



Committee: PLANNING REGULATORY COMMITTEE

Date: MONDAY, 27 APRIL 2020

Time: 10.30 A.M.

PLEASE NOTE

THIS WILL BE A 'VIRTUAL MEETING', A LINK TO WHICH WILL BE AVAILABLE ON LANCASTER CITY COUNCIL'S WEBSITE AT LEAST 24 HOURS BEFORE THE MEETING.

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 2nd March, 2020 (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 | A5 18/01422/FUL | Land To The Rear Of Pointer Grove And Adjacent To High Road, Halton | Halton-with-Aughton Ward | (Pages 4 - 17) |
| | | Erection of 65 dwellings with associated access, landscaping, open space, drainage, highway and parking arrangements and land re-profiling works | | |
| 6 | Delegated Planning List (Pages 18 - 25) | | | |
| 7 | Urgent Business Between Meetings (Pages 26 – 28) | | | |
| | Report of the Democratic Services Manager | | | |

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

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

(ii) Substitute Membership

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

(iii) Queries regarding this Agenda

Please contact 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,
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Published on 16th April 2020.

Agenda Item	Committee Date	Application Number
A5	27 April 2020	18/01422/FUL

Application Site	Proposal
Land to The Rear of Pointer Grove And Adjacent to High Road Halton Lancashire	Erection of 65 dwellings with associated access, landscaping, open space, drainage, highway and parking arrangements and land re-profiling works

Name of Applicant	Name of Agent
Russell Armer Ltd	Mr Harry Tonge

Decision Target Date	Reason for Delay
11 February 2019	Drainage negotiations, viability discussions and officer workload.

Case Officer	Mr Mark Potts
Departure	No
Summary of Recommendation	Approval

i) Procedural Note

The application was reported to the Planning Regulatory Committee on 30 March, but was deferred to allow the observations of County Highways and Natural England to be received. The observations of County Highways as the Highway Authority, and Natural England have now been received.

1.0 The Site and its Surroundings

- 1.1 The site is in the region of 4.3 hectares in area, and is 47.50 metres Above Ordnance Datum (AOD) at its lowest part of the site (south west corner) and rises to 76.50 AOD metres towards the north eastern corner. The average site gradient is approximately 1:10. The northern half of the site has a steeper gradient when compared to the southern part of the site. The site is located on the eastern periphery of the village in the region of 550 metres from St Wilfrid's Primary School and 240 metres from the parade of shops on High Road. There are agricultural fields beyond the site to the north west, north, east and south east. To the west and south west are residential properties on High Road and Pointer Grove. Kirkby Lonsdale Road / High Road runs along the southern boundary.
- 1.2 The site is currently used for agricultural purposes and there are no buildings located on the site. The site is bound by a mature hedgerow on all the aspects with some isolated trees on the boundaries of the site. There are two culverted watercourses that traverse the site converging to a single watercourse.
- 1.3 The site is not situated within any ecological designation or nationally protected landscape (although the Forest of Bowland AONB is 500 metres to the south east). Footpath number 11 is located 100 metres to the north west and Halton Conservation Area is located 440 metres to the south west of the site. Whilst not within the site, an Ash Tree in the control of 195 High Road is protected by a Tree Preservation Order 235 (1995).

2.0 The Proposal

2.1 A very similar proposal was approved in 2018 (under Planning Permission 17/00224/FUL). The layout has subsequently received some very minor changes, namely the removal of one unit given the original consent provided for 66 dwellings. The reason the application has been submitted is as a result of the applicant wanting to provide a lower quantum of affordable housing compared to the approved scheme.

2.2 The scheme proposes a total of 65 residential units, together with a new vehicular access off Kirkby Lonsdale Road. The scheme proposes a mixture of dwellings, ranging from 1-bedroom apartments to 4-bedroom detached dwellings. The overall breakdown is noted below:

- 2 x 1-bedroom apartments
- 12 x 2-bedroom houses
- 35 x 3-bedroom homes
- 16 x 4-bedroom homes

Eight (12%) of the units are proposed as affordable homes (affordable rent tenure consisting of 2 x 2 semi-detached and 2 x 4 bedroom semi-detached, and shared ownership consists of 2 x 1 bedroom and 2 x 3 bedroom properties), with the remaining 57 houses to be for open market sale.

2.3 The units will consist of detached and semi-detached bungalows, townhouses, terraced houses and apartments. Due to the levels across the site some of the units proposed are to be split level units. Materials include a mixture of natural stone, roughcast render and timber style boarding. Roofing materials are proposed to be slate. Boundary treatments predominately consist of 1.8m high fencing though there are hedgerows and stone walls that are proposed on key viewpoints into the site. Given the change in levels across the site many of the gardens include retaining walls.

2.4 A new access is proposed onto High Road which includes a 5.5 metre wide access road with a 6m kerb radii and visibility splays of 2.4 x 120 metres are proposed in each direction. The scheme proposes a sustainable drainage system which would be a feature within the centre of the site with open space and landscaping across the site (incorporating a large woodland area to the north). A play area is proposed in the southern part of the site.

3.0 Site History

3.1 The relevant planning history is noted below:

Application Number	Proposal	Decision
17/00224/FUL	Erection of 66 dwellings with associated access, landscaping, open space, drainage, highway and parking arrangements and land re-profiling works	Approved
15/01050/PRETWO	Residential development including infrastructure and access	Advice provided

4.0 Consultation Responses

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

Consultee	Response
Halton Parish Council	<p>Object to the proposal for the following reasons:</p> <ul style="list-style-type: none"> • The scheme should provide the full 40% affordable which was approved as part of application 17/00224/FUL • No development should be approved until such time the LLFA's flood study report is complete.
County Highways	Previously raised an objection to the amended driveway of plot number 1, and raised some concern regarding surface water management and internal layout. Since the

	<p>Committee meeting on 30 March, the applicant has been working proactively with the County Council, and it is considered that the issues they raise namely in relation to the provision of additional internal footway in lieu of service verge, swept path analysis on turning heads, and plot 1 driveway arrangements can be addressed by means of planning condition. The County is satisfied that these matters can be addressed at the detailed design stage.</p> <p>No objection to the proposal subject to conditions.</p>
Lancashire County Education	No objection but requests a financial contribution of £192,606.48 towards 12 primary school places at Caton Community Primary School.
Environmental Health	No objection , however have recommended a condition limiting construction activities between 0800-1800 Mon to Fri and 0800-1400 Sat.
United Utilities	No objection.
Engineering Team	No observations received within the statutory timescales.
Environment Agency	No comment
Fire Safety Officer	No objection.
Lead Local Flood Authority	Initially raised some concerns with the proposed drainage layout, but following amended proposals the LLFA raise no objection on the basis of conditions being secured to any grant of planning consent.
Natural England	Initially raised no objection to the development, but since the application has been submitted the SSSI impact risk zones have been updated, and now the application triggers the Cheshire to Lancashire Coast recreational disturbance bespoke Impact Risk Zone. The Local Authority therefore needed to undertake an Appropriate Assessment. The applicant's ecologist has undertaken this assessment and the LPA would seek to adopt this. Natural England has reviewed the document, and are happy to support the scheme on the understanding a condition is imposed regarding the provision of homeowner packs.
Shell	No objection.
Greater Manchester Ecology Unit	Originally raised no objection to the development subject to conditions controlling landscaping, reasonable avoidance techniques on the local great crested newt populations and biodiversity enhancement, but have echoed the views of Natural England above that there is a need to undertake an Appropriate Assessment.
Public Realm Department	No observations received within the statutory timescales.
Lancashire Police	No objection though the scheme should be designed to Secured by Design standards.
Tree Officer	No observations received within the statutory timescales.
Waste Management Officer	Raises some concerns with layout and collection points for waste and recycling collections.
Halton Flood Action Group	This approval should not be granted until and unless the downstream High Road flooding and drainage issues (confirmed by the November 2017 flooding), which it will contribute to and are currently being studied by the LLFA, have been resolved. The site is in the worst place in the village for adding to drainage problems and flood risk, as it is at the top end of the natural flow paths through the village, down High Road and out to the River Lune.

5.0 Neighbour Representations

5.1 The application has generated **36 letters of objection** based on the following concerns:

- Drainage – The field already floods, and therefore approval of the scheme would exacerbate the situation for residents of Pointer Grove, Arrow Lane and the village of Halton; Halton flooded badly during Storm Desmond and also the November 2017 flooding, and this scheme is likely to increase pressure on the already constrained drainage network.
- Landscape and Visual Amenity – The development will be visually prominent on a steep sided hill that is in close proximity to the Forest of Bowland AONB. The scheme would be out of character as Halton is predominantly bungalows, and therefore the scheme as presented is out of keeping with the local vernacular.
- Highways Safety – Drivers disregard the speed limit on the local roads with the situation being exacerbated since the Heysham – M6 Link Road was opened in 2016; the hill falls steeply when approaching the village and this is when speeds are at their highest.
- Local Infrastructure – Cannot cope with increased capacity within the village notably the local school and drainage.
- Housing needs – The applicant should be providing the full quantum of affordable housing and there are a number of houses already for sale including new build housing on Halton Grange and Forge Weir View.

5.2 St Wilfred's Church of England School - **Objects** to the proposal on the basis that the local school is at capacity, highway safety concerns, and the sewerage system is inadequate for the development that is coming forward.

5.3 David Morris MP – **Objects** to the development given concerns on flood risk and lack of affordable housing proposed as part of the planning application.

5.4 Councillor Kevin Frea – **Objects** to the proposal given flooding issues, concerns over the loss of affordable housing and consider that this greenfield site is not suitable for development.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework

Section 2 – Achieving Sustainable Development

Section 3 – Plan Making

Section 4 – Decision Making

Section 5 – Delivering a sufficient supply of homes

Section 8 – Promoting healthy and safe communities

Section 9 – Promoting Sustainable Transport

Section 11 – Making efficient 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 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:

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

The Examination Hearing Sessions took place between the 9 April 2019 and the 1 May 2019. The Council has published the proposed Main Modifications to the Local Plan. An eight-week consultation into the modifications was undertaken and expired on 7 October 2019.

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

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

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

6.3 Lancaster District Core Strategy (Adopted July 2008)

SC1 – Sustainable Development

SC4 – Meeting the District's Housing Requirements

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

E3 – Development within and adjacent to the AONB

E4 – Countryside Area

6.5 Development Management DPD

DM20 – Enhancing Accessibility and Transport Linkages

DM21 – Walking and Cycling

DM22 – Vehicle Parking Provision

DM23 – Transport Efficiency and Travel Plans

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

DM34 – Archaeology

DM35 – Key Design Principles

DM37 – Air Quality Management and Pollution

DM38 – Development and Flood Risk

DM39 – Surface Water Run-off and Sustainable Drainage

DM41 – New Residential dwellings

DM42 – Managing Rural Housing Growth

DM48 – Community Infrastructure

DM49 – Local Services

7.0 Comment and Analysis

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

- Principle of Development
- Affordable Housing
- Drainage
- Nature Conservation
- Highways
- Layout
- House Types
- Landscape and Visual Impact

- Trees
- Open Space
- Education Provision
- Other Matters.

7.1 Principle of Development

- 7.1.1 The site is located on land outside of the main urban area and is identified as 'Countryside Area' in the adopted Local Plan. The Council, via the Spatial Strategy described in the District Core Strategy and continued in the emerging Land Allocations document, would generally look to direct development to the main urban areas of the District. Whilst not precluding development outside such locations it would need to be demonstrated how the proposal complies with other policies within the Development Plan and ultimately the delivery of sustainable development. It is important for Councillors to note that planning consent already exists for 66 dwellings on the site granted in 2018 under planning permission 17/00224/FUL. The application is nearly identical with the exception of the removal of one dwelling house. However, the main change with the application is a reduction in affordable housing provision and an increased volume of storage for surface water.
- 7.1.2 Policy DM42 of the Development Management DPD seeks to promote wider opportunities for housing delivery within rural areas of the District, in accordance with the aims of national planning policy. Policy DM42 sets out a series of villages which the Council would, in principle, support proposals for new housing. Policy DM42 identifies Halton as a village where housing proposals would be supported in principle (this is consistent with the emerging plan also). Whilst the principle of housing development in Halton is accepted, there are a number of considerations which need to be given to any planning application before concluding that residential development in this location would represent sustainable development. In particular, reference should be made to paragraph 20.22 of the Development Management DPD which states; "*The council will support proposals for new housing development that contain or have good access to an appropriate range of local services that contribute to the vitality of these settlements. These services are local shops, education, health facilities and access to public transport and other valued community facilities. Proposals should demonstrate that they will have clear benefits to the local community and, in particular, will meet rural housing needs according to robust evidence (such as the Lancaster District Housing Needs Survey or other local housing needs survey)*".
- 7.1.3 Given the site is identified as Countryside Area, saved Policy E4 of the adopted Local Plan is relevant to this planning application. This requires proposals in the Countryside Area to be in scale and keeping with the character and natural beauty of the landscape; appropriate to its surroundings in terms of siting, scale, materials, external appearance and landscaping; not result in an adverse effect on nature conservation or geological interests; and make satisfactory arrangements for access, servicing, cycle and car parking provision.
- 7.1.4 Notwithstanding the above, the Council is charged by Government (via national planning policy) with significantly boosting the supply of housing. This is supported by Policy DM41 of the Development Management DPD which states that residential development will be supported where it represents sustainable development. In supporting residential development the Policy states that proposals for new residential development should ensure that available land is used effectively taking into account the characteristics of different locations; be located where the environment, services and infrastructure can or could be made to accommodate the impacts of expansion; and provide an appropriate mix in accordance with the Lancaster District Housing Needs Survey or other robust evidence of local housing need.
- 7.1.5 Halton with Aughton Parish Council have made an application to designate the area as a Neighbourhood Plan area. Consultation on this area designation took place in 2015 and the designation was approved on 26 October 2015. The Neighbourhood Plan will seek to address the requirements for new housing in the village and securing appropriate locations to achieve such development. Recent case law would suggest that for a Neighbourhood Plan to be considered in the decision-making process it must have made significant progress towards completion (being at the Referendum stage) before any real weight can be attached to it. Clearly the Neighbourhood Plan in Halton is at a very early stage, and so little weight can be afforded to the community's intention to prepare a Neighbourhood Plan, but nevertheless is still a material consideration. A number of the local residents on both this application, and the one approved in 2017, stated that in the 2015 Strategic Housing Land Availability Assessment this concluded that only 35 dwellings could be accommodated on the site, whereas this scheme is essentially double

that figure. The SHEELA from May 2018 (on the back of the approval) suggests the site is deliverable on the basis of 66 dwellings. The SHEELA does not allocate land, but it is a technical exercise to review land which *may be* (our emphasis) suitable for development proposals.

7.1.6 Policy DM42 of the Development Management DPD is especially relevant for this application and as noted above new development in Halton will be supported assuming the below criteria can be met:

- Be well related to the existing built form of the settlement;
- Be proportionate to the existing scale and character of the settlement unless exceptional circumstances can be demonstrated;
- Be located where the environment can accommodate the impacts of the expansion;
- Demonstrate good siting and design in order to conserve and where possible enhance the quality of the landscape; and, consider all other relevant policies.

7.1.7 The development is adjacent to residential properties along High Road and Pointer Grove and therefore it is considered that the development has some form of geographical relationship to the existing built form of Halton. Matters must then turn to whether the development proposed is appropriate in terms of scale and character.

7.1.8 With respect to its relationship to the village in terms of scale and character, the proposed development is a modest extension to a village which has a population in the region of 2,220. Officers consider that an additional 65 dwellings can be seen to be proportionate to the scale and character of the settlement (even including the schemes being built out at Halton Grange and Forgeweir View). Local infrastructure has to be able to cope with the proposed expansion of the village and this is discussed in more depth in paragraphs 7.3, 7.5 and 7.11 and issues of design and landscape is considered in depth at paragraphs 7.6 and 7.8. On balance Officers consider that the development conforms to general principles of Policy DM42 of the Development Management Development Plan Document.

7.2 Affordable Housing

7.2.1 The extant consent provided for 40% affordable housing allowance, though since the approval of application 17/00224/FUL the applicant has concluded that in order to develop the site a reduction in the level of affordable provision is required to enable the development to be deliverable. The main reason for the deviation in affordable housing is as a result of the high costs associated with drainage infrastructure across the site and the lower than normal density rates owing to land levels.

7.2.2 For the benefit of Councillors, the other three large scale schemes that are being developed out in Halton are noted below. All the schemes have been assessed by the same viability consultant, and Forgeweir View and Land to the Rear of Pointer Grove share synergies with respect to being located on a sloping site. It is disappointing that the scheme has offered a reduced offering, but whilst the figure is low, Officers have sought to secure a mix of affordable homes, including 3 and 4-bedroom properties. Whilst a higher quantum of affordable units could have been secured using 1-bedroom units as the predominate size, it was not considered appropriate. Given a number of 1-bedroom units being secured on the other larger schemes (notably the Story Homes scheme) it was elected to opt for larger units (in the form of the two 4- bed units which are for affordable rent). The provision of a greater quantum of on-site affordable housing in lieu of an education contribution is still under negotiation with the applicant.

Site	Education Payment	Affordable housing allowance
Forgeweir View (Wrenman Homes – 60 houses)	£0	10 units (16%)
Halton (Story Homes – 76 houses)	£312,780.32	17 units (22%)
Land to the rear of Pointer Grove (65 houses)	£0	13 Units (20%)

7.3 Drainage

7.3.1 There has been a number of concerns raised with respect to surface water drainage within the village, and villagers are understandably concerned given some of the village suffered extensive flooding during

Storm Desmond in December 2015, and the floods in November 2017. It should be stressed that the site lies within Flood Zone 1 and therefore the site is considered to be at low risk of flooding. Notwithstanding the above, there is a culverted watercourse that drains the site and the upland catchment. It currently poses a high risk of surface water flooding. This flood event is predicted to the narrow corridor within the centre of the site. The existing topography and drainage features within the site are proposed to be utilised to provide a sustainable drainage feature. This will utilise a series of cascading detention basins, with the existing culvert opened to create a permanent watercourse running through the site. Plot drainage, driveways and parking bays will be served by geo-cellular crates located within the driveways of each of the dwellings. It is proposed that mini flow chambers will be discharged to an attenuated rate of 0.2l/s into a new surface water sewer, with discharge into the detention basins/channels. With respect to highway drainage it is proposed that the highway network will incorporate a series of gullies and pipes which will convey the surface water flows into the cascading detention basins within the central belt of the site. Once the surface water has left the detention basin, surface water will be discharged into the existing 450mm diameter culvert within the site, connecting into the 750 mm diameter surface water sewer to the rear of no 9 Pointer Grove, which eventually enters the surface water drainage system on Arrow Lane.

- 7.3.2 The Lead Local Flood Authority (LLFA) raised no objection to the 2017 scheme, but following review of the scheme again, they had some concerns regarding the pre-development run-off rates and in particular the detention basin volumetric storage improvements and the detailed hydraulic modelling. Over the course of the last 18 months there has been ongoing discussions between parties over quite detailed matters. This has resulted in an amended proposal but the proposal has been amended to account for an increased volume of storage within the blue-green corridor which is now proposed to be 1630m³ which has increased by 495m³ since the original application.
- 7.3.3 There is currently an earth bund that has been created to protect the rear gardens of properties on Pointer Grove (which was undertaken by the applicant in June 2015 after acquiring the site), and this has proven effective and performed as designed during the Storm Desmond event in 2015. The temporary bund, which was created to protect the existing houses on Pointer Grove, is proposed to remain until the main drainage works are completed on the site. Following this, the onsite surface water system and watercourse improvements will mitigate both on and off-site flooding concerns. Local residents during the 2017 application raised concerns with the loss of the bund but the applicant is still proposing to incorporate a 300mm high raised bund to protect boundary of the properties on Pointer Grove.
- 7.3.4 Officers are sympathetic to the concerns of residents, and some of the photographs submitted in support of residents' concerns show quite a significant volume of surface water being channelled through the site. The applicant did engage with the LLFA at pre-application stage and have held on-site meetings with them to discuss a suitable strategy with respect to handling surface water. The application before Committee has been heavily scrutinised by the LLFA. Whilst there have been a number of concerns raised in respect of this issue, the applicant has submitted detailed design plans with Officers. These have been reviewed at length, and the position is that there is no objection from the LLFA. Whilst it is accepted that this development will not solve the pre-existing problems in Halton, there is some betterment in this scheme as opposed to the extant scheme. A condition is recommended approving the Flood Risk Assessment, the detailed surface water drainage drawings submitted in support of the scheme and also the need for a maintenance plan. Whilst not requested by the LLFA, a condition is recommended to understand how the drainage will be phased across the site (given it is expected that the developer will be on the site for the region of 3 years).

7.4 Nature Conservation

- 7.4.1 The application is supported by an ecological appraisal which states that the site is an improved agricultural field, and that the main ecological interests of the site are the trees and hedgerows that the site contains. The Council's ecological advisor, Greater Manchester Ecology Unit (GMEU), would have wished to see the large mature ash tree remain (to be lost to facilitate the access arrangements), and consider that any loss of biodiversity, such as the loss of hedgerow, shall be transplanted or replaced. GMEU recommends conditions associated with landscaping, protection methods for amphibians and protection of nesting birds with no removal or works to hedgerows, trees or shrubs occurring between 1 March and 31 August. These matters can be controlled via the use of planning condition. Natural England raised some concern with recreational pressure namely along the Morecambe Bay Coast. The applicant has produced a Habitat Regulation Assessment, which has been shared with Natural England (NE). They raise no objection to the conclusion, subject to a planning condition associated with the

provision of homeowner packs. This is considered acceptable, and proposed planning condition 18 would cover this.

7.4.2 The blue-green corridor provides an opportunity to provide habitat as does the planting associated with the scheme (especially to the north of the site). On balance it is considered that the development is acceptable from a nature conservation perspective and in time there will be net gain from a biodiversity perspective. The blue green corridor has the potential to be an exemplar of a sustainable drainage scheme in the District that not only promotes effective water management but creates biodiversity gain.

7.5 Highways

7.5.1 There was no objection to the application in 2017 from County Highways on the basis that planning conditions were imposed on any consent. The application is supported by a comprehensive Transport Assessment, which concludes that the 85th percentile speed indicated is 42 mph north east bound and 39mph south west bound. These figures have been used to inform the visibility splays required to facilitate the development are 2.4m by 120m in either direction (which have been provided).

7.5.2 County has recommended that there is a review of existing street lighting together with gateway features, together with an upgrade of a bus stop and signage for 20mph along High Road. They had suggested to Officers that the proposed layout, whilst emulating the consented scheme, would not be suitable for adoption and therefore did raise this as a concern. A series of amendments have been made including the provision of an additional footway within the scheme, and amendments to the driveway for plot 1. There is still a need for some swept path analysis of the turning heads, but it is considered appropriate, and reasonable, to impose a condition to cater for the detail of this. Whilst the applicant and County have stressed this could be resolved at the Section 38 stage (which is the detailed design stage of when a scheme is put forward for highways adoption), there is no formal requirement for roads to be adopted. With this in mind a condition is a necessity here to secure the correct highway layout which the applicant is amenable to.

7.5.3 The village amenities, such as local shops, doctor's surgery and primary school, are located to the west of the application site. Rather than having to cross Kirkby Lonsdale Road and back again to get to the local shops. The consented scheme provided for a 2-metre footway to tie in with a footway to Arrow Lane of 2 metres in width. The same has been asked for by the County this time around.

7.5.4 It is noted that there has been significant concern among local residents that since the opening of the Bay Gateway in October 2016, there has been a significant increase in traffic through the village, together with an increase in vehicle speeds approaching and exiting the village. It was noted during site visits that on occasions vehicles were travelling at a speeds greater than the speed limit. None of the above issues are in doubt, and the views of the local community are noted here, but given there is no objection from the statutory consultee on highway safety and capacity it has to be concluded that the development can be found acceptable from a highway's perspective (assuming the issues around layout can be addressed).

7.5.5 On the basis that the applicant can satisfy the concerns of the County Council, and no objection is lodged in respect of highway safety, it is recommended that from a highway safety perspective the scheme will be safe.

7.6 Layout and House Types

7.6.1 The scheme is essentially split into two distinct areas which are proposed to be separated by the applicant's surface water drainage solution (the blue-green corridor). The southern element of the site contains a mixture of terraced, semi-detached and detached units and the northern part of the site containing mostly detached houses. Plot levels vary across the site with the site sloping to the south west where at the lowest site levels would be in the region of 48 metres AOD and towards the south east part of the site levels are in the region of 68 metres AOD. The site is split by the blue-green corridor which is in the region of 0.43 hectares.

Southern Layout

7.6.2 Officers initially had concerns with the relationship of the built form with Kirkby Lonsdale Road/High Road and the applicant has responded to the concerns via an amendment to the layout which provides for five

less units compared to the initial scheme; the re-positioning of a number of the dwellings; and also the provision of a play area (to the north of units 19-23). Whilst the scheme does still feel quite suburban, Officers consider that there is a substantial improvement compared to the originally submitted scheme. In general design terms, garden sizes and privacy between dwellings is considered acceptable. As part of the amendments to the scheme plots 4 and 5 have been pulled back from 10 and 11 Pointer Grove, and there is now circa 24 metres between the conservatory of 11 Pointer Grove and the nearest habitable window of Plot 5.

- 7.6.3 Whilst there are still urban parking courts proposed, which are not entirely characteristic of the village, it is considered that the amendments that have been incorporated into the scheme have been beneficial to the development. A boundary treatment plan has been submitted in support of the scheme. The proposed boundary treatment for the majority of the southern half of the site is close boarded timber fencing, though through discussions with the agent, hedgerows and some stone walling has now been included (which is considered a little more sympathetic to Halton). No landscaping scheme has been included within the submission but this can be controlled by planning condition. Whilst the southern area still feels suburban the amendments that have been sought are considered sufficient to enable Officers to recommend to Councillors that the layout can be supported.

Northern Element

- 7.6.4 The northern element of the site consists of predominately detached units with some semi-detached properties, and two 1-bed apartments. To the far north consists an area that is proposed to be woodland planting varying between 30-40 metres in depth and 180 metres in length. This is a challenging site to develop, and during the pre-application process the extent of the development on this northern part of the site has reduced, separation distances between properties increased and the provision of a landscaped embankment within the centre of the site to safeguard amenity has all occurred. On the whole (and given the challenging nature of the gradients) it is considered that the scheme has been well designed in this location by the utilisation of split level units and the landscaping area that is proposed to exist between properties on the terrace of units 34-44 and units 45-52. Between plots 40 and 49 there is circa 6.5 metres incline between the properties and to account for this they have provided a separation of 31.8 metres. Given the presence of the landscaping area between the units it is considered that on balance privacy can be maintained.

- 7.6.5 Developing on sloping sites requires special consideration and the use of retaining walls feature heavily in the scheme, which mainly consist of timber sleepers. However, render walls and the like will be utilised. It is considered that this element is acceptable subject to a condition being attached for finished floor levels and site levels to be agreed.

- 7.6.6 Representations from Pointer Grove and those properties along High Road that overlook the site have raised concern with respect to outlook and privacy. There will be a substantial change as part of the development proposal. The case officer has visited a property on Pointer Grove and fully appreciates that having a view of housing where currently there is none would be an undesirable outcome for the occupiers, and that the rolling nature of the fields from the rear elevations of Pointer Grove is an attractive landscape. However, it is considered that given separation distances this would not result in there being an oppressive outlook from the existing dwellings.

7.7 House Types

- 7.7.1 The applicant has sought to utilise 16 house types ranging from apartments to four-bedroom detached units, and these are the applicant's standard house types. It should be noted that whilst standard, the applicant is based in Kendal in Cumbria, and has developed sites across North Lancashire and Cumbria (most recently the Shielling development in Arkholme - which comprised 14 new build dwellings and across the border into Cumbria the applicant is developing out Oakfield Park in Kirkby Lonsdale). It is considered that the properties are generally in keeping with the local vernacular. The scheme has benefitted from pre-application advice, and this has resulted in all roofs being of natural slate, a mix of render/ natural stone and timber style boarding being utilised. The mixture of materials will add interest to the scheme and is to be fully supported, and rather than typical white uPVC windows the applicant has chosen to utilise slate grey.

7.8 Landscape and Visual Impact Assessment

- 7.8.1 The site lies within National Character Area 20 (Morecambe Bay Limestones) but is also in very close proximity to National Character Areas 31 (Morecambe Bay and Lune Estuary) and National Character Area 33 (Bowland Fringe and Pendle Hill). The landscape is rolling and undulating and is typical of the landscape character in this part of the District and beyond into Cumbria. At a local level the site falls within the Landscape Character Type 13c Drumlin Field – Docker-Kellet-Lancaster.
- 7.8.2 It is clear that the scheme would result in a complete change in the character of the site itself, and whilst there are urban influences to the west of the site, the site is predominately rural in nature. A key trait of Landscape Character type 13c is the need to conserve the distinctive rolling landform. The scheme as proposed would go against the grain of this requirement. However, it is recognised that this is a fairly extensive character area, so a loss to a small part of it could be deemed acceptable.
- 7.8.3 Given the change from field and hedgerows to an urban form it is inevitable that the resulting effect would be significant in selected viewpoints. From a visual perspective it is considered that for properties on Pointer Grove (that back onto the site) and those that overlook the site on High Road that there would be an adverse impact associated with the development.
- 7.8.4 The Forest of Bowland Area of Outstanding Natural Beauty (AONB) boundary is 500 metres from the application site and given the elevated nature of the development it is inevitable that when viewed from within certain viewpoints in the AONB the scheme would be seen. Given the proximity to the boundary of the AONB the views of the Forest of Bowland have been sought. No comments have been received in relation to this application but they raised no objection to the original proposals and comment that from within the AONB the proposed development would show a slight extension towards it.
- 7.8.5 Landscape impact is a subjective issue and engenders different reactions from different professionals. There is no doubt that the scheme will have impacts upon the landscape character and also visual amenity of residents that cannot be easily mitigated. Notwithstanding this, Officers consider (with the exception of the viewpoints from High Road and Pointer Grove) that the overall impact is moderate. Furthermore, the Local Planning Authority cannot demonstrate a deliverable 5-year housing land supply and therefore schemes have to be considered in the content of the presumption in favour of sustainable development. Whilst it is considered that there would be impacts on the landscape it is deemed that these would not demonstrably outweigh the benefits attributed to providing market and affordable housing in Halton, which is a sustainable location.

7.9 Trees

- 7.9.1 A total of five individual trees (T2, T4, T6, T8 & T9) and four hedges (H1, H3, H5 & H7) have been identified in relation to the proposed development. Species include, ash, hawthorn, elder and holly.
- 7.9.2 By and large the proposals allow for the retention of the majority of existing trees and hedges. However, trees T8, a mature ash, T9, a mature hawthorn and a large section of hedge, H7 (comprised of mainly hawthorn and elder) are proposed for removal in order to accommodate the proposed new access and to meet the required highway visibility splays. The Tree Officer on the 2017 application had no objection to the loss of T8 as this is showing signs of decline and the proposed loss of T9 is unlikely to have any significant impact upon the character of the site.
- 7.9.3 Concerns have been raised with respect to the loss of the hedgerow to facilitate the access and necessary sightlines (circa 80 metres of hedgerow is proposed to be lost). The Tree Officer's favoured approach in 2017 would be to push the existing hedgerow back into the required position. Whilst this would be preferable, the applicant is proposing compensation for this along the site's frontage and also introducing significant planting within the site. Concern has been raised with respect to the development's impact on T2 which is a large ash tree and Plot 1 (the closest dwelling to this tree being in the region of 4 metres from the tree canopy), but these concerns were allayed by the applicant in the 2017 application.

7.10 Open Space

- 7.10.1 A scheme based on the number of units proposed would be looking to provide in the region of 1252m² of amenity space on the site. The large open space copse area that is proposed to the north of the development alone comprises 9847m². The scheme also proposes the blue green corridor which equates

to 4253 m², and the large verge area to the east of plots 44 and 45, and 760m² associated with the central planted area. Combined this amounts to 1.67 hectares which is significant given the site is 4.3 hectares in area (39%).

7.10.2 Following discussions with the agent a small playground is proposed, and this has been located to the north of plots 19-23. No details of play equipment has been provided but following discussions between Officers and the applicant this will feature 5 pieces of equipment and will be secured by means of planning condition. This is a large development, but Halton is well equipped with community facilities and therefore it is considered that rather than an off-site contribution it would be more beneficial to have a high-quality open space on the site. It would have been beneficial to include an area of land that could be used as a kick-about area but land levels do not accommodate this and in any event the pitches at the Halton Community Centre are less than a 10 minute walk away.

7.11 Education Provision

7.11.1 The County Council has requested that a financial contribution towards primary school provision is required in support of the scheme which amounts to £192,606.48. This is to contribute to 12 primary school places at Caton Community Primary school, not the St Wilfrid's Church of England School in Halton. It is acknowledged that St Wilfrid's Church of England School is over-subscribed at present with 246 children on the Roll and the future planned net capacity for January 2025 as being 240 whereas the projected pupils by January 2025 is 275. County has not elected to name St Wilfrid's School to receive the financial contribution but Caton Community. Officers did have some concern as the projected pupil projection at Caton Community Primary for January 2025 is 35 whereas the future planned net capacity is 70. The County has responded that Caton is the only school capable of expansion. However, the scheme has been viability tested and even with only 20% provision of on-site affordable housing the proposal cannot support any education contribution.

7.11.2 The Governing Body of St Wilfrid's Church of England Primary has objected to the scheme on the basis that the village school is already over-subscribed and that given the number of recent planning approvals within the village that the school does not have the capacity to meet an identified need for school places. This ties in with the County Council's own projections.

7.12 Other Matters

7.12.1 The scheme is removed from any Listed buildings and the Conservation Area in Halton, and it is considered that given the intervening built form between the Conservation Area and Listed buildings (380 metres away) there would not be any harm to the setting of the Conservation Area or any Listed building. Whilst conditions have been recommended by the contaminated land officer, it is considered that an unforeseen contaminated land condition would suffice. To protect the amenity of the area it is considered that Permitted Development rights should be removed and a condition requiring electric vehicle charging points is also recommended.

7.12.2 Given the scale of development an employment and skills plan should be the subject of a planning condition. Given the local authority cannot demonstrate a 5-year housing land supply and to boost its housing delivery rather than the typical 3-year commencement condition a 2-year condition is proposed. The Council's waste management officer has raised some concern on the layout, and these can be addressed by means of planning condition.

8.0 Planning Obligations

8.1 The following is to be secured by a legal agreement (please note this is still under consideration by the applicant as set out in paragraph 7.2.2):

- Provision thirteen (13) units to be affordable (7 units to be shared ownership and 6 units to be affordable rented).
- Long term maintenance of sustainable drainage systems, non-adopted highways, open space including on-site play provision and management company.

9.0 Conclusions

- 9.1 The Local Planning Authority is unable to demonstrate a five year housing land supply and Paragraph 14 of the NPPF states that where relevant policies are out of date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole. The development would make a valuable contribution towards meeting the need for market and affordable homes, and the significant landscaping that is proposed would have environmental benefits and this is attributed modest weight. Whilst there are concerns regarding highway and drainage impacts, there is no objection raised by the Highway Authority, or the Lead Local Flood Authority.
- 9.2 There will be a harmful effect on the character and appearance of the area as there will be a change from open farmland to housing development - the overall impact being moderate though in close views that would increase to significant. As part of the planning balance Officers conclude that the delivery of affordable and market homes outweighs the negatives associated with the landscape impact. It is considered that the proposal does represent a sustainable form of development, and for the reasons given above, and taking other matters into consideration it is recommended that Councillors support the scheme subject to the conditions and obligations contained within this report.

Recommendation

That Planning Permission **BE GRANTED** subject to signing and completing a legal agreement to include the following obligations:

1. Provision of thirteen (13) units to be affordable (7 units to be shared ownership and 6 units to be affordable rented); and
2. Long term maintenance of sustainable drainage systems, non-adopted highways, open space including on-site provision and management company.

and the following conditions:

1. Two-year timescale for implementation
2. Development in accordance with approved plans (to be listed)
3. Detailed plans of site access (including internal adoptable standard roads)
4. Offsite highway works
5. Protection of visibility splays
6. Car parking to be provided
7. Electric vehicle charging points
8. Unforeseen land contamination
9. Development in accordance with the submitted Arboricultural Implications Assessment
10. Removal of Permitted Development rights
11. Garage use restriction
12. Provision of landscaping scheme
13. Landscaping management plan
14. Finished floor and site levels
15. Material samples
16. Open Space – provision of 5 pieces of play equipment, maintenance, timetable for implementation
17. Details of retaining walls and boundary treatments, including finishes.
18. Reasonable avoidance methods for Great Crested Newts and Biodiversity enhancement (including home owner packs)
19. Development in accordance with the Flood Risk Assessment
20. Development in accordance with the submitted surface water drainage proposals
21. Covered cycle parking and refuse provision
22. Submission of a drainage scheme to account to being phased across the site.
23. Submission of surface water drainage management and maintenance
24. Vegetation removal outside of bird breeding season
25. Arboricultural Method Statement to be submitted
26. Employment and Skill Plan

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

Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the 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
17/00638/VLA	48 Bridgeside, Carnforth, Lancashire Variation of legal agreement attached to planning permission 04/00852/FUL to alter the affordable housing provision for Miss Michelle Milano (Carnforth And Millhead Ward 2015 Ward)	Application Withdrawn
19/00107/DIS	5 And 6 Cable Street, Lancaster, Lancashire Discharge of condition 10 of approved application 15/01368/FUL for Mr Paul Gwynne (Bulk Ward 2015 Ward)	Split Decision
19/00162/DIS	Galgate Mill, Chapel Lane, Galgate Discharge of condition 3a on approved application 14/00989/CU for Mr Brian Price (Ellel Ward 2015 Ward)	Application Refused
19/00163/DIS	Galgate Mill, Chapel Lane, Galgate Discharge of condition 2a on approved application 15/00271/LB for Mr Brian Price (Ellel Ward 2015 Ward)	Application Refused
19/00214/DIS	The Friary, 116 St Leonards Gate, Lancaster Discharge of condition 3 on approved application 19/01042/LB for Bargh (Bulk Ward 2015 Ward)	Application Permitted
19/00215/DIS	The Friary, 116 St Leonards Gate, Lancaster Discharge of conditions 3 and 4 on approved application 19/00427/FUL for Bargh (Bulk Ward 2015 Ward)	Application Permitted
19/00482/FUL	Box Tree, Ravens Close Road, Wennington Alterations to land levels to facilitate the construction of an off road cycle track and associated car park for Mr Ian Armour (Upper Lune Valley Ward 2015 Ward)	Application Refused
19/00484/FUL	53 Market Street, Lancaster, Lancashire Change of use of first and second floor offices (B1) to 2 5-bed student flats (C4), erection of a first and second floor rear extension and erection of a bin store and cycle store for Mrs Brenda Cookson (Castle Ward 2015 Ward)	Application Refused
19/00485/LB	53 Market Street, Lancaster, Lancashire Listed building application for the erection of a first and second floor rear extension, construction of rear staircase, installation of secondary glazing to front first and second floor windows, construction of an internal acoustic wall and construction and removal of internal walls for Mrs Brenda Cookson (Castle Ward 2015 Ward)	Application Refused
19/00636/CU	McCarthy Caravan Parks, Castle View Caravan Park, Borwick Road Change of use of land for the siting of 13 static caravans/lodges, creation of an amenity area, alterations to land levels and associated landscaping for Mr John McCarthy Esq (Kellet Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

19/00841/FUL	Mawsons House, Lindeth Road, Silverdale Erection of single storey side extensions and timber outbuilding for water storage for Mr Brian Smith (Silverdale Ward 2015 Ward)	Split Decision
19/01303/FUL	5 Borwick Court, Borwick, Carnforth Erection of a single storey rear extension, installation of replacement roof with integrated solar panels to the south elevation, removal of chimney, installation of a replacement flue and construction of a balcony/decking area to the rear elevation for Mr & Mrs Morrell (Kellet Ward 2015 Ward)	Application Permitted
19/01369/FUL	53 Sandylands Promenade, Heysham, Morecambe Part retrospective application for the change of use of ground floor opticians (D1) and 1st floor flat (C3) to two storey dwelling (C3), alterations to windows and doors to the northwest elevation and construction of a balcony to the northwest elevation for Mr Jeffrey Woolfenden (Heysham North Ward 2015 Ward)	Application Permitted
19/01436/CU	McCarthy Caravan Parks, Castle View Caravan Park, Borwick Road Change of use of land for the siting of 7 holiday lodges with associated driveways, formation of mini golf course, creation of amenity space and alterations to land levels for Mr John McCarthy Esq (Kellet Ward 2015 Ward)	Application Permitted
19/01445/FUL	Royal Station Hotel, Market Street, Carnforth Change of use of hotel (C1), shop (A1) and estate agency (A2) to hotel (C1), 3 shops (A1), estate agency (A2) and micro brewery/pub (B1)/(A4), the installation of a new ground floor window opening and first floor Juliet balcony and an entrance gate to the Haws Hill elevation and alterations to existing window openings to create enlarged openings and new doorways to the internal yard and Haws Hill elevations for The Royal Station Hotel Ltd (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
19/01452/ADV	Royal Station Hotel, Market Street, Carnforth Advertisement application for the display of 1 externally illuminated sign and 1 projecting sign for The Royal Station Hotel Ltd (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
19/01468/FUL	Folly Farm, Folly Lane, Slyne Demolition of existing rear/side extension and erection of a single storey rear/side extension for Mr D. Hughes (Bolton And Slyne Ward 2015 Ward)	Application Permitted
19/01473/FUL	Bay View Holiday Park, Dertern Lane, Bolton Le Sands Change of use of agricultural land, creation of access tracks and regrading of land to allow siting of touring caravans for Holgates (Caravan Parks) Limited (Bolton And Slyne Ward 2015 Ward)	Application Refused
19/01474/FUL	79-81 Queen Street, Morecambe, Lancashire Change of use of two ground floor shop units (A1) to one 2 bedroom flat (C3), removal of the shop fronts and construction of 2 bay windows for Mr M. Khazeni Rad (Poulton Ward 2015 Ward)	Application Permitted
19/01483/CU	Apartment 1, Hazelwood Hall, Hollins Lane Change of use of holiday apartment to unrestricted residential use (C3) for Mrs Karen Crowshaw (Silverdale Ward 2015 Ward)	Application Refused

LIST OF DELEGATED PLANNING DECISIONS

19/01485/FUL	Carnforth Rangers Football Club, Lundsfield, Kellet Road Removal of existing portable building and siting of one storage container and temporary siting of 2 portable buildings for use as changing facilities for Mr Casey Bragg (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
19/01512/FUL	The Nib, 9 West View, Mill Lane Erection of 2 detached dwellings for Mr White (Carnforth And Millhead Ward 2015 Ward)	Application Refused
19/01518/FUL	Burnside, Procter Moss Road, Ellel Change of use of agricultural barn to residential accommodation in association with Burnside, erection of a link extension, installation of a flue and air source heat pump and erection of a boundary wall for Mr & Mrs S Mather (Lower Lune Valley Ward 2015 Ward)	Application Permitted
19/01541/PLDC	259A Heysham Road, Heysham, Morecambe Proposed lawful development certificate for the erection of a single storey side extension with alterations to land levels to create access for Mr & Mrs R. Lukacz (Heysham Central Ward 2015 Ward)	Lawful Development Certificate Granted
19/01546/FUL	6 Thurnham Street, Lancaster, Lancashire Change of use of ground floor shop (A1) to 4 1-bed studios for student accommodation (C3) and installation of a new window to the side for Amaren Ltd (Castle Ward 2015 Ward)	Application Refused
19/01547/LB	6 Thurnham Street, Lancaster, Lancashire Listed building application for the installation of a new window to the side and secondary glazing to the front, removal and installation of internal partition walls, removal of existing staircases and installation of a replacement staircase and installation of new ceiling for Amaren Ltd (Castle Ward 2015 Ward)	Application Refused
19/01562/FUL	Downings, Bailrigg Lane, Lancaster Demolition of existing dwelling and erection of two 2-storey buildings comprising eight 2-bed apartments to provide staff/visitor accommodation (C3), alterations to ground levels and creation of a new access for Lancaster University (University And Scotforth Rural Ward)	Application Withdrawn
19/01567/FUL	Land North East Of St Johns Church, Chapel Lane, Galgate Installation of a gas governor and associated infrastructure up to 3 metres in height and provision of an access within the spine road for Mr D Devine (Ellel Ward 2015 Ward)	Application Permitted
19/01570/FUL	Land North Of Stonesby House, Stanmore Drive, Lancaster Erection of a pair of semi-detached dwellings with associated access for Mr Quaasim Munshi (Scotforth West Ward 2015 Ward)	Application Refused
19/01572/VCN	Old Hall, Kirkby Lonsdale Road, Over Kellet Erection of a 2-storey dwelling and creation of a vehicular access (pursuant to the variation of condition 2 and 7 on planning permission 18/00038/FUL to amend the design of the dwelling including alterations to the footprint, elevations, floor plans and the substitution of the carport with a garage) for Mr & Mrs Burns (Kellet Ward 2015 Ward)	Application Refused

LIST OF DELEGATED PLANNING DECISIONS

19/01593/FUL	The Bungalow, Melling Road, Melling Erection of two storey rear and side extension, construction of a patio, removal of chimney stack, relevant demolition of existing garage and erection of detached garage for Mr & Mrs Van Geesbergen (Upper Lune Valley Ward 2015 Ward)	Application Permitted
19/01596/CU	Old Dairy, Woodman Lane, Cowan Bridge Change of use of agricultural land to equestrian and agricultural use for Mr Christopher Truelove (Upper Lune Valley Ward 2015 Ward)	Application Permitted
19/01605/FUL	Everglades Residential Care Home, 394 Marine Road East, Morecambe Change of use of residential care home (C2) into one 2-bed maisonette and three 2-bed flats (C3), demolition of three storey outrigger to the rear, demolition of existing two storey projection to the front, erection of a two storey front extension with balcony above and alterations to windows and doors for Mr & Mrs Paul Harrison (Poulton Ward 2015 Ward)	Application Permitted
20/00010/DIS	Lancaster University Sports Centre, Bigforth Drive, Bailrigg Discharge of conditions 6 and 11 on approved application 19/00163/FUL for Mr Frank McCabe (University And Scotforth Rural Ward)	Application Permitted
20/00012/DIS	3 The Green, Silverdale, Carnforth Discharge of condition 3 on approved application 19/00185/LB for Mr & Mrs Bennett (Silverdale Ward 2015 Ward)	Application Permitted
20/00014/DIS	3 The Green, Silverdale, Carnforth Discharge of condition 3 on approved application 19/00184/FUL for Mr & Mrs Bennett (Silverdale Ward 2015 Ward)	Application Permitted
20/00023/FUL	Land At Grid Reference E353930 N469880, Kirkby Lonsdale Road, Over Kellet Creation of an area of hardstanding for Mr Phillip Lavin (Kellet Ward 2015 Ward)	Application Permitted
20/00024/DIS	Land For Proposed Bailrigg Business Park, Bailrigg Lane, Lancaster Discharge of conditions 16 and 21 on approved application 16/00117/VCN for Mr Jason Homan (University And Scotforth Rural Ward)	Application Permitted
20/00029/FUL	2 Grange View Road, Nether Kellet, Carnforth Erection of a single storey side extension with verandah, erection of two storey front extension, erection of a two storey side extension, construction of 2 dormer extensions to the side elevations and creation of a new access for Ms + Mr K + J Moir + Hodgkinson (Kellet Ward 2015 Ward)	Application Permitted
20/00045/DIS	Land North Of Kellet Road, Over Kellet, Lancashire Discharge of condition 18 on approved application 19/01368/VCN for Mr Ian Parker (Kellet Ward 2015 Ward)	Application Permitted
20/00061/FUL	Bracken Dyke, Addington Road, Nether Kellet Demolition of conservatory, erection of a two storey side extension with raised chimney and a single storey double garage with a linked canopy, construction of a raised terrace/hardstanding and alterations to vehicular access for Mr Callum James (Kellet Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

20/00066/LB	Burnside, Procter Moss Road, Ellel Listed building application for demolition of existing front extension, erection of a side link extension, alterations to openings, installation of windows and doors, internal wall linings and partition walls, re-pointing, installation of a flue and air source heat pump for Mr & Mrs S Mather (Lower Lune Valley Ward 2015 Ward)	Application Permitted
20/00072/FUL	Woodside, Kirkby Lonsdale Road, Arkholme Retrospective application for the retention of a boundary fence for Miss Tracy Taylor (Kellet Ward 2015 Ward)	Application Refused
20/00085/FUL	18 Ash Tree Grove, Bolton Le Sands, Carnforth Erection of a single storey rear extension and construction of a raised terrace for Mr & Mrs Taylor (Bolton And Slyne Ward 2015 Ward)	Application Permitted
20/00086/FUL	Post Office And Stores, Main Street, Wray Change of use of Post Office (A1) to mixed use unit comprising Post Office (A1) and Cafe/Takeaway (A3/A5) and installation of an extractor fan to the rear elevation for Mr & Mrs Nixon (Lower Lune Valley Ward 2015 Ward)	Application Permitted
20/00087/LB	Post Office And Stores, Main Street, Wray Listed building application for the installation of an extractor fan to the rear elevation and associated extraction equipment for Mr & Mrs Nixon (Lower Lune Valley Ward 2015 Ward)	Application Permitted
20/00088/FUL	16 Brookfield View, Bolton Le Sands, Carnforth Erection of a single storey outbuilding for Mr A. Marrocco (Bolton And Slyne Ward 2015 Ward)	Application Permitted
20/00093/FUL	Mulberry Manor, Low Road, Halton Erection of replacement rear extension for Dr. R Whitaker (Halton-with-Aughton Ward 2015 Ward)	Application Permitted
20/00099/FUL	40 Scotforth Road, Lancaster, Lancashire Demolition of existing single storey rear extension and erection of a replacement single storey rear extension for Mr & Mrs D. Riggs (Scotforth West Ward 2015 Ward)	Application Permitted
20/00105/FUL	Sycamore House, Wyresdale Road, Quernmore Erection of a single storey side extension for Mr & Mrs Trevor And Jane Brown (Lower Lune Valley Ward 2015 Ward)	Application Permitted
20/00108/FUL	Sunnyside, Queen Street, Carnforth Erection of a single storey extension to the southern elevation for Mr Mike Skelcher (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
20/00119/VLA	Land South Of, Low Road, Halton Variation of legal agreement attached to planning permission 14/01344/OUT to amend the affordable housing provisions (relating to mortgage protection, affordable housing definitions, allocation of affordable housing units and trigger to transfer to a Registered Provider) for Mr Warren Cadman (Lower Lune Valley Ward 2015 Ward)	Application Permitted
20/00121/FUL	Lower Addington Farm, Birkland Barrow Road, Nether Kellet Retrospective application for the retention of 5 silos for Mr Gott (Kellet Ward 2015 Ward)	Application Withdrawn

LIST OF DELEGATED PLANNING DECISIONS

20/00124/FUL	12 Haylot Square, Lancaster, Lancashire Installation of 12 solar panels on the south facing roof slope for Mr Graeme Ellis (Bulk Ward 2015 Ward)	Application Permitted
20/00130/FUL	66 Beech Road, Halton, Lancaster Demolition of existing garage and erection of a two storey side extension for Mr & Mrs Woodruff (Halton-with-Aughton Ward 2015 Ward)	Application Permitted
20/00140/NMA	9 Cambridge Avenue, Lancaster, Lancashire Non material amendment to planning permission 19/01295/FUL to insert 3 rooflights to the front for Mr Sarfaraz Patel (John O'Gaunt Ward 2015 Ward)	Application Permitted
20/00144/FUL	The Dower House, Burrow Road, Burrow Installation of a package sewage treatment plant for Mrs Miranda Gillott (Upper Lune Valley Ward 2015 Ward)	Application Permitted
20/00147/FUL	Burrow Cottage, Burrow Road, Burrow Installation of a package sewage treatment plant for Mrs Gaynor Grinstead (Upper Lune Valley Ward 2015 Ward)	Application Permitted
20/00150/FUL	111 Twemlow Parade, Heysham, Morecambe Retrospective application for the erection of outbuilding to create ancillary accommodation for Mr & Mrs Howard (Heysham Central Ward 2015 Ward)	Application Permitted
20/00152/FUL	35 Swallow Close, Bolton Le Sands, Carnforth Conversion of garage to ancillary living accommodation and the replacement of existing garage door with window for Mrs L. Dougan (Bolton And Slyne Ward 2015 Ward)	Application Refused
20/00154/FUL	56 Manor Road, Slyne, Lancaster Construction of a dormer extension to the rear elevation for Mr & Mrs Heap (Bolton And Slyne Ward 2015 Ward)	Application Permitted
20/00157/FUL	4 Moorside, Melling, Carnforth Erection of a single storey rear extension, replacement front porch and excavation of land to form terrace area to the rear for Ms K James (Upper Lune Valley Ward 2015 Ward)	Application Permitted
20/00159/FUL	Hillcroft Nursing Home, North Road, Carnforth Installation of replacement roof arrangement to create fourth floor accommodation for Hillcroft Nursing Home (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
20/00168/CPA	Loyne School, Sefton Drive, Lancaster Installation of eco lodge in the woodland area for Mrs Susan Campbell (Skerton West Ward 2015 Ward)	No Objection
20/00170/FUL	18 Longlands Lane, Heysham, Morecambe Demolition of existing store and erection of a single storey outbuilding for Mr Declan White (Heysham Central Ward 2015 Ward)	Application Permitted
20/00171/PLDC	Crookleigh, Furness Road, Heysham Proposed lawful development certificate for the change of use of 2 flats (C3) to a single dwellinghouse (C3) for Mr John Wilkinson (Heysham Central Ward 2015 Ward)	Lawful Development Certificate Granted

LIST OF DELEGATED PLANNING DECISIONS

20/00174/FUL	48 Broadway, Morecambe, Lancashire Erection of a replacement single storey front extension for Mr & Mrs Roberts (Bare Ward 2015 Ward)	Application Permitted
20/00176/REM	Moss Side Farm, Moss Road, Heaton With Oxcliffe Reserved matters application for the erection of an agricultural workers dwelling for Mr Gary Thornton (Overton Ward 2015 Ward)	Application Permitted
20/00177/FUL	12 Thornton Crescent, Morecambe, Lancashire Erection of a single storey rear extension for Mr & Mrs T. Ball (Poulton Ward 2015 Ward)	Application Permitted
20/00179/PLDC	27 Lathom Grove, Morecambe, Lancashire Proposed lawful development certificate for the erection of a single storey rear extension for Mr & Mrs A. Quail (Bare Ward 2015 Ward)	Lawful Development Certificate Granted
20/00180/PLDC	8 Fox Grove, Heysham, Morecambe Proposed lawful development certificate for the erection of a single storey rear extension for Mr & Mrs S. Booth (Heysham North Ward 2015 Ward)	Lawful Development Certificate Granted
20/00181/PLDC	68 Fairhope Avenue, Morecambe, Lancashire Proposed lawful development certificate for the erection of a single storey rear extension for Mr & Mrs S. Long (Torrisholme Ward 2015 Ward)	Lawful Development Certificate Granted
20/00183/FUL	18 Marton Drive, Morecambe, Lancashire Erection of a single storey rear extension for Mr & Mrs S. Patton (Torrisholme Ward 2015 Ward)	Application Permitted
20/00184/PLDC	18 Bowland Drive, Lancaster, Lancashire Proposed Lawful Development Certificate for the erection of single storey rear extension for Mrs J. Simpson (Skerton West Ward 2015 Ward)	Lawful Development Certificate Granted
20/00186/FUL	11 Montrose Crescent, Heysham, Morecambe Retrospective application for the retention of a retaining wall and alterations to land levels for Mr Leo Darrell (Heysham South Ward 2015 Ward)	Application Permitted
20/00192/FUL	5 Daisy Bank, Quernmore Road, Lancaster Creation of a dropped kerb for Mrs Lisa Winn (Lower Lune Valley Ward 2015 Ward)	Application Refused
20/00196/FUL	Half Way House, Cantsfield Road, Cantsfield Demolition of existing stone barns and erection of an agricultural building for F.A.BROWN AND SON (Upper Lune Valley Ward 2015 Ward)	Application Refused
20/00226/PLDC	9 Borrowdale Grove, Morecambe, Lancashire Proposed lawful development certificate for the demolition of existing conservatory and the erection of a single storey rear extension for Mr & Mrs B. Lambert (Bare Ward 2015 Ward)	Lawful Development Certificate Granted

LIST OF DELEGATED PLANNING DECISIONS

20/00235/PLDC	16 Jefferson Close, Lancaster, Lancashire Proposed lawful development certificate for the erection of a single storey rear extension and replacement of existing garage door with patio door, replacement of side elevation door with window and installation of a new side facing window to the existing garage for Mr H. Lee (Marsh Ward 2015 Ward)	Lawful Development Certificate Granted
20/00249/NMA	Old Hall Farm, Kirkby Lonsdale Road, Over Kellet Non-material amendment to planning permission 19/01400/FUL to alter the garage roof for Mr Mark Drinkall (Kellet Ward 2015 Ward)	Application Permitted
20/00259/PLDC	15 Low Lane, Morecambe, Lancashire Proposed lawful development certificate for the demolition of existing lean-to rear extension and the erection of a single storey rear extension for Mr George Holt (Torrisholme Ward 2015 Ward)	Lawful Development Certificate Granted
20/00289/NMA	14 Damside Street, Lancaster, Lancashire Non material amendment to planning permission 17/00702/VCN to raise the cill height of the windows, install roof vents, soil vent pipes and extract grilles to the rear for AHB Property Holdings Ltd (Bulk Ward 2015 Ward)	Application Refused
20/00306/PLDC	10 The Green, Bolton Le Sands, Carnforth Proposed lawful development certificate for the demolition of existing conservatory, erection of a single storey rear extension and conversion of existing garage to additional living accommodation for Mrs Frances Ash (Bolton And Slyne Ward 2015 Ward)	Application Withdrawn

PLANNING REGULATORY COMMITTEE**Urgent Business Decisions Taken Between Meetings****27 April 2020****Report of the Democratic Services Manager****PURPOSE OF REPORT**

To advise Members of decisions taken by the Chief Executive, in consultation with the Chair of the Planning Regulatory Committee.

This report is public

RECOMMENDATION

That the urgent business decisions in respect of the following four planning applications,

**20/00019/FUL Lower Addington Farm, Birkland, Barrow Road, Nether Kellet:
18/01422/FUL Land to rear of Pointer Grove and adjacent to High Road, Halton
19/01302/FUL Jump Rush, 21 Northumberland Street, Morecambe
19/01531/FUL – Co-op, Centenary House, Regent Road, Morecambe**

set out in paragraph 3.1 of this report, be noted.

The decisions were taken by the Chief Executive, in consultation with the Chair of Planning Regulatory Committee. This is in accordance with the rules and procedures set out in the Council's Constitution.

1.0 Background

- 1.1 Due to the COVID-19 epidemic and the resulting social distancing guidance from central government, it was not possible to hold the Planning Regulatory Committee meeting scheduled for 30 March 2020.
- 1.2 Four applications were due to be determined at that meeting and urgent business decisions were taken to avoid any undue delay, since it was not a lawful option – at that point – to hold a remote meeting of the committee.
- 1.3 Regulations have since come into force to enable remote decision making for local authority committees.

2.0 Consultation

- 2.1 Councillor Thornberry, Chair of the Planning Regulatory Committee, consulted a group of Committee members by remote means, on 27 March 2020, to form a view on each application.

3.0 Decisions Taken

- 3.1 The decisions below were taken on 31 March 2020 by the Chief Executive, in consultation with Councillor Thornberry, as per the Council's urgent business procedures.

APPLICATION 20/00019/FUL Lower Addington Farm, Birkland, Barrow Road, Nether Kellet:

That the decision be deferred due to

- Lack of a site visit
- Outstanding drainage information from the applicant
- Outstanding comments from Environmental Health, Natural England and the lead local flood authority.

APPLICATION 18/01422/FUL Land to rear of Pointer Grove and adjacent to High Road, Halton

That the decision be deferred due to

- Outstanding comments from Natural England;
- Outstanding agreement with the Highway Authority on the internal road network.
- Preference for the application to be considered by the full Planning Regulatory Committee with public speaking. If public speaking is not possible due to COVID-19, then local residents must at least be given the opportunity to submit written comments in lieu of speaking.

APPLICATION 19/01302/FUL Jump Rush, 21 Northumberland Street, Morecambe

That planning permission be granted in principle and delegated back to the Head of Planning and Place for the following details to be submitted and agreed before the decision is issued:

- Methodology for applying the vinyl
- Maintenance regime for the vinyl
- Site/car park plan with associated swept path analysis

And subject to the following conditions:

1. Standard 3 year timescale
2. Approved plans
3. Finish to elevation, including its application, and appropriate maintenance regime
4. Prior to implementation of a retail use, submission and implementation of: off-site highway works; car park management plan; delivery and servicing plan; and covered and secure cycle parking
5. Details of any additional plant/machinery and assessment of noise impacts
6. Retention of pedestrian links, benches, cycle stands, bollards, etc –

shown on site plan

7. Hours of opening – 8.00 to 22.00
8. Hours of servicing/delivery – 8.00 to 19.00 Monday to Saturday and 10.00 to 16.00 on Sundays and public holidays.
9. Restriction of retail to non-food A1 (food and drink sales not exceed 30% of floorspace)

APPLICATION – 19/01531/FUL – Co-op, Centenary House, Regent Road, Morecambe

That planning permission be granted subject to the following conditions:

1. Standard 3 year timescale
2. Development to be carried out in accordance with the approved plans
3. Materials/details including shop front, fascia, roller shutter, flues/vents/extraction facilities, windows and doors, cladding
4. Restriction of opening hours to 8:00-22:00 Monday-Saturday, 10.00-18.00 Sundays and bank holidays.

4.0 Conclusion

- 4.1 Members are asked to note the urgent decisions taken on 31 March 2020, which are now being reported to the Committee at the earliest opportunity, as required by the Constitution.

<p>CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing) None.</p>	
<p>LEGAL IMPLICATIONS None.</p>	
<p>FINANCIAL IMPLICATIONS None.</p>	
<p>OTHER RESOURCE IMPLICATIONS Human Resources: None. Information Services: None. Property: None. Open Spaces: None.</p>	
<p>SECTION 151 OFFICER'S COMMENTS The Section 151 Officer has no comments.</p>	
<p>MONITORING OFFICER'S COMMENTS The Monitoring Officer has no comments.</p>	
<p>BACKGROUND PAPERS</p>	<p>Contact Officer: Debbie Chambers Telephone: 01524 582057 E-mail: dchambers@lancaster.gov.uk Ref:</p>