demolition of existing conservatory and erection of a single storey rear extension, erection of a single storey front extension and creation of a raised terrace with balustrade for Mr & Mrs K Richardson (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
19/00308/FUL	52 Main Road, Nether Kellet, Carnforth Change of use of agricultural barn to offices (B1), alterations to existing access, creation of new access and associated car park through a change of use of domestic curtilage, relevant demolition of existing garage, erection of new garage and boundary wall and creation of an area of hardstanding to the east for Mrs M Cornthwaite (Kellet Ward 2015 Ward)	Application Permitted
19/00312/FUL	Quernmore House, Little Dale Road, Quernmore Change of use of offices (A2) and garage to a 2-bed dwellinghouse (C3) for Mr Carl Swinnerton (Lower Lune Valley Ward 2015 Ward)	Application Permitted
19/00352/VCN	Falcon House, 4 Queen Square, Lancaster Change of use from offices (B1) to form new student accommodation comprising 8 self contained studio units (C3) and 1 7-bed cluster flat (sui generis) pursuant to the variation of condition 2 on planning permission 16/01408/CU to amend the approved plans to remove the 7-bed cluster flat and retain as offices (B1) for Mr Colin Elderton (Castle Ward 2015 Ward)	Application Permitted
19/00353/FUL	14 Shore Cottages, Shore Road, Silverdale Erection of a part single part two storey rear extension and construction of a porch to the front elevation for Mr & Mrs R Warren (Silverdale Ward 2015 Ward)	Application Permitted
19/00354/FUL	16 Shore Cottages, Shore Road, Silverdale Erection of a two storey rear extension for Mr & Mrs T Houghton (Silverdale Ward 2015 Ward)	Application Permitted
19/00356/FUL	2 Manor Close, Slyne, Lancaster Demolition of existing outbuildings and erection of a single storey rear extension for Mr & Mrs Worgan (Bolton And Slyne Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

19/00367/FUL	34 Bay View Avenue, Slyne, Lancaster Erection of a single storey rear extension to include the creation of a raised terrace to with a balustrade and creation of a dormer extension to the rear for Mr & Mrs Lockley (Bolton And Slyne Ward 2015 Ward)	Application Permitted
19/00370/FUL	Cinderbarrow Picnic Site, Tarn Lane, Yealand Redmayne Erection of a side extension to existing workshop and storage building for Mr David Wilson (Silverdale Ward 2015 Ward)	Application Permitted
19/00371/DIS	Ironworks House, Warton Road, Carnforth Discharge of conditions 3 and 4 on approved application 18/01503/FUL for Mr Phil Rogerson (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
19/00374/FUL	4 Lichfield Avenue, Morecambe, Lancashire Erection of a single storey rear extension and erection of a replacement detached garage for Mr A. Dickson (Bare Ward 2015 Ward)	Application Permitted
19/00375/LB	Lancaster Girls Grammar School, Regent Street, Lancaster Listed building application for repair works to the roof of the Centenary Hall, including raising perimeter details, GRP edge trim and PPC aluminium parapet flashings, replacement of rainwater goods with cast iron and replacement of rooflights for Mrs Jane Mason (Castle Ward 2015 Ward)	Application Permitted
19/00381/FUL	3 Bottoms Barns, Bottoms Lane, Silverdale Erection of a single storey rear extension for Mr Williams and Ms Bain (Silverdale Ward 2015 Ward)	Application Permitted
19/00382/FUL	Land To The North Of, Hallfield Lane, Nether Kellet Erection of a field shelter for Ms Faye Arkwright (Kellet Ward 2015 Ward)	Application Refused
19/00383/OUT	Land Adjacent 4 Washington Close, Lancaster, Lancashire Outline application for the erection of 1 residential dwelling for Mrs L Murfitt (Marsh Ward 2015 Ward)	Application Permitted
19/00385/FUL	36 Silverdale Road, Yealand Redmayne, Carnforth Demolition of existing dwelling and outbuilding, and erection of a replacement dwelling (C3) including excavation of land, regrading of garden and installation of a package sewage treatment plant for Mr Holgate (Silverdale Ward 2015 Ward)	Application Refused
19/00386/FUL	Flat 5, 2 Castle Park, Lancaster Installation of a flue to the side for Dr Joseph Sterrett (Castle Ward 2015 Ward)	Application Permitted
19/00387/LB	Flat 5, 2 Castle Park, Lancaster Listed building application for the relocation of a boiler with associated pipework, and the relocation of a flue for Dr Joseph Sterrett (Castle Ward 2015 Ward)	Application Permitted
19/00388/FUL	Croziars Croft, Moss Lane, Silverdale Creation of a vehicular driveway and erection of associated fencing for Mr Kenneth Gregory (Silverdale Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

19/00390/PLDC	154 Low Road, Halton, Lancaster Proposed lawful development certificate for the erection of a single storey rear extension for Mr & Mrs J. Smith (Halton-with-Aughton Ward 2015 Ward)	Lawful Development Certificate Granted
19/00391/FUL	3 Stephens Grove, Overton, Morecambe Erection of a single storey rear extension for Mr & Mrs Wright (Overton Ward 2015 Ward)	Application Permitted
19/00395/PLDC	8 Hyde Road, Morecambe, Lancashire Proposed lawful development certificate for the erection of a two storey rear extension, installation of an obscure glazed window to the side elevation and installation of two rooflights to the rear facing roof pitch for Mr & Mrs L Brabbins (Torrisholme Ward 2015 Ward)	Lawful Development Certificate Granted
19/00396/ADV	Costa, 260 Marine Road Central, Morecambe Advertisement application for the part retrospective display of an externally illuminated fascia sign for Mr David Johnson (Poulton Ward 2015 Ward)	Application Permitted
19/00397/FUL	Peter Grant Papers, Lansil Way, Lancaster Installation of a ventilation system and associated machinery for Northwood Tissue (Lancaster) (Bulk Ward 2015 Ward)	Application Permitted
19/00398/FUL	1 -3 Poulton Mews, Morecambe, Lancashire Retrospective change of use of ambulance storage garages (B8) to three 2-bed and 1-study dwellings (C3) with cycle store and associated parking and landscaping for Hillcroft Nursing Homes Ltd (Poulton Ward 2015 Ward)	Application Permitted
19/00399/PLDC	11 Seathwaite Avenue, Heysham, Morecambe Proposed lawful development certificate for the erection of a part single, part two storey rear extension for Mr Mike Casson (Heysham North Ward 2015 Ward)	Application Withdrawn
19/00400/LB	The Friary, 116 St Leonards Gate, Lancaster Listed building application for repairs to spire and belfry, repairs to roof including replacement slates and gutters, repairs to stained glass windows, cleaning and repairing of stonework, repair and painting of all external metal fixtures, gates, external stairs and balustrades, replacement of cellar access hatch/access ramp, repairs to ceiling and tower void, internal repairs including replacement of floorboards to ground floor, removal of handrails and replace with timber balustrading, replacement and repair of timber wall and ceiling panelling, removal of all fixtures and fittings, re-plastering work and painting of walls and ceiling for Bargh (Bulk Ward 2015 Ward)	Application Permitted
19/00403/FUL	120 Meldon Road, Heysham, Morecambe Erection of a first floor side extension over existing garage and two storey rear extension for Mr & Mrs Ager (Heysham South Ward 2015 Ward)	Application Permitted
19/00405/FUL	24 The Meadows, Yealand Redmayne, Carnforth Erection of single storey link between dwelling and outbuilding and construction of a pitched roof for Miss Lisa Davy (Silverdale Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

19/00409/FUL	28 Main Street, Cockerham, Lancaster Demolition of existing garage and erection of a single storey side extension and part single part two storey rear extension for Mr & Mrs J Arber (Ellel Ward 2015 Ward)	Application Permitted
19/00411/FUL	9 Leach House Lane, Galgate, Lancaster Erection of an open-fronted single storey rear extension for Mr & Mrs Wolfendale (Ellel Ward 2015 Ward)	Application Refused
19/00413/FUL	Ellel Hall, Ellel Hall Gardens, Galgate Demolition of single storey front extension, removal of bay window to the south elevation, erection of a rear basement extension with creation of terrace above, construction of external steps, erection of single storey side extension, erection of orangery with balcony above, erection of a detached 2-storey outbuilding, construction of a detached garden room, and creation of a pond for Mr & Mrs Smith & Hewitt-Smith (Ellel Ward 2015 Ward)	Application Permitted
19/00414/LB	Ellel Hall, Ellel Hall Gardens, Galgate Listed building application for the installation of a replacement roof, removal of existing roof lantern, installation of new windows, removal of internal walls, formation of new openings, installation of partition walls, removal of timber floor boards, installation of domestic lift, removal of soil drain pipes, existing basement wall section removed, installation of lintel, demolition of single storey front extension, removal of bay window to the south elevation, existing walkway removed, erection of a rear basement extension with creation of terrace above, construction of external steps, removal of existing balcony, erection of single storey side extension, erection of orangery with balcony above, installation of rooflights, alterations and extensions to existing garden walls, installation of replacement double entrance gates and removal of railing to install pedestrian gate for Mr & Mrs Smith & Hewitt-Smith (Ellel Ward 2015 Ward)	Application Permitted
19/00415/LB	11 First Terrace, Sunderland Point, Morecambe Listed building application for the removal of the timber extension to the rear elevation and installation of a window, removal of render and insertion of an enlarged window and timber boarding to the infilled former cart opening, enlargement of existing window opening to the front elevation, enlargement of door opening to the rear and installation of canopy above, re-instatement of first floor window to the rear elevation, reconfiguration of internal partition walls and staircase, removal of fireplaces and installation of wood burning stoves and alteration to the first floor floor level and installation of new windows and doors. for Mr & Mrs Morris (Overton Ward 2015 Ward)	Application Permitted
19/00417/FUL	Harren House, Woodman Lane, Cowan Bridge Erection of a single storey rear extension for Mr & Mrs Andrew and Louise Barker (Upper Lune Valley Ward 2015 Ward)	Application Withdrawn
19/00418/FUL	1 Hatlex Drive, Hest Bank, Lancaster Erection of a detached garage for Mr Hampsey (Bolton And Slyne Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

19/00421/FUL	Hillside, Stanmore Drive, Lancaster Erection of a part single, part two storey side/rear extension and erection of a detached garage for Mr & Mrs G. John (Scotforth West Ward 2015 Ward)	Application Refused
19/00424/FUL	Scotforth Heights, Blea Tarn Road, Scotforth Demolition of existing garage and erection of a detached garage for Mr & Mrs Walker (University And Scotforth Rural Ward)	Application Permitted
19/00425/FUL	11 West Drive, Lancaster, Lancashire Erection of a single storey outbuilding to form a 1-bed annexe for Mr D Hayton (Skerton West Ward 2015 Ward)	Application Permitted
19/00429/FUL	12 Knowlys Grove, Heysham, Morecambe Demolition of existing conservatory and detached garage and erection of single storey rear/side extension for Mr & Mrs Boswell (Heysham Central Ward 2015 Ward)	Application Permitted
19/00436/FUL	2 Seathwaite Avenue, Heysham, Morecambe Demolition of existing garage and erection of a single storey side extension for Mr Richard Blacow (Heysham North Ward 2015 Ward)	Application Permitted
19/00440/FUL	Land Off Bailrigg Chase, Bailrigg Lane, Lancaster Erection of 3 detached dwellings with associated works and landscaping for Parker (University And Scotforth Rural Ward)	Application Withdrawn
19/00445/FUL	2 Borwick Court, Borwick, Carnforth Relevant demolition of existing garage and lean to, erection of a single storey extension to the western elevation, erection of a two-storey extension to the eastern elevation, construction of a replacement dormer window and a new vehicular access point for Mr Mark Thewlis (Kellet Ward 2015 Ward)	Application Withdrawn
19/00450/FUL	18 Sykelands Grove, Halton, Lancaster Construction of dormer extensions to the front and rear elevations for Ms Kate Mason (Halton-with-Aughton Ward 2015 Ward)	Application Permitted
19/00457/CU	4 Mainway, Lancaster, Lancashire Change of use of caretakers flat (C3) at first floor to staff room/storage area in connection with retail unit below (A1) for Mr Robert Whitehead (Skerton East Ward 2015 Ward)	Application Permitted
19/00460/FUL	10 Pennine View, Glasson Dock, Lancaster Erection of a single storey front, side and rear extension and construction of a dormer extension to the rear for Mrs Karen Berry (Ellel Ward 2015 Ward)	Application Permitted
19/00461/FUL	Golden Ball Lane, Music Room Passage And Sir Simons Arcade, Market Street, Lancaster City Centre Installation of wall and ceiling lighting for Mr Tom Fyson (Castle Ward 2015 Ward)	Application Permitted
19/00462/LB	Golden Ball Lane, Music Room Passage And Sir Simons Arcade, Market Street, Lancaster Listed building application for the installation of wall and ceiling lighting for Mr Tom Fyson (Castle Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

19/00472/FUL	Green Pastures, Capernwray Road, Capernwray Erection of an agricultural storage building for Mr Wightman (Kellet Ward 2015 Ward)	Application Refused
19/00476/ADV	Premier BusinessCare, 4 Mannin Way, Lancaster Advertisement application for the display of an internally illuminated fascia sign for Mr Neil Storey (Lower Lune Valley Ward 2015 Ward)	Application Permitted
19/00480/VCN	5 Well Lane, Yealand Redmayne, Carnforth Demolition of existing bungalow and erection of a part single part two storey detached dwelling, alteration to land levels, installation of a sewage treatment plant, replacement boundary wall with gates and change of use of agricultural field to domestic garden (Pursuant to the variation of condition 2 on planning permission 18/01492/FUL to amend finished floor levels) for Mr F McGee (Silverdale Ward 2015 Ward)	Application Permitted
19/00481/AD	Higher Broadwood, Cragg Road, Wray Agricultural determination for the construction of a silage clamp for Mr Mark Conder (Lower Lune Valley Ward 2015 Ward)	Prior Approval Is Required
19/00483/FUL	2 Kirklands Road, Over Kellet, Carnforth Erection of single storey extensions to the front, side and rear elevations for Ms + Mr V + N Finan + Downham (Kellet Ward 2015 Ward)	Application Permitted
19/00487/LB	2 Dallas Road, Lancaster, Lancashire Listed building application for the erection of a front extension to garage, replacement of existing garage door with roller door, replacement of polycarbonate roof with glass roof and lowering of a ceiling, installation of a wall and a new soil pipe for Mr & Mrs D'Souza (Castle Ward 2015 Ward)	Application Permitted
19/00493/FUL	11 Eastlands, Heysham, Morecambe Erection of a detached garage to the side for Mr Matt Coles (Heysham South Ward 2015 Ward)	Application Permitted
19/00501/FUL	National Probation Service, 39 - 41 West Road, Lancaster Replacement of timber windows with uPVC windows on all elevations for Mr Duncan Watt (Castle Ward 2015 Ward)	Application Permitted
19/00505/FUL	Lower Langthwaite Farm, Littlefell Lane, Lancaster Erection of an agricultural building for Mr Phillip Wood (University And Scotforth Rural Ward)	Application Permitted
19/00533/AD	Barrow Greaves Farm, Barrow Greaves, Ellel Agricultural determination for the replacement of existing hardstanding area with concrete hardstanding for Mr William Rhodes (Ellel Ward 2015 Ward)	Prior Approval Not Required
19/00538/FUL	Gardners Farm, Moss Lane, Thurnham Erection of an agricultural livestock building and creation of an area of hardstanding for Mr BRIAN LAMB (Ellel Ward 2015 Ward)	Application Permitted
19/00542/AD	Walling UK Group, Kirk House Farm, Main Road Agricultural determination for the erection of an agricultural storage building for Mr David Walling (Kellet Ward 2015 Ward)	Prior Approval Refused

LIST OF DELEGATED PLANNING DECISIONS

19/00553/FUL	Globe Arena, Christie Way, Morecambe Construction of a steel framed shelter for Mr Barry Lewis (Westgate Ward 2015 Ward)	Application Permitted
19/00554/NMA	Deep Dene, 95 Hest Bank Lane, Slyne Non material amendment to planning permission 17/00771/FUL to alter the finish of the proposed extension from render to cedar cladding for Miss Louise Northcott (Bolton And Slyne Ward 2015 Ward)	Application Permitted
19/00591/NMA	Tall Trees, Conder Green Road, Conder Green Non material amendment to planning permission 19/00325/FUL to replace approved roof covering and rendering for Mr Kevin Hall (Ellel Ward 2015 Ward)	Application Permitted
19/00593/NMA	Land South Of, Low Road, Halton Non material amendment to Reserved Matters consent 17/01423/REM to amend the window configuration on house types J, H and K for Mr Warren Cadman (Halton-with-Aughton Ward 2015 Ward)	Application Permitted