



Committee: PLANNING REGULATORY COMMITTEE

Date: MONDAY, 9 NOVEMBER 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 24HRS 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 12th October 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 19/00332/OUT | Land to the south of Lawsons
Bridge Site, Scotforth Road,
Lancaster | Scotforth
West Ward | (Pages 5 -
36) |
| | | Outline application for the erection of up to 95 residential dwellings with associated access. | | |
| 6 | A6 19/00438/FUL | Land off Marsh Lane and Main
Street, Cockerham | Ellel Ward | (Pages 37 -
46) |
| | | Erection of 36 dwellings, creation of vehicular access with associated landscaping, regrading of land levels and provision of surface water drainage scheme and public open space. | | |

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|----|--|---|--|----------------------------|
| 7 | A7 20/00059/FUL | Ironworks House, Warton Road,
Carnforth, Lancashire | Carnforth
and
Millhead
Ward | (Pages 47 -
55) |
| | | Partially retrospective application for the erection of 3 industrial buildings (B1) and construction of internal roads and parking areas. | | |
| 8 | A8 20/00293/FUL | Christ Church, Broadway,
Morecambe, Lancashire LA4 5BJ | Bare Ward | (Pages 56 -
65) |
| | | Change of use of former church (D1) to 13 self-contained flats (C3), erection of single storey side extension, creation of a bin and cycle store, installation of rooflights to rear and side elevations, construction of balconies to rear elevation and construction of raised decking to north east elevation with associated parking, garden and amenity space. | | |
| 9 | A9 20/00649/FUL | 312 Lancaster Road, Morecambe,
Lancashire LA4 6LY | Torrisholme
Ward | (Pages 66 -
70) |
| | | Change of use of shop (A1) to micro pub (A4). | | |
| 10 | A10 20/00650/FUL | 37 Beck View, Hala Square,
Lancaster | Scotforth
East Ward | (Pages 71 -
74) |
| | | Change of use of dwelling (C3) to 2 self-contained 1-bed flats (C2) and installation of porch canopy. | | |
| 11 | Quarterly Reports: to 30 September 2020 (Pages 75 - 81) | | | |
| 12 | Delegated List (Pages 82 - 89) | | | |

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Sandra Thornberry (Chair), Dave Brookes (Vice-Chair), Paul Anderton, Richard Austen-Baker, Mandy Bannon, Alan Biddulph, Abbott Bryning, Keith Budden, Roger Cleet, Tim Dant, Mel Guilding, Janice Hanson, Cary Matthews, Joyce Pritchard and Robert Redfern

(ii) Substitute Membership

Councillors Victoria Boyd-Power (Substitute), Kevin Frea (Substitute), June Greenwell (Substitute), Tim Hamilton-Cox (Substitute), Colin Hartley (Substitute), David Whitworth (Substitute) and Peter Yates (Substitute)

(iii) Queries regarding this Agenda

Please contact Democratic Services: 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 27th October 2020.

Agenda Item	A5
Application Number	19/00332/OUT
Proposal	Outline application for the erection of up to 95 residential dwellings with associated access
Application site	Land to the south of Lawsons Bridge Site, Scotforth Road, Lancaster Lancashire
Applicant	Commercial Estates Projects Ltd
Agent	Mr Jonathan Wallace
Case Officer	Mrs Jennifer Rehman
Departure	No
Summary of Recommendation	Approve

1.0 Application Site and Setting

- 1.1 The application site relates to a parcel of land extending just over 5 hectares of undulating pastureland. The site is bisected by a fence and native hedgerow running in an east-west direction across the site, with artificial boundaries to the north and south. The site is located on the edge of the existing built-up area of South Lancaster within the Scotforth West Ward. It lies within the defined urban boundary of the district. The site is equidistant between the city centre (circa 2.8km north of the site) and Galgate village (circa 3km south of the site) with local facilities and services available in Scotforth. The Lancaster University campus is located around 1.5km to the south east of the site. North of the campus (and closer to the proposed site) is the recently constructed Bailrigg Health Innovation Campus. Frequent bus services run along Scotforth Road (between the city and the university) with bus stops situated close to Rays Drive/Whinfall Drive to the north and the Filter House to the south.
- 1.2 The site is well related to existing (or extant) development and significant transport corridors. The site's eastern boundary extends approximately 425m alongside the A6 (Scotforth Road) with the western boundary flanking the West Coast Mainline (WCML). Beyond the WCML is open pastoral countryside that rises to the crest of a drumlin. This land is locally known as the Whinney Carr Farm site. The residential area of Collingham Park, recently constructed dwellings at 'Aikengill' and the redevelopment of Burrow Beck Nursing Home border the eastern side of the A6 opposite the proposed site. Land immediately north of the site (known as 'Lawson's Bridge') comprises agricultural land and areas of woodland. This neighbouring land benefits from an extant planning permission for a supermarket. To the south, a small undeveloped field separates the site from Burrow Beck, which runs in an east-west direction. Beyond Burrow Beck, the former Filter House site is currently being developed for student accommodation. This comprises two four-storey buildings. A line of overhead electricity lines supported by 34m high pylons run between the proposed site and the Filter House in an east-west direction. It is noted that the site boundaries to the north and the south form artificial boundaries through existing fields.
- 1.3 Despite being enclosed by existing development and infrastructure the site is a locally distinctive and attractive greenfield site. This is due to its undulating character, the presence of mature trees

and hedgerows around its perimeter and a particularly attractive woodland copse and depression in the south part of the site. During the wetter months of the year, the depression forms a localised pond. Site levels range from circa 42m Above Ordnance Datum (AOD) in the north-eastern corner of the site, falling to circa 34m AOD in the south-western corner. The site is level with the A6 at the far north-eastern and south-eastern points. The site is between 1m and 2.5m lower than the level of Scotforth Road and separated by a vegetated embankment. The site is generally higher than the WCML. The northern half of the site is markedly higher with quite a steep fall towards the railway line, the level differences reduce towards the southern end of the site.

- 1.4 Given the site's proximity to Burrow Beck (and the variation in site levels), the site straddles flood zones 1, 2 and 3. The southern tip is located within flood zone 3b. Flood zone 2 covers all of the southern half of the site and the along the western edge of the site with the north-eastern half of the site situated within flood zone 1. There are small pockets within the site (mainly along the eastern edge of the site) at risk from surface water flooding (1 in 30 year and 1 in 100 year events).
- 1.5 Several individual and small groups of trees within the site are protected by Tree Preservation Orders; 287/01(2013) and 287(1998). These are mainly located in the southern portion of the site. Aside from the protected trees and flood risk areas, the site is largely unconstrained by ecological or cultural heritage designations. A Mineral Safeguarding designation lies across the majority of the site. The site is located within the Site of Special Scientific Interest (SSSI) impact risk zone and also within an Air Quality Management Zone. Burrow Beck is identified as a Mains River and is designated as a Biological Heritage Site. There are no public rights of way (PRoW) within or immediately adjacent to the site. The closest PRoW routes are footpath 55 (a route to the east of the recent Aikengill development) and footpath (bridleway) 52 (located to the north at Lawson's Bridge).
- 1.6 Under the old (now superseded) Local Plan the site (along with the wider Whinney Carr site) was unallocated and did not benefit from any Local Plan designation or allocation. The recently adopted Local Plan includes the site within the Lancaster South Broad Location for Growth (BLG) designation.

2.0 Proposal

- 2.1 The applicant seeks outline planning permission for residential development comprising up to 95 dwellings with an associated access onto Scotforth Road (also known as the A6). The layout, appearance, scale and landscaping of the development are matters reserved for subsequent approval (herein referred to as the "reserved matters").
- 2.2 The proposed access comprises a three-arm traffic signal-controlled junction taken off the A6. It is approximately 100 metres south of a new priority junction serving the residential development on land adjacent to the property known as Aikengill. The geometry of the junction is designed to accommodate far greater development than that proposed by this outline application. It is designed to allow for a potential link road between Scotforth Road to the boundary with the West Coast Mainline (WCML) to serve land to the west of the WCML to support potential future growth within the wider BLG designation. Whilst there is reference to the link road in the application and its supporting documentation, it does not form part of the development proposals applied for under this outline planning application. The extent of the access, which forms part of the detailed consideration at this outline stage, extends into the site by approximately 23m. Beyond this point the access road is illustrative.
- 2.3 The layout of the scheme would be determined at the reserved matters stage. Notwithstanding this, the submission includes an Illustrative Masterplan and a Parameters Plan to demonstrate how the site could accommodate the proposed development. These plans show the site's public open space situated largely to the south of the developable area, including possible drainage attenuation. North of this area of open space would comprise development platforms to support new residential development. The development platform comprises approximately 4.08 hectares of the site with 2.36 hectares of developable area. Existing trees and hedgerows along the long the boundaries are marked to be retained and bolstered with a significant landscape buffer provided to the western boundary.

2.4 The proposal includes (as part of the flood risk mitigation) the re-profiling of the site to provide development platforms set no lower than 35.25m AOD (1:1000 year event) with a 150mm freeboard for the finished floor levels (FFLs) (35.4m AOD). The perimeter of the site will be raised to 36.05m AOD to account for potential of blockages from the railway culvert. The Preliminary Earthworks Plan also indicates how the potential link road could be achieved as well as providing development platforms for the proposed dwelling houses. The earthwork proposals are preliminary (save for the minimum FFLs required for flood risk mitigation) with an expectation that the precise levels of the site would be refined later.

3.0 Site History

3.1 The application site forms a small part of a much larger site, known as the Whinney Carr site (circa 55 hectares). This larger site has been identified by the Council as a growth area for further residential development for over 20 years, dating back to when the now superseded Local Plan was being produced, with the purpose of meeting the District’s housing requirements. The allocation had been supported by the Inspector (at the Local Plan examination) but was later removed from the Local Plan when the housing requirements (then set by a regional tier of government) were significantly reduced. The Whinney Carr site was left unallocated in the 2004 Local Plan and did not benefit from any specific land use or environmental allocation/designation, including the blanket ‘Countryside’ designation that generally swept across the District outside of the urban areas. In 2000, the Whinney Carr site was later the subject of a planning application for 535 dwellings. The Council supported this application, as did the Planning Inspector after it was called-in for determination by central government. The application was then refused by the Secretary of State primarily on the grounds there was no housing need at that time.

3.2 The Whinney Carr site (as a whole) has remained an option for strategic growth (through the Local Plan process) for many years. The recently adopted Local Plan includes the Whinney Carr site (including the application site) as part of the wider Lancaster South Broad Location of Growth (BLG) designation.

3.3 Aside from the long-term strategic opportunities for the Whinney Carr site (as a whole), the applicant has pursued other development proposals on their site. The most relevant relates to the outline application (10/00366/OUT) for a food store with associated access, parking and landscaping. Like the proposed development, the applicant sought to safeguard land for the provision of a link road between Scotforth Road (the A6) and the A588 (via the Whinney Carr site) and over the West Coast Mainline. This application was refused and dismissed at appeal although there was general agreement at that time that the location of the link road was feasible.

3.4 The most recent and relevant planning history is set out in the table below. This also includes development proposals consented around the site.

Application Number	Proposal	Decision
98/01207/OUT	Outline application for new neighbourhood including residential development, roads, bridge and junctions linking Ashton Rd and A6, cycleways and footways, primary school/community facilities site, quality bus scheme and recreation/amenity space.	Supported by the Council and Planning Inspector but refused by the Secretary of State. <i>This relates to the Whinney Carr site.</i>
10/00366/OUT	Outline application for the erection of new food store (A1), hotel/pub/restaurant (C1, A4 and A3) and petrol filling station, new roundabout access from Scotforth Road, internal roads, car parks, landscaping and other associated works.	Refused and Dismissed at Appeal (APP/A2335/A/11/2155529) <i>This relates to application site.</i>
10/00251/FUL (and subsequent Section 73 approval 14/00633/VCN)	Erection of a new supermarket, construction of new access, servicing and parking areas, footways, cycle facilities and landscaping. The Section 73 approval allowed for the variation and removal of conditions to allow phased implementation of the development and removal of unnecessary duplication.	Approved <i>This relates to the land immediately north of the application site.</i>

16/00117/VCN	Renewal of application 09/00330/DPA for the outline application for a science park (approx 34,000 sq m of B1 use floorspace) and full application for a new access off the A6, construction of an internal spine road and provision of landscaping (pursuant to the variation and removal of conditions 3, 4, 5, 6, 7, 8, 9, 11, 12, 15, 16, 17, 18, 19, 21, 22, 23, 24 and 27 on the full planning permission 12/00626/RENU to enable phased implementation and remove duplicated requirements)	Approved <i>This relates to the Bailrigg Health Innovation Campus.</i>
16/01308/REM	Reserved Matters application for the erection of a 5 storey research and development building (B1) with ancillary facilities, new internal road, car parking and landscaping.	Approved <i>This relates to the Bailrigg Health Innovation Campus</i>
17/00073/FUL	Erection of 7 dwellings with associated new access and cycle paths	Approved (development practically completed) <i>This relates to the land to the north east of the site adjacent to Aikengill</i>
19/00333/EIR	Screening opinion for residential development for up to 95 dwellings	Not EIA Development
19/00996/VCN (Filter House Student Development)	Erection of two 4-storey student accommodation buildings comprising of 12 7-Bed cluster flats (sui generis) and 14 6-bed cluster flats (C4) with associated car parking and bin and cycle stores (pursuant to the variation of condition 6 on planning permission 18/00637/VCN to allow for a phased programme of offsite highway works).	Permitted (currently under construction)
19/01029/VCN	Demolition of existing care home and outbuilding and erection of a replacement 63 bed care home with associated landscaping, car parking and alterations to the existing access(pursuant to the variation of condition 1 on planning permission 18/01374/VCN to alter the internal layout to create 4 extra bedrooms)	Permitted (currently under construction) <i>This relates to the land to the south east of the site at Burrow Beck Nursing Home</i>

4.0 Consultation Responses

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

Consultee	Response
Scotforth Parish Council	<p>Objection on the following grounds:</p> <ul style="list-style-type: none"> The areas is designated as Green Space in all the spatial options (Area of Separation) for the Bailrigg Garden Village; The proposal is premature and should not be decided until the outcome of the Local Plan is known; Inappropriate road layout commenting the crossing over the West Coast Mainline is still unknown but consultation reports suggest likely to be from the south; and Increased traffic will exacerbate existing congestion and air pollution.
Lancashire County Council (Local Highway Authority)	<p>Following the submission of further information, no objection to the development subject to the following requirements to be controlled by condition:</p> <ol style="list-style-type: none"> Implementation of the proposed signalised junction off the A6 including the following off-site highway works: <ul style="list-style-type: none"> Formal pedestrian crossing across the A6 (south of the junction) Advanced cycle stop lines

	<ul style="list-style-type: none"> • Bus stop laybys (northbound and southbound south of the junction) • Additional pedestrian crossing across the A6 to provide access to Collingham Park • Extension to the 30mph traffic calming scheme including gateway treatment and speed reduction measure <ol style="list-style-type: none"> 2. Provision of electric vehicle (EV) charging infrastructure 3. Implementation of full Travel Plan 4. Provision of a shared footway/cycleway extending the full length of the site (but within it) including an additional crossing point across the A6 close to the junction to Collingham Park. 5. Construction Method Statement 6. Protection of visibility splays <p>Planning Contributions to mitigate the impacts of the development and improve sustainable transport links have been requested and comprise:</p> <ul style="list-style-type: none"> • £30,000 for improvements towards the Galgate traffic signal control junction; • £35,000 for improvements towards the Hala Road traffic signal control junction; • £15,000 relocation of the A6 southbound bus stop south of the Hala junction and provision of keep clear markings on the A6; • £20,000 towards Pointer roundabout improvement scheme; and • £6,000 Travel Plan Support Service.
Highways England	<p>Following the submission of further information (VISSIM Modelling of the Galgate junction and associated reporting), the initial Holding Objection has been removed. No objection to the development as they are satisfied that the proposal, in isolation, would not result in a significant or severe impact upon the safety and operation of the Strategic Road Network (SRN). Notwithstanding this, they question whether the City Council should consider the proposal ahead of the emerging Local Plan being concluded because of the piecemeal approach to the development of South Lancaster.</p>
Network Rail	<p>Network Rail (NR) has now removed their Holding Objection and now raise no objection to the proposals. Their holding objection was in relation to the impacts of the drainage proposals on their assets.</p> <p>NR had concerns about the impacts of concentrated areas of surface water (infiltration basins) within 30m of the operational railway on the sheer strength of their infrastructure (such as risk of soil erosion, seepage of water, reduction of bearing capacity under the tracks). To address ground stability matters, NR recommends a condition detailing proposed ground levels, earthworks and excavation to be carried out near the railway boundary to be submitted and agreed. NR has confirmed they have no objection to the revised drainage details.</p> <p>Network Rail have raised several other operational requirements in relation to safeguarding their assets as well as provided advice that a future bridge link over the West Coast Mainline (WCML) would be subject to internal approval and regulatory consents and appropriate legal agreements with the land promoter, including the local highway authority. Network Rail advise a Basic Asset Protection Agreement (BAPA) would need to be entered into between the development and Network Rail.</p> <p>Conditions are recommended for the following matters:</p> <ul style="list-style-type: none"> • Details of the drainage scheme directed away from the railway line • Details of ground levels and earthworks and excavation to be agreed • Mitigation to be agreed and provided to protect against noise and vibration from the railway line
Lead Local Flood Authority	<p>Following the submission of further information, the LLFA has raised no objection to the proposal subject to surface water drainage and maintenance conditions.</p>
United Utilities	<p>No objection subject to following conditions:</p> <ul style="list-style-type: none"> • Scheme for surface water drainage following drainage hierarchy

	<ul style="list-style-type: none"> Foul water to be drained on separate systems
Environment Agency (EA)	Following the submission of further information, the EA raises no objection subject to ensuring the development is carried out in accordance with the flood risk mitigation set out in the Flood Risk Assessment and associated addendum reports.
South Lancaster Action Flood Risk Group	<p>Objection on the following grounds:</p> <ul style="list-style-type: none"> Concerns over the impact of raising the height of the land and its increase in flood risk elsewhere; Surface water flood risk is likely to be highly substantial noting that the 'pond' in winter months is deep and covers a substantial area; Concerns over the potential impacts of the development and drainage proposals on the structural integrity of the railway line. The proposed raising of land levels will not stop water congregating by the railway line, increasingly so given the inability of water to soak into the changed (impermeable) landscape. Independent hydraulic modelling should be produced for approval by the EA; Concerns relating to ongoing maintenance and management of SuDS and the processes to demonstrate compliance that the scheme installed is that approved. <p>Management Plans should include adoption by public authority or statutory undertakers including funding mechanisms and means of access. Such plans should be specific to the proposals, clear in terms of responsibility and should avoid generic checklists and should include a mechanism for reporting general inspections and problems. The plans should be enforceable as the effects of a failing system can lead to a flood risk. The Action Group contends such plans should considered before housing development is permitted.</p>
Natural England	No objection subject to securing mitigation (provision of open space and homeowner packs) to ensure the proposal will not result in adverse effects on the integrity of the designated site.
Greater Manchester Ecological Unit (GMEU)	<p>Following the submission of further information, GMEU raises no objection to the development and is now satisfied that sufficient details have been submitted to demonstrate that the favourable conservation status of great-created newts will be maintained at the site.</p> <p>The following conditions are recommended:</p> <ul style="list-style-type: none"> GCN Mitigation Strategy to be implemented and confirmation of a NE Licence to be provided before works commence. Long-term management to be included in a Landscape and Ecological Management Plan.
Tree Officer	<p>No objection subject to the following conditions:</p> <ul style="list-style-type: none"> Landscaping scheme to be submitted with full/reserved matters application A detailed AIA to be submitted with any subsequent full/reserved matters application.
Environmental Health Service - Noise	<p>No objection and comments as follows:</p> <p>Appropriate sound levels within the dwellings across the site can be achieved with mitigation (ventilation and glazing specifications) to ensure the 'lowest observed adverse effect levels' but this will need to be determined once the layout is finalised. Noise levels within external amenity areas has not been explicitly reported. Noise levels for external amenity areas should be in accordance with BS8233:2014, which will require a scheme for mitigation to be determined.</p>
Environmental Health Service - Air Quality	<p>Objection on the following grounds:</p> <ul style="list-style-type: none"> The additional modelling indicates a small increase at the Cable Street location which is reporting exceedances above the Objective Standards at the anticipated opening year (2024). Whilst the increase is small, as there is an exceedance above the Objective Standard, it is not negligible. The mitigation proposed needs to be quantified in accordance with the Council's Planning Advisory Note to assess the effects of the mitigation on air quality.

	<ul style="list-style-type: none"> The updated assessment remains unsatisfactory and does not meet the requirements of the PAN, particularly in relation to electric vehicle charging provision. Recommends that further consideration and measures to minimise air quality are needed.
Council's Contaminated Land Officer	No objection subject to an additional Site Investigation that can be controlled by condition.
Cadent Gas	No objection – Cadent have provided two responses. The first setting out that there are assets within the vicinity of the site including a low – medium pressure gas pipes and associated equipment, electricity overhead lines and above ground electricity installations. Standard guidance is provided in relation to working practices in close proximity to the identified assets. The second response is from Cadent Gas Plant Protection Team advising the developer to account for any easements on the site.
Lancashire Education Authority	No objection subject to securing a contribution towards Secondary School places (Lancaster Central High School) for the full pupil yield from this development (14 places). Based on current rates, this would be a contribution of £338,592.24. A recalculation would be required once accurate bedroom information becomes available (reserved matters stage) and would be subject to the rates at the time of recalculating the contribution. No contribution towards primary school places is required.
Civic Society	Objection principally on the grounds that the site is premature and should only be advanced when the proposals for the BGV have been completed. The Civic Society also raise concerns over the proximity of the site to the West Coast Mainline, flood risk implications given its position close to Burrow Beck and concerns over traffic.
Dynamo Cycle Campaign	Objection on the following grounds: <ul style="list-style-type: none"> No proposals to encourage sustainable transport; and Poor Travel Plan and poor understanding of the local cycle network. The developer should fund a new cycle route between the site to join with the existing network otherwise the proposal contravenes DM20.
Lancashire Constabulary	No objection – The Constabulary recommends that the development be designed to accord with Secured by Design Homes 2019 principles and security specifications and provides a list of recommendations. Additional recommendations are made in connection with security during construction phases.
Lancashire Fire and Rescue Service	No objection – standard recommendations regarding the provision of fire appliances/water within the development and Building Regulation requirements.

4.2 At the time of compiling this report 12 letters of objection have been received. A summary of the main reasons for opposition are as follows:

- Lack of housing need;
- Limited employment prospects to support additional housing;
- Loss of greenfield and concerns that the development will close the green gap between Galgate and Lancaster to the detriment of the character and appearance of the area.
- Conflicts with the emerging Local Plan in bringing this site forward as part of the Bailrigg Garden Village;
- Consideration that a bridge over the West Coast Main Line (WCML) will simply lead to rat-running which may adversely impact residents of the estate and their quality of life;
- Use of the site for the growth of the University or even a railway station better suited and more sustainable;
- Highway capacity (increase in traffic to an already congested route) and safety concerns;
- No provision for sustainable travel;
- The A6 is not a 'viable and attractive cycling route' as stated – instead it is very dangerous. To encourage sustainable travel, there needs to be a traffic-free cycle route parallel to the A6;
- Concerns over the adequacy of the traffic data and that effects of traffic being under-estimated at the planning stage;
- Deterioration in air quality and light pollution;

- Increase in dust, noise, vibration pollution during construction affecting residential amenity;
- Increased demand on services, such as doctors and schools that are already over-subscribed
- 95 units on the site is unrealistic considering the issues that exist within the site (flooding, noise and drainage constraints)
- Flood risk and concerns over the proposed drainage strategy (infiltration) noting the ground conditions during winter months are generally waterlogged therefore the land is not suitable for housing.
- More investment needed in flood defence infrastructure and long-term climate change management before sites like this are development.

4.3 Representations have also been made by Peel Investments (North) Limited (hereafter 'Peel' – land promoter/owner of the wider Whinney Carr site). Peel has **no objection** to the proposed development and supports the strategic way in which the application has considered and explained their proposals and intentions in relation to the delivery of the South Lancaster Board Location for Growth (BLG) strategic site. However, recognising the proposal does not actually provide for the Link Road across the West Coast Mainline (WCML), Peel considers it essential that a planning obligation is agreed between CEP and the Council to require the Link Road to be built to the precise boundary of the application site and for CEP to confirm rights of access across the full extent of the Link Road to be granted to serve the land west of the WCML without their being a requirement for payments to be made to third parties to obtain such rights. Peel contends that such a planning obligation would avoid prejudicing the wider development and give certainty to the strategic objectives of the South Lancaster BLG.

5.0 Analysis

5.1 The key considerations in the assessment of this application are:

1. Principle of Residential Development and Housing Needs
2. Highway Matters
3. Flood Risk and Drainage
4. Biodiversity
5. Landscape Character and Visual Effects
6. Amenity and Health
7. Design
8. Other Considerations

5.2 **Consideration 1 - Principle of Residential Development and Housing** NPPF paragraph 7 – 12: Achieving Sustainable Development, paragraph 15: Plan-making, paragraph 16, 20-23: Strategic Policies, paragraph 47: Determining applications, paragraphs 54-57: planning conditions and obligations, Chapter 5: Delivering a Sufficient Supply of Homes; Strategic Policies and Land Allocations (SPLA) DPD policies SP1: Presumption in Favour of Sustainable Development, SP2: Lancaster District Settlement Hierarchy, SP3: Development Strategy for Lancaster District, SP6: The Delivery of New Homes, SG1: Lancaster South Broad Area of Growth, SG3: Infrastructure Delivery for Growth in South Lancaster, and H1: Residential development in Urban Areas and Development Management (DM) DPD policies, DM1: New Residential Development and Meeting Housing Needs, DM2: Housing standards and DM3: Delivery of Affordable Housing; Meeting Housing Needs SPD; Affordable Housing Practice Note Planning Advisory Note; Housing Standards Planning Advisory Note.

5.2.1 Principle of Residential Development

Planning law (Section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The Development Plan (hereafter 'Local Plan') for Lancaster District includes the Strategic Policies and Land Allocations Development Management Documents (SPLA DPD), a reviewed Development Management (DM) DPD, the Morecambe Area Action Plan DPD, the Arnside and Silverdale AONB DPD and 2 Neighbourhood Plans. The SPLA DPD and reviewed DM DPD were adopted in July this year and result in an up-to-date Local Plan.

5.2.2 The application site lies within the area covered by Policy SG1 (Lancaster South Broad Location for Growth (hereafter 'BLG') including Bailrigg Garden Village (hereafter 'BGV') of the SPLA DPD. Policy SG1 is a designation of land, which promotes the strategic delivery of sustainable

growth in South Lancaster. The BLG is regarded a sustainable location for growth and supports the development strategy (urban-focussed approach) for the district as set out in policy SP3 of the SPLA DPD. The purpose of policy SG1 is to deliver a self-contained Garden Village, which focuses on high quality development that carefully balances housing and employment requirements across the BLG whilst maintaining strong and embedded environmental and high-quality design objectives. It is important to stress that Policy SG1 does not allocate land for particular uses. Instead, it sets out a series of Key Growth Principles for development within this designated land.

- 5.2.3 There are 15 Key Growth Principles set out in SG1. A summary of these principles is set out here:
1. Pro-active community engagement.
 2. Securing high-quality design and development with a sense of place.
 3. Seeking modal shift (public transport and cycle infrastructure).
 4. Delivering market and affordable housing to meet evidenced housing needs and to secure cohesive and balanced communities.
 5. Ensuring necessary infrastructure is delivered to support the strategic growth of South Lancaster.
 6. The delivery of high-quality open space and green corridors and securing distinct areas of separation between the BGV and the existing urban edge of Lancaster and Galgate.
 7. Development to take account of the Heritage Impact Assessment for the area.
 8. Safe, accessible and well-serviced development to create healthy and cohesive communities.
 9. Master planning for growth of the University Campus and its wider estate.
 10. Safeguarding the University Campus.
 11. Design new development to minimise its contribution to, and the impacts of, climate change and to be resilient and adaptable to the effects of climate change.
 12. Managing and reducing surface water and flood risk to existing and new residents and businesses.
 13. Housebuilders to provide opportunities to work alongside local firms/suppliers during construction and the BGV to provide opportunities for self/custom build properties.
 14. Promotion of innovative design and use of technology for buildings, transport and energy.
 15. Improvements to traffic management and physical interventions to increase network capacity and advantage sustainable travel.
- 5.2.4 To support the delivery of strategic growth in South Lancaster significant infrastructure will be required. This ranges from new highways, public transport networks, cycle infrastructure, education facilities, local centre(s) and valuable open space and green/blue corridors/networks. The mechanism for the delivery of this strategic growth area rests largely with the Council in the first instance with the requirement to prepare a subsequent DPD, entitled the Lancaster South Area Action Plan (AAP) DPD. This will provide additional detail on how the Key Growth Principles will be delivered as part of an extensive master planning exercise. The AAP will provide a strategic spatial framework for development (i.e. it will seek to allocate land to specific land uses) within the BLG and shall also address the delivery of infrastructure to facilitate development. In addition, Lancashire County Council has also secured funding (Housing Infrastructure Fund - HIF) from central government towards transport infrastructure improvements in South Lancaster (currently subject to consultation, though it should be noted no weight can be applied to the consultation material given the infancy of this work). The whole purpose of the policy approach here is to secure and deliver well-planned and comprehensive development. SG1 states that the Lancaster South AAP is anticipated to be ready for adoption within the first five years of the plan (before 2022). In accordance with the Local Development Scheme (LDS), the Council has already started preparing the Lancaster South AAP DPD. The LDS anticipates the initial informal consultation on draft documents towards the back end of 2020 into Spring 2021.
- 5.2.5 During the Public Examination of the Local Plan, a Statement of Common Ground (SoCG) was signed by Lancaster City Council, the applicant CEP, Peel Investments (North) Ltd and Story Homes Ltd in relation to Policy SG1. The SoCG included the inclusion of an 'early release mechanism' that could, in exceptional circumstances, allow for the early release of land within the BLG to assist housing delivery in early phases of the plan. The early release mechanism is included in the Local Plan that has been found sound by the Inspector and formally adopted by the City Council. For the Council to accept the early release of development ahead of the AAP, the following tests must be met:

1. There would be no prejudice to the delivery of the wider BGV (including its infrastructure requirements) and would not undermine the integrated and co-ordinated approach to the wider BGV development; and
2. The development would conform with and further the Key Growth Principles described in SG1; and
3. That the opportunities for sustainable transport modes have been fully considered and that the residual impacts on the transport network will not be severe.

Furthermore, the preamble to policy SG1 is clear that the Council would only permit development within the BLG ahead of the AAP in exceptional circumstances. In order to be compliant with SG1, the Key Growth Principles for Development in the BLG must be considered in detail. This will follow under each of the main material considerations set out in this report.

5.2.6 Notwithstanding the policy requirements set out in policy SG1 (and other policies within the Development Plan), the application site is positioned in a sustainable location. It is located on the southern edge of the existing built-up area of the city surrounded by existing development. Scotforth Road (that borders the full frontage of the site) forms a key public transport corridor and provides good access to regular bus services as well as the existing pedestrian/cycle network. The site is also situated within close proximity to local shops and services making it suitable, in principle, for residential development.

5.2.7 **Housing Needs and Delivery**

The NPPF requires Councils to significantly boost the supply of new homes in their districts. The provision of new homes (and affordable homes) had been one of the main issues grappled with during the preparation and examination of the newly adopted Local Plan. The strategic and spatial objectives of the plan have had to carefully balance the district's housing and employment needs and growth aspirations against the need to rightly protect and enhance the district's natural and built environment. In accordance with national planning policy, the Council has established their full objectively assessed housing need (OAN) and the subsequent housing requirement having regard to available supply, deliverability and the constraints of the district. The Council has evidenced that the Council cannot presently meet its full OAN. The Council's housing requirement is based on the delivery of 522 dwellings per annum. This is a significant uplift from the previous Core Strategy requirement. The Council recognises this is challenging with a plan reliant on the delivery of a number of strategic sites and therefore policy SP6 sets out a stepped approach to housing delivery during the plan period. The Council is comfortable that the allocation of land within the Local Plan will lead to a wide range of opportunities for development which will sufficiently provide for housing delivery in the first five years of the plan. The Lancaster South BLG designation will facilitate the delivery of at least 3,500 new homes and 1205 new homes anticipated within this plan period, including affordable housing.

5.2.8 The NPPF requires the Council to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirements set out in the adopted Local Plan. The most up to date housing land supply position for the Council remains that contained within the November 2019 Housing Land Supply Statement, which concludes that the Council is unable to identify a five-year land supply position. Currently, the Council can demonstrate a 4.5 years' worth of supply.

5.2.9 It is acknowledged that opportunities to address this lack of a five-year supply can only come forward through the approval of more residential proposals and the identification of further supply through the Land Allocations process. As set out above, the BLG is nothing more than an area identified for growth. It does not seek to identify parcels of land for specific land uses. Which parcels of land within the BLG designation most suitable for residential development has not yet been determined, as this will be established through the preparation of the South Lancaster Area Action Plan. However, it should be noted that the Local Plan's housing trajectory does anticipate 205 dwellings within the BLG designation to be delivered within the first five years of the plan period. Whilst the applicant contends this relates to their site, this is not necessarily the case. The Local Plan (either through its evidence or policy) does not earmark the application site for housing development. Instead, policy SG1 provides some opportunities for early housing delivery ahead of the AAP in exceptional circumstances. The applicant contends their proposal would comply with the conditions for early release set out in policy SG1 and that in the absence of a five-year housing land supply position planning permission should be granted in accordance with the presumption in favour of sustainable development.

5.2.10 Notwithstanding the requirements of policy SG1 and other development plan policies there is no doubt that the proposed development would make a meaningful contribution to the district's five-year land supply and would provide much needed market and affordable housing. 30% of the total number of dwellings proposed on the site would be affordable dwellings in compliance with policy DM3 of the DM DPD. The applicant also accepts the development must comply with policy DM1 in relation to ensuring the proposed development meets local housing needs (securing a suitable housing mix by type and size) as well as policy DM2 requiring all new dwellings to meet the Nationally Described Space Standards and at least 20% of the dwellings designed to meet Building Regulations M4(2) standards (accessible and adaptable dwellings). Securing a suitable housing mix together with policy compliant housing standards can be secured and controlled by planning condition. The affordable housing provision would be secured by planning obligation. The contribution the development would make to the current housing supply position as well as delivering much needed affordable housing is a matter that carries substantial weight.

5.2.11 The absence of a five-year housing land supply (even with a newly adopted and up-to-date Local Plan) does trigger the presumption in favour of sustainable development (para 11 and footnote 7 of the NPPF). For decision making this means granting planning permission unless:

- i) The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development; or
- ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

The following section of this report will assess the main planning considerations having regard to national and local planning policy and guidance and, in particular, the Key Growth Principles of policy SG1.

5.3 **Consideration 2 - Highway Matters** NPPF Chapter 9 paragraphs 108-111: Promoting Sustainable Transport and Chapter 12 paragraph 127: Achieving well-design places; Development Management (DM) DPD policies DM29: Key Design Principles, DM60: Enhancing Accessibility and Transport Linkages, DM61: Walking and Cycling, DM62: Vehicle Parking Provision, DM63: Transport Efficiency and Travel Plans; DM64: Lancaster District Highways and Transport Masterplan; Strategic Policies and Land Allocations (SPLA) DPD policies T2: Cycling and Walking Network and T4: Public Transport Corridors.

5.3.1 In relation to transport considerations, both national and local planning policy strive to ensure development is:

- Located in areas that are or could be made sustainable;
- Safe and accessible for all users;
- Promotes sustainable transport modes;
- Minimises the need to travel by private car by prioritising pedestrian and cycle movements;
- Ensure the highway safety and efficient of the highway network is maintained;
- Create safe, accessible, well-connected and attractive places.

These key requirements are collectively reflected in the Key Growth Principles set out in policy SG1.

5.3.2 Given the scale of the development, the anticipated traffic to be generated from the development and given the known local constraints on the local highway network, the application has been supported by Transport Assessment, a Travel Plan and a detailed access proposal. Following initial consultation with the local highway authority (LHA) and Highways England (HE), the applicant has undertaken further surveys and assessment set out in the applicant's Updated VISSIM Modelling Report (for the Galgate junction).

5.3.3 The main transport considerations are as follows:

- The access strategy
- Infrastructure delivery
- Highway safety and capacity
- Sustainable transport and accessibility

5.3.4 Access Strategy

The application site shall be accessed off Scotforth Road with a new three-armed signalised junction. Near the application site Scotforth Road has a single carriageway width of approximately 9m with grass verge variable in width along the site frontage. Scotforth Road is a primary access corridor into and out of the city linking it southwards to Lancaster University, Galgate and junction 33 of the M6 Motorway. The road is lit and enjoys a 40mph speed limit alongside the site. Approximately 60m north of the site the speed limit reduces to 30mph as the road enters the existing built-up area. Scotforth Road is elevated above the site for most of its length along the eastern boundary (also site frontage) and levels off closer to the northern end of the site where the access is proposed. Footway provision is available along Scotforth Road but this is limited to the eastern side of the road near the application site. North of Rays Drive (once in the existing built-up area) there is footway provision to both sides of the road. Towards the southern tip of the site and east of Scotforth Road there is a further priority junction into Collingham Park. Footway provision is good in this location with access to direct pedestrian and cycle routes to Lancaster University.

5.3.5 The proposed access is located south of the approved vehicular access serving the extant supermarket and approximately 100 metres south west of the new priority junction serving the new residential development on land adjacent to the property known as Aikengill. Unlike the junction serving the development at Aikengill, the proposed junction is a signalised junction as is the approved supermarket. The proposed access provides for dedicated straight on and right/left turn lanes when accessing from the north and south with dedicated left and right exit lanes. Footway provision is incorporated into the junction design including pedestrian crossing facilities across the mouth of the junction and across Scotforth Road itself. Advanced cycle stop lines and new bus stops are also incorporated into the access design to the south of the junction. In determining and assessing the appropriateness of the access location and design, the operation of all three junctions (the site, the supermarket and Aikengill) have been assessed in isolation and cumulatively as they will influence each other.

5.3.6 The form and design of the access is greater than what would be expected for a residential development of this scale. This is because of the applicant's commitment to demonstrate the proposed residential development would not prejudice the wider development of the BLG designation, by including an opportunity to deliver a suitable link road to facilitate wider growth west of the West Coast Mainline (WCML). The application does not include the provision of a bridge. It provides for an access suitable to accommodate much greater development than applied for and an opportunity to secure a link road up to the WCML as part of the detailed layout of the proposed scheme. Notwithstanding the fact the design of the junction is likely to be greater than what would be required for a scheme of the scale applied for (up to 95 dwellings), the access arrangements to serve the development are acceptable. The Highway Authority raises no objection to the access proposal, subject to the inclusion of an extension to the 30mph limit along Scotforth Road and a gateway traffic calming scheme, a pre-signal north of the junction to ease vehicle movements at the Aikengill junction, the provision of a footway/cycleway to be provided within the site for its full length with an additional crossing point over Scotforth Road to the south to access Collingham Park. Such matters that can be adequately secured and controlled by planning conditions. With the inclusion of these additional measures, the proposed development would not give rise to a severe impact upon the network and would ensure safe and suitable access for all users and would be compliant with paragraph 108 of the NPPF and policies DM29, DM60 and DM61.

5.3.7 Infrastructure Requirements

Policy SG1 and SG3 requires a coordinated approach to the comprehensive masterplanning of the future garden village (to be provided in the BLG). To achieve this, the future AAP is intended to address the delivery of infrastructure to facilitate development within the BLG as well as setting out how the Key Growth Principles can be realised. This would include details pertaining to the delivery, phasing and locations of specific infrastructure. Policy SG3 goes on to provide a list of key infrastructure matters which the AAP must address. This is focussed around making improvements to highway capacity on the A6 corridor and, as part of the Garden Village aspirations, creating opportunities for significant modal shift (e.g. a Bus Rapid Transit service and a Cycle and Walking Superhighway). The key infrastructure requirements are set out in the Infrastructure Delivery Plan and associated Infrastructure Delivery Schedule which accompanies the Local Plan. The funding mechanisms for the required infrastructure is anticipated to include both public and private sector investment. The Housing Infrastructure Fund (HIF) forms the basis of the public sector intervention. This is anticipated to secure a significant proportion of the infrastructure, but it is inevitable that this will need to be supplemented by the private sector through the delivery of new development. The

charging mechanism for private sector funding is a matter for the AAP, to ensure infrastructure is delivered in a fair and equal manner.

- 5.3.8 The submission of the application ahead of the AAP arguably results in piecemeal development that would not, if approved, be able to contribute to whatever charging mechanism and/or infrastructure delivery eventually set by the forthcoming AAP, or deliver on all of the Key Growth Principles. It also makes it more challenging to demonstrate that there would not be prejudice to a wider scheme which as yet hasn't even been formulated in draft. Of relevance is the requirement to deliver modal shift and the ensure the right infrastructure is in the right location. The applicant has had some regard to the strategic objectives of the Local Plan. The proposal includes (in detail) an access capable of accommodating far greater development than that applied for as well as the opportunity to provide a link road up to the boundary of the WCML. The proposal does not include the bridge link itself. The indicative link road set out in the application is based on the preliminary design previously agreed with the Council and the Highway Authority as part of the 2012 CEP planning appeal (for the supermarket). It also reflects the indicative proposals to connect Scotforth Road and Ashton Road (over the WCML) set out in the Council's Expression of Interest (for the garden village) submission to central government. The Lancaster Highways and Transport Masterplan (in the infrastructure funding table) assumes 2 crossings over the WCML but no details about the design or location of these assumed crossings. In the absence of anything else, it is understandable why the applicant would advance a proposal seeking to safeguard land to the north of the site to deliver a potential strategic link road. Such would also serve as the main access road into the proposed development.
- 5.3.9 Nonetheless only limited limited weight can be given to the historic requirements and agreements in connection with the link road and access over the WCML. The proposal is for different development with a different and much wider strategic ambition for South Lancaster (compared to the earlier Local Plan). The Expression of Interest may be a material consideration, but it too is of very limited weight and has no planning policy status. Policy SG3 goes on to provide a list of key infrastructure matters which the AAP must address. This is focussed around making improvements to highway capacity on the A6 corridor and, as part of the Garden Village aspirations, creating opportunities for significant modal shift (e.g. a Bus Rapid Transit service and a Cycle and Walking Superhighway). The key infrastructure requirements are set out in the Infrastructure Delivery Plan and accompanying Infrastructure Delivery Schedule. Neither specifically includes the provision of a link road over the WCML as part of the anticipated infrastructure requirements, nor does policy set out where this would be located. However, there will inevitably be requirements for suitable distributor roads within the Garden Village (which may require appropriate connections over the WCML). At this stage, it is not possible to rule in or out the requirements of a link road to the north of the BLG within the proposal application site.
- 5.3.10 Given the circumstances, to ensure the proposal would not prejudice growth to the west of the WCML (Whinney Carr) (assuming the AAP later identifies development opportunities in these locations), the applicant is agreeable to a planning condition to safeguard land between the proposed access and the boundary with the WCML for a link road should such be identified and required through the preparation of the AAP. The details of the link road would also form part of the detailed considerations at the reserved matters stage as it would serve as the main access road into the development too. Representations from Peel L&P Investments (North) Limited ("Peel" for the Whinney Carr site) support the applicant's proposal but argue that the only way to ensure the comprehensive delivery of the wider BLG is through the imposition of planning conditions and obligations to safeguard the potential requirement for the link road. Should the application be supported, officers consider that a planning condition would be sufficient to safeguard the land and potential link road. Such a condition would need to be precise to ensure it is clear the safeguarding of land extends up to the boundary of Network Rail's land. Peel argues that the mechanism for safeguarding the land and the link road up to the edge of the western boundary should go beyond a planning condition and that a planning obligation should be required to ensure the delivery of the link road without a ransom position arising. Whilst this is commercially understandable it is not considered that such a requirement is necessary given the wider nature of the proposals and the fact that there is no evidence that the delivery of land adjacent to the application site would be prejudiced if such an obligation is not required.
- 5.3.11 Officers are of the opinion that an obligation explicitly requiring the applicant not to ransom any access or connection from its land to neighbouring land is not warranted therefore. This is an opinion also shared by the applicant. However, it is accepted that in order to comply with policy SG1 (so as

not to prejudice the future ambitions of the BLG) that a precise condition setting the requirements for the safeguarding of land and an access point to the western boundary of the site would be required, assuming the AAP requires a link road in this location. This would be fairly and reasonable related to the development and the provisions of the development plan.

- 5.3.12 In terms of contributing to wider transport infrastructure intended to support the BLG, it is not possible (nor has it been requested by the local highway authority) for the development to contribute to the delivery of sustainable transport projects, such as the Cycle Superhighway and Bus Rapid Transit service. These projects are only likely to materialise once wider strategic plans have been completed including the Movement Strategy for the city and the masterplanning exercise to inform the AAP. Whilst the proposal, in isolation from the wider growth area, will not contribute to significant modal shift, it does seek to encourage and provide new improved pedestrian and cycle facilities within the site and to connect to the existing network.
- 5.3.13 Given the relatively small-scale nature of the proposal and subject to securing and safeguarding land to the north of the site for a link road should one be required, the development is not likely to prejudice the wider strategic transport ambitions or infrastructure requirements for development within the BLG. However, contrary to the applicant's assertions within the planning submission, the safeguarding of land and the potential provision of a link road up to the WCML is not considered a regeneration benefit for the reasons set out above. Consequently, the degree of conflict with the transport-related Key Growth Principles set out in policy SG1 and SG3 is limited and would not result in a substantive reason to resist the development.
- 5.3.13 Highway Safety and Capacity
The local highway network in the vicinity of the application site and along the A6 corridor is highly constrained. At peak times through its primary junctions, the network experiences significant traffic and congestion. This is a locally significant concern but is also a significant constraint to future development in South Lancaster as set out early in this report. The Local Plan (mainly policy SG1 and SG3) sets strategic objectives and ambitions to tackle the highway constraints along the A6 corridor, which will require significant intervention including the reconfiguration of Junction 33 of the M6 and modal shift, in order to improve operational capacity between the motorway and the city centre to support significant growth. Policy SG1, however, recognises some development could come forward ahead of the AAP (and plans to secure the transport-related infrastructure) provided the residual impacts upon the network are not severe (in terms of safety and efficiency). This is the primary test in this case.
- 5.3.14 The application has been supported by a detailed Transport Assessment and updated modelling reports in respect of junction capacity. The scope of the Transport Assessment has been the subject of pre-application discussions with the local highway authority. Its content follows industry standard best practice and national planning policy guidance. Despite being sustainably located with good and improved access to public transport and the pedestrian network, the proposed development will inevitably generate traffic. The applicant's Transport Assessment indicates that the proposed development is anticipated to generate a total of 51 two-way vehicle movements during the morning and evening peak hour periods with the distribution of traffic split 66% to the north and 34% to the south. The local highway authority is satisfied with the assumptions made in respect of trip generation and distribution arising from the development. The trip rates presented in the Transport Assessment are also in line with the trip rates used in Transport Assessment for the Local Plan. The local highway authority has reported that such trip rates are not unreasonable for local plan purposes but for individual sites trip rates should be more refined to account for local circumstances (using higher trip rates). However, in this case, the local highway authority concludes that the use of higher trip rates would not make a material change to the outcome of their response about traffic modelling and network impact assessments. The local highway authority is satisfied with the distribution assumptions in the Transport Assessment.
- 5.3.15 The effects of additional traffic on the network has been assessed to ensure the proposal does not have significant adverse impacts on the safe and efficient operation of the local highway network. The junction capacity assessments consider the traffic generated by the proposed development and traffic generated by committed development, accounting for estimated background traffic growth. The base year assessment is 2019 with a future year assessment of 2024.

- 5.3.16 The main junctions assessed in the Transport Assessment include the proposed site access, the extant supermarket site access, Hala crossroad junction and the crossroad junction in Galgate. With the exception of the Galgate junction, the LINSIG Model has been used to undertake the analysis of the operational capacity of the junctions. Due to the complexity of the Galagte junction and how it operates, additional microsimulation modelling was required using VISSIM. This form of modelling provides a more accurate picture of the complex interactions at the junction. It can take account of driver behaviour, slow-moving traffic and the effects of obstructions on the highway, such as parked vehicles and bus stops. The methodology and scope of this assessment was agreed in consultation with the local highway authority and Highways England.
- 5.3.17 The submitted Transport Assessment and supplementary reports (to address initial highway concerns from both the local highway authority and Highways England) conclude that all junctions will operate within capacity and below saturation with positive practical reserve capacity at peak hour periods. The applicant has adequately demonstrated the proposed site access and the access serving the extant supermarket site can operate safely and efficiently without adverse effects on the local highway network. However, given the proximity of the two access points there is clear interaction between them, which will require the operation of the two signalised junctions to be coordinated and appropriately linked. This can be controlled as part of the detailed design of the proposed access.
- 5.3.18 In the case of the Hala junction, it is contended that the LINSIG modelling does not fully replicate some junction operation characteristics which could increase junction delay and therefore reduce capacity, such as the position of the bus stop south of the junction. This is the reason why there can be differences between the observed and modelled queue lengths. Consequently, the local highway authority contends the junction is more likely to operate closer to capacity than suggested in the Transport Assessment. Mitigation has been agreed in the form of off-site highway works (relocation of the southbound bus stop further south, keep clear road markings opposite the garage to the south and the provision of MOVA) to maximise junction efficiency and minimise junction delay.
- 5.3.19 In the case of the Galgate crossroad junction, additional microsimulation modelling using VISSIM has been undertaken at the request of statutory consultees. The LINSIG modelling was not deemed appropriate due to the complex operation interactions at the junction. Both the local highway authority and Highways England raised initial concerns about the development traffic impacts on the operational capacity at the Galgate junction and the wider network. For Highways England, additional traffic impacts at this junction have the potential for traffic to back up towards the A6 Hampson Green roundabout at Junction 33 of the M6, leading to traffic queuing to leave the motorway. Subsequently, the effects on the local highway network here have the potential to affect the Strategic Road Network too. Additional surveying and modelling of the Galgate junction has been carried out in consultation with both statutory consultees.
- 5.3.20 The updated modelling for this junction demonstrates there would (and will remain) a level of congestion on the network in this location. The modelling undertaken indicates the network performance across the junction would be increased by only 7 seconds in the morning peak and 2 seconds in the evening peak with the additional traffic generated by the development. Queue lengths on the A6 (northbound) would increase by 13 metres in the morning peak hour and 50 metres in the evening peak hour. On the A6 (southbound) queue lengths are expected to increase by 54 metres and 17 metres in the morning and evening peak hours, respectively. The conclusions of the additional modelling undertaken adequately demonstrates the traffic impacts generated from the development is meaningful but not significant. Recognising the development will contribute to existing congestion, mitigation in the form of a contribution to upgrade the MOVA technology is considered reasonable and well-related to the development. On this basis, the local highway authority maintains the traffic impacts from the proposal (with mitigation) would not be considered severe and the development could be accommodated. Highway's England are also satisfied that the impacts of the proposal would not, in isolation, result in there being a significant or serve impact upon the safety and operation of the Strategic Road Network and raise no objection to the proposal.
- 5.3.21 Sustainable Transport and Accessibility
The site is regarded a sustainable location meaning opportunities to travel by alternative and more sustainable modes of transport is achievable. The site is well within the preferred maximum walking distance (2000 metres) to the local shops in Scotforth, Scotforth primary school and existing bus stops to the north and south of the site. Bus services to and from the University and the city centre

are frequent with the access proposals incorporating new bus stops to the south (both northbound and southbound) of the proposed junction. Should the link road be later required to facilitate growth to the west of the WCML, the access design is also capable of accommodating bus movements. New footways are incorporated into the junction design, together with suitable crossings to enhance and make safe pedestrian movements across the junction and across Scotforth Road. It has also been agreed that an additional pedestrian crossing facility will be provided on Scotforth Road at the southern end of the site. This will enhance pedestrian and cycle access onto Collingham Park (and the cycle route towards the University). A continuous shared pedestrian and cycle link is also required from the site access towards the southern end of the site (linking to the Collingham Park crossing). This is capable of being achieved by planning condition.

- 5.3.22 With regards to the effects of the proposal on the cycle network, it is recognised that several concerns have been raised over the quality and safety of the existing cycle route between the city and the University and the absence of measures to improve this within the submission. The Transport Assessment has suitably assessed collision data along the A6 corridor and junctions within. It is noted several collisions involved cyclists. Subsequently, whilst the local highway authority concludes this is not a result of an unsafe highway layout, it is recognised that development should maintain and improve the safety of the pedestrian and cycle environment. This approach aligns with local and national planning policy. There are clearly wider and more substantial strategic ambitions to tackle this through the Local Plan and the delivery of the BLG (via the AAP), such as proposals for a Cycle/Pedestrian Superhighway. Whilst the proposal will not be contributing to this, given the scale of the development it is considered such would not prejudice these ambitions.
- 5.3.23 The proposal does include an access which supports safe movement for all users, including cyclists, opportunities to provide improved cycle connections through the site towards Collingham Park and a contribution towards upgrades to the Pointer Roundabout (as part of a wider project). This financial contribution will predominately deliver benefits for pedestrians/cyclists making the junction safer and reducing conflict between sustainable and motorised users. Furthermore, all dwellings shall be required (by planning condition) to provide cycle storage and electric vehicle charging points. This, in combination with the implementation of a suitable Travel Plan, demonstrates compliance with national and local planning policy and practice in respect of maintaining and enhancing pedestrian and cycle accessibility.
- 5.3.24 Overall, the proposed development is sustainably located to promote more trips by public transport, walking and cycling. The development can be safely accessed and with mitigation will not lead to a serve impact on the local highway network. Subject to securing a range of off-site highway works and improved pedestrian/cycle measures within the site, together with the following contributions, the development does not conflict with the policies listed at the head of this section of the report:
- Galgate MOVA upgrade £30,000
 - Hala Road MOVA update £35,000
 - Relocation of A6 southbound bus stop south of Hala Road and keep clear markings £15,000
 - Pointer Roundabout Improvement Scheme £15,000
 - Travel Plan Contribution £6,000

5.4 **Consideration 3 Flood Risk and Drainage Matters** (NPPF: Chapter 14 paragraphs 150 and 153 (Planning for Climate Change) and paragraphs 155-163 and 165 (Planning and Flood Risk); Development Management (DM) DPD policies DM33 (Development and Flood Risk), DM34 (Surface Water Run-off and Sustainable Drainage), DM35 (Water Supply and Waste Water); Strategic Policies and Land Allocations (SPLA) DPD policies SG1 Lancaster South Broad Area of Growth, SG3 (Infrastructure Delivery for Growth in South Lancaster) and SP8 (Protecting the Natural Environment); Strategic Flood Risk Assessment (October 2017); Surface Water Drainage, Flood Risk Management and Watercourses Planning Advisory Note (PAN) (2015); Application of the Flood Risk Sequential Assessment Test and Exception Test Planning Advisory Note (PAN) (February 2018).)

5.4.1 Flood Risk and Sequential Test
Paragraph 155 of the Framework states that inappropriate development in areas at risk of flooding should be avoided by directing development away from the highest risk (whether existing or future). Paragraph 158 of the Framework goes on to state that development should not be allocated or permitted if there are reasonable available sites appropriate for the proposed development in areas at a lower risk of flooding. This requires the application of the sequential test. Local planning policy

DM33 reinforces the requirements of the Framework. The Key Growth Principles set out in policy SG1 equally reinforce the need to sustainably manage surface water and reduce the risk of flooding with a general expectation that the development within the Broad Location for Growth (BLG) will provide betterment through the delivery of green networks. Fundamentally, it is for the Area Action Plan (AAP) to address the wider allocation of uses within the BLG, including where green networks and open space would be located.

- 5.4.2 Site levels are shown to be in the region of 34m Above Ordnance Datum (AOD) to 42m AOD. There is a general fall from northeast to southwest with a localised depression within the centre of the site (due to the site's undulating character) where ponding of surface water regularly occurs. The site is most susceptible to fluvial flood risk associated with Burrow Beck around 50m south of the site. Owing to the site's undulating characteristics and proximity to the watercourse, the site straddles flood zones 1, 2 and 3. The residential development (developable area) is limited to flood zones 1 and 2. Flood zone 3 is to remain undeveloped and utilised for ecology mitigation and open space. As part of the development, earthworks are proposed to raise the levels within the site to effectively take land within flood zone 2 to a level equivalent to that of flood zone 1. This mitigation does not, however, remove the requirement to apply the sequential test, albeit that it is a material consideration.
- 5.4.3 The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Paragraph 158 of the NPPF (reinforced by policy DM33 of the DM DPD) states that development should not be allocated or permitted if there are reasonable available sites appropriate for the proposed development in areas with a lower risk of flooding. Paragraph 162 of the NPPF goes on to state that where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again. Within the Strategic Flood Risk Assessment (SFRA), which has informed the Local Plan, the proposed site was considered part of the larger Whinney Carr site (site ref: 341). The SFRA concluded the site was suitable for housing development subject to the site layout being considered and designed around identified flood risks and if the site passes the sequential test. The applicant has not argued the development should not be subject to the sequential test. This is the correct approach as the Local Plan does not formally allocate the site (or any other site/parcel of land within the BLG) for any specific land uses. The South Lancaster BLG is a designation of land in principle whose detailed land use allocations are intended to be set by the subsequent AAP.
- 5.4.4 The applicant's initial sequential assessment of alternative sites is limited to sites within the BLG designation. National Planning Practice Guidance (NPPG) indicates that a pragmatic approach on the availability of alternatives should be taken. Whilst this is the case, the applicant's arguments to limit the search of search to the BLG designation are neither compelling nor accepted. The applicant contends the proposal is the first phase of the Garden Village and would deliver critical infrastructure intended to facilitate future phases of the Garden Village. Alternative sites within the BLG have been scoped down further to those sites capable of accommodating up to 95 dwellings, the delivery of a strategic link road to facilitate future housing delivery and a site which is immediately available.
- 5.4.5 The proposal is not considered to amount to the first phase of a comprehensively planned Garden Village. To be part of a phased development it must form some part of a wider comprehensive development. Whilst the BLG designation sets the principles for the delivery of the Garden Village, and the site falls within this, the allocation of land uses and the phasing and delivery of such, together with its infrastructure, is a matter for the forthcoming AAP. Secondly, the application does not actually include the provision of a link road to facilitate future growth it merely seeks to safeguard land to provide the opportunity to deliver a link road should this be required through the AAP and provide a bigger access. Subsequently, officers content a District wide approach to the Sequential Test should have been undertaken. This is consistent with the Council's Planning Advisory Note, especially if the argument is the application is being promoted in advance of the AAP because of the District wide housing need.
- 5.4.6 Officers are of the opinion that there are available alternative sites that could accommodate the proposed development (up to 95 dwellings) in areas at lower risk of flooding but these are limited. These sites were shared with the applicant for consideration. Only three sites were considered comparable to the proposal in terms of dwelling capacity and deliverability. The applicant has discounted these sites on the basis that they are not within the same area of South Lancaster as the application site (a matter of disagreement); one site is a different market area to that of the BLG;

and, that the availability of two of the sites is not considered reasonable alternatives on the basis that they have not advanced to the same planning stage as the application site. On this basis the Sequential Test is not passed. In accordance with national and local planning policy the development should not be permitted.

- 5.4.7 This matter has been the subject of much debate particularly in the context of the Council's five-year housing land supply position and the early release mechanism (development in advance of the AAP) included in policy SG1. The five-year land supply position is a significant material consideration that should be weighed in the planning balance. Contrary to the applicant's position set out in their Addendum Flood Risk Sequential Test, it is not a determining factor in the consideration of the compliance of the Sequential Test. Understandably, in advancing the discussion further, the applicant indicates that even if the application were to fail the Sequential Test, the development would not be at risk of flooding and would not cause a flood risk elsewhere.
- 5.4.8 In relation to fluvial flooding, mitigation is proposed in the form of substantial engineering works to re-profile the site and provide development platforms set at/above the peak modelled level for a 1 in 1,000 year event (35.25m AOD). This measure effectively raises the development platform to an elevation equivalent to flood zone 1. The finished floor levels of the dwellings would then be set a minimum of 150mm above the re-profiled site levels (35.4m AOD). The re-profiled site has been remodelled at the 1 in 100 year events (plus climate change) to demonstrate the site would be safe through its lifetime. Access and egress to the site remains in flood zone 1 and is at low risk of flooding. This modelling also demonstrates that there would be no increase in flood depth or extent because of the re-profiling, confirming the re-profiling does not increase flood risk elsewhere. Both the Environment Agency and the Lead Local Flood Authority no longer object to the proposal (subject to the imposition of conditions) and are satisfied the proposal would not pose a flood risk (on site or elsewhere) and would be flood resilient and safe and accords with paragraph 163 of the NPPF and part of DM33 of the DM DPD.
- 5.4.9 The applicant contends that a purely technical breach of the Sequential Test should not, in the real world, lead to a refusal of planning permission where there is no real flood risk identified. Whilst this may appear reasonable it would be contrary to the proper planning of the area and the whole thrust of directing development to areas at low risk of flooding first. The implications of failing the Sequential Test extend to the presumption in favour of sustainable development for decision-making. In this case footnote 6 of paragraph 11 of the NPPF is applicable because the failure to pass the Sequential Test is such that would provide a clear reason for refusing the development. This is a significant conflict with policy. Moreover, this consequently disengages the tilted balance (paragraph 11 (d) ii) when assessing the application against the NPPF as a whole. The failure of the Sequential Test is a matter of significant weight that must be weighed in the overall planning balance (albeit not a tilted one).
- 5.4.10 Surface Water Drainage
Paragraph 165 of the NPPF and policy DM 34 of the DM DPD make it clear that major development proposals should incorporate sustainable drainage systems based on the surface water drainage hierarchy. Sustainable drainage schemes should, where possible, also provide multifunctional benefits. The submitted Flood Risk and Drainage Assessment (FRDA) has been informed by GeoEnvironmental appraisal of the site, ground water monitoring and soakaway testing. Hydraulic calculations of the scheme have also been included. In addition, a further Flood Risk Clarification Note has been submitted to address initial concerns from the Environment Agency and the Lead Local Flood Authority in respect of potential flood risks from the proposed drainage strategy.
- 5.4.11 The surface water drainage strategy proposes infiltration is a suitable method for the disposal of surface water from the development's impermeable surfaces (estimated to amount to 2.02 hectares plus 10% for urban creep). This is largely due to the topography of the site (and the proposed changes in land levels), suitable underlying ground conditions (largely siltstone, mudstone and sandstone overlay by sand and gravel) and accounting for ground water levels. This is the preferred method for dealing with surface water drainage and in principle is acceptable.
- 5.4.12 The surface water run-off generated within the development will be directed to an infiltration basin. The anticipated volume of attenuation to be required (based on run off generated from impermeable surfaced from the 1 in 100 year storm event plus a 40% climate change allowance) is an area of approximately 1,030 square metres with a depth of 1.3m. The illustrative proposals indicate this will

be in-part an open basin within the southern part of the site. The levels of the site should allow the site to freely drain with the basin situated below the development platform. To meet Network Rail's requirements, the infiltration basin must be sited more than 30 metres away from the railway boundary and outside flood zone 3. At this outline stage, the precise details of the size, type and location of the attenuation facilities are not provided (nor are they required to be provided), although the Illustrative Masterplan, Preliminary Earthworks and Indicative Site Sections have been submitted to evidence the strategy is feasible. It is anticipated that the attenuation may comprise a combination of storage facilities to take account of site constraints. The precise details can be controlled by condition and accounted for at the reserved matters stage when layout is considered. Notwithstanding this, it is useful to set out at this stage that there is an expectation for the development to deliver predominately high quality, above ground storage facilities in order to conform to the Key Growth Principles of policy SG1 in relation to design and place making and to ensure the sustainable drainage scheme has multifunctional benefits.

- 5.4.13 There are two hydraulic structures on Burrow Beck in the vicinity of the site. Most significant is a culvert under the West Coast Mainline. Flood risk because of any potential blockage of the culvert has also been considered as part of the flood risk assessment and drainage strategy with mitigation consisting of raising of land around the perimeter of the development platform to 36.05m AOD. The drainage scheme shall be designed to ensure there is no surface water from beyond the development platform entering the development platform itself. Considering this clarification, the LLFA and the EA have no objection to the proposal subject to the imposition of a suitable surface water drainage scheme and maintenance plan. The development sufficiently demonstrates that the development can sustainably drain without increasing the risk of flooding on site or elsewhere. The proposal accords with the requirement so the Development Plan and the NPPF.
- 5.4.14 Foul Drainage
The proposal seeks to connect to the existing foul drainage system in Scotforth Road and has estimated the foul loading to be 4.4 litres per second (based on 95 dwellings). The submission includes pre-application correspondence between the applicant and United Utilities who have indicated capacity is not an issue and foul sewerage can discharge at an unrestricted rate. The precise details of the foul drainage scheme can be controlled by planning condition. United Utilities has raised no objections to the proposals.
- 5.5 **Consideration 4 - Biodiversity** (NPPF: Chapter 15 paragraph 170 and 174-177 (Habitats and biodiversity); Strategic Policies and Land Allocations (SPLA) DPD policies SG1 Lancaster South Broad Area of Growth and EN7 (Environmentally Important Areas); Development Management (DM) DPD policies DM44 (Protection and Enhancement of Biodiversity), DM45 (Protection of Trees, Hedgerows and Woodland).
- 5.5.1 The proposed site is not directly affected by any national or international nature conservation site. It will not result in any land take of a designated site nor is the site considered to be functionally linked land. However, the site is within 2km of the Morecambe Bay Special Protection Area (SPA), Special Area of Conservation (SAR), Site of Special Scientific Interest (SSSI) and RAMSAR, which may result in indirect impacts. This potential affect triggers the requirements for a Habitat Regulations Assessment (HRA). A shadow HRA and Appropriate Assessment have been provided in support of the proposal. An addendum to the HRA has also been submitted to address earlier deficiencies in relation any development impacts on any functionally linked land and recreational disturbance.
- 5.5.2 In terms of direct impacts, it has been sufficiently demonstrated that the site and surrounding fields are unlikely to be used by a significant number of SPA/SSSI birds and therefore the proposal will not result in adverse effects on the integrity of the designated sites. The proposal does, however, have potential for indirect impacts in the form of recreational disturbance, construction activities and pollution pathways and drainage. The former would be limited given the relatively small-scale nature of the development and the site's disconnection to the designated site (notably separated by the West Coast Mainline). There is no direct access to the designated site (via public rights of ways or other recreational routes) despite a reasonably good network of paths in the immediate area leading to other areas of open space and recreational corridors, such as Lancaster Canal. However, it would not be possible to conclude the development would not lead to any recreational pressure on the Bay. To mitigate against this the provision of open space on the site and homeowner packs to be provided to each dwelling is required. This is considered with the HRA for the Local Plan and further complies with one of the Key Growth Principles of policy SG1. The homeowner packs would be

expected to include details of the affected designated sites (and the wider Morecambe Bay coastline), their sensitivities to recreational pressure and promote the use of alternative areas for recreation, in particular dog walking areas.

- 5.5.3 Recognising the site is hydrologically connected to the designated site, mitigation is also proposed to ensure the construction and operational phases of the development on the designated site (via drainage and pollution pathways) would not affect the integrity of the SPA/SSSI. This would be in the form of a Construction Environmental Management Plan which would set out measures to avoid, minimise and mitigate any adverse effects during construction on the water environment. For the operational phase of the development, a suitable drainage scheme which ensures no adverse impacts to water quality and pollution pathways will provide sufficient mitigation.
- 5.5.4 In conclusion, the proposed development will have no adverse effects on the integrity of the designated sites, their designation features or their conservation objectives, through either direct or indirect impacts either alone or in-combination with other plans and projects. The mitigation measures can be adequately covered by condition attached to any planning consent. Natural England raises no objections to the proposal and concur with the conclusions of the HRA.
- 5.5.5 Aside from the HRA matters, planning policy requires applicants to demonstrate how impacts on biodiversity have been minimised and net gains in biodiversity can be provided. The site is currently a greenfield site used for grazing livestock. The submitted Ecological Appraisal identifies a generally low level of nature conservation interest on the site. However, a small population of Great Crested Newts (European Protected Species) are present on site as well as some Habitats of Principal Importance including a pond, hedgerow and broadleaved woodland copses. Trees within the copse and some peripheral trees are also protected by Tree Preservation Orders. The proposed development will result in the loss of several habitats. This is largely due to the formation of the proposed earthworks and development platforms. The southern part of the site will remain largely undisturbed with existing landscape features retained. Approximately 100m of species poor hedgerow will be lost but due to its dense structure it provides good foraging habitat for birds and bats. The landscape-led approach suggested in the application and presented in the illustrative masterplan shows that substantial new planting and the provision of new wetland habitats can be achieved to adequately mitigate against the impacts as well as providing suitable enhancement.
- 5.5.6 Despite the loss of significant habitat and the presence of Great Crested Newts on the site, the development, with mitigation, would not result in a loss of biodiversity or adversely affect the favourable conservation status of protected species. Following the submission of additional information to address initial concerns in respect of the Great Crest Newts on the site, GMEU is now satisfied that the proposal would adversely affect protected species and raises no objection to the application. The proposal includes several enhancement measures, not least in terms of Great Crest Newts, as well as essential mitigation and as such is capable of achieving net gains overall. The mitigation and enhancement measures are extensive and shall comprise the following:
- Limiting works during the nesting bird period;
 - Additional bat surveys should trees later be identified for removal;
 - Provision of ponds as part for the mitigation strategy for GCNs (including copy of the EPS Mitigation Licence);
 - Scheme for habitat connectivity to mitigate against tree and hedgerow loss;
 - Bird and bat nesting mitigation and enhancement measures;
 - Details of external lighting scheme;
 - Submission of a Construction Environmental Management Plans, including the role and responsibilities of an ecological clerk of works, to minimise impacts on biodiversity during construction;
 - Landscape and Ecological Management Plan to safeguard ecological mitigation and enhancement measures in the long term.

These measures must be controlled by planning condition. Overall, the proposed development accords with paragraphs 174 – 177 of the NPPF and policies DM44 and DM45 of the DM DPD.

- 5.6 **Consideration 5 – Landscape Character and Visual Effects** (NPPF: Chapter 15 paragraph 170 and 172 -177 (Conserving and Enhancing the Natural Environment); Strategic Policies and Land Allocations (SPLA) DPD policy SG1 Lancaster South Broad Area of Growth, EN2 (Areas of Outstanding Natural Beauty), EN3 (The Open Countryside), Policy EN4 (North Lancashire Green

Belt), EN5 (Local Landscape Designations), EN6 (Areas of Separation); Development Management (DM) DPD policies DM29: Key Design Principles, DM45 (Protection of Trees, Hedgerows and Woodland) and DM46 (Development and Landscape Impact); A Landscape Strategy for Lancashire (2000).

- 5.6.1 The application site is not protected by any statutory or local landscape designation nor does it lie within a conservation area. It is also outside of the general countryside area designation (owing to the site being located within the Broad Location for Growth (BLG) designation). This does not mean the site is not important or the effects on the landscaping character should be discounted. The forthcoming Area Action Plan (AAP) is intended to address landscape effects (along with other considerations) when allocating future uses within the wider BLG. In the absence of the AAP, consideration should still be given to the visual and landscape effects of the proposal in accordance with DM46. A Landscape and Visual Impact Assessment has been submitted in support of the application.
- 5.6.2 Lancashire County Council's Lancashire Character Assessment indicates that the application lies within the Carnforth-Galgate-Cockerham Landscape Character Area (LCA) which forms part of the wider Low Coastal Drumlins Landscape Character Type (LCT). The low round hills within the wider character area collectively give the countryside a distinctive grain. The application site is an integral part of this landscape. Positive landscape features include the localised depression, the general undulating topography and individual trees and groups of trees that form small woodland copses and strong green boundaries to the east and western boundaries of the site. These positive features contribute to the attractive rural character of the site. Overall, the landscape value of the site is considered to be of medium value, which is enjoyed and experienced most at a localised level.
- 5.6.3 Policy DM46 states that the council will support development outside protected landscapes where it is in scale and keeping with the landscape character and is appropriate to its surroundings in terms of siting, design, materials, external appearance and landscaping. This is echoed in policy DM29 and in part forms part of the requirements of the Key Growth Principles set by policy SG1.
- 5.6.4 The proposed development of up to 95 dwellings and the associated access and earthworks will result in an inevitable change to the visual appearance and local character of the site. The development will result in the flattening of the undulating topography with the localised depression (regarded one of the positive landscape features) destroyed, giving rise to major to moderate effects on the landscape character of the site itself.
- 5.6.5 The proposed earthworks are preliminary and will be refined as part of the detailed design of the scheme (via planning condition) should the proposal be supported. The submitted details present one option that arguably could be treated as the worst-case scenario. This is based on the proposal safeguarding a link road taken from the proposed access to the West Coast Mainline (WCML) and the formation of two large, level development platforms. The access and the potential link road present the most notable changes in levels from existing, especially to the north western boundary of the site. The two development platforms are proposed north and south of the access. The northern development platform proposes a finished level of 40.65m OAD and the platform to the south indicates a proposed finished level of 35.25m OAD (minimum finished level for flood risk purposes). The north western corner would see significant fill should the link road and bridging of the WCML materialise. For much of the developable area of the site the extent of cut and fill varies between 1 and 2m, with smaller areas (at the northern end of the southern development platform) where the extent of cutting is much greater (up to 4m). In the southern part of the developable area, small areas of fill (around 2 to 4m) are proposed. The extent of cut and fill is not untypical for developments of this scale or even smaller scale proposals (such as the land at Aikengill opposite the proposed site). The concern here is about local context. The site is naturally undulating, which is a characteristic of the site that makes it attractive and locally valued. The development would obliterate this character completely. This localised level of harm weighs against the proposal. It may be possible to mitigate these impacts to a certain degree by creating more than one level platform in the southern part of the site and incorporating planting within the developable areas. These are matters that could be addressed via the reserved matters. Such would not remove the harm overall but could help minimise the local landscape effects.
- 5.6.6 Turning to the access and the proposed link road. The access will form a large opening along the north eastern boundary of the site. Trees and hedgerows will be removed to accommodate the

access with replacement planting provided within the site as mitigation. Protected trees are not affected by the access proposals. The access has been designed to accommodate future growth resulting in a bigger access than what would be potentially expected for a scheme of this scale. (That said, given the site's position along the A6 and its interaction with other junctions nearby, it is highly probable that an access serving just the proposed development would still consist of a three-armed signalised junction but scaled back). The indicative details of the link road equally show a larger road than what would be expected for an internal access road serving the proposed development. The indicative levels to accommodate this link road are substantially higher (in part) than the existing levels to bridge the WCML. The landscape effects are greater if the link road is required. There is no certainty at this stage that the link road is required and furthermore the link road does not form part of the application. Consequently, the details submitted are worst-case scenario. In the event the link road is not required, the extent of earthworks in the northern half of the site would be substantially reduced as would the geometry of the internal access road. The finished site levels and the internal layout of the development would be decided at the reserved matter stage, but it would be reasonable to say the localised landscape effects at this stage would be reduced.

- 5.6.7 Taking account of the effects of the proposal on the wider LCA, the most notable landscape feature is the drumlin to the west of the WCML. Even with the re-grading of the site, the proposed development will still sit substantially below the crest of this drumlin. The intervisibility between the site and the rest of the LCA is limited partly due to the site's contained position surrounded by other development and the screening of localised landforms and vegetation. Overall, the effects of the proposal on the wider LCA are judged to be negligible.
- 5.6.8 The proposed site is nonetheless well contained, situated between two significant transport corridors and surrounded by extant or existing built development. It therefore shares a strong relationship with the existing built environment and arguably its development would not have a seriously adverse effect on the sub-urban character of the local townscape.
- 5.6.9 The visual effects of the development will vary dependant on the type and sensitivity of different receptors. Several viewpoints have been assessed and considered as part of the Landscape and Visual Impact Assessment. The greatest level of effect (major/moderate) will be experienced by recreational and residential receptors close to the site. Whilst there will be some moderate visual impacts experienced by transport users along Scotforth Road and the WCML, the effects will be short-lived and intermittent and are, therefore, judged not significant.
- 5.6.10 The applicant accepts the proposal will bring about some major/moderate landscape and visual effects. To mitigate against these effects, strong landscape buffers to the eastern and western boundaries of the site are proposed. This additional woodland planting will bolster the existing protected trees proposed for retention. Additional replacement hedgerow planting (to mitigate against the loss of the existing central hedgerow) is envisaged along the northern boundary (currently consists of post and wire fence) with the southern portion of the site enhanced with additional wetland habitats and the retention of the locally distinctive woodland copse. This part of the site will also incorporate areas of public open space and will contribute to the existing green corridor along Burrow Beck. The precise details of the landscaping and the layout of the development are matters for consideration at the reserved matter stage. However, the submitted Parameters Plan marks out these broad areas of landscaping and open space and can be conditioned to the outline permission in the event the proposal is supported.
- 5.6.11 The development is judged not to have a significant adverse impact on the wider coastal drumlin landscape character area owing to the site's contained position on the edge of the existing built-up area and the presence of intervening landforms and other developments, in particular the Filter House to the south. The proposal, with mitigation, will enable the site to respond sympathetically to the pattern of the surrounding development resulting in no adverse effects to the character and visual appearance of the immediate townscape. The development will, however, give rise to inevitable adverse impacts to the landscape character of the site itself. The visual effects of the development are capable of being mitigated by following the landscape-led approach advocated as part of the application. This includes substantial green infrastructure to the western and eastern edges of the site as well as to the south to complement the space around Burrow Beck. Overall, whilst there are inevitable landscape and visual effects from the development, these are largely contained to the site itself. Except for the localised depression and the flattening of the undulating

topography, other important landscape features (boundary trees and woodland copse to the south) shall be retained, bolstered and enhanced through extensive landscape and ecology mitigation together with the provision of open space. The level of harm overall is not significant and would not result in a breach of local and national landscape policy, and moreover it lies within an area where change is to be expected given the nature of the BGV designation.

5.7 **Consideration 6 – Amenity and Health** (NPPF: Chapter 8 paragraph 91 (Promoting Healthy and Safe Communities), Chapter 12 paragraphs 124, 127 and 130 (Achieving Well-Designed Places), and paragraphs 178 – 183 (Ground Conditions and Pollution). Strategic Policies and Land Allocations (SPLA) DPD policy SG1 Lancaster South Broad Area of Growth and EN7 (Air Quality Management Areas); Development Management (DM) DPD policies DM2 (Housing standards), DM29 (Key Design Principles), DM30 (Sustainable Design), DM31 (Air Quality Management and Pollution), DM32 (Contaminated Land) and DM57 (Health and Well-Being); Low Emission and the Air Quality Planning Advisory Note (PAN) November 2018; Provision of Electric Vehicle Charging Points for New Development (PAN) September 2017 and Noise Policy Statement for England (NPSE) March 2010.

5.7.1 Residential Amenity

Planning policy requires development to provide an acceptable standard of amenity to all. At the outline stage the main issues relate to the effects of noise, air quality and design. These are discussed below. DM29 of the DM DPD and to a lesser extent the design and well-being chapters of the NPPF, requires new residential development to have no significant detrimental impacts to the amenity of existing and future residents by way of overlooking, visual amenity, privacy, outlook and pollution. Existing residential development surrounding the site is a good distance from the site with intervening landscaping and separated by Scotforth Road. The development (once operational) will not affect the residential amenity of existing dwellings. There may be some disturbance caused during the construction phases of the development but this can be mitigated, where appropriate, through measures forming part of the Construction Management Plan.

The amenity of future occupants is largely a matter for the reserved matters application. All new dwellings will be expected to meet the amenity standards set out in policy DM29 insofar as it relates to garden sizes, interface distances, outlook and parking provision (also covered by policy DM62). The provision of private gardens and shared amenity space (where flats are proposed) is vitally important to the health and well-being of future residents and the community in general. Future developers of the site should consider the garden standards a minimum requirement not a maximum.

5.7.2 The illustrative masterplan indicates how the site can accommodate the amount of development being applied for. This is based on density assumptions across the site. In the event the link road is required, it is anticipated higher density, possible flatted development, will be required to achieve the numbers and to meet the required amenity and open space standards. This is not an unreasonable proposition and is a matter to be considered at the reserved matters stage. If the link road is not required at the point of reserved matters approval, then there is likely to be much greater scope to provide slightly lower density development on the site.

5.7.3 As set out at the beginning of the report, all new dwellings will have to conform to the Nationally Described Space Standards which will ensure homes are suitable to provide everyone will an acceptable quality of life. Overall, the development is capable of provide an acceptable standard of amenity to all residents and as such there is no conflict with the development plan in this regard.

5.7.4 Noise

Paragraph 180 of the NPPF requires planning policies and decisions to aim to avoid noise from giving rise to significant adverse impacts on health and quality of life, along with policy DM29 of the DMD, which seeks to ensure existing and proposed residents benefit from a satisfactory standard of amenity. In this case, the proposed site sits alongside Scotforth Road (Key Transport Corridor) and the WCML. Noise and vibration generated from these environmental noise sources is likely to affect future residents. As such, where possible, mitigation to reduce the potential adverse impacts should be provided to avoid giving rise to significant adverse impacts on health and well-being. An Acoustic and Vibration Outline Planning Report accompanies the application. This report establishes the existing noise levels across the site to inform mitigation requirements. The Council's

Environmental Health Officer is satisfied with the conclusions drawn in the submitted assessment. This sets out the minimum overall façade sound insulation performance requirements to ensure no observed adverse effect levels (NOAEL) can be achieved within the dwellings. Improved acoustic glazing with suitable ventilation strategies form a critical part of the mitigation strategy. As for most outline planning applications, good acoustic design (layout, orientation of dwellings, landscaping, façade design) can contribute significantly to the overall mitigation proposals in addition to acoustic and ventilation strategies. Such details will also need to take into consideration the final design of the access road (and its likely usage, which will be determined by whether a bridge is required over the WCML in this location) and ensure any mitigation does not rebound noise from the WCML back across the railway thereby prejudicing the development potential of land within other part of the BLG). The final details can be controlled by planning condition, which will set out the required noise levels that must be met within the dwellings.

5.7.5 The assessment does not explicitly detail mitigation for external amenity areas. The assessment appears to show that during the day-time sound levels will be around/ or greater than 60dB $L_{Aeq,16}$ across the majority of the site. Design criteria specified within BS8233:2014 makes it desirable that the external noise level does not exceed 50dB $L_{Aeq,t}$, with an upper guideline value of 55dB $L_{Aeq,t}$ and this will be to achieve Low Observed Adverse Effect Level (LOAEL). Again, good acoustic design can contribute to sound attenuation across the development. For example, the layout of the development could be designed in such a way to avoid private gardens backing directly onto the noise sources. Experience from other schemes would intermate that the mitigation package is likely to include the need for acoustic barriers throughout the site in combination with good acoustic design. Given the need to secure high-quality design in this location, there is an expectation that acoustic mitigation is designed sensitively and adopts the same landscape-led approach being advocated in respect of the overall design of the proposed development. With mitigation, the effects of noise from the adjoining transport corridors, would not constrain the redevelopment of the site for residential purposes. In this regard the proposal accords with the Development Plan and the NPPF.

5.7.6 Given the relationship the site shares with the WCML, regard has also been given to the effects of vibration on the amenity and health of future residents. The assessment indicates that there is low probability of adverse impact. The Vibration Dose Value reported for measurement location 2, fell marginally into 'probability of adverse comment' but considering the results of measurement positions either side and the very marginal exceedance, the impacts are not considered significant. Re-radiated noise, due to ground borne vibrations are likely to exceed target levels for dwellings located 15 metres from the west perimeter of the site. However, with mitigation, target levels can be met. These measures (as described within the report) would include (a) increasing the distance between the receiver and the rail track (b) introduction of barriers or (c) vibration isolation. A condition would be required to establish the precise mitigation once the development details have been refined. There are no objections from the Council's Environmental Health Officer in relation to the impacts of vibration.

5.7.7 Air Quality Matters

The site is not located within any Air Quality Management Area (AQMA) but given the level of traffic anticipated from the development and the proximity to both the city centre and Galgate village AQMAs, an Air Quality Assessment (AQA) and subsequent addendums have been undertaken. The AQA addresses air quality impacts during construction and the operational stages of development, recognising that the traffic generated from the development could have impacts on the existing AQMAs and therefore exposure to receptors within it.

5.7.8 The Councils' Air Quality Officer has concerns about the assessment undertaken and the lack of commitment to mitigate the impacts of the development. Contrary to the applicant's position, the Air Quality Officer contends that whilst the effects of the proposal are predominately negligible the assessment indicates a small increase at the Cable Street location which is reporting exceedances above the Objective Standards at the anticipated opening year (2024). Whilst the increase is small, as there is an exceedance above the Objective Standard, it is not considered negligible. Policy DM31 states that proposals must not significantly worsen (means an increase of 0.1ug/m³) any emissions or air pollution in areas where pollution levels are close to objective/limit

values. Additional modelling has been undertaken to satisfy the concerns raised. The modelling continues to indicate that with or without mitigation the impacts of the development on the AQMA would remain negligible and therefore not significant. The applicant contends that given the negligible impacts there would be no requirement to provide mitigation. However, whilst not following the methodology set out in the Planning Advisory Note (PAN) explicitly, mitigation has been sought and improved during the assessment and determination of the application. The mitigation includes the following:

- Provision of electric vehicle (EV) charging facilities in compliance with the Council's Planning Advisory Note (a charging rate of between 3.7kW 16A to 7.4kW 32A plus passive wiring for any flatted development)
- Travel Plan to encourage the uptake of sustainable transport modes
- Cycle storage provision to each dwelling
- Provision of on-site and off-site highway works to encourage pedestrian/cycle movements
- Provision of new bus stops as part of the access proposals
- Financial Contribution to the Pointer Roundabout Improvement Scheme
- Travel Plan Contribution (for the County Council to support the implementation of a full Travel Plan and its monitoring).

5.7.9 Concerns remain from the Council's Air Quality Officer about general compliance with the guidance provided in the Council's Air Quality PAN (no cost damage assessment undertaken and lack of commitment to provide appropriate EV and cycle charging facilities). However, failure to strictly follow the guidance of the PAN is not a substantive reason to resist the development. Concerns in relation to the standard of EV charging points and the type of cycle storage provision within the scheme are matters that can be secured and controlled by planning condition. The absence of a damage costs assessment equally does not make the proposal unacceptable. Quantifying the effects of air quality mitigation, especially when mitigation is largely about encouraging modal shift, is challenging. However, the applicant has presented a robust assessment informed by the Transport Assessment and the Travel Plan measures that would reduce traffic over time, which in turn reduces anticipated emission levels from the development. Whilst there remains an objection from the Council's Environmental Health Officer, officers consider there to be sufficient mitigation proposed to demonstrate the effects on air quality would not be significant. Overall, it is considered that the proposal would not conflict with the Development Plan or the NPPF in respect of air quality.

5.7.10 Contaminated Land

Matters relating to site contamination have been assessed by the Council's Contaminated Land Officer recommending the imposition of standard site investigation conditions. Given historic quarrying and more recent agricultural uses on the site, the requirement for a site investigation to establish the need for remediation to safeguarded future residents from any potential risks is a reasonable and proportionate approach to take.

5.8 **Consideration 7 – Design and Open Space** (NPPF: Chapter 8 paragraphs 91, 96 – 98 (Open Space and Recreation), Chapter 12 paragraphs 124, 127 and 130 (Achieving Well-Designed Places), Chapter 11 paragraphs 117, 118, 120, 122-123), Chapter 12 paragraphs 124, 127 and 130 (Achieving Well-Designed Places); Strategic Policies and Land Allocations (SPLA) DPD policy SG1 Lancaster South Broad Area of Growth; Development Management (DM) DPD policies DM29 (Key Design Principles) and DM27 (Open Space, Sports and Recreational Facilities), DM43 (Green Infrastructure), DM45 (Protection of Trees, Hedgerows and Woodland) and DM57 (Health and Well-Being); Open Space Provision within New Residential Development Planning Advisory Note (PAN) (2015); Energy Efficiency PAN; National Design Guide.

5.8.1 Design and Masterplanning

The consideration of design is two-fold. Firstly, detailed design matters such as the layout, appearance, scale and landscaping of the development are matters reserved for subsequent approval. Given the site's gateway position into the city and its position within the BLG, the design expectations are high. The landscape-led approach advocated at this stage must come forward at the reserved matters stage. It should be noted that there are several competing requirements and constraints that have been identified in the assessment of the proposal which will need to be carefully considered when developing the final proposal (including the number of units). For example, the protection of retained trees, provision of open space, ecology mitigation, drainage attenuation, noise

mitigation are all matters that will interplay with one another. These competing requirements must not conflict with one another – rather they should complement one another. This can only be achieved through well-planned high-quality design. To a certain extent, the illustrative masterplan, recognises this and has set aside land to the western boundary for substantial landscaping with greater densities expected in the northern part of the site to deliver up to 95 dwellings. The suggested densities are reasonable for this location subject to good design. With regard to the illustrative layout, it suitably reflects the natural grain of the surrounding built development. However, development backing Scotforth Road (despite being at a lower elevation) is not something that would be deemed favourable for this gateway location at the reserved matters stage.

- 5.8.2 The second aspect of design is that of place-making. Both national and local planning policy and guidance place increasingly greater focus on design. This is certainly advocated in policy SG1 for the BLG. The National Design Guide provides detailed guidance and structure to help deliver good design. This focuses on ten design characteristics across three themes (physical character, community and climate). The forthcoming AAP will, through proper masterplanning, explore design across the whole of the strategic site to deliver the Garden Village in a well-planned and comprehensive way. The Key Growth Principles in SG1 include the need to secure high-quality urban design which promotes sustainable, attractive places to live and creates a sense of community. It should provide high quality open space with a distinct sense of place and should deliver green corridors and contribute to walking and cycling routes.
- 5.8.3 The submission comes forward in advance of the AAP whereby the design aspirations and vision work for the future Garden Village have not yet been set. In this regard, the question is whether or not the proposal would prejudice the wider design aspirations and masterplanning for the future Garden Village.
- 5.8.4 Unlike many of the other sites in the BLG designation, this site is enclosed by extant and existing development and existing transport corridors. Whilst there is a landscape connection with land to the west of the WCML, in townscape terms only the development site sits more comfortably with the existing built environment than it does to the wider BLG. Notwithstanding other considerations, such as flood risk and landscape effects, the site arguably forms a logical infilling of an already built-up part of the city. Furthermore, it maintains substantial green infrastructure to the southern portion of the site to compliment the green corridor along Burrow Beck. One of the Key Growth Principles set out in policy SG1 requires the delivery of open spaces and green infrastructure that would make for distinct areas of separation between new development within the BLG and existing settlement boundaries of Lancaster, Bailrigg and Galgate. The development would not provide separate between it and the existing built-up area of the site. However, the thrust of the policy is in the context of delivering the Garden Village. Officers do not consider this proposal part of the Garden Village – rather a small-scale extension to the built-up area. Arguably the development would push any potential area of separation within the BLG south of the Filter House site, which is already been substantially development. Given existing development in this location, the prospects of the site forming part of the area of separation is likely to be limited in any case. Overall, given the scale of the development and its contained location, the development of the site is would not compromise or prejudice opportunities to secure wider design ambitions of the BLG (such as the areas of separation), subject to delivering high quality design and landscaping to reflect the sites gateway position.
- 5.8.5 The starting point to achieve good design is context. The National Design Guide clearly states that well-design places are those that are based on a sound understanding of features of the site and its surroundings and are well integrated and positively influenced by such features. This is reflected in DM29 which also requires development to positively contribute to the identity and character of the area. The proposal fails to positively respond and integrate itself with the characterises of the existing site. Namely, it seeks to build on land susceptible to flood risk. Rather than avoiding these areas, the response is to raise levels and take it out of the flood risk area. By doing so the natural topography of the site will be completely altered. This is not a positive starting position in delivering good design and on this basis alone, there is a significant degree of conflict with design policy. However, this issue is one of harm. As set out in the landscape considerations on this assessment,

the degree of harm caused by altering the site levels (in relation to the development platforms and not the link road) is considered to not be significant, subject to securing the landscape mitigation. Subsequently, the failure to work better with the natural topography of the site is considered not to be a determinative reason to resist the proposal on design grounds.

- 5.8.6 Taking aside the issue above, the approach to the design of the development itself is positive. The landscape-led approach with significant green corridors is consistent with the aspirations set out in policy SG1 and the existing townscape character surrounding the development. As set out in the transport section of the report above, additional requirements (above those initially proposed) to secure improved pedestrian/cycle connections within and between the site and its immediate surroundings ensures the scheme positively integrates with its surroundings bring about positive social and environmental benefits. Subject to the detailed layout, appearance, scale and landscaping of the development (matters reserved for subsequent consideration), the development would not conflict with local and national design policy.
- 5.8.7 In terms of sustainable design, policy DM30 requires the Council to encourage development to deliver high standards of sustainable design and construction. The applicant is committed to a planning condition requiring 10% betterment on Part L Building Regulations with 5% provision of residential energy from Low and Zero Carbon technologies. This is considered suitable and accords with the requirements of the policy.
- 5.8.8 Overall, there are clearly competing design considerations at play here. However, given the landscape conclusions in respect of the site levels, the development overall is capable of delivering good design in compliance with the development plan and the NPPF.
- 5.8.9 Open Space
Policy DM27 and both chapters 8 and 12 of the NPPF place a strong emphasis on the benefits of open space for the health and well-being of communities and delivering good design. The current pandemic is a testimony to this. In accordance with local planning policy, the proposed development will make substantial contributions to open space provision. This will involve the provision of on-site amenity greenspace and an equipped play area. The precise details (location, amount, design and appearance) are matters that would be determined at the reserved matters stage in accordance with the methodology and guidance provided within the Council's Open Space Planning Advisory Note. The illustrative masterplan indicates most of the open space will be provided in the southern part of the site located within flood zone 3. The flood risk vulnerability classification table set out in the NPPG identifies open space and recreational facilities as water-compatible developments. The southern part of the site is also identified to provide critical protected species mitigation (in the form of additional ponds). At the reserved matters stage the applicant will need to adequately demonstrate functional and accessible on site open space can be provided alongside the ecology mitigation.
- 5.8.10 Planning policy also requires development to mitigate the impacts of settlement expansion on local open space infrastructure where there are identified deficiencies. Locally there are identified deficiencies in the provision of young persons' play space and outdoor sports facilities. Based on the thresholds set out in the Council's Open Space Planning Advisory Note (PAN) financial contributions would need to be sought towards these types of public open space. The applicant accepts a financial contribution towards outdoor sports facilities for improvements to the existing sports facilities (football ground) at Royal Albert Recreation Grounds. For the young person's provision, the applicant has accepted the need to make a contribution but would seek the flexibility to provide this on-site or offer an off-site contribution. The provision on-site could form part of a more comprehensive, natural play offer. This would be determined at the reserved matter stage when there is greater understanding of the layout and design of the development. Should the layout and design not allow for on-site provision this would not conflict with policy, provided an off-site contribution was provided in its place. The provision of open space and play provision, which will be accessible to a large majority of the community, offers valuable social and environmental benefits that weigh in favour of the proposal.

5.9 Other Considerations

5.9.1 Economic Benefits

In line with policy DM28 of the DM DPD, the provision and implementation of an Employment Skills Plan to provide opportunities for, and to enable access, to employment and up-skilling of local people through the construction phases of the development would be required. This will provide economic and social benefits to the wider community. This can be secured by planning condition.

5.9.2 The applicant rightly points that the proposal will provide wider economic benefits during the construction phases of the development. The applicant estimates that the proposal would support 60 temporary direct construction jobs and 85 indirect jobs through the supply chain and related services over a 2.5 year build period; the proposal would delivery around £6.5m of Gross Value Added (economic output) per annum during the construction period; additional expenditure in the local area once the development is occupied (estimated to provide £1.5m of additional ongoing net additional expenditure per annum created by new residents) and would provide local authority revenue through increased Council Tax and New Homes bonus payments. The National Planning Practice Guidance states that 'local financial considerations' are only material if it could help make the development acceptable in planning terms. Moreover, it goes on to state that it would not be appropriate to make a decision based on the potential for the development to raise money for a local authority. On this basis, these benefits are afforded nil weight overall.

5.9.3 Education Infrastructure

Paragraph 94 of the Framework and policy DM58 of the DM DPD requires local planning authorities and developments to take a positive and collaborative approach to ensuring future residents of new development have access to school places. In this case the County's School Planning Team, have confirmed that there would be a shortfall in secondary school places and that a contribution of the full pupil yield for this development would be required. The Education Assessment from the Schools Planning Team request a contribution of £338,592.24 (based on all dwellings being 4-bedroom units-worst-case scenario) towards Lancaster Central High School. The final figure would need to be recalculated at the reserved matters stage once the final number of dwellings and bedroom numbers are known. This will be included within the planning obligation should the proposal be supported.

5.9.4 Cultural Heritage

Geophysical surveys and archaeological investigations have also been undertaken with four features of local historic interest identified. These include two-post-medieval gravel pits, the earthwork remains of a former field boundary bank and an important hedgerow. The evidence also indicates a lack of significant archaeological remains requiring no need for further assessment, recording or mitigation. No conditions are recommended in this regard. In terms of wider cultural heritage matters, owing to the location of the site the development would not affect, directly or indirectly, designated heritage assets or their settings. This is due to the location and position of the site, which is a substantial distance from the closest designated heritages assets (Burrow Heights Farm and Bailrigg House). There is also significant intervening development and transport corridors between the site and designated heritage assets meaning the site does not contribute to the setting of these assets. No harm is identified in respect of cultural heritage.

6.0 Conclusion and Planning Balance

6.1 In accordance with policy SG1, development should only be supported in exceptional circumstances and where the following tests have been met:

- 1) There would be no prejudice to the delivery of the wider BLG designation and the proposed Garden Village (including its infrastructure requirements) and would not undermine the integrated and co-operated approach to the wider designation; and
- 2) There the development would conform with and further the Key Growth Principles described in Policy SPG1; and
- 3) That opportunities for sustainable transport modes have been fully considered and that the residual impacts upon the transport network will not be severe.

6.2 It is accepted that making a significant contribution to a 5-year supply deficit could comprise exceptional circumstances in principle, subject to the overall scheme being acceptable. As noted above the contribution to the supply of market and affordable housing in the context of their being a significant deficit is a matter which carries significant and substantial weight in the overall balance respectively. But for the failure of the flood risk sequential test the presumption of paragraph 11 of

NPPF would be engaged. As it is that presumption is disengaged and the balance is the untitled balance in the context of s.38(6).

- 6.3 The proposed development offers a future opportunity to construct a link road over the WCML to support options for future sustainable growth in the BLG in the event the AAP later identifies such a connection is required. The proposal does not explicitly seek permission for the link road (or the bridge) which equally means that the development would not pre-empt or undermine the wider development and infrastructure objectives to deliver the Garden Village. In the event the link road and bridge was required, the proposal includes the provision of an access (and all its associated off-site highway works and sustainable transport improvements) designed to accommodate far greater growth than the development applied for. This would be a proportionate and reasonable contribution to wider infrastructure requirements if the link road and bridge were to materialise. Should the link road not be required in the suggested location, this simply opens up the opportunity to provide a more spacious layout or to adjust the housing mix and densities and equally scale back the access and access road requirements. This would be to the betterment of the development proposal itself. It would, however, mean the development on this site has not contributed to the wider infrastructure requirements for the BLG. However, due to its relative small scale nature (in the context of the much larger strategic requirements across the BLG designation), its contained location surrounded by other existing or extant development within the existing built-up area and the ability to deliver a well-planned high quality design scheme overall, the development would not significantly undermine the aims and objectives to deliver the Garden Village. On this basis, test one is not failed.
- 6.4 Test 2 requires the development to accord with and further the Key Growth Principles. Some of the Key Growth Principles cannot be satisfied ahead of the production of the AAP even in draft, particularly at this stage when the preparation of the AAP is in its infancy. For example, seeking modal shift through new infrastructure such the Bus Rapid Transit System (a matter which is also subject to the Highway Infrastructure Fund). Given the inclusion in policy SG1 to permit some development ahead of the AAP, a reasonable and proportionate approach should be taken to how development conforms to the Key Growth Principles.
- 6.5 The main considerations have been addressed in section 5.0 of this report. The application site is sustainably located on the edge of the existing urban area of the city. The site is contained by other development and therefore offers a logical extension to the built environment. There is good access to sustainable travel options with the development enhancing facilities to further promote travel by bus, cycling and walking. The proposed access is considered safe for all users and capable of accommodating future growth to the west of the WCML should a future link road over the railway be required by the AAP in the future. The effects of traffic generated from the development will not result in severe impacts on the safe operation and efficiency of the local network or the Strategic Road Network, provided mitigation is secured to ease capacity through key junctions along the A6 corridor. The effects of traffic on air quality, with mitigation, will ensure air quality impacts are minimised so as not to cause significant impacts. The effects of noise and vibration from the WCML, and to a lesser extent Scotforth Road, can be mitigated demonstrating such would not pose a constraint to the proposed residential development. Existing trees and hedges to the site boundaries (save for the location of the access), together with the wood copse in the southern position of the site, shall be retained and bolstered as part of the landscape and ecology mitigation proposal. Furthermore, with a comprehensive package of mitigation, the development would not adversely affect the biodiversity value of the site, protected species or the integrity of the nature conservation designations. The application has satisfactorily demonstrated that all technical constraints can be overcome and that the development of the site for residential purposes is feasible. This also demonstrates how the development would conform to a number of the Key Growth Principles set by policy SG1.
- 6.6 The application site (unlike many sites within the BLG) is enclosed by existing development and infrastructure (to the north, east and south) with the WCML to the western side. It is in a highly sustainable location on the edge of the existing built-up area making it highly attractive for housing. Furthermore, the proposed development will make a positive contribution to the district's housing supply at a time when the Council is unable to demonstrate a five-year supply of deliverable housing sites. The proposal will also provide a mix of housing types and sizes to reflect the up to date housing needs survey (a matter to be controlled by condition) and of the total number of dwellings proposed 30% shall be for affordable occupation. All dwellings shall be designed to meet the

Nationally Described Space Standards with 20% designed to be M4(2) complaint (accessible and adaptable homes). The provision of both market and affordable homes offers significant social benefits. This is a matter that carries substantial weight.

- 6.7 The development will make positive contributions to local open space infrastructure both on and off site with a contribution towards local secondary school places to mitigate against the impacts of residential growth in the local area. These benefits weigh in favour of the proposal and should be given some weight.
- 6.8 Economic and social benefits during the construction phase of the development are vitally important, particularly the benefits that can be realised through the Employment and Skills Plan. Given the short-lived nature of these benefits, only limited weight is afforded to this. The economic benefits following construction are recognised but weighed against other benefits, and as such is only afforded limited weight.
- 6.9 The development would give rise to localised adverse landscape and visual impacts. This is largely caused by the formation of large level development platforms (removing parts of the site out of flood zone 2) and the access incorporating provision for a potential link road to bridge the WCML. The development as presented is the worst-case scenario as the landscape and visual effects of the proposal could diminish if the link road for the BLG does later not materialise. These adverse effects are capable of being mitigated through extensive landscaping and good design and as such this would give rise to neutral benefits.
- 6.10 Weighing heavily against the proposal is the failure to satisfy the flood risk sequential test. Planning policy clearly indicates that where proposals fail to satisfy the sequential test they should not be permitted. It is important to note that despite the lack of a five-year land supply, the failure to pass the sequential test would provide clear reasons for refusing the development and would subsequently disengage the presumption in favour of sustainable development (set out in paragraph 11 of the NPPF). The failure to satisfy the flood risk sequential test and its subsequent conflict with planning policy is not necessarily determinative of the application. As in many cases, there can be competing considerations which must be balanced against one another when considering policies within the Development Plan and NPPF taken as a whole. Furthermore, planning law allows the decision-maker to weigh the breach of planning policy against other material considerations.
- 6.11 With respect to flood risk, the proposed development would be contrary to the development plan insofar as the application fails to robustly satisfy the sequential test. However, the development site is not at risk of flooding and would not cause flood risk elsewhere by virtue of the proposed mitigation relating to the changes to site levels and a suitable surface water drainage scheme. In view of this and given the development would represent a sustainable extension to the existing urban area; would make a meaningful contribution to the housing supply, especially affordable housing; would not undermine the strategic ambitions of the BLG and on the whole conforms to the requirements of policy SG1, it is contended that these benefits would outweigh the breach of the flood risk sequential test. There is no doubt that the decision here is one which is considered to be very finely balanced. Officers, however, consider the balance to fall in favour of the proposal and recommend that planning permission can be supported.

Recommendation

That Planning Permission Consent BE GRANTED subject to securing a Planning Obligation securing the following:

- 30% affordable housing provision
- Transport Contribution totalling £106,000 (breakdown at paragraph 5.3.24).
- Education Contribution (secondary school places with the final calculation to be determined at the reserved matters stage as it is calculated based on bedroom numbers)
- On-site public open space including amenity greenspace and equipped play area details to be determined at the reserved matters stage.
- Off-site public open space contribution towards Young Persons Provision (unless provided on site instead) and Outdoor Sports Facilities (improvements to the sports pitch/associated facilities at Royal

Albert Sports ground) with the final figure to be calculated at the reserved matters stage (as it is calculated based on bedroom numbers)

- Provision of Management Company to manage and maintain open space, landscaping, other land and infrastructure that would not be adopted by public bodies.

and the following conditions:

Condition no.	Description	Type
1	Standard Time Limit	Control
2	Approved Plans List (including Parameters Plan)	Control
3	Submission of Advance Infrastructure and Enabling Works	Pre-commencement
4	Employment Skills Plan	Pre-commencement
5	Ecology Mitigation and Enhancement Scheme and Biodiversity and Lancaster Management Plan (including Home Owner Packs)	Pre-commencement
6	Invasive Species Survey	Pre-commencement
7	Construction Management Plan including measures to safeguard the WCML during construction	Pre-commencement
8	Site Investigation	Pre-commencement
9	Development to be carried out in accordance with the AIA and submission of Tree Protection Scheme and Method Statements	Pre-commencement
10	Phasing Plan	Save for Advance Infrastructure and Enabling Works pre-commencement
11	Scheme for Housing mix	Save for Advance Infrastructure and Enabling Works pre-commencement
12	Scheme for the safeguarding of land to facilitate at Link Road to the west of the WCML up to the western edge of the site boundary	Save for Advance Infrastructure and Enabling Works pre-commencement
13	Site levels and finished floor levels, including details of retaining features	Save for Advance Infrastructure and Enabling Works pre-commencement
14	Access details	Save for Advance Infrastructure and Enabling Works pre-commencement
15	Off-site Highways works	Save for Advance Infrastructure and Enabling Works pre-commencement
16	Surface water drainage scheme to be agreed	Save for Advance Infrastructure and Enabling Works pre-commencement
17	Foul drainage scheme	Save for Advance Infrastructure and Enabling Works pre-commencement
18	Scheme for noise and vibration mitigation	Save for Advance Infrastructure and Enabling Works pre-commencement
19	Cycle provision and EV charging facilities to be provided for each residential unit – details to be agreed	Pre-slab level of dwellings
20	Sustainable Design requirement of 10% betterment of Part L Building Regulations	Pre-slab level of dwellings
21	Full Travel Plan	Pre-occupation of dwellings
22	Surface water management and maintenance plan	Pre-occupation of dwellings
23	Protection of Visibility Splays	Control
24	Implementation of FRA	Control
25	All dwellings to be designed to meet the NDSS and 20% of the dwellings to be M4(2) compliant	Control

26	A 3.5m shared pedestrian/cycle link shall be provided between the access and a new pedestrian/cycle link to the southern end of the site.	Control
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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	A6
Application Number	19/00438/FUL
Proposal	Erection of 36 dwellings, creation of vehicular access with associated landscaping, regrading of land levels and provision of surface water drainage scheme and public open space
Application site	Land off Marsh Lane and Main Street, Cockerham
Applicant	Southworth Construction
Agent	Mr McGonigal
Case Officer	Mr Mark Potts
Departure	No
Summary of Recommendation	Approval

1.0 Application Site and Setting

- 1.1 The application site relates to a 1.35 hectare parcel of open agricultural land located to the south side of Marsh Lane (A588), positioned behind Main Street and The Old Smithy (a cul-de-sac of three detached dwellings) and north of the village football/recreation grounds. Land to the southwest is open countryside predominately used for grazing. Cockerham is a small rural settlement predominately built up along either side of Main Street creating a very linear settlement pattern. It is located approximately 8.8km south of Lancaster City Centre, 3.3km south west of Galgate and circa 6.8km north of Garstang.
- 1.2 The proposal site is largely unconstrained and is allocated for housing within the Strategic Policies and Land Allocations DPD under Policy H2.10 for 36 houses. It is also located within an aerodrome safeguarding area. It is not positioned within a flood risk area; it is not protected by any landscape or nature conservation designation; it is not within an area recognised as a designated heritage asset (such as conservation area or schedule ancient monument site); there are no protected trees within the site and the land is not constrained by any underground infrastructure (such as gas pipelines), albeit there is a United Utilities public sewer to the east of the site.
- 1.3 The site represents an open undulating greenfield site used for grazing. It is notably elevated above properties to the northeast (The Old Smithy) and Marsh Lane to the northwest of the site. The highest point of the site is approximately 20m AOD (in the northern corner of the site) and the lowest part at approximately 15m AOD along the south western boundary. The site is practically at-grade with land to the south-east. Here there is an access track which is hard surfaced and provides the main vehicular access to the Grade II* listed church some 220m south west of the application site. This access track is also a dedicated public right of way (Footpath 15). From the church, footpath 15 connects to a network of other footpaths (FP25 and FP24) that provide access into the open countryside towards Cocker Wood and the River Cocker.

2.0 Proposal

2.1 The application is made in full for the erection of 36 residential dwellings, and the creation of a new vehicular access off Marsh Lane. The scheme provides for the following mix of residential properties. All properties would be constructed with reconstituted stone together with render, and all, are under a natural slate roof.

- 3 x two bedroom homes (8%);
- 4 x two bedroom bungalows (11%);
- 12 x three bedroom semi-detached properties (33%);
- 7 x three bedroom detached (20%);
- 8 x four bedroom detached (22%);
- 2 x five bedroom detached (6%);

2.2 Whilst the applicant initially submitted the scheme with zero affordable housing provision, 30% has been negotiated to consist of 3 x two bedroom homes and 2 x three bedroom homes (affordable rent) and 6 x three bedroom semi-detached properties (shared ownership)

2.3 The scheme also provides for a new pedestrian access from the Marsh Lane and generous quantities of on-site open space across the site.

3.0 Site History

3.1 A number of relevant applications relating to this site have previously been received by the Local Planning Authority. These include:

Application Number	Proposal	Decision
18/00953/FUL	Erection of 36 dwellings, creation of vehicular access with associated landscaping, regrading of land levels and provision of surface water drainage scheme and public open space	Withdrawn
18/00483/REM	Reserved matters application for the erection of 11 dwellings (C3)	Withdrawn
18/00482/REM	Reserved matters application for the erection of 25 dwellings (C3)	Withdrawn
16/00494/OUT	Outline application for the erection of up to 11 dwellings and associated access	Approved
15/00587/OUT	Outline application for the erection of up to 25 residential dwellings	Approved
14/00856/OUT	Outline application for the development of up to 35 residential dwellings	Withdrawn

4.0 Consultation Responses

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

Consultee	Response
Cockerham Parish Council	Objection to the development given Cockerham has a lack of amenities, difficulties with road access and insufficient infrastructure relating to foul water and surface water drainage which would not be able to cope.
County Highways	No objection , subject to conditions such as wheel washing facilities to be agreed, a construction method statement, details of the access to be agreed, off site highway works to consist of the provision of 2 traffic islands and a review of street lighting along Marsh Lane, protection of the required visibility splays, internal roads to be of an adoptable standard.

Lead Local Flood Authority	Initially objected until amended ground investigation works were undertaken to demonstrate that the site can be drained by infiltration methods. Ground investigations were undertaken during the summer of 2020 and these results have been reviewed. No Objection subject to conditions has been received.
Environment Agency	Initially objected on the basis of the submitted Flood Risk Assessment which was inadequate and concerns raised that there could be a risk to groundwater. An amended FRA was submitted in 2019 which allowed the Environment Agency to withdraw their objection to the development, and now offer no objection .
United Utilities	No objection though draws the Council's attention to the issue that the area is served by a foul only drainage network and as such would not allow any domestic surface water or highway drainage to enter the public sewerage system. Recommend that the method of drainage is fixed before the proposed layout is accepted.
County Education	Request that 4 secondary school places are provided for at a cost of £96,740.64 , given the pending number of other applications this could rise to include primary school provision at a cost of £112,353.78
Natural England	No objection subject to the provision of homeowner packs to minimise recreational disturbance on Morecambe Bay. The applicant submitted an Appropriate Assessment which the LPA intends to adopt as it is considered acceptable.
Open Space Officer	No observations received within the statutory timescales
Environmental Health Officer	The contaminated land officer has suggested the use of a condition to deal with contaminated land.
Conservation Officer	No objection . The proposal would lead to a level of harm to the setting and significance of the surrounding listed buildings and non-designated heritage assets. The level of harm is considered to be less than substantial (paragraphs 196 and 197 of the NPPF),
Dynamo	Objection , given the site is not connected to the local cycle network
Black Knights Parachute Centre	No objection , but wishes for it to be known there is a nearby airfield with parachuting that has been active for over 60 years.
Fire Safety Officer	No objection , but standard standing advice shared.
Lancashire Police	No objection , but advocate that secured by design standards are achieved across the site.
City Council Refuse Officer	Whilst refuse points have been noted on the plans, concerns are still raised regarding access to private drives - this relates to plots 32-36 inclusive.

4.2 Seventeen (17) letters of representation have been received, all raising objection to the development for the following reasons:

- Flooding – There are pre-existing problems in the village where surface water flooding, and foul water has proved to be a problematic, and therefore this application can only increase this pressure. Concern has been raised with how foul water will be handled on the site given existing facilities are known to be at capacity;
- Highways – Marsh Lane is a busy highway, especially for motorbikes and concern has been raised with respect to vehicles accessing and egressing the site and therefore this raises concern; within representations there has been support expressed for the footpath to the east of the development which allows pedestrian access into the village, however concerns how this will be executed with respect to retaining walls and landscaping. Concerns have been shared as to how sustainable the site is for housing.
- Lack of services – There are no services such as a local shop within the village and therefore all occupants of the new housing will need to drive to local shops, especially as the bus services are very infrequent and cycling as a means of transport is seen as dangerous.
- Landscape – The site is within a prominent position on the edge of the village and therefore will cause visual impact when viewed from different parts of the village. The visual impact to residents and the amenity of the area is considered to be significant.
- Lack of housing demand – There are a number of properties for sale within the village.

5.0 Analysis

5.1 The key considerations in the assessment of this application are:

Principle of Development Strategic Policies and Land Allocations DPD Policies SP1: Presumption in Favour of Sustainable Development, SP2: Lancaster District Settlement Hierarchy, EN3 Open Countryside, and Policy H2.10: Housing Delivery Development Management DPD Policies DM1: New residential development and meeting housing needs, DM2: Housing standards, DM3: Delivery of Affordable Housing, DM4 – Residential development outside main urban areas and National Planning Policy Framework Sections 2, 5, 11 and 12.

Design Consideration SPLA Policies H2 – Housing delivery in rural areas of the district, EN3 – The Open Countryside, DMDPD DM4 Residential development outside main urban areas, DM29: Key design principles; DM30: sustainable design; NPPF section 12

Water Management Strategic Policies Land Allocations DPD, Policies SP7 Maintaining Lancaster Districts Unique Heritage, SP8 Protecting the Natural Environment and H2 Housing Delivery in Rural Areas of the District, Development Management DPD – DM33 – Development and Flood Risk. DM34 Surface Water run-off and sustainable drainage, DM35 Water Supply and Wastewater, DM36 Protecting Water Resources and Infrastructure.

Transport Strategic Policies Land Allocations Policy H2 Housing Delivery in rural areas of the district and Policy T2 – Cycling and Walking Network, Development Management DPD DM4 Residential Development outside main urban areas, DM29 Key Design Principles, DM30 Sustainable Design, DM60 Enhancing accessibility and transport linkages, DM61 Walking and Cycling, DM62- Vehicle Parking Provision

Affordable Housing Provision Development Management DPD: Policy DM3: The delivery of affordable housing

Landscape and Visual Impact Development Management DPD Policy DM4 – Residential development outside main urban areas, Policy DM29 Key Design Principles, DM44 The protection and enhancement of biodiversity, DM45 Protection of Trees, hedgerows and woodland, DM46 – Development and Landscape Impact Strategic Policies and Land Allocations DPD EN3 - Open Countryside

Open Space Development Management DPD Policies DM4 Residential development outside main urban areas, DM26 – Public Realm and Civic Space, DM27 – Open Space, Sports, and recreational facilities

Cultural Heritage Matters Development Management DPD DM37 Development affecting listed buildings, DM39 The setting of designated heritage assets, DM41 Development affecting non designated heritage or their settings.

Natural Environment Development Management DPD Policy DM4 – Residential development outside main urban areas, Policy DM29 Key Design Principles, DM44 The protection and enhancement of biodiversity, DM45 Protection of Trees, hedgerows and woodland, DM46 – Development and Landscape Impact

Other Matters Development Management DPD Policy DM28 Employment and Skills Plan, DM31 Air quality management and pollution, DM32 Contaminated Land, DM55 Neighbourhood Planning)

5.2 Principle of Development

5.2.1 Cockerham is an identified sustainable rural settlement, where sustainable new housing proposals will be supported by the Local Planning Authority, and this is endorsed within Policy SP2 of the SPLA DPD and DM4 of the Development Management DPD. Furthermore, the site is an allocated housing opportunity site for 36 dwellings under Policy H2.10 of the Strategic Policies and Land Allocations DPD. The principle of delivering housing in the village, and on this site in particular, has been established via the Local Plan. Therefore, matters turn to whether the village can support this growth in terms of environmental, and technical constraints.

- 5.2.2 Whilst the application was submitted well in advance of the adoption of the Development Management DPD (July 2020), the applicant has amended their house types to ensure conformity with the Nationally Described Space Standards in July 2020. If Councillors are minded to support the scheme, it is recommended a condition is imposed to control that the house types are constructed in accordance with the submitted plans. Policy DM2 requires that at least 20% of new housing should be meet the Building Regulations Requirement M4(2) Category (accessible and adaptable dwellings). The application was submitted well in advance of the adoption of the plan when this new requirement came into force. The applicant has, however, made a commitment to achieving lifetime homes standards, and with this it is considered reasonable that 7 of the dwelling houses should adhere to the M4(2) standard.
- 5.2.3 The proposed housing mix includes a diverse mix of house types, and is not overly reliant on larger units. 4-bed and 5-bed properties only make up 28% of the housing mix, which is particularly pleasing. Officers support the mix of unit types, which also provide for bungalow accommodation. This aligns broadly with the housing need evidence submitted as part of the local plan process.
- 5.3 Design Considerations
- 5.3.1 The site has been subject of an array of planning applications over the last 5 years, with outline applications approved for the site which established the principal of the site accommodating 36 dwelling houses. The layout of the scheme has gone through a suite of changes over the last year, and there has been significant amendments such as being more outward facing in its approach (especially when viewed from the west). It is fair to suggest that the layout does not conform to the linear grain of the village. Given the site area it would be impossible to achieve this. The western boundary of the site works well being outward facing, and through design changes, these dwellings will be accessed via footways along their frontage to avoid a sea of cars along this boundary. Whilst there is an existing hedgerow, this would be bolstered with new tree planting and overall would work well on this aspect. This has the potential to work well if executed correctly.
- 5.3.2 The design along the southern boundary has retained quite a significant area of grassed open space, and further landscaping along this boundary has been proposed. The units face outwards here, and through negotiation the boundary treatments will consist of hedgerows and stone walling. This is an improvement on the original iteration of the scheme which consisted of large masses of close boarded timber fencing which was felt to be an insensitive option for this site.
- 5.3.3 It would have been preferable to have units facing towards the village on the eastern boundary. However, stone walling is proposed as a boundary treatment to protect garden spaces and landscaping has been introduced. A new pathway is proposed along the eastern boundary and whilst concerns have been raised regarding the detail of this, namely in the form of the use of retaining walls and how this would affect the properties on the Old Smithy, it is considered through the use of conditions that levels and overall design can be agreed, to limit the impact on these residents. There is an existing water main that crosses the eastern boundary of the site, and therefore an easement of 3 metres should be left on either side of the pipe. United Utilities has not objected to the development and whilst the line of the pipe has been shown on the plans, for clarity a condition is recommended that details the alignment, the required supporting structures and the finish.
- 5.3.4 As with any layout there are elements that could have been improved upon, namely the cramped nature of plots 18-21 and how car dominated this element of the scheme could be. However, in-reality, this element of the scheme is unlikely to be seen from outside the site (apart from the proposed path) and the footways proposed on either side of the road will help ease the impact. The scheme provides for reasonable garden sizes and will not result in adverse levels of overlooking or loss of privacy. The enjoyment of views across open farmland will be lost for residents of the Old Smithy and Main Street, but loss of a view is not a planning consideration. Setting of non-designated is, however, a material consideration and this is discussed later in the report.
- 5.3.5 The applicant's house types are quite generic, with a mix of semi-detached and detached properties. Materials consist of render and reconstituted stone, all under natural slate roofs. Whilst not entirely in keeping with the local vernacular of the village, through the use of a slate roof and through reconstituted stone this will help mitigate some of the impact. The applicant has proposed stone

quoins to frame each property. Whilst there are properties within the village that have these (notably those on the Old Smithy), the execution here is critical and therefore all materials should be conditioned in the form of the natural slate, render and the reconstituted stone.

5.4 Water Management

5.4.1 There has been a lot of concern regarding drainage on this site. This is not surprising given many parts of the village have unfortunately been affected by flooding events over the course of the last 5 years. It is important to note that the site is within Flood Zone 1 which is at the lowest risk of flooding. At present the site drains naturally through the ground. The applicant is proposing to handle surface water via infiltration methods. This has been confirmed as feasible via ground investigations that took place in the summer of 2020. The LLFA and the EA both offer no objection to the development. Whilst there is no objection from the statutory agencies it would have been beneficial for the detailed drainage design to be submitted as part of the application process. United Utilities, the Environment Agency and the LLFA all recommend a pre-commencement condition.

5.4.2 It is recommended a condition is attached to any grant of planning permission which requires the precise details of the drainage scheme to be agreed in advance of development commencing and also the provision of a surface water management scheme.

5.4.3 Foul water will be managed by directing this into the combined sewer that is found on Marsh Lane. Whilst it is noted that concerns have been raised with respect to how foul water will be managed, the statutory consultee (United Utilities) raises no objection and with this it has to be assumed the infrastructure to accommodate foul water is capable. As with surface water the precise detail can be handled by planning condition.

5.5 Transport

5.5.1 The proposed development would be accessed off Marsh Lane, via a new access. The access is similar in nature to the outline consent which established the principle of development at the site. The application did initially attract an objection from the Highway Authority, but following negotiations and with the submission of amended plans they no longer raise an objection to the scheme.

5.5.2 There has been a great deal of concern raised regarding the potential danger of placing a new access on Marsh Lane. As has rightly been pointed out by local residents, the A588 which links Lancaster to the Fylde coast has been classified as one of England's most dangerous roads. It has been observed during site visits cars speeding when leaving the village. There is a package of measures as part of the Safer Roads Programme which will be rolled out across the route over the next few years. The proposed access arrangement including the provision of 2 new traffic islands and a review of street lighting associated with the access has been proposed and accepted by the County Council to ensure a safe access. Planning conditions have been recommended requiring the traffic islands to be installed prior to occupation of any dwelling house.

5.5.3 Various changes within the proposed road layout have taken place to provide for a road layout that could potentially be adopted by the Highway Authority. This includes the provision of footways and increasing the road width to 5.1 metres. Whilst it is noted that concerns exist from residents about the safety of Marsh Lane, no objection has been raised by the Highway Authority on the basis that they deem the scheme to be safe.

5.6 Affordable Housing Provision

5.6.1 The scheme was submitted on the basis of providing no affordable housing, something which was of concern to officers. Following extensive discussions including an independent assessment of the scheme, it has been agreed that the scheme will provide for a total of 11 units to be affordable (30.56%). The adopted policy is that schemes in Cockerham should provide for 30% affordable housing on site. This scheme is providing affordable housing in the form of 5 affordable rented units and 6 shared ownership. This can be secured via the proposed Section 106 agreement and the provision of additional affordable housing within the village is welcomed by officers.

5.7 Landscape and Visual Impact

- 5.7.1 Given the proposed location there will be a material visual change in the way the landscape is viewed from the surrounding public vantage points. Footpath 15 to the south of the site will witness a marked change associated with users who use this footpath as there will be views from Marsh Lane and Main Street. The access location will inevitably lead to a marked change for users of Marsh Lane as essentially the access will be through the existing embankment to the site. The introduction of 36 dwellings with associated highway infrastructure will impinge upon the natural openness of the landscape and it is inevitable that the proposed development will lead to a landscape impact simply on the basis that the site will lose its previously recognised greenfield character. However, a change from open land to a developed area is not necessarily harmful as the impact is localised and due to the proximity of the site to the existing built form, it will represent an extension to the settlement as opposed to an isolated new community.
- 5.7.2 The proposal will lead to an inevitable change in character of the application site, but as illustrated within the design section of this report the scheme has been amended through the application process, which enables the proposal to feel a bit more connected to the existing settlement. On balance, it is contended that the visual impacts would not significantly or demonstrably outweigh the benefits of the proposal (especially given this is an allocated site for housing). It must also be recognised, that if the nationally important designated sites are to be protected from major development, in order to meet existing and future housing needs, landscapes that are not protected and are well related to existing sustainable settlements are the landscapes most likely to accommodate future development.

5.8 Open Space

- 5.8.1 As a rule, for a scheme of this size, the applicant would be required to provide for an equipped play area. However, given the proximity of the existing play provision within the village (less than 300 metres away), it is recommended that the contribution of £60,000 from the development is provided to enhance the existing facilities within the village. This could go towards funding improvements to the drainage of the football field, and towards the provision of new play equipment. This is considered a pragmatic way of simply insisting that the development provides on-site equipped play facilities. Regrettably, the public realm officer has made no recommendation on the application, but the case officer is satisfied this is a logical and sensible solution which will benefit the development and also the village too. Generous amounts of open space have been included around the scheme and is to be supported. A condition is recommended to ensure it is managed and maintained in an appropriate manner.

5.9 Cultural Heritage Matters

- 5.9.1 There are no listed buildings nor scheduled ancient monuments within the site though the Church of St Michael is Grade II*, and Cockerham Hall and the Old Rectory are both Grade II. There are also a number of non-designated heritage assets (NDHAs) along Main Street (2 and 4, 6 to 16 and 35 and 37). The site provides the immediate setting to the houses on Main Street which are NDHAs, the setting of the Grade II* St Michaels Church and Cockerham Hall and the Old Rectory (both Grade II). It is inevitable the development would interrupt, and erode views of the church when viewed from Marsh Lane thus eroding its designed prominence, and there will be a level of harm to the setting and significance of the Grade II* church.
- 5.9.2 The impact on the Grade II Cockerham Hall will be less significant given there are farm buildings screening the southern side of this building. Whilst there would be some impact, this will be minimal given the screening around the site and the farm building screening Cockerham Hall. The Old Rectory is likely to experience some loss of significance, but this will be limited due to the distance from the site and natural screening.
- 5.9.3 With respect to the NDHAs along Main Street, these buildings are characterised by their terraced formation, fine grain and situation immediately on the highway. The proposed layout differs from this which does have an overall suburban form which would diminish the traditional character of the neighbouring NDHAs, which assists to minimise their visual dominance. Whilst of a different form to the houses along Main Street they share similar heights which will help minimise their visual dominance. Whilst no objection from the Conservation Officer has been raised, they have recommended the use of natural stone in certain select locations. The applicants have proposed

slate throughout the site and this is welcomed. It is considered a suitable re-constituted stone could be sourced to allay any concerns here.

5.10 Natural Environment

5.10.1 The application consists of grazed agricultural fields with hedgerows and trees forming the boundaries of the site. The application is supported by an extended phase 1 habitat survey which has emphasised that the site consists of species poor improved grassland with the predominant habitat to the affected being the short sward species poor improved grassland which is common and has a low ecological value. A condition has been suggested with respect to landscaping and this will help achieve biodiversity net gain.

5.10.2 The site is in close proximity to Morecambe Bay SPA, RAMSAR, SAC and SSSI, therefore the Council needs to determine whether the recreational pressure caused by 36 dwellings in the village is likely to occur. The applicant produced a shadow HRA/AA which the Council intends to adopt as their own. With mitigation in the form of homeowner packs, there will be no impact on the special qualities of the bay. This has the support of Natural England, and is proposed to be addressed by a planning condition.

5.11 Other Matters

5.11.1 The village is not within an Air Quality Management Area. However, a condition is recommended to cater for electric vehicle charging points and bike storage. The contaminated land officer has suggested a condition for contaminated land, though given this is a greenfield site, an unforeseen condition is considered appropriate. Conditions are recommended requiring the provision of an Employment Skills Plan given the development exceeds the threshold of Policy DM28 of the DM DPD. Given the sensitively designed scheme along the western boundary and that the development will drain via soakaway, a condition removing permitted development rights is also recommended.

5.11.2 The County Council as the Education Authority has requested 4 secondary school places to offset the impact of the development. This is considered reasonable, though further clarification has been sought as to whether this figure is still the case given it is over 6 months old. Councillors will be verbally updated on the position as at the time of writing the County's updated response has not been supplied. The City Council's refuse officer has highlighted some concern with plots 32-36 and how refuse would be collected. Discussions with the applicant are ongoing in this regard, so again Councillors will be updated verbally on this matter.

6.0 Conclusion and Planning Balance

6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications have to be determined in accordance with the development plan unless material considerations indicate otherwise. The policy context in terms of determining this application is the recently adopted Development Management DPD and Strategic Policies and Land Allocation DPD (both adopted in July 2020).

6.2 The site is allocated for residential development within the Strategic Policies and Land Allocations DPD as a housing opportunity site for 36 residential dwellings. The scheme before the Committee provides a mixture of open market, and affordable housing, in a village where sustainable housing will be supported. The scheme is providing policy compliant affordable housing provision, generous amounts of open space, a financial contribution towards public realm within the village and education provision. These all weigh in support of the scheme. Whilst the Council has an up to date Local Plan, the tilted balance is engaged given it cannot demonstrate a deliverable 5-year housing land supply, so this has to be considered by the decision maker. Even, if, it was to be concluded that the tilted balance was not engaged in this case, applying the 'flat balance' under Section 38 (6), it would still be considered that the significant benefits of the proposal outweigh the harm caused by the developments impact in landscape terms.

6.3 Whilst the development would introduce some localised landscape impacts, and cannot be described as being in keeping with the linear form of development of the village, it is an allocated site for 36 houses. There are elements of the layout which could be improved upon on, but on balance it is a layout which if executed well (and this can be controlled by planning condition), will

be complementary to the village and making a small but important contribution to the delivery of housing within the District.

Recommendation

That Planning Permission **BE GRANTED** subject to the signing of the Section 106 Agreement to secure:

- The provision of 11 houses to be secured across the site to be affordable comprising 3 x two bedroom and 2 x three bedroom as affordable rent, and 6 x three bedroom semi-detached as shared ownership.
- Education contribution of **£96,740.64** for four secondary school places (awaiting County Education as to whether this is still a valid figure).
- Open space off-site contribution of **£60,000** to be utilised within the village of Cockerham for enhancements to play and sport facilities.
- Long term maintenance of landscaping, open space and non-adopted drainage and highways and associated street lighting.

and the following conditions:

Condition no.	Description	Type
1	3-year timescales	Control
2	Approved plans	Control
3	Surface water drainage detail	Pre commencement
4	Foul water drainage detail	Pre commencement
5	Employment and Skills Plan	Pre commencement
6	Water main easement details	Pre commencement
7	Access detail	Pre commencement
8	Site and finished floor levels	Pre commencement
9	Nationally Described Space Standards and M4(2) compliance	Pre commencement
10	Detail of footway connections from Marsh Lane to the Public Right of Way to the south of the site	Development above ground
11	Off site highway works and implementation	Development above ground
12	Materials to be agreed – natural slate roof, render, reconstituted stone.	Development above ground
13	Boundary treatments – stone walls, fencing, hedgerows	Development above ground
14	Hard and soft landscaping	Development above ground
15	Provision of cycle and electric vehicle charging	Development above ground
16	Open space provision and management	Development above ground
17	Provision for homeowner packs	Prior to occupation
18	Surface water long term management	Prior to occupation
19	Protection of visibility splays along Marsh Lane	Compliance
20	Garage use condition	Compliance
21	Car parking to be provided prior to occupation	Compliance
22	Development in accordance with the submitted AIA	Compliance
23	Removal of Permitted Development rights	Compliance

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	A7
Application Number	20/00059/FUL
Proposal	Partially retrospective application for the erection of 3 industrial buildings (B1) and construction of internal roads and parking areas
Application site	Ironworks House, Warton Road, Carnforth, Lancashire
Applicant	Mr Phil Rogerson
Agent	Mr Stuart Begg
Case Officer	Mr Robert Clarke
Departure	No
Summary of Recommendation	Approval

1.0 Application Site and Setting

- 1.1 The proposal site is an area of brownfield land measuring 0.61 hectare situated to the north eastern corner of the former TDG Depot in Carnforth. The wider site is an industrial complex featuring numerous warehouse buildings and yard areas with associated car parking. It is located on the eastern side of Warton Road from which it is accessed. Immediately to the east of the site is the West Coast Mainline and to the north the Morecambe-Leeds branch line, along with associated railway land and workings. The site is enclosed by palisade fencing.
- 1.2 The buildings within the wider site formed part of a distribution centre, which were occupied until the early 2000s. The units which remain have now been re-let and provide a range of commercial and office spaces. In addition, a series of new small 'start-up' units have recently been constructed along the south eastern edge of the site, approved through recent application 18/01642/FUL.
- 1.3 The site forms part of a Development Opportunity Site (DOS7 – Land at former TDG Depot) as identified within the recently adopted Strategic Policies and Land Allocations DPD. The boundary of Carnforth Conservation Area is located approximately 250 metres to the south. Carnforth's Air Quality Management Area (AQMA) is located to the south east, focussed on the town centre crossroads. The site falls within a Site of Special Scientific Interest impact risk zone and a Mineral Safeguarding Area. The woodland to the north of the Morecambe-Leeds branch line embankment is subject of a Tree Protection Order.

2.0 Proposal

- 2.1 This application seeks permission for the erection of three light industrial buildings (use class E(g)) which will be segregated into individual units within. The application also includes the provision of internal access roads and parking areas to serve the industrial units.
- 2.2 The proposed units will be accessed from the existing site access road which passes the recently constructed units along the eastern edge of the site. The first unit is located along the southern boundary of the site, it will measure 59.8 metres in length and 12 metres in width, it will be segregated into 7 units. The second unit will be located along the northern boundary, it will feature

a length of 68.2 metres and a width of 12 metres, it will be segregated into 8. The third unit will be located within the centre of the site, it will measure 26.2 metres in length and 12.2 metres in depth, it will comprise of 4 units. All three buildings are double storey in height and will feature a pitched roof measuring 7.5 metres to the ridge. Each unit will feature a combination of facing brick/masonry cladding, profiled metal cladding to the upper sections and roof which will incorporate rooflights, and double height roller shutter doors. Each unit will also feature a designated refuse and recycling store formed to its side and consisting of matching metal clad elevations and gates. A total of 65 parking spaces are to be provided within the site as well as a total of 3 bike storage areas. The site will also be landscaped following construction.

2.3 Reference is made within the application description to use class B1 for the proposed use. This use class reference originates from The Use Class Order 1987 which was recently amended by The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, coming into force on the 1st of September 2020. This amendment to the order has revoked class B1 amongst others and replaced it with new use class E. The application description has not been updated to refer to the new use class categories as defined within the 2020 amendment, as the amended order states that descriptions for applications received before the order came into force do not need to be updated. However, for the purposes of this application it is important to note the description of the proposal with respect to its proposed use class as detailed in paragraph 2.1.

3.0 Site History

3.1 A number of relevant applications relating to this and the wider site have previously been received by the Local Planning Authority. These include:

Application Number	Proposal	Decision
20/00074/EIR	Screening request for the erection of 3 industrial buildings (B1) and construction of internal roads and parking areas	Environmental Statement not required
18/01503/FUL	Erection of six general industrial units (B2) with associated parking	Permitted
18/01642/FUL	Erection of three blocks each comprising of seven light industrial units (B1) with associated parking	Permitted

4.0 Consultation Responses

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

Consultee	Response
Natural England	No objection – standing advice provided regarding protected landscapes (Arnside and Silverdale AONB) and SSSI Impact Risk Zones.
United Utilities	No objection – subject to conditions requiring details of surface water and foul drainage infrastructure and their associated management and maintenance.
Fire Safety Officer	No objection – standing advice provided regarding site layout and Building Regulation requirements.
Parish Council	No response received.
County Highways	No objection – subject to conditions requiring cycle storage and motorcycle parking spaces.
Conservation Team	No objection – The proposal will have a negligible impact upon identified heritage assets.

Environmental Health (Air Quality)	No objection – subject to the provision of appropriate electric vehicle charging outlets.
Environmental Health (Contamination)	No objection – subject to conditions requiring additional intrusive contamination surveys and remediation.
Lead Local Flood Authority	No objection – subject to the provision of surface water drainage infrastructure and lifetime management/maintenance plan.
Network Rail	No objection – standing advice provided regarding development in proximity to operational railway land.
Lancaster City Council Planning Policy	No objection – The site is allocated for a mix of uses within the Strategic Policies and Land Allocations DPD.

4.2 The following responses have been received from members of the public:

3 letters of objection have been received by the Local Planning Authority raising the following concerns:

- Works have already commenced on site by virtue of the laying of gravel material;
- Engineering operations and regrading/level changes within the site;
- Contamination risks;
- Risks posed to and encroachment onto operational railway land;
- Increased flood risk;
- Lack of blue edge indicating additional owned land; and
- Red edge does not include site access;

5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- **Principle of development** (Development Management DPD Policies: DM14: Proposals involving employment and premises, DM15: Small business generation, DM28: Employment and skills plans, DM29: Key design principles, Strategic Policies and Land Allocations DPD SP1: Presumption in favour of sustainable development, EC5: Regeneration Priority Area, DOS7: Land at former TDG depot, Warton Road and National Planning Policy Framework Section 2: Achieving sustainable development, Section 6: Building a strong, competitive economy, Section 7: Ensuring the vitality of town centres and Section 12: Achieving well-designed places)
- **Employment and Skills** (Development Management DPD Policies: DM28: Employment and skills plans, Employment and Skills Plans SPD and National Planning Policy Framework Section 6: Building a strong, competitive economy)
- **Design and appearance** (Development Management DPD Policies: DM29 Key design principles, DM30: Sustainable design, DM39: The setting of designated heritage assets, DM46: Development and landscape impact, Strategic Policies and Land Allocations DPD SP7: Maintaining Lancaster District's unique heritage, SP8: Protecting the natural environment, EC5: Regeneration Priority Area, DOS7: Land at former TDG depot, Warton Road, Carnforth and National Planning Policy Framework Section 6: Building a strong, competitive economy, Section 7: Ensuring the vitality of town centres, Section 12: Achieving well-designed places, Section 15: Conserving and enhancing the natural environment, Section 16: Conserving and enhancing the historic environment)
- **Railway infrastructure** (Development Management DPD Policies: DM29 Key design principles, DM60 Enhancing accessibility and transport linkages and Section 15: Conserving and enhancing the natural environment)

- **Highway impacts** (Development Management DPD Policies: DM14 Proposals involving employment and premises, DM15 Small business generation, DM29 Key design principles, DM30 Sustainable design, DM60 Enhancing accessibility and transport linkages, DM61 Walking and cycling, DM62 Vehicle parking provision, DM63 Transport efficiency and travel plans, Strategic Policies and Land Allocations DPD DOS7: Land at former TDG depot, Warton Road, Carnforth and National Planning Policy Framework Section 2: Achieving sustainable development, Section 6: Building a strong, competitive economy, Section 7: Ensuring the vitality of town centres, Section 9: Promoting sustainable transport, Section 12: Achieving well-designed places)
- **Air quality** (Development Management DPD Policies DM29 Key design principles, DM31 Air quality management and pollution DM60 Enhancing accessibility and transport linkages, DM61 Walking and cycling, DM62 Vehicle parking provision, DM63 Transport efficiency and travel plans, Strategic Policies and Land Allocations DPD SP1: Presumption in favour of sustainable development, EC5: Regeneration Priority Area, DOS7: Land at former TDG depot, Warton Road, Carnforth, EN7: Environmentally important areas, EN9: Air quality management areas and National Planning Policy Framework Section 2: Achieving sustainable development, Section 9: Promoting sustainable transport, Section 12: Achieving well-designed places, Section 15: Conserving and enhancing the natural environment)
- **Contamination** (Development Management DPD Policies DM29 Key design principles, DM32 Contaminated Land SP8: Protecting the natural environment, EC5: Regeneration Priority Area, DOS7: Land at former TDG depot, Warton Road, Carnforth, EN7: Environmentally important areas and National Planning Policy Framework Section 12: Achieving well-designed places, Section 15: Conserving and enhancing the natural environment)
- **Drainage** (Development Management DPD Policies DM29 Key design principles, DM30 Sustainable design DM34 Surface water run-off and sustainable drainage, DM35 Water supply and waste water, DM36 Protecting water resources and infrastructure, Strategic Policies and Land Allocations DPD SP8: Protecting the natural environment, EC5: Regeneration Priority Area, DOS7: Land at former TDG depot, Warton Road, Carnforth, EN7: Environmentally important areas and National Planning Policy Framework 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)

5.2 Principle of development

5.2.1 The NPPF supports the sustainable growth and expansion of business through the conversion of existing buildings and well-designed new buildings. It also gives substantial weight to the suitable redevelopment of brownfield land. The site forming the subject of this application is located within the north eastern corner of an existing industrial complex, formerly a large distribution centre. The wider site is identified within the recently adopted Strategic Policies and Land Allocations DPD as a development opportunity site, allocated for a mix of uses including employment and commercial. In addition, the site forms part of the Central Carnforth regeneration priority area which seeks to encourage the redevelopment of brownfield sites.

5.2.2 This application seeks consent for the redevelopment of the north eastern corner of the complex comprising three buildings consisting of smaller segregated units within. The units will provide modern flexible commercial spaces in which business can become established and develop, whilst flexibility can be provided within the internal layout.

5.2.3 The proposal will result in a currently unused brownfield site being redeveloped to provide contemporary commercial facilities within an area allocated for such uses. The redevelopment of the site will also entail the visual enhancement of the locality and contribute to the vitality of the area through the provision of employment uses. As a result, the principle of the proposed development is considered to accord with the aims and objectives of the Development Plan and subject to the application satisfactorily addressing the material considerations discussed below, can be supported.

5.2.4 At the time of submission, this application sought consent for units falling within use class B1. As discussed in paragraph 2.3, following The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 coming into force on the 01 September 2020, the use of the units proposed now falls with use class E which replaces the former B1 use class amongst others. Use class E is wider reaching in respect of the uses it contains and is further sub-divided. In order to ensure that the uses undertaken within the units proposed remain appropriate for this location, a condition to restrict the use of the units to use class E(g) is recommended.

5.3 **Employment and Skills**

5.3.1 The proposed development will result in the provision of approximately 1850m² of new commercial floor space, therefore in accordance with Policy DM28 of the Development Management DPD and the Employment and Skills Plans SPD, the Council must consider whether the submission of an Employment and Skills Plan would be reasonable.

5.3.2 The Council is seeking to play a leading role in improving educational attainment and skills and raise aspirations within the district. It is important to ensure that local people get the right education, skills and inspiration to enable them to get jobs. Preparing and implementing an Employment and Skills Plan (E&SP) for major new development is one of the ways to achieve this. Given the scale of the development proposed exceeding the threshold criteria stipulated within Policy DM28 of the Development Management DPD and the Employment and Skills Plans SPD, it is considered necessary that an E&SP be developed and implemented. This can be appropriately controlled by way of a pre-commencement planning condition.

5.4 **Design and appearance**

5.4.1 The NPPF stipulates that development should be visually attractive and sympathetic to the prevailing local character. Furthermore, Policy DM29 requires that development makes a positive contribution to the surrounding landscape and townscape. Within the wider industrial complex, there is a mix of commercial buildings ranging from recently constructed modern industrial units, large scale warehouses to Ironworks House which is considered a non-designated heritage asset that fronts Warton Road. The application site is also 250 metres to the north of the Carnforth Conservation Area.

5.4.2 Whilst the development will be self-contained within the north eastern corner of the site, views of the structures will be achieved from Scotland Road (A6) which lies 150 metres to the east, over the existing caravan dealership. The development has been designed to appear as a natural extension to and visually flow from the existing large warehouse buildings as well as the smaller commercial units recently constructed along their south eastern edge. The proposed units are considered to be commensurate in scale to the character of the wider industrial complex and will appear coherent in this context. Moreover, the design and material palette proposed is such that continuity in design approach is maintained. The elevations will comprise of facing masonry cladding and profiled dark grey cladding under dark grey aluminium profile roofing with integrated roof lights. The units will include dark grey roller shutters to match the cladding. It is considered that the three mono-pitched units would sit comfortably within the site and next to the adjacent larger units.

5.4.3 The proposed structures would also be visible from certain positions within the Conservation Area, including when looking out at the former Ironworks site from the railway bridge on Warton Road. They would also affect its setting through their impact on the approach to the Conservation Area, particularly by train. Nevertheless, the potential impact would be minor, and would not be considered harmful partly owing to the nature of the proposed development, which is consistent with the heritage value of the site and the Conservation Area as a whole. The proposed material palette and colour scheme will not have an overly obtrusive appearance, and consequently raises no concerns.

5.4.4 It has become apparent during the determination of this application that gravel material has been laid across a portion of the north western corner of the site up to the palisade fence enclosing this part of the site. The developer has confirmed that this gravel material is to form part of the ground works required to facilitate the development proposed, these works have now ceased to allow for the determination of this application. Whilst objectors state that levels are being changed and site regraded, as detailed within proposed plans, the level changes are limited and are restricted to small

pockets in western and central areas of the site, the extent of fill does not exceed 30cm in any location.

5.4.5 The proposed development also provides an opportunity for the site to be appropriately landscaped following its redevelopment which will greatly improve the visual attractiveness of the site. The application is accompanied by a landscape management plan, however, this does not provide details of the nature of the landscaping or the species of trees to be planted. On this basis, a condition requiring details of a landscaping scheme to be agreed is recommended.

5.4.6 Overall, the proposed development will result in the introduction of commercial units within an existing industrial complex. The site is presently unused brownfield land, the redevelopment of which will enhance the visual appearance of the area consistent with the aims of the Regeneration Priority Area policy. The scale and design of the development proposed is considered acceptable in the context of the existing surrounding development.

5.5 **Railway infrastructure**

5.5.1 Due to the sites location within close proximity to operational railway infrastructure, Network Rail have been provided with an opportunity to review the proposal. In response to the consultation, Network Rail have provided standing advice for development in proximity to railway infrastructure. In the first instance Network Rail require the developer to submit directly to themselves a Risk Assessment and Method Statement (RAMS) as well as a Basic Asset Protection Agreement (BAPA). Such assessments are to be agreed directly with Network Rail. An advice note highlighting to the developer the requirement for formal agreements to be in place with Network Rail prior to the commencement of works is recommended.

5.5.2 Network Rail also state that there must be no encroachment onto Network Rail land both during and post construction. Furthermore, a separation of 3 metres must be maintained between the buildings/structures proposed and railway boundary. It became evident during a site visit that a metal palisade fence along the northern boundary of the development site had been re-located from its original position (in line with the neighbouring sites palisade fence boundary) and placed immediately adjacent to the railway embankment and retaining wall, effectively incorporating additional land into the development site. After discussions with the developer, it has been established that the proposed plans and red edge forming the subject of this application detail the lawful position of the site boundary, not the relocated position. Furthermore, the developer has confirmed that the position of this fence will be re-located to its correct siting along the boundary and in line with the neighbouring site during the development phase. Should any encroachment onto Network Rail land persist this would be a legal matter, outside of planning control, for Network Rail to pursue with the landowner. With respect to the 3 metre gap between buildings and structures requested, this can be achieved as detailed on the proposed site plan which Network Rail have had the opportunity to review.

5.6 **Highway impacts**

5.6.1 The NPPF requires that opportunities for sustainable transport are maximised, safe and suitable access to the site is provided and significant impacts on the highway network are effectively managed. The development site is currently unused. The scheme as currently proposed would provide 65 car parking spaces, six of which will be allocated for persons with impaired mobility. This exceeds the maximum required standards set out within Appendix E of the Development Management DPD, which relates to car parking standards. Appendix E sets out that car parking spaces are calculated on the basis of the nature of the use proposed, the location of the site and the floor space of the buildings. Using these parameters to calculate the number of spaces required, 47 parking spaces and an additional 3 mobility bays should be provided. The proposed site plan details the way in which 65 spaces can be achieved, but given the site's location on the edge of the town centre, access to various forms of public transport and the need to encourage such forms of sustainable travel to minimise potential impacts upon the Air Quality Management Area, the number of spaces provided at this site should not exceed the maximum. An amended car parking plan to reflect the required parking provision has been requested.

5.6.2 Cycle shelters will also be provided within the site, details and provision of which can be secured by condition. The provision of changing facilities within the units can also be secured by condition to encourage this sustainable mode of transport.

5.6.3 The scheme will utilise the existing point of access to the site off Warton Road. The Highway Authority has reviewed this application and considered its implications upon highway safety. The proposed development will result in an increase in the frequency of vehicle movements through this point of access and onto the public highway. It is the opinion of Lancashire County Council Highways that the existing access arrangement is appropriate in capacity terms to facilitate the development proposed.

5.7 Air quality

5.7.1 Planning policy requires that planning decisions should sustain and contribute toward complying with relevant limit values or objectives for pollutants and opportunities for mitigation of impacts should be identified. Policy DM31 requires that new development proposals must demonstrate that they have sought to minimise the levels of air polluting emissions generated and adequately protect their new users, and existing users, from the effects of poor air quality. Development which has the potential to individually or cumulatively contribute to increasing levels of air pollution will be required to demonstrate how either on-site or off-site mitigation measures will be put in place to reduce the air quality impact. Any proposal must not significantly worsen any emissions or air pollutants in areas where pollution levels are close to objective / limit value levels.

5.7.2 The site is in close proximity to the Carnforth Air Quality Management Area (AQMA) whilst the development will result in additional vehicular traffic passing through the AQMA area. On this basis, an Air Quality Mitigation Statement has been provided and considered by the Council's Air Quality Officer. The submitted assessment indicates that the development will attract approximately 157 vehicle trips to and from the site on a daily basis, approximately 100 of which will pass through and impact on the Carnforth AQMA. The assessment indicates a small adverse impact within the AQMA as a consequence, without mitigation. However, it is worth noting that the assessment report is based on data available for 2017. Air quality monitoring data available since then (for 2018) indicates further improvement in the air quality position in this locality i.e. the local air quality position is better than that indicated in the submitted assessment. Moreover, the assessment concludes that with appropriate mitigation measures in the form of dust suppression during the construction phase and cycling storage and facilities combined with electric vehicle charging points, the development will not have an harmful effect with respect to air quality. A condition requiring the development to be undertaken in accordance with the construction environmental management plan is recommended. A further condition requiring details and the provision of sufficient cycling facilities and electric vehicle charging points is also recommended to encourage these forms of transport.

5.7.3 Finally, mention is made within the supporting documents of the possible installation of mezzanine floors within the units. The provision of mezzanines would materially increase the floor space provided above that has been used to calculate the transport impacts of the development as detailed within the supporting Transport Report. The data from the Transport Report subsequently informs the Air Quality Assessment. As the provision of mezzanines within the unit would likely increase the number of trips to the site, the current Transport Report and Air Quality Assessment would not be reflective of the development. On this basis, the applicant has confirmed that mezzanine floors will not be installed, and this can be controlled by condition.

5.8 Contamination

5.8.1 The site forming the subject of this application has a history of industrial uses and therefore is likely to experience increased levels of contamination posing a health and safety risk. The application is accompanied by a ground investigation report consisting of a phase 1 walkover survey and desk study. This report has identified the aforementioned likelihood of increase risk of contamination. On this basis, further intrusive ground investigation is required to assess the ground conditions and inform the appropriate remediation measures necessary to enhance and make safe existing ground conditions. Such investigation is required so as to be consistent with Policy DM32 regarding contaminated land as well as Policy DOS7 of the Strategic Policies and Land Allocations DPD. The requirement for further investigation and remediation can be secured by way of pre-commencement condition, as requested by the Councils Contaminated Land Officer.

5.9 Drainage

- 5.9.1 The proposed development is situated to the north of the recently constructed commercial units granted through application 18/01642/FUL, which is known as the Eastern Development Site (EDS). The development site forming the subject of this application is known as the Northern Development Site (NDS). The surface water infrastructure serving the EDS has now been implemented. There is an existing drainage culvert that flows beneath the site first from west to east, it then passes below the West Coast Mainline before flowing northwards and passing back below the railway and flowing east to west below the application site. This culvert then passes below the Morecambe-Leeds railway to the north before eventually draining into the River Keer. The EDS surface water drainage is attenuated below ground within the site before being discharged into this drainage culvert.
- 5.9.2 In order to successfully dispose of surface water arising from the NDS and so that this development does not increase the risk of surface water flooding within the vicinity, it is proposed to incorporate the surface water flows into the aforementioned existing infrastructure serving the EDS. The combined surface water discharge from the EDS and NDS would be added to the existing culvert at a combined rate of 12l/s following attenuation within the two separate sub-surface storage tanks. The proposed drainage scheme has been reviewed by the Lead Local Flood Authority who are satisfied with the surface water drainage arrangement proposed including the combined rate of discharge into the existing culvert.
- 5.9.3 Within the standing advice received from Network Rail, advice regarding surface water drainage is included. This sets out that drainage of the site must not increase the risk of land instability or flooding, as a result drainage via more sustainable techniques in accordance with the drainage hierarchy, such as infiltration, would not be appropriate at this site. Subsequently, surface water is to be directed towards and discharged into the existing culvert. Whilst a comment is included within Network Rail's response stating that drainage works must not impact upon culverts that drain under the railway, this is considered the only suitable drainage option considering site constraints. Furthermore, the encapsulation of surface water within the proposed closed drainage system will result in infiltration, the means by which the site currently drains, being prevented and therefore preventing possible saturation of land conditions. Should the condition of the culvert become a concern, the Lead Local Flood Authority benefit from enforcement powers through which improvement works can be secured.
- 5.9.4 Given the connectivity of the surface water drainage from these sites, which incorporates overland flows from roads and car parks, to the wider ecological network, the ecological implications of the drainage scheme need to be appropriately managed. The scheme includes two fuel/contaminant interceptors through which surface water passes before being discharged into the wider environment. The interceptors are appropriately sized for the surface area and flow rates draining through the system and will prevent harmful contaminants from entering the wider ecological network. A condition requiring the installation and maintenance of the interceptors is recommended.
- 5.9.5 There are some known issues with the condition of the culvert arising from siltation and poor maintenance, however, the LLFA are satisfied that the condition of the culvert can be improved and managed under their own enforcement powers and outside of planning control. The developer has also confirmed their commitment to working with the LLFA and other riparian owners to improve the condition of the culvert. Notwithstanding this, the LLFA are satisfied that there is still sufficient capacity within the culvert system to accommodate the additional input from the development site.
- 5.9.6 Subject to a condition to ensure that the development is undertaken in accordance with the agreed combined drainage scheme, the scheme is considered acceptable in respect of surface water drainage. An additional condition is also recommended requiring the agreement of a suitable management and maintenance scheme of the lifetime of the drainage infrastructure.
- 5.9.7 The foul drainage system proposed to serve the NDS connects to the existing foul drainage system serving the EDS. This is a separate system to that facilitating surface water drainage, as requested by United Utilities. The foul drainage from both the EDS and NDS is subsequently pumped from site and connected to the combined sewer below Warton Road.

6.0 Conclusion and Planning Balance

- 6.1 The proposed development will result in the redevelopment and regeneration of an unused brownfield site and result in modern and flexible employment facilities in a location that is allocated for such uses in the Development Plan. In respect of the identified material planning considerations relevant to this application, the proposal is considered acceptable subject to the imposition of the conditions recommended, on this basis the application is recommended for approval.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Standard three-year timescale	Control
2	Approved plans	Control
3	Standard contamination land and remediation condition	Pre-commencement
4	Employment and skills plan	Pre-commencement
5	Landscaping scheme	Pre-commencement
6	Drainage management and maintenance regime	Pre-commencement
7	Details of cycle/motorcycle storage and facilities	Development above ground
8	Details of electric vehicle charging points	Development above ground
9	Provision of surface water drainage infrastructure	Prior to occupation
10	Provision of foul drainage infrastructure	Prior to occupation
11	Provision of parking spaces	Prior to occupation
12	Provision of drainage interceptors	Prior to occupation
13	Provision of refuse storage areas	Prior to occupation
14	Development in accordance with Construction environmental management plan	Control
15	Removal of permitted development rights – No mezzanine floors	Control
16	Use class restricted to E(g)	Control

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	A8
Application Number	20/00293/FUL
Proposal	Change of use of former church (D1) to 13 self-contained flats (C3), erection of single storey side extension, creation of a bin and cycle store, installation of rooflights to rear and side elevations, construction of balconies to rear elevation and construction of raised decking to north east elevation with associated parking, garden and amenity space.
Application site	Christ Church, Broadway, Morecambe, Lancashire LA4 5BJ
Applicant	Mr Lambert
Agent	Philip Lambert
Case Officer	Ms Rebecca Halliwell
Departure	No
Summary of Recommendation	Approval subject to outstanding responses from statutory consultees raising no objections to the proposal

1.0 Application Site and Setting

- 1.1 The site which forms the subject of this application comprises of 0.39 hecatres of land consisting of an existing church building with associated external hardstanding and soft landscaping. The building is the Former Broadway United Reform Church which is currently vacant. The site is located on the corner of the junction where Stuart Avenue meets Broadway (A589). The south part of the site which abuts onto Stuart Avenue is within flood zone 2, whilst the remainder of the site is within flood zone 3, though in an area benefitting from flood defenses.
- 1.2 The site is situated within an established residential area. Located circa 280m north of the site lies the European designated Morecambe Bay Special Area of Conservation, Special Protection Area, Site of Scientific Interest and Ramsar site.

2.0 Proposal

- 2.1 Planning permission is sought for the change of use of the former church to 13 self-contained flats, erection of single storey side extension, creation of a bin and cycle store, installation of rooflights to rear and side elevations, construction of balconies to rear elevation and construction of raised decking to north east elevation with associated parking, garden and amenity space.
- 2.2 The original submission sought permission for the change of use of the church to 19 units. It was considered that this would have resulted in the over-development of the site. Furthermore, a number of the units would have been solely served by rooflights. This would have resulted in a diminished outlook and light which would have resulted in an adverse impact upon amenity. Subsequently, an amended scheme has been submitted.
- 2.3 The internal layout of the scheme has been amended and the single storey extension reduced limiting the scheme to 13 units. It will consist of six-3 bedroom and seven-2 bedroom units. The single storey extension will be attached to the single storey rear element of the building. The

memorial garden will be retained and public access allowed. 13 amenity / garden spaces will be provided, along with 2 shared amenity areas. Twenty-six parking spaces are also proposed, all of which will be enclosed within the application site.

3.0 Site History

3.1 There is no relevant history for this site.

4.0 Consultation Responses

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

Consultee	Response
Highway Authority	No objection
Natural England	No objection subject to the attachment of a condition requiring a homeowner pack to suitably mitigate impact
Lancaster Civic Society	No objection - welcome the proposal to bring the redundant church back into practical use
County School Team	No objection - an education contribution is not required.
Fire Safety	No objection – standard advice received in relation to building regulation compliance for fire appliances
Engineering Team	No objection
Waste & Recycling	No objection subject to adequate refuse provision
United Utilities	No objection subject to the attachment of conditions requiring the development to be carried out in accordance with the drainage details
Parish Council	No response received
Environmental Health	No response received
LLFA	No response received
Strategic Housing	No response received
Environment Agency	No response received

4.2 The following responses have been received from local residents:

24 letters of representation have been received regarding this application. 7 of which object to the application, 10 of which made comment but raised no objection and 7 of which are in support of the scheme.

The 7 objections and 10 representations which made comment have raised the following points:

- Site is unsuitable for high density development and does not harmonise with the street scene
- Adverse impact on the pedestrian environment due to the increase in vehicular movement which will introduce an unnecessary and avoidable hazard which will add to the already exacerbated issues
- Adverse noise issues
- Overlooking / loss of privacy from the proposed window fenestrations and balconies
- Deed/covenant states that if the building was to be redeveloped it would be houses
- The flood risk report is factually incorrect as the church flooded in 1977
- The soft landscaping which will replace the existing path between the building and the memorial garden has the potential to affect and damage the lawn where the ashes are buried.
- The memorial garden contains the ashes of over 100 people, this should be preserved during the construction phase and retained thereafter.
- Insufficient provision of parking

The 6 representations of support stipulate that the retention of the church structure along with the re-use of the building will have a positive impact upon the streetscene. The confirmation that the memorial garden will be retained and public access will continue has also been well received.

5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- **Principle of Development** (Strategic Policies and Land Allocations DPD Policies SP1 (Presumption in Favour of Sustainable Development), SP2 (Lancaster District Settlement Hierarchy), SP3 (Development Strategy for Lancaster District), SP6 (The Delivery of New Homes), SP9 (Maintaining Strong and Vibrant Communities) and H1 (Residential Development in Urban Areas, Development Management DPD Policies DM1 (New Residential Development and Meeting Housing Needs), DM2 (Housing Standards), DM3 (Delivery of Affordable Housing), DM13 (Residential Conversions), DM24 (The Creation and Protection of Cultural Assets), DM56 (Protection of Local Services and Community Facilities), DM60 (Enhancing Accessibility and Transport Linkages) and NPPF Section 2 (paragraphs 8-12) - Achieving sustainable development, Section 4 (paragraphs 47-48, 54-57) - Decision-making, Section 5 (paragraphs 59, 63-65, 73-76) - Delivering a sufficient supply of homes, Section 8 (paragraphs 91-94) - Promoting health and safe communities and Section 11 (paragraphs 120 and 122) - Making effective use of land)
- **Design / Visual Appearance** (Development Management DPD Policies DM29 (Key Design Principles) and DM30 (Sustainable Design) and NPPF Section 12 (paragraphs 124, 127, 130) - Achieving well-designed places)
- **Residential Amenity Impacts** (Development Management DPD Policies DM29 (Key Design Principles) and NPPF Section 12 (paragraphs 124, 127, 130) - Achieving well-designed places)
- **Highways Considerations** (Development Management DPD Policies DM60 (Enhancing Accessibility and Transport Linkages), DM62 (Vehicle Parking Provision) and Appendix E (Car Parking Standards) and NPPF Section 9 (paragraphs 102, 108-111) - Promoting sustainable transport)
- **Noise & Air Quality Matters** (Development Management DPD Policies DM31 (Air Quality Management and Pollution)
- **Flood Risk & Drainage** (Development Management DPD Policies DM33 (Development and Flood Risk) and DM34 (Surface water Run-Off and Sustainable Drainage) and NPPF Section 14 (paragraphs 158, 163 and 165) - Meeting the challenge of climate change flooding)
- **Biodiversity** (Development Management DPD Policy DM45 (Protection of Trees, Hedgerows and Woodland) and Policy DM44 (The Protection and Enhancement of Biodiversity and NPPF Section 15: Conserving and enhancing the natural environment); and
- **Contribution to Housing** (Development Management DPD Policy DM3 (Delivery of Affordable Housing))

5.2 Principle of the development

5.2.1 The development plan requires new development to be as sustainable as possible, in particular it should be convenient to walk, cycle and travel by public transport and homes, workplaces, shops, schools, health centres, recreation, leisure and community facilities. Policy DM60 of the Development Management DPD sets out that proposals should minimise the need to travel, particularly by private car, and maximise the opportunities for the use of walking, cycling and public transport.

5.2.2 Policies DM1, DM2, DM3 and DM13 of DM DPD are also relevant. These policies seek to ensure that the proposal will provide accommodation that will address local housing needs and imbalances in the local housing market, and will not have a significant detrimental impact on the amenity of nearby residents and character and appearance of the street scene

- 5.2.3 Policy DM1 of the DM DPD states that the council will support proposals for new residential development that:
- I. ensure that available land is used effectively, taking into account the characteristics of different locations and the specific circumstances of individual sites including viability; and
 - II. are located where the natural environment, services and infrastructure can or could be made to accommodate the impacts of development in accordance with other relevant policies, particularly Policy DM44.
- 5.2.4 The use of the application site as self-contained flats is acceptable in principle. It is situated in a sustainable location and is close to local services and facilities. It is also adjacent to good bus routes to Morecambe Town Centre, Lancaster City Centre and the Lancaster campuses of the University of Cumbria and Lancaster University.
- 5.2.5 Policy DM1 also relates to Meeting Housing Needs within the District. It states that the council will support proposals that seek to promote balanced communities and meet evidenced housing needs by supporting proposals that accord with the Council's latest Strategic Housing Market Assessment. Notwithstanding the above assessment, the Council has responsibility for planning for the future housing needs of the district, with the NPPF requiring local authorities to significantly boost the supply of housing especially in situations of noted undersupply. The November 2019 Housing Land Supply Statement v1.2 sets out that 4.5 years of housing supply can be demonstrated at the current time. The Council's lack of a five-year housing land supply is a material consideration in the determination of this application and also requires the application of the presumption in favour of sustainable development. Opportunity to address the undersupply can only come forward through the approval of more residential proposals and the identification of further supply through the Land Allocations process. Therefore, given the current situation, the relative small scale of the proposal and the proximity to facilities and services, it would be difficult to resist the principle of residential development in this location.
- 5.2.6 However, it should be acknowledged that the Inspector's Report was received on 20 June which found the Local Plan sound. This stated that, on the basis of the deliverability evidence provided to support the Local Plan; the application of a stepped housing requirement; a 5% NPPF buffer; and, taking account past periods of undersupply the Council could demonstrate a 5-year supply during the Examination local hearing. In reaching this conclusion the Inspector states in his report that whilst assessing the plan under the 2012 NPPF he remained satisfied that a 5-year supply could also be demonstrated under the increased scrutiny required under the new 2019 NPPF. This will be reviewed shortly to update the existing November 2019 housing land supply statement which advises that the Council does not have a 5-year supply. Therefore, the Council's current position remains that it cannot demonstrate a 5-year land supply.
- 5.2.7 DM2 of the emerging Local Plan relates to Housing Standards. The Council, in accordance with national policy and practice guidance, has taken consideration of overall need and viability across the District and has chosen to implement optional housing standards on new residential development. Proposals for residential development will be supported where the new dwelling meets the Nationally Described Space Standard (NDSS) (or any future successor). The submitted plans show that the proposed flats can accommodate adequately sized rooms and meet the NDSS.
- 5.2.8 The existing use of the building is a church, which provides a local service that would be lost as part of the proposed residential conversion. Details have been submitted with this application which demonstrates that the continuation of the existing use is no longer economically viable or feasible; and that the existing use no longer retains and economic and social value. Policy DM56 of the DM DPD sets out the criteria which must be met:
- I. that a robust and transparent marketing exercise has taken place demonstrating that the retention of the existing use is no longer economically viable or feasible. This should include a realistic advertising period of at least 12 months at a realistic price, making use of local and (if appropriate) national media sources and maintaining a log of all enquiries received;
 - II. ensure that, alternative provision of the key service exists within a rural settlement or within a nearby neighbouring settlement, which can reasonably be accessed by pedestrians and public transport; and

III. ensure that the existing use no longer retains an economic and social value for the community it serves.

- 5.2.9 The supporting evidence states that the applicant purchased the property in December 2019 following a period of marketing by the URC (via its commercial agent) in order to comply with its legal duties in the Charities Act 2011. In the eventuality, it was advertised in a range of appropriate formats which were both of national and local reach. The property was advertised from October 2018 until completion of the sale on 2 December 2019. Criterion I) has, therefore, been met.
- 5.2.10 Regarding criterion II), evidence has been provided in the supporting evidence which shows that there are several community centres and halls within the surrounding area; these act as a suitable replacement for community organisations. Some of the aforementioned locations mentioned above and shown on Fig. 2 of the supplementary planning policy statement are community halls combined with places of worship, an example of this is Emmanuel Church located on Marine Road East, approximately 0.6 miles from the application site. There are at least 8 other places of worship within a 1 mile of the application site that can be accessed on foot, by public transport and by a short drive. The churches are a range of denominations such that alternative religious provision is clearly available in the locality. There is more than sufficient alternative provision in the locality for both community and religious uses to satisfy criterion II).
- 5.2.11 Criterion III) seeks to ensure that the existing use of the property no longer retains an economic and social value for the community it serves. A detailed letter shown in Appendix A of the supplementary planning policy statement from Lamb & Swift, the URC states that every effort was made to secure the continuing ecclesiastical use. The backstory of the property is by no means unique, with churches across the UK consolidating due to falling attendance numbers, increasing maintenance costs and inability to identify willing parishioners to take on increasingly complex governance responsibilities. It is considered that retention of the church and its site for the attendance of such low number of people, especially where provision can be found in the surrounding area, is counter intuitive to the provisions of the NPPF.
- 5.2.12 The supporting statement goes on to state that prior to the submission of the planning application, the applicant conducted some community consultation and it was intended that further consultation would take place during the first 21 days of the planning application, but due to the government mandated lockdown this has not been possible. However, the project architect has been proactive in gathering views from the local community through informal means. This has included answering ad-hoc questions whilst site surveys were undertaken, speaking to former congregation members and the URC organisation through their representatives. It is estimated that between 10-15 people have been engaged.
- 5.2.13 The memorial gardens were perceived to have some social value, but it is noted this is not a community use insofar as it is not an active use of the building itself and that this element of the grounds has been retained as part of the proposals. Measuring social value is a matter of judgement. Taking into consideration the number of objections, comments and letters of supports which were received regarding the proposed development and the concerns raised relating mainly to the implications of vehicular movement and parking upon the area it is considered that the local community had no notable objection to the change of use of the property. In conclusion, the third criterion of the policy is satisfied, with the above factors noting that there is no residual social or economic value of the building, which will be lost by its conversion.
- 5.2.14 Taking into account all of the above, it is considered that the principle of converting the building is acceptable.

5.3 Design / Visual Appearance

- 5.3.1 Paragraph 127 of the NPPF, along with Policy 29 of the DM DPD promotes development that would positively contribute to the character of the area through good design and that protects and provides a high standard of amenity for all.
- 5.3.2 There are a number of interventions that are proposed to be undertaken to allow the building to be used for residential purposes, in this case 13 self-contained flats. Externally, this includes the erection of a single storey rear / side extension with large expanses of glass to the east facing elevations, the insertion of a number of window and door opening, balconies and rooflights. The

original submission included the installation of rooflights to the front elevations, but following discussions with the agent these have been removed, and the overall fenestration of the rooflights altered. The internal alterations include the addition of new floors to make use of the existing tall structure.

- 5.3.3 The existing building is a mix of architectural style, built in the latter part of the 1950s. The existing main entrance to the church is a major feature of the building, as such it is to be retained for use by all residents. The predominant materials of the elevational treatment is an old-style render which over time has faded and peeled away from the substructure. As part of this proposal the existing render is to be removed and the walls clad in a new K-Render system which will allow the building to keep its general appearance. Any alterations to the roof will be to replace the damaged tiles by either repairing and re-using the existing tiles or replacing with a similar new tile.
- 5.3.4 The majority of the windows of the church are aluminium frames, and these will be retained and repainted dark grey / black to give them a contemporary appearance. The new windows will match the existing windows.
- 5.3.5 The large expanses of glass to the eastern elevation of the single storey rear element will appear modern and contemporary. However, given their positioning on the property they would not be visible from the highway as they will be screened by the application building. Further to this, the proposal includes the creation of outdoor terrace / balconies to the third floor of the main church building. These will be built into the roof form and will face north. They would not be considered highly visible given the height of the application building.
- 5.3.6 The rooflights and balconies do change the roof form of the building quite dramatically. They will ensure adequate light for each flat. On balance whilst there is a significant change to the roof form and overall appearance of the building, it is considered that the proposal would not lead to substantial harm to the building, although inevitably there is some level of harm which is created by the proposed development. However, without this proposal, the building could fall into disrepair. The scheme has been sensitively designed and the alterations will lead to an enhancement of the building through its restorations.
- 5.3.7 Overall, it is considered that the re-use of this building is the most appropriate way of conserving the building. The principal façade which faces onto Stuart Avenue will be largely unaltered. The modern contemporary glazing elements and the proposed extension will be largely unseen because of it being screened by the main body of the application building, Whilst the large expanses of glazing will add a contemporary element to the eastern elevation the insertion of rooflights and balconies is considered to be a weakness of the scheme. However, the insertion of the rooflights and balconies are a necessity for the conversion to work to provide adequate light to each flat, further to this, the majority of the works to the roof form will be on the north facing and east facing slopes, which will be screened from the highway. Therefore, it is considered that the scheme complies with Policy DM29 of the DM DPD and the NPPF.

5.4 Residential Amenity Impacts

- 5.4.1 The conversion of larger properties to residential flats should exceed the minimum room floorspaces as set out in the NDSS. All habitable rooms, namely bedrooms, kitchens and living spaces, should have a sufficient level of outlook and natural light through existing window openings, with access to external amenity space and storage facilities for bins and bicycles. As mentioned above the proposed development meet the minimum space standards. The number of window openings which are proposed will ensure that adequate light is provided for each flat. Further to this, each flat will have a garden area, and there are also communal shared garden areas.
- 5.4.2 The large expanses of glass to the single storey rear / side element will face towards the rear of the properties sited on Pembroke Avenue. They will have an off-set distance of circa 13m to the shared boundary and circa 35m to the rear of the aforementioned properties. To protect the privacy of the occupiers of the proposed flats and the abovementioned neighbouring properties a condition will be attached regarding the submission of boundary details to be agreed in writing by the Council prior to occupation of any of the proposed development.
- 5.4.3 The terrace / balconies are proposed in the north facing roof plane of the main existing building, these will face into the site and have an off-set distance of circa 50m to the gable end of the nearest

neighbouring residential dwelling, No 30 Broadway. The terrace / balcony of Flat 12 will be the closest to the shared eastern boundary at a distance of circa 19m. All of the terraces / balconies will offer oblique views into the rear garden areas of the properties sited along Pembroke Avenue. However, the separation distance proposed is considered to be adequate to ensure that the proposed development does not have an adverse impact upon the privacy of the occupiers of the aforesaid properties.

5.4.4 No. 6 Stuart Avenue has a current off-set distance of circa 9m with the existing gable elevation of the main church building. There are windows present within the side elevation of no.6 Stuart Avenue that face the church, though they appear to be either secondary windows or windows which serve non-habitable rooms. As such, it is considered that whilst the development is in close proximity to the neighbouring property it will not result in a loss of amenity to it. The outlook from 2 of the flats that will have living rooms and 1 bedroom facing towards the side elevation of no.6 Stuart Avenue, is slightly compromised as the council's policy requires 12m separation distance between windows serving habitable rooms and a facing blank gable. Given only a few rooms in only a few flats are compromised, it would be difficult to sustain a reason of refusal on this basis.

5.4.5 The proposed development will have a negligible impact upon the properties sited on the opposite side of Stuart Avenue which face towards the application site, as the relationship will mirror that already present on the street.

5.4.6 The development includes the installation of balconies and rooflights to a three of the flats which will be their only source of light. It is acknowledged that if the rooflight were the only source of light it would have prevented any reasonable outlook, but given that all three units will be served by balconies / terraces containing large expanses of glass it is considered that they will allow for sufficient natural light and outlook.

5.4.7 Overall, the development would provide and maintain an acceptable standard of amenity for all and therefore accords with the NPPF and DM29 of the DM DPD.

5.5 Highways Considerations

5.5.1 The NPPF along with the Development Plan seek to direct development to sustainable locations where opportunities are available to maximise and promote more sustainable modes of transport. The site is within 350m of the nearest local primary school St Mary's Catholic Primary School, 150m of the nearest secondary school Morecambe Bay Academy, 600m of the local centre Bare Village and still within 1km of the eastern part of Morecambe Town centre. This provides significant opportunities for future residents to access local amenities and services on foot. Cycling also offers a potential substitute to motorised vehicles, particularly for trips under 5km. Public transport is available close to the site with regular local services available into Morecambe Town Centre and Lancaster City Centre.

5.5.2 Fourteen parking spaces will abut the front of the application building and Stuart Avenue. However, the site will be accessed via one access point which will be the south eastern corner of the site. A further 12 parking spaces will be provided within the site, as well as the provision of cycle storage. Appendix E of the DM DPD sets out the car parking standards for all new development, which states that for all 2/3 bed dwellings 2 spaces should be provided. The proposed development comprises of 7 2-bed and 6 3-bed flats and would, therefore, require the provision of 26 parking spaces. Adequate parking is, therefore, proposed.

5.5.3 The scheme has been assessed by the County Highways Officer. The original scheme provided inadequate parking spaces, but following receipt of the officer's initial comments the scheme was amended to provided sufficient parking. As such the highway officer has confirmed that they raise no objection to the scheme.

5.5.4 Overall, in highway terms the scheme is acceptable subject to relevant conditions being imposed.

5.6 Noise & Air Quality Matters

5.6.1 Paragraph 188 of the NPPF states that planning has a role to play in minimising and protecting the public and the environment from unacceptable exposure to pollution. To achieve this paragraph 181 requires planning policies and decisions to sustain and contribute towards compliance with the

relevant limit values or objective levels for pollutants having regard to the presence of local Air Quality Management Areas (AQMAs). The NPPF clearly states that planning decisions should ensure that any new development in AQMAs is consistent with the local air quality action plan. Policy DM31 states new development located within or adjacent to an AQMA must ensure that users are not significantly adversely affected by the air quality in the AQMA and requires all new development to demonstrate that they have sought to minimise the levels of air polluting emissions generated to protect new and existing users from the effects of poor air quality.

5.6.2 The proposed site is not located within or adjacent to the AQMA. The main source of air pollution deriving from the development will relate to dust and traffic emissions during construction and vehicle emissions once the scheme is operational. There are residential receptors close to the north, south and east boundaries of the site. The level of works proposed would not result in an excessive amount of dust pollution and these are controlled by separate legislation regardless.

5.6.3 Whilst the site is not within the AQMA, development should not contribute to poor air quality. The Air Quality Assessment concludes that there would be a negligible increase in NO₂ and PM₁₀ with the development, but such would result in emissions levels well below the objective limit values for the pollutants. Despite the negligible increase, mitigation is proposed to minimise the impacts both at the site and to limit traffic entering the wider highway network and the AQMAs (the nearest being in Lancaster and Carnforth). The mitigation includes the provision of electric vehicle charging facilities. It is considered that the provision of charging facilities will sufficiently mitigate air quality impacts arising from the development, protect the health of residents and be in the interest of sustainable development.

5.6.4 To mitigate the noise impacts of the proposed development a condition will be attached restricting the hours of construction to ensure appropriate hours of site work to minimise noise during the construction phase to prevent noise disturbance and loss of amenity at the nearby residential properties.

5.7 Flood Risk & Drainage

5.7.1 The site is located within Flood Zone 2 and partially within Flood Zone 3. Flood Zone 3 is defined as having a high probability of flooding and Flood Zone 2 is defined as having a medium probability of flooding in the National Planning Practice Guidance. Buildings used for dwellinghouses are defined as a more vulnerable use.

5.7.2 Paragraphs 158 and 159 of the NPPF go on to state that if it is not possible for development to be located in zones with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in national planning guidance. The application of the exception test should be informed by a strategic or site-specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. For the exception test to be passed it should be demonstrated that:

- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

5.7.3 A Flood Risk Assessment has been submitted in support of the application. The submitted FRA has sufficiently evidenced that the development would be safe from flood risk and would not increase the risk elsewhere. It sets out that given the proposal seeks to convert an existing vacant building it would be considered infeasible to locate the development elsewhere. The proposed development will relate to the existing site and seeks to convert the site to residential in an existing residential area. Whilst there could be alternative sites for residential development elsewhere in the District, due regard has been given to the characteristics, public value and location of the site. The site is vacant, it is previously developed land situated on a main route to Morecambe Bay sea front. Furthermore, mitigation measures such as the finished floor levels of the building will be set at a minimum of 0.6m above recorded flood levels for 1 in 100 year storm event and the elevation of electrical sockets and valuable machinery/plant. The report identified that fluvial flooding is the most

likely from Morecambe Bay if the flood defences are breached. To ensure that all occupants have safe egress away from the site in the event of flooding a condition will be attached ensuring the submission of a flood risk management / evacuation plan shall be submitted to and agreed in writing prior to the occupation of the flats. The site also falls within an EA Flood Warning area, so the warning will help to make residents of the site aware of potential breach scenarios, and the need to make appropriate preparations to leave the site prior to a breach occurring, or move to a place of safety in the event of a breach occurring.

- 5.7.4 It is known that there are flood defences present comprising the wave reflection wall which reduces flood risk to over 10,000 homes and has a design life of 100 years, taking into account climate change and sea level rise. It is, therefore, considered that due to the presence of the wave reflection wall the application site will be protected throughout the duration of its life.
- 5.7.5 The submitted design and access statement outlines several benefits provided by the development such as the development will provide new residential housing for a variety of individuals, it will help business thrive in the local area by providing high quality living accommodation, assisting in the regeneration of the local area, improve the look and feel of the town, actively market the town to investors and actively market the town to visitors.
- 5.7.6 Table 3 of the NPPG indicates that 'More Vulnerable' uses would be considered appropriate development in Flood Zone 2 and development in Flood Zone 2 would be subject to the exception test. With this in mind along with the above assessment, it is accepted that the site's redevelopment is important to the wider public amenity of the area, it is also clear that the development has been designed to be safe from flood risk and not increase flood risk elsewhere. Therefore, on balance, there are no statutory grounds for refusal on flood risk matters.
- 5.7.7 Regarding drainage, a drainage strategy report and a drainage schematic plan have been submitted in support of the application. This has been assessed by United Utilities who have confirmed that the submitted detail is acceptable. Conditions should be attached ensuring the development is carried out in accordance with the submitted details and that foul and surface water are drained separately.
- 5.8 Biodiversity
- 5.8.1 The site is located approximately 280 metres from Morecambe Bay Site of Special Scientific Interest (SSSI), Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar Site.
- 5.8.2 The site is separated from the designated area by intervening existing residential development and roads. As such, it is considered that there would be no direct impacts on the aforementioned designations. However, there is the potential for increased recreational pressure post development, although this is unlikely to be significant given the scale of the development. It is considered that this relatively small impact could be adequately mitigated through a requirement to produce and distribute a homeowner pack to future occupants, which could be controlled by a condition. As mitigation would be required, the Local Planning Authority is required to undertake an Appropriate Assessment, and this is contained in a separate document. This concludes that, with mitigation, it is considered that proposed development will have no adverse effects on the integrity of the designated site, its designation features or its conservation objectives, through either direct or indirect impacts either alone or in-combination with other plans and projects.
- 5.8.3 An Ecological Statement has also been submitted. It concludes that the application site has a low likelihood of the presence of protected species. It recommends a number of enhancements such as the installation of a minimum of two bat boxes and three bird boxes will mitigate any impact the development may have. A condition will be attached ensuring that the development is carried out in accordance with the recommended mitigation set out within the statement.
- 5.8.4 Regarding trees, an Arboricultural Impact Assessment has been submitted which concludes that the development will result in the loss of no trees on the site. All trees and planting present within the site will be retained and protected during the construction phase. There is no development encroachment into the canopy areas of the retained trees, therefore, no conflict with above ground constraints are foreseen. A method statement is included within the report which states that protective fencing will be erected to protect the retained trees and that no construction of foundations or installations of services will take place within the Root Protection Area (RPA) of any of the retained

trees. A condition will be attached ensuring that the development is carried out in accordance with the Arboricultural Impact Assessment.

5.9 Contribution to Affordable Housing

5.9.1 Policy DM3 relates to the delivery of affordable housing. It states that the Council will continue to support and promote the delivery of new affordable housing within the District through a variety of differing tenures. As a result of marginal viability, affordable housing will not be sought on schemes which are for apartments only or schemes which are located on brownfield sites located in Morecambe, Heysham and Overton Wards. Therefore, as the application site is a brownfield site located within Morecambe and is an apartment led development no contribution is required.

6.0 Conclusion and Planning Balance

6.1 At the heart of the NPPF is the presumption in favour of sustainable development. Overall, the proposed development positively contributes to meeting the District's housing need by providing 13 open market residential units; it involves the redevelopment of a previously developed site in a prominent location; it is a scheme which represents high quality design; it is sustainably located with good access to public transport; it satisfactorily addresses the risk of flooding; and will not adversely impact the special features of the SPA subject to mitigation. There will be social and economic benefits brought about through the redevelopment of this site both during construction and operational stages of the development. The proposed development is considered a sustainable form of development that accords with the Development Plan.

Recommendation

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

Condition no.	Description	Type
1	Standard 3 Year Timescale	Control
2	Approved plans	Control
3	Materials as per submitted details	Control
4	Drainage maintenance scheme	Prior to Occupation
5	Flood Risk Management / Evacuation Plan	Prior to Occupation
6	Landscaping and management plan	Prior to Occupation
7	Boundary treatments	Prior to Occupation
8	Cycle and refuse storage provision	Prior to Occupation
9	Electric vehicle charging points	Prior to Occupation
10	Ecology mitigation including submission of homeowner pack	Prior to Occupation
11	Arboricultural Impact Assessment	Control
12	Parking	Control
13	Drainage scheme	Control
14	Visibility splays	Control
15	Construction hours	Control

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

Agenda Item	A9
Application Number	20/00649/FUL
Proposal	Change of use of shop (A1) to micro pub (A4)
Application site	312 Lancaster Road, Morecambe, Lancashire LA4 6LY
Applicant	Mr Brian Peters
Agent	Mr Chris Harrison
Case Officer	Mr Robert Clarke
Departure	No
Summary of Recommendation	Approval

(i) Procedural Matters

The applicant is related to an employee of Lancaster City Council therefore, in accordance with the Council's Scheme of Delegation, the application must be determined by the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 The property forming the subject of this application is a ground floor commercial retail unit located within a semi-detached property on the northern side of Lancaster Road in Torrisholme. In addition to the subject ground floor unit, there is a beauty salon to the first floor and a hot food takeaway located to the rear, both accessed from Torrisholme Court. At the northern end of Torrisholme Court is a small parking area. The property features a white roughcast render finish, underneath a pitched roof finished with slate. The front elevation features a prominent gable with a commercial glazed shopfront and fascia to the ground floor. The property is set back from the public footpath and features a private forecourt area measuring 4.2 metres in depth which is finished with brick pavers.

1.2 The site is located within the urban local centre of Torrisholme as identified in the Strategic Policies and Land Allocations DPD. This local centre features a mix of commercial uses focused along Lancaster Road interspersed with residential dwellings. There is a residential dwelling adjoining the subject building to the east, an end of terrace property located on the opposite side of Torrisholme Court to the west and a row of terraced dwellings located on the southern side of Lancaster Road.

2.0 Proposal

2.1 This application seeks consent for the change of use of the ground floor commercial unit from its current use as a retail store (use class E), previously a bridal shop, to use as a drinking establishment (Sui Generis). The application submits that the drinking establishment would be operated as a 'micro-pub' that will utilise the existing shop frontage and consist of a main seating area with a bar area towards the rear of the unit. The application also includes the provision of free-

standing timber planters along the boundary of the forecourt and installation of a bin store within the car park.

2.2 Reference is made within the application description to use class A1 for the existing retail use and use class A4 for the proposed use. These use class references originate from The Use Class Order 1987 which was recently amended by The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, coming into force on 1 September 2020. This amendment to the order has revoked class A amongst others and replaced it with new use class E into which the former A1 use class now sits. The former A4 use class now sits within the sui generis category. The application description has not been updated to refer to the new use class categories as defined within the 2020 amendment, as the amended order states that descriptions for applications received before the order came into force do not need to be updated. However, for the purposes of this application it is important to note the description of the proposal as detailed in the preceding paragraph.

3.0 Site History

3.1 A number of relevant applications relating to this site have previously been received by the Local Planning Authority. These include:

Application Number	Proposal	Decision
10/00128/CU	Change of use and extension of properties to form restaurant (Class A3)	Permitted
10/00966/CU	Change of use from sandwich shop to hot food takeaway (A5)	Permitted

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objection
Environmental Health	Two consultation responses have been received from Environmental Health: 22 September 2020 – Objection – The use proposed is inappropriate in this location due to the significant change in the nature and operating times of the proposed use and the lack of practical physical means of mitigating potential noise nuisance. 08 October 2020 – No objection – The submitted operational management plan is sufficient in alleviating concerns regarding the nature of the use. Conditions recommended to control the management of the use.
Lancashire Constabulary	No objection – Advice provided regarding security measures which could be incorporated into the scheme.
Parish Council	No comments received

4.2 The following responses have been received from members of the public:

3 letters of objection have been received raising the following concerns:

- Nature of the use and subsequent impact upon the amenity of adjoining occupiers; and
- Highway safety and parking.

5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- **Principle of development** (Development Management DPD Policies DM16: Town centre development, DM18: Local centres, DM25: The evening and night-time economy, DM29: Key design principles, DM57: Health and well-being, DM62: Vehicle parking provision, Strategic Policies and Land Allocations DPD Policy TC1: The retail hierarchy for Lancaster District and National Planning Policy Framework Section 6: Building a strong, competitive economy, Section 7: Ensuring the vitality of town centres, Section 8: Promoting healthy and safe communities, Section 9: Promoting sustainable transport, Section 12: Achieving well-designed places)
- **Residential amenity** (Development Management DPD Policies DM16: Town centre development, DM18: Local centres, DM25: The evening and night-time economy, DM29: Key design principles, DM57: Health and well-being, DM62: Vehicle parking provision and National Planning Policy Framework Section 8: Promoting healthy and safe communities, Section 12: Achieving well-designed places)
- **Highway and parking Implications** (Development Management DPD Policies DM16: Town centre development, DM18: Local centres, DM25: The evening and night-time economy, DM29: Key design principles, DM57: Health and well-being, DM62: Vehicle parking provision and National Planning Policy Framework Section 8: Promoting healthy and safe communities, Section 12: Achieving well-designed places)

5.2 Principle of development

5.2.1 This application seeks consent for the change of use of the existing retail unit to a drinking establishment, a main town centre use as defined within the National Planning Policy Framework. Policy TC1 of the SPLA DPD defines Torrisholme as a local centre and Policy DM18 of the DM DPD details the way in which applications resulting in the loss of retail space in these locations will be determined. DM18 sets out criteria which development must meet in order for proposals involving the loss of retail space to be considered appropriate.

5.2.2 Having considered criteria I. through to V. of this policy it is considered that the nature of the use proposed, a 'micro-pub', would both be proportionate to the scale, role and function of the local centre and maintain an active street frontage during daytime hours given the opening hours of 10:00 – 22:00 granted by the premises licence and applied for as part of this application. Whilst the proposal will result in the loss of the former retail space, it is considered that as a result of the remaining retail space available in this location, the proposal would not be harmful to the overall vitality and viability of the local centre. The addition of the proposed use combined with the existing commercial uses within the area will add to the overall service offer, potentially providing linked trips to other businesses in the vicinity, particularly as a cross between the daytime and evening economies. It is considered that the proposed use would facilitate the generation of a small business proportionate to the local services already existing in the area and has the potential to positively contribute to the vitality of the local area. The provision of a drinking establishment use is also considered consistent with the aims and objectives of Section 8 of the NPPF which seeks to achieve healthy and inclusive places, promote social interaction and create strong neighbourhood centres. Subject to the proposal satisfactorily addressing the matters of residential amenity and highway safety, which are discussed in the following sections, it is considered that the proposed change of use is consistent with the Development Plan.

5.3 Residential amenity

5.3.1 Concerns have been raised by some parties regarding the way in which the use proposed will impact upon the standard of amenity that surrounding residents can reasonably expect to enjoy. Of particular importance is the potential impact of the development, by virtue of increased noise and general disturbance, upon the occupants of No. 314 Lancaster Road given it is physically adjoining the subject unit. Other residential properties are detached from the application building and benefit from a greater separation.

5.3.2 In the first instance, an objection was received from the Council's Environmental Health Officer who considered that the use proposed is substantially and materially different in nature to its current use as a bridal store. It was considered that the use of the premises as a drinking establishment would

have resulted in undue harm to the amenity of the adjoining occupiers through the transmission of noise through the party wall and general disturbance from customers using the forecourt area to gather, smoke and enter/egress the building.

5.3.3 However, following this initial consultation response and following a discussion with the applicant regarding the way in which the use of the premises as a 'micro-pub' will be managed, the Council's Environmental Health Officer has removed this initial objection and instead recommends a number of conditions to control the nature of the use proposed.

5.3.4 The application is accompanied by both an operational and noise management plan which submits that the premises would be operated as a 'micro-pub' with the aim of providing '*a quiet relaxed environment where local people can meet to enjoy good conversation.*' The noise statement states that there will be no live music, recorded music, televisions or sports games. With respect to external noise and nuisance, the proposal does not include an external drinking area (for which appropriate licences would be required), but given the forecourt's ancillary relationship to the application property it could be used without planning permission by patrons of the proposed drinking establishment. Whilst the submitted operational and noise management plan advises that staff would actively discourage and disperse clients from using the forecourt as a place to gather and smoke (a designated smoking area is currently provided further down Torrisholme Court close to the parking area), this would be difficult to enforce.

5.3.5 The application is not supported by a formal noise assessment which would be able to establish existing background noise levels and more accurately determine the way in which the proposed use would impact upon surrounding residential dwellings. However, the application site is situated in a local centre consisting of a mix of commercial uses including convenience stores, drinking establishments and takeaways as well as a number of offices and professional services. Lancaster Road is also a busy transport thoroughfare and is dominated by road traffic noise. Cumulatively this results in high ambient sound levels as expected within a commercialised local centre. In this context, it is considered that the control of external noise, particularly later at night when the road may be quieter, can be appropriately controlled by way of conditioning the operational and noise management plans, and the non-use of the forecourt by patrons. Amongst other things, it stipulates opening hours. The presence of timber planters along the party boundary of the forecourt will also provide a degree of separation between the two sites. A condition to retain these planters which are now in situ is recommended. Furthermore, a condition restricting the forecourt use to access/egress to the premises (i.e. not an external area to be used by patrons for gathering, drinking or smoking) is also required.

5.3.6 With respect to internal noise, as set out in section 5.3.4, there will be no live music, recorded music, televisions or sports games. The emphasis is on creating a quiet and relaxing atmosphere in which clients can converse. This again can be controlled by way of the adoption of the submitted management plans. However, given the fact that the subject unit is attached to a residential dwelling with a shared party wall, it is considered necessary that a scheme for noise attenuation measures, including sound insulation to the party wall, also be conditioned. Such a condition would ensure that increases in noise levels, which could reasonably be expected given the nature of the proposed use compared to the current retail use, do not result in a material increase in noise being transferred to the neighbouring dwelling.

5.3.7 Subject to the aforementioned recommended conditions, it is considered that the proposed development would not result in unacceptable impacts to the most sensitive residential receptors. The Environmental Health Officer has raised no objection subject to the implementation of these measures prior to first use, and a premises licence has also been issued for the proposed use. Lastly, any excessive or undue noise that occurs from the site that could lead to a detrimental effect on health and wellbeing would be subject to other regulatory legislation controlled by Environmental Health.

5.4 Highway and parking Implications

5.4.1 Lancaster Road is subject to extensive traffic regulation orders which limits the ability for vehicles to park along the highway. A single staff parking space is provided within the shared parking area at the rear of Torrisholme Court, which is the current arrangement. Customers of the proposed drinking establishment would not be solely reliant upon private motor vehicles to visit the property, as the

property is located within an accessible location in a local centre, along a well-serviced bus route and on an aspirational cycle route and close to an adopted cycle route. The proposal is considered to be acceptable with respect to its highway safety and parking implications and is in accordance with NPPF Section 9, in particular paragraph 109.

6.0 Conclusion and Planning Balance

6.1 In conclusion, subject to conditions regarding the adoption of the submitted noise and operational management plans, retention of boundary treatments, control of opening hours and submission of a scheme for sound attenuation, the proposal is considered to have no significant harmful impacts upon the residential amenity of the area. Whilst the proposal will result in the loss of a retail unit within the local centre, it is considered that the proposed use would still contribute to the overall vitality and viability of the area and serve to expand its service provision. On this basis, the application is considered to accord with the provisions of the Development Plan, in particular Policies DM18 and DM29.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Standard three year timescale	Control
2	Approved plans	Control
3	Details of sound attenuation/proofing measures to be agreed and implemented prior to first use	Prior to Commencement
4	Installation of refuse storage prior to first use	Prior to Occupation
5	Operation in accordance with the operational and noise management plans	Control
6	Opening schedule as detailed in operational management plan	Control
7	Retention of forecourt boundary treatment	Control
8	Use of forecourt solely for access and egress of the premises. In particular, not to be used as a gathering space for patrons to smoke and/or drink	Control

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

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

Background Papers

None

Agenda Item	A10
Application Number	20/00650/FUL
Proposal	Change of use of dwelling (C3) to 2 self-contained 1-bed flats (C2) and installation of porch canopy
Application site	37 Beck View, Hala Square, Lancaster, Lancashire
Applicant	Lancaster City Council
Agent	n/a
Case Officer	Mr Stephen Gill
Departure	No
Summary of Recommendation	Approval

(i) **Procedural Matters**

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

1.0 Application Site and Setting

1.1 The property subject of this application relates to a 3-bed, 2-storey former scheme manager's residential unit within the elderly residential sheltered housing scheme. The site is accessed to the south of Hala Square, with parking provision immediately north west of the application site and further off-street parking to the south of the sheltered housing block. The property is associated with a wider residential sheltered housing scheme, and is finished in pebbledash under a grey tiled roof with brown window frames within cast stone surrounds. The site is owned and managed by Lancaster City Council.

2.0 Proposal

2.1 The application proposes the change of use of the existing 3-bed, 2-storey residential dwellinghouse (use class C3) to form two additional self-contained 1-bed flats (use class C2) as part of the wider sheltered housing scheme. To facilitate the proposed change of use, the only proposed external alteration is to move the existing door opening and remove one window opening to the front elevation. Internal alterations are proposed to form a bedroom, bathroom and a living/dining room, to form the two self-contained units, in addition to blocking the internal ground floor access to the first floor.

3.0 Site History

3.1 A number of relevant applications relating to this site have previously been received by the Local Planning Authority. These include:

Application Number	Proposal	Decision
81/1072/DPA	Erection of Sheltered Housing for the elderly comprising of 36 units, 2 wardens' units, communal block, chapel etc.	Permitted

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objection
Fire Safety	No comments received to date.
Environmental Health	No objection

4.2 No neighbour comments received to date.

5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- Principle of the Use
- Scale and Design Impacts
- Residential Amenity
- Highways and Parking

5.2 Principle of the Use (NPPF Section 5 (Delivering Supply of New Homes) & DPD Policy DM1)

5.2.1 The proposal forms part of the wider sheltered housing scheme at Beck View and will provide two additional self-contained sheltered accommodation units. The existing 3-bed, 2-storey property is currently vacant as it is surplus to requirements. The proposal is to provide two additional sheltered housing units within an existing sheltered housing scheme. The scheme would be managed by a full time scheme manager on site 0900-1700 and would then be monitored out of hours by a remote call centre who are contactable, using call points located in every flat around the scheme, to ensure the safety and care of residents. This is considered to be acceptable in principle and the proposal would make a modest contribution to meeting the District's housing needs for those requiring care.

5.3 Scale and Design (NPPF Section 12 (Achieving Well-Designed Places) & DPD Policies DM29 & DM30)

5.3.1 The property would remain externally very similar to the existing, with a new front door proposed, replacing an existing window opening and the existing front door opening blocked up and finished in the matching peppledash render. Works to the ground floor doors and windows benefit from householder permitted development and does not require planning permission providing that they are undertaken prior to the proposed use commencing. The existing porch canopy and surround is to be removed, with these or a similar porch canopy and surrounds provided for the new front door opening. The upper floor flat will use the existing back door as a front door access to the internal stairwell, so each property will have its own separate front door.

5.3.2 Given the matching materials proposed, the proposal is considered to be of an acceptable design and will have no undue impact upon the streetscene or wider landscape. Two new kitchen vents are to be provided to the front elevation, though given the setback of the property from the public viewpoints and location of vents immediately adjacent to existing rainwater downpipe, these will appear inconspicuous.

5.4 Residential Amenity (NPPF Section 12 (Achieving Well-Designed Places) and DPD policy DM2)

5.4.1 The proposed one-bed self-contained units are of a similar size and style to typical single person's elderly residential sheltered housing, although space is relatively limited due to the conversion and space confined to the existing built form. In terms of internal room standards, Policy DM2 states that

all new residential units should meet the standards set out in the Nationally Described Spacing Standards (NDSS). When considering the standards set out in NDSS, the bedrooms proposed are for single occupancy. These measure over 10sqm, 3m in width and have a 2.4m floor to ceiling height, which exceed the requirements set out in NDSS. In addition, the proposed storage facilities also exceed NDSS requirements and this is considered acceptable.

- 5.4.2 The ground floor flat demonstrates some wheelchair accessibility and manoeuvrability, and the stairwell to the first floor flat is of sufficient width to accommodate a stair lift if required. Although the proposed units could not be converted to be fully accessible to all, the proposed accommodation is considered to be sufficient to meet the needs of tenants and will offer acceptable residential amenity to future occupants.
- 5.4.3 The site currently benefits from a modest external area, which is to be used for bin storage as existing, with the space sufficient for a small drying area. As part of the wider sheltered housing scheme, the two proposed units are considered to offer a satisfactory level of residential amenity and will not cause any adverse impacts to the amenity of neighbouring properties.
- 5.5 Highways and Parking (NPPF Section 9 (Promoting Sustainable Transport) & DPD Policy DM62.)
- 5.5.1 The site overall benefits from external parking as part of the sheltered housing scheme, with off-street parking available to the north and south sides of the site, with on-street parking available in this residential area.
- 5.5.2 There are 16 residential parking spaces available to occupants of Beck View sheltered housing scheme, with no proposed increase to this provision through this application. Given that one 3-bed dwellinghouse has the same parking requirement as two 1-bed flats, the proposal is considered to have no severe impact upon highways or parking, particularly in this sustainable location with good bus links and walking distance from services and facilities in the wider area. County Highways raised no objection to the proposal.

6.0 Conclusion and Planning Balance

- 6.1 The proposed two self-contained flats for sheltered accommodation are considered to provide suitable levels of residential amenity whilst not detracting from the residential amenity of neighbours. The physical alterations to facilitate the change of use are modest and will appear inconspicuous in matching materials and colours. The site will benefit from the existing parking provision as part of the sheltered housing scheme at Beck View, resulting in no severe highway or parking impact.

Recommendation

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

Condition no.	Description	Type
1	Standard 3 year timescale	Compliance
2	Development to be carried out in accordance to approved plans	Compliance
3	Ventilation equipment finished in matt black	Compliance
4	To be owned and operated as part of the sheltered housing scheme at Beck View only	Compliance

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

Planning & Highways Regulatory Committee - Quarterly Reports

(a) Planning Application Determination Timescales

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

(b) Number of Planning Applications and Related Cases

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

(c) New Tree Preservation Orders Made

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

(d) Number of Applications for Works to Trees

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

(e) Planning Appeal Decisions

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

(a) Planning Application Determination Timescales

Period	Major Applications Determined In Time *	Major Applications Determined In Under 13 Weeks	Minor Applications Determined In Time *	Minor Applications Determined In Under 8 Weeks	Other Applications Determined In Time *	Other Applications Determined Under 8 weeks
Jan - Mar 2018	100%	70%	100%	78%	97%	88%
Apr - Jun 2018	100%	30%	98%	72%	98%	87%
Jul - Sep 2018	100%	77%	100%	75%	100%	84%
Oct - Dec 2018	100%	25%	98%	73%	97%	82%
Jan - Mar 2019	100%	40%	98%	59%	99%	83%
Apr - Jun 2019	100%	69%	100%	73%	99%	84%
Jul - Sep 2019	90%	30%	97%	69%	99%	89%
Oct - Dec 2019	100%	73%	98%	74%	98%	86%
Jan - Mar 2020	100%	22.2%	84%	57%	88%	69%
Apr - Jun 2020	100%	11.1%	53%	19%	85%	63%
Jul - Sep 2020	75%	0%	39%	20%	86%	50%

Year	Major Applications Determined In Time *	Major Applications Determined In Under 13 Weeks	Minor Applications Determined In Time *	Minor Applications Determined In Under 8 Weeks	Other Applications Determined In Time *	Other Applications Determined Under 8 weeks
2017 Average	97.5%	75%	99%	71.5%	99.5%	83%
2018 Average	100%	50.5%	99%	74.5%	98%	85%
2019 Average	98%	52.5%	98%	69%	99%	85.5%
2020 Average#	100%	17%	77%	40%	89%	66%

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

Annual Average to Date Only

(b) Number of Planning Applications and Related Cases

	2017 TOTAL	2018 TOTAL	Jan-Mar 2019	Apr-Jun 2019	Jul-Sep 2019	Oct-Dec 2019	2019 TOTAL	Jan-Mar 2020	Apr-Jun 2020	Jul-Sep 2020	Oct-Dec 2020
Major Applications	76	63	18	12	13	12	55	10	8	11	
Minor Applications	289	323	66	80	96	77	319	68	61	56	
Other Applications	751	752	180	221	179	166	746	165	140	196	
Discharge of Planning Condition Applications	201	195	41	62	48	61	212	40	35	38	
Non-Material Amendment Applications	47	42	12	13	13	10	48	10	7	8	
Variation of Legal Agreement Applications	10	4	0	0	1	2	3	3	0	1	
Prior Approval (Commercial/Householder PA, Flexible Use etc) or Ecclesiastical Applications or Permission in Principle	47	49	8	9	18	12	47	15	6	14	
TOTAL NUMBER OF DECISION-MAKING APPLICATIONS	1421	1428	325	397	368	340	1430	311	257	324	
Environmental Screening and/or Scoping Opinions	24	18	6	4	2	4	16	2	3	2	
Infrastructure Planning Commission Consultations	0	0	0	0	0	0	0	0	0	0	
Pre/Post-Application Advice Submissions or Charged Meetings (inc. Specialist Heritage Advice)	175	211	45	53	47	46	191	40	17	23	

(c) New Tree Preservation Orders Made

Tree Preservation Order Number	Date Made	Location	Extent of Protection
681(2020)	28 July 2020	Land off St Michael's Lane, Bolton-le-Sands	G1 - various
682(2020)	26 Aug 2020	Land off Nether Kellet Road, Over Kellet	G1 - various

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

(d) Number of Applications for Works to Trees

	Applications for Works to Trees Protected by Tree Preservation Orders	Applications for Works to Trees Protected by Conservation Area Status
TOTAL APPLICATIONS 2017	73	90
January-March 2018	28	30
April-June 2018	17	19
July-September 2018	22	27
October-December 2018	22	26
TOTAL APPLICATIONS 2018	89	102
January-March 2019	19	24
April-June 2019	17	24
July-September 2019	24	13
October-December 2019	21	20
TOTAL APPLICATIONS 2019	81	81
January-March 2020	28	15
April-June 2020	31	21
July-September 2020	54	37
October-December 2020		

(e) Planning Appeal Decisions

Application Number	Application Site	Proposal	Appeal Decision
19/00433/CU	Grand Car Centre, 16 Whitegate, White Lund Industrial Estate, Morecambe	Retrospective application for the change of use of car sales forecourt for the mobile catering van (A5)	Dismissed
19/01116/ADV	130 Lancaster Road, Morecambe	Advertisement application for the display of an internally illuminated wall mounted electronic advertisement screen	Allowed
19/01000/FUL	14 Dalton Square, Lancaster	Retrospective application for the installation of a new shop front	Dismissed
19/00882/ELDC	Silverdale Golf Club	Existing lawful development certificate for the use of land as an overflow car park	Dismissed
19/01378/FUL	9a Meadow Park, Galgate	Erection of a single storey rear extension and construction of dormer extensions to the front and rear elevations	Dismissed
19/01435/FUL	1 Norland Drive, Heysham	Retrospective application for the retention of a boundary wall	Dismissed
19/01591/FUL	Sand Villa Cottage, Sandside, Cockerham	Erection of a first floor rear extension and construction of a balcony to the rear	Allowed
19/01390/OUT	Dale House Tewitfield, Carnforth	Outline application for the erection of 5 residential dwellings and creation of an access	Dismissed
19/01214/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	Allowed
19/01190/FUL	Land off Kellet Lane, Over Kellet	Construction of 2 canal moorings, creation of associated car park and alterations to existing path and access	Dismissed
19/00853/FUL	Ryelands Service Station, Owen Road, Lancaster	Erection of a single storey rear extension	Dismissed
Enforcement case	Ryelands Service Station, Owen Road, Lancaster	Siting of a storage container and erection of a timber screen fence	Enforcement notice upheld
19/00631/REM	Land adjacent to Stonehaven, Bay Horse Lane, Bay Horse, Lancaster	Reserved matters application for the erection of 2 dwellings (C3)	Dismissed
19/01247/REM	Land adjacent to Stonehaven, Bay Horse Lane, Bay Horse, Lancaster	Reserved matters application for the erection of 2 dwellings (C3)	Allowed
19/01466/FUL	Wellington View Farm, Bay Horse Road	Creation of a new field access	Dismissed

19/01240/FUL	Garage off Brookhouse Road, Caton	Change of use of commercial garage and associated land to a dwelling with associated residential land (C3), and creation of a new driveway, regrading of land and installation of drainage infrastructure	Dismissed
20/00072/FUL	Woodside, Kirkby Lonsdale Road, Arkholme	Retrospective application for the retention of a boundary fence	Dismissed

LANCASTER CITY COUNCIL

APPLICATION NO	DETAILS	DECISION
18/01618/FUL	Royal Oak Hotel, 73 Main Street, Hornby Relevant demolition of detached barn and single and two storey rear projections, change of use of public house (A4) into two dwellings (C3), erection of a two storey rear extension, erection of a detached garage block and the erection of three dwellings (C3) with associated accesses for Langdale Capital (Upper Lune Valley Ward 2015 Ward)	Application Refused
18/01619/LB	Royal Oak Hotel, 73 Main Street, Hornby Listed Building application for demolition of single and two storey rear projections, erection of a two storey rear extension,, replacement windows, installation of new doors, repairs to roof tiles, flashing and re-pointing, removal of staircases and partition walls, insertion of a window to replace external door, blocking up of internal opening, creation of a new opening and installation of new partition walls and staircase for Langdale Capital (Upper Lune Valley Ward 2015 Ward)	Application Refused
19/00771/FUL	Moorside Farm, Grimeshaw Lane, Quernmore Demolition of existing farmhouse and agricultural buildings and erection of a replacement dwelling (C3) incorporating a balcony and dormers and link extensions, erection of a garage and change of use of agricultural barn to ancillary domestic use (C3). for Mr R Bethell (Lower Lune Valley Ward 2015 Ward)	Application Permitted
19/00891/FUL	Victoria Hotel, Victoria Terrace, Glasson Dock Change of use of pub (A4) to mixed use unit comprising bar (A4) at ground floor, 2 holiday flats on the first floor and 2 residential flats on the second floor and change of use of barn and outbuilding to form 3 2-bed dwellings (C3), construction of dormer extensions to the front elevation, erection of an external staircase to the rear, replacement of 2 second floor windows with 1 window, demolition of rear link and part of outbuildings, and installation of new roof, windows, doors and balconies to the outbuilding for Mr Graham Cass (Ellel Ward 2015 Ward)	Application Refused
19/00892/LB	Victoria Hotel, Victoria Terrace, Glasson Dock Listed Building application for construction of dormer extensions to the front elevation, erection of an external staircase to the rear, relocation of internal walls, removal of internal staircase and replacement of 2 second floor windows with 1 window, and infilling of existing ground floor openings on rear wall, demolition of rear link and part of outbuildings and installation of new roof, windows, doors and balconies to the outbuilding for Mr Graham Cass (Ellel Ward 2015 Ward)	Application Refused
20/00039/DIS	Land At Grid Reference 350819 464830, Low Road, Halton Discharge of condition 7 on approved application 18/01117/REM for Mr Martin Nugent (Halton-with-Aughton Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

20/00089/DIS	2 Penrod Way, Heysham, Lancashire Discharge of conditions 3, 4, 5 and 6 on approved application 19/01438/FUL for DST Group (Heysham South Ward 2015 Ward)	Split Decision
20/00093/DIS	FASS Building, John Creed Avenue, Lancaster University Discharge of conditions 3 and 5 on approved application 19/00590/FUL for Helen Wood (University And Scotforth Rural Ward)	Application Permitted
20/00094/DIS	Ripley St Thomas Church Of England Academy, Ashton Road, Lancaster Discharge of condition 3 on approved application 20/00467/LB for Ripley St Thomas Church Of England Academy (Scotforth West Ward 2015 Ward)	Application Permitted
20/00100/DIS	Shire Hall, Castle Parade, Lancaster Discharge of conditions 3,4,5 and 6 on approved application 20/00320/LB for BTP Architects Ltd Vicky Saunders (Castle Ward 2015 Ward)	Application Permitted
20/00101/DIS	Land Along The East Bank Of The River Lune Between The A683 Viaduct And Skerton Bridge And Land Along The West Bank Of The River Lune East Off Halton Road/Main Street, , Discharge of condition 12 on approved application 18/00751/FUL for Gary Bowker (Overton Ward 2015 Ward)	Application Permitted
20/00104/DIS	Burrow House, Burrow Heights Lane, Lancaster Discharge of condition 4,5,6 and 8 on approved application 17/01374/OUT for Mr Michael Stainton (University And Scotforth Rural Ward)	Split Decision
20/00224/LB	Downy Field House, Downeyfield Road, Heaton With Oxcliffe Listed building application for the retention of replacement timber windows and UVPC windows to all elevations for Mr M. Gorry (Overton Ward 2015 Ward)	Application Refused
20/00260/FUL	Hawthorn Cottage, Back Lane, Wrayton Part retrospective application for the change of use of agricultural land to residential land in association with Hawthorn Cottage, construction of a driveway, creation of vehicular access from Back Lane and erection of a field shelter for Mrs Natalie Taylor (Upper Lune Valley Ward 2015 Ward)	Application Permitted
20/00321/FUL	1 Southgate, White Lund Industrial Estate, Morecambe The erection of 2.4m fencing and the installtaion of underground treatment tank for Lancaster Gate Cyprus Holdings (Westgate Ward 2015 Ward)	Application Permitted
20/00390/FUL	Lower House Cottage, Park House Lane, Wray Change of use of agricultural building and land to dwelling and associated residential land (C3), installation of replacement windows and doors, installation of sewage treatment plant and surface water drainage infrastructure for Mr & Mrs M Huddleston (Lower Lune Valley Ward 2015 Ward)	Application Permitted
20/00458/FUL	Hill Top Farm, Hill Lane, Nether Kellet Change of use of agricultural land and 5 agricultural buildings to equine use, erection of stables, excavation of land and construction of a sand paddock for Mrs Mary Cornthwaite (Kellet Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

20/00480/FUL	7 West End Road, Morecambe, Lancashire Installation of roller shutters to the front elevation for Mrs Sabe Connor (Harbour Ward 2015 Ward)	Application Permitted
20/00515/FUL	St Michaels Church, Main Street, Cockerham Change of use of agricultural land to car park for Rev Gary Lewis (Ellel Ward 2015 Ward)	Application Permitted
20/00581/LB	West Lodge, Quernmore Road, Lancaster Listed building application for the replacement of three timber windows on the second floor for Mrs Janet Stuart (Bulk Ward 2015 Ward)	Application Permitted
20/00601/FUL	Regent Park Studios, 93 Regent Road, Morecambe Change of use of trampolining and stunt school centre (D2) and film studio (sui generis) to 9 flats (C3), alterations to windows and doors, installation of rooflights and Juliet balconies and two dormers and erection of a bin store for Mr M Shenton (Harbour Ward 2015 Ward)	Application Permitted
20/00625/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 pedestrian access for Lancaster University (University And Scotforth Rural Ward)	Application Permitted
20/00627/ELDC	Unit 3, Bulk Road, Lancaster Existing lawful development certificate for A1 use for Staffordshire Pension Fund (Bulk Ward 2015 Ward)	Application Withdrawn
20/00632/FUL	11 St Michaels Crescent, Bolton Le Sands, Carnforth Erection of two-storey rear and side extensions for Mr & Mrs Newall (Bolton And Slyne Ward 2015 Ward)	Application Permitted
20/00645/FUL	33 Wyresdale Gardens, Lancaster, Lancashire Erection of a single storey extension to the north elevation for Mr Martin Howden (John O'Gaunt Ward 2015 Ward)	Application Permitted
20/00647/FUL	Chenick Lea, Quernmore Road, Quernmore Erection of a single storey extension to the front elevation for Mrs Faye Helliwell (Lower Lune Valley Ward 2015 Ward)	Application Refused
20/00651/FUL	20 Castle Park, Hornby, Lancaster Erection of a new store building and relocation of existing store for Mr John McKay (Upper Lune Valley Ward 2015 Ward)	Application Permitted
20/00655/CU	Spar Stores, Old Grand Garage, Thornton Road Change of use of storage (B8) into retail (Class E) and blocking up of entrance to the South elevation for Mr John Herd (Poulton Ward 2015 Ward)	Application Permitted
20/00692/PLDC	Clear Water Bistro And Bar, Clear Water Fisheries, Kellet Lane Proposed lawful development certificate for the change of use of bistro and bar (A3) into office (B1) for Mr Alex Mollart (Warton Ward 2015 Ward)	Lawful Development Certificate Granted

LIST OF DELEGATED PLANNING DECISIONS

20/00703/FUL	3 Rectory Gardens, Church Street, Whittington Erection of a single storey rear extension and installation of replacement windows to the rear elevation for Mr and Mrs Simon Schofield (Upper Lune Valley Ward 2015 Ward)	Application Permitted
20/00706/FUL	39 Acre Moss Lane, Morecambe, Lancashire Demoliton of existing garage and erection of single storey side extension for Mr. & Mrs. M. Orlik (Harbour Ward 2015 Ward)	Application Permitted
20/00713/FUL	101 Crag Bank Road, Carnforth, Lancashire Erection of a first floor rear extension for Mrs Gail Metcalfe (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
20/00721/PLDC	36 Woodrush, Morecambe, Lancashire Proposed lawful development certificate for the demolition of existing conservatory and erection of a single storey rear extension for Miss A. Dickson (Bare Ward 2015 Ward)	Lawful Development Certificate Granted
20/00723/FUL	1 Grove Court, Throstle Grove, Slyne Erection of single storey side extension and construction of dormer extensions to both side elevations for Mr & Mrs Milburn (Bolton And Slyne Ward 2015 Ward)	Application Withdrawn
20/00724/FUL	74 Anstable Road, Morecambe, Lancashire Erection of a single storey side extension for Mr & Mrs Horton (Bare Ward 2015 Ward)	Application Permitted
20/00737/FUL	117B Main Road, Bolton Le Sands, Carnforth Erection of two storey front extension, relocation of canopy and creation of roof terrace above garage for Mr Michael Wolfenden (Bolton And Slyne Ward 2015 Ward)	Application Permitted
20/00741/FUL	43 Princes Crescent, Morecambe, Lancashire Change of use of front ground floor office space (B1) to mixed use unit comprising wine bar/eatery (A3/A4) with outdoor seating area and installation of extractor fan to side elevation for Mr & Mrs Steven & Gill Briggs (Bare Ward 2015 Ward)	Application Permitted
20/00742/ADV	43 Princes Crescent, Morecambe, Lancashire Advertisement application for the display of 2 externally illuminated fascia signs and 1 hanging sign for Mr & Mrs Steven & Gill Briggs (Bare Ward 2015 Ward)	Application Permitted
20/00764/PLDC	90 Morecambe Road, Lancaster, Lancashire Proposed lawful development certificate for the construction of a hip to gable extension, construction of a dormer extension to the rear elevation and erection of a replacement single storey rear extension for Mr. J. Chinery (Skerton West Ward 2015 Ward)	Lawful Development Certificate Granted
20/00765/PLDC	19 Cheltenham Road, Lancaster, Lancashire Proposed lawful development certificate for the construction of a dormer extension to the rear elevation and change of use from dwellinghouse (C3) to house in multiple occupation (C4) for Mr. J. King (Scotforth West Ward 2015 Ward)	Lawful Development Certificate Granted
20/00783/FUL	35 Low Road, Halton, Lancaster Demolition of existing rear extension and erection of a single storey side/rear extension for Ms Chrissie Hunt (Halton-with-Aughton Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

20/00787/PAC	Telephone House, Fenton Street, Lancaster Prior approval for the change of use of rear upper ground floor, 1st, 2nd, 3rd and 4th floor offices (B1) to 20 flats (C3) for Fenton Suites Ltd (Castle Ward 2015 Ward)	Prior Approval Granted
20/00801/FUL	6 Yealand Road, Yealand Conyers, Carnforth Relocation of existing gatepost and alterations to driveway and boundary wall for Mr Paul Gorrill (Warton Ward 2015 Ward)	Application Permitted
20/00802/LB	6 Yealand Road, Yealand Conyers, Carnforth Listed building application for relocation of existing gatepost and alterations to driveway and boundary wall for Mr Paul Gorrill (Warton Ward 2015 Ward)	Application Permitted
20/00806/PLDC	85 Oak Avenue, Morecambe, Lancashire Proposed Lawful Development Certificate for the construction of a dormer extension to the rear elevation and installation of replacement windows and door to the rear and side elevations for Mr. K. Robinson (Bare Ward 2015 Ward)	Lawful Development Certificate Granted
20/00816/PLDC	4 Carr House Lane, Lancaster, Lancashire Proposed lawful development certificate for erection of single storey rear extension for Mr & Mrs Branscombe (Castle Ward 2015 Ward)	Lawful Development Certificate Granted
20/00819/FUL	6 Greenwood Crescent, Bolton Le Sands, Carnforth Erection of hip to gable roof extension, porch extension to the side elevation and construction of a dormer extension to the rear elevation for Mr Alec Trusler (Bolton And Slyne Ward 2015 Ward)	Application Permitted
20/00822/FUL	1 Glen View Drive, Heysham, Morecambe Construction of a first floor balcony to the side elevation for Mrs. D. Robinson (Heysham South Ward 2015 Ward)	Application Refused
20/00828/FUL	North Lyndeth, 1 Shore Road, Silverdale Installation of a package treatment plant for Thomas Jackson (Silverdale Ward 2015 Ward)	Application Permitted
20/00829/PLDC	84 Thirlmere Road, Lancaster, Lancashire Proposed Lawful Development Certificate for the erection of a single storey side extension for Mr.&Mrs. D. Boston (Bulk Ward 2015 Ward)	Lawful Development Certificate Granted
20/00830/PLDC	15 Hatlex Hill, Hest Bank, Lancaster Proposed Lawful Development Certificate for the erection of a detached outbuilding for Mr. J. Clough (Bolton And Slyne Ward 2015 Ward)	Lawful Development Certificate Granted
20/00837/PLDC	10 The Green, Bolton Le Sands, Carnforth Proposed lawful development certificate for the conversion of existing garage to additional living accommodation in association with 10 The Green for Mrs Frances Ash (Bolton And Slyne Ward 2015 Ward)	Lawful Development Certificate Granted
20/00839/FUL	14 St Albans Road, Morecambe, Lancashire Erection of a replacement detached garage for Mr and Mrs Michael and Rachael Rootham (Torrisholme Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

20/00841/FUL	18 Castle Park, Hornby, Lancaster Erection of a storage building for Mr Charles Jacobs (Upper Lune Valley Ward 2015 Ward)	Application Permitted
20/00845/PLDC	Udale, Wyresdale Road, Quernmore Proposed lawful development certificate for erection of single storey rear extension, installation of two rooflights to the rear and removal of chimneys for Mrs Rachel Greaves (Lower Lune Valley Ward 2015 Ward)	Lawful Development Certificate Granted
20/00848/FUL	Lane Foot Cottage, Hornby Road, Claughton Construction of a canopy to the rear elevation for Mr Charles Holl (Lower Lune Valley Ward 2015 Ward)	Application Permitted
20/00854/FUL	32 Lister Grove, Heysham, Morecambe Erection of a safety balustrade to create an external balcony to the rear for Mr & Mrs A. Biggs (Heysham South Ward 2015 Ward)	Application Refused
20/00861/PLDC	48 Appletree Drive, Lancaster, Lancashire Proposed lawful development certificate for construction of a dormer extension to the rear elevation for Mr. & Mrs. C. Marriot (Scotforth East Ward 2015 Ward)	Lawful Development Certificate Granted
20/00862/FUL	Willowcroft, New Street, Brookhouse Demolition of conservatory and erection of single storey rear extension for Mr. & Mrs. P. Fozzard (Lower Lune Valley Ward 2015 Ward)	Application Permitted
20/00865/PLDC	11 Penny Stone Road, Halton, Lancaster Proposed lawful development certificate for the erection of a single storey rear extension for Charlotte Pearson (Halton-with-Aughton Ward 2015 Ward)	Lawful Development Certificate Granted
20/00868/PLDC	9 Knowlys Drive, Heysham, Morecambe Proposed lawful development certificate for the construction of a hip to gable extension and a dormer extension to the rear elevation for Mrs Prescott (Heysham Central Ward 2015 Ward)	Lawful Development Certificate Granted
20/00878/FUL	15 Warley Drive, Morecambe, Lancashire Erection of a first floor side extension over existing driveway and utility room for Mr.&Mrs. J. Whiteley (Torrisholme Ward 2015 Ward)	Application Refused
20/00880/PLDC	17 Hexham Road, Morecambe, Lancashire Proposed lawful development certificate for erection of single storey rear extension for Mr. A. Hurst (Torrisholme Ward 2015 Ward)	Lawful Development Certificate Granted
20/00882/PLDC	3 St Michaels Close, Bolton Le Sands, Carnforth Proposed lawful development certificate for construction of a dormer extension to the rear elevation for Mrs. B. Theobald (Bolton And Slyne Ward 2015 Ward)	Lawful Development Certificate Granted
20/00885/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 Mr Lee Dougan (Bolton And Slyne Ward 2015 Ward)	Application Permitted
20/00886/FUL	85 Grasmere Road, Lancaster, Lancashire Erection of a single storey rear/side extension for J Hylton (Bulk Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

20/00887/FUL	27 Yealand Avenue, Heysham, Morecambe Demolition of existing garage and erection of a two storey side extension for Mr. L. Kelly (Heysham South Ward 2015 Ward)	Application Refused
20/00888/NMA	3 Mannin Way, Lancaster, Lancashire Non material amendment to planning permission 18/01418/FUL to alter the window and door openings, including spandrel panels within openings, with additional curtain wall glazing and vents to the south elevation and alterations to external paths for Ryder (Lower Lune Valley Ward 2015 Ward)	Application Permitted
20/00890/LB	59 Market Street, Lancaster, Lancashire Listed building application for replacement roof slates for T Singer (Castle Ward 2015 Ward)	Application Permitted
20/00894/PLDC	20 Chester Place, Lancaster, Lancashire Proposed lawful development certificate for the construction of a hip to gable extension and a dormer extension to the rear elevation for Mr & Mrs Davis (Scotforth East Ward 2015 Ward)	Lawful Development Certificate Granted
20/00896/FUL	Hopebeck House, Silverhill, Gressingham Installation of a package treatment plant for Mr Mike Leaf (Upper Lune Valley Ward 2015 Ward)	Application Permitted
20/00907/FUL	9 Elmsdale Close, Lancaster, Lancashire Erection of a single storey rear extension for Mr. & Mrs. V. Gemson (Skerton East Ward 2015 Ward)	Application Refused
20/00914/FUL	15 Townsfield, Silverdale, Carnforth Demolition of existing single storey utility room and erection of a single storey side/rear extension for Mr Young and Ms Stewart (Silverdale Ward 2015 Ward)	Application Refused
20/00916/FUL	10 Truman Avenue, Lancaster, Lancashire Erection of a two storey side extension for Mr.&Mrs. N. Hansen (Marsh Ward 2015 Ward)	Application Permitted
20/00928/AD	Fellside, Scorton Marshaw Road, Over Wyresdale Agricultural Determination for concreting existing yard for Mr William Drinkall (Ellel Ward 2015 Ward)	Prior Approval Not Required
20/00929/PLDC	24 Hall Drive, Caton, Lancaster Proposed lawful development certificate for the erection of a single storey rear extension for Janette Harrison (Lower Lune Valley Ward 2015 Ward)	Lawful Development Certificate Granted
20/00932/PLDC	42 Coulston Road, Lancaster, Lancashire Proposed lawful development certificate for the erection of single storey rear extension for Mr Simon Pickles (John O'Gaunt Ward 2015 Ward)	Lawful Development Certificate Refused
20/00933/PLDC	30 Eardley Road, Heysham, Morecambe Proposed lawful development certificate for the erection of a single storey rear extension for Mr. J. Dixon (Heysham Central Ward 2015 Ward)	Lawful Development Certificate Granted
20/00940/PLDC	46 Coulston Road, Lancaster, Lancashire Proposed lawful development certificate for the erection of a single storey rear and side extension for Mr Simon Pickles (John O'Gaunt Ward 2015 Ward)	Lawful Development Certificate Refused

LIST OF DELEGATED PLANNING DECISIONS

20/00942/AD	New House Farm, Littledale Road, Littledale Agricultural determination for the erection of a portal framed cattle building incorporating slurry store for Mr Stephen France (Lower Lune Valley Ward 2015 Ward)	Prior Approval Refused
20/00952/AD	Newland Home Farm, Starbank, Bay Horse Agricultural determination for the erection of a storage building for Mr Chris Halhead (Ellel Ward 2015 Ward)	Prior Approval Not Required
20/00953/NMA	Long Acre, Bazil Lane, Overton Non material amendment to planning permission 20/00325/FUL to include an additional window on the North elevation and to amend the window designs for Dr Andrew Jarvis (Overton Ward 2015 Ward)	Application Permitted
20/00993/FUL	83 Torrisholme Road, Lancaster, Lancashire Erection of a two storey side extension for Mr & Mrs D Lovett (Skerton West Ward 2015 Ward)	Application Permitted
20/01001/FUL	19 Stankelt Road, Silverdale, Carnforth Removal of existing septic tank and installation of new sewage treatment plant for Mr T Freeman (Silverdale Ward 2015 Ward)	Application Permitted
20/01003/FUL	37 Fairhope Avenue, Lancaster, Lancashire Erection of single storey side and rear extension for Mr And Mrs Oswald (Skerton East Ward 2015 Ward)	Application Permitted
20/01011/AD	Green Pastures, Capernwray Road, Capernwray Agricultural determination for the erection of a storage building for Mr S Wightman (Kellet Ward 2015 Ward)	Prior Approval Refused
20/01013/VCN	Holiday Cottage At Moorhead Farm, Russell Road, Tatham Variation of condition 4 on 03/01084/FUL for Mr David Travis (Lower Lune Valley Ward 2015 Ward)	Application Withdrawn
20/01015/AD	Downlands Farm, Moss Road, Heaton With Oxcliffe Agricultural determination for the erection of a cattle building for Mr Grant Thornton (Overton Ward 2015 Ward)	Prior Approval Not Required
20/01018/FUL	29 St Georges Quay, Lancaster, Lancashire Installation of two rooflights to the front elevation and installation of replacement windows to the front and side elevations for Mr. J. King (Castle Ward 2015 Ward)	Application Withdrawn