



Committee: PLANNING REGULATORY COMMITTEE

Date: MONDAY, 16 SEPTEMBER 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 19 August, 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.

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|---|--|--|--------------------|------------------------|
| 5 | <u>A5 19/00545/HYB</u> | Land North Of Kellet Road, Over Kellet | Kellet Ward | (Pages 1 - 12) |
| | | Hybrid application comprising a full application for proposed alterations to land levels and associated access, and outline application for up to 8,400sqm of employment floor space (Use Classes B1(c), B2 and B8) with associated access | | |
| 6 | <u>A6 19/00934/FUL</u> | Queen Victoria Memorial, Dalton Square, Lancaster | Castle Ward | (Pages 13 - 20) |
| | | Construction of temporary ice rink, temporary siting of observation wheel, chillers, erection of temporary fencing and hoardings, and temporary siting of marquee, access ramps, ticket booth, market stalls and tents for skate hire and the sale of refreshments and erection of two electricity cabinets. | | |
| 7 | <u>A7 19/00935/LB</u> | Queen Victoria Memorial, Dalton Square, Lancaster | Castle Ward | (Pages 21 - 24) |
| | | Listed building application for the construction of temporary ice rink and erection of temporary fencing and hoardings | | |

8	A8 18/00877/OUT	Land To The Rear Of The Manor Inn, Cockerham	Ellel Ward	(Pages 25 - 29)
		Outline application for the erection of up to 24 dwellings (C3) and associated access		
9	A9 19/00697/FUL	St Thomas Centre, Marton Street, Lancaster	Castle Ward	(Pages 30 - 39)
		Relevant demolition of existing 2 storey Church Centre building and erection of a replacement 2.5 storey Church Centre building, including covered canopy link to the adjacent Church and alterations to existing carpark, including creation of steps and resurfacing		
10	A10 19/00634/LB	St Thomas Centre, Marton Street, Lancaster	Castle Ward	(Pages 40 - 44)
		Listed building application for a single-storey glazed extension to connect the former choir vestry of the church and the proposed replacement Church Centre building, alterations to the former choir vestry including the removal of an existing timber door and replacement with timber-framed partition and the removal of arched windows to the south elevation and replacement with fire escape door, installation of new security gates and fencing adjoining the Penny Street, Marton Street and Peter Street elevations, and alterations to the boundary wall to Victoria Place including the addition of a wrought iron railings		
11	A11 19/01053/VCN	Bay View Nursery And Garden Centre, Mill Lane, Bolton Le Sands	Bolton and Slyne	(Pages 45 - 51)
		Demolition of various buildings, erection of glasshouse and open sided canopies, construction of car park and associated landscaping (pursuant to the variation of condition 2, 3, 5, 6, 7 and 8 on planning permission 18/00639/FUL		

to amend the approved drawings, site layout, Construction Method Statement, the removal of polytunnels, hard and soft landscaping and off site highways improvement)

- 12 [A12 17/00965/VCN](#) **Land At The Hayloft Barn, Ashton Road, Ashton** **Ellel Ward** **(Pages 52 - 57)**

Change of use of land to touring caravan site, erection of a facilities building, associated re-grading of land, landscaping, formation of access road, lay-bys and cycle link, and creation of wildlife pond (pursuant to the variation of conditions 2, 4, 6, 7 and 15 on planning permission 12/00212/CU to vary the timescales for the creation of the wildlife pond and implementation of the landscaping scheme, to amend the location of the link to the cycleway/footpath and for the addition of a vehicle barrier and bin compound)

- 13 **Delegated Planning List (Pages 58 - 68)**

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 (Substitute), Jake Goodwin (Substitute), Mike Greenall (Substitute), Mel Guilding (Substitute), Tim Hamilton-Cox (Substitute), Colin Hartley (Substitute), Joyce Pritchard (Substitute) and David Whitworth (Substitute)

(iii) Queries regarding this Agenda

Please contact Democratic Services: telephone (01524) 582656 or email democracy@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 4 September, 2019.

Agenda Item	Committee Date	Application Number
A5	16 September 2019	19/00545/HYB

Application Site	Proposal
Land North Of Kellet Road Over Kellet Lancashire	Hybrid application comprising a full application for proposed alterations to land levels and associated access, and outline application for up to 8,400sqm of employment floor space (Use Classes B1(c), B2 and B8) with associated access

Name of Applicant	Name of Agent
Mr Stephen Chicken	Miss Hannah Walker

Decision Target Date	Reason For Delay
13 September 2019 (Time Extension agreed until 14 October 2019)	Submission of additional information, awaiting consultee responses and committee cycle

Case Officer	Mr Mark Potts
Departure	Yes
Summary of Recommendation	Refusal

Procedural Note

- (i) A site visit was arranged for Committee Members, and this was undertaken on 12 August 2019. The purpose of the site visit was to enable councillors to visit the site to enable an informed decision to be made given the scheme is a departure from the development plan.

1.0 The Site and its Surroundings

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

2.0 The Proposal

- 2.1 The proposed development is made in two parts. Firstly the application seeks outline planning consent across approximately 3 hectares for up to 8,400 square metres of employment floorspace (Use Classes B1(c), B2 and B8) with an associated access off the A601 (M). A parameters plan has been submitted in support of the application which sets about a maximum height of 10 metres to the eaves for the buildings to ensure that these tie in with the approved Porsche dealership. An illustrative masterplan has been submitted in support of the scheme which shows how five buildings could be arranged on the site to provide for circa 2 hectares of employment use and circa 1 hectare of green infrastructure.
- 2.2 The vehicular access would be the same as that approved under the 17/01133/FUL application with the access being taken off the A601 (M).
- 2.3 In addition to the outline planning proposals full planning consent is sought for the associated engineering works to provide for a 'development platform' across the whole 5 hectare site. It is proposed to create a development platform associated with the Porsche Site at 35.850 metres AOD, with the bulk of the site at 33.850 metres apart from the northern tip at 33 metres AOD. The rationale behind the application is if the works are undertaken as a whole this limits the need for the removal of spoil from the site.

3.0 Site History

- 3.1 The recent planning history is noted below, and the applicant has engaged with the Local Planning Authority with respect to the proposals to date.

Application Number	Proposal	Decision
19/00769/EIR	Screening Opinion for a hybrid application comprising a full application for proposed alterations to land levels and associated access, and outline application for up to 8,400sqm of employment floor space (Use Classes B1(c), B2 and B8) with associated access).	EIA not required
18/01606/PRE3	Development of up to 6400sqm of Use Class B1 (Business), B2 (General Industry) and B8 (Storage and Distribution) with associated access	Advice Provided
17/01133/FUL	Erection of car showroom (sui generis), maintenance workshop and preparation building (B2), display area, storage compound with associated access and landscaping	Approved (contrary to officer recommendation)
18/00125/EIR	Erection of car showroom (sui generis), maintenance workshop and preparation building (B2), display area, storage compound with associated access and landscaping	EIA not required
16/01619/PRETWO	Proposed mixed use development to include B1, B2, B8, A4 and C1	Advice Provided

4.0 Consultation Responses

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

Consultee	Response
Highways England (HE)	<p>Initially objected on the basis of weaknesses contained within the Transport Assessment and a number of questions were asked in regard to earthworks, drainage and geotechnical matters and how the surface water drainage strategy will be undertaken to ensure that the M6 is protected from surface water runoff from the site and how the foul water strategy will be undertaken.</p> <p>The applicant provided additional information in respect of the proposal to account for engineering works and the impact of the development on the Strategic Road Network. HE no longer object to the development on the understanding that the following conditions are attached to any planning consent;</p> <ol style="list-style-type: none"> 1) All details of earthworks to be conditions; 2) No drainage from the site connecting into the M6 drainage; 3) No access to the motorway and a 2 metre fence along the boundary of the site to prevent access; 4) No lighting shall be directed towards the M6; 5) No works to take place on Highways England land; 6) No trees or landscaping that could potentially fall onto the M6.
County Highways	<p>No Objection to the development subject to conditions as noted below;</p> <ol style="list-style-type: none"> 1) No part of the development shall commence until the A601(M) has ceased to be subject to motorway regulations 2) No part of the development shall commence until a scheme required as a result of the reclassification of the A601 (M) together with any associated TROs have been agreed in writing by the Local Highway Authority and the Highways Agency 3) No part of the development shall be occupied until the approved scheme referred to above have been constructed and constructed and completed in accordance with the scheme details 4) No part of the development hereby approved shall commence until a scheme for the construction of the site access and the offsite works of highway 5) No part of the development hereby approved shall commence until the approved works have been
Lead Local Flood Authority	<p>Object to the development as the discharge rate and volume is not in accordance with technical standards and that the discharge rate should be restricted to 10.7 l/s.</p>
Natural England	<p>Raised concerns with the application in terms of SUDS systems as these will eventually feed into the Morecambe Bay SPA. There are concerns that the development will trigger the impact risk zone (water supply) for Thwaite House Moss SSSI.</p> <p>Additional information has been submitted in support of the application by the applicant.</p> <p>Natural England no longer object to the development on the basis that the potential impact on the ground water supply to Thwaite House Moss SSSI is unlikely to be a problem given the application site is lowered.</p> <p>Natural England continue to raise concerns with the construction activity and this should be recorded within the local authorities Habitats Regulations Assessment.</p>

Environment Agency	No requirement to consult and therefore no comments have been shared.
Cadent Gas	Comments – noted there are pipelines in the vicinity of the site (namely the Slyne – Whasset pipeline)
United Utilities	No objections and recommends planning conditions associated with foul and surface water drainage schemes. Draw the council's attention to a water main that crosses the site.
Greater Manchester Ecology Unit (GMEU)	Object to the culverting of the watercourse as this is contrary to the objectives of the Water Framework Directive. No works to the trees, or shrubs in bird breeding season between 1 st March – 31 st August, revised landscaping measures and also the protection of the Kellett Lane Biological Heritage Sites.
Arnside and Silverdale AONB Office	Initially raised concerns as the submitted LVIA was incomplete. A further response has been received which neither objects, nor supports the application but recommends that the intrusive industrial development in the rural view from Warton Crag will be seen. The AONB Partnership recommend that the council takes into consideration the cumulative impacts of this proposal and the recent housing (18/00365/FUL) and care home (18/01183/FUL).
Environmental Health (Contaminated Land)	No objection ; although recommends a condition associated with unforeseen contaminated land
Environmental Health (Air Quality Officer)	No Observations received within the statutory timescales
Tree Protection Officer	No Observations received within the statutory timescales
Environmental Health (Noise)	No Observations received within the statutory timescales
Lancashire Police	Comments – Ensure that secured by design standards are integral to the development proposals
Over Kellet Parish Council	Object to the development; 1) Landscape impact associated with the change from greenfield to industrial area 2) The site is agricultural and it should remain this way 3) Highway Capacity concerns on the A601 (M) at its junction with the B6254 4) The Parish Council consider there are other alternative sites
Carnforth Town Council	Supports the application as the proposed development will improve the economy of the town bringing investment and jobs.
Fire Safety Officer	No objection

5.0 Neighbour Representations

5.1.1 **Carnforth Business Network** support the application given the positives of the scheme arising from additional employment within the town.

5.1.2 There has been **four** letters of support for the development based on the reasons below;

- Improve the brand and identity of Carnforth as a location for development;
- Assist in the creation of new jobs within the town and act as a catalyst for further growth;
- Located within easy reach of the M6 motorway and avoids traffic travelling through Carnforth Town Centre.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework

Section 2 – Achieving Sustainable Development

Section 4 – Decision Making

Section 6 – Building a strong and competitive economy

Section 9 – Promoting sustainable transport

Section 12 – Achieving well designed places

Section 14 – Meeting the challenge of climate change, flooding and coastal change

Section 15 – Conserving and enhancing the natural environment

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 Local Plan - saved policies (adopted 2004)

E4 – Countryside Area

6.4 Lancaster District Core Strategy Policies

SC1 – Sustainable Development

SC5 – Achieving Quality in Design

E2 – Transportation Measures

6.5 Development Management DPD

DM7 – Economic Development in Rural Areas
 DM15 – Proposals involving employment land and premises
 DM20 – Enhancing Accessibility and Transport Linkages
 DM21 – Walking and Cycling
 DM22 – Vehicle Parking Provision
 DM23 – Transport Efficiency and Travel Plans
 DM27 – Protection and Enhancement of Biodiversity
 DM28 – Development and Landscape Impact
 DM29 – Protection of Trees, Hedgerows and Woodland
 DM35 – Key Design Principles
 DM37 – Air Quality Management and Pollution
 DM38 – Development and Flood Risk
 DM39 – Surface Water Run-Off and Sustainable Drainage
 DM40 – Protecting Water Resources

7.0 **Comment and Analysis**

7.0.1 The application generates the following key issues that require consideration as part of this planning application;

- Principle of development of the outline application for 8,400m² of industrial development;
- Principle of development of the full application for the creation of an engineering platform across the site;
- Landscape and Design Matters;
- Highways;
- Air Quality,
- Natural Environment;
- Water Management;
- Mineral Safeguarding;
- Community Involvement;
- Other Matters.

7.1 **Principle of development of the outline application for 8,400 m² of industrial development**

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

7.1.2 Officers welcome inward investment into the district and the proposal involves the creation of 8,400sqm of new employment floor space, given the nature of the application this could be for either B1, B2 or B8 uses, however there are no end users identified as part of this proposal. There are certainly economic and employment benefits arising from the proposals and as with the earlier Porsche planning application this could act as a catalyst for growth in the Carnforth area. However, at this stage the proposal is aspirational.

7.1.3 The Council's employment land position is derived from the 2015 Employment Land Review (ELR) prepared by Turley Economics. In general terms the ELR suggests that there is sufficient opportunities for B2 and B8 uses within the district but does identify there is a deficiency of B1 (office) space which should be addressed through the preparation of the Local Plan. This deficit is in the region of 7 hectares and, in the view of the Council, will be addressed through the allocations proposed as part of the North Lancaster Strategic Site, the Canal Quarter in Central Lancaster and through future growth in South

Lancaster / Bailrigg Garden Village. This was the case made by the Council at the Local Plan Examination Hearing Sessions.

- 7.1.4 There is no evidence prepared by the Council or provided by the applicant as part of this application, to suggest that further B2 and B8 land / premises are required to meet either specifically needs in Carnforth nor in the wider district. Whilst a case could be made to meet evidenced B1 needs (as identified in the ELR) this not the essence of this proposal which only seeks outline permission which detail on the scale and scope of uses on the site being left to a later date (to the reserved matters stage).
- 7.1.5 The applicant has undertaken a sequential test to establish whether any sequentially preferable brownfield sites are available within the local settlement area to accommodate the proposed development. The applicant has restricted this to Carnforth and no other settlements (such as in Morecambe, Heysham or Lancaster) were initially considered. The applicant has considered the likes of Carnforth Business Park, Scotland Road, the former TDG site and Kellet Road Employment Area. The applicant has considered whether the alternative sites are 'suitable' and 'available' for employment uses. The applicant considers that alternative sites should be capable of accommodating the proposed development as a whole and it is not a question or whether a reduced or otherwise different scheme can be pursued elsewhere. For this reason the applicant concluded that no alternative suitable locations within Carnforth exist to deliver the proposed development and consequently they are of the view that the scheme satisfies the alternative sites test required by Development Management DPD Policy DM7.
- 7.1.6 Based on the application it is considered that there is some merit in the applicant's argument. However the Council's Housing and Employment Land Availability Assessment has not promoted the site for development, nor did officers advance an employment allocation as part of the local plan. Critically given this is a speculative application, there is nothing to suggest that there are no sites within Carnforth and the wider district to accommodate the development. In the absence of an end user associated with the proposal there is little to substantiate that those sites identified by the applicant could not meet the needs of a business looking to invest in the local area. Whilst officers are clearly supportive of new investment within the district, the speculative nature of the application means that it is impossible for the application to pass the sequential test and consequently the scheme would be contrary to national and local policy.
- 7.1.7 In order to address these concerns the applicant provided additional information with regards to the assessment of alternative sites. The applicant has shared with the Council names of businesses who have approached the applicant but given this information is commercially sensitive has requested that the details are not published within the public domain, As highlighted in their supporting letter, the prerequisite of the assessment is that the businesses identified "need to relocate their business in Carnforth and/or close to an M6 motorway junction". However, officers are not convinced that this forms a robust basis for the assessment, given that there is no guarantee that any of the businesses that have expressed an interest in the site will ultimately locate there. The end-user(s) could be more suitably located elsewhere on a currently allocated employment site elsewhere in the district. Even if the Council accept the applicant's arguments in relation to further land being required to meet the needs of existing employers in the Carnforth area, it is not clear that it will meet such needs or whether it will simply bring business growth from elsewhere whose needs could have been sufficiently met on allocated sites elsewhere in the district.
- 7.1.8 The applicant has considered the Lancaster Business Park which is located to the north of the City Centre and accessed off Junction 34. Officers share the applicant's position that the site provides a restrictive approach to B2 and B8 proposals, and agree that this would preclude the site from some forms of employment-generating use types, however any B1 proposal would be preferable but given the speculative nature of the application we cannot consider whether it would be appropriate or not.
- 7.1.9 With respect to Caton Road Employment area the applicant asserts that whilst the land maybe available for potential occupiers the flood risk elements mean that open storage is the only viable use. However, in the context of national planning guidance, employment generating uses are considered to be 'less vulnerable' to flood risk and are considered to be an acceptable use for such areas. Without knowing the end user we cannot simply discount the site on this basis. Further information was provided in terms of the Junction 33 Agri-Business Centre, however this is part of an emerging policy within the Local Plan and can only be given weight at this time in the context of Paragraph 48 of the Framework.
- 7.1.10 The Council's emerging approach for economic growth is to prioritise the areas around Heysham Gateway for employment purposes and to support the regeneration of areas within the main urban areas

of the district. The development of a greenfield site on the fringe of Carnforth does not adhere to the emerging strategic approach. The planning application has to be determined in the context of both adopted and emerging policy for this area; any emerging policy should be given due weight in the context of Paragraph 48 of the Framework.

- 7.1.11 Whilst Members sought to approve the Porsche dealership in 2018 this was for a specific use. The extant consent is a material consideration for Members considering this proposal, however whilst some of the conditions associated with this development have been discharged, a material start on site has not commenced. The 2018 decision to grant planning permission was against the officer recommendation of refusal, and whilst it is open to Members to reach a similar decision, it is considered that the circumstances of the current proposal are different, especially in the context of this being a speculative application. This makes it impossible to make an informed decision on the benefits that would accrue. This additional information does go some way to give an understanding of how the site could be developed, but critically it lacks detail regarding end users.
- 7.1.12 It is clear to see why the site would attract occupiers to the site who would see the economic benefits of being positioned in such an accessible location. Whilst land adjacent to motorway junctions may be in high demand, this is not a reason in itself to approve the development. Officers accept that the site would come forward for development if approved (assuming at a competitive price) but the scheme is speculative in nature and the site could be used for one end user or be subdivided into separate plots and the economic impacts (both positive and negative) could vary significantly.
- 7.1.13 Naturally any form of development will give rise to some form of economic benefit, but the converse could happen whereby existing employment sites within Carnforth (for example) are scaled back in the event businesses relocated from the town centre. With the above in mind we would give limited weight to the specific level of benefit that could be delivered by the site. The economic benefits have to be balanced against the negatives, but this is where it is difficult to reach an informed decision based upon the information submitted.

7.2 **Principle of development of the full application for the creation of an engineered platform.**

- 7.2.1 As part of this hybrid application the applicant is wishing to undertake engineering operations across the whole site to create an engineered platform as the site slopes towards the M6 motorway at present. The application proposes creating a development platform of 35.850 metres AOD on the Porsche site (this is per the approved scheme), then follows a further platform of 33.850 metres, then 33 metres towards the far north western section of the site. The average cut depth is in the region of 1 metre and goes to a maximum depth of circa 4 metres with the average fill depth in the region of 1.3 metres. The levels the applicant is wishing to achieve are acceptable in principle although can only be considered acceptable in this instance if the outline element is acceptable as otherwise there would be unwarranted landscape harm to the wider area. There are a number of benefits of undertaking the ground works as a whole both from a commercial and environmental perspective and other than leaving the levels on the site as is it considered that the solution is the best practical environmental option.
- 7.2.2 Approval of the full element of the land regrading exercise does come at some risk in the event that the outline consent is approved yet never implemented. This would have some landscape harm as whilst the site is adjacent to the M6 and A601(M) its form is quite attractive and pleasant. A planning judgement is required, and assuming there was a revised landscaping scheme secured (in the event the outline planning element was never implemented) then a land restoration scheme could be imposed as a planning condition.

7.3 **Landscape and Design Matters**

- 7.3.1 The development is not within a protected landscape though the Arnside and Silverdale Area of Outstanding Natural Beauty is located 1.4km to the west. The applicant has included a detailed landscape and visual impact assessment in support of the planning application and some helpful computer generated images. The conclusions of which assume that the proposed development would be visually contained by the landform that rises to the east and the existing vegetation of the boundary hedgerows. The applicant's assessment assumes that there would be a moderate impact once the landscaping, as a form of mitigation, has been implemented and this is notably from the Public Right of Way to the west of the M6, and from Kellet Road on the bridge over the M6. There will inevitably be impacts by virtue of the site's transition from grazing land to industrial development. Due to the

engineering works that are involved in creating the platform for which the development would be sited, this will actually exacerbate the visual impact of the 10 metre high buildings, and rather than working with the landform it would be engineered to facilitate the development. The landform is quite distinctive and the site straddles the Lancashire County Council Landscape Character Areas - Low Coastal Drumlins – Warton/Borwick (12b) and Drumlin Field – Docker, Kellet and Lancaster (13c).

- 7.3.2 As part of the outline planning application the applicant is not seeking approval for layout or scale, however have come forward with a parameters plan which indicates buildings would be up to 10 metres (to eaves) in height. The applicant has taken note of the comments outlined at pre-application stage and it is considered that the landscaping as shown (albeit indicatively) would tie in well with the approved Porsche landscaping scheme. Overall there is a landscape impact associated with the development, and this would harm the character and appearance of the area and as such would conflict with Policy E4 of the saved local plan which requires development to be in a scale and keeping with the landscape. It would also conflict with Policy DM7, DM28 and DM35 of the Development Management DPD which require new development to make a positive contribution to the surrounding landscape. These conflicts needs to be balanced with the economic benefits of the scheme which is located within countryside land. Notwithstanding this irrespective of the final configuration of the buildings on the site, the proposal would lead to an urbanisation of the site with the built development being of a notable scale and bulk. There is regardless of whether it is deemed large or small in scale.

7.4 Highways

- 7.4.1 The scheme would seek to utilise the same access that was approved under application 17/01133/FUL and this is taken directly off the A601 (M). A detailed transport assessment has been submitted in support of the planning application. Highways England initially raised concerns given there was a lack of a baseline assessment of the peak time operating conditions at Junction 35 of the M6 and without this Highways England were unable to form a view whether this would be detrimental to the junction, and requested that traffic count data and evidenced queue length observations on how the junction operated was submitted in support of the application. Highways England continue to have some reservations regarding the assessments produced however after considered the junction assessment for Junction 35 and the associated safety impact analysis, HE consider that the proposals would not result in a traffic impact upon the operation and safety of the SRN that could be classed as severe within the context of Circular 02/2013.
- 7.4.2 County Highways raised no objection to the development however have recommended a number of planning conditions, and asked for clarification on a number of matters namely associated with a contribution of £120,000 per year for the local bus service and £12,000 towards travel plan monitoring. Some questions have also been raised in regard to the modelling of the TA and whether this has taken into account the limestone quarries within Over-Kellet. At the time of drafting this report a response from the County has not been provided but members will be updated verbally.
- 7.4.3 A number of planning conditions could be imposed should members consider the proposal acceptable in relation to travel plans, provision of sustainable travel measures, the derestriction of the A6011(M) from motorway status and ensuring the cycle and pedestrian link is in place.

7.5 Air Quality

- 7.5.1 An Air Quality Assessment has been submitted in support of the proposal and given it is expected that the development is expected to introduce less than 500 LDV (light duty vehicles) and 100 HDV (heavy duty vehicles) AADT (annual average daily traffic) outside the AQMA (air quality management area) and less than 100 LDV and 25 HDV AADT movements in the AQMA. The applicant considers there is unlikely to be a significant impact on local air quality either through the construction or throughout the developments lifetime. The applicant has suggested mitigation in the form the provision of electric vehicle charging points. There will be a knock on effect of the development on the Carnforth AQMA as circa 20% of the generated trips will pass through it. Comments are awaited from the Councils Senior Environmental Health Officer. Officers consider that as part of any future reserved matters submission that as part of a damage cost analysis that this figure can be produced, and this could go towards Electric Vehicle charging points and towards showers so cyclists can commute to work. Any observations received from Environmental Health Officers will be verbally presented to members.

7.6 Natural Environment

- 7.6.1 The application is supported by an Arboricultural Implications Assessment which involves the loss of the hedgerow along the site frontage which was previously considered acceptable associated with 17/01133/FUL. There is little in the way of trees within the site although there are two copses of shelterbelt. The applicant proposes to remove the shelterbelt within the site which consist of hawthorn, ash, sycamore, elder, maple and whitebeam. The retention category is C2, which indicates low quality. The trees provide some character to the site but as part of the overall development of the site it is considered that the development could result in a project that offers a net gain with respect to landscaping.
- 7.6.2 An ecological appraisal supports the planning application which indicated that birds are likely to utilise the hedges and scrub on site for nesting between March and September and therefore clearance should take place outside of this period of time. No protected species have been noted as part of the appraisal. Greater Manchester Ecology Unit (the Councils ecological advisors) have raised no objection to the development on the basis that the watercourse remains an open body of water and not culverted and a number of conditions associated with the protection of the Kellet Road Biological Heritage Sites. Clarification has been sought from the applicant that the only form of culverting is the access over the beck (part of this already exists). The applicant's agent has confirmed no further culverting will occur, and this issue could be controlled by means of planning condition should the scheme be approved.
- 7.6.3 Natural England did raise an objection to the development on the basis that the proposed development failed to contain suitable measures to prevent the pollution of the adjacent watercourse (within the site) which in turn will enter Morecambe Bay. Additional information has been provided by the applicant and at the time of drafting this report Greater Manchester Ecology Unit are preparing the Appropriate Assessment on behalf of the Local Authority. Natural England no longer object to the development proposal on the basis that appropriate construction methods and mitigation proposals are included.

7.7 Water Management

- 7.7.1 The scheme proposes a sustainable urban drainage scheme that would connect into the stream that crosses the site. Water will be held in attenuation systems and then released at a controlled rate into the stream that crosses the site. The attenuation system consists of box culverts which will take surface water runoff from access road, car parking areas and the buildings themselves. An infiltration trench is proposed along the north western boundary of the site. There was some concerns initially raised by Highways England on geotechnical matters, however additional information has been provided by the applicant in this regard which examined issues such as the geological makeup and measures to protect the M6 motorway. Whilst HE still have reservations, it is considered necessary and appropriate to include a planning condition that deals with surface water drainage to ensure that the excess run off from the site does not run onto the Strategic Road Network.
- 7.7.2 The Lead Local Flood Authority have objected to the development as the discharge rate and volume of water is not in accordance with industry standards. The discharge rate for the entire impermeable contributing areas has been calculated within the FRA with a Qbar rate of 10.7 l/s. The current proposal is for utilises 4 flow controls each limiting to 5 l/s giving a combined run off of 20 l/s. This is unacceptable to the LLFA as it exceeds the 10.7 l/s rate calculated within the FRA. At the time of writing amended proposals are expected from the applicant to account for an increase in on site storage to accommodate surface water, there is nothing to suggest that this cannot be achieved and with this in mind assuming this can be resolved between now and committee and no objection from the LLFA is received the scheme can be considered acceptable.

7.8 Mineral Safeguarding

- 7.8.1 The site is located within a mineral safeguarded zone. Given the proximity to the motorway it is unlikely that the site would be commercially worked for aggregate. No observations have been received from either Back Lane or Leapers Wood Quarries, nor have the County Council (as the waste and mineral planning authority for Lancashire) expressed an interest in this planning application. It is therefore considered that the development would not adversely prejudice any commercial extraction of mineral deposits (likely to be sand and gravel, or limestone). There is concern given the A601 (M) was constructed to accommodate the movement of quarry traffic, approval of this scheme may jeopardize the future operations of the quarry however comments are awaited from the highways authority in this regard.

7.9 **Community Involvement**

7.9.1 The applicant has engaged with the Council via its pre-application advice service, and a Member Engagement Forum took place on 8th March 2019. The applicants have sought to liaise directly with the Town Council and Parish Council during the applications process. The community involvement aspect is commended.

7.10 **Other Matters**

7.10.1 No objection has been raised by United Utilities, however they have stated that a water main crosses the site however this has not been highlighted within the United Utility Sewer Records contained within the Flood Risk Assessment. This does raise some concern if located the water main within the area where cut and fill will be carried out as it dependent on the location be difficult to provide an access. Clarification has been sought from the applicant and United Utilities on this matter.

7.10.2 No objection has been raised by the Council's Contaminated Land Officer who recommends a condition concerning unforeseen contamination. The scheme is of a size whereby it would trigger the requirement for an Employment Skills Plan and should this scheme be supported it is recommended that a condition be applied to any consent to ensure that local labour will be provided within the opportunity for training and apprenticeships.

8.0 **Planning Obligations**

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

9.0 **Conclusions**

9.1 The Framework is explicit that government is committed to ensuring that the planning system does everything it can to support *sustainable* (our emphasis) economic growth, and naturally significant weight does need to be attached to this. The Council wholeheartedly adopts this stance also. The permission granted for the Porsche showroom/garage on the southern portion of the site should be given due consideration when determining the application. The permission, if implemented, would result in development on the eastern side of the motorway for the first time and previous precedent for restricting development will be removed. Notwithstanding this, all applications should be judged on their specific merits, particularly when considering development on non-allocated greenfield sites in the open countryside.

9.2 The purpose of the outline element of this application is to establish whether the site is an appropriate location for employment uses having regard to national and local policy. Whilst there has been a solid attempt by the applicant to provide details on potential users, the application still lacks details on the scope and role of the employment land to be provided. This has been left to the Reserved Matters stage (should an outline permission be granted). As a consequence, no end-users are outlined, and there is no clarity on the use of the buildings and there is no clarity how the 8,400sqm will ultimately be subdivided (or even if it would be). This has significant implications in making an accurate and reasonable judgement in terms of whether the proposal meets an identified need or whether there are other more suitable, alternative locations for development proposed to be sited.

9.3 The application does not provide any robust evidence of need. Again, given the speculative nature of the proposal it does not appear reasonable to suggest that it is meeting a specific, identified need in Carnforth. The Council's Employment Land Review does not set out a specific need for development in Carnforth, nor does it identify a district-wide need for further B2 or B8 land. The application has not sought to update this position, so it is not clear that the proposal is meeting an evidenced need either in Carnforth or wider in the district.

- 9.4 Members have to determine whether the benefits associated with the proposal of this greenfield site, outside the urban core of Carnforth, outweigh the impacts the development would have on the amenity of the area, namely in the form of the development's impact on the local landscape character. Councillors need to be convinced based on the speculative nature of the development that they have sufficient comfort that they can make a balanced and informed decision. Officers accept that there would be inevitable interest in the site given its location next to the Strategic Road network, however the Council have never sought to allocate the site for employment given there are other sites within Carnforth (and the district) that could potentially accommodate this form of development. Whilst we accept that there is interest in the site from a number of operators and the applicant engaged fully in the local plan process, the Council did not seek to allocate the land within the local plan for development. The site was discussed during the Examination Hearings; however as yet no report has been received from the Planning Inspectorate.
- 9.5 With respect to the full element of the works in terms of land regrading, Officers consider that to create a development platform across the entire site would be premature to support unless the wider site was approved. It is not considered that it could be justified without having certainty on its use. Should Members wish to support the outline element of the application it is considered that subject to conditions, the creation of a development platform could be found appropriate assuming planning conditions were attached to the consent.

Recommendation

That outline planning permission for up to 8,400sqm of employment floor space (Use Classes B1(c), B2 and B8) with associated access **BE REFUSED** for the following reason;

1. The site is allocated as countryside area, and is removed from the main built form of Carnforth. Given the speculative nature of the development, with no identified end user(s), it is not possible to consider whether the benefits of the proposal on greenfield land outside the urban core are sufficient to justify the loss of greenfield land, as there is no evidenced need for additional employment land, as proposed by this planning application. The proposal is therefore contrary to Policies DM7, DM28 and DM35 of the Development Management DPD, Policy E4 of the Lancaster District Local Plan and Paragraph 127 of the National Planning Policy Framework.

That full planning permission for proposed alterations to land levels and associated access **BE REFUSED** for the following reason:

1. In the absence of a permitted use, the proposed engineering works would have a harmful impact on the character of the landscape and therefore the scheme would be contrary to Policy DM28 of the Development Management DPD, Policy E4 of the Lancaster District Local Plan and Paragraph 127 of the National Planning Policy Framework.

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

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

Background Papers

None.

Agenda Item	Committee Date	Application Number
A6	16 September 2019	19/00934/FUL

Application Site	Proposal
Queen Victoria Memorial Dalton Square Lancaster Lancashire	Construction of temporary ice rink, temporary siting of observation wheel, chillers, erection of temporary fencing and hoardings, and temporary siting of marquee, access ramps, ticket booth, market stalls and tents for skate hire and the sale of refreshments and erection of two electricity cabinets

Name of Applicant	Name of Agent
Mr Martin Horner	HPA

Decision Target Date	Reason For Delay
16 September 2019	N/A

Case Officer	Mrs Petra Williams
Departure	No
Summary of Recommendation	Approval subject to receipt of satisfactory Highways and aboricultural details.

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

1.0 The Site and its Surroundings

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

other buildings which are considered as non-designated heritage assets. The site is within Lancaster Conservation Area. The square is designated as a civic space within the Lancaster District Local Plan proposals map, and within the emerging Land Allocations Policies Map is identified as an area of Open Space, Recreation and Leisure. The western half of the square is within an Air Quality Management Area. Dalton Square and the immediate surrounding area is within a Residential Parking permit zone.

2.0 The Proposal

2.1 The submission seeks consent for the construction of temporary ice rink, temporary siting of observation wheel, chillers, erection of temporary fencing and hoardings, and temporary siting of marquee, access ramps, ticket booth, market stalls and tents for skate hire and the sale of refreshments. The temporary structures would be in situ for the period between 23 November 2019 until 5th January 2020 and there would be a 2 weeks at either end of this time frame for construction dismantling. The submission also includes the erection of two electricity cabinets on a permanent basis.

3.0 Site History

3.1 The most relevant site history is set out below.

Application Number	Proposal	Decision
19/00935/LB	Listed building application for the construction of temporary ice rink and erection of temporary fencing and hoardings	Pending consideration
18/00777/FUL	Construction of temporary ice rink, temporary siting of chillers and generators, erection of temporary fencing and hoardings, and temporary siting of marquee and tents for skate hire and the sale of refreshments	Permitted – temporary one year consent.
18/00778/LB	Listed building application for works to facilitate the construction of temporary ice rink and the erection of temporary fencing and hoardings	Permitted – temporary one year consent.

4.0 Consultation Responses

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

Consultee	Response
Conservation Officer	No objections - The proposal will cause a degree of harm to the setting of these designated heritage assets, but it is considered that as these are temporary this level of harm is justified.
Tree Protection Officer	No comments received at the time of compiling this report. Any forthcoming comments will be reported verbally to Committee.
Environmental Health (Noise)	No objections – Environmental Health did not receive any complaints about noise or anti-social behaviour as a result of last year’s event. The new electrical cabinet proposed within the square as part of this submission
Environmental Health (Air Quality)	No objections The removal of generators from this year’s event is positive in terms of air quality.
Property Group (Lancaster City Council)	No comments received at the time of compiling this report. Any forthcoming comments will be reported verbally to Committee.
Civil Contingencies Officer (Lancaster City Council)	No concerns raised – The event organiser gave a presentation on proposed arrangements at an Event Safety Advisory Group (ESAG) meeting in July and was

	questioned at length by representatives of the emergency services, county highways and city council officers. Overall the ESAG group had no major concerns.
Public Realm Development Manager	No comments received at the time of compiling this report. Any forthcoming comments will be reported verbally to Committee.
Parking Services (Lancaster City Council)	No comments received at the time of compiling this report. Any forthcoming comments will be reported verbally to Committee.
Licensing	No comments received at the time of compiling this report. Any forthcoming comments will be reported verbally to Committee.
County Highways	No objections subject to the receipt of a satisfactory method statement detailing the build phase, event phase, and dismantling phase.
Lancashire Fire and Rescue	No comments received at the time of compiling this report. Any forthcoming comments will be reported verbally to Committee.
Lancashire Constabulary	Neither objects or supports but offers advice regarding licensing and security.
Historic England	No comments to make – Refers to advice within Historic England document “Temporary Structures in Historic Places” and suggest that the views of the Conservation Officer are obtained.
Lancaster Civic Society	No comments received at the time of compiling this report. Any forthcoming comments will be reported verbally to Committee.
Cadent/ National Grid	No objections – Recommendations and advice provided for attention of the applicant.

5.0 Neighbour Representations

5.1 At the time of writing this report 7 items of objection have been received. The following points are made:

- Impacts on residential amenity
- Loss of privacy
- Impacts on Dalton Square
- Health and safety issues
- Objection to approved for use over 10 years
- The square belongs to the people of Lancaster it's a place to and sit and relax
- Parking issues
- Noise and pollution from generators
- Unsightly barriers during last year's event.
- Increased noise and litter
- Impacts from lighting

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraphs 7, 8 and 11 - Sustainable Development
Paragraphs 80, 81 and 82 – Building a Strong Competitive Economy
Paragraph 85 – Ensuring the Vitality of town centres
Paragraphs 92 and 95 – Promoting Healthy and Safe Communities
Paragraph 97 – Open Space and Recreation
Paragraphs 124 and 127 - Achieving Well Designed Places
Paragraph 170 - Natural Environment (Trees)
Paragraphs 184, 189, 190, 193, 194 and 196 – Conserving and Enhancing the Historic Environment

6.2 Local Planning Policy Overview – Current Position

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 DPD

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

6.5 Other Material Considerations

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

7.0 **Comment and Analysis**

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

- Principle of Development
- Impact on Heritage Assets

- Impact on Trees
- Impact of Residential Amenity
- Highway Implications

7.2 Principle of Development

- 7.2.1 The NPPF is supportive of economic growth and policy DM12 of the Development Management DPD sets out that minor leisure facilities or attractions will be considered favourably where they are located within an accessible town centre and would not result in an adverse impact on the visual amenity of the area. Policy DM3 relates to public realm and civic space and seeks to ensure that proposals within the urban areas make a positive contribution to their surroundings.
- 7.2.2 Councillors will no doubt recall last year's inaugural Lancaster on Ice event which took place within Dalton Square which the applicants estimate attracted more than 70,000 visitors including 35,669 skaters over the 6 week period when the ice rink was in place. This undoubtedly made a positive contribution to the vibrancy of Dalton Square and Lancaster as a whole as a visitor destination during the festive period.
- 7.2.3 Building on the success of last year's event the applicant seeks a further temporary consent for the siting of the ice rink in addition to an observation wheel and market stalls within the square. It is considered that the event would animate this attractive historic area and like last year it would enable many more people to enjoy and appreciate this area at a time of year when it is usually only passed through transiently (and is usually dominated by parked cars). Dalton Square is a viable city centre location for the event attraction which will complement and provide linked trips with the surrounding retail and leisure uses. It is therefore anticipated that the scheme would bring associated economic benefits to the city and help to further raise the profile of Lancaster as a visitor destination.
- 7.2.4 The application seeks consent to hold the event on an annual basis over a 10 year period. However, it is considered more appropriate to grant a 5 year consent which would allow for the Council to respond to any changes in policy or strategic plans which may arise in the future.
- 7.2.5 The current submission includes the permanent installation of two electrical cabinets in the southern end of the square. This would have the benefit of precluding the requirement for temporary large generators which were sited in this location to serve last year's event and were unsightly. The permanent siting of these cabinets would bring the added benefit of opening up the opportunity of using Dalton Square for other public events.
- 7.2.6 The ice rink represents seasonal entertainment and alongside the observation wheel and market stalls it will enhance the vitality and viability of the city centre during this temporary 6 week period. As such it is considered that the principle of the proposal is acceptable in this city centre location, subject to other material considerations which will be discussed below.

7.3 Impact on Heritage Assets

- 7.3.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed Building and or a Conservation Area or their setting, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the heritage asset or its setting. This is reiterated by policies DM30, DM31 and DM32.
- 7.3.2 The ice rink, observation wheel and associated marquees and market stalls will only be operational for a temporary period of 6 weeks. The proposed development is considered to lead to less than substantial harm to the significance of the grade II* monument and this harm (which will be temporary) should be weighed against the public benefits of the proposal as set out above, including securing its optimum viable use as per NPPF Paragraph 196.
- 7.3.3 The rectangular ice rink (32.1 metres by 20.3 metres with a 8 metre by 8 metre central opening for a statue) and access ramp would be placed above the paved area and grass around and upto the grade II* listed Queen Victoria monument (similar in construction to last year) and therefore careful consideration must be given as to how this will be achieved in order to provide assurance that the historic physical structure will not be damaged. Consideration must also be given to the protection of the listed stone balustrade and steps, particularly during the construction and dismantling phase. A method

statement in this regard has been submitted and as in the case of last year, these details will be conditioned.

- 7.3.4 The submitted Design and Access Statement advises that 'sterile zones' will be provided during the delivery of the infrastructure and during its deconstruction in order to ensure that the listed balustrades around the square and memorial are not impacted unduly during the delivery of the events infrastructure and during its deconstruction.
- 7.4.5 The observation wheel itself will have a 30 metres diameter and will stand approximately 35 metres from ground level once in position. Whilst not attached to any designated or non-designated heritage assets, the wheel along with the marquees will be immediately adjacent to and in front of many listed buildings including Palatine Hall. These structures will obstruct views of the buildings and, in the case of the observation wheel, dominate views and appreciation of historic buildings which will lead to a level of harm. However, this harm is considered to be less than substantial and can be justified as it is temporary feature. Conditions will be included to ensure satisfactory protection of the traditional historic paving and cobbles in the location of the observation wheel.
- 7.3.6 The proposed temporary development would lead to a level of harm on the setting and significance of designated and non-designated heritage assets and this harm is considered to be less than substantial. A balancing of detriment against benefits is set out in NPPF paragraph 196 where 'justification' is required. In the circumstances the social, economic and cultural benefits of the entertainment provided by the recreational/leisure facilities may be used to balance against the undoubted detriment. The proposal would be subject to conditions to ensure that the affected heritage assets are returned to their current state in good condition and without any resulting physical damage immediately after the festivities. Therefore the proposal is considered to accord with the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990.

7.4 Impact on Trees

- 7.4.1 There are a range of large mature lime trees as well more recently planted lime trees within and around the square. The largest trees are the original trees planted circa 1909, when Dalton Square was first developed. These trees make a significant visual and historic impact on the city centre and are a legacy which should be retained and protected for future generations to enjoy. As the site is within the Conservation Area these trees are protected by law. It is therefore critical that the proposal would not have adverse impacts on the amenity or structural integrity of these trees.
- 7.4.2 The submission includes a Tree Protection Plan and Arboricultural Impact Assessment which takes account of the trees within Dalton Square itself as well as the two trees site to the front of Palatine Hall. It is considered that the suggested Tree Protection Measures in respect of the siting of the ice rink and observation wheel are satisfactorily and would be conditioned.
- 7.4.3 During the course of the application the scheme has been revised to include the installation of two electricity cabinets within the southern end of the square. The original submission proposed only one cabinet and as such this element of the Tree Protection Plan and Arboricultural Impact Assessment will need to be revised in order to ensure protected trees do not suffer adverse impacts as a result of the cabinet installation. Councillors will be updated on this point during the Committee meeting.

7.5 Impact of Residential Amenity

- 7.5.1 It is acknowledged that there are a number of residential properties in the vicinity of Dalton Square. While it is acknowledged that public comments include objections regarding noise, the Environmental Health Officer states that no complaints were received in respect of last year's event. It is considered that ambient noise levels at this busy city centre location are relatively high and this is dominated by road traffic noise. While there may be some observed effects to nearby residential receptors from people noise, it is considered that this would not be unreasonable considering the busy commercial location and the proposed times for operation of the temporary rink and observation wheel. In the event that noise complaints arise, the Environmental Health Team would take action to address this issue under separate Environmental Health legislation.
- 7.5.2 Public comments also raise concerns regarding loss of privacy in relation to the observation wheel. It is understood that the nearest residential property would be located approximately 21 metres away from

the observation wheel. Although the wheel will clearly be observed from this property, in terms of separation distances (and the angle of the property relative to the wheel) this is considered acceptable. It is also considered that the inclusion of electrical cabinets rather than generators will minimise the impact of noise, fumes and the regular supply of fuel to the site by large vehicles, thus improving amenity when compared to last year's event.

7.6 Highway Implications

7.6.1 Dalton Square is easily accessible by a choice of sustainable travel modes including foot, cycle and public transport. The surrounding pedestrian environment is of an acceptable quality, with footways being well lit adding to a sense of personal security. Signage and the built form add to a good level of legibility with adjacent pedestrian footway links providing an acceptable means of access to the site. Cycle parking stands are available within the square and the site is within a short walking distance of a number of public car parks on the edge of the city centre.

7.6.2 The scheme would involve the temporary closure of an area of public highway to vehicles along the northern and eastern part of the square and this would require authorisation under Section 16 (Temporary Traffic Regulation Order) of the Road Traffic Regulation Act which is separate legislation to planning. This would involve the one way traffic system along Sulyard Street being reversed to allow vehicles to travel proceed north along Friar Street. The scheme would also result in the temporary loss of a number of pay and display parking bays which are located to the front of Palatine Hall and along the eastern side of the square. It is worth noting that two parking bays will remain outside the red line boundary and these relate to the GP surgery in the south-east corner of the square.

7.6.3 The County Highways consultee raised a number of queries regarding the scheme in his initial comments. A subsequent meeting on site has taken place which was attended by County Highways representatives and the event manager. Discussions on site resulted in County Highway Officers being satisfied with the proposed mitigation of impacts to other users of the square and pedestrians. A full method statement detailing the build phase, event phase, and dismantling phase based on the on-site discussions is to be submitted and Councillors will be updated on this during the meeting.

8.0 Planning Obligations

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

9.0 Conclusions

9.1 The application seeks to build on the success of last year's Lancaster on Ice event and represents an exciting opportunity for the temporary use of a public space which will undoubtedly attract visitors to the city centre and have associated economic benefits.

9.2 While the proposal will lead to a level of harm on the settings of both the designated and non-designated heritage assets, this impact will be temporary. On balance, the social, economic and cultural benefits of the entertainment provided by the temporary ice rink, observation wheel and ancillary structures within this public space are considered to outweigh the temporary impacts to the setting of the Queen Victoria monument and other surrounding designated heritage assets. The inclusion of permanent electrical cabinets will provide a long term solution for power supply for this event as well as opening up the opportunity to hold other public events in the square. With the addition of conditions to provide certainty that there will be no detrimental physical impacts it is considered that the requirements of policies DM27, DM30, DM31 DM 32 and DM35 of the DM DPD would be satisfied. Subject to the applicant resolving the outstanding points in respect of highway matters and the protection of on-site trees, Councillors are advised that the application can be supported.

Recommendation

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

1. Temporary consent for 5 years for a 6 week period, in addition to 2 weeks either side of the scheduled event for construction and dismantling.
2. Development in accordance with approved plans including scaffolding sections.
3. Full highways method statement detailing the build phase, event phase, and dismantling phase to be submitted prior to commencement

4. Notwithstanding the submitted details precise details of surfacing under the observation wheel to be submitted and agreed prior to commencement.
5. Notwithstanding the submitted details precise details of marquees/tents including layout to be submitted and agreed prior to installation.
6. Protection of the stone steps to the Queen Victoria Memorial.
7. Method statements and risk assessment to cover the construction and dismantling phases, and protection of the Queen Victoria Memorial and stone balustrade.
8. Method statement and risk assessment to cover the construction and dismantling phases for observation wheel
9. AMS and TTP including cabinet installation and observation wheel
10. No equipment/ advertisements/ lighting to be attached to trees
11. Photographic survey of the site (including all elevations of the Queen Victoria Memorial) to be carried out prior to the installation of the scaffolding as a record of the condition of the area prior to commencement and after the event (each year).
12. Hours of operation 10:00 to 22:00 seven days a week
13. Scheme to be provided for the location/position of speakers and lighting
14. Details of cabinets (including colour) and cabling.
15. Existing surfacing to be re-instated following installation of cabinets.
16. Details of protective fencing, barricades and hoardings.

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

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

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

Background Papers

None

Agenda Item	Committee Date	Application Number
A7	16 September 2019	19/00935/LB

Application Site	Proposal
Queen Victoria Memorial Dalton Square Lancaster Lancashire	Listed building application for the construction of temporary ice rink and erection of temporary fencing and hoardings

Name of Applicant	Name of Agent
Mr Martin Horner	HPA

Decision Target Date	Reason For Delay
16 September 2019	N/A

Case Officer	Mrs Petra Williams
Departure	No
Summary of Recommendation	Approval subject to conditions

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

1.0 The Site and its Surroundings

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

2.0 The Proposal

- 2.1 The application seeks Listed building consent for the construction of temporary ice rink and erection of temporary fencing and hoardings.
- 2.2 The key features of the proposal, insofar as they relate to the Listed structure, will comprise:

- Ice skating rink – 32.1 metres by 20.3 metres with a 8 metre by 8 metre central opening for a statue temporary ice rink system with barrier; and
- Temporary fencing and hoardings will be put in place during the construction and dismantling period and during the event to ensure protection of the listed structures.

3.0 Site History

3.1 The most relevant site history is set out below.

Application Number	Proposal	Decision
19/00934/FUL	Construction of temporary ice rink, temporary siting of observation wheel, chillers, erection of temporary fencing and hoardings, and temporary siting of marquee, access ramps, ticket booth, market stalls and tents for skate hire and the sale of refreshments and erection of two electricity cabinets	Pending consideration
18/00777/FUL	Construction of temporary ice rink, temporary siting of chillers and generators, erection of temporary fencing and hoardings, and temporary siting of marquee and tents for skate hire and the sale of refreshments	Permitted – temporary one year consent
18/00778/LB	Listed building application for works to facilitate the construction of temporary ice rink and the erection of temporary fencing and hoardings	Permitted – temporary one year consent

4.0 Consultation Responses

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

Consultee	Response
Conservation Officer	No objections - The proposal will cause a degree of harm to the setting of these designated heritage assets, but it is considered that as these are temporary this level of harm is justified.
National Amenity Societies	No comments received at the time of compiling this report. Any forthcoming comments will be reported verbally to Committee.
Historic England	No comments to make – Refers to advice within Historic England document “Temporary Structures in Historic Places” and suggest that the views of the Conservation Officer are obtained.
Cadent/ National Grid	No objections – Recommendations and advice provided for attention of the applicant.

5.0 Neighbour Representations

5.1 No public comments received in respect of this listed building application.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraphs 7, 8 and 11 - Sustainable Development

Paragraphs 184, 189, 190, 193, 194 and 196 – Conserving and Enhancing the Historic Environment

6.2 Local Planning Policy Overview – Current Position

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 Development Plan Document

DM30 – Development affecting Listed Buildings

6.4 Other Material Considerations

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

7.0 Comment and Analysis

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

- Impact on the listed structures

7.2 Impact on listed structures

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

7.2.2 The ice rink, will only be operational for a limited temporary period of 6 weeks (from 23 November 2019 until 5th January 2020). The proposed development is considered to lead to less than substantial harm to the significance of the grade II* monument and this harm (which will be temporary) should be weighed against the public benefits of the proposal as set out above, including securing its optimum viable use as per NPPF paragraph 196.

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

7.2.4 The rink will be 32.1 metres by 20.3 metres with an 8 metre by 8 metre central opening for a statue and will be set out upon a scaffold frame with a 2 metre wide access ramp at the northern end. Details of the scaffold frame are indicated on the submitted cross sectional drawings.

7.2.5 The submitted Design and Access Statement advises that 'sterile zones' will be provided during the delivery of the infrastructure and during its deconstruction in order to ensure that the listed balustrades

around the square and memorial are not impacted unduly during the delivery of the events infrastructure and during its deconstruction.

- 7.2.6 As with the accompanying FUL application, this submission initially sought a 10 year consent. However, Officers are minded to grant a 5 year temporary approval for 5 years. While offering full support for the scheme in principle, the Conservation Officer is of the view that given the importance of the heritage assets involved it would be prudent to include a pre-commencement condition to require the carrying out of a detailed photographic survey to be produced before and after the event each year. This would allow an accurate assessment and monitoring of impacts (if any) following the dismantling of the temporary structures and allow the applicant and the Council to evaluate the effect of the works on the site.
- 7.2.7 The proposed temporary development would lead to a level of harm on the setting and significance of designated and non-designated heritage assets and this harm is considered to be less than substantial. A balancing of detriment against benefits is set out in NPPF paragraph 196 where 'justification' is required. In the circumstances the social, economic and cultural benefits of the entertainment provided by the temporary ice rink may be used to balance against the undoubted detriment. The proposal would be subject to conditions to ensure that the affected heritage assets are returned to their current condition and without any resulting physical damage immediately after the festivities. Therefore the proposal is considered to accords with the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990.

8.0 Planning Obligations

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

9.0 Conclusions

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

Recommendation

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

1. Temporary consent for 5 years for a 6 week period in addition to 2 weeks either side of the scheduled event for construction and dismantling.
2. Development in accordance with approved plans including scaffolding sections.
3. Method statements and risk assessment to cover the construction and dismantling phases, and protection of the Queen Victoria Memorial and stone balustrade.
4. Protection of the stone steps to the Queen Victoria Memorial.
5. Photographic survey of the site (including all elevations of the Queen Victoria Memorial) to be carried out prior to the installation of the scaffolding as a record of the condition of the area prior to commencement and after the event (each year).

Background Papers

None

Agenda Item	Committee Date	Application Number
A8	16 September 2019	18/00877/OUT

Application Site	Proposal
Land To The Rear Of The Manor Inn Cockerham Lancashire	Outline application for the erection of up to 24 dwellings (C3) and associated access

Name of Applicant	Name of Agent
Mr Halhead	Mr Jake Salisbury

Decision Target Date	Reason For Delay
25 October 2018	Protracted Section 106 Negotiations

Case Officer	Mr Mark Potts
Departure	No
Summary of Recommendation	Approval

Procedural Matters

- (i) This planning application was presented to Planning Committee on 12 November 2018, and councillors approved the application based on the officer's proposed conditions and Section 106 obligations. It is proposed to amend the obligations due to County Highways no longer requiring monies to upgrade the Public Right of Way (PROW Number 14). The application therefore has to come before Planning Committee for re-consideration. The full committee report from November 2018 is appended to this report.

1.0 The Site and its Surroundings

- 1.1 The application site is located on the eastern fringes of the village of Cockerham which is located 10km to the south of Lancaster City Centre. The site is pastoral farmland and it falls to the west from a high point of approximately 30 metres Above Ordnance Datum (AOD) to approximately 22 metres AOD along the western boundary of the site. To the north of the site lies residential properties on Village Road and to the east and south lies open farmland, to the west lies residential properties, and the Manor Inn Public House.
- 1.2 The site extends to 1.3 hectares, and the boundaries of the site to the north, west and south consist of mature hedgerows. There is no discernible boundary to the east of the site. The site is relatively unconstrained, however Footpath Number 14 runs along the southern boundary of the site. There are two sycamore trees that are protected by a Tree Preservation Order located at the foot of the site at the access (TPO's 266 (1997) and 94 (1984)). The site is allocated as countryside land within the adopted local plan.

2.0 The Proposal

2.1 The scheme proposes the erection of up to 24 residential dwellings together with the creation of a new vehicular access, which is proposed to be served off the existing turning head from Village Road. The illustrative site plan provides for open space; a 10 metre wide planted buffer together with a connection to Footpath Number 14. The scheme has been submitted in outline form with only access being applied for, and therefore the layout should be interpreted as indicative only

3.0 Site History

Application Number	Proposal	Decision
18/00877/OUT	Outline application for the erection of up to 24 dwellings (C3) and associated access.	Resolution to approve by Planning Committee on 12 November 2018

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objection and no longer require the financial contribution towards the upgrade of the public right of way.

5.0 Neighbour Representations

5.1 Discussed within the appended Committee Report dated 12 November 2018.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

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

6.2 Local Planning Policy Overview – Current Position

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

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

The Examination Hearing Sessions commenced on 9 April 2019.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan.

The **Review of the Development Management DPD** updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making.

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

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

E4 – Countryside Area

6.4 Development Management DPD

DM20 – Enhancing Accessibility and Transport Linkages

DM21 – Walking and Cycling

DM22 – Vehicle Parking Provision

DM26 – Open Space, Sports and Recreational Facilities

DM27 – Protection and Enhancement of Biodiversity

DM28 – Development and Landscape Impact

DM29 – Protection of Trees, Hedgerows and Woodland

DM30 – Development affecting Listed Buildings

DM32 – The Setting of Designated Heritage Assets

DM35 – Key Design Principles

DM38 – Development and Flood Risk

DM39 – Surface Water Run-off and Sustainable Drainage

DM41 – New Residential dwellings

DM42 – Managing Rural Housing Growth

7.0 Comment and Analysis

7.1.1 In November 2018, the outline scheme was recommended favourably by Officers and subsequently presented to Planning Committee, where Members supported the recommendation and granted approval for 24 new dwellings. Over the course of the last 9 months there has been ongoing discussions with respect to the Section 106 obligations. The Section 106 secures matters such as affordable housing provision, education contributions and the payment of monies towards the upgrade of footpath 14.

7.1.2 The current Section 106 contained the following obligations:

Current Section 106 Contributions

- 1) The provision of up to 40% and no lower than 37.5% of the total number of dwellings to be affordable housing to be based on a 50:50 (affordable rented : shared ownership) tenure split as required by policy (percentage, tenure, size, type, phasing to be address at Reserved Matters stage based on local housing needs);
- 2) The payment of **£94,949.12** for four secondary school places (to be assessed at reserved matters stage when the number of units and bedroom numbers is known);
- 3) Financial contribution towards the upgrade of footway 14 to ensure an appropriate linkage towards the village;
- 4) Off-site open space contribution to be assessed based on the needs of the village of Cockerham (at the time of the reserved matters application); and,
- 5) Long term maintenance of non-adopted highways, open space, landscaping and creation of management-company.

7.1.3 During discussions with the County Council (as highways authority), they confirm that they no longer require the funding that officers sought to upgrade footpath 14 (contribution 3 as noted above). The stretch of footway was from the site to Manor Barn. The reason that the County have given for no longer needing the monies is that they indicate that there has been some ongoing issues with obstructions from the resident at Manor Barn, on the line of footpath 14. The proposal was to hard surface circa 30 metres of grassland that forms part of footpath 14. Footway 14 connects the site to the village of Cockerham, and notably to the amenities on Main Street, and therefore it was for this reason officers considered it was reasonable, and appropriate to require the existing PROW to be hard surfaced.

7.1.4 It was acknowledged in the officer report in November 2018 there was significant benefit in a route being accommodated here, as it would be a direct route to village amenities such as the school, village hall and recreational facilities, fundamentally negating the need to pass the pinch-point adjacent to the Manor Inn Public House, and therefore not only is this route more direct but critically safer. The route still could be used as a means to bypass the pinch-point although officers are disappointed that an agreement was reached with the applicant, but subsequently the spending authority is the County Council and they are not seeking to advance this. The monies secured are for a specific purpose, and cannot be diverted to other site-specific matters (it would fail the statutory tests to do so), and given the County Council's position, the absence of the County Council's agreement (as it is within their remit if they wish to upgrade the PROW), means that the matter cannot proceed. Whilst officers feel there would be benefits to the future residents, officers cannot insist on an improvement as there would be no means of ensuring it was implemented. With this in mind regrettably officers have to recommend removing the requirement for a contribution towards footpath 14.

8.0 Planning Obligations

8.1 For context, the applicant is amenable to securing the following requirements by way of legal agreement. These requirements are considered to meet the tests set out in paragraph 56 of the NPPF.

- The provision of up to 40% and no lower than 37.5% of the total number of dwellings to be affordable housing to be based on a 50:50 (affordable rented : shared ownership) tenure split as required by policy (percentage, tenure, size, type, phasing to be address at Reserved Matters stage based on local housing needs);
- The payment of **£94,949.12** for four secondary school places (to be assessed at reserved matters stage when the number of units and bedroom numbers is known);
- Off-site open space contribution to be assessed based on the needs of the village of Cockerham (at the time of the reserved matters application); and,
- Long term maintenance of non-adopted highways, open space, landscaping and creation of management-company.

9.0 Conclusions

9.1 Officers recommended support for the scheme in November 2018, and whilst they are disappointed that the negotiated financial contribution cannot be secured, the scheme is still offered support given it was the Highways Authority who no longer wish for the contribution. A planning judgement is required, and many of the benefits of the scheme are policy compliant (such as the provision of open space, or affordable housing). It is however considered that the weight attached to the provision of housing within the district outweighs the minimal localised landscape harm associated with the development and regrettably the loss of the improvement to footpath 14 and it is recommended to Members that the scheme be supported.

Recommendation

That subject to the applicant entering into a Section 106 Agreement to secure the obligations contained within Paragraph 8.1, that Outline Planning Permission **BE GRANTED** subject to the following conditions:

1. Standard Timescales;
2. Approved Plans;
3. Surface Water Drainage Scheme;
4. Foul Water Drainage Scheme;
5. Access Works;
6. Off-site Highway Improvements;
7. Development to be in accordance with an updated AIA and Tree Protection Plan;
8. Linkage to the public right of way and improvements;
9. Finished Floor Levels (to include plots, gardens, open space and roads);
10. Scheme for open space;
11. Unforeseen contamination;
12. Ecological mitigation to be carried out as per the approved plans;
13. Scheme for electric vehicle charging points to be submitted to and approved;
14. Surface Water Management and Maintenance Programme;
15. Environmental Construction Method Statement;
16. Provision of home owner packs

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

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

Background Papers

18/00877/FUL Agenda Item A8; Planning Committee Report 12 November 2018

Agenda Item	Committee Date	Application Number
A9	16 September 2019	19/00697/FUL

Application Site	Proposal
St Thomas Centre Marton Street Lancaster Lancashire	Relevant demolition of existing 2 storey Church Centre building and erection of a replacement 2.5 storey Church Centre building, including covered canopy link to the adjacent Church and alterations to existing carpark, including creation of steps and resurfacing

Name of Applicant	Name of Agent
Mr Tim Parsons	Mr Dan Brown

Decision Target Date	Reason For Delay
Extension of time agreed until 20 September 2019	Awaiting amended plans

Case Officer	Mrs Eleanor Fawcett
Departure	No
Summary of Recommendation	Approval

1.0 The Site and its Surroundings

- 1.1 The application site is located within the centre of Lancaster and relates to St Thomas' Church Centre, and the associated land surrounding this, in addition to St Thomas's Church and an existing car park to the south. The church centre is two storey, finished in a mix of stone and render, and fronts onto Marton Street, with the building abutting the rear of the pavement. It also adjoins Victoria Place at the rear, which is at a higher level than the ground floor of the building. The boundary wall enclosing the land to the west of the centre lies adjacent to Peter Street. Both Peter Street and Victoria Place are fairly narrow cobbled roads that link from Marton Street to Penny Street and provide access to the carpark. The land rises at the entrance to this and there is a retaining wall adjacent to Victoria Place. Within the carpark is a large modular building which is used as a nursesey.
- 1.2 The church lies to the west of the church centre building and is separated by a paved area and steps which provides access from Marton Street to both buildings and Victoria Place via some steps. St Thomas's Church is Grade II Listed and is set back slightly from Marton Street and fronts onto Penny Street. It is enclosed by walls and railings which are separately Listed (Grade II). To the east of the site, adjacent to Peter Street, is a row of two storey stone properties which front onto Thurnham Street and Marton Street and comprise a mix of commercial and residential uses. To the north is the Police Station and to the south is a garage building between Victoria Place and the carpark. The site is located within the Lancaster Conservation Area and is just outside the Lancaster Air Quality Management Area.

2.0 The Proposal

- 2.1 Planning permission is sought for the demolition of the church centre and the construction of a larger building, partly over three floors. It would be set back slightly from Marton Street, but extend closer to Peter Street. The building would comprise two sections with dual pitched roofs connected by a central flat roofed element. The front section, facing Marton Street, would have three floors with the upper floor in the roof space, and the remainder of the building would be over two floors. It is proposed to be

finished in a mix of stone, render and grey cladding panels and solar panels are proposed on the rear roof slope of both dual pitched section of the building. A covered walkway is also proposed between the new building and the church. The scheme also includes the widening of Peter Street where it adjoins Marton Street, the creation of a footway, installation of metal railings and gates, resurfacing and marking of the carpark, including a slight extension to this, and the installation of some metal gates and railings.

3.0 Site History

- 3.1 Planning permission was granted, at Planning Committee, in 2018 for the demolition of the church centre building and the erection of a new building. There are similarities between the current scheme and the previous approval, however significant changes have been made to the overall form of the building and its design. The relevant history is listed below.

Application Number	Proposal	Decision
18/00405/FUL	Relevant Demolition of existing 2 storey Church Centre building and erection of a replacement 2.5 storey Church Centre building, including single storey lean-to and single storey link to the adjacent Church and alterations to existing carpark, including creation of steps and resurfacing	Approved
18/00543/LB	Listed building application for a single-storey glazed extension to connect the former choir vestry of the church and the proposed replacement Church Centre building, alterations to the former choir vestry including the removal of an existing timber door and replacement with timber-framed partition and the removal of arched windows to the south elevation and replacement with fire escape door, installation of new perimeter security gates adjoining the Penny Street and Marton Street elevations, and alterations to the boundary wall to Victoria Place including the addition of a wrought iron railings	Approved
16/01486/PRETWO	Pre-application advice in relation to the erection of a replacement 2.5 storey Church centre	

4.0 Consultation Responses

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

Consultee	Response
Environmental Health	No comments received during the statutory consultation period. In relation to the previous application: In relation to air quality, recommend provision of cycle parking, two electric vehicle charging points, and a construction environmental management plan to deal with any dust issues.
Conservation Team	Support , subject to conditions, following the submission of amended plans. It is still felt that a better solution could be achieved with the gated entrance to the forecourt, but this detail could be conditioned. The loss of the Non-Designated Heritage Asset and construction of a new church centre would lead to a level of harm to the significance of the Conservation Area and significance of the Listed Building. The level of harm is considered to be less than substantial.
Tree Protection Officer	Arboricultural report has not been provided with the submission. In relation to the previous application: No objection , subject to conditions requiring: development carried out in accordance with the submitted Arboricultural Impactions Assessment; submission of an Arboricultural Method Statement; and a scheme for new tree planting.
County Highways	No objections subject to conditions requiring: a construction management plan; off-

	site highway works; review of street lighting arrangements on Peter Street; and review of pay and display parking arrangements; reinstatement of footway/highway (if damaged/excavated); and surfacing of carpark (as advised in comments to previous application). Raised some concerns/ queries regarding highway structural integrity & access to carriageway substructure beneath Victoria Place.
Historic England	No comments to make.
National Amenity Societies	No comments received during the statutory consultation period.
Lancaster Civic Society	No comments received during the statutory consultation period.
Lancashire Archaeological Advisory Service	No objection subject to a condition requiring an archaeological watching brief

5.0 Neighbour Representations

- 5.1 1 item of correspondence has been received in support of the proposal, raising the following points:
- Will provide a property which will greatly benefit the local community in a positive way.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraph 85 – Ensuring the vitality of town centres
Paragraph 109 - 110 – Access and Transport
Paragraphs 124 and 127 – Achieving well-designed places
Paragraph 92 – Providing social, recreational and cultural facilities and services
Paragraphs 170, 175 and 176 – Protecting and enhancing biodiversity
Paragraphs 193 – 196, 198 – 201 – Designated Heritage Assets
Paragraph 197 – Non-designated Heritage Assets

6.2 Local Planning Policy Overview – Current Position

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

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

The Examination Hearing Sessions commenced on 9 April 2019.

The Strategic Policies and Land Allocations DPD will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan.

The Review of the Development Management DPD updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making.

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

6.3 Lancaster District Core Strategy (adopted July 2008)

SC1 – Sustainable Development
SC5 – Achieving Quality in Design

6.4 Development Management Development Plan Document

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

6.5 Other Material Considerations

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

7.0 Comment and Analysis

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

- Demolition of the building
- Scale and design and the impact on the Conservation Area and Listed Buildings
- Impacts on Archaeology
- Highway Implications
- Impacts on Residential Amenity
- Impact on Trees and Ecology
- Air Quality

7.2 Demolition of the building

7.2.1 The building is located within the Lancaster Conservation Area and it sits adjacent to St Thomas' Church, which is a Grade II Listed Building. The church dates from 1840-41 and was designed by Edmund Sharpe with a later chancel and steeple added 1852-53 by Sharpe and Paley. The church centre was built in 1843 as a school and acquired by the vicar of the Church of St Thomas in 1845. Ownership of the building passed to County Council in the 1960s and came back into the church ownership in the 1980s. Although alterations have clearly taken place to the building since then, and not all of the alterations have been sympathetic, given the building's age, architectural features and historic association with the listed church, the building was identified as a positive unlisted building within the Lancaster Conservation Area Appraisal and is considered to be a non-designated heritage asset. The latter has been confirmed through an assessment made by the Conservation Team.

7.2.2 Policy DM31 of the DM DPD sets out that proposals which involve the loss of a building that makes a positive contribution to the significance of the Conservation Area will not be permitted unless it can be demonstrated that this is necessary to achieve substantial public benefits that outweigh the harm. In addition, Policy DM33 sets out that there will be a presumption in favour of the retention of a non-designated heritage asset, and any loss would require clear and convincing justification. In the national context, guidance regarding non-designated heritage assets is clear. Local authorities may identify buildings, monuments, sites, areas or landscapes as a non-designated heritage asset. Where identified, these assets will have "a degree of significance meriting consideration in planning decisions".

- 7.2.3 The application includes a number of reports in relation to the condition of the building and the works required in relation to its maintenance, which were also provided with the previous application. A supporting statement has also been provided which includes justification for the replacement building. This includes a history of the building, including how it has changed over time, the restrictions of the building, aspirations for the new development, condition issues of the building and options for remodelling. The building was originally single storey, with a second floor accessed by external stone steps added in 1845. In the 1980s, major alterations were carried out to bring the building back into use, including the replacement of the roof structure in a different form, alterations to external windows and doors, additions to the east elevation and significant changes to the internal space. Historic photographs have been provided to show how the building has changed over time.
- 7.2.5 The existing centre has a gross internal floor area of 580 sq.m over two floors. The available meeting room space for groups over 8 persons is limited to 2 rooms. A large room of approximately 100 sq.m is available at ground floor level and a further meeting room is located at first floor with the latter accessed via an external staircase. The submission identifies the following issues with the current building: poor accessibility across the site; poor integration between buildings; physical security and ensuring the safeguarding of children and vulnerable adults who use the buildings; appearance; limited space for community activities and groups; lack of disabled access to the first floor; poor layout of accommodation; lack of storage; noise egress between spaces; and lack of flexibility.
- 7.2.6 Information has been provided in relation to the groups that currently use the building, with clarification of the particular needs on Sunday mornings, where existing issues with the availability of space for children's groups has been highlighted. The building is also used by a parent and toddler group, which is at capacity and cannot operate on another day due to lack of availability of space. There are also restrictions to the existing holiday club for school age children because of space. The building also caters for summer fun days, week night children's and youth groups and contains offices used in association with the church.
- 7.2.7 In addition to expanding existing activities the aim of a new centre would be offer a variety of services to meet people at their point of need, such as:
- A Family Life Centre, that will support families under pressure, through counselling and family therapies, support groups for those raising children with special needs, and parenting and relationship courses;
 - Parish nursing, which provides a qualified and registered health visitor or nurse who is employed by the church, and who is able to offer medical care and advice but in the context of care for the whole person, body, mind and spirit;
 - CAP (Christians Against Poverty) Life Skills courses, helping people learn how to cook on a budget, and manage their finances; and
 - Lunch Club for the elderly that might sit alongside the regular midweek communion service, to help meet the needs of those who are isolated and lonely in the city.
- 7.2.8 The submission also sets out that the building would be used by the community and they have had to turn down requests for regular use of the building by community, due to lack of space, from community groups including:
- An organisation which carries out community integration work to build bridges with those settling in Lancaster from overseas;
 - A charity providing support to those with mental health issues in Lancaster & Morecambe;
 - An organisation wanting to offer parenting classes to parents of children with learning difficulties and special educational needs;
 - An organisation wanting space for a community parent and toddler group;
 - An organisation co-ordinating support for the homeless and those in need across Lancaster
 - The NHS wishing to offer regular health services.
- 7.2.9 There are a number of structural issues which would need to be addressed, but can be remedied, although they do have associated costs. The feasibility of adapting the existing building has been considered, with layouts prepared to show how it could be remodelled and extended. This would include the addition of internal stairs and a lift and a single storey side extension to create a hall, however they have identified that this would not meet the needs on a Sunday, and still require to use of

the modular building, and would not meet all of their aspirations as highlighted above as it would be difficult to provide a second floor. A cost analysis has been undertaken to understand the potential costs of both the New Build Church Centre Development and the Remodelling Option using the latest cost data available. With the previously approved scheme, the overall construction cost was higher for the new build option, however the VAT for the remodel option would be £465,000 which makes the scheme more expensive. The current application has been submitted to reduce the costs in the overall construction closer to the amount of money that has already been pledged towards the project.

7.2.10 As set out above, the loss of the building requires clear and convincing justification. The submitted statement illustrates that the centre was substantially altered in the 1980s and also considers the existing uses and constraints of the building and looks at the feasibility of reusing the existing building against the proposed new build option. The building is still considered a non-designated heritage asset, but this significance has been considerably diminished through modern alterations. In addition, it has been clearly outlined that there are public benefits arising from the proposals. Therefore, whilst the demolition would still cause a degree of harm to the non-designated heritage asset and associated church (Grade II), the harm is considered to be less than substantial, and there are significant public benefits which could outweigh the harm. There is a stone plaque on the existing building, which relates to the historic use of the building. This will be re-sited on the front of the building facing Marton Street.

7.3 Scale and design and the impact on the Conservation Area and Listed Buildings

7.3.1 The proposed building will be orientated with the roof slope facing Marton Street and will provide accommodation over two and three floors. It will extend closer to Peter Street than the existing building, but be set back from Marton Street, roughly in line with the side elevation of the church. The building would comprise two sections with dual pitched roofs connected by a central flat roofed element. The front section, facing Marton Street, would have three floors with the upper floor in the roof space. The ridge line of this section would only be slightly higher than the ridge of the existing building to be replaced, although the parapet walls at either gable would extend further above this. The rear section would be slightly longer, projecting closer to the church, but would be narrower and lower than the front section. The central flat roofed section would be lower than the eaves of both the front and rear elements but would still provide accommodation over two floors.

7.3.2 The front elevation, and side wall facing the church, are proposed to be finished in stone salvaged from the existing building at ground floor level, with ashlar above. Stone is also proposed at ground floor on the gable of the front section of the building facing Peter Street, however render would be proposed above this, in addition to the rear section of the building. The central section would be a mix of grey cladding and glazing, and grey cladding elements are also proposed on other parts of the building, including around some of the windows on the front and side elevations. The roof slope facing Marton Street would be finished in slate, with the other roof slopes finished in a grey lead roll effect roofing material. The two rear roof slopes would be fitted with solar panels. The agent has confirmed that these would be added to the roof, rather than being integral as they are likely to be owned by a third party. This scheme proposes the main entrance to be located in the front wall of the building, with a ramped access provided to this. Other doors would also be proposed in the side facing the church, and attached to one of these would be a canopy providing covered access to the church. An external staircase is also proposed to the elevation facing Peter Street, and various gates and railings are also proposed in the context of the new development and the listed church.

7.3.3 The proposals, as detailed above, are amendments to the originally submitted scheme as part of the current application. There were concerns regarding the visual bulk and massing of the design and the projection of a two storey flat roofed element close to the church. There were also concerns that the much longer front elevation of the building, than that previously approved, provided a very horizontal emphasis rather than reflecting a more traditional vertical pattern typical to the area including the adjacent church. The proposed footprint has not been significantly altered by the amendments, however the arrangement of the buildings has minimised the amount of the 2-storey flat roof section visible and provided a more cohesive design. The rear pitched roof section has been enlarged but this will be predominantly in line with the front building. Whilst these alterations do not overcome concerns about an increased massing from the approved scheme, they do reduce the visually cluttered appearance of the scheme.

7.3.4 The fenestration of the building has been altered to the front elevation, with a large window along Marton Street broken up, which will help to minimise the elongated perception of this elevation. In

addition, the entrance has been altered so there is access from the principal elevation and the fire escapes have been moved to the side elevations. There are no concerns with the principle of solar panels to the rear elevations of the building, but it would have been preferable to see these designed into the roof. However, as this is unlikely to be achieved, the solar panels should be darker frames and have low-sitting brackets in order to minimise their prominence. There are concerns regarding the use of a grp use to one half of the dual pitched roof to the front section of the building. The building has been designed in three very distinct sections and it is considered poor design to have the two roofslopes of one of these sections finished in different materials. In addition, whilst most of this would likely be covered in solar panels, there is no guarantee that they would always be retained, and there would still be sections of the roofslope visible even when they were present. It would also likely create an awkward junction at the ridge with the use of two different materials. It is considered that allowing a more contemporary material to the rear and central section of the building, whilst retaining a traditional slate which is more reflective of the adjacent listed church, represents a suitable compromise in order to help reduce the costs of the building whilst respecting the historic setting.

- 7.3.5 Changes to the entrance to the side elevation, facing Peter Street, and creation of steps with a stone boundary wall is supported as the previous timber fencing failed to be in keeping with the palette of materials of the Conservation Area. There are some concerns regarding a proposed gate between the building and the church, and how this would impact views and appreciation of the Grade II listed church. A more sensitive solution would be to allow this to fold back to the new building, rather than half of the gate sitting along the side wall of the church when open. The agent has been advised of this concern and has agreed that this can be conditioned in order for a more sensitive solution to be hopefully agreed.
- 7.3.6 Whilst the previously approved building was considered to be better related to the surrounding built form in terms of its massing and scale, the current proposal does still draw influence from the neighbouring church with the use of a pitched roof, oriented with the roofslope facing the highway, with coping stones and verticality of windows, but incorporating a modern approach. It has also been set back from the highway which may open up more views of the church and it would still retain the listed church's prominence in the streetscene. The re-use of the stone from the existing building, with ashlar above in addition to the slate roof is considered to be appropriate within the historic context. It is considered that the more modern materials, including the cladding and the GRP roof, will provide a contemporary appearance whilst not detracting from the character and appearance of the Conservation Area or the adjacent listed church and associated wall and railings. Although, as set out above, it is considered that the whole roof of the front section should be finished in slate, rather than just the roofslope facing the highway. The previous application proposed to attached to the listed church via a glazed link. This proposal just proposes a covered walkway which is considered acceptable, subject to the precise detailing which can be conditioned.
- 7.3.7 The car park to the rear is proposed to be resurfaced with tarmac, with the existing concrete ramp from the highway retained. The carpark is well contained from public viewpoints and, as such, this surfacing is considered to be acceptable. There are some other areas of surfacing around the proposed building, including a courtyard and footway front and a footway. At present the details of these are shown as paving flags, setts and tarmac for the footway. There are some concerns regarding the latter, and there may be a more sympathetic solution. It is acknowledged that this would be easier to maintain, however the footway along Marton Street is currently flags rather than tarmac. The precise details of this can be covered by condition and there may need to be some input from the Highway Authority if they decide to adopt this.
- 7.3.8 Overall, the proposed development is considered to be acceptable in terms of its scale, siting and design and will not detract from the character and appearance of the Conservation Area or the adjacent listed church subject to appropriate conditions in relation to the precise details of the materials.

7.4 Impacts on Archaeology

- 7.4.1 In relation to the previous application, comments were received from the Lancashire Archaeological Advisory Service in relation to the potential for archaeological remains at the application site. These are still relevant to the current proposal. The church fronts onto Penny Street, which is known to represent the line of the main north-south Roman road running into Lancaster and appears to have remained in use from that time to the present day. By the end of the medieval period Lancaster seems to have

extended as far as the south end of Penny Street, where 'The White Cross' stood. This is shown on Speed's map of 1610 as well as maps of 1684 and 1778. The latter two maps also show the plot which was later occupied by the church and school as an undeveloped east-west strip, reminiscent of a medieval burgrave plot or strip field, which appears to have extended east as far as the present Aalborg Square. A map of 1821 again shows it as open ground, with the eastern end being used as gardens.

7.4.2 The above indicates that some areas of undeveloped land, with a potential for the preservation of prehistoric and Roman archaeological remains, may exist on the site. The first of these, between church and church centre, has probably been impacted by the construction of both buildings and by the 1980 works to the building. To the east side of the church centre, only limited landscaping works have been undertaken and this section has more potential for early remains to survive. It is possible that some areas between the existing foundations of the church centre may also retain undisturbed deposits, as may the car park. It is noted, however, that remains of the Roman cemetery have only been recorded up to 25 metres back from the line of the Roman road to date. The west side of St Thomas Church Centre is located some 50 metres from the road line, and the most promising area adjacent to Peter Street is 67-77metres away. The west end of the car park is only some 25 metres from the road, but only limited resurfacing is proposed in that area. Given this, and the uncertainty in the provenance of the prehistoric remains, the Lancashire Archaeological Advisory Service advised that archaeological investigation is not required prior to a planning decision being made. It was also advised that it would also seem unjustified for formal archaeological excavation to be required, but it is considered that an archaeological watching brief during the development is appropriate. This can be covered by condition.

7.5 Highway Implications

7.5.1 The site is easily accessible by a choice of sustainable travel modes including foot, cycle and public transport. The surrounding pedestrian environment is of an acceptable quality, with footways being well lit adding to a sense of personal security. Signage and the built form add to a good level of legibility with adjacent pedestrian footway links providing an acceptable means of access to the site. The site lies adjacent to a designated cycle route which provides access to the city centre and surrounding cycle network. The proposed layout plan shows some cycle hoops to the side of the proposed building, close to its entrance. Parking is restricted on the highway in the vicinity of the site. There is some parking provided by the private carpark with additional parking available in established city centre carparks and other street parking.

7.5.2 The Highway Authority advised that the proposal has the potential to result in greater use of Peter Street and its junction with Marton Street. Peter Street is considered to be sub-standard in terms of the nature of the carriageway, only allowing for singular vehicle movements, with pedestrian movements restricted with a lack of footways. Driver forward visibility at the junction of Peter Street and Marton Street is also restricted due to on-street resident pay and display parking arrangements. The scheme includes the widening of Peter Street, where it adjoins Marton Street, in order to allow two vehicles to pass. A footway has also been shown within the site adjacent to Peter Street in order to aid pedestrian movements. The Highway Authority advised that there should be a review of the on street parking arrangements along the frontage of the site with Marton Street in order to aid visibility. These can all be covered by condition.

7.5.3 It is presumed that the development will increase the frequency of pedestrian/vehicular movements along Marton Street, Peter Street & Victoria Place. In addition to the measures outlined above the Highway Authority have also advised that a short length of centre line, transverse & Stop/Give Way thermoplastic markings should be laid at the junction of Peter Street with Matron Street and that there should be a review of street lighting arrangements on Peter Street, with an upgrade where appropriate. A traffic management plan has also been requested, however, the site is heavily restricted by parking restrictions and any direct impact on the highway (or excavation or works to the highway, and subsequent reinstatement) can be controlled by the Highway Authority. They have also raised some concerns regarding impacts on the structural stability of the highway, however this would be a separate issue with the Highway Authority as works affecting this would require their consent. Overall, subject to the inclusion of conditions as set out above, it is considered that there will not be a detrimental impact to highway safety as a result of the proposal, and there is likely to be some improvement to the existing situation with the road widening and footpath works proposed.

7.6 Impacts on residential amenity

7.6.1 The proposal introduces built elements closer to properties to the east, which appear to be partly residential. The closest property fronts onto Marton Street and has no windows in the gable so there would be no loss of light or privacy to occupants. Those to the rear of this do have windows facing towards to the site and relatively open rear yard areas. The windows are located approximately 13 metres from the side wall of the proposed building. As a result, it is considered that there would not be a significant loss of light to these properties. There is potential for overlooking from the glazing in the flat roof section, however this could be overcome by inserting some form of opaque glazing to a height around 1.8 metres above floor level and the agent has been asked to amend the plans to reflect this.

7.7 Impacts on Trees and Ecology

7.7.1 Trees and shrubs within the site are generally in good overall condition and can be seen from the wider public domain as such they make a positive impact upon the character and appearance of the site and the immediate locality. An arboricultural implications assessment has been submitted which relates to the previous application, although it is sufficient to fully assess the implications as a result of the current proposal. S2 (cotoneaster), T3 weeping birch, G4 (cypress) and T9 (rowan) are proposed for removal in order to accommodate the development. All other trees and shrubs are to be retained. The most important amenity trees, T5 and T6 (lime) are to be retained and appropriately protected. The development will encroach into the root protection area of retained tree T1 (sycamore), which is located at the rear of the car park. However, there are existing areas of hardstanding within the root protection area of this tree which may have constrained root growth, although the presence of roots cannot be excluded. As such, a detailed Arboriculture Method Statement (AMS) will be required for all works proposed within the theoretical root protection area of retained trees. It is recommended that only "root friendly" materials and methods of working are used within this area to ensure the long term sustainability of the tree.

7.7.2 Additional planting is proposed at the entrance to and within the car park at the rear. Scope for additional planting is limited, given that the development occupies much of the space to the side of the existing building. A condition is required to ensure that proposed landscaping is sufficient and appropriate.

7.7.3 As a result of the age and nature of the building and the proximity to the canal, a bat survey has been provided with the application. This involved an inspection of the site and surroundings in addition to a bat activity survey at dusk. No signs of bats were discovered during the external building inspection. The exterior of the building did however contain low potential for roosting sites for bats to access. During the dusk survey, bat activity at the site was exceedingly low. Six soprano pipistrelles passes were detected, none of which emerged from the building and did not appear to be feeding but travelling. The report sets out that the site and surrounding areas provided a lack of ideal bat habitat. There were no signs of bats throughout the survey and it was therefore concluded that no bat roosting was taking place. Therefore, it is considered that the proposal would not adversely impact protected species of bats.

7.8 Air Quality

7.8.1 The site is located outside but in close proximity to the Lancaster Air Quality Management Area (AQMA). As the proposed building is slightly larger than the one it replaces and it will likely be more used it is reasonable to assume that there may be a small increase in traffic and this may impact on the AQMA. The Air Quality Officer advised, in relation to the previously approved application, that there is suitable provision of parking for cyclists in addition to at least two electric vehicle charging points. Cycle stands have been provided to the front of the building, however no charging points are proposed, and this was agreed as part of the previous application. Given the distance of the car park from the building, it is not practical to provide the vehicle charging points, and it was considered that this would not justify the refusal of the scheme, particularly as there are a variety of modes of transport which can be utilised, given the city centre location. The Air Quality Officer also previously recommended that a Construction Environmental Management Plan is provided to deal with dust issues that may arise. However, it is considered that this issue can be adequately controlled by separate legislation.

8.0 Planning Obligations

8.1 There are no planning obligations to consider in relation to this proposal.

9.0 Conclusions

- 9.1 The proposal requires the demolition of the existing church centre leading to the total loss of a Non-Designated Heritage Asset, which would harm the significance of the building, in addition to the significance of Lancaster Conservation Area and the adjacent Listed Building. However it is considered that sufficient justification has been provided for the loss of the building, to satisfy the requirements of Policy DM33 of the DM DPD, and that there are significant public benefits which would outweigh the harm, which is considered to be less than substantial for the purposes of the NPPF. The massing and scale of the proposed building relates well to the surrounding built form and will still retain the listed church's prominence in the streetscene, drawing influence from the adjacent church whilst introducing more contemporary elements. It is considered that the building would preserve this part of the Conservation Area and will not detract from the listed church.
- 9.2 The proposal is also considered acceptable in terms of impacts on residential amenity, highway safety, air quality and ecology. As such, the development is considered to be acceptable.

Recommendation

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

1. Standard three year timescale
2. Approved plans
3. Secure contract for construction prior to demolition
4. Archaeological watching brief
5. Arboricultural Method Statement
6. Contaminated land assessment and remediation
7. Drainage scheme
8. Scheme of highway improvement works: road widening; pedestrian links; road markings; review of street lighting to Peter Street and parking arrangements on Marton Street.
9. Materials/details including – stone; render; roofing materials; cladding; eaves verge and ridge details; rooflights; flues and vents; solar panels, boundary treatments, including gates and fencing; surfacing materials; windows and doors including opaque/coloured glazing; window surrounds; heads and cills; barrier to car park; any repairs to the plaque; louvres; details of canopy
10. Landscaping Scheme
11. Development in accordance with Arboricultural Implications Assessment
12. Surfacing and marking to car park
13. Provision of cycle storage
14. Inclusion of existing plaque, as shown on the drawings
15. Hours of construction

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
A10	16 September 2019	19/00634/LB

Application Site	Proposal
St Thomas Centre Marton Street Lancaster Lancashire	Listed building application for a single-storey glazed extension to connect the former choir vestry of the church and the proposed replacement Church Centre building, alterations to the former choir vestry including the removal of an existing timber door and replacement with timber-framed partition and the removal of arched windows to the south elevation and replacement with fire escape door, installation of new security gates and fencing adjoining the Penny Street, Marton Street and Peter Street elevations, and alterations to the boundary wall to Victoria Place including the addition of a wrought iron railings

Name of Applicant	Name of Agent
Mr Tim Parsons	Mr Dan Brown

Decision Target Date	Reason For Delay
Extension of time agreed until 20 September 2019	Awaiting amended plans

Case Officer	Mrs Eleanor Fawcett
Departure	No
Summary of Recommendation	Approval

1.0 The Site and its Surroundings

- 1.1 The application site is located within the centre of Lancaster and relates to St Thomas' Church Centre, and the associated land surrounding this, in addition to St Thomas's Church and an existing car park to the south. The church centre is two storey, finished in a mix of stone and render, and fronts onto Marton Street, with the building abutting the rear of the pavement. It also adjoins Victoria Place at the rear, which is at a higher level than the ground floor of the building. The boundary wall enclosing the land to the west of the centre lies adjacent to Peter Street. Both Peter Street and Victoria Place are fairly narrow cobbled roads that link from Marton Street to Penny Street and provide access to the carpark. The land rises at the entrance to this and there is a retaining wall adjacent to Victoria Place. Within the carpark is a large modular building which is used as a nursesey.
- 1.2 The church lies to the west of the church centre building and is separated by a paved area and steps which provides access from Marton Street to both buildings and Victoria Place via some steps. St Thomas's Church is Grade II Listed and is set back slightly from Marton Street and fronts onto Penny Street. It is enclosed by walls and railings which are separately Listed (Grade II). To the east of the site, adjacent to Peter Street, is a row of two storey stone properties which front onto Thurnham Street and Marton Street and comprise a mix of commercial and residential uses. To the north is the Police Station and to the south is a garage building between Victoria Place and the carpark. The site is located within the Lancaster Conservation Area and is just outside the Lancaster Air Quality Management Area.

2.0 The Proposal

- 2.1 Listed Building Consent is sought for a covered canopy to connect the former choir vestry of the church to a new church centre building to replace the existing one at the site. Alterations to the former choir vestry in the church are also proposed to facilitate this, including the removal of an existing timber door to and replacement with a timber framed glazed door and the removal of arched windows to the south elevation and replacement with a fire escape door. The proposed church hall would be larger than the existing one and would be set back slightly from Marton Street, but extend closer to Peter Street. The building would comprise two sections with dual pitched roofs connected by a central flat roofed element. The front section, facing Marton Street, would have three floors with the upper floor in the roof space, and the remainder of the building would be over two floors. It is proposed to be finished in a mix of stone, render and grey cladding panels and solar panels are proposed on the rear roof slope of both dual pitched section of the building. The proposal also includes the installation of some metal gates and railings to adjoin to the existing boundary walls of the church.

3.0 Site History

- 3.1 Planning permission was granted, at Planning Committee, in 2018 for the demolition of the church centre building and the erection of a new building. There are similarities between the current scheme and the previous approval, however significant changes have been made to the overall form of the building and its design. The relevant history is listed below.

Application Number	Proposal	Decision
18/00405/FUL	Relevant Demolition of existing 2 storey Church Centre building and erection of a replacement 2.5 storey Church Centre building, including single storey lean-to and single storey link to the adjacent Church and alterations to existing carpark, including creation of steps and resurfacing	Approved
18/00543/LB	Listed building application for a single-storey glazed extension to connect the former choir vestry of the church and the proposed replacement Church Centre building, alterations to the former choir vestry including the removal of an existing timber door and replacement with timber-framed partition and the removal of arched windows to the south elevation and replacement with fire escape door, installation of new perimeter security gates adjoining the Penny Street and Marton Street elevations, and alterations to the boundary wall to Victoria Place including the addition of a wrought iron railings	Approved
16/01486/PRETWO	Pre-application advice in relation to the erection of a replacement 2.5 storey Church centre	

4.0 Consultation Responses

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

Consultee	Response
Conservation Team	Support , subject to conditions, following the submission of amended plans. It is still felt that a better solution could be achieved with the gated entrance to the forecourt, but this detail could be conditioned. The loss of the Non-Designated Heritage Asset and construction of a new church centre would lead to a level of harm to the significance of the Conservation Area and significance of the Listed Building. The level of harm is considered to be less than substantial.

5.0 Neighbour Representations

5.1 No public comments have been received.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraphs 193 – 196, 198 – 201 – Designated Heritage Assets

6.2 Local Planning Policy Overview – Current Position

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

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

The Examination Hearing Sessions commenced on 9 April 2019.

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

The Review of the Development Management DPD updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making.

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

6.3 Development Management Development Plan Document

DM30 – Development affecting Listed Buildings

6.4 Other Material Considerations

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

- Impact on the Listed Buildings

7.2 Impact on the Listed Buildings

7.2.1 The proposal relates to extensions and alterations to the Grade II Listed St Thomas’ Church, and separately listed walls and railings, associated with a replacement church centre adjacent to the Church. The church dates from 1840-41 and was designed by Edmund Sharpe with a later chancel and steeple added 1852-53 by Sharpe and Paley. The proposed building will be orientated with the roof slope facing Marton Street and will provide accommodation over two and three floors. It will extend closer to Peter Street than the existing building, but be set back from Marton Street, roughly in line with the side elevation of the church. The building would comprise two sections with dual pitched roofs connected by a central flat roofed element. The front section, facing Marton Street, would have three floors with the upper floor in the roof space. The ridge line of this section would only be slightly higher than the ridge of the existing building to be replaced, although the parapet walls at either gable

would extend further above this. The rear section would be slightly longer, projecting closer to the church, but would be narrower and lower than the front section. The central flat roofed section would be lower than the eaves of both the front and rear elements but would still provide accommodation over two floors.

- 7.2.2 The front elevation, and side wall facing the church, are proposed to be finished in stone salvaged from the existing building at ground floor level, with ashlar above. Stone is also proposed at ground floor on the gable of the front section of the building facing Peter Street, however render would be proposed above this, in addition to the rear section of the building. The central section would be a mix of grey cladding and glazing, and grey cladding elements are also proposed on other parts of the building, including around some of the windows on the front and side elevations. The roof slope facing Marton Street would be finished in slate, with the other roof slopes finished in a grp lead roll effect roofing material. The two rear roof slopes would be fitted with solar panels. The agent has confirmed that these would be added to the roof, rather than being integral as they are likely to be owned by a third party. This scheme proposes the main entrance to be located in the front wall of the building, with a ramped access provided to this. Other doors would also be proposed in the side facing the church, and attached to one of these would be a canopy providing covered access to the church. An external staircase is also proposed to the elevation facing Peter Street, and various gates and railing are also proposed in the context of the new development and the listed church.
- 7.2.3 The proposals, as detailed above, are amendments to the originally submitted scheme as part of the current application. There were concerns regarding the visual bulk and massing of the design and the projection of a two storey flat roofed element close to the church. There were also concerns that the much longer front elevation of the building, than that previously approved, provided a very horizontal emphasis rather than reflecting a more traditional vertical pattern typical to the area including the adjacent church. The proposed footprint has not been significantly altered by the amendments, however the arrangement of the buildings has minimised the amount of the 2-storey flat roof section visible and provided a more cohesive design. The rear pitched roof section has been enlarged but this will be predominantly in line with the front building. Whilst these alterations do not overcome concerns about an increased massing from the approved scheme, they do reduce the visually cluttered appearance of the scheme.
- 7.2.4 The fenestration of the building has been altered to the front elevation, with a large window along Marton Street broken up, which will help to minimise the elongated perception of this elevation. In addition, the entrance has been altered so there is access from the principal elevation and the fire escapes have been moved to the side elevations. There are no concerns with the principle of solar panels to the rear elevations of the building, but it would have been preferable to see these designed into the roof. However, as this is unlikely to be achieved, the solar panels should be darker frames and have low-sitting brackets in order to minimise their prominence. There are concerns regarding the use of a grp use to one half of the dual pitched roof to the front section of the building. The building has been designed in three very distinct sections and it is considered poor design to have the two roofslopes of one of these sections finished in different materials. In addition, whilst most of this would likely be covered in solar panels, there is no guarantee that they would always be retained, and there would still be sections of the roofslope visible even when they were present. It would also likely create an awkward junction at the ridge with the use of two different materials. It is considered that allowing a more contemporary material to the rear and central section of the building, whilst retaining a traditional slate which is more reflective of the adjacent listed church, represents a suitable compromise in order to help reduce the costs of the building whilst respecting the historic setting.
- 7.2.5 Changes to the entrance to the side elevation, facing Peter Street, and creation of steps with a stone boundary wall is supported as the previous timber fencing failed to be in keeping with the palette of materials of the Conservation Area. There are some concerns regarding a proposed gate between the building and the church, and how this would impact views and appreciation of the Grade II listed church. A more sensitive solution would be to allow this to fold back to the new building, rather than half of the gate sitting along the side wall of the church when open. The agent has been advised of this concern and has agreed that this can be conditioned in order for a more sensitive solution to be hopefully agreed.
- 7.2.6 Whilst the previously approved building was considered to be better relate to the surrounding built form in terms of its massing and scale, the current proposal does still draw influence from the neighbouring church with the use of a pitched roof, oriented with the roofslope facing the highway, with coping

stones and verticality of windows, but incorporating a modern approach. It has also been set back from the highway which may open up more views of the church and it would still retain the listed church's prominence in the streetscene. The re-use of the stone from the existing building, with ashlar above in addition to the slate roof is considered to be appropriate within the historic context. It is considered that the more modern materials, including the cladding and the GRP roof, will provide a contemporary appearance whilst not detracting from the character and appearance of the Conservation Area or the adjacent listed church and associated wall and railings. Although, as set out above, it is considered that the whole roof of the front section should be finished in slate, rather than just the roofslope facing the highway.

7.2.7 As set out above, the building will be linked to the church via a covered walkway, provided by a canopy. The previous application proposed to attach to the listed church via a glazed link. The submission sets out that the underside of the canopy will line through with the existing hoodmould over the arched rear doorway into the grade 2 listed church. The fascia of the canopy will be finished in polyester powder coated aluminium to match that used on the new Church Centre and the structure will be supported by columns at each end of the canopy. This is considered to have a minimal impact both visually and physically upon the listed building and is considered to be an appropriate solution to link the new building to the church. The submission sets out that the present timber doorway into the vestry is rotten and is to be replaced by a new timber framed glazed door. On the south elevation of the vestry are two two-light arched windows, the right one to be replaced by an aluminium framed powder-coated fire escape door to an external terrace area. The vestry is a later addition, added on map evidence between 1938 and 1957. As such, it is considered that the proposal will not be detrimental to the significance of the building.

7.2.8 New railings and gates have also been proposed between the side of the church and Victoria Place, between the church and Marton Street, and between the wall abutting Victoria Place and the new building. The railings and walls around the church are separately Grade II listed and were designated separately for their ornate design and association with Edmund Sharpe. These are similar to those approved by the previous application which were considered acceptable. The post design comprises a circular hollow section with the top of each column finished with a decorative finial. It is considered that the proposal gates and railing will not be detrimental to the significance of the listed buildings.

8.0 Planning Obligations

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

9.0 Conclusions

9.1 The proposed development and works to the listed building are considered to be acceptable in terms of the scale, siting and design and will not a detrimental impact on the significance of the listed church and associated walls and railings.

Recommendation

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

1. Standard listed building timescale
2. Approved plans
3. Materials/details including – stone; render; roofing materials; cladding; eaves verge and ridge details; rooflights; flues and vents; solar panels, details of gates and fencing; windows and doors including opaque/coloured glazing; window surrounds; heads and cills; any repairs to the plaque; louvres; details of canopy

Background Papers

None

Agenda Item	Committee Date	Application Number
A11	16 September 2019	19/01053/VCN

Application Site	Proposal
Bay View Nursery And Garden Centre Mill Lane Bolton Le Sands Carnforth	Demolition of various buildings, erection of glasshouse and open sided canopies, construction of car park and associated landscaping (pursuant to the variation of condition 2, 3, 5, 6, 7 and 8 on planning permission 18/00639/FUL to amend the approved drawings, site layout, Construction Method Statement, the removal of polytunnels, hard and soft landscaping and off site highways improvement)

Name of Applicant	Name of Agent
L & P Clarke	Campbell Driver Partnership

Decision Target Date	Reason For Delay
10 October 2019	None

Case Officer	Mr Andrew Clement
Departure	Yes, due to location within the North Lancashire Green Belt
Summary of Recommendation	Approval

(i) **Procedural Matters**

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

1.0 The Site and its Surroundings

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

2.0 The Proposal

2.1 Planning permission was granted just over a year ago for the erection of glasshouse and open sided canopies, construction of car park and associated landscaping. This consent included the demolition of various buildings to facilitate the proposed development and consolidate the built form on the site. The current application seeks consent to vary 2 and 8 to alter the site plan, parking and deliveries arrangements. Variations to conditions 3, 5, 6 and 7 seeks to vary these to allow the consideration of the further information necessary to discharge these condition on the original consent, thereby varying these to control conditions for the implementation of the detail submitted. These conditions relate to a construction method statement, arboricultural details, proposed landscaping, removal of polytunnels and off street highway improvements, namely road signs and markings. The approved installation of walls to the existing open ended structure, extension to this retail space projecting 10.8 metres to the

north of the existing structure and a further 9.6 metre projection to provide an open sided canopy remains an unchanged aspect of the proposal. However, a further canopied area approved to the east of the extension has been removed from the scheme as part of this variation of conditions application.

3.0 Site History

3.1 The most relevant planning application and pre-application advice to the site is set out below, including the planning permission that the current application seeks to vary.

Application Number	Proposal	Decision
95/00168/FUL	Erection of two poly tunnels	Permitted
00/00247/FUL	Erection of a greenhouse extension	Permitted
06/01576/FUL	Erection of a replacement shop and new cafe building and improvements to car park	Permitted
16/00127/PREONE	Erection of a Venlo greenhouse extension to current building	Advice provided
18/00639/FUL	Demolition of various buildings, erection of glasshouse and open sided canopies, construction of car park and associated landscaping	Permitted

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 to date, consultation period expires on 7 September 2019. Any consultation responses received will be reported verbally to the Planning Committee meeting.
Tree Protection Officer	No observation received to date, consultation period expires on 7 September 2019. Any consultation responses received will be reported verbally to the Planning Committee meeting.
County Highways	No observation received to date, consultation period expires on 7 September 2019. Any consultation responses received will be reported verbally to the Planning Committee meeting.
Environmental Health	No observation received to date, consultation period expires on 7 September 2019. Any consultation responses received will be reported verbally to the Planning Committee meeting.
Network Rail	No observation received to date, consultation period expires on 7 September 2019. Any consultation responses received will be reported verbally to the Planning Committee meeting.
Cadent Gas	No observation received to date, consultation period expires on 7 September 2019. Any consultation responses received will be reported verbally to the Planning Committee meeting.

5.0 Neighbour Representations

5.1 No observations received to date, with the publication, advertisement and site notice consultation period due to expire on 13th September 2019. Any consultation responses received before this date will be reported verbally to the Planning Committee meeting.

6.0 Principal National and Development Plan Policies**6.1 National Planning Policy Framework (NPPF) 2018**

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

6.2 Development Management DPD

DM7 – Economic Development in Rural Areas
 DM11 – Development in the Green Belt
 DM16 – Small Business Generation
 DM21 – Walking and Cycling
 DM22 – Vehicle Parking Provision
 DM27 – Protection and Enhancement of Biodiversity
 DM28 – Development and Landscape Impact
 DM29 – Protection of Trees, Hedgerows and Woodland
 DM35 – Key Design Principles
 Appendix B – Car Parking Standards

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

SC5 – Achieving Quality in design

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

E1 – Green Belts
 E4 – Development within the Countryside
 E5 – Coastlines

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 where no significant objection to them has been raised.

7.0 Comment and Analysis**7.1 The key material considerations arising from the proposal are:**

- Principle of the Development;
- Promoting and Enhancing the District's Economy

- Scale, Design and Landscape Impact upon the Openness of the Green Belt;
- Impact upon trees and hedgerows;
- Highways and Parking; and
- Residential Amenity.

7.2 Principle of the Development

- 7.2.1 The principle of the development on this site has already been established by the previous consent. This application only seeks consent to vary the site parking, deliveries and landscaping layouts, and provide information required through planning conditions on the original consent.
- 7.2.2 The site is an existing and established garden centre located to the west side of Bolton-le-Sands, within the North Lancashire Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The construction of new buildings should be regarded as inappropriate in the Green Belt, except for the extension or alteration of a building, provided that it does not result in disproportionate additions over and above the size of the original building, which is amongst other exception cases for development within the Green Belt. Substantial weight is given to any harm to the Green Belt, and any harm resulting from the proposal must be clearly outweighed by other considerations

7.3 Promoting and Enhancing the District's Economy

- 7.3.1 The scheme contributes positively to local and nation policies relating to economic sustainability and development, as detailed within the committee report for the original permission that this variation relates to. The sustainable growth and expansion of rural businesses is encouraged. Given the established garden centre business in this location for over 30 years, the garden centre use is considered to be the optimal viable use of this site, and its retention should be encouraged and weigh in favour of the proposal. This is subject to the retention of the planning condition controlling the appropriate expansion of garden centre sales area and existing café use, the proposal is considered to be acceptable. This application does not seek to be vary this condition 9 as part of this current proposal.

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

- 7.4.1 The elevation plans for the enclosure, extension and canopy to the garden centre are as per those originally approved, however the canopy area originally permitted to the eastern building has been removed as part of the proposed site plan. The proposal still includes the removal of predominantly lightweight and temporary structures such as polytunnels and cabins. This current application details have that these have already been removed from the site. As detailed within the committee report for the original consent, the proposed replacement development is more closely sited to the existing established building group, and the amalgamation of built form through the removal of existing structures across the site weighs in favours in terms of impact upon the openness of the Green Belt. This is particularly the case given the removal of an element of the approved canopy area through the site plan of the current variation of conditions application.
- 7.4.2 The external sales area, service yard and changing displays area is to be bound by a 2 metre tall timber hit and miss fence, similar in scale to existing, with a 1 metre tall equivalent to the west boundary to the site, again similar in height and materials to existing. The vehicular access surface is to be finished in rolled asphalt, whilst the parking areas and pavements are to be finished in bitmac. The ground beneath the covered canopy area and those around the built form are to be block paved surfaces.
- 7.4.3 The original site plan included a surface treatment to the sales area to be block paved over 1,100sq.m, with a further 738sq.m gravel sales area. Under the amended proposal, 1,034sq.m of the external sales area and a further 251sq.m of service yard is to be concrete surface. The proposed service yard is half the area of that originally permitted. The concrete surface material has been chosen to allow the recycling of greywater, to be captured and then collected in a 121cb.m above ground tank, at a maximum height of 2 metres tall, within the service yard bounded by a 2 metre tall hit and miss fence. This recaptured water can then be used again to water plants at the garden centre, reducing the water consumption of the site. Any excess water is to be directed to the 187cb.m underground cellular storage tank with a hydrobrake and 7.7l/s flow to the network. The remaining changing displays area is

to continue to be turfed. Overall, although gravel and block paving may provide a softer and more natural appearance than concrete, this material will only be visible from within the site, and viewed in the context of garden centre products for sale in this area, within no visual impact from external perspectives. In addition, the varied proposed includes the retention of a larger area remaining turfed, and the variation to surface materials is to improve the environmental sustainability of the site through recycling greywater. Therefore, the surface materials through this variation are considered to be acceptable.

7.4.4 Although the approved extension is proportionate in scale and finished in appropriate materials, given the increase built form and visibility within the Green Belt, this development will have a greater impact on the openness of the Green Belt than the existing development. Substantial weight is given to any harm to the Green Belt, and this should be mitigated and balanced against the positives of the proposal, as detailed within the concluding paragraph 9.1 of this report.

7.5 Impact upon trees and hedgerows

7.5.1 There are a large number of existing trees and hedgerows within the site, as detailed in the submitted Arboriculturalist's Report. The arboricultural details approved through the original consent are unchanged through this current variation of conditions application.

7.5.2 The current variation includes a proposed landscaping scheme for planting to mitigate the loss of 17 existing trees, one of which is a B2 class tree. The proposed planting is slightly in excess of the council's 3:1 planting ratio, with four to the western boundary to soften this visible elevation, as recommended in the original Arboriculturalist's Report. Three trees are proposed to the south of an existing building, with the majority of planting to the north east of the site around the proposed formalised parking area. The proposed trees are a mix of native trees of rowan, bird cherry, wild cherry, silver birch, crab apple and hawthorn, with non-native species of Himalayan birch, Japanese rowan, Swedish whitebeam. Subject to the planting being implemented in the first planting season following first use or completion of the development, the proposed planting is considered to satisfactorily mitigate the removal of existing trees. This planting will soften the appearance of the developments from some public perspectives.

7.6 Highways and Parking

7.6.1 The site has an existing parking provision of 51 vehicle spaces and additional staff parking, which the submitted Design and Access Statement declares as insufficient for the existing use. The proposed parking is to include 78 car parking space, 8 of which are accessible parking provision, 2 electrical charging parking spaces, motorcycle parking provision and 6 bicycle parking stands under the proposed canopy to the garden centre. Through this current variation of conditions, the proposed deliveries area is to be provided exclusively to the front of the site, with delivery vehicles to make a 3-point turn within part of the access and customer parking area in the northern section of the site, as opposed to the circular turnaround space previously approved. The proposed accessible parking provision is to be doubled near the entrance to the building, but removing customer parking from the entrance to the site. The majority of parking and overflow/staff parking is towards the north of the site through the current proposal.

7.6.2 Overall, the total car parking provision proposed is the same as previously approved, and although the parking, deliveries and vehicles turning arrangements have been altered, these are still all within the site, raising no concern regarding impact upon the highway. A consultation response has yet to be received from County Highways regarding the proposed alteration to parking and deliveries, and this will be reported to planning committee via an update or verbally at committee. The car parking provision is to increase by 27 through the proposal. The proposal adhere to the parking standards in Appendix B of the Development Management DPD (applying retail warehouse standards given the works are to sales areas), and therefore the proposed parking and service yard area is consider to offer sufficient provision to cause no severe impact upon the highway. The implementation and retention of this parking provision should be controlled through planning condition.

7.6.3 The variation to conditions 3 and 7 seeks for the submitted information relating to construction management and road signs and markings either side of the bridge on Mill Lane to be assessed. This information was required through these conditions on the original consent. County Highways have responded that the proposed construction management is acceptable, which details a number of health

and safety methods, and the closure of the garden centre to the public during construction of the development. The proposed off-street highway improvements meets the requirements of road signs and marking either side of the bridge relating to speed and pedestrians in the highway due to lack of footpaths, and therefore the submitted details are considered to meet the requirements of both these aspects, resulting in no undue harm to the public highway network

7.7 Residential Amenity

7.7.1 The application site is within a small building group of predominantly residential properties, immediately north of an existing dwellinghouse under the same ownership as the garden centre. There are a number of dwellinghouses to the opposite south side of Mill Lane, whom may notice an increase in vehicular movements to and from the site following implementation of the development. However, this would not be to the detriment of residential amenity. The current proposed variation of conditions will have no discernible difference upon residential amenity impact than the original consent, which is still considered to be acceptable. No public consultation response received to the original permission or this variation application to date through the neighbour notification process, site notices or publication in the local newspaper.

8.0 Planning Obligations

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

9.0 Conclusions

9.1 The site already has consent to expand upon an established garden centre use, facilitating the continuation of this business within its existing site, which represents an economically sustainable development. The benefits of the proposal outweigh the substantial weight given to the impact on the openness of the Green Belt, especially given the reduced built form proposed by virtue of the removal of the existing scattered structures and the removal of part of the canopied area previously granted consent. The alterations to parking, deliveries, turning areas and surface materials are considered to have no severe impact upon the highway, and no additional impact upon the openness of the Green Belt than the original consent at the site. Further information submitted regarding off-site highway works, construction method and proposed tree planting and landscaping are considered to be acceptable, subject to the implementation of these details as part of the proposal.

Recommendation

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

1. Removed – Development has begun on site
2. Development to be carried out in accordance with the varied plans
3. Implement construction management plan, site closed throughout the development on site
4. Implementation of approved Arboricultural Implications Assessment through original permission
5. Polytunnels and structure indicated on site plan removed permanently, resurfaced in accordance with plans prior to first use or completion
6. Implement off-site highway improvements prior to first use or completion
7. Amended parking provision and service yard provided in full prior to first use or occupation and retained for this purpose
8. Implementation of approved landscaping scheme and maintained and retained at all times thereafter
9. Sales area and café seating area as per floorplan. Café use incidental to main use and only open to public when garden centre is trading. Restriction for the sales of plants and garden related items only.

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

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

relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None

Agenda Item	Committee Date	Application Number
A12	16 September 2019	17/00965/VCN

Application Site	Proposal
Land At The Hayloft Barn Ashton Road Ashton Lancashire	Change of use of land to touring caravan site, erection of a facilities building, associated re-grading of land, landscaping, formation of access road, lay-bys and cycle link, and creation of wildlife pond (pursuant to the variation of conditions 2, 4, 6, 7 and 15 on planning permission 12/00212/CU to vary the timescales for the creation of the wildlife pond and implementation of the landscaping scheme, to amend the location of the link to the cycleway/footpath and for the addition of a vehicle barrier and bin compound)

Name of Applicant	Name of Agent
Mr Roger Clark	Simon Gillespie

Decision Target Date	Reason For Delay
Extension of time agreed	Amended details and description

Case Officer	Mrs Eleanor Fawcett
Departure	No
Summary of Recommendation	Approval following the signing of a Deed of Variation

(i) **Procedural Matters**

This form of development would normally be dealt with under the Scheme of Delegation. However, a request was made in respect of the original application by Councillor Charles for the application to be reported to the Planning Committee due to concerns about the increase in vehicle movements as a result of the cycle link not being in place, which was fundamental to approval being originally granted.

The application was reported to the Planning Committee on 5 February 2018 and it was resolved that consent be granted for the proposal following the signing of a legal agreement in relation to the occupation of the caravan site. Whilst waiting for the legal agreement to be finalised and signed it has been confirmed that the applicant does not have full control of the land where a link to the path along the Lune Estuary was proposed. As a result, the applicant cannot comply with this condition so the application is being reported back to the Committee in order to consider the removal of this requirement and an alternative link.

1.0 The Site and its Surroundings

1.1 The site is located to the south east of Ashton Hall and is accessed via a private road off Ashton Road, which also serves a number of residential dwellings, a garden centre and leisure complexes. It comprises an irregular shaped parcel of land (approximately 2.15 hectares) occupying the eastern portion of a field adjacent to Long Plantation (mixed woodland), together with a smaller triangular parcel of land (approximately 0.09 hectares) around 230 metres further west towards the estuary. The private road also forms part of the application site. An access, areas of hardstanding and a facilities building have been created as part of the previously approved consent for a touring caravan site. It is understood that the site is now operational.

1.2 The main part of the site is bound by the private road to the north, dense mature woodland to the east (Long Plantation), and open undulating agricultural land to the south and west. The woodland is protected by a Tree Preservation Order (TPO). There are also a number of individual and groups of trees along the access road that are covered by TPOs. The site is also within the District's Countryside Area, and is close to the Lune Estuary Site of Special Scientific Interest (SSSI). This SSSI is part of the Morecambe Bay Special Area of Conservation (SAC), Special Protection Area (SPA), and Ramsar site.

2.0 The Proposal

2.1 Planning permission has been previously granted for the change of use of the larger parcel of land from agriculture to a touring caravan site comprising 26 pitches. This proposal involved:

- Cutting and filling of the land to provide appropriate levels for the proposed pitches;
- The construction of a single storey facilities building to provide ancillary toilets and showers for visitors;
- The construction of an access road within the site;
- The formation of lay-bys along the private road linking the site with Ashton Road;
- Landscaping (including the creation of a wildlife pond); and
- The creation of a link to the existing cycle path which occupies the former railway line to the west (this is proposed within the smaller parcel of land).

2.2 The current application seeks to vary several of the conditions on the original consent. This is to allow the installation of an automatic vehicle barrier and a delay in the implementation of the landscaping, pond and the cycle link. The vehicle barrier and associated railings, kerb and operating console have already been installed at the entrance to the main part of the caravan site and are set back slightly from the private road. Adjacent to this was a timber enclosure to provide storage for bins and was also to be covered by the current application. However, this has now been removed. The pond and cycle link were all conditioned to be provided prior to first use, with the landscaping provided in the first planting season following completion of the development or first occupation/use. The pond has now been created and some of the landscaping but not all.

2.3 The cycle link has not been created as there is a tenant who has rights to the land. The application, as previously reported to committee, proposed a delay of two years for the creation of this link to allow for legal proceedings. Unfortunately, the applicant will not be able to create the link over this land and as such is proposing a link across other land within his ownership. This adjoins the south west corner of the site and goes through a field and woodland area. No development is proposed to create this link and as such it has not been included within the red line site boundary.

3.0 Site History

3.1 There is an extensive planning history relating to the Ashton Hall Estate, but the most relevant to this proposal is planning consent 12/00212/CU for the change of use of land to touring caravan site, erection of a facilities building, associated re-grading of land, landscaping, formation of access road, lay-bys and cycle link, and creation of wildlife pond. This was approved following the refusal of a previous application for a similar scheme (11/00548/CU). The resubmission involved minor changes to the vehicular access (which in fact showed the access as it existed on site), and additional detail in respect of the cycle track.

Application Number	Proposal	Decision
12/00212/CU	Change of use of land to touring caravan site, erection of a facilities building, associated re-grading of land, landscaping, formation of access road, lay-bys and cycle link, and creation of wildlife pond (Re-submission of 11/00548/CU)	Approved
11/00548/CU	Change of use of land to touring caravan site, erection of a facilities building, associated re-grading of land, landscaping, formation of access road, lay-bys and cycle link, and creation of wildlife pond	Refused against Officer recommendation.

11/0043/TPO	Trees within W1 – trimming of branches overhanging driveway and removal of epicormic growth at base of trees	Approved
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4.0 Consultation Responses

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

Consultee	Response
Parish Council	No comments received during the statutory consultation period to the original or amended proposal.
County Highways	The signage has been agreed and should be installed by October 2017. No comments received during the consultation period in relation to the amended cycle link.
Environmental Health	No comments received during the statutory consultation period.
Tree Protection Officer	Delaying the cycle link would inevitably have an impact upon the delivery of the approved landscaping scheme (and the cycle link element especially). It is unclear whether the proposed addition of a vehicle barrier and bin compound would have potential for an adverse impact on existing trees and hedges.
Natural England	No comments to make.

5.0 Neighbour Representations

5.1 Six pieces of correspondence were originally received objecting to the proposal and raise the following concerns:

- Inappropriate design of vehicle barrier;
- The original application was only granted because of the proposals to create the pond and access to the cycle track/ footpath and these should be required before the site is brought into use;
- No guarantee that the cycle link can be created because of a tenant on the land and this will result in an increase in vehicle movements, with the only access via Ashton Road.;
- An application for a single dwelling has been recently refused because of lack of amenity and no access to the cycle track;
- Concerns whether the lake will be created;
- The applicant has had adequate time to provide the highway signage; and
- Little landscaping has been undertaken and some trees have been removed at the roadside.

5.2 Neighbour notifications were sent following an amended ownership certificate, before the application was previously reported to committee. A further piece of correspondence was received objecting to the proposal and sets out the following concerns:

- Slow moving traffic will potentially exacerbate existing dangerous highway conditions;
- There is no guarantee that the cycle link can be created; and
- Interests in the land were not previously declared

5.3 Two pieces of correspondence have been received in relation to the notice that has been served on them as a party with an interest in part of the site. One raises an objection on behalf of the tenant of the land where the footpath link was proposed. The other is in support of the proposal on behalf of Ripway Properties Ltd. who own the south west corner of the field and the adjoining private roadway.

5.4 One piece of correspondence has been received in support of the application from the operators of Ashton Hall Caravan Park.

5.5 Further neighbour notifications were sent in relation to the amended proposal, incorporating the changes to the link to the Lune Estuary cycle and footpath, and the amended description. No comments have been received in relation to the proposed changes.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraphs 83 and 84 – Supporting a prosperous rural economy
Paragraph 109 - 110 – Access and Transport
Paragraphs 124 and 127 – Achieving well-designed places
Paragraph 170 – Protecting valued landscapes
Paragraphs 170,175 and 176 – Protecting and enhancing biodiversity

6.2 Local Planning Policy Overview – Current Position

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

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

The Examination Hearing Sessions commenced on 9 April 2019.

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

The Review of the Development Management DPD updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making.

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

6.3 Lancaster District Core Strategy (adopted July 2008)

SC1 – Sustainable Development
SC5 – Achieving Quality in Design

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

E4 – Countryside Area

6.5 Development Management Development Plan Document (DM DPD)

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

6.0 Comment and Analysis

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

- Highway Safety Issues
- Landscape and Visual Impact
- Residential Amenity

- Ecological Issues

7.2 Highway Safety Issues

- 7.2.1 The application originally sought to vary the timescales for the implementation of signage on Ashton Road, to direct visitors to the site, and the creation of the link to the cycleway. In relation to the signage, this has now been implemented. As set out above, the applicant is now seeking to provide a different link to the Lune Estuary path through other land in his ownership. The previous link was proposed approximately 230 metres to the west of the main part of the site, off the existing access road, across a triangular piece of agricultural land. It involved the laying approximately 60 metres of hardstanding at a width of 3 metres.
- 7.2.2 The proposed alternative link would extend from the southwest corner of the caravan site and cross through the fields and woodland, for approximately 130 metres. This is not proposed to be hard surfaced, however there is a clear footpath through the fields and wooded area to the west of the caravan site. The path is outside the red edge of the application submission, however as no development is proposed and it is within the applicant's ownership, it can be conditioned that this link is retained in a clear and useable condition at all times. Whilst this would be more akin to an informal footpath than a hard-surfaced, fully accessible path, given the relatively small scale of the caravan park and the reasonably short distance, this is considered to be sufficient to serve the proposed development and will give people staying at the site a suitable off road alternative to accessing the Lune Estuary path. As was set out in the previous committee report, whilst a formal link to the cycleway is desirable, it was not considered essential to make the original proposal acceptable.

7.3 Landscape and Visual Impact

- 7.3.1 Some alterations have been made to the access off the private road to the main part of the caravan site that were not covered by the original consent, but have already been considered in the previous committee report for the current application. These include the installation of a vehicle barrier and operating consoles on either side, in addition to associated kerbs and railing, and a timber enclosure for bin storage. The barrier is red and white, the posts for the barrier and consoles were red, and the railings light grey. There were concerns that these alterations are quite formal and give an urban appearance to the site's entrance, in contrast to its rural location. In this location a timber barrier or field gate would be most appropriate, and could still be automated.
- 7.3.2 In response to the concerns, the metal railings and most of the infrastructure in relation to the barrier has been painted a matt black colour which has softened its appearance. The vehicle barrier is still red and white and the top of the control box is white. Whilst not ideal, this has significantly reduced the visual impact. The agent raised concerns about painting it a more subdued colour as it may not be visible to people accessing the site and could cause accidents. Therefore, on balance, it is considered acceptable given the limited views of the site access.

7.4 Residential Amenity

- 7.4.1 The private road, which provides access to the site, passes a number of residential properties, but the main part of the site does not lie immediately adjacent to these. It is considered that the alterations to the scheme, including the alteration of the cycle link and the delay in creation of the pond and implementation of the landscaping, would not have an unacceptable impact on the amenities of these residential properties.

7.5 Ecological Issues

- 7.5.1 The landscaping scheme, approved as part of the previous application, also included the creation of a new wetland habitat which went beyond mitigation and would constitute an enhancement to the local biodiversity. This element of the scheme fully accords with paragraph 175 of the NPPF in relation to biodiversity. The current application sought to vary the implementation of this to allow it to be created within the next two years rather than before operation. Given the time since the application was previously reported to Planning Committee, this has now been created, although the landscaping has not been fully implemented. In terms of the landscaping, it would be reasonable to condition that this is planted within 6 months of the consent, given that it is almost the next planting season.

8.0 Planning Obligations

8.1 In relation to the previous consent, the applicant entered into a Section 106 Obligation in order to control the use of the development and the number of pitches within it. As such, a Deed of Variation will be required to link it to this consent.

9.0 Conclusions

9.1 The alternative link to the Lune Estuary path is considered to be acceptable as a suitable, alternative off road route to this recreational route, given the relatively small scale of the caravan site. It is considered that the scheme as amended would not have a detrimental impact to highway safety, residential amenity, biodiversity or character and appearance of the area.

Recommendation

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

1. Development to accord with approved plans
2. Approved details – finish to facilities building, surfacing materials for access and hardstanding, external lighting, boundary treatments
3. Retention of laybys in accordance with plan
4. Retention of bio-disk treatment plant
5. Creation/ retention of cycle link with information on this link clearly available/visible to people staying at the site.
6. Implementation of approved landscaping scheme including maintenance
7. Caravan site limited to 26 touring caravans
8. No storage of caravans
9. No residential occupation of caravans; bound register to be kept with evidence of site users main residences.

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

LANCASTER CITY COUNCIL

APPLICATION NO	DETAILS	DECISION
18/01090/VLA	Former Chicken Farm, Kirkby Lonsdale Road, Over Kellet Variation of legal agreement attached to planning permission 15/00896/OUT to remove the requirement for an affordable housing contribution for Mr John Collis (Kellet Ward 2015 Ward)	Application Withdrawn
18/01091/FUL	Nutshell Barn Hazel Grove Farm, Milnthorpe Road, Yealand Redmayne Erection of a replacement conservatory for Mr Malcolm Humpage (Silverdale Ward 2015 Ward)	Application Permitted
18/01207/FUL	Development Land - Plot 1 And 2, Kirkby Lonsdale Road, Over Kellet Erection of two 2-storey detached dwellings (C3) with associated access for Mr & Mrs John and Anne Collis (Kellet Ward 2015 Ward)	Application Permitted
18/01376/VCN	Land Adjacent Appletree Barn, 34 Wennington Road, Wray Erection of five 2-storey detached dwellings (C3) with associated accesses (pursuant to the variation of conditions 2 and 10 to amend the appearance of the dwellings and parking layout on planning permission 18/00237/FUL) for Mr A Livesey (Lower Lune Valley Ward 2015 Ward)	Application Permitted
19/00070/DIS	Lancaster University, Bigforth Drive, Bailrigg Discharge of condition 7, 8 and 11 on approved application 18/01160/VCN for Mr Stuart Foy (University And Scotforth Rural Ward)	Application Permitted
19/00100/DIS	Land At OSGR E351057 N464848, Low Road, Halton Discharge of condition 8 on approved application 17/01423/REM for Mr Warren Cadman (Halton-with-Aughton Ward 2015 Ward)	Application Permitted
19/00101/DIS	1D Queen Street, Lancaster, Lancashire Discharge of conditions 3 and 4 on approved application 19/00187/FUL for Mr Jonathan Whitford-Bartle (Castle Ward 2015 Ward)	Application Permitted
19/00102/DIS	Rose Garth, Stanmore Drive, Lancaster Discharge of conditions 3, 4, 5 and 6 on approved application 18/00312/FUL for Mrs Barbara Vollands (Scotforth West Ward 2015 Ward)	Application Permitted
19/00104/DIS	Low Abbey, Bay Horse Lane, Bay Horse Discharge of condition 3 on approved application 18/01373/REM for Mr Michael Stainton (Ellel Ward 2015 Ward)	Application Refused
19/00106/DIS	48 Albert Road, Morecambe, Lancashire Discharge of part of condition 3 on approved application 18/01585/FUL for Mrs Anna Hainsworth (Harbour Ward 2015 Ward)	Split Decision
19/00113/DIS	St Marys Church, Borwick Lane, Borwick Discharge of condition 3 on approved application 18/01012/FUL for Rev Robin Figg (Kellet Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

19/00114/DIS	The Travellers Choice, Coach And Travel Centre, Scotland Road Discharge of condition 4 on approved application 16/01245/FUL for Mr John Shaw (Carnforth And Millhead Ward 2015 Ward)	Application Refused
19/00119/DIS	Development Land North 49, Hazelmount Drive, Warton Discharge of condition 3 on approved application 18/00141/REM for Mr & Mrs Spencer (Carnforth And Millhead Ward 2015 Ward)	Split Decision
19/00120/DIS	Poplar Farm, Gulf Lane, Cockerham Discharge of conditions 3, 4 and 8 on approved application 18/01499/FUL for Mr Carter (Ellel Ward 2015 Ward)	Application Permitted
19/00124/DIS	Lane House Farm, Kirkby Lonsdale Road, Arkholme Discharge of conditions 3 and 4 on approved application 17/01460/REM for Mr & Mrs Cornall (Kellet Ward 2015 Ward)	Application Permitted
19/00207/FUL	Windy Howe, Hutton Roof Road, Whittington Erection of a single storey rear extension for Mr & Mrs S Williams (Upper Lune Valley Ward 2015 Ward)	Application Permitted
19/00222/FUL	Lancaster University, Bigforth Drive, Bailrigg Creation of pathway linking Bigforth Drive to the Health Innovation Campus and associated drainage scheme for Mr Ian Sturzaker (University And Scotforth Rural Ward)	Application Permitted
19/00228/FUL	Lowell House, Caton Road, Lancaster Retrospective application for change of use of an industrial unit (B2) to a retail unit (A1) and the erection of a canopy to the front for Mr John Aspden (Bulk Ward 2015 Ward)	Application Refused
19/00321/FUL	29 Brentlea Crescent, Heysham, Morecambe Erection of a part single storey part two storey rear extension, two storey side extension and front porch for Mr D. Patterson (Heysham South Ward 2015 Ward)	Application Permitted
19/00401/FUL	Brooklands Buildings, Addington Road, Halton Erection of single storey extension to storage building, part retrospective application for creation of bunds and retrospective application for erection of timber framed office building and boiler house and creation of a car park for Mr Talbot (Kellet Ward 2015 Ward)	Application Permitted
19/00442/CU	11 Graham Street, Morecambe, Lancashire Change of use of dwelling (C3) to supported living accommodation (C2) for Mrs Sabe Connor (Poulton Ward 2015 Ward)	Application Withdrawn
19/00471/VCN	Agricultural Building Adj Disused Railway, Station Road, Hornby Erection of 9 dwellings and associated access (pursuant to the variation of condition 1 and removal of condition 4 on planning permission 16/01081/VCN to remove the pedestrian footway along the site boundary) for Ian Beardsworth (Upper Lune Valley Ward)	Application Refused
19/00529/OUT	Land At Fenham Carr Lane/Wyresdale Road, Lancaster, Lancashire Outline application for the erection of 11 dwellings with associated access for Cassidy + Ashton Group Ltd. (John O'Gaunt Ward 2015 Ward)	Application Refused

LIST OF DELEGATED PLANNING DECISIONS

19/00563/NMA	Land Opposite Greendale Drive, Mill Lane, Warton Non Material amendment to reserved matters consent 15/00720/REM to change the driveway to plots 9 and 14 for Mr Byron Wilson (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
19/00564/ADV	21-25 North Road, Lancaster, Lancashire Advertisement application for the display of 2 externally illuminated fascia signs, 2 non-illuminated fascia signs and 1 externally illuminated hanging sign for Mr John Clarke (Bulk Ward 2015 Ward)	Application Permitted
19/00566/FUL	Street Record, Ball Lane, Caton Erection of a 2 storey dwelling with attached garage, creation of a vehicular access point and installation of surface water drainage infrastructure for Mr & Mrs Birkett (Lower Lune Valley Ward 2015 Ward)	Application Refused
19/00597/FUL	2 - 8 Euston Road, Morecambe, Lancashire Change of use of retail unit (A1) to mixed use unit comprising of retail to the ground floor and part of first floor (A1), 8 1-bed flats (C3) and 2 studio flats to the first, second and third floors and erection of a fourth floor extension to form 1 2-bed flat with external alterations including the installation of a new shop front, construction of balconies to the front, replacement windows to all elevations, new doors to the front, rear and side and a parapet wall to the roof's perimeter. for Mr Shakeel Abbas (Poulton Ward 2015 Ward)	Application Permitted
19/00624/FUL	Royal Kings Arms Hotel, 75 Market Street, Lancaster Erection of a bin store, installation of replacement first floor window to the east elevation, alterations to parking layout and creation of garden area for Mr Tony Flanagan (Castle Ward 2015 Ward)	Application Permitted
19/00625/LB	Royal Kings Arms Hotel, 75 Market Street, Lancaster Listed building application to repair and reinstate existing entrance steps, installation of replacement first floor window to the east elevation, internal alterations to room 303 including works to internal walls and partition and extension of ensuite for Mr Tony Flanagan (Castle Ward 2015 Ward)	Application Permitted
19/00628/FUL	Lowood, Lindeth Road, Silverdale Demolition of existing garage and erection of single storey side extension and suntube for Mr & Mrs Tom Forshaw (Silverdale Ward 2015 Ward)	Application Permitted
19/00646/FUL	The Reading Room, 94 Main Street, Wray Erection of a timber shed for Mr Peter Foster (Lower Lune Valley Ward 2015 Ward)	Application Permitted
19/00655/FUL	Rear Of 58 Wellington Road, Lancaster, Lancashire Change of use and conversion of existing workshop to dwelling (C3), construction of raised roof and erection of a two storey side and front extension for Mr Wilkinson (Scotforth West Ward 2015 Ward)	Application Refused

LIST OF DELEGATED PLANNING DECISIONS

19/00675/VCN	Capernwray Diving Centre, Jackdaw Quarry, Capernwray Road Outline application for 15 holiday homes (pursuant to the variation of condition 9 on planning permission 04/00877/OUT to allow ground clearance and investigations to be undertaken in advance of the submission of foul and surface water details) for Mrs Carol Hack (Kellet Ward 2015 Ward)	Application Permitted
19/00685/FUL	Taps On The Green, 77 Kellet Road, Carnforth Change of use of Public House (A4) to mixed use unit comprising a Public House (A4) and one 1-bed flat (C3) at ground floor level and one 1-bed flat and one 2-bed flat (C3) at first floor level, and installation of new door and window to the front elevation for Mr & Mrs D & A.M Dixon (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
19/00690/FUL	Redwell Fisheries, Kirkby Lonsdale Road, Arkholme Change of use of an existing storage building (B8) to a dwelling (C3),excavation of land, construction of bridge to east elevation, installation of a raised roof incorporating dormers, balconies and flue, erection of detached garage and associated landscaping for Miss T Hall (Kellet Ward 2015 Ward)	Application Withdrawn
19/00695/FUL	11 The Spinney, Lancaster, Lancashire Erection of two storey side and rear extension incorporating a first floor extension above existing garage and a single storey rear extension and installation of a bay window to front elevation for Mr & Mrs J McMullen (John O'Gaunt Ward 2015 Ward)	Application Permitted
19/00710/FUL	Land North Of Ashford House, Ashton Road, Lancaster Retrospective application for the retention of a storage building and conversion of storage building to two holiday let units for Mr N Berry (Scotforth West Ward 2015 Ward)	Application Refused
19/00716/FUL	Wood House, Home Farm Close, Wray Erection of a single storey rear extension and construction of a terraced area for Mr & Mrs P Wilson (Lower Lune Valley Ward 2015 Ward)	Application Permitted
19/00717/FUL	27 Colchester Avenue, Lancaster, Lancashire Erection of a first floor extension over existing garage for Mr & Mrs Daniel Smith (John O'Gaunt Ward 2015 Ward)	Application Permitted
19/00724/VCN	Stone Bank Barn, Adjacent To Main Street, Cockerham Conversion of agricultural barn to two 4-bed residential dwellings (C3), change of use of agricultural land to domestic curtilage, excavation of site levels erection of a single storey side extension, erection of a detached double garage and store and creation of an access track (pursuant to variation of condition 1 on planning application 18/00922/VCN to amend the approved plans) for Mr Mark Drinkall (Ellel Ward 2015 Ward)	Application Refused
19/00737/FUL	Addington Lodge, Addington Road, Nether Kellet Demolition of existing stable buildings and barn and erection of 3 business units (Class B1a) and bin store for Mr Adrian Gott (Kellet Ward 2015 Ward)	Application Withdrawn

LIST OF DELEGATED PLANNING DECISIONS

19/00749/FUL	17 Yealand Drive, Lancaster, Lancashire Installation of a raised replacement roof including two hip to gable extensions, dormer extensions to the front and rear elevations, erection of a front porch, single storey side extension and regrading of land to create a parking area for Mr I McIntosh (Scotforth East Ward 2015 Ward)	Application Permitted
19/00751/FUL	1 Dallam Avenue, Morecambe, Lancashire Erection of a single storey rear and side extension for Mr & Mrs M. Howson (Poulton Ward 2015 Ward)	Application Permitted
19/00757/FUL	Norbreck Farm, Hillam Lane, Cockerham Erection of an agricultural building to accommodate livestock for Mr Halhead (Ellel Ward 2015 Ward)	Application Permitted
19/00759/FUL	Whiteacre, Halton Road, Halton Erection of part single and part two storey outbuilding for Mr M Tattersall (Halton-with-Aughton Ward 2015 Ward)	Application Permitted
19/00761/LB	Basement Floor, 21 Castle Hill, Lancaster Listed building application for the tanking of internal walls, the removal of an internal wall and installation of new flooring for Mr Bargh (Castle Ward 2015 Ward)	Application Permitted
19/00763/PLDC	74 Chequers Avenue, Lancaster, Lancashire Proposed lawful development certificate for the construction of a raised decking area and erection of associated boundary fencing to the front elevation for Mrs R. Stevenson (John O'Gaunt Ward 2015 Ward)	Lawful Development Certificate Granted
19/00768/FUL	Brookside, Whams Lane, Bay Horse Demolition of agricultural building, erection of a detached dwelling (C3), a garage / workshop, installation of solar array panel, erection of two polytunnels and creation of an attenuation pond for Mr Ken Parker (Ellel Ward 2015 Ward)	Application Permitted
19/00776/FUL	55 Yealand Road, Yealand Conyers, Carnforth Erection of a single storey side extension to dwelling and erection of a single storey side extension to garage for Mr & Mrs Morgan (Warton Ward 2015 Ward)	Application Permitted
19/00778/FUL	Nordean, Lancaster Road, Slyne Construction of a raised terrace with balustrade to the rear for Mr Daniel Sailer (Bolton And Slyne Ward 2015 Ward)	Application Permitted
19/00780/FUL	Riverdale Cottage, Holme Lane, Brookhouse Removal of existing swimming pool, erection of a single storey side/rear extension and side canopy for Mr Mark Hobbs (Lower Lune Valley Ward 2015 Ward)	Application Permitted
19/00794/FUL	118 Balmoral Road, Morecambe, Lancashire Construction of a dormer extension to the rear elevation and first floor window to the side elevation for Ms D Crisp (Harbour Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

19/00795/LB	130 Main Street, Warton, Carnforth Listed building application for the construction of a replacement roof, render and pointing, installation of secondary glazing to an external window, external rainwater goods and an internal door, removal of internal fireplace, replacement of timber flooring fabric and repairs to dormer extension for Mr Rex Ambler (Warton Ward 2015 Ward)	Application Permitted
19/00796/FUL	Lancaster University Sports Courts, Bigforth Drive, Bailrigg Erection of six 18 metre high LED floodlights with associated works for Lancaster University (University And Scotforth Rural Ward)	Application Permitted
19/00797/FUL	2 Borwick Court, Borwick, Carnforth Demolition of existing garage, erection of a single storey side extension and a two storey side extension, construction of a dormer extension to side elevation and a chimney to side elevation and creation of new vehicular access for Mr Mark Thewlis (Kellet Ward 2015 Ward)	Application Permitted
19/00801/FUL	Sunningdale, Holme Lane, Brookhouse Erection of a 1.9m fence and change of use of grass verge to domestic garden for Mr & Mrs N Whiley (Lower Lune Valley Ward 2015 Ward)	Application Permitted
19/00805/ADV	Greaves Park, Bowerham Road, Lancaster Advertisement application for the display of 2 non-illuminated wall mounted signs, 2 externally illuminated freestanding signs, 1 externally illuminated post mounted sign and 1 non-illuminated plaque for Mr Devlin (Scotforth West Ward 2015 Ward)	Application Permitted
19/00806/LB	Greaves Park, Bowerham Road, Lancaster Listed building application for the fitting of 2 non-illuminated wall mounted signs and 1 non-illuminated plaque for Mr Devlin (Scotforth West Ward 2015 Ward)	Application Permitted
19/00810/ADV	The Keys, Main Road, Slyne Advertisement application for the display of 2 externally illuminated wall mounted signs, 3 externally illuminated freestanding signs, 1 externally illuminated post mounted sign, 1 externally illuminated hanging sign and 1 non-illuminated plaque for Mr Devlin (Bolton And Slyne Ward 2015 Ward)	Application Permitted
19/00814/VCN	Coach House, Crag Road, Warton Change of use of existing garage, boat store and outbuilding to a 2 storey dwelling (C3), erection of a first floor extension with new raised roof above, relocation of existing vehicular access point and parking area (pursuant to the variation of conditions 2 and 5 on planning permission 17/00647/FUL to amend the plans and materials and provide details of the drainage system) for Mr R Graveson (Warton Ward 2015 Ward)	Application Permitted
19/00816/PLDC	16 Westminster Avenue, Morecambe, Lancashire Proposed lawful development certificate for the construction of a dormer extension to the rear elevation for Mr M. Graczyk (Harbour Ward 2015 Ward)	Lawful Development Certificate Granted

LIST OF DELEGATED PLANNING DECISIONS

19/00817/FUL	13 Eagle Close, Heysham, Morecambe Erection of a single storey rear extension and construction of a dormer extension to the rear elevation for Mr & Mrs M. Aldren (Heysham South Ward 2015 Ward)	Split Decision
19/00819/FUL	190 Albert Road, Morecambe, Lancashire Erection of a 2 storey rear and side extension and a front porch for Mrs P. Mundy (Harbour Ward 2015 Ward)	Application Refused
19/00820/FUL	Swarthdale Farm Stables, Swarthdale Road, Over Kellet Creation of an access track for Mr Frank Huddleston (Kellet Ward 2015 Ward)	Application Permitted
19/00823/ELDC	Riverbank Cottage, Burrow Road, Burrow Existing Lawful Development Certificate for the continued use of outbuilding as a single dwelling for Mr William Eglin (Upper Lune Valley Ward 2015 Ward)	Lawful Development Certificate Granted
19/00833/FUL	2 Throstle Walk, Slyne, Lancaster Installation of a raised replacement roof, construction of two hip to gable extension and a dormer extension to the rear elevation for Mr & Mrs D. Hutton (Bolton And Slyne Ward 2015 Ward)	Application Permitted
19/00834/FUL	3 St Margarets Road, Morecambe, Lancashire Partially retrospective application for the excavation of land to create a rear and side basement extension and construction of a raised terrace with balustrade and external steps to the rear for Mr John Cross (Bare Ward 2015 Ward)	Application Permitted
19/00836/FUL	6 Nether View, Wennington, Lancaster Erection of a first floor side extension for Mr James Hodkinson (Upper Lune Valley Ward 2015 Ward)	Application Permitted
19/00837/ADV	Williamson Court, 142 Greaves Road, Lancaster Advertisement application for the display of 2 non-illuminated double sided "V" board signs, 2 non-illuminated directional signs, 2 non-illuminated wall mounted signs and 3 non-illuminated flagpoles. for McCarthy & Stone Retirement Lifestyles Ltd (Scotforth West Ward 2015 Ward)	Application Refused
19/00843/FUL	Trust Medical Vehicle Services Ltd, Unit 5 And 6, Southgate Trade Park Change of use of industrial units (B8) to gymnasium (D2) with associated alterations to front elevation and car park layout, erection of cycle shelter to front and creation of a pedestrian access for JD Sports Fashion Plc (Westgate Ward 2015 Ward)	Application Refused
19/00844/LB	The Keys, Main Road, Slyne Listed building application for the display of 2 externally illuminated wall mounted signs, 1 externally illuminated hanging sign, 1 non-illuminated plaque, 3 floodlights and 1 lantern for Mr Devlin (Bolton And Slyne Ward 2015 Ward)	Application Permitted
19/00846/FUL	Padeswood, Westbourne Drive, Lancaster Erection of a single storey rear extension and a side porch and construction of a dormer extension to the rear elevation and a hip to gable and bay window extension for Mr & Mrs Waugh (Marsh Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

19/00848/FUL	21 Sycamore Road, Brookhouse, Lancaster Erection of a first floor side extension and a single storey rear extension for Mr William Ingle & Miss Claire Green (Lower Lune Valley Ward 2015 Ward)	Application Permitted
19/00849/ADV	Milestone, Cantsfield Road, Cantsfield Advertisement application for the display of a non-illuminated post mounted sign for Craven District Council (Upper Lune Valley Ward 2015 Ward)	Application Withdrawn
19/00850/VLA	Land Off Sycamore Road, Brookhouse, Lancashire Variation of legal agreement attached to planning permission 14/00270/OUT to amend the affordable housing provisions from 50% Shared Ownership and 50% Social Rented to 100% Shared Ownership, to remove the provisions relating to the Affordable Rented Units and to amend the definition of 'Registered Provider'. for Oakmere Homes (Lower Lune Valley Ward 2015 Ward)	Application Permitted
19/00853/FUL	Ryelands Service Station, Owen Road, Lancaster Erection of a single storey rear extension for Mr Rob Buffham (Skerton East Ward 2015 Ward)	Application Refused
19/00854/FUL	Land Adjacent To, Kirkby Lonsdale Road, Halton Retrospective application for the retention of two equestrian buildings for Mr DANIEL MCGOWAN (Halton-with-Aughton Ward 2015 Ward)	Application Withdrawn
19/00861/FUL	19 Sun Street, Lancaster, Lancashire Change of use of ground floor shop (A1) to a one bedroom student studio accommodation (C3) for Mr Tariq Malik (Castle Ward 2015 Ward)	Application Permitted
19/00862/LB	19 Sun Street, Lancaster, Lancashire Listed building application for the installation of electric radiators, shower and rooflights for Mr Tariq Malik (Castle Ward 2015 Ward)	Application Permitted
19/00863/FUL	4 Bryn Grove, Hest Bank, Lancaster Demolition of existing garage and conservatory, erection of a single storey side extension, a 2 storey side extension, a single storey rear extension and a front porch, construction of dormer extensions to the front elevation and construction of a raised rear terrace for Mr & Mrs D Furey (Bolton And Slyne Ward 2015 Ward)	Application Refused
19/00864/FUL	26 Lindbergh Avenue, Lancaster, Lancashire Erection of a first floor side extension for Mr James Cleaver (Scotforth West Ward 2015 Ward)	Application Permitted
19/00865/FUL	113 White Lund Road, Morecambe, Lancashire Erection of a detached dwelling (C3) with a detached garage and associated access for Mr Hill (Westgate Ward 2015 Ward)	Application Refused
19/00866/FUL	5 Ascot Close, Lancaster, Lancashire Demolition of existing car port and erection of a two storey side extension and a first floor side extension for Dr Sebba & Mrs Dexter (Scotforth East Ward 2015 Ward)	Application Withdrawn

LIST OF DELEGATED PLANNING DECISIONS

19/00867/ELDC	New Barn, Deep Clough, Roeburndale Road Existing lawful development certificate for the continued use of the property as a dwelling (C3) for N and C Brown (Lower Lune Valley Ward 2015 Ward)	Lawful Development Certificate Granted
19/00868/FUL	8 Bay View Avenue, Slyne, Lancaster Demolition of existing garage and erection of a two storey side extension for Mr & Mrs Jason Waterhouse (Bolton And Slyne Ward 2015 Ward)	Application Permitted
19/00874/FUL	5 Orchard Close, Slyne, Lancaster Erection of a single storey side extension for A Shurrock & L Storey (Bolton And Slyne Ward 2015 Ward)	Application Permitted
19/00875/FUL	39 Acre Moss Lane, Morecambe, Lancashire Retrospective application for the erection of a covered terrace to the rear for Mr Michal Orlik (Harbour Ward 2015 Ward)	Application Permitted
19/00879/FUL	6A Chapel Street, Lancaster, Lancashire Change of use from shop (A1) to create extension to existing restaurant (A3) and alterations to existing shopfront for Mr Sawaeng Hathaiwansansang (Bulk Ward 2015 Ward)	Application Permitted
19/00884/FUL	Blackwood End, Bay Horse Road, Ellel Erection of a covered midden building and creation of associated hardstanding area for Mr John Fox (Lower Lune Valley Ward 2015 Ward)	Application Permitted
19/00890/PLDC	8 Hawthorn Road, Morecambe, Lancashire Proposed lawful development certificate for the demolition of an existing conservatory, erection of a single storey rear extension and erection of a side porch for Mr Michael Murgatroyd (Torrisholme Ward 2015 Ward)	Lawful Development Certificate Granted
19/00902/FUL	Intack Farm, Long Dales Lane, Nether Kellet Erection of an extension to existing agricultural building for Mr James Ward (Kellet Ward 2015 Ward)	Application Permitted
19/00903/LB	St Leonards House, St Leonards Gate, Lancaster Listed building application for the removal and reinstallation of the internal structure of the building, installation of a replacement roof to create additional living accommodation, recladding of existing rear stairwells, installation of replacement windows and doors to all elevations, insertion of partition walls to all floors, reinstate windows, removal of ground floor canopy and windows and installation of louvers to the rear elevation, installation of a window to the side elevation, rendering of walls to concrete framed building. for Robertson Property Limited (Bulk Ward 2015 Ward)	Application Permitted
19/00909/NMA	Floor A, A13, St Leonards House, St Leonards Gate Non material amendment to planning permission 18/00885/VCN to remove the proposed entrance door canopies for Robertson Property Limited And Lancaster City Council (Bulk Ward 2015 Ward)	Application Permitted
19/00910/PLDC	8 Redwood Drive, Morecambe, Lancashire Proposed lawful development certificate for the demolition of existing conservatory and the erection of a single storey rear extension for Mrs V. Moss (Bare Ward 2015 Ward)	Lawful Development Certificate Granted

LIST OF DELEGATED PLANNING DECISIONS

19/00911/PLDC	27 Oxcliffe Grove, Heysham, Morecambe Proposed lawful development certificate for the erection of a single storey side extension and a rear conservatory for Mr B. Wilson (Heysham Central Ward 2015 Ward)	Lawful Development Certificate Granted
19/00913/FUL	5 Ardengate, Lancaster, Lancashire Erection of a replacement detached garage for Miss Francesca Winrow (Scotforth West Ward 2015 Ward)	Application Permitted
19/00915/PLDC	4 Tranmere Crescent, Heysham, Morecambe Proposed lawful development certificate for the construction of a hip to gable extension, the construction of a dormer extension to the rear elevation, re-roofing and the installation of rooflights to the front elevation for Mr I Pierpoint (Heysham Central Ward 2015 Ward)	Lawful Development Certificate Granted
19/00916/AD	Botton Head, Whiteray Road, Tatham Agricultural determination for the erection of a storage building for Mr Christopher Mason-Hornby (Lower Lune Valley Ward 2015 Ward)	Prior Approval Not Required
19/00917/FUL	29 Shore Road, Silverdale, Carnforth Installation of a roof lantern to existing rear extension for Mr Calvin Rae (Silverdale Ward 2015 Ward)	Application Permitted
19/00927/ELDC	2 Burford Drive, Heysham, Morecambe Existing lawful development certificate for the retention of a boundary fence for Mr Michal Kwiecinski (Heysham South Ward 2015 Ward)	Lawful Development Certificate Granted
19/00928/FUL	Gibsons Farm, Bay Horse Road, Quernmore Erection of single storey side and single storey rear extensions to agricultural building to provide cattle accommodation for Mr John and Richard Pye (Lower Lune Valley Ward 2015 Ward)	Application Permitted
19/00939/AD	Raw Ridding Farm, Monks Gate, Tatham Agricultural determination for the erection of a silage storage building for Mr Anthony Beckerton (Lower Lune Valley Ward 2015 Ward)	Prior Approval Is Required
19/00941/LB	Bailrigg House, North West Drive, Lancaster University Listed building application for the installation of a suspended ceiling for Mr Peter Thompson (University And Scotforth Rural Ward)	Application Permitted
19/00949/FUL	3 Clougha Avenue, Halton, Lancaster Demolition of existing rear conservatory, partial demolition of garage and erection of a single storey rear extension for Mr & Mrs Mark Earnshaw (Halton-with-Aughton Ward 2015 Ward)	Application Permitted
19/00953/AD	Langthwaite Heights, Langthwaite Road, Quernmore Agricultural determination for the resurfacing of existing farm yard for Mr N Pye (University And Scotforth Rural Ward)	Prior Approval Not Required
19/00955/PLDC	Hazel Brae, Priory Lane, Hornby Proposed lawful development certificate for demolition of existing detached garage and erection of a detached replacement garage for Tom Hartley (Upper Lune Valley Ward 2015 Ward)	Lawful Development Certificate Granted

LIST OF DELEGATED PLANNING DECISIONS

19/00957/FUL	Halfway House, Main Road, Galgate Erection of two greenhouses for Clare Holt And Paul Riggs (Ellel Ward 2015 Ward)	Application Permitted
19/00972/NMA	Land Off Bye Pass Road And , Land Rear Of 18 To 24 Monkswell Avenue, Bolton Le Sands Non material amendment to planning permission 18/01493/FUL to incorporate railings within the delivering loading bay for Mr Haley (Bolton And Slyne Ward 2015 Ward)	Application Permitted
19/01026/NMA	Green Gables, Whams Lane, Bay Horse Non material amendment to planning permission 19/00693/FUL to alter the position and size of windows and doors for Mr & Mrs D. Brown (Ellel Ward 2015 Ward)	Application Permitted