



Committee: PLANNING REGULATORY COMMITTEE

Date: MONDAY, 22 JULY 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 24 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 19/00100/FUL	Jump Rush Trampoline Park, 21 Northumberland Street, Morecambe	Poulton Ward	(Pages 1 - 9)
		Change of use from trampoline park (D2) to a flexible use [to enable changes in accordance with Part 3 Class V of the Town and Country Planning (General Permitted Development) Order 2015 (as amended)] comprising either retail (A1) or leisure (D2) use, and alterations to the external cladding of the building		
6	A6 19/00496/FUL	71 North Road, Lancaster, Lancashire	Castle Ward	(Pages 10 - 14)
		Retrospective change of use of retail unit (A1) to takeaway (A5) and installation of a flue to the rear elevation		
7	A7 19/00592/FUL	116 Ullswater Road, Lancaster, Lancashire	Bulk Ward	(Pages 15 - 18)
		Erection of a single storey side and rear extension and construction of a decking area		

8	A8 19/00688/FUL	Salt Ayre Sports Centre, Doris Henderson Way, Heaton With Oxcliffe	Skerton West Ward	(Pages 19 - 23)
		Change of use of car park and public space to the front of the sports centre to children's playground, outdoor activity area and mini golf area		
9	A9 19/00786/ADV	Co-op, Centenary House, Regent Road	Harbour Ward	(Pages 24 - 27)
		Advertisement application for the display of 3 externally illuminated fascia signs, 1 externally illuminated hanging sign, 1 non-illuminated wall mounted sign and 1 non-illuminated fascia sign		
10	A10 19/00645/FUL	Co-op, Centenary House, Regent Road	Harbour Ward	(Pages 28 - 31)
		Installation of replacement plant equipment, installation of cladding to the side elevation and new fence panels to the side		
11	A11 Assoc 18/00365/OUT	Land East of Scotland Road, Carnforth	Carnforth and Millhead Ward	(Pages 32 - 35)
		To permanently divert a section of Public Footpath No.26 in Carnforth to enable the implementation of residential development pursuant to the proposals set out in application 18/00365/OUT		
12	A12 Assoc 17/00073/FUL	Land Adjacent Aikengill, Scotforth Road, Lancaster	Scotforth East Ward	(Pages 36 - 39)
		To permanently divert a section of Public Footpath No.55 in Hala to enable the implementation of residential development pursuant to the proposals set out in application 17/00073/FUL		
13	Delegated Planning List (Pages 40 - 50)			

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

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

(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 10th July, 2019.

Agenda Item A5	Committee Date 22 July 2019	Application Number 19/00100/FUL
Application Site Jump Rush Trampoline Park 21 Northumberland Street Morecambe Lancashire		Proposal Change of use from trampoline park (D2) to a flexible use [to enable changes in accordance with Part 3 Class V of the Town and Country Planning (General Permitted Development) Order 2015 (as amended)] comprising either retail (A1) or leisure (D2) use, and alterations to the external cladding of the building
Name of Applicant J.E.T. Ltd		Name of Agent Mr Matthew Wyatt
Decision Target Date Extension of time agreed until 26 July 2019		Reason For Delay Awaiting further information
Case Officer		Mrs Eleanor Fawcett
Departure		No
Summary of Recommendation		Refusal

1.0 The Site and its Surroundings

- 1.1 The site comprises a large private car park and a large building located to the rear of properties which front onto Marine Road Central, approximately 200 metres to the west of the main town centre area of Morecambe. The car park is accessed from Northumberland Street to the east and is located adjacent to the Morecambe Conservation Area, which covers the buildings fronting onto both Marine Road Central and Northumberland Street. The building is located towards the eastern boundary of the site on land that was formally used as part of the larger car park prior to its construction in 2017, and is used as a trampoline park.
- 1.2 A number of large buildings, which face towards the seafront, back onto the site, including Winter Gardens (a Grade II* Listed building), which adjoins Pleasureland. These buildings are mainly two and three storey, although part of the rear of the Winter Gardens is approximately twice the height of the Pleasureland building. To the east of the site is a terrace of three storey properties, which front onto Northumberland Street. These contain a mix of uses including residential, offices and a public house. To the south and south east are Council-owned car parks which are adjacent to the Festival Market and accessed from Central Drive.
- 1.3 The site lies within Morecambe Town Centre boundary, is a Regeneration Priority Area and is within the Morecambe Area Action Plan area.

2.0 The Proposal

- 2.1 This application seeks to change the use of the building that was constructed in 2017 from a leisure use (D2) to a flexible use comprising either a retail use (A1) or a leisure use (D2). This would essentially allow the use of the building to be changed to retail, with the ability for this to be reverted back to the current use without requiring a further planning application. The building could be used for either use over a 10 year period from the grant of consent, but would retain the last use at the

end of this period, under Class V of Part 3 (Schedule 2) of the current General Permitted Development Order. The application also seeks to change the external finish of the building from that approved. An application to vary the conditions on the original consent for the trampoline park (17/00718/VCN) allowed the building to be finished in a vinyl which would be applied to vertical grey panels on the building, comprising various shades of blue. Unfortunately, this work was never undertaken and the current application now proposes to retain the current grey finish to the building.

3.0 Site History

3.1 Planning permission (16/00578/FUL) was granted at the Planning and Highway Regulatory Committee, in August 2016, for the erection of a two storey indoor trampoline park with associated landscaping and parking and extension of a terrace to the rear of Pleasureland. In 2017 an application was submitted to vary conditions on this application in relation to the finish of the building and a boundary treatment and was subsequently approved (17/00718/VCN). The building was constructed in 2017 with the use commencing in the summer of that year.

3.2 Prior to the approval of the building for the trampoline park, the only relevant history on the site related to a planning application for the change of use of part of this for car boot sales on Saturdays (14/00262/CU), which was approved in 2014, and the erection of a foodstore in 1995 (95/00058/FUL). The latter was proposed in a similar location to the approved building, but had a smaller footprint. It was refused for the following reasons:

- The development would be contrary to the Morecambe and Heysham Local Plan and the associated Development Brief covering the area. The proposal would undermine the comprehensive development scheme for the Central Promenade Area by bringing in a significant food retailing element into part of the site earmarked for supporting visitor attractions and result in an overall reduction in the amount of public off-street parking potentially available in the site.
- The development would prejudice restoration proposals for the Winter Gardens, a Grade II* Listed Building, which occupies land immediately north of the site.
- The increased supply of convenience retail floorspace would be likely to affect adversely the vitality and viability of the older part of the town centre of Morecambe.

4.0 Consultation Responses

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

Consultee	Response
Morecambe Town Council	No comments received
County Highways	No objection to the leisure elements. However, the food retail element requires junction assessments, further servicing information and off-site highway works. A further response to the additional information is to be provided.
Environmental Health	No objection subject to the restriction of delivery times, particularly during weekend periods. For Sundays, recommend restricting deliveries to between 10.00 and 16.00.
Conservation Officer	Object. The proposal will harm the setting and significance of designated heritage assets and this has not been mitigated through appropriate or sensitive design. This would be contrary to policy DM32 (The Setting of Designated Heritage Assets) and no clear and convincing justification has been provided for this.
Regeneration Team	No comments received
Winter Gardens Preservation Society	No comments received
Cadent Gas	Comments. There are low or medium pressure gas pipes in the vicinity of the site.

5.0 Neighbour Representations

5.1 No comments received.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraph 11 – The presumption in favour of sustainable development
Paragraphs 85 and 86 – Ensuring the vitality of town centres
Paragraph 108, 109 and 110 – Access and transport
Paragraphs 124 and 127 – Achieving well-designed places
Paragraph 180 – Impacts from noise
Paragraphs 185, 192, 193-197 – Conserving and enhancing the historic 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

SC1 – Sustainable development
SC5 – Achieving quality in design
SC6 – Crime and community safety

6.4 Development Management Development Plan Document

DM1 – Town centre development
DM3 – Public realm and civic space
DM12 – Leisure facilities and attractions
DM20 – Enhancing accessibility and transport linkages
DM21 – Walking and cycling
DM22 – Vehicle parking provision
DM30 – Development affecting Listed buildings
DM31 – Development affecting Conservation Areas
DM32 – The setting of designated heritage assets
DM35 – Key design principles
DM39 – Surface water run-off and sustainable drainage

6.5 Morecambe Area Action Plan Development Plan Document

Spatial policy SP1 - Key pedestrian routes and spaces
Spatial Policy SP4 – Town Centre
Development Opportunity Site DO5 – Festival Market and area
Action Set AS8 – The Town Centre

6.6 Other Material Considerations

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

7.0 Comment and Analysis

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

- Principle of the change of use to retail
- Design and impact on heritage assets
- Highway impacts
- Impact on residential amenity

7.2 Principle of change of use to retail

7.2.1 As set out above, the application seeks to change the use of the building from a leisure use (D2) to a flexible use of either retail (A1) or leisure (D2). If granted, this would allow either use to operate from this building over a 10 year period with flexibility to move between the two uses, but not operate them at the same time. This is allowed by virtue of Class V of Part 3 (Schedule 2) of the current General Permitted Development Order (2015). Consent was originally granted in 2016 for the erection of an indoor trampoline park, with a subsequent application granted in 2017 to vary some details on the approved plans. The consent was not restricted to this specific use so therefore any leisure use, falling within use class D2, could be operated from the building. Therefore, the principle of a leisure use has been established. The main consideration in terms of the principle of the proposal is the acceptability of a retail use in this location. Whilst there would be potential to revert back to a leisure use, after a retail use has commenced, there is no guarantee of, or requirement for, this.

7.2.2 The site is located within the Morecambe Town Centre boundary and is within land identified as 'Development Opportunity Site DO5' as set out in the Morecambe Area Action Plan (MAAP). As such, proposals for main town centre uses are encouraged in principle subject to the specific details being acceptable. Both leisure and retail are main town centre uses. However, it is disappointing that the leisure use would potentially be lost given the benefits that this type of use is considered to provide in this area, contributing to specific aims of the MAAP, particularly in a location which was previously devoid of activity. In relation to the Opportunity Site, the MAAP sets out that the location as a whole affords much potential as a leisure and entertainment hub and development here can augment the town centre, anchoring it at its western end. It goes on to say that there is scope for investment and development to improve and extend what is on offer in this area and to increase vitality and activity. It is considered that a retail use would not provide the same benefits, though it would be difficult to resist given the location within the town centre and that it would be the change of use of an existing building.

7.2.3 The applicant has provided a supporting statement in relation to the proposed change of use. This sets out that after investing £2.7m in constructing and fitting out the purpose-built trampoline park, Jump Rush was opened in the summer of 2017. However, the business performance is following a downward trend. It goes on to say that turnover this year is 32% below what it was for the same period last year and visitor numbers are down 28%. The turnover that is being generated is not enough to be able to cover the running costs of the property, high insurance premiums, business rates and service the higher purchase payments for the equipment fitout. The business owners do not take a salary from the business and a process of non-domestic rates hardship relief is currently being sought from the Council. The trampoline park is therefore not profitable long-term and is a resource drain for other investment projects. By making better use of the building, the applicant has advised that it can be transformed into a use that is more profitable, thus covering business costs, which would then free up cash to be invested in other projects.

7.2.4 Whilst the loss of the leisure use is unfortunate, particularly so soon after it was brought into use, retail is a main town centre use and is therefore an acceptable use in this location.

7.3 Design and impact on heritage assets

- 7.3.1 The site is on the boundary of Morecambe's Conservation Area and immediately behind the Grade II* Listed Winter Gardens. The Conservation Area is designated for its historic linear development of seaside resort, its mixture of late-19th and early-20th terraced houses some with ground floor shopfronts and its eclectic mix of revival architectural styles. The Winter Gardens, formerly known as the Victorian Pavilion, is a landmark feature in Morecambe and is a particularly important example of a late-Victorian theatre. The significance of the building relates to its rarity as example of late-Victorian theatre, its retention of architectural merit and its historic association with the exponential development of Morecambe as a seaside resort in the late-19th century.
- 7.3.2 The trampoline park is sited immediately behind the Winter Gardens and along the boundary of the Conservation Area. During the consideration of the planning application for the building and its use, it was acknowledged that the location and design of the proposal would have a direct impact on the setting of the Listed building and Conservation Area. The building measures 48 by 50 metres, with an external footprint of approximately 2,400sq.m, and is sited approximately 11 metres from the rear of the Listed building. The originally submitted design proposed horizontal profiled metal cladding in a silver finish, with a grey brick plinth and a blue cladded panel marking the entrance. The plans also showed some large panels containing images, spaced along the side of the building. It was considered that the original design had an overly industrial appearance and related poorly to the proposed leisure use and the town centre location, and was more akin to a building found on an industrial or retail estate. The Conservation Officer raised concerns regarding the proposed materials, massing and architectural design and set out that they would not make a positive contribution to the setting of surrounding heritage assets. In addition to the design, it was advised that consideration be given to moving the facing elevation further from the heritage assets. The applicant did not want to reduce the footprint of the building as it was considered that this was the optimal size for the use proposed.
- 7.3.3 Concessions were made with regards to the scale and shape of the building, given the space, and in particular height that was required for the proposed use as a trampoline park. It was acknowledged that, given the size of building required for the type of leisure use proposed, it would never be able to fully respect the scale of the surrounding buildings, in particular the adjacent terraced properties, and would be seen as a stand-alone building. In this respect, the benefits of the proposed leisure use were a strong consideration in the determination of the application and the acceptance of the scale and design of the approved building. It was considered important to ensure that the proposal provided a high quality building, taking a contemporary approach, and possibly making it an attraction in its own right. As a result of the concerns, the design was amended to incorporate a new glazed entrance at the southwest corner with the remainder of the building finished in vertical cladding panels in three tiers, with varying thicknesses, with one background colour and two tones of blue, increasing in frequency towards the entrance to give an impression of movement. It was considered that the effect proposed with the use of the cladding could significantly enhance the appearance of the building and help to break up its overall bulk and massing. However, whilst the cladding was acceptable in principle, there were some concerns regarding the arrangement proposed and, as a result, the precise details were covered by a condition on the planning consent.
- 7.3.4 During the course of agreeing the details covered by the conditions, a vinyl finish was proposed to vertical cladding panels, rather than using individual coloured panels. Concerns were raised with the agent in relation to this including: the finish; how it would be divided to look like individual panels of colour; how it would weather; and how any damage to the applied vinyl would be repaired. The original condition did not include maintenance of the panels and that raised concerns about ensuring that if the applied finish starting peeling or significantly fading, whether there would be sufficient control to ensure that this was replaced. As such, the use of a vinyl was considered acceptable in principle, as it would ultimately achieve the same aim as coloured cladding panels, providing that maintenance was covered by a variation to the original condition in relation to the materials. An amended scheme was subsequently agreed which comprised four shades of blue and each vertical panel divided into three sections, varying in size.
- 7.3.5 The finish to the elevation was originally conditioned to be completed before the use was brought into use. However, when the application to vary the conditions was approved, the building had already been constructed and the applicant wanted to be able to open the trampoline park for the beginning of the school summer holidays. As such, the decision was issued with a condition requiring the works to be undertaken within a three month period. Further correspondence took

place and we were advised that the works would be undertaken later on in the year, but unfortunately this never happened, but again we applied some flexibility as dry weather was required to install the vinyl finish. After some time it was realised that the only way to secure the required works would be to commence enforcement action. However, before any formal notices could be served, the applicant contacted the Council regarding the likelihood that the use would need to be changed and it was agreed that enforcement action would be held off to allow for an application to be submitted and it was envisaged that the works to the elevations would be resolved through this.

- 7.3.6 The current proposal now seeks to revert to the grey base colour of the cladding panels, which is its current appearance, without the coloured vinyl finish. This is similar to the originally submitted proposal which was considered to be unacceptable. The external finish that was approved to the building was required to make the development acceptable in planning terms and that position has not changed. The building is in a town centre location, in close proximity to the Conservation Area and a Grade II* Listed building, but currently has the appearance of a large utilitarian building which does not respect the character and appearance of the area or the setting of the designated heritage assets. As discussed above, significant flexibility was employed by the Local Planning Authority in both the determination of the application, allowing such a large building in this location, principally due to the benefits that the leisure use would bring but also as it would have a high quality modern finish. The quality of the finish was then diluted by the use of a coloured vinyl rather than individual coloured panels, but was accepted, again to help establish the leisure use that would hopefully bring some wider benefits to this part of the town centre in particular. Officers also allowed the building to be operated without the completion of the building and were flexible in increasing the time for compliance that that set out in the condition in order to help the local business. However, this did not mean that the works were not essential to make the development acceptable.
- 7.3.7 The agent has been advised that the current appearance is unacceptable and that the current proposal should include the approved scheme for the finish to the building. However, he has confirmed that the applicant wants to proceed with the finish as constructed and has requested that the financial situation be taken into consideration, which has been discussed in more detail in the section above. Both previous Committee reports clearly set out that the proposed building was only acceptable in this location with a higher quality finish and a lot of correspondence has previously taken place in order to reach an appropriate solution. It is appreciated that there are concerns regarding the profitability of the current business, and there is sympathy for the applicant's financial situation. However, the requirements for the finish to the building were clear when planning permission was granted and compromises have already been made, allowing a less expensive solution and a longer timescale for completion to allow the applicant to operate the business. It is therefore considered that this does not provide sufficient justification for a poor design and finish to the building. The proposed change to the use does not alter the requirement to ensure that the building is more appropriate to its setting in the town centre and, in some ways, makes it more important given that the leisure use was a strong determining factor in the acceptability of the previous proposals.
- 7.3.8 The NPPF is clear that decisions should ensure that developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, are sympathetic to local character and history, including the surrounding built environment, and establish or maintain a strong sense of place. Paragraph 130 sets out that Local Planning Authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion as a result of changes being made to the permitted scheme, such as through changes to materials used. The building as it is currently finished fails to comply with these requirements and therefore conflicts with the aims and objectives of the NPPF in addition to local design principles set out within DM35 of the Development Management DPD.
- 7.3.9 As discussed above, the site is also covered by the Morecambe Area Action Plan. Spatial Policy SP1 relates to key pedestrian routes, which are identified on the policies map. One such route passes the building, and this and wider routes have clear views of the site. The policy sets out that development proposals fronting onto or including any element of this network should relate well to it and the space around including in relation to how buildings are sited, their scale and massing and through other aspects of good urban design. Policy DO5 relates to the Festival Market and area and includes the application site. In particular relation to the proposal, this sets out that development should relate well in urban design terms to the rear elevations of the Winter Gardens, those of the other premises fronting Marine Road and the residential and other properties fronting Northumberland Street. For the reasons set out above, it is considered that the current design also

fails to comply with these policies in particular of the aims and objectives of the Morecambe Area Action Plan DPD.

- 7.3.10 The comments from the Conservation Team also reiterate the concerns regarding the change to the external finish setting out that the lack of detailing resembles a modern industrial/warehouse building which does not contribute to local distinctiveness and lacks any architectural merit. The response goes on to say that the proposal to retain this finish does not mitigate any of the harm as set on in previous conservation consultation response to the original application and it will harm the setting and significance of the designated heritage assets. The proposal is therefore also contrary to policy DM32 (The Setting of Designated Heritage Assets) and no clear and convincing justification has been provided for this, as required by paragraph 194 of the NPPF. The agent's statement refers to some other large buildings in the vicinity, but these are not recent buildings and are not considered to be comparable to the site.
- 7.4 Impact on residential amenity
- 7.4.1 There are a number of properties fronting onto Northumberland Street, adjacent to the site. These have a mix of uses including residential, offices and one public house. The building is quite close to the rear of these properties, separated by a yard area which is enclosed by a black metal fence. In order to fully assess the implications of the change of use to retail, a noise assessment has been provided. The main potential impacts are likely to result from deliveries, which would take place in the yard adjacent to these properties, in addition to any additional external plant or machinery.
- 7.4.2 It is proposed that opening hours will be between 08.00 and 22.00, although it is not specified which days of the week. The noise assessment has been undertaken to assess the impacts associated with delivery noise considering the close proximity to residential properties and is based on the assumption that there will be one delivery a day. The assessment indicates that there is likelihood of adverse impact at the nearest receptor. The Environmental Health Officer has advised that, looking at the calculation method for the specific sound levels derived for deliveries it would appear that this has been averaged over the opening period which would effectively lessen the outcome of the impact. If the calculations were adjusted to apply a 15 minute delivery time period the specific sound level would be 62dB(A) and not the 51dB (A) cited within the report. The effect of this would result in a Rating Level of 19dB above background sound levels and would instead be an indication of 'significant adverse' impact.
- 7.4.3 Notwithstanding the above, the Environmental Health Officer has advised that, considering the context, the existing use, the proposed opening times (assuming deliveries will take place within 'day-time' periods) and on the basis that one delivery per day will take place, whilst the noise associated with deliveries would be clearly audible, there would not be an unreasonable impact. However, and in the absence of relevant sound information for weekend time periods, impacts associated with deliveries during weekend periods should be considered differently and earlier morning time periods are likely to be less acceptable. For Sundays, it has been recommended that deliveries are restricted to between 10.00 and 16.00. The provision of an acoustic fence would mitigate delivery noise but will be less effective should there be a direct line of sight from a sensitive receptor into the delivery area, which is likely from upper floor flats. No concerns have been raised in relation to increased vehicular movements associated with the car parking considering the current longstanding use and the location of the car park in relation to nearest sensitive receptors. From the information provided it appears that plant will remain at its existing location and will be contained within the building. However, a condition can be added to ensure that any additional plant is not sited on the elevation closest to the residential properties or that it has an acceptable noise level.
- 7.4.4 Given the floor area of the building, it would be unlikely that there would only be one delivery per day. The agent has advised that the use is speculative so the potential operator of the retail unit is not known and it would be difficult to condition that only one delivery takes place. Therefore, the assessment must be based on a worst case scenario. There are also concerns regarding the visual impact of a 2.5 metre high acoustic fence that has been recommended by the noise assessment and this would require consent in its own right. In response to this, the agent has suggested that the proposed A1 was restricted to non-food retail, with the total floorspace for the sale of food and drink not exceeding 30%. This is likely to reduce deliveries to some degree from a wholly food retail use and would hopefully mean that there would be less need for early morning deliveries. Following further discussions with the Environmental Health Officer, it has been advised that there would not be a significant adverse impact on the amenities of the neighbouring properties, without the acoustic

fence, provided that delivery times were restricted. It is therefore considered that a proposed retail use, with limited food and drink sales, would not have a detrimental impact on the amenities of nearby residential properties.

7.5 Access and Highway Implications

- 7.5.1 Prior to the construction of the building, the site was used as a privately managed parking facility for 450 vehicles accessed off Northumberland Street. There are currently 209 spaces (including 7 disabled parking spaces) and 12 cycle parking spaces in the form of Sheffield type hoops. There are no proposed changes to the site access or internal car parking layout and there are no off-site highway works proposed by the applicant. In the initial response from the Highway Authority, it has been advised that a pm peak weekday and weekend day assessment of the signalised and roundabout junctions at the north and south ends of Northumberland Street is submitted to demonstrate that there is adequate capacity to accommodate the development traffic for a food retail use. Subject to the outcome of this assessment, measures may be sought to re-configure or upgrade the signal equipment at Marine Road Central / Northumberland Street. The agent was reluctant to provide this and it was disputed that it was not required if the food retail was restricted to 30%. However, the Highway Officer advised that there would still be an estimated additional 76 vehicle trips on the surrounding road network and this is considered a level whereby further assessment of the road network is required. Surveys have now been undertaken and a response is awaited from the Highway Authority. This will be reported at the Planning Regulatory Committee meeting. Further information was also requested in relation to servicing.
- 7.5.2 The car park currently operates a pay and display system with charges up to 1 hour 90p, up to 3 hours £2.00 and up to 12 hours £3.00. Charges apply 24 hours a day, 7 days a week. Currently customers of Jump Rush, Vista Italian bar & kitchen and Soul Bowl can enter their vehicle registration details within the building, which provides up to 3 hours free parking. The system is managed by ANPR cameras and failure to comply results in a fine of £100. This system works well for mixed leisure uses, but it would be unusual for this system to operate for an A1 retail use, especially food. Further details of the car park management system would need to be submitted as part of a planning condition, applicable to the final uses of the premises.
- 7.5.3 The initial response from the Highway Authority also advised that for a food retail use, some offsite highway works would be required, in addition to any identified as necessary following the junction assessment. These include: provision of tactile paving at the site access on Northumberland Street and at the uncontrolled pedestrian crossing point at the roundabout to enhance the pedestrian provision for vulnerable users; and measures to enhance cycle safety at the roundabout Marine Drive/Northumberland Street. It is not clear if these would be required with a restricted retail use. However, this should be clarified in the additional response from the Highway Officer.

8.0 Planning Obligations

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

9.0 Conclusions

- 9.1 The proposed change of use to retail is acceptable in principle, given the town centre location. It is disappointing that the current leisure use is likely to be lost so soon after its commencement, particularly as the benefits of this use were a large part of the balance in favour of the development, in particular relation to the final design. The building would also retain the ability to revert to a leisure use within a 10 year period, although there is no guarantee that this would happen. It is considered that a restricted retail use could operate without having a significant impact on the amenities of nearby residential amenity. It is unlikely that the proposal would have a detrimental impact on highway safety, although off-site highway works may be required to mitigate the increase in traffic movements, and should be confirmed in the updated response from the Highway Authority, following the additional information that has been provided.
- 9.2 However, the scheme also includes the retention of the finish of the building as constructed, without the works that were approved by the previous consent and were considered necessary to make the development acceptable. The building fails to respond positively to its surroundings, with the appearance of a large industrial building, and does not contribute to local distinctiveness and lacks any architectural merit. The quality of the appearance of the building has been significantly

diminished from the approved scheme and causes harm to the setting of the nearby designated heritage assets and the character and appearance of the town centre location in general. The proposal is therefore contrary to the aims and objectives of the NPPF, in particular relation to design and heritage, Policies DM32 and DM35 of the Development Management DPD and Policies SC1 and DO5 of the Morecambe Area Action Plan DPD. Whilst there is sympathy for the current financial situation of the business, this does not provide sufficient justification for the harm outlined above and to remove the requirement for works that are considered necessary to make the development acceptable in planning terms.

Recommendation

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

1. The proposed finish to the building fails to respond positively to its surroundings, fails to contribute to local distinctiveness and lacks architectural merit, giving the appearance of a large industrial building. The quality of the appearance of the building has been significantly diminished from the approved scheme and causes harm to the setting of the nearby designated heritage assets and the character and appearance of the town centre location in general. It is therefore contrary to the aims and objectives of the NPPF, in particular Sections 12 and 16, Policies DM32 and DM35 of the Lancaster District Development Management Development Plan Document and Policies SP1 and DO5 of the Morecambe Area Action Plan Development Plan Document.

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

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

In accordance with the above legislation, the City Council can confirm that it takes a positive and proactive approach to development proposals, in the interests of delivering sustainable development. As part of this approach the Council offers a pre-application service, aimed at positively influencing development proposals. Whilst the applicant has taken advantage of this service prior to submission of the original proposal, advice provided as part of this and during the previous applications has not been followed and the resulting proposal is unacceptable for the reasons prescribed in this report.

Background Papers

None

<p align="center">Agenda Item</p> <p align="center">A6</p>	<p align="center">Committee Date</p> <p align="center">22 July 2019</p>	<p align="center">Application Number</p> <p align="center">19/00496/FUL</p>
<p align="center">Application Site</p> <p align="center">71 North Road Lancaster Lancashire LA1 1LU</p>	<p align="center">Proposal</p> <p align="center">Retrospective change of use of retail unit (A1) to takeaway (A5) and installation of a flue to the rear elevation</p>	
<p align="center">Name of Applicant</p> <p align="center">Mrs Ranjit Kaur Uppal</p>	<p align="center">Name of Agent</p> <p align="center">Mr Chris Weetman</p>	
<p align="center">Decision Target Date</p> <p align="center">27 June 2019</p>	<p align="center">Reason For Delay</p> <p align="center">Further Information Requested and Awaiting Consultation Response</p>	
<p>Case Officer</p>	<p>Mrs Kim Ireland</p>	
<p>Departure</p>	<p>No</p>	
<p>Summary of Recommendation</p>	<p>Approval</p>	

(i) Procedural Matters

This form of development would normally be dealt with under the Scheme of Delegation. However, the Planning Manager, Mark Cassidy, requested the previous application (18/00604/FUL) to be determined by the Planning and Highways Regulatory Committee, so this related planning application is also being referred to the Planning Regulatory Committee.

1.0 The Site and its Surroundings

1.1 The property which forms the subject of this application relates to a three storey mid terrace property, which is located on North Road in Lancaster City Centre, a secondary retail frontage. North Road is characterised with commercial properties to the ground floor and a mixture of commercial and residential accommodation to the first and second floors. The property is situated within Lancaster Conservation Area, dates from the early 19th century, is noted in the Conservation area as a positive building, and is therefore classified as a non-designated heritage asset. The building is constructed of natural stone, under a slate roof, with timber windows to the first and second floors and a timber shop front to the ground floor.

1.2 The building was used as a newsagents to the ground floor, until April 2019 when the unit was materially changed into a hot food takeaway with a store room and WC to the first floor.

2.0 The Proposal

2.1 The application seeks retrospective consent for the change of use of a retail unit to a takeaway and installation of a flue to the rear elevation. The hot food takeaway would be accommodated on the 37sq.m ground floor whilst the first floor would retain its use as a store room with a WC.

2.2 The flue has been installed through one of the windows to the ground floor of the rear elevation to a height of 3.8m.

2.3 There are no external alterations to the existing traditional shopfront. However, it has recently been painted a vivid red colour.

3.0 Site History

3.1 There are three planning applications which relate to the change of use of the property, which are listed below:

Application Number	Proposal	Decision
18/00604/FUL	Retrospective change of use of retail unit (A1) to takeaway (A5) and installation of a flue to the rear elevation	Refused

4.0 Consultation Responses

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

Consultee	Response
County Highways	No Objections
Conservation Officer	No comments received
Lancashire Constabulary	No comments received
Environmental Health Officer	No comments receive

5.0 Neighbour Representations

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

- The use would create a noise and odour nuisance for the residential properties that are located to the first and second floors;
- There would be more than 20% of non A1 uses (shops) along the secondary retail frontage and is compounded by City Council licensed street traders;
- This area already experiences anti-social behaviour;
- The use will have an associated delivery service – it is already congested in the evening and this further service will add to the public nuisance and issues of safety already experienced;
- Litter problems are already experienced and the use would add to the problem; and
- The proposal is contrary to planning policies.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraph 11 – Presumption in Favour of Sustainable Development
 Paragraphs 124 and 127 – Requiring Good Design
 Paragraphs 7, 8 and 9 – Building a strong, competitive economy
 Paragraph 85 – Ensuring the vitality of town centres
 Paragraphs 185, 187, 192, 193 and 196 – Conserving and enhancing the historic 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 Development Management DPD

DM1 – Town Centre Development

DM2 – Retail Frontages

DM5 – The Evening and Night-Time Economy

DM31 – Development Affecting Conservation Areas

DM33 – Development Affecting Non-Designated Heritage Assets and their Setting

DM35 – Key Design Principles

6.4 Lancaster District Core Strategy Policies

SC1 – Sustainable Development

SC5 – Achieving Quality in Design

6.5 Emerging Local Plan

Emerging policy **DM7** – Retail Frontages

7.0 Comment and Analysis

7.1 The key considerations arising from the proposal are:

- Principal of the proposed use
- General Design and Impact upon the Conservation Area
- Waste; and
- Emissions

7.2 Principal of the proposed use

7.2.1 The application site is located towards the edge of the City Centre designation and is surrounded by a mix of uses. Nos. 73 and 75, to the south, are A5 (hot food takeaway) uses and nos. 26/28 Church Street, is A3 (café/restaurant) use.

7.2.2 For secondary retail frontages, Policy DM2 requires proposals for non-A1 uses only to be permitted if the following criteria have been satisfied:

1. An adjoining building is in an A1 use;
2. The proportion of any continuous retail frontage length in non-A1 use would not exceed 20%;
3. The proposed use would provide a service to shoppers;
4. The proposed ground floor use would provide an active frontage; and
5. The proposal does not have a significant adverse affect on the character of the street or locality or the amenity of neighbouring residents/businesses.

7.2.3 Emerging policy DM7 is subtly different to the adopted policy position. It states that the adjoining building should be an A1 retail use or includes a use that generates an active street frontage during normal daytime trading and removes the 20% continuous frontage criteria. This allocation offers

greater flexibility in terms of the type of town centre uses that could be considered acceptable in this location and therefore is material to the consideration of this application.

- 7.2.4 The adjoining property of 69 North Road is a shop (A1 use class) and 73 North Road is a hot food takeaway (A5 use class). This meets the first test set out at DM2. The second test limits the proportion of non-A1 uses to no more than 20% of a continuous retail frontage. This test is not satisfied.
- 7.2.5 The third test states that that the use would provide a service to shoppers. The hot food takeaway will be open between 08.00 and 24.00 Monday to Friday and Sundays/Bank Holidays, and between 08.00 and 02.00 on Saturdays. Therefore the hot food takeaway will be open during daytime trading and is considered to provide a service to shoppers.
- 7.2.6 The fourth test states that the ground floor use would provide an active frontage. There are no proposals to alter the existing timber shopfront and given the opening hours, the proposal is considered to provide an active frontage.
- 7.2.7 The fifth test considers if a proposal has a significant adverse effect on the character of the street or locality or the amenity of the neighbouring residents/businesses. The property is surrounded by commercial properties to the ground floor – a mix of A1 (shops), A3 (café/restaurant) and A5 (hot food takeaway) uses. Therefore the proposed use is considered to not have an adverse character of the street or locality. There is a mixture of commercial and residential accommodation to the first and second floors, but as other commercial properties within the vicinity of the area are open similar hours to the proposed hot food takeaway, the proposal is considered to not have an adverse effect on the amenity of the neighbouring residents/businesses.
- 7.2.8 Whilst the second test is not satisfied, on balance and having regard to emerging policy (which provides for greater flexibility in accordance with the Framework), the use of 71 North Road as a hot food takeaway is considered acceptable, given that the other four tests within DM2 can be passed. It would not adversely affect the vitality and viability of the town centre or compromise the retail function of the city.

7.3 General Design and Impact upon the Conservation Area

- 7.3.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed building, a Conservation Area or their setting, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the heritage asset or its setting. This is reiterated by policy DM31.
- 7.3.2 The flue has been installed through one of the windows to the ground floor of the rear elevation and is visible from a vantage point on Rosemary Lane. The existing flue is shiny and silver in appearance. It is considered to mitigate the impact upon the Conservation Area the flue shall be painted in a slate grey matt finish and this shall be maintained at all times thereafter. This requirement will need to be conditioned.
- 7.3.3 The shopfront has recently been painted a vivid red colour, which is considered to not be in keeping with the Lancaster Conservation Area, especially when viewed from within North Road. It is considered that to mitigate the impact upon the Conservation Area the shopfront shall need to be painted in a heritage red colour. This requirement will need to be conditioned.

7.4 Waste

- 7.4.1 There is no external bin storage available to the front or rear of the property. Therefore waste will be stored in the food preparation area to the first floor. Waste will be collected from the property on a daily basis.

7.5 Emissions

- 7.5.1 Further information has been sought regarding the abatement plant and ozone treatment of the retrospective flue, so to assess the impact of emissions. Therefore a consultation response from Environmental Health Officer to date. Therefore the emissions cannot be provided at this time. A

verbal update will be provided at the Planning Committee once the consultation response has been received.

8.0 Planning Obligations

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

9.0 Conclusions

9.1 The proposal is located within the City Centre's secondary retail frontage area. The tests that are set out within DM2 cannot be wholly satisfied by the proposal. However, on balance and having consideration to the emerging policy DM7 (which offers greater flexibility in terms of the type of town centre uses) the proposed hot food takeaway is considered acceptable in this location. The proposed flue is acceptable in design and heritage terms with the colour and finish to be conditioned. In the absence of the Environmental Health Officer's comments it is not clear whether the flue satisfactorily deals with emissions generated by the proposed use. However, further information is to be provided which will generate a consultee response that will be provided as a verbal update at the Planning Committee.

Recommendation

That, subject to no objection being raised by the Environmental Health consultee, Planning Permission **BE GRANTED** subject to the following conditions:

1. Development to accord to approved plans
2. The existing flue shall be painted in a slate grey matt finish and this shall be maintained at all times thereafter.
3. The existing shopfront shall be painted in a heritage Victorian DH red colour.

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

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

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

Background Papers

None

Agenda Item A7	Committee Date 22 July 2019	Application Number 19/00592/FUL
Application Site 116 Ullswater Road Lancaster Lancashire LA1 3PX	Proposal Erection of a single storey side and rear extension and construction of a decking area	
Name of Applicant Mr & Mrs Dodd	Name of Agent Miss Jo Clark	
Decision Target Date 9 July 2019	Reason For Delay Committee cycle	
Case Officer	Mr Sam Robinson	
Departure	No	
Summary of Recommendation	Approval	

(i) **Procedural Matters**

This form of development would normally be dealt with the Scheme of Delegation. However, as the applicant is an employee of Lancaster City Council the application must be determined by the Planning Regulatory Committee.

1.0 The Site and its Surroundings

- 1.1 116 Ullswater Road is an end terraced property located close to the centre of Lancaster and sits adjacent to the Lancaster Conservation Area to the rear. The property features white rendered walls to the rear under a slate roof with a mix of white and brown uPVC windows and doors. The property also features dormer windows to the front and rear elevation. The rear garden measures approximately 115m² and has an apple tree and laurel tree relatively close to the rear elevation of the property.
- 1.2 To the side (south) is a large boundary wall/extension while the other side (north) and rear boundaries comprise timber fencing combined with vegetation ranging from approximately 1.5m to 1.8m in height. Beyond the rear fence is a parking space for the property.

2.0 The Proposal

- 2.1 The application seeks consent for a single storey side/rear extension and decking area.
- 2.2 The extension features a splayed footprint and measures approximately 5.8m at its longest point and 4m at its widest with a flat roof height of 3.65m (including the decking). The extension is finished with timber cladding to the exterior elevations apart from the southern elevation which is finished in brick. Other materials include dark grey uPVC patio doors and a sedum roof. The timber decking projects approximately 1m from the rear elevation and is 5m in width and features a glass balustrade and provides access to the rear garden.
- 2.3 The parking space to the rear is to be slightly enlarged by altering the positioning of the fencing but this is to be undertaken under permitted development.

3.0 Site History

3.1 The site has no relevant planning history.

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objection
Tree Officer	No objection subject to the following conditions <ul style="list-style-type: none"> • No development within 3m of T1 (apple) and T2 (laurel) to avoid any adverse impact upon the root system or canopy of either tree. In addition, no site fires. No chemical storage areas or cement washout areas, storage of machinery, materials or equipment within 5m of any on or off site tree. Materials, equipment and machinery could be stored within 5m of T1 & T2, if stored on hardstanding, as opposed to soft ground. The applicant may choose to demarcate the root protection area at 3m from the main stem of each tree or supervise the site set up in line with my afore mentioned recommendations.
Conservation Officer	No comments received within the statutory consultation period

5.0 Neighbour Representations

5.1 One objection has been received citing concerns about the potential impact of the development on the adjacent structure.

6.0 Principal National and Development Plan Policies**6.1 National Planning Policy Framework**

Paragraphs 47 – 50 Determining applications
 Paragraphs 54 – 55 Planning conditions
 Paragraphs 124, 127 & 130 Achieving well-designed places
 Paragraphs 193 Conserving and enhancing the historic 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.

6.3 Lancaster Core Strategy Policies

SC1 – Sustainable Development
SC5 – Achieving Quality in Design

6.4 Development Management DPD Policies

DM32 – The Setting of Designated Heritage Assets
DM35 – Key Design Principles

7.0 Comment and Analysis

7.1 The key considerations in the assessment are:

- General design;
- Impacts upon residential amenity; and
- Impacts upon the setting of designated heritage assets.

7.2 General Design

7.2.1 In terms of design, the scale of the extension is relatively modest whilst providing additional living space for the residents. The proposal remains subservient to the main dwelling and is sited behind the existing outrigger with the cedar cladding and sedum roof providing a contemporary contrast to the rendered finish. Given the established vegetation and trees on site combined with various types of timber fencing in the immediate vicinity, the proposal is considered to tie in relatively well to the surrounding area.

7.2.2 The decking will remain screened within the rear garden whilst the extension will be largely contained to the rear with a very small section visible from the front elevation. The property does back onto an additional road, Bath Street, making the rear elevation more visible than many other properties in the Freehold area. Despite this factor, due to the number of outbuildings and structures adjacent to Bath Street and various alterations to the rear elevations of a number of properties on Ullswater Road this has led to a disjointed appearance, which lacks any uniformity. Additionally with the high rear boundaries and set back from Bath Street, the extension will remain well screened and will not occupy a prominent position within the area.

7.2.3 By providing a contemporary contrast, the proposal is considered to complement the older built form of the property and surrounding vegetation. Given the varied design of the area and screened nature of the site, the proposal is considered not to cause any visual harm to the immediate area and as such is considered to comply with Policy DM35.

7.3 Impacts on Residential Amenity

7.3.1 The majority of the extension will be sited behind the existing structure and large boundary wall in place at 118 Ullswater Road to the south and as such is considered not to have any significant impact on the occupiers. The extension and decking will be set in approximately 2.2m from the northern boundary and due to the footprint, will project away from 114 Ullswater Road. While the decking area and patio doors will partially face towards the garden space of no.114, views will be obscured by the existing boundary treatment and trees on site and consequently the residents of no.114 will still retain an acceptable level of amenity post development should these be retained.

7.3.2 As the extension is confined within the curtilage of the applicant's dwelling, any impact on any nearby building or structure is considered a private legal matter between interested parties and covered under the Party Wall Act and relevant building regulations. It is not a planning matter.

7.4 Impacts Upon the Setting of Designated Heritage Assets

7.4.1 As stated above, the property backs onto the Lancaster Conservation Area but this is created by the positioning and proximity of the properties fronting onto Bath Street rather than the rear elevations of the properties along Ullswater Road, which do not form part of the Conservation Area.

7.4.2 Given that the key views of Bath Street are from north to south and vice versa rather than to the east, the extension and decking does not form part of this key view. Given the set back from the Conservation Area and various building styles the proposal is considered to have a neutral impact on the Conservation Area and as such is seen to comply with Policy DM32.

8.0 Planning Obligations

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

9.0 Conclusions

9.1 The proposal is considered to be acceptable in terms of design and appearance and without any detrimental impacts on residential amenity or upon the setting of the adjacent Conservation Area the application is recommended for approval.

Recommendation

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

1. Standard 3 year timescale
2. Development in accordance with plans
3. Trees to be retained and maintained at least their existing height

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

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

Background Papers

None

Agenda Item	Committee Date	Application Number
A8	22 July 2019	19/00688/FUL
Application Site Salt Ayre Sports Centre Doris Henderson Way Heaton With Oxcliffe Lancaster	Proposal Change of use of car park and public space to the front of the sports centre to children's playground, outdoor activity area and mini golf area	
Name of Applicant Stuart Glover	Name of Agent	
Decision Target Date 25 July 2019	Reason For Delay None	
Case Officer	Mr Andrew Clement	
Departure	None	
Summary of Recommendation	Approval	

(i) **Procedural Matters**

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

1.0 The Site and its Surroundings

1.1 The application site relates to Salt Ayre Sports Centre, owned by Lancaster City Council. The development site is approximately 35 metres south of the nearest dwellinghouse in the residential area of Scale Hall Farm, and is located south of Morecambe Road. Vehicle access to the site is off Ovangle Road, and is shared with the Waste Recycling Centre and ASDA delivery access. The sports centre is to the east of Salt Ayre landfill site, immediately south of the Lancaster to Morecambe Greenway green corridor (the Lancaster-Morecambe cycle and pedestrian route), and directly north of the River Lune. Salt Ayre is a purpose built sports, fitness and recreation facility, and as such it is a designated Outdoor Sports Facility. The site has existing provision for three grass sports pitches, a jump tower recently developed through permission 17/01094/VCN, a floodlit athletics track, a 0.8 mile cycle track circuit, 295 space car park and approximately 6,356sq.m of internal leisure space. A subsequent consent was granted for a single storey extension, seated area and playground through permission 18/00484/FUL, which has been partially completed.

2.0 The Proposal

2.1 This application proposes the change of use of car park and landscaping/public space to the front of the sports centre to children's playground, outdoor activity area and mini golf area. To facilitate the proposed uses, a variety of works will be undertaken, the majority of which benefit from permitted development and do not require planning permission. Boundary fencing will be erected around the site, at a height of 1.5m to 2m, with equipment and infrastructure all under 4m high, and associated engineering works to facility this. The proposed mini golf area is to cover approximately 750sq.m of enclosed external area, with approximately 525sq.m of hardsurfaced play space and a 925sq.m playground. The proposed playground is slightly larger than that previously permitted through

18/00484/FUL, whilst the mini golf and hardsurfaced play area are outside of the area of this previous consent. The site as existing forms landscaping and car parking for 20 parking spaces as part of the wider designated open space for Salt Ayre Lane Sports Ground.

3.0 Site History

3.1 The site has a long planning history dating back to 1993 with the construction of an eight lane floodlit athletics track through permission 93/00071/DPA. Various other sporting developments have been granted planning permission, the vast majority between 1993 and 2000, although not all have been developed. More recently planning permission was granted for the erection of an extension, alterations to the café, main entrance and construction of a jump tower with a briefing cabin.

Application Number	Proposal	Decision
93/00071/DPA	Construction of an eight lane floodlit athletics track	Permitted
94/01116/DPA	Erection of second phase of sports centre development comprising swimming pool, projectile hall, minor hall, health suite, caretaker's flat and ancillary accommodation.	Permitted
95/00896/FUL	Erection of new club house	Permitted
16/00552/FUL	Erection of an extension, alterations to the main entrance and construction of a jump tower with a briefing cabin	Permitted
18/00484/FUL	Erection of a single storey extension and bin store and creation of a seated area and children's playground/outdoor activity area to the front	Permitted

4.0 Consultation Responses

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

Consultee	Response
Public Realm Officer	No observation received
County Highways	No objection
Environmental Health	No observation received

5.0 Neighbour Representations

5.1 No observations received.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

The National Planning Policy Framework indicates that the purpose of the planning system is to contribute to the achievement of sustainable development. At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The following sections of the NPPF are relevant to the determination of this proposal:

Paragraphs 8 and 11 – Sustainable Development
 Section 6. Building a strong, competitive economy
 Section 8. Promoting healthy and safe communities
 Section 12. Achieving well-designed places

6.2 Development Management DPD

DM4: The Protection of Cultural Assets
 DM21: Walking and Cycling
 DM22: Vehicle Parking Provision
 DM26: Open Space, Sports & Recreation Facilities
 DM35: Key Design Principles
 DM49: Local Services

6.3 Lancaster District Core Strategy and Local Plan – saved policies

SC1: Sustainable Development

SC5: Good Design

6.4 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.

7.0 Comment and Analysis

7.1 The key considerations arising from the proposal are:

- Principle of the Development;
- Scale, Design and Landscape Impact;
- Residential Amenity;
- Highways and Parking;

7.2 Principle of the Development

7.2.1 The proposal forms part of a wider renovation of the sports facilities at Salt Ayre following the implemented of those permitted through 18/00484/FUL, 16/00552/FUL and subsequent variations. The internal café area has already been refurbished and extended through the previous permission, with an external picnic benched area and replacement bin storage area recently developed. The approved playground area has not yet been implemented, and this proposal seeks to expand this play area.

7.2.2 The site is an established fitness and leisure facility, and the proposed additional play equipment and mini golf area will complement and correspond with the existing use of the site. Subject to the issues discussed later in this report, the principle of the development to refurbish and expand upon the existing sports centre facilities is acceptable, and the proposal is compatible with policies DM4, DM49 and NPPF Sections 6 and 8.

7.3 Scale, Design and Landscape Impact

7.3.1 Externally the application proposes to position a playground, play zone and mini golf facilities across an area of existing parking and landscaping. All existing trees are to be retained, which will soften the appearance of the development to facilitate these uses. Planning permission is not required for benches, bins, picnic benches and other equipment provided by the local authority, and fencing up to 2 metres in height around the proposed mini golf area and play zone also benefits from permitted development rights, as the boundaries are not adjacent to a public highway. The play equipment and mini golf facilities are not included as part of this proposal, as some are indicative at this stage. The elevation and top-down plans of the play equipment submitted within the specification documents are all below 4 metres in height or 200 cubic metres in capacity, in accordance with the General

Permitted Development Order Schedule 2, Part 12, Class A, therefore not requiring planning permission. Anything exceeding these criteria would require a subsequent separate planning application.

7.3.2 The proposed playground, hardsurfaced play area and mini golf area with indicative equipment over the previously lawned area to the front of the sports centre raises no concern regarding scale and landscape impact. These areas are visually contained within the site, and will be viewed in the context of the existing sports centre, hardsurfaced parking areas and jump tower. Due to the modest scale and visually contained location of development, the proposal is considered to have an acceptable landscape and visual impact. The development is consistent with Policy DM35 and NPPF Section 12.

7.4 Residential Amenity

7.4.1 The proposed developments is located approximately 35 metres south of the nearest residential dwelling. The Lancaster to Morecambe Greenway green corridor, cycle and pedestrian route is located between the proposed development and nearest residential properties. This provides an existing visual and acoustic barrier of two lines of trees, protecting the residential amenity of the properties to the north. The mini golf area proposes opening hours of 8am to 8pm, and the external playground is very unlikely to be used beyond these times, particularly given the level of human surveillance in the area from sport centre clients and employees. Whilst Environmental Health has not commented, given the existing use of the site and the fact that a playground previously occupied a nearby site on the north side of the green corridor immediately adjacent to dwellings in the area, the proposal is considered to have no detrimental impact upon residential amenity.

7.5 Highways and Parking

7.5.1 The proposed play zone is to be located within an existing parking area to the north of the proposed extension, resulting in the loss of twenty parking spaces and a turning head from this area. The site has an existing parking provision of 295 vehicle spaces. For a leisure/gymnasium use outside of the city, town or neighbourhood centre, a maximum of 1 car parking space should be provided per 22sqm of gross floor area. Therefore, the maximum vehicle parking provision for the leisure/gymnasium use of approximately 6,356sq.m floorspace is rounded up to 289 car parking space, six below the existing provision. The proposed development would take the parking provision to below the maximum parking provision, down to 275 vehicle spaces.

7.5.2 The site is accessible on foot and by bicycle due to the close proximity to the Lancaster to Morecambe Greenway, and via public transport with bus stops at the adjacent ASDA site and along Morecambe Road. The County Highways consultation response returned no adverse comment, and the proposal resulting in the loss of twenty vehicle parking spaces is considered to have no severe impact upon parking or the public highway, compatible with policies DM21 and DM22.

8.0 Planning Obligations

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

9.0 Conclusions

9.1 The proposed development will expand and improve upon the recreational and leisure facilities at the sports centre site. Due to the visual containment of the site and modest scale, it is considered that the development will have an acceptable landscape and visual impact, with no detrimental impact on highways, parking or residential amenity. Therefore, the application can be supported.

Recommendation

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

1. Standard 3 year timescale
2. Development to be carried out in accordance to approved plans
3. Protection/retention of existing trees

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

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

Background Papers

None.

Agenda Item A9	Committee Date 22 July 2019	Application Number 19/00786/ADV
Application Site Co-op Centenary House Regent Road Morecambe	Proposal Advertisement application for the display of 3 externally illuminated fascia signs, 1 externally illuminated hanging sign, 1 non-illuminated wall mounted sign and 1 non-illuminated fascia sign	
Name of Applicant The Co-operative Group	Name of Agent Miss Megan Burn	
Decision Target Date 14 August 2019	Reason For Delay None	
Case Officer	Mr Andrew Clement	
Departure	None	
Summary of Recommendation	Approval	

(i) Procedural Matters

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

1.0 The Site and its Surroundings

1.1 The application site is a large three-storey building, with part of the ground floor occupied by a convenience store. It is located at the corner of Clarendon Road and Regent Road in the West End of Morecambe. The site is outside the West End Conservation Area (which falls approximately 55 metres to the north).

2.0 The Proposal

2.1 This application seeks advertisement consent for the display of three externally illuminated fascia signs, an externally illuminated hanging sign, and a non-illuminated wall-mounted sign and non-illuminated fascia lettering. The proposed signage is to replace equivalent existing signs to the retail store, and forms part of a wider refurbishment and security improvement proposed through concurrent application 19/00645/FUL. The proposed fascia signs measure 65cm by 61.4cm, whilst the proposed hanging sign measures 50cm by 47.3cm, and wall-mounted sign measures 60cm by 60cm. Lettering to a non-illuminated section of the fascia sign is to be 19cm tall by 2.78 metres across the Clarendon Road West frontage.

3.0 Site History

3.1 The most relevant planning application and advertisement consents to the site are set out below:

Application Number	Proposal	Decision
03/00368/ADV	Erection of internally illuminated projecting sign and ATM surround	Permitted

03/00369/FUL	Installation of an ATM machine and a satellite dish	Permitted
03/00712/FUL	Construction of a disabled access ramp	Permitted
09/00238/ADV	Erection of various illuminated and non illuminated signs	Permitted
11/00991/FUL	Retrospective application for installation of new auto-sliding door to replace existing, replacement of existing shopfront and installation of condensing units	Permitted
19/00645/FUL	Installation of replacement plant equipment, installation of cladding to the side elevation and new fence panels to the side	Pending, concurrent application

4.0 Consultation Responses

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

Consultee	Response
Parish Council	No observations received
County Highways	No objection
Environmental Health	No observations received

5.0 Neighbour Representations

5.1 No observations received.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

The National Planning Policy Framework indicates that the purpose of the planning system is to contribute to the achievement of sustainable development. At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The following sections of the NPPF are relevant to the determination of this proposal:

Paragraphs 8 and 11 – Sustainable Development
Section 12. Achieving well-designed places
Section 16. Conserving and enhancing the historic environment

6.2 Development Management DPD

DM2: Retail Frontages
DM6: Advertisements
DM32: The Setting of Designated Heritage Assets
DM35: Key Design Principles

6.3 Lancaster District Core Strategy and Local Plan – saved policies

SC5 – Achieving Quality in Design
SPG7 – Advertisements and shop fronts design guide

6.4 Shopfronts and Advertisements SPD

6.5 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.

7.0 Comment and Analysis

7.1 The key considerations arising from the proposal are:

- Amenity and impact upon the setting of heritage assets; and
- Public and highway safety.

7.2 Amenity and impact upon the setting of heritage assets

7.2.1 The proposal seeks to display new signage as part of a refurbishment of an established convenience store within the local centre in the West End of Morecambe. The proposal originally sought internally illuminated fascia signs, which were altered to external illumination via trough lighting through the submission of amended plans to address concerns raised. Existing fascia signage is illuminated by a trough light wider than that proposed. Given the evening opening hours of the store, this is considered to be an acceptable approach to advertising the business and premises, and will be a slight improvement on the existing situation.

7.2.2 The proposed signage will match those of the retailer permitted elsewhere in the District. The design, scale and method of illumination is considered to be proportionate to the property and use, and will not detract from the amenity of the area. The site forms a gateway setting to the West End Conservation Area, but the proposal will cause no harm to the setting of this heritage asset. The proposal is compatible with policies DM2, DM6, DM32, DM35 and NPPF Section 12 and 16.

7.3 Public and highway safety

7.3.1 The proposal has raised no objection from County Highways, as they consider that there will be no impact upon the highway. The signage locations are either attached and parallel to the existing elevation, or 2.85 metres above the external pavement level. None of these signs will not impede pedestrian movements, thus have no adverse impact upon public safety, subject to a condition controlling luminance levels and screening of illumination methods.

8.0 Planning Obligations

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

9.0 Conclusions

9.1 The proposed signage has a sympathetic design and illumination method at a proportionate scale to the property and use. Forming part of a wider refurbishment of the site, these adverts will have no detrimental impact upon the amenity or safety of the area, whilst causing no harm to the setting of the heritage asset.

Recommendation

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

1. Standard advertisement timescale (5 years)
2. Advertisements to be carried out in accordance to amended approved plans
3. No advertisement is to be displayed without the permission of the owner of the site
4. No advertisement shall be sited or displayed so as to obscure or hinder various transportation signs or signals
5. Any advertisement displayed, and any site used for the display of advertisements, shall be

- maintained in a condition that does not impair the visual amenity of the site
6. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public
 7. Where an advertisement is required under the Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity
 8. Illumination levels and screening

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

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

Background Papers

None

Agenda Item A10	Committee Date 22 July 2019	Application Number 19/00645/FUL
Application Site Co-op Centenary House Regent Road Morecambe	Proposal Installation of replacement plant equipment, installation of cladding to the side elevation and new fence panels to the side	
Name of Applicant The Co-operative Group	Name of Agent Mr Steve Norton	
Decision Target Date 7 August 2019	Reason For Delay None	
Case Officer	Mr Andrew Clement	
Departure	None	
Summary of Recommendation	Approval	

(i) Procedural Matters

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

1.0 The Site and its Surroundings

1.1 The application site is a large three-storey building, with part of the ground floor occupied by a convenience store. It is located at the corner of Clarendon Road and Regent Road in the West End of Morecambe. The site is outside the West End Conservation Area (which falls approximately 55 metres to the north).

2.0 The Proposal

2.1 This application proposes the refurbishment of the property through replacement plant equipment, cladding to the palisade fencing to the goods-in area, and cladding of four existing window openings to the front and side elevations. The refurbishment also includes cladding the stallriser and repainting the shopfront's glazing frames and shutter, which do not require the benefit of planning permission. Proposed signage has been submitted for consideration as part of a concurrent advertisement application.

3.0 Site History

3.1 The most relevant planning application and advertisement consents to the site are set out below:

Application Number	Proposal	Decision
03/00368/ADV	Erection of internally illuminated projecting sign and ATM surround	Permitted
03/00369/FUL	Installation of an ATM machine and a satellite dish	Permitted
03/00712/FUL	Construction of a disabled access ramp	Permitted

09/00238/ADV	Erection of various illuminated and non illuminated signs	Permitted
11/00991/FUL	Retrospective application for installation of new auto-sliding door to replace existing, replacement of existing shopfront and installation of condensing units	Permitted
19/00786/ADV	Advertisement application for the display of 3 externally illuminated fascia signs, 1 externally illuminated hanging sign and 1 non-illuminated wall mounted sign	Pending, concurrent application

4.0 Consultation Responses

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

Consultee	Response
Parish Council	No observation received
County Highways	No objection
Environmental Health	No observation received

5.0 Neighbour Representations

5.1 No observation received.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

The National Planning Policy Framework indicates that the purpose of the planning system is to contribute to the achievement of sustainable development. At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The following sections of the NPPF are relevant to the determination of this proposal:

Paragraphs 8 and 11 – Sustainable Development
 Section 6. Building a strong, competitive economy
 Section 12. Achieving well-designed places
 Section 16. Conserving and enhancing the historic environment

6.2 Development Management DPD

DM2: Retail Frontages
 DM32: The Setting of Designated Heritage Assets
 DM35: Key Design Principles
 DM49: Local Services

6.3 Lancaster District Core Strategy and Local Plan – saved policies

SC5 – Achieving Quality in Design
 SPG7 – Advertisements and shop fronts design guide

6.4 Shopfronts and Advertisements SPD

6.5 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,
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The Strategic Policies and Land Allocations DPD will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual ‘saved’ land allocation policies from the 2004 District

Local Plan.

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.

7.0 Comment and Analysis

7.1 The key considerations arising from the proposal are:

- Principle of the Development; and
- Scale, Design and Landscape Impact upon the setting of Heritage Assets.

7.2 Principle of the Development

7.2.1 The proposal seeks to refurbish the established convenience store within the local centre in the West End of Morecambe. Subject to the design and streetscene impact of the proposal, the principle of the development to refurbish the existing retail unit and improve the security of the site is acceptable. The proposal is compatible with policies DM2, DM49 and NPPF Section 6.

7.3 Scale, Design and Streetscene Impact upon the setting of Heritage Assets

7.3.1 As part of a broader refurbishment of the unit both internally and externally, planning permission is sought to replace plant equipment, and install of cladding to the fence panels to the side goods-in area and to some of the ground floor window openings. The existing goods-in area fencing is palisade fencing, which allows a level of visibility to and from the area. The proposed development seeks to install chequer plate panels to this fencing, which will visually contain the proposed plant equipment and goods carts contained within the yard. This area is visible along Back Regent Road and Back Clarendon Road West, which are public highway alleys to the rear of residential dwellinghouses. Although the site is visually contained from the wider streetscene, the proposed developments to the fencing would be visible from this public and residential perspective. However, given the design of the existing palisade fencing, and the proposed grey colour of the chequer plate panels in a matt finish, the proposed development would have no detrimental impact upon the existing streetscene of this elevation that faces the back alleys. There is an existing level of blocking of window openings to this elevation, and as this elevation does not form part of the shop's active frontage this is deemed acceptable.

7.3.2 The proposed development includes the cladding of four existing window openings to the ground floor, three of which are to the same side elevation as the goods-in area, with one to the frontage facing Clarendon Road West. A large number of the existing ground and upper floor openings are already boarded, whilst the eastern half of the property appears to have been unoccupied for a long period. The three openings to the side elevation are visually contained from the wider streetscene, which forms a gateway to the West End Conservation Area. One of the openings to the front is immediately adjacent to an existing louvre panel. Replacing the existing window opening with cladding would, to a small degree, detract from the appearance of the building and streetscene. However, this will appear inconspicuous given the boarding of other openings as existing. The visual impact of this cladding to the window is considered to be outweighed by the improved security and benefits of the continued use of a significant retail unit within an urban local centre. The development is consistent with Policy DM32, DM35 and NPPF Section 12 and 16.

8.0 Planning Obligations

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

9.0 Conclusions

9.1 The proposed development will refurbish the corner retail frontage whilst improving the security of

the site. The developments to the side elevation are publicly visible from the back alleys, but visually contained from the wider streetscene, and due to modest scale and sympathetic colour are considered to be acceptable. The cladding to a window to the elevation fronting Clarendon Road West is in a more prominent location, but given existing cladding and modest scale, the development will appear inconspicuous. The minor harm caused by cladding the window openings is considered to be outweighed by the security benefits and continued retail use in this location within an urban local centre.

Recommendation

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

1. Standard 3 year timescale
2. Development to be carried out in accordance to approved plans and details

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

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

Background Papers

None

<p align="center">Agenda Item</p> <p align="center">A11</p>	<p align="center">Committee Date</p> <p align="center">22 July 2019</p>	<p align="center">Application Number</p> <p align="center">Associated with 18/00365/OUT</p>
<p align="center">Application Site</p> <p align="center">Public Footpath No.26 in association with development site at Land east of Scotland Road, Carnforth</p>		<p align="center">Proposal</p> <p align="center">To permanently divert a section of Public Footpath No.26 in Carnforth to enable the implementation of residential development pursuant to the proposals set out in application 18/00365/OUT</p>
<p align="center">Name of Applicant</p> <p align="center">Mr Richard Morton</p>		<p align="center">Name of Agent</p> <p align="center">Ms Helen Binns</p>
<p>Case Officer</p>		<p>Mrs Jennifer Rehman</p>
<p>Summary of Recommendation</p>		<ol style="list-style-type: none"> 1) That, subject to outline planning permission being granted for planning application 18/00365/OUT, an Order be made pursuant to Section 257 of the Town and Country Planning Act 1990 to divert Public Footpath No.26 in Carnforth in the manner set out in the report to enable the development to be carried out in accordance with outline planning permission 18/00365/OUT, and in the event of no objections being received or any objections being received are withdrawn, the Order be confirmed. 2) That the Head of Legal Services be granted delegated powers to take any action considered necessary in respect of the making and confirmation of the Order duly authorised to be made.

1.0 The Site and its Surroundings

- 1.1 Public Footpath No.26 is a public right of way that lies within the Carnforth and Millhead Ward. This footpath links Scotland Road with North Road (known as Carnforth Brow). Starting at Carnforth Brow, the footpath generally runs in a north westerly direction for approximately 50 metres through a newly developed estate and then across an uncontrolled level crossing, known as Brow Foot Level Crossing. The footpath then runs in a westerly direction for 95 metres along the top of the northern boundary of the railway cutting to a point located east of the Midland Units. From here, the footpath runs in a northerly direction for 65 metres and doglegs in a westerly direction over a stile, and runs along the northern boundary of the Midland Units. The footpath exits into the industrial estate (Midland Units) access and terminates at the junction with Scotland Road.
- 1.2 The condition, surfacing and width of the footpath varies along its length. Generally, the footpath is unmade and grassed with no defined edging – typical of rural public rights of way. The widest section of the footpath runs along the northern boundary of the Midland Units. The footpath is around 1 metre wide and finished in crushed stone either side of the uncontrolled level crossing. The gradient of the footpath either side of the level crossing is steep due to its location in the cutting.

2.0 Background

- 2.1 On 15 October 2018, the Planning Committee resolved to approve a planning application for residential development on land off Scotland Road (18/00365/OUT). The development comprises 213 dwellings with an associated vehicular and cycle/pedestrian access to Scotland Road and cycle/pedestrian access to Carnforth Brow/Nether Beck, public open space, creation of wetlands area, construction of attenuation basins, erection of sub-station, installation of a pumping station

and associated earth works and land regrading and landscaping. At the time of compiling this report, the planning application is still pending. The Section 106 legal agreement is almost complete meaning the formal granting of the outline planning permission is imminent.

- 2.2 The scale, proximity and relationship of the development to the section of Footpath No.26 that crosses the railway line was highlighted at the pre-application stage as a key constraint to the development, mainly on the grounds of public safety. The footpath either side of the railway line steeply slopes down towards the crossing with no barriers or control systems to prevent pedestrians falling into the railway line. The applicant actively engaged with Network Rail, the Ramblers Association and Lancashire County Council's Public Right of Way officer in advance of their formal planning submission in light of the concerns. Positive engagement continued during the consideration of the planning application with potential alternative routes (to avoid the level crossing) fully explored. An amended indicative route for the diversion of Footpath No.26 formed part of the planning application and was accepted by the Ramblers Association, Network Rail and the Lancashire County Council's Public Right of Way Officer (subject to the formal diversion of the footpath under s257 of the Act). In order for the development to be acceptable in planning terms and to satisfy the concerns of Officers of the Council and consultees, the Council resolved to approve the development subject to a Grampian condition requiring Footpath No.26 to be diverted to avoid Brow Foot Level Crossing.
- 2.3 Section 257 of the Town and Country Planning Act 1990 (the Act) provides that the local planning authority authorised to grant planning permission may, by Order, authorise the stopping up or diversion of any footpath or bridleway if they are satisfied that it is necessary to do so in order to enable development to be carried out in accordance with planning permission granted under Part III of the Act.
- 2.4 When an Order is made by a local planning authority under Section 257, it is necessary for the local authority to give notice of the Order by publishing a notice in a local newspaper, displaying a notice on site and notifying specified persons and bodies. In the event that objections are made and not withdrawn, the Order will need to be referred to the Secretary of State for consideration and confirmation.

3.0 The Proposal

- 3.1 Following the Council's resolution to approve the development, the applicant has applied to divert Public Footpath No.26. The application does not seek to divert the entire length of the footpath. The alternative footpath shall commence at a point south of the railway line at point A (SD 5063 7099), running in a westerly direction for 70 metres along the top of the southern boundary of the railway cutting to point B (SD 5056 7098), continuing in a westerly direction for 60 metres to point C (SD 5050 7098), then runs in a northerly direction across the existing accommodation bridge to Point D (SD 5050 7101) as indicated on the map appended to this report (all lengths and compass directions are approximate). From this point, the footpath will continue along its existing alignment towards Scotland Road.
- 3.2 The width of the section of the alternative footpath is as follows:
A to B – 1.8 metres
B to C – 2.0 metres
C to D – 3.0 metres
- 3.3 The alternative footpath shall be constructed and finished in crushed stone with a minimum 1.1 metre high post and rail fence along the northern perimeter of the diverted route. The fencing is required for safety reasons due to position of the diverted route along the top of the railway cutting between points A and B. No stiles or gates are proposed or required along the diverted route.

4.0 Advice

- 4.1 The existing footpath provides an important connection between Scotland Road and North Road/Carnfoth Brow. Its current state suggests it is not a heavily used public right of way, but nevertheless provides functional, circular route that can be enjoyed by the community. The proposals sought as part of the planning application would significantly increase pedestrian movements along with footpath and across the uncontrolled level crossing. Whilst planning policy and decisions seek to promote walking and sustainable travel, developing the site without an

appropriate diversion to this footpath would be unsafe and would potentially affect the safe and efficient operation of the railway line.

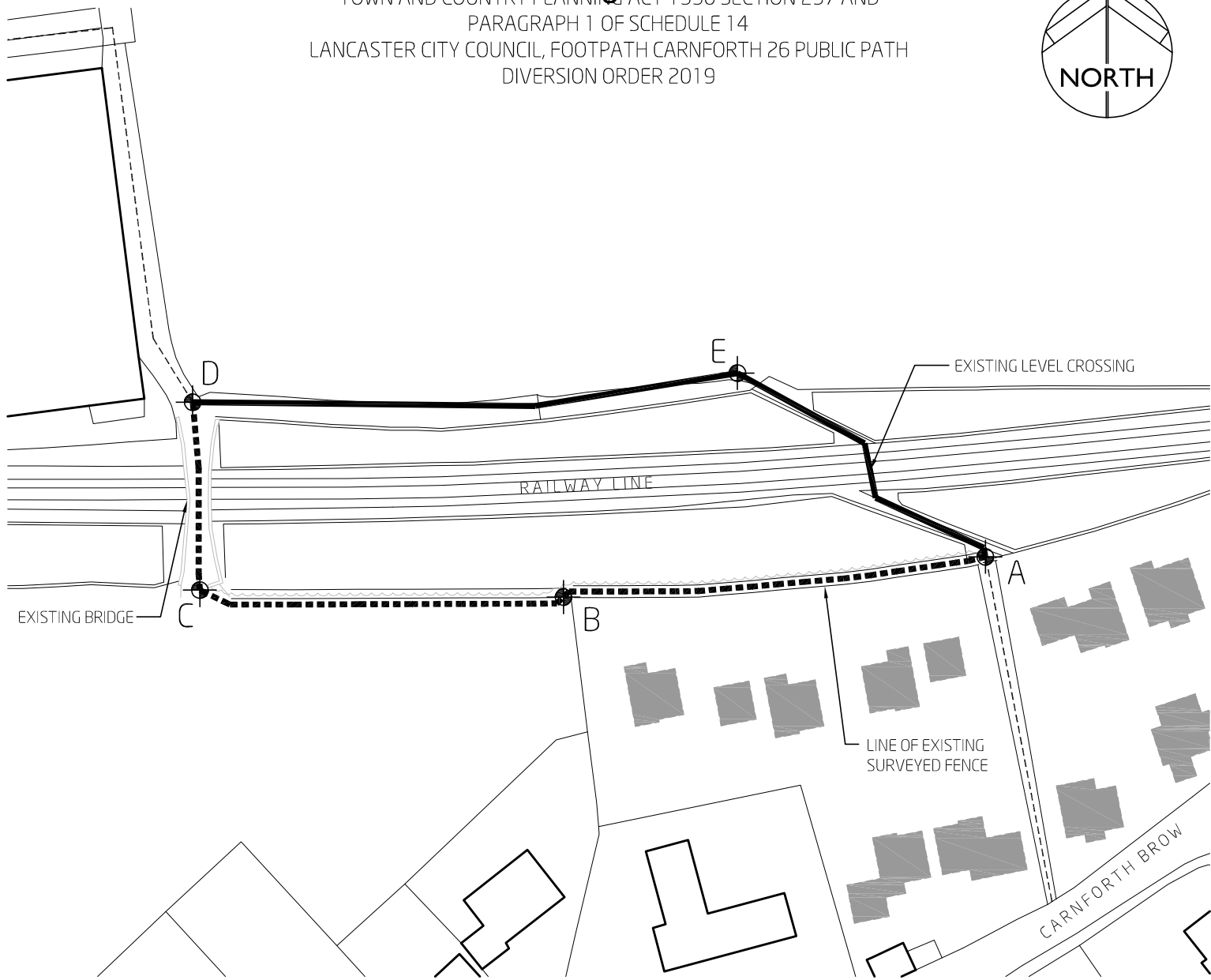
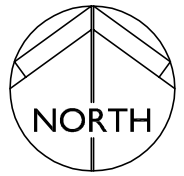
- 4.2 The alternative route for Footpath No.26 maintains a rural form and character and avoids the dangerous level crossing. The section between position A and B is marginally below the expected design requirements (of 2 metres). Its position alongside the rear of the recently developed housing off Carnforth Brow is not ideal either. However, when compared to the existing route of Footpath No.26 over Brow Foot Level Crossing it is far safer for existing future occupants of the development proposed pursuant to planning application 18/00365/OUT. This proposed alternative route has been designed in full consultation and collaboration with Network Rail (as part of the land was in their ownership) and the County's Public Right of Way Officer, whom are supportive of the proposed diversion.
- 4.3 Section 257 of the Act gives local planning authorities a power to change the route of a public footpath where a diversion is necessary to enable development to be carried out in accordance with a planning permission. It was clear when the Council resolved to grant outline planning permission for the redevelopment of the adjacent site for housing (under 18/00365/OUT) that Footpath No.26 would need to be diverted to make it acceptable in planning terms. In view of the circumstances set out above and the suitability and availability of an alternative route, it is considered that, subject to consultation of the Order, the test set out in Section 257 is satisfactorily met. Further, it is considered the applicant should pay the costs of closing that part of the existing footpath to be diverted and the cost of providing the alternative route.

5.0 Recommendation

- 5.1 That, subject to outline planning permission being granted for planning application 18/00365/OUT, an Order be made pursuant to Section 257 of the Town and Country Planning Act 1990 to divert Footpath No.26 in Carnforth as set out in the report and on the terms the developer pays the cost of closing that part of the existing footpath to be diverted and the cost of providing the alternative route, to enable the development to be carried out in accordance with outline planning permission 18/00365/OUT, and in the event of no objections being received or any such objections received being withdrawn, the Order be confirmed.
- 5.2 That the Head of Legal Services be granted delegated powers to take any action considered necessary in respect of the making and confirmation of the Order duly authorised to be made.

Background Papers

Map showing the proposed Public Footpath diversion



LEGEND:

FOOTPATH TO BE DIVERTED

ALTERNATIVE FOOTPATH

FOOTPATH CARNFORTH 26



CO-ORDINATE REFERENCE POINT



APPROXIMATE POSITION OF ADJACENT PLANNING
 APPROVED RESIDENTIAL DEVELOPMENT HATCHED
 GREY

SD CO-ORDINATES	
A	50637099
B	50567098
C	50507098
D	50507101
E	50597102

SKETCH
 subject to legal review
 subject to structural review

I	14/05/19	LEGEND AMENDMENTS FOLLOWING EXTERNAL REVIEW	RB
H	13/06/19	COORDINATE AMENDMENTS FOLLOWING EXTERNAL REVIEW	RB
G	28/06/19	FURTHER DRAWING AMENDMENTS FOLLOWING EXTERNAL REVIEW	RB
F	25/04/19	FURTHER DRAWING AMENDMENTS FOLLOWING EXTERNAL REVIEW	RB
E	08/04/19	COORDINATE TABLE AMENDMENT	RB
D	08/04/19	UPDATED FOLLOWING FURTHER CLIENT INSTRUCTION, SHEET SIZE & SCALE AMEND.	RB
C	27/03/19	COORDINATE ADDRESS, DRAWING SCALE AMENDMENT, FURTHER CONTEXT ILLUSTRATED	RB
B	21/11/18	LEGEND KEY REVISED	LD
A	13/11/18	SURFACE FINISH ADDED TO KEY	RB
REVISED	00/00	COORDINATE	RB/RL

project	PROPOSED RESIDENTIAL SCOTLAND ROAD, CARNFORTH
client	KCS DEVELOPMENTS
title	FOOTPATH CARNFORTH 26 PUBLIC PATH DIVERSION ORDER 2019
date	06.08.18
scale	1:1000@A4
drawn	RB
drawing number	2914-0-019-1
checked	

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<p align="center">Agenda Item</p> <p align="center">A12</p>	<p align="center">Committee Date</p> <p align="center">22 July 2019</p>	<p align="center">Application Number</p> <p align="center">Associated with 17/00073/FUL</p>
<p align="center">Application Site</p> <p align="center">Public Footpath No.55 in association with development site at Land adjacent to Aikengill Scotforth Road, Lancaster</p>		<p align="center">Proposal</p> <p align="center">To permanently divert a section of Public Footpath No.55 in Hala to enable the implementation of residential development pursuant to the proposals set out in application 17/00073/FUL</p>
<p align="center">Name of Applicant</p> <p align="center">Fellside Land Development Ltd</p>		<p align="center">Name of Agent</p> <p align="center">JWPC Chartered Town Planners</p>
<p>Case Officer</p>		<p>Mr Andrew Drummond</p>
<p>Summary of Recommendation</p>		<p>1) That, an Order be made pursuant to Section 257 of the Town and Country Planning Act 1990 to divert Public Footpath No.55 in Hala in the manner set out in the report to enable development to be carried out in accordance with planning permission 17/00073/FUL, and in the event of no objections being received or any objections being received are withdrawn, the Order be confirmed.</p> <p>2) That the Head of Legal Services be granted delegated powers to take any action considered necessary in respect of the making and confirmation of the Order duly authorised to be made.</p>

1.0 The Site and its Surroundings

- 1.1 Public Footpath No.55 is a public right of way that lies within the Scotforth East Ward. This footpath links Scotforth Road (A6) with Collingham Park. Starting at Scotforth Road, the footpath generally runs in a south south easterly (SSE) direction for approximately 110 metres to the rear boundary of no.1 Oakwood Gardens. At this point the official line of the public footpath continues through the plot of no.1 Oakwood Gardens to the pavement in front of the dwelling. At this point the public footpath splits, running due south or due east. Both spurs will remain unchanged. The eastern spur runs along the pavement serving Oakwood Gardens for about 12m in front of no.1 Oakwood Gardens before turning north east for about 17m along the pavement serving Collingham Park. At this point the public footpath turns again, this time in a north westerly direction for about 24m and then terminates in the south east corner of the application site at no particular defined point.
- 1.2 Generally, the footpath was unmade and grassed with no defined edging – typical of rural public rights of way with a pinch point between the rear boundaries of no.1 Oakwood Gardens and no.1 Mulberry Lane.

2.0 Background

- 2.1 On 6 April 2018, the Planning Committee resolved to approve a planning application for residential development on land off Scotforth Road (17/00073/FUL). The development comprises 7 dwellings with associated new access and cycle paths.
- 2.2 The relationship of the development to the section of Footpath No.55 that crosses the application site was highlighted to the applicant as a key constraint to the development, mainly on the grounds that the public footpath is well used and should therefore be maintained and enhanced. This position

has been endorsed by the Council's Engineers for a number of years in association with the development of the District's cycle network. In order for the development to be acceptable in planning terms and to satisfy the concerns of Officers of the Council and consultees, the Council resolved to approve the development subject to a Grampian condition requiring Footpath No.55 to be diverted.

- 2.3 Section 257 of the Town and Country Planning Act 1990 (the Act) provides that the local planning authority authorised to grant planning permission may, by Order, authorise the stopping up or diversion of any footpath or bridleway if they are satisfied that it is necessary to do so in order to enable development to be carried out in accordance with planning permission granted under Part III of the Act.
- 2.4 When an Order is made by a local planning authority under Section 257, it is necessary for the local authority to give notice of the Order by publishing a notice in a local newspaper, displaying a notice on site and notifying specified persons and bodies. In the event that objections are made and not withdrawn, the Order will need to be referred to the Secretary of State for consideration and confirmation.

3.0 The Proposal

- 3.1 Following the Council's resolution to approve the development, the applicant has applied to divert Public Footpath No.55. The application does not seek to divert the entire length of the footpath. The alternative footpath shall commence at point B within the application site (OS grid reference 348045 458896), running in a south easterly direction for 27m to point C (348069 458883), continuing in a southerly direction for 40m to point D (348071 458843) as indicated on the map appended to this report (all lengths and compass directions are approximate). From this point, the footpath will continue along its existing alignment on Collingham Park and Oakwood Gardens. The diversion would effectively extinguish the existing section between points B and F. In reality since the development of no.1 Oakwood Gardens, the users of this footpath have been walking crudely along the proposed alignment given part of the official route is within private ownership.
- 3.2 The width of the section of the alternative footpath will be 3m with the exception of the pinch point between the rear boundaries of no.1 Oakwood Gardens and no.1 Mulberry Lane, which will be 2m.
- 3.3 The alternative footpath has partially been constructed and will be finished in tarmac. The details of site boundaries along the length of the footpath and the safety barriers at either end of the footpath must be submitted to, and agreed in writing by, the local planning authority, as this is secured by planning condition.

4.0 Advice

- 4.1 The existing footpath provides an important connection between Scotforth Road and Collingham Park and is well used by pedestrians. The proposals sought as part of the planning application include upgrading this route to allow use by other non-motorised forms of transport, such as cyclists. This is very much in line with the planning policies that seek to promote walking and sustainable travel.
- 4.2 Section 257 of the Act gives local planning authorities a power to change the route of a public footpath where a diversion is necessary to enable development to be carried out in accordance with a planning permission. It was clear when the Council resolved to grant planning permission for the redevelopment of the site for housing (under 17/00073/FUL) that Footpath No.55 would need to be diverted to make it acceptable in planning terms as the proposed development includes the construction of some houses on the line of that part of the footpath to be diverted. In view of the circumstances set out above and the suitability and availability of an alternative route, it is considered that, the test set out in Section 257 is satisfactorily met. Further, it is considered the applicant should pay the costs of closing that part of the existing footpath to be diverted and the cost of providing the alternative route.

5.0 Recommendation

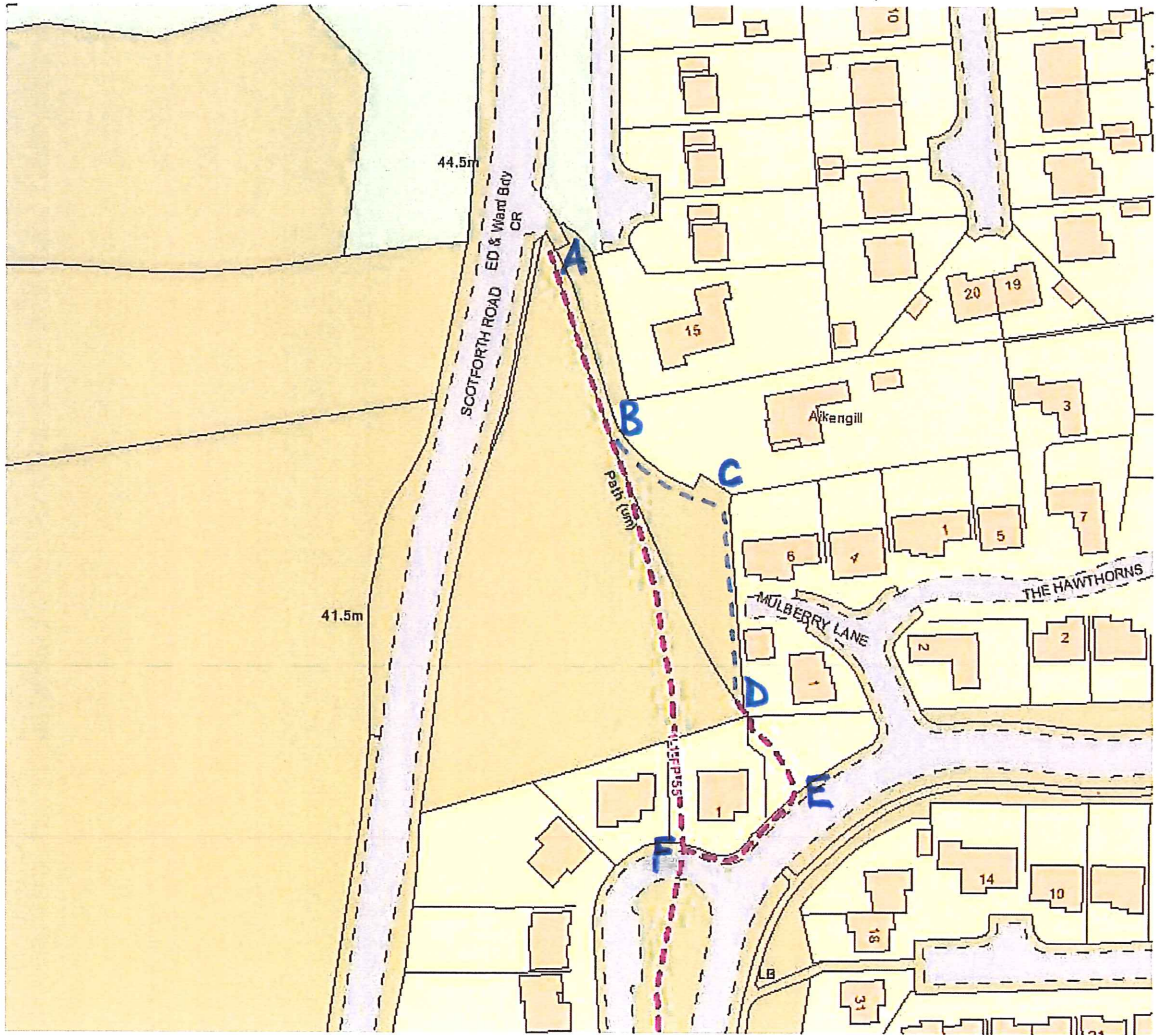
- 5.1 That, an Order be made pursuant to Section 257 of the Town and Country Planning Act 1990 to divert Footpath No.55 in Hala as set out in the report and on the terms the developer pays the cost

of closing that part of the existing footpath to be diverted and the cost of providing the alternative route, to enable development to be carried out in accordance with planning permission 17/00073/FUL, and in the event of no objections being received or any such objections received being withdrawn, the Order be confirmed.

That the Head of Legal Services be granted delegated power to take any action considered necessary in respect of the making and confirmation of the Order duly authorised to be made.

Background Papers

Map showing the proposed Public Footpath diversion



LANCASTER CITY COUNCIL

APPLICATION NO	DETAILS	DECISION
18/00424/FUL	North Farm, Moss Road, Heaton With Oxcliffe Retrospective application for the change of use of land for the siting of 2 agricultural workers caravans for Mr Sam Bargh (Overton Ward 2015 Ward)	Application Refused
18/01515/FUL	Dykes House, Dykes Lane, Yealand Conyers Part retrospective application for the excavation of land and construction of a retaining wall for Mr Andy Harrison (Warton Ward 2015 Ward)	Application Permitted
19/00033/DIS	Caravan, Scale House Farm, Scale House Lane Discharge of conditions 3 and 4 on approved application 18/01441/FUL for Mr Towers (Upper Lune Valley Ward 2015 Ward)	Split Decision
19/00051/DIS	Land Between Low Road And Forge Lane , Halton, Lancashire Discharge of conditions 3,4 and 5 on approved application 18/01117/REM for Miss Siobhan Sweeney (Halton-with-Aughton Ward 2015 Ward)	Application Refused
19/00059/DIS	Lake View, Red Bridge Lane, Silverdale Discharge of conditions 3, 4, 5, 6 and 7 on approved application 18/00316/FUL for Mr And Mrs Crabtree (Silverdale Ward 2015 Ward)	Application Permitted
19/00062/DIS	Lunch Hut, Flintron Brow, Over Wyresdale Discharge of condition 3 on approved application 18/01592/FUL for Mr Joby Howard (Ellel Ward 2015 Ward)	Application Permitted
19/00063/DIS	St Georges Quay Development Site, St Georges Quay, Lancaster Discharge of conditions 5, 16 and 22 on approved application 17/00203/VCN for Mrs Rachael Graham (Marsh Ward 2015 Ward)	Split Decision
19/00064/DIS	Land Off, Penrod Way, Heysham Discharge of condition 8 on approved application 18/00655/FUL for DST Group Ltd DST Group Ltd DST Group Ltd (Heysham South Ward 2015 Ward)	Application Refused
19/00068/DIS	Yealand Hall, Silverdale Road, Yealand Redmayne Discharge of condition 3 on approved application 18/01464/CU for Mr & Mrs Lock (Silverdale Ward 2015 Ward)	Application Permitted
19/00069/DIS	Old Builders Yard, Chapel Lane, Galgate Part discharge of condition 3 on approved application 18/01034/CU for Mr John Barnes (Ellel Ward 2015 Ward)	Application Permitted
19/00082/DIS	60 - 62 Church Street, Lancaster, Lancashire Discharge of condition 3 on approved application 18/00798/FUL for Mighty Student Living Ltd Mighty Student Living Ltd Might... (Castle Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

19/00085/DIS	Land Rear Of 18 To 24, Monkswell Avenue, Bolton Le Sands Discharge of conditions 3, 6 and 8 on approved application 18/01493/FUL for Mr Haley (Bolton And Slyne Ward 2015 Ward)	Application Permitted
19/00088/DIS	Land For Proposed Bailrigg Business Park, Bailrigg Lane, Lancaster Discharge of condition 4 on approved application 16/01308/REM for Mr Jason Homan (University And Scotforth Rural Ward)	Application Permitted
19/00090/DIS	Church Hall, St Lukes Church, Shady Lane Discharge of condition 4 on approved application 17/01244/FUL for Slyne-with-Hest Church Hall (Bolton And Slyne Ward 2015 Ward)	Application Permitted
19/00133/OUT	Condergarth, Kit Brow Lane, Ellel Outline application for the demolition of two existing residential dwellings, existing farm buildings, the removal of existing caravans and extensive hardstanding and the redevelopment of the site for up to 25 residential dwellings with associated access for Drinkwater (Ellel Ward 2015 Ward)	Application Refused
19/00164/OUT	Land To The East Of Lancaster Road And North Of Willey Lane, Lancaster Road, Cockerham Outline application for the erection of up to 24 dwellings (C3) and provision of new vehicular access, and pedestrian access to Willey Lane for Mr P & M Hewitt (Ellel Ward 2015 Ward)	Application Withdrawn
19/00244/VCN	Carnforth Business Park, Oakwood Way, Carnforth Erection of office (B1a) and storage and distribution (B8) building with associated parking, access and boundary fencing (pursuant to the variation of conditions 2, 5, 7, 8, 9, 11, 13 and 14 on planning permission 18/00269/FUL to amend the approved plans to reconfigure the internal ground floor layout, to remove the dock leveller in the service yard and retaining wall, to reduce the amount of glazing and the canopy and alter the car park layout and drainage for Mr Simon Whiley (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
19/00279/FUL	Elpha House, Netherbeck, Carnforth Erection of a two storey side and first floor extension over existing garages to provide ancillary accommodation for Mrs Castle (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
19/00307/VCN	Carnforth Business Park, Kellet Road, Carnforth Erection of office (B1a) and storage and distribution (B8) building with associated parking and access (pursuant to the variation of conditions 2, 9, 11 and 13 on planning permission 18/01144/FUL to vary approved plans in relation to the elevations and canopy, finished floor levels and car park layout, and to include B2 (general industrial use) for Mr Tim Devonish (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
19/00319/FUL	Library, Library Avenue, Bailrigg Erection of a 4 storey infill extension to the south elevation of existing Lancaster University library with plant room and external steps at roof level, construction of external steps to the south west and erection of a new bin and cycle store in existing parking area for Mr Keith Douglas (University And Scotforth Rural Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

19/00322/FUL	34 Wennington Road, Wray, Lancaster Installation of replacement windows for Mr & Mrs Garrod (Lower Lune Valley Ward 2015 Ward)	Application Permitted
19/00334/FUL	19 Sun Street, Lancaster, Lancashire Change of use of ground floor shop (A1) and basement to maisonette (C3) installation of 2 rooflights to the rear elevation for Mr Tariq Malik (Castle Ward 2015 Ward)	Application Refused
19/00335/LB	19 Sun Street, Lancaster, Lancashire Listed building application for works to facilitate the change of use of ground floor shop (A1) and basement to maisonette (C3), removal of arch and stud wall, installation of boiler, installation of glass panel in floor, installation of new partition walls, installation of 2 rooflights to the rear elevation for Mr Tariq Malik (Castle Ward 2015 Ward)	Application Refused
19/00345/CU	The Cottage, The Green, Over Kellet Change of use of mixed use building comprising a ground floor shop (A1) with associated living accommodation over 2 floors (C3) to a dwelling (C3) for Mrs Jane Craven (Kellet Ward 2015 Ward)	Application Permitted
19/00404/FUL	Development Land Field 0068, Wagon Road, Dolphinholme Erection of a 2 storey dwelling with attached garage, associated access and installation of a package treatment plant for Mr And Mrs Drinkall (Ellel Ward 2015 Ward)	Application Permitted
19/00407/FUL	1 Clarksfield Road, Bolton Le Sands, Carnforth Erection of a single storey rear extension for Mr & Mrs Wilson (Bolton And Slyne Ward 2015 Ward)	Application Permitted
19/00412/FUL	Yew Tree Cottage, Kellet Road, Over Kellet Demolition of existing rear conservatory and erection of a single storey rear extension for Mr & Mrs Carling (Kellet Ward 2015 Ward)	Application Permitted
19/00430/ELDC	Heysham Port Ltd, North Quay, Heysham Harbour Existing lawful development certificate for the use of the land as a helicopter facility for Heysham Port Limited (Overton Ward 2015 Ward)	Application Refused
19/00431/NMA	Land At OSGR E350819. N464830, Low Road, Halton Non material amendment to planning permission 18/01117/REM for the removal of quoins from plots with stone elevations for Miss Siobhan Sweeney (Halton-with-Aughton Ward 2015 Ward)	Application Refused
19/00432/FUL	Old Parkside Farm, Denny Beck Lane, Quernmore Erection of agricultural building, change of use of agricultural land to equine to form sand paddock and change of use of part of existing agricultural building to create 3 stables and a tack room for Mr Paul Metcalfe (Lower Lune Valley Ward 2015 Ward)	Application Permitted
19/00441/FUL	Carnforth Clinic, Market Street, Carnforth Installation of an anti-climb roller barrier system for Mr Mark Lloyd (Carnforth And Millhead Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

19/00443/VCN	Forrest Hills, Hazelrigg Lane, Ellel Erection of a resource centre (pursuant to the variation of condition 4 and 5 in relation to a scheme for extraction and ventilation and cycle storage and motorcycle parking on planning permission 18/00475/VCN) for Mr Griffiths (Ellel Ward 2015 Ward)	Application Permitted
19/00444/FUL	3 Mill Lane, Warton, Carnforth Erection of a single storey side and rear extension and installation of a replacement raised roof for Ms + Mr C + M Sierra +Iles (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
19/00447/RCN	The Bothy, Burrow Road, Burrow Change of use and conversion of outbuilding to form additional living and guest accommodation and erection of detached car port and new pitched roof to existing dwelling (pursuant to the removal of condition 4 on planning permission 99/01216/CU to allow the sale of the guest accommodation as a separate dwelling) for Mr T W Eglin (Upper Lune Valley Ward 2015 Ward)	Application Withdrawn
19/00451/FUL	Snuff Mill, Snuff Mill Lane, Lancaster Excavation of land to facilitate the erection of a single storey rear extension, erection of an outbuilding and associated landscaping works for Mr & Mrs Letheren (Scotforth West Ward 2015 Ward)	Application Permitted
19/00463/FUL	34 Cotton Square, Lancaster, Lancashire Erection of an orangery to the rear for Mrs Chantal Collins (Marsh Ward 2015 Ward)	Application Permitted
19/00467/FUL	Unit 10, Lansil Walk, Lansil Way Retrospective application for the change of use from Industrial Unit (B2) to a dog day care centre (Sui Generis) for Mr Matt Jackson (Bulk Ward 2015 Ward)	Application Refused
19/00468/FUL	11 Africa Drive, Lancaster, Lancashire Creation of an area of hardstanding to the front for Mr Dan Thompson (Marsh Ward 2015 Ward)	Application Refused
19/00470/FUL	153 Torrisholme Road, Lancaster, Lancashire Erection of a single storey rear extension for Mr Darren Forsyth (Skerton West Ward 2015 Ward)	Application Permitted
19/00473/FUL	Belmount Farm, Hasty Brow Road, Slyne Erection of an agricultural building for Mr Jonathan Hoggarth (Bolton And Slyne Ward 2015 Ward)	Application Permitted
19/00474/FUL	9 Borwick Close, Warton, Carnforth Construction of a raised area of decking to the rear with privacy screens, installation of balustrade across the south elevation of the decked area for Mr & Mrs Mike Darwell (Warton Ward 2015 Ward)	Application Permitted
19/00479/FUL	26 Lowlands Road, Bolton Le Sands, Carnforth Erection of a single storey rear extension, construction of a hip to gable extension with dormers to the front and rear for Parkinson & Holroyd (Bolton And Slyne Ward 2015 Ward)	Application Permitted
19/00486/FUL	11 Broadway, Morecambe, Lancashire Erection of a single storey side and rear extension for Mr & Mrs Valentine (Poulton Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

19/00491/EIO	Land Off Bailrigg Lane, Lancaster, Lancashire Scoping opinion for the demolition of Low Hill cottage and the erection of up to 750 dwellings (C3), retail unit (A1-A5), creation of open spaces, recreational routes, landscaping and sustainable urban drainage systems for Gladman Developments (University And Scotforth Rural Ward)	Closed
19/00497/FUL	2 Gillison Close, Melling, Carnforth Erection of first floor front extension and two storey side extension for Mr & Mrs Murray (Upper Lune Valley Ward 2015 Ward)	Application Permitted
19/00500/FUL	Fern Cottage, Eskrigge Lane, Gressingham Erection of a two storey side extension for Mr & Mrs Adam & Clare Pelter (Upper Lune Valley Ward 2015 Ward)	Application Permitted
19/00502/FUL	North Farm, Moss Road, Heaton With Oxcliffe Erection of extensions to two existing agricultural buildings and excavation and regrading of adjacent land for J Bargh & Son (Overton Ward 2015 Ward)	Application Permitted
19/00508/FUL	2 Morecambe Street West, Morecambe, Lancashire Change of use of ground floor shop (A1) to a one bed residential flat (C3) for Mrs Adele Manley (Poulton Ward 2015 Ward)	Application Refused
19/00509/PLDC	10 Wyresdale Crescent, Glasson Dock, Lancaster Proposed Lawful Development Certificate for the construction of a dormer extension to the rear elevation, partial hip to gable extension to the north side, and installation of rooflights to the front elevation for Mr & Mrs L. Lamb (Ellel Ward 2015 Ward)	Lawful Development Certificate Granted
19/00510/FUL	Montressa, Green Lane, Heaton With Oxcliffe Erection of a detached bungalow for Mr & Mrs F. Lee (Westgate Ward 2015 Ward)	Application Refused
19/00512/FUL	59 Bare Lane, Morecambe, Lancashire Change of use from a dwelling (C3) to two self-contained flats and erection of a single storey rear extension for Mrs C. Harrison (Bare Ward 2015 Ward)	Application Withdrawn
19/00513/PLDC	53 Acre Moss Lane, Morecambe, Lancashire Proposed Lawful Development Certificate for the erection of a single storey rear extension for Mr & Mrs T. Fear (Harbour Ward 2015 Ward)	Lawful Development Certificate Granted
19/00518/FUL	Orchard House, Sunnyside Lane, Lancaster Erection of a single storey link extension from garage to main dwelling for Mr & Mrs Martin (Marsh Ward 2015 Ward)	Application Permitted
19/00519/PLDC	83 Sea View Drive, Hest Bank, Lancaster Proposed Lawful Development Certificate for the erection of a single storey rear extension and side basement hatch for Mr Paul Jackson (Bolton And Slyne Ward 2015 Ward)	Lawful Development Certificate Granted
19/00520/FUL	Land Adjacent The Willows, Moor Close Lane, Over Kellet Erection of a two storey detached dwelling (C3) with associated access and installation of a package treatment plant for Mr Jon Atkinson (Kellet Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

19/00521/FUL	35 Hexham Road, Morecambe, Lancashire Erection of a two storey side extension, a single storey rear extension and construction of replacement dormer extensions to the front and rear for Mr & Mrs Jon & Michelle Liptrot (Torrisholme Ward 2015 Ward)	Application Permitted
19/00523/FUL	47A Salford Road, Galgate, Lancaster Erection of a single storey side extension for Mr & Mrs K. Martin (Ellel Ward 2015 Ward)	Application Permitted
19/00524/FUL	14 Monkswell Drive, Bolton Le Sands, Carnforth Erection of a single storey rear extension, erection of a single storey front extension and creation of a raised area with access ramp to the front and rear for Mr & Mrs Geary (Bolton And Slyne Ward 2015 Ward)	Application Permitted
19/00527/FUL	11 Hillsea Avenue, Heysham, Morecambe Erection of a part single part two storey side extension and a canopy to the front for Mr & Mrs L. Harvey (Heysham South Ward 2015 Ward)	Application Permitted
19/00528/PLDC	Queens Hotel, 34 - 36 Market Street, Carnforth Proposed lawful development certificate for the change of use of public house (A4) to hairdressers and beauty salon (A1) for Mr Kiely (Carnforth And Millhead Ward 2015 Ward)	Application Withdrawn
19/00531/PLDC	41 Windsor Avenue, Lancaster, Lancashire Proposed lawful development certificate for the erection of a single storey side extension for Mrs J. Watson (John O'Gaunt Ward 2015 Ward)	Lawful Development Certificate Granted
19/00532/PLDC	7 Willacy Parade, Heysham, Morecambe Proposed lawful development certificate for erection of a single storey rear extension to replace existing conservatory for Mrs S. Goulding (Heysham Central Ward 2015 Ward)	Lawful Development Certificate Refused
19/00534/FUL	Barrow Greaves Farm, Barrow Greaves, Ellel Demolition and removal of slurry tank and agricultural workshop and erection of an extension to existing cattle building and erection of a replacement agricultural storage building for Mr William Rhodes (Ellel Ward 2015 Ward)	Application Permitted
19/00536/PLDC	105 Main Street, Warton, Carnforth Proposed Lawful Development Certificate for the erection of a summer house for Dr Alan Lupton (Warton Ward 2015 Ward)	Lawful Development Certificate Granted
19/00537/FUL	Field To The North Of , Cowdber Farm, Roman Road Construction of a menage, erection of boundary fencing and alterations to land levels for Mrs Oversby (Upper Lune Valley Ward 2015 Ward)	Application Permitted
19/00540/FUL	Land Opposite Greendale Drive, Mill Lane, Warton Removal of rear window and doors and installation of bi-fold doors for Mr Lomax (Carnforth And Millhead Ward 2015 Ward)	Application Withdrawn

LIST OF DELEGATED PLANNING DECISIONS

19/00544/FUL	19 Longlands Crescent, Heysham, Morecambe Erection of single storey rear extension, construction of a hip to gable extension and construction of a dormer extension to the rear elevation for Mr & Mrs Marshall (Heysham Central Ward 2015 Ward)	Application Permitted
19/00546/LB	Cragg Hall, Cragg Road, Wray Listed Building application for the infill of internal door and creation of new opening, installation of partition walls and replacement of internal doors for Mrs Verona Bowyer (Lower Lune Valley Ward 2015 Ward)	Application Permitted
19/00549/NMA	10 Rushley Mount, Hest Bank, Lancaster Non material amendment to planning permission 17/01560/FUL to alter wall material from pebble dash to polar white K Rend for Mr David Abbot (Bolton And Slyne Ward 2015 Ward)	Application Permitted
19/00550/FUL	9 Parkside, Morecambe, Lancashire Erection of a single storey side extension for KNOWLES (Westgate Ward 2015 Ward)	Application Permitted
19/00552/FUL	28 Penny Street, Lancaster, Lancashire Installation of glazed entrance doors and installation of post box to the front elevation for Mr Vincenzo Mazzocchio (Castle Ward 2015 Ward)	Application Permitted
19/00555/PLDC	78 Norton Road, Heysham, Morecambe Proposed lawful development certificate for the construction of a hip to gable extension, a dormer extension to the rear, and two rooflights to the front for Mr D Wilson (Heysham Central Ward 2015 Ward)	Lawful Development Certificate Granted
19/00556/FUL	12 Warley Drive, Morecambe, Lancashire Erection of a two storey side extension with front canopy and a single storey rear extension for Mr & Mrs A. Foxcroft (Torrisholme Ward 2015 Ward)	Application Permitted
19/00557/FUL	9 Cambridge Avenue, Lancaster, Lancashire Erection of a single storey rear extension, two storey side extension with alterations to main roof and erection of a front porch for Mr Sarfaraz Patel (John O'Gaunt Ward 2015 Ward)	Application Permitted
19/00558/FUL	1A Rosebery Avenue, Morecambe, Lancashire Installation of an external disabled access lift to rear elevation for Mr David Jagger (Westgate Ward 2015 Ward)	Application Permitted
19/00568/FUL	The Old Police House, Kirkby Lonsdale Road, Arkholme Erection of a part single part first floor extension to the front of existing garage for Mr And Mrs Case (Kellet Ward 2015 Ward)	Application Permitted
19/00569/FUL	6 Monkswell Drive, Bolton Le Sands, Carnforth Retrospective application for the retention of a single storey rear extension and a balcony at first floor level for Mr & Mrs S. Jackson (Bolton And Slyne Ward 2015 Ward)	Split Decision
19/00570/FUL	83 Torrisholme Road, Lancaster, Lancashire Erection of a two storey side extension for Mr & Mrs D. Lovett (Skerton West Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

19/00573/FUL	30 Norfolk Avenue, Heysham, Morecambe Demolition of existing single storey rear extension and erection of a replacement single storey rear and side extension for Mr & Mrs Peacock (Heysham North Ward 2015 Ward)	Application Permitted
19/00576/ADV	Hest Bank Hotel, 2 Hest Bank Lane, Hest Bank Advertisement application for the retained display of 2 externally illuminated fascia signs, 1 externally illuminated hanging sign, 3 externally illuminated wall signs, 5 non-illuminated wall signs and 1 externally illuminated wall painted sign for Mr Menzer (Bolton And Slyne Ward 2015 Ward)	Application Permitted
19/00577/PLDC	12 Ellesmere Grove, Morecambe, Lancashire Proposed Lawful Development Certificate for the erection of a single storey rear extension for Cheryl Arthur (Harbour Ward 2015 Ward)	Lawful Development Certificate Granted
19/00578/FUL	15 Penrhyn Road, Lancaster, Lancashire Demolition of existing single storey rear extension and erection of a replacement single storey rear and side extension for Mr & Mrs Hastings (Skerton West Ward 2015 Ward)	Application Permitted
19/00582/FUL	Grange Court, Hasty Brow Road, Slyne Erection of a deer livestock, storage and fawn nursery building for Mr McCarthy (Bolton And Slyne Ward 2015 Ward)	Application Permitted
19/00584/FUL	16 Greenacre Road, Hest Bank, Lancaster Construction of raised roof over existing dwelling to create first floor accommodation for Mr & Mrs K. Morley (Bolton And Slyne Ward 2015 Ward)	Application Permitted
19/00587/FUL	1 Whin Drive, Bolton Le Sands, Carnforth Retrospective application for the change of use of shop and hairdressers (A1) with flat above (C3) to beauty salon (sui generis) with flat above (C3) and installation of a new shop front for Mr P Rogerson (Bolton And Slyne Ward 2015 Ward)	Application Permitted
19/00588/FUL	Lower Lee Farmhouse, Rakehouse Brow, Abbeystead Conversion of barn into habitable space in association with Kenyons Farmhouse, construction of a single storey extension, and alterations to land levels to create terrace area for Mr Douglas Williams (Ellel Ward 2015 Ward)	Application Permitted
19/00589/LB	Lower Lee Farmhouse, Rakehouse Brow, Abbeystead Listed building application for the erection of a single storey extension, construction of a terrace area, repositioning of doorways, removal of internal walls, repositioning of existing staircase, construction of internal walls, alterations to existing opening in party wall, forming of structural openings, repairs to plasterwork, re-slating of farmhouse roof, installation of rooflights, replacement windows, replacement render, replacement of cast iron gutters and rainwater goods including soil and vent pipe, replacement door to existing rear elevation, formation of new window openings, installation of timber floors, provision of new foul and surface water drains and construction of fireplace, chimney breast and hearth for Mr Douglas Williams (Ellel Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

19/00590/FUL	FASS Building, John Creed Avenue, Bailrigg Erection of a 2 storey extension to form lecture theatre and link building to form new entrance for Helen Wood (University And Scotforth Rural Ward)	Application Permitted
19/00598/FUL	Ruskin Library, Bigforth Drive, Bailrigg Construction of a canopy around the existing entrance for The Ruskin Library (University And Scotforth Rural Ward)	Application Permitted
19/00601/FUL	8 Heysham Park, Heysham, Morecambe Erection of a single storey side extension for Mr & Mrs Clegg (Heysham South Ward 2015 Ward)	Application Permitted
19/00609/NMA	60 -62 Church Street, Lancaster, Lancashire Non material amendment to planning permission 18/00798/FUL to alter the proposed front door from steel to timber for Mighty Student Living Ltd Mighty Student Living Ltd Might... (Castle Ward 2015 Ward)	Application Permitted
19/00610/PLDC	76 Bowerham Road, Lancaster, Lancashire Proposed Lawful Development Certificate for the construction of a dormer extension to the rear elevation and installation of four roof lights to the front elevation for Mr Nick Allnut (Scotforth West Ward 2015 Ward)	Lawful Development Certificate Granted
19/00612/FUL	74 Scale Hall Lane, Lancaster, Lancashire Erection of a single storey side and rear extension and construction of a front porch for Mr Kelvin Marshall (Skerton West Ward 2015 Ward)	Application Permitted
19/00615/FUL	23 Crag Bank Road, Carnforth, Lancashire Erection of a single storey front extension for Mr Andrew Taylor (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
19/00616/FUL	10 Greenways, Over Kellet, Carnforth Erection of a single storey rear extension for Mr Kenneth Karg (Kellet Ward 2015 Ward)	Application Permitted
19/00619/ADV	The William Mitchell, Glentworth Road West, Morecambe Advertisement application for the display of 1 externally illuminated free standing sign and 1 non-illuminated free standing sign, 1 externally illuminated fascia sign, 1 non-illuminated fascia sign, and 10 non illuminated poster display units for Mr W. Hunt (Westgate Ward 2015 Ward)	Application Permitted
19/00623/NMA	22 Hyde Road, Morecambe, Lancashire Non-material amendment to planning permission 18/01271/FUL to change the garage door to a window for Mr John Pardy (Torrisholme Ward 2015 Ward)	Application Permitted
19/00627/PLDC	174 Dorrington Road, Lancaster, Lancashire Proposed Lawful Development Certificate for the construction of a dormer extension to the rear elevation with a Juliet balcony for Mr & Mrs Hulland (Scotforth West Ward 2015 Ward)	Lawful Development Certificate Granted
19/00635/PLDC	11 The Crescent, Hest Bank, Lancaster Proposed lawful development certificate for the construction of a hip to gable extension, erection of a single storey side extension and a dormer extension to the rear for Mr & Mrs P. Wren (Bolton And Slyne Ward 2015 Ward)	Lawful Development Certificate Granted

LIST OF DELEGATED PLANNING DECISIONS

19/00644/FUL	Dairy Cottage, Bailrigg Lane, Lancaster Demolition of existing conservatory and erection of single storey rear extension for Mr & Mrs C Kaye (University And Scotforth Rural Ward)	Application Permitted
19/00649/PLDC	38 Long Marsh Lane, Lancaster, Lancashire Proposed Lawful Development Certificate for the construction of a dormer extension to the rear elevation for Mr & Mrs P. Atkins (Marsh Ward 2015 Ward)	Lawful Development Certificate Granted
19/00651/PLDC	173 Bowerham Road, Lancaster, Lancashire Proposed lawful development certificate for the erection of s single storey rear extension for Mr & Mrs I. Gorst (John O'Gaunt Ward 2015 Ward)	Lawful Development Certificate Granted
19/00652/FUL	Crookhey Hall Special School, Garstang Road, Cockerham Creation of all weather pitch and erection of 3 metre tall perimeter fencing for Mr Matthew Ellis (Ellel Ward 2015 Ward)	Application Permitted
19/00653/PLDC	3 Borwick Close, Warton, Carnforth Proposed Lawful Development Certificate for the erection of a single storey rear extension for Mr & Mrs I Worth (Warton Ward 2015 Ward)	Lawful Development Certificate Granted
19/00654/FUL	The Croft, Wyresdale Road, Quernmore Erection of a porch to the front elevation for Mr & Mrs Potter (Lower Lune Valley Ward 2015 Ward)	Application Permitted
19/00660/PLDC	36 Lymm Avenue, Lancaster, Lancashire Proposed lawful development certificate for the erection of a single storey rear extension for Miss M McKay (Skerton West Ward 2015 Ward)	Lawful Development Certificate Granted
19/00665/PLDC	20 Greenacre Road, Hest Bank, Lancaster Proposed Lawful Development Certificate for the construction of 2 dormer extensions to the side elevations and installation of new doors and windows for Mr & Mrs T. Harley (Bolton And Slyne Ward 2015 Ward)	Lawful Development Certificate Granted
19/00678/CCC	Bleasdale School, 27 Emesgate Lane, Silverdale County Council Consultation for a single storey extension to create a new class base and wheelchair store facing existing courtyard for Bleasdale House Special School (Silverdale Ward 2015 Ward)	Objection
19/00684/PLDC	43 Walker Grove, Heysham, Morecambe Proposed lawful development certificate for the erection of a single storey rear extension, construction of a dormer extension to the side elevation and installation of new doors and windows for Mrs V. Hollywood (Heysham South Ward 2015 Ward)	Lawful Development Certificate Granted
19/00709/NMA	Land Rear Of 18 To 24, Monkswell Avenue, Bolton Le Sands Non-material amendment to planning permission 18/01493/FUL to change the access for Mr Haley (Bolton And Slyne Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

19/00739/NMA	Land Opposite Greendale Drive, Mill Lane, Warton Non material amendment to Reserved Matters consent 15/00720/REM to change the rear kitchen window and french doors on plot 25 to 3m wide bi-folding doors for Mr Lomax (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
19/00744/FUL	The Village Store, 71 Main Road, Galgate Demolition of an existing outbuilding at the rear and erection of a single storey side and rear extension for Mrs Julie Slee (Ellel Ward 2015 Ward)	Application Withdrawn
19/00798/NMA	Land At OSGR E351057 N464848, Low Road, Halton Non material amendment to Reserved Matters consent 17/01423/REM to enlarge first floor bathroom window to Housetype H for Mr Warren Cadman (Halton-with-Aughton Ward 2015 Ward)	Application Permitted