



Committee: PLANNING REGULATORY COMMITTEE

Date: TUESDAY, 5 JANUARY 2021

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 OR CLICK [HERE](#).

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 7th December 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 <u>20/00277/FUL</u> | Land At Grid Reference 351057 464848 Low Road | Halton- with- Aughton Ward | (Pages 4 - 16) |
| | | Erection of 9 dwellings with associated infrastructure and landscaping. | | |
| 6 | A6 <u>19/00438/FUL</u> | Land Off Marsh Lane And Main Street Cockerham | Ellel Ward | (Pages 17 – 32) |
| | | 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. | | |
| 7 | A7 <u>20/00691/LB</u> | Bay Radio Ground And First Floor 26 St Georges Quay Lancaster | Castle Ward | (Pages 33 - 35) |
| | | Listed building application for the removal and installation of partition walls and internal doors, and the installation of new ducting and a stairlift. | | |

8 Delegated List (Pages 36 - 41)

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

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

(ii) Substitute Membership

Councillors Alan Biddulph (Substitute), Victoria Boyd-Power (Substitute), Jake Goodwin (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 17th December 2020.

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| Agenda Item | A5 |
| Application Number | 20/00277/FUL |
| Proposal | Erection of 9 dwellings with associated infrastructure and landscaping |
| Application site | Land at Low Road, Halton, Lancashire |
| Applicant | Forge Weir View Limited, Wrenman Homes |
| Agent | N/A |
| Case Officer | Mrs Jennifer Rehman |
| Departure | No |
| Summary of Recommendation | Approval, subject to United Utilities and the Lead Local Flood Authority being satisfied with the revised drainage details |

(i) Procedural Matters

This application has been amended during the course of the determination of the application. It is now for 9 dwellings and no longer constitutes major development. Under the scheme of delegation such applications do not require determination of Planning Regulatory Committee. However, because the proposal forms an integral part of a wider scheme and has been the subject of considerable objection, it has been referred to the Planning Regulatory Committee by the Service Head for Planning and Place.

1.0 Application Site and Setting

1.1 The application site relates to part of a former agricultural field located adjacent to the south eastern edge of the village of Halton behind the Forgewood residential estate. The field in question has recently been developed for housing by Wrenman Homes. The application site relates to part of the wider site (previously permitted for 5 dwellings) and includes more of the pastureland to the east (towards the pylon and overhead lines), totalling 1.2 acres. The site is currently being used as a site compound, comprising hard standings, stock piling of earth and the provision of welfare/office cabins.

1.2 The site is located within a housing allocation (policy H2) as identified by the Strategic Policies and Land Allocations DPD and is approximately 150m from the boundary with the Forest of Bowland Area of Outstanding Natural Beauty (AONB). The site is approximately 550m from Halton's Conservation Area. The River Lune is located approximately 40m from the most southern part of the site and enjoys a biological heritage site (BHS) designation. This designated area extends up to the application site boundary. There are protected trees, covered by a single Tree Preservation Order (TPO 321(2001) located to the south of the site. The closest public right of way is situated along Mill Lane to the south of the site (but not adjacent or connected to it). The site sits between approximately 40m and 36m Above Ordnance Datum (AOD).

2.0 Proposal

2.1 The application site overlaps with the extant and implemented planning permission for 60 dwellings. The proposal seeks to substitute two plots (accommodating 2 detached 4 and 5 bedroom dwellings)

on the approved scheme to provide a small extension to the approved development comprising 9 dwellings in total. The proposal results in a net gain of 7 additional dwellings, bringing the whole development to a total of 67 dwellings. The development has been amended from a scheme of 11 dwellings to 9 during the determination period to address design and amenity concerns.

- 2.2 The proposal includes the erection of 2 two-bedroom semi-detached dwellings, 4 three-bedroom semi-detached dwellings; 2 three-bedroom link detached dwellings and 1 4-bedroom detached dwelling arranged around a new cul-de-sac. Access is proposed off the main spine road within the new residential estate between plots 18 and 24. The proposed dwellings are all two-storey buildings, designed and finished to reflect the house types of the approved development. The dwellings shall be finished in a combination of render, natural stone and timber-effect cladding under slate roofs.
- 2.3 The development results in a larger ecology/landscape buffer at the southern tip of the site and additional landscaping to the north. A field access is proposed off the new cul-de-sac to provide suitable access to maintain and manage the proposal ecology buffer and landscaping along the eastern boundary.

3.0 Site History

- 3.1 The planning history relevant to this pending application relates to an outline planning permission and subsequent reserved matters consent. There have been several applications submitted to and determined by the local planning authority in relation to satisfying planning conditions and making non-material amendments to the development. These applications are not listed in the table below as they are not materially relevant. A screening opinion request and decision has been made in relation to a proposal for a further 65 dwellings to the east of the approved development. The Council determined that the proposal would not require an Environmental Statement under the Environmental Impact Assessment Regulations. There has for been no formal planning application made this proposal.

| Application Number | Proposal | Decision |
|--------------------|---|---------------------|
| 14/01344/OUT | Outline application for the development of 60 dwellings with associated access | Approved |
| 17/01423/REM | Reserved matters application for the erection of 60 dwellings and associated infrastructure | Approved |
| 18/01634/EIR | Screening Opinion for the erection of 65 dwellings on land to the east of the approved development. | Not EIA development |

4.0 Consultation Responses

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

| Consultee | Response |
|--|---|
| Parish Council | Neither objecting nor supporting – comments that the scheme should deliver 40% affordable homes on the site given the low level provided on the main development. <i>At the time of compiling this report, no comments had been received in response to the amended plan consultation. A verbal update will be provided if comments are received.</i> |
| Lancashire County Council Local Highway Authority (LHA) | No objection and confirms that the junction geometry is acceptable and the internal road is suitable to accommodate refuse vehicles. <i>At the time of compiling this report, no comments had been received in response to the amended plan consultation. A verbal update will be provided if comments are received.</i> |
| Lancashire County Council School Planning Team | No objection subject to an Education Contribution towards 1 primary school place to the sum of £16,749.96. If the contribution is not secured, the County Council School Planning Team object to the proposal on the grounds the proposal would be unsustainable. |

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| | <i>At the time of compiling this report, no comments had been received in response to the amended plan consultation. A verbal update will be provided if comments are received.</i> |
| Lead Local Flood Authority | Objection on the basis that the information presented does not evidence the site can adequately drain by infiltration or that there is a suitable, alternative drainage solution. <i>At the time of compiling this report, no comments had been received in response to the amended plan consultation. A verbal update will be provided if comments are received.</i> |
| United Utilities | No objection subject to conditions requiring the development to be carried out with the submitted drainage details. <i>At the time of compiling this report, no comments had been received in response to the amended plan consultation. A verbal update will be provided if comments are received.</i> |
| Environmental Health Service | No objection subject to unforeseen land contamination condition. |
| HSE | HSE advises no interest in the development as it lies outside the consultation zones of the gas pipeline. |
| Shell UK | No objection – comments that the proposed works will not affect the Shell pipeline. |
| Cadent Gas | Referral to the Land and Development Asset Protection Team due to proximity to National Grid Transmission assets and National Gas Transmission Pipelines. |
| National Grid Plant Protection Team | Following consideration of additional information in relation to the proximity of the development to the overhead power lines, National Grid no longer object to the development. <i>At the time of compiling this report, no comments had been received in response to the amended plan consultation. A verbal update will be provided if comments are received.</i> |
| Lancashire Fire and Rescue Service | No objection – standing advice in relation to Building Regulations. |
| Planning Policy Team | Comments submitted expressing concern over the level of affordable housing proposed and failure to comply with the Nationally Described Space Standards. |
| Arboricultural Officer | No objection but comments on the extent of planting in the ecology buffer zone and recommends woodland planting in the whole area. <i>At the time of compiling this report, no comments had been received in response to the amended plan consultation. A verbal update will be provided if comments are received.</i> |
| Greater Manchester Ecology Unit (GMEU) | No objection subject to the following conditions: <ul style="list-style-type: none"> • Implementation of landscaping • Survey for invasive species and dust control measures. • Details of external lighting GMEU also request additional bird and bat boxes. <i>At the time of compiling this report, no comments had been received in response to the amended plan consultation. A verbal update will be provided if comments are received.</i> |
| Lancashire County Council Public Rights of Way Officer | At the time of compiling this report no comments received. |
| Ramblers Association | At the time of compiling this report no comments received. |
| Forest of Bowland AONB | No comments to make on this application. |
| Lancashire Constabulary | No objection - developer should be encouraged to build the dwellings to achieve Secured by Design Gold certification. |

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

At the time of compiling this report 49 letters of objection have been received mainly from residents of the new development, including multiple responses from some objectors. Around 25 of these objection letters were received following the influx of support letters in early October 2020.

A summary of the mains planning reasons for opposition are: -

- **Highway** concerns including increased traffic congestion through the estate leading to increased risk of pedestrian safety (especially children playing and the elderly); unsuitable access/egress off a side road originally designed for only 5 dwellings; poor visibility into the cul-de-sac and inadequate width for two vehicles to pass and speed limits should be reduced to 20mph.
- **Infrastructure** concerns including lack of school places, resulting in families having to travel additional distance to get children to school thus increasing their carbon footprint; the education contribution being incorrectly assessed; limited amenities/services for the growing level of cumulative development in the village and concerns over the increased demand on utilities already under pressure (poor internet unable to meet current demands, low water pressure at times and increasing strain on drainage system).
- **Amenity** concerns including continuous disruption from construction activities; increase in traffic noise, air and light pollution; loss of rural views, overbearing and cramped form of development that is radically different to the rest of the scheme; overlooking, loss of light and loss of privacy to adjacent dwellings; amenity and safety risks due to proximity to the High Voltage Transmission Overhead lines and loss of rural character to the estate.
- **Housing** comments received indicating that 33% of shared-ownership homes remain unsold despite advertising there is a need for this type of housing.
- **Other** concerns include the developer not abiding to planning controls; lack of consultation with existing residents ahead of the submission; concerns over the negative cumulative effects of this proposal with a proposal on the adjacent field for a further 60 dwellings (18/01634/EIR); supporting letters are orchestrated (some 7 months after the application was submitted), inaccurate and largely submitted by friends, family and employees of the applicant; employment benefits are temporary opposed to the permanent negative effects of the development on existing residents and ongoing uncertainty for existing residents due to the delay in the determination of the application.

Many of the representations received have opposed the development for reasons that are not considered material planning considerations, such as being mis-sold their properties, property values and personal dealings with the developer. Non-planning considerations have not been reported or considered in the planning recommendation.

- 4.3 From the first week in October 2020, the local planning authority received 31 representations in favour of the proposal. It is noted some of the support letters are from the applicants themselves and their employees.

A summary of the main planning reasons in support are: -

- **Design and Quality** - Wrenman Homes have delivered a unique, high quality development in a great rural position with good access to the strategic highway network; the development forms a good extension to the existing development.
- **Housing Opportunities** – delivery of much needed housing; smaller dwellings providing families in the area to purchase high quality dwellings at an affordable market value.
- **Economic benefits** – retain staff and support local employment/trades during the construction period (during uncertain times as a result of the pandemic) and more homes would support local services and amenities, such as the bus service.
- **Biodiversity gains** – additional planting and future management has seen a positive increase in biodiversity across the site.

- 4.4 At the time of compiling this report, the re-consultation on the amended proposals is still pending. To date, 6 letters of opposition have been received. The reasons for opposition remain largely the same as those summarised above. Additional comments include the following matters:
- Increased traffic and pressure on services due to home-working and more on-line shopping (Covid-related and future shopping culture).
 - Development could exacerbate water-logged gardens and drainage systems adjacent to the development.
 - Increased traffic on Low Road where there are problems with speed and volume of traffic.
 - Reference to inconsistencies of plot numbers between the plans and Wrenman Homes website.
 - United Utilities have indicated that the existing water supply system is old and in need of upgrading. Increasing development places pressure on existing system.

The consultation period has not expired and has been extended to take account of some users being unable to access the application via Public Access. The extended consultation period expires before the Committee meeting. A verbal update will be provided of any additional representations received.

5.0 Analysis

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

1. Principle of development
2. Contribution to housing needs
3. Highway matters
4. Amenity and design matters
5. Landscape effects
6. Biodiversity
7. Flood risk and drainage

5.2 **Consideration 1: Principle of development:** (NPPF paragraph 7 – 12 (Achieving Sustainable Development) , 47 (Determining applications), 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, H2: Housing Delivery in Rural Areas of the District and EN3: The Open Countryside.

5.2.1 The principle of residential development in this location, and more generally in the village of Halton, is supported by local planning policy and the Development Plan. The District's settlement hierarchy recognises Halton as one of the districts most sustainable settlements, with policy H2 of the SPLA DPD allocating the site for housing.

5.2.2 The site forms a modest extension to an existing and recently new development. It results in a net gain of seven additional dwellings which is considered a proportionate extension to the larger development, particularly given its sensitive rural location on the edge of the village. The development will be accessed via the existing estate with good connections between the site, neighbouring development, and the village for pedestrians. In principle, the proposed site is considered a sustainable location for residential development and accords with the development strategy set out in the Development Plan. This is, of course, subject to the development according with the other key considerations set out at the head of this section of the report (paragraph 5.1).

5.3 **Consideration 2: Contribution to housing needs** (NPPF paragraph 7 – 12 (Achieving Sustainable Development) , Chapter 5 (Delivering a Sufficient Supply of Homes); Strategic Policies and Land Allocations (SPLA) DPD policies SP6 (Delivery of New Homes) and H2 (Housing in the Rural Areas of the District) and Development Management (DM) DPD policies, DM1 (New Residential Development and Meeting Housing Needs), DM2 (Housing standards), DM3 (Delivery of Affordable Housing) and DM4 (Residential Development Outside Main Urban Areas); Five Year Housing Land Supply Position (November 2020).

5.3.1 The proposed development will make a positive contribution to the District's supply of housing, at a time when the local planning authority (LPA) are unable to evidence a 5 years' worth supply of deliverable housing. This weighs significantly in favour of the proposal. The latest position is set out

in the Housing Supply Statement (November 2020), which reports delivery against the newly adopted housing requirement for the district (Policy SP6 of the SPLA DPD). Currently, the LPA can only demonstrate a 3 years' worth supply of deliverable housing sites against the adopted housing requirements. In these circumstances, the NPPF continues to make it clear that where a LPA is unable to demonstrate a five year supply its policies in relation to the supply of housing cannot be viewed as up-to-date policies. Consequently, the presumption in favour of sustainable development applies (paragraph 11, NPPF) meaning planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole (the tilted balance).

- 5.3.2 Considering only 12 months ago, the Council robustly evidenced that the Local Plan demonstrated a deliverable supply of housing sites sufficient to deliver a 6.9 years of supply, the latest housing land supply position is naturally disappointing. However, the sites identified through the Local Plan examination still exist and form part of the Council's overall housing land supply. Regrettably, it is the anticipated delivery rates that has affected the housing supply position, with many sites no longer anticipating delivery within the five-year period. The current pandemic is a contributing factor to the deliverability of housing in the district.
- 5.3.3 It is not just about providing housing, it is vitally important that planning (through policy and decision-making) ensures the housing needs of different groups of the community are also met by providing the right type of housing in the right areas. This is necessary to secure inclusive, mixed and sustainable communities. Unlike many other new residential developments, the proposal offers a greater proportion of smaller housing units for market sale, which accords well with the housing mix approach advocated in the Strategic Housing Market Assessment and set out in policy DM1 of the DM DPD. These smaller units will complement the housing mix (generally larger units) on approved and implemented development. This also weighs in favour of the development.
- 5.3.4 Policy DM2 requires all new dwellings to meet the Nationally Described Space Standards. The scheme has been amended to comply with this requirement. The scheme is now under ten dwellings therefore the requirement to provide 20% of new dwellings to meet Building Regulations M4(2) is not required.
- 5.3.5 Policy DM3 of the DM DPD sets out affordable housing thresholds for development comprising 10 or more dwellings. The thresholds vary by location, type, and scale of development. Halton falls within Rural East location (defined by policy DM3), which specifies for 10 or more dwellings on greenfield sites, the affordable housing threshold is 40%. Policy DM3 does not address the issue of piecemeal development or the circumstances by which it will consider two or more developments to be aggregate. Policy DM3 provides flexibility to the level of affordable housing provision based on development viability.
- 5.3.6 At the pre-application stage, it was determined any additional dwellings to the wider, approved scheme should contribute to affordable housing subject to development viability. This is slightly different to the usual stance of only major proposals (10 dwelling or more in the case of residential development outside of AONBs) having to contribute towards affordable housing. This position is based on the *Brandlford judgement (R (Westminster City Council) v First Secretary of State and Brandlford Limited [2003] J.P.L 1066)*, which established three criteria to determine and assess the piecemeal development of sites or/and aggregation of sites for the purposes of applying an affordable housing policy threshold. The three criteria include:
- a. the ownership of the site;
 - b. whether the land could be considered to be a single site for planning purposes;
 - c. whether the development should be treated as a single development.
- The proposed development is owned by the same developer as the wider site; it can only be accessed via and through the wider development site; and could not be developed in isolation from the remainder of the site. On this basis, it is considered an aggregate site meaning any additional dwellings should be considered in the context of policy DM3 and the affordable housing thresholds. The applicant has not disputed the need to provide affordable housing but (from the pre-application stage) has presented a viability argument to justify the lack of affordable housing provision.
- 5.3.7 The applicant's original proposal was for 11 dwellings, which included the provision of one affordable dwelling. This was offered despite the viability evidence indicating the development cannot viably

support this level of provision. The amended scheme results in a development of 9 dwellings and a net gain of 7 dwellings overall, which has not helped the viability outcomes in this case.

5.3.8 The approach and standard assumptions to be used in the viability appraisal were agreed as part of early pre-application discussions with the LPA. Most of the standard inputs used in the viability appraisal are largely based on the original assumptions agreed when the wider development was viability tested. Many of these assumptions also align to those set out in the Local Plan Viability Assessment. Despite testing numerous viability scenarios (adjusting build costs/increasing site values/removing % contingency, adjusting profit margins) it is clear in this case that the proposed development cannot support any affordable housing or other planning obligations. Whilst this is regretful, it is not wholly unexpected because of the level of affordable housing achieved on the wider site (16.7% and no education contribution), the high quality and bespoke nature of the development and its low density. Policy DM3 states that where there is compelling and detailed evidence that demonstrates the provision of affordable housing (and other obligations) has an unwarranted negative impact on the viability of the proposal, applicants may, in agreement with the Local Planning Authority, provide fewer affordable dwellings than would ordinarily be expected. The lack of affordable housing has been justified by viability evidence and on this basis the proposal is not considered to conflict with current policy.

5.4 **Consideration 3- 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; Provision of Electric Charging Points for Vehicles in New Development Planning Advisory Note 5 (Oct 2020).

5.4.1 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; and
- Create safe, accessible, well-connected and attractive places.

5.4.2 The proposed development results in a net gain of seven additional dwellings. This will result in a slight increase in traffic above what was anticipated from the original scheme of 60 dwellings. The existing priority-controlled junction off Low Road will safely and conveniently accommodate the increase in traffic without affecting the safety and efficient operation of the local highway network.

5.4.3 The internal road layout associated with the proposed development (and the wider development) has been designed to meet the Highway Authority's adoptable standards. Despite concerns to the contrary (from public representations), the geometry of the proposed junction off the main spine road with the cul-de-sac is acceptable to the Highway Authority. Suitable visibility splays, that accord with the County Council's design requirements for a 20mph speed limit, are provided with the radii of the junction capable of accommodating refuse/emergency vehicles.

5.4.4 The road layout within the cul-de-sac now includes a more formalised turning facility (rather than a courtyard as shown on the original approved scheme). There remains a courtyard area in front of the driveways to plots 19-21, which must remain unobstructed to provide suitable manoeuvring facilities for occupants of these plots. This is necessary in the interests of highway safety. The provision and use of the courtyard (for turning) and the formalised turning facility is a matter that can be controlled by planning condition.

5.4.5 The estate spine road and the road serving the proposed development includes adequate footways to ensure there is a safe walking environment for future residents. The footpath alongside the boundary of plot 18 (as approved) is narrow due to a pinch point and the alignment of the road. However, there is a 1.8m to 2m wide path to the other side of the carriageway and throughout the remainder of the development. Given the number of dwellings proposed in this location, this pinch point and narrow section of footpath does not make the proposal unacceptable from a highway safety perspective or from a sustainability point of view. The proposal still provides good and safe pedestrian connectivity between the extended part of the development towards the village. The

wider development has already provided direct connections to the Forewood Estate and Low Road. A further connection is available (once Story Homes complete their development) from this development to the open space secured as part of the Story Homes development. The proposed development will benefit from these connections.

5.4.6 The proposed parking provision is based on the Council's car parking standards (Policy DM62) with a minimum of 2 parking spaces for 3-bedroom properties and 3 for the larger 4-bedroom dwelling. The parking provision is based on a combination of dedicated off-street parking and garages. The provision and retention of parking spaces shall be controlled by planning condition. Cycle storage provision and electric vehicle charging points are proposed for all new dwellings to encourage more sustainable modes of travel. The provision of such can be secured by planning condition.

5.4.7 In summary, the proposed development would not lead to any severe impacts to the efficient operation of the local highway network; the proposed development can be safely accessed for all users and makes adequate provision for walking, cycling and the promotion of electric vehicles. The Highway Authority has raised no objections to the development (based on 11 dwellings). The reduction to the scheme will not affect their position. Overall, the development fully accords with the Development Plan and the relevant sections of the NPPF in relation to transport and highway matters.

5.5 **Consideration 4 - Amenity and Design Matters** (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); Development Management (DM) DPD policies DM2 (Housing standards), DM27 (Open Space, Sports and Recreational Facilities), DM29 (Key Design Principles), DM30 (Sustainable Design), DM31 (Air Quality Management and Pollution) and DM32 (Contaminated Land).

5.5.1 Residential Amenity

Planning policy requires development to provide an acceptable standard of amenity for all. Policy DM29 and to a lesser extent the design and well-being chapters of the NPPF require 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. The proposed development forms a small extension to a previously approved scheme, which is practically completed and largely occupied. There are existing dwellings to all but the eastern boundary of the proposed site. The initial scheme for 11 dwellings was judged unacceptable due to design and amenity concerns primarily in relation to the proximity of some of the proposed dwellings to existing dwellings, the provision of suitable garden areas and the overall density and character of the development.

5.5.2 The amendments to the scheme have resulted in the loss of two plots within the site. This has enabled the development to be pulled away from the overhead lines, increased interface distances between plots 66 and approved plots 28/29, increased garden sizes to some of the proposed plots and reduced the dominance of parking within the street scene leading to an increase in landscaping within the built development.

5.5.3 The existing dwellings affected by the proposal are the approved plots 7-10 (apartment block), 18, 21, 25, 24, 28, 29 and 30. The proposed development has been designed (and amended) to improve 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). There are some plots where the interface distances fall marginally below of the recommended requirements. However, this would not render the development overbearing and unacceptable. Plots 24/25 under the approved scheme will, as a consequence of the proposal, experience a different outlook and one that is considered marginally worse than the approved scheme (a single detached dwelling was proposed to the rear of these plots). This is due to the mass and building form of development (two dwellings opposed to one) and the orientation of the proposed plots 66/67. However, the interface distance is acceptable and akin to the separation distances of the approved scheme. Despite a change to the outlook for plots 24/25, the development would not result in significant adverse effects on the amenity of these dwellings. The separation distance between plots 22/23 to the approved apartment block is approximately 17m rather than 21 metres. However, with the approved plots 19-

21 being closer to the apartment block than the proposed development, the relationship here is considered acceptable and would not lead to significant adverse effects on amenity. Plot 30 (on the approved scheme) is also affected by the development. A new house (plot 65) is proposed to the north of this dwelling. Plot 30 based on the approved development would have been surrounded by open gardens and countryside to the north and east. The proposed plot 65 sits immediately alongside the northern boundary, with a single storey element extending 10 metres along the party boundary wall. This likely to affect some light to the property, however, due to the extended garden area to plot 30 (as a consequence of the development) and the fact the proposed dwelling is to the north and it is only single storey alongside the boundary, the effects are not likely to be significantly adverse. All other interface distances within the proposed development are acceptable and accord with the requirements of the development plan.

- 5.5.4 The proposed dwellings all have sufficient access to private garden space, which are proportionate to the size of the dwellings. Where the depths of the gardens are below the recommended 10 metres, the overall area far exceeds the minimum 50 square metres. Overall, whilst some existing residents will experience a different outlook, the development will not result in significant adverse effects on residential amenity. In this regard the scheme complies with planning policy.
- 5.5.5 All the proposed dwellings will be provided with suitable electric vehicle charging points, cycle storage provision and will be built to achieve 10% above the minimum requirements of Part L of Building Regulations (at the time of construction). These are matters that can be controlled by condition to enable compliance with policy DM30 of the DM DPD.
- 5.5.6 The applicant has evidenced that ground contamination would not pose a risk to future occupants of the development and that the previous site investigation for the wider site would remain relevant. The Council's Contaminated Land Officer has raised no objection to the development, subject to the imposition of an unforeseen contaminated land condition.
- 5.5.7 The development does extend closer to the powerlines than the approved scheme with plots 62-65 most affected. National Grid guidance clearly indicates that whilst research continues to improve our understanding of the effects of electric and magnetic fields (EMFs), the balance of current international scientific evidence is against EMFs from high voltage power lines causing ill health. No causal link has been established between cancer (or any other disease) and EMFs and there is no established mechanism by which these fields could cause or promote disease. Consequently, neither the UK Government nor the National Radiological Protection Board (NRPB) have recommended any special precautions for the development of homes near power lines on EMF grounds.
- 5.5.8 There are, nevertheless, good operational and amenity reasons for not siting built development directly beneath overhead lines. In this case the development lies adjacent to the powerlines rather than underneath them. The applicant has adequately demonstrated to the satisfaction of National Grid that the development would not impinge the safety clearance distances to the powerlines. This was based on the original 11 dwelling scheme. The amended proposal marginally improves this situation.
- 5.5.9 The development is located to the south west of the existing pylon. The visual impact of the pylon will be notable. The amended scheme has sought to mitigate the visual impact by pulling the development away from the pylon (marginally) and the overhead lines, together with the provision of a landscaping buffer immediately to the north of the gardens to plots 61/62 and repositioning of affected plots to slightly off-set the line of sight of the pylon. These mitigation measures and circumstances are not dissimilar to the relationship of approved plots 7-10 and the pylon are considered not sufficient to result in significant adverse effects to the amenity of future occupants.
- 5.5.10 Overall, the proposed development would provide an acceptable standard of amenity for future residents and has been designed and amended to ensure the amenity of existing residents is not significantly adversely affected in accordance with local and national planning policy.
- 5.5.11 Design
Planning policy places significant emphasis on delivery of well-planned and high-quality designed development. The proposed dwellings have been designed to match and complement the design,

appearance and use of materials to the dwellings on the permitted scheme. For this reason, the development appropriately responds to local distinctiveness and reflects the surrounding built form. The proposed development comprises smaller house types to the approved scheme. The initial proposal for 11 smaller dwellings did not positively respond to the character of the approved scheme. It felt cramped and did not benefit from the spacious and green character of the wider development.

5.5.12 The amended proposal results in a lower density of development with a better overall composition of house types (and building formats). While some parts of the development will be car dominant, the changes have enabled the streetscenes (and parking areas) to be softened with additional landscaping which is more reflective of the streets within the wider development. The edges of development will be softened with landscaping which will further compliment and enhance the landscaping to the permitted scheme. Whilst the development results in a larger cul-de-sac when compared to others on the wider development, the proposed development will not significantly adversely affect the character and appearance of the area or the design of the wider project. The scheme will achieve a good standard of design which complements its surroundings and therefore accords with national and local design planning policy.

5.5.13 Due to the scale of the development there are no additional requirements to provide on-site or off-site contributions to public open space. The wider development provides a generous amount of amenity greenspace that future residents will be able to enjoy. Furthermore, play areas and provision for young people, including sports facilities, are also well catered for within the village with suitable walking connections provided between the site and these facilities. The proposal does not conflict with the development plan or national planning policy in relation to open space provision.

5.6 **Consideration 5 – Landscape** (NPPF: Chapter 15 paragraph 170 and 172 -177 (Conserving and Enhancing the Natural Environment); Strategic Policies and Land Allocations (SPLA) DPD policy EN2 (Areas of Outstanding Natural Beauty), EN3 (The Open Countryside); Development Management (DM) DPD policies DM29: Key Design Principles, DM45 (Protection of Trees, Hedgerows and Woodland) and DM46 (Development and Landscape Impact).

5.6.1 The landscape and visual effects of the wider development were carefully assessed at the time the original outline planning application and the subsequent reserved matters application were considered. The application has been submitted with a further landscape and visual appraisal (LVA) to ensure that the development sensitively responds to the proximity of the AONB boundary and the countryside to the east as well as providing an appropriate settlement edge to the village.

5.6.2 The proposed development has an awkward alignment along the eastern boundary of the site. However, the original boundary of the site is an artificial one and one largely determined by the position of the overhead lines. The additional encroachment of the countryside (currently the site compound under permitted development rights) to facilitate the development does not go beyond the line of the overhead power lines. The proposal incorporates additional landscaping to the south and north of the site, as well as along the eastern boundary, to complement and enhance the approved landscaping buffer along this boundary. Finished flood levels and associated site levels are practically the same as the approved development (c38m AOD). Land levels to the east of the proposed site begin to fall to approximately 35-36m AOD towards the River Lune.

5.6.3 Visual receptors include residential receptors, transient (transport) receptors and recreational receptors. The submitted LVA considered the likely effects on receptors having regard to the proximity of the site to the Forest of Bowland AONB as well as public footpaths through the Lune Valley. Policy DM46 and the NPPF seek to attach great weight to the protection of nationally important designated landscapes (the AONB). The site is not within the AONB and forms part of an allocated housing site. Nevertheless, policy DM46 requires the setting of designated landscapes to be carefully considered and proposals to contribute positively to the character and visual amenity of the designated landscape. This is largely achieved by good design. The proposed development forms a small extension to a previously approved scheme whose landscape and visual effects were fully understood. The design, in its amended form, positively reflects the adjacent development and from most viewpoints will be seen in the context of the existing village and the Forge Weir View development. The scheme provided enhanced landscaping to the southern landscape buffer and along the eastern boundary of the site which provides suitable mitigation and overtime will provide some landscape benefits. Consequently, the residual landscape and visual effects of the

development (given the previously approved scheme) are considered negligible and not significant. The proposal does not, therefore, conflict with local or national landscape planning policy.

5.7 **Consideration 4 – Biodiversity** (NPPF: Chapter 15 paragraph 170 and 174-177 (Habitats and biodiversity); Strategic Policies and Land Allocations (SPLA) DPD policy EN7 (Environmentally Important Areas); Development Management (DM) DPD policies DM44 (Protection and Enhancement of Biodiversity) and DM45 (Protection of Trees, Hedgerows and Woodland)).

5.7.1 Planning policy requires development to contribute to and enhance the natural and local environment. The site is currently used as a site compound with some stock piling of earth, which has formed temporary and common habitats while development has been ongoing on the wider site. The overall ecological value of habitats on site is considered low. Nevertheless, the proposal will result in additional land-take (former arable fields) to accommodate the development. This requires suitable mitigation to conserve and enhance local biodiversity. The proposed development does not involve any tree or hedgerow loss. All surrounding trees and hedgerows are capable of being retained and protected. To mitigate for the loss of arable land, significant landscaping is proposed along the southern and eastern boundaries of the site, together with a pocket of native planting to the north. In addition, whilst no breeding birds or bats were identified on the site, bird and bat boxes are proposed as part of the scheme to provide further biodiversity enhancements. The landscaping along the eastern and southern boundary also provides a suitable buffer to the River Lune Biological Heritage Site and shall comprise native hedgerow and tree/woodland planting. There were no objections from the Council's Arboricultural Officer or GMEU (the Council's ecology advisor) to the initial proposal. The amended scheme has sought to address the matter of woodland planting raised by the Arboricultural Officer and has provided additional information in respect of bird and bat habitat enhancement measures and invasive species. Subject to the imposition of conditions to ensure the landscaping and ecology mitigation and enhancement measures are implemented, the development fully accords with the above referenced local and national planning policy.

5.8 **Consideration 7 – Flood Risk and Drainage** (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) and DM35 (Water Supply and Waste Water)).

5.8.1 The proposed site is situated in flood zone 1 and is not, therefore, a location at risk of flooding. This accords with the general presumptions set out in the NPPF and policy DM33. The critical consideration here relates to site drainage and the appropriate management of surface water to avoid a flood risk on site or elsewhere. Policy DM34 requires development to manage surface water in a sustainable way utilising sustainable drainage systems in accordance with the surface water drainage hierarchy. The application had intended (in its original submission) to primarily drain by infiltration. However, the evidence submitted did not support the method of infiltration across the whole site, nor did it meet operational standards. This forms the basis of the objection from the Lead Local Flood Authority. To address the concerns raised, the applicant has submitted a revised drainage strategy and detailed drainage scheme which now proposes a combination of infiltration methods and direct connections to the estate surface water drainage system and the infiltration basin. The connections from the development to the estate surface water drainage network and infiltration basin are designed to not exceed the pass flow rates of the original development. Additional percolation tests have also been undertaken to assess the feasibility of soakaways (infiltration method) within the site. Due to low infiltration rates within some parts of the site only 5 of the 9 dwellings shall drain by infiltration.

5.8.2 The general approach to the site drainage is not an unacceptable one. In fact, it follows the drainage strategy adopted across the wider development. However, United Utilities and Lead Local Flood Authority are yet to provide comments on the precise details of the amended proposals before there is certainty the proposed drainage scheme is acceptable and would not pose a flood risk on site or elsewhere. A verbal update shall be provided on this matter. If consultees are satisfied with the submitted details, planning conditions shall be imposed to secure the development is carried out in accordance with the submitted details. If the consultees are not satisfied and concerns can not be overcome by condition or the submission of further information, the recommendation may revert to a refusal of planning permission.

5.8.3 The development's foul drainage shall connect to the existing approved foul drainage system, which shall be adopted by United Utilities. This remains the same as the original proposal, save for the reduction to the number of dwellings. United Utilities raised no objection to the proposal for 11 dwellings, therefore a reduction to 9 dwellings is unlikely to be a concern. United Utilities have been reconsulted on the amended plans and a verbal update will be provided.

5.9 Other Matters

5.9.1 Infrastructure considerations

Paragraph 94 of the NPPF and policy DM58 recognises the need for development to support local infrastructure to cope with the impacts of expansion on local services, such as school provision. The NPPF requires local planning authorities to give great weight to the need to create, expand and alter schools through planning both in terms of policy making and decision taking. Local planning policy DM58 states that developments will be expected to provide or contribute towards the provision of measures to directly mitigate the impacts of development. This includes school place provision. In this case, the increase of 7 dwellings overall (2 dwellings have previously been accounted for in earlier education assessment as part of the wider scheme), has a pupil yield of 1. The County Council's Education Assessment indicates that there will be a shortfall of primary school places in 5 years' time across the local primary schools within the catchment of this site. On this basis, a contribution towards 1 primary school place has been requested towards Caton Community Primary School or/and Nether Kellet. Lancashire County Council state these schools are the closest primary schools to the development that have space to accommodate expansion.

5.9.2 Policy DM58 states that development viability is a material consideration. Development viability has evidenced that the development could not support any contributions, including affordable housing and education contributions. The inability to secure an education contribution results in an objection from the County Council on the grounds that the failure to contribute towards school places makes the development unsustainable. It also results in a degree of conflict with policy DM58. This is a matter that must be weighed against the benefits of the proposal.

5.9.3 Permitted Development Rights

In the interests of safeguarding the design and the standard of amenity for existing and neighbouring dwellings, the removal of permitted development rights is considered justified in this case. The removal of permitted development rights will be limited to extensions, outbuildings, gates, walls and enclosures which would be consistent with the wider development.

5.9.4 Legal Agreement

The original planning permission was the subject of a legal agreement to control the provision of open space, affordable housing and the future management of the open space. The triggers for complying with the legal agreement have passed (by virtue of the level of occupation on the wider development). Officers are taking legal advice as to whether it is necessary for the development to be legally tied to the original legal agreement. A verbal update will be provided on this matter.

6.0 Conclusion and Planning Balance

6.1 Whilst the proposal encroaches further into the field to the east, the former eastern boundary of the approved development was an artificial boundary. The extension to the development does not result in any adverse visual or landscape effects or adversely affects the setting of the AONB. The development can be safely accessed without impacting the efficient and safe operation of the local highway network and provision to promote sustainable transport modes has been satisfactory addressed. The design and appearance of the development follows the high-quality nature of the wider scheme that is complemented by significant landscaping to provide a suitable edge to the village settlement and buffer with the surrounding countryside. This also provides for biodiversity enhancements across the site. The layout of the development and the amendments to the house types ensures future and existing residents will have (and retain) an acceptable standard of amenity. Subject to the drainage consultees being satisfied with the details, the amended proposals demonstrate that the development can drain and would not pose a flood risk. Subject to the outstanding drainage consultation, all technical matters have been adequately addressed and overcome. For viability reasons, the development cannot support contributions towards affordable housing or education provision. The Council's affordable housing policy allows for flexibility in respect of development viability. In this case, such has been justified meaning the proposal does

not conflict with planning policy in this regard. The inability to secure an education contribution is the only matter that conflicts with planning policy and guidance. This must be balanced against the benefits of the proposal. The benefits of the proposal primarily include the provision of much needed housing at a time when the Council cannot demonstrate a 5-year supply. Despite the lack of affordable homes, the proposal will deliver smaller market homes which positively responds to the local housing needs.

- 6.2 As set out earlier in the report, the presumption in favour of sustainable development applies which means granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework (NPPF) taken as a whole. Whilst great weight should be applied to the need for education provision (paragraph 94 of the NPPF), significant weight is attributed to the need to provide housing when there is a deficient supply of deliverable housing sites. Subsequently, the lack of an education contribution would not significantly and demonstrably outweigh the benefits of the proposal and on this basis, it is recommended that planning permission is granted.

Recommendation

Subject to the drainage consultees being satisfied with the revised drainage proposals, that Planning Permission **BE GRANTED** subject to the following conditions:

| Condition no. | Description | Type |
|---------------|--|----------------|
| 1 | Time limit | Control |
| 2 | Approved plans | Control |
| 3 | Submission of drainage maintenance scheme | Pre-occupation |
| 4 | Submission of landscape management and maintenance scheme | Pre-occupation |
| 5 | All dwellings to achieve 10% greater than minimum requirement of Part L Building Regulations – verification to be provided | Pre-occupation |
| 6 | Implementation of drainage scheme | Control (TBC) |
| 7 | Implementation of landscaping scheme | Control |
| 8 | Implementation of ecology mitigation scheme (including construction method statement for working close to River Lune) | Control |
| 9 | Limitation to works during bird nesting period | Control |
| 10 | Access and turning provision | Control |
| 11 | Garage use | |
| 12 | Implementation of cycle storage and EV charging facilities | Control |
| 13 | Implementation of boundary treatments and enclosures to each dwelling before occupation and such to be retained | Control |
| 14 | All dwellings to comply with NDSS standards | Control |
| 15 | Hours of construction | Control |
| 16 | Unforeseen contamination | Control |
| 17 | Removal of permitted development rights | 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 | 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 |

(i) **Procedural Matters**

This planning application was presented to Planning Regulatory Committee on 9 November 2020. Councillors resolved to approve the development, in line with the Officers' recommendation. Without the benefit of formal planning consent, the applicant made a start on site in terms of the formation of the access off the A588 and the regrading of the land. Given there has been a material change in circumstances, and the approved conditions are no longer capable of being addressed in line with the Committee's resolution, the scheme is be referred back to Planning Regulatory Committee for further consideration.

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%); and
- 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 £92,247.00 given the pending number of other applications this could rise to include primary school provision at a cost of £117,249.72 |
| 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 | No objection |

4.2 To date there has been 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

The background paper details the full consideration of the application. This report solely concentrates on the issues that have arisen since the scheme was reported to the Planning Regulatory Committee in November 2020. Therefore, the only consideration is:

- How the unauthorised engineering works affect the resolved to be approved consent from November 2020.

5.1 **Consideration 1: How the unauthorised engineering works affect the resolved to be approved consent from November 2020** – National Planning Policy Framework Paragraphs 55 and 58, Development Management DPD Policy DM65 – The Enforcement of Planning Controls

5.1.1 Within a matter of hours of the Committee's resolution to approve the development proposal in November 2020, the applicant made a start on site in the form of engineering operations to create the access from the A588, and significant earth remodelling across the site. Officers served a Temporary Stop Notice (TSN) on the developer on 16 November 2020. This required all operations to cease on the site with immediate effect. The developer continued to work on the site despite the TSN being served, although at the time of drafting this Committee report (9 December 2020) works have ceased on the site. The Temporary Stop Notice is effective for 28 days from when the notice was served and therefore expires on 14 December.

5.1.2 Whilst the works undertaken are in broad correlation with what would have been expected when development on site commences, no formal planning permission has been granted. The consent is subject to a Section 106 agreement, and whilst there has been progress in this regard, given signatories include the County Council as the Education Authority, it is expected that the legal agreement will not be drafted, agreed and signed by all parties until early 2021. Only then can the planning consent be issued, which will then require the applicant to agree a series of pre-commencement conditions by way of a formal discharge of condition application.

5.1.3 The works that have occurred essentially involve the formation of the access off the A588 and significant regrading works across the site. The works sparked concern locally and a series of complaints were received by the Planning and Place Service. There were several planning conditions that required details to be submitted to, and approved in writing by, the Local Planning Authority in advance of any works commencing. Whilst the applicant stated all details had been submitted, the details of the surface water drainage was only submitted in December as one example. There has been a disregard of the planning process, not only to commence on site in advance of the formal issue of planning permission and agreement of the Section 106, but also to continue to work on site following the issuing of the Temporary Stop Notice. It is an offence to contravene a Temporary Stop Notice and the local planning authority is considering prosecution. For the benefit of Councillors, should a person be found guilty of an offence they can be subject to an unlimited fine. This is a separate process to the determination of the planning application. The question for Councillors is would they have arrived at a different planning decision given the works that have been carried out on site and the approved resolution is no longer capable of being implemented.

5.1.4 Whilst there has been a material start on site, Officers still recommend approval of the scheme given the works that have been carried out follow the general ethos of the resolved to be approved scheme. There were several pre-commencement planning conditions. It is proposed to re-word or remove these in line with paragraph 5.1.5. Critically no further work should occur until such time all the detail has been submitted to, and approved in writing by, the Local Planning Authority.

| 5.1.5 | Condition no. | Description | Approved 10 November 2020 | Proposed 5 January 2021 |
|-------|---------------|-------------|---------------------------|-------------------------|
|-------|---------------|-------------|---------------------------|-------------------------|

| | | | |
|---|---|------------------|---|
| 1 | 3-year timescales | Control | Remove – no longer necessary |
| 2 | Approved plans | Control | Retain |
| 3 | Surface water drainage detail | Pre commencement | No further work to occur until details agreed |
| 4 | Foul water drainage detail | Pre commencement | No further works to occur until details agreed |
| 5 | Employment and Skills Plan | Pre commencement | No further works to occur until detail agreed |
| 6 | Water main easement details | Pre commencement | No further works to occur until detail agreed |
| 7 | Access detail | Pre commencement | Detail has been agreed for the formation of the access – detail of internal alignment of highways will still be required. |
| 8 | Site and finished floor levels | Pre commencement | No further works to occur until detail agreed. |
| 9 | Nationally Described Space Standards and M4(2) compliance | Pre commencement | No further works to occur until detail agreed. |

6.0 Conclusion and Planning Balance

- 6.1 There has been a disregard of the planning system by the applicant, not only by commencing development a matter of hours following the resolution by Committee to support the scheme, but far more significantly, continuing to work on site following the issue of a Temporary Stop Notice. As noted in this report, the Local Planning Authority will be considering prosecution against those concerned in this regard. This should not be a factor in terms of Councillors making a decision on the application before them.
- 6.2 Notwithstanding the above, the proposal is unchanged since Committee supported the application in November 2020. There is a need for amendments to the timescale triggers associated with the planning conditions, and these are noted in paragraph 5.1.5. Whilst it is frustrating, the proposal is still acceptable in planning terms and is therefore recommended for approval.

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 **£92,247.00** for four secondary school places
- 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 | Approved plans | Control |
| 2 | Surface water drainage detail | No further works to occur until detail agreed |

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

Committee report for 9 November 2020 meeting of the Planning Regulatory Committee (19/00438/FUL)

BACKGROUND PAPER TO A6: 19/00438/FUL

| | |
|----------------------------------|---|
| Agenda Item | A6 – 9 November 2020 |
| 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 |
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| 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 | 20/00691/LB |
| Proposal | Listed building application for the removal and installation of partition walls and internal doors, and the installation of new ducting and a stairlift |
| Application site | Bay Radio Ground & First Floor 26 St Georges Quay Lancaster |
| Applicant | Miss Caroline Nugent |
| 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 landowner, and as such the application must be determined by the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 The site is a Grade II listed building, situated on St Georges Quay by the River Lune in Lancaster Conservation Area (Character Area 1: The Quay). The site formally accommodated a radio station, Heart Radio. It was also the building where Reebok started its life. No. 26 was originally built in 1750 as a warehouse that served the quayside, during Lancaster's Golden Age as a port.

2.0 Proposal

2.1 The application seeks Listed building Consent for the following internal works:

- Installation of a stairlift;
- Removal of some existing partition walls and installation of new partition walls and new doors; and
- Internal ducting to link to the new extraction at the rear

2.2 It should be noted that the proposal originally included provision for the installation of 3 external vents to the rear elevation, but following discussions with the applicant these have been removed from the application.

2.3 The internal changes are proposed to accommodate a change of use of the building from a former radio station and associated offices to a mixed-use unit comprising offices and a health and wellbeing centre. A planning application was also submitted for the change of use (20/00485/FUL. However, it was found not to require planning permission, so was subsequently withdrawn.

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 |
|--------------------|--|-----------|
| 07/00669/LB | Listed Building application for demolition of buildings to rear and alterations and reinstatement of rear flank wall | Refused |
| 05/01649/ADV | Erection of replacement signage and logo | Permitted |
| 20/00485/FUL | Change of use of former radio station and associated offices (B1) to a mixed-use unit comprising offices and a health and wellbeing centre (B1/D1) and the installation of 3 vents to the rear | Withdrawn |

4.0 Consultation Responses

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

| Consultee | Response |
|----------------------|--------------|
| Conservation Officer | 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:

- Impact on Heritage Asset
- Impact on Conservation Area

- 5.2 Impact on the Heritage Asset (NPPF Section 16 (Conserving the Historic Environment) & DPD Policies DM37 & DM39)

- 5.2.1 The impact of these proposals on the Listed building must be assessed according to the statutory duties of the Local Planning Authority under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. In addition, Development Management DPD policies DM37, DM38 & DM39 and NPPF paragraphs 192-196 are also relevant in assessing this proposal.
- 5.2.2 NPPF Paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 5.2.3 When considering the internal alterations, these involve the removal of some partition walls to help accommodate the new proposed use. New partition walls will be inserted to help create a nurse's room, doctor's rooms, duty/staff room and storage facilities, which is considered acceptable. In relation to the ducting, this will be connected to the existing ventilation system and will be enclosed, and the boxes will be covered in fire rated plaster, which the Conservation Officer considers to be acceptable. The stairlift will be situated in the northern section of the building and the fixing and siting of this are considered to not have an adverse impact to the internal or historical features of the Listed Building, which is considered to be acceptable.
- 5.2.4 In conclusion, these changes are minor and are considered reasonable to accommodate the new use of the building. The Conservation Officer concludes that these proposed changes have a neutral impact to the Listed building and will have no unacceptable adverse effects. The proposed changes do not amount to substantial or less than substantial harm to the Listed building or its setting, and as a result the harm does not need to be weighed against the public benefits of the scheme in

accordance with NPPF Paragraph 196, given the proposal. Notwithstanding this, the development will keep the building in a viable use, which is a significant public benefit.

5.3 Impacts to the Conservation Area (NPPF Section 16 - Conserving the Historic Environment) & DPD Policies DM38)

5.3.1 The site sits in a Conservation Area and policy DM38 is relevant. Policy DM38 states that development within Conservation Areas will only be permitted where it has been demonstrated that:

- Proposals respect the character of the surrounding built form and its wider setting in terms of design, siting, scale, massing, height and the materials used;
- Proposals will not have an unacceptable impact on the historic street patterns / boundaries, open spaces, roofscape, skyline and setting including important views into and out of the area;
- Proposals will not result in the loss or alteration of features which contribute to the special character of the building and area; and,
- Proposed uses are sympathetic and appropriate to the character of the existing building and will not result in any detrimental impact on the visual amenity and wider setting of the Conservation Area

5.3.2 When considering the requirements of policy DM38, the proposal does not have an adverse impact on the Conservation Area. Given that all changes are internal, the proposal will have no impacts on visual amenity and the wider setting of the Conservation Area and will not result in the loss of features that contribute to the special character of the Conservation Area. Therefore, in conclusion, the proposal complies with the requirements of policy DM38.

6.0 Conclusion and Planning Balance

6.1 In summary, the works to the Listed building are considered acceptable. The internal proposals would not be an undue and dominant addition to the building. The proposal meets the criteria set out in the policy context set out in the Development Management DPD (July 2020) and the Strategic Policies and Land Allocations DPD (July 2020).

Recommendation

That Listed Building Consent **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 |

Background Papers

None

LANCASTER CITY COUNCIL

| APPLICATION NO | DETAILS | DECISION |
|----------------|---|-----------------------|
| 20/00083/FUL | The Sports Centre, Bigforth Drive, Bailrigg Retrospective application for the construction of external steps with handrails to the south and construction of external steps with handrails and a footpath to the north and installation of lighting bollards for Mr David Griffiths (University And Scotforth Rural Ward) | Application Permitted |
| 20/00086/DIS | Galgate Mill, Chapel Lane, Galgate Discharge of condition 5 on approved application 14/00989/CU for UK Mills (Ellel Ward 2015 Ward) | Application Permitted |
| 20/00108/DIS | 61 - 63 Penny Street, Lancaster, Lancashire Discharge of conditions 3 and 4 on approved application 18/01522/CU for Mr Paul Gorrill (Castle Ward 2015 Ward) | Application Permitted |
| 20/00114/DIS | J Kelly Laminates (Morecambe) Ltd, Northgate, White Lund Industrial Estate Discharge of conditions 3, 4 ,5, 6 and 7 on approved application 19/01359/FUL for Hazel Ronson (Westgate Ward 2015 Ward) | Split Decision |
| 20/00124/DIS | Greta Bridge House Cottage, Cantsfield Road, Cantsfield Discharge of condition 5 on approved application 17/00983/FUL for Miss Elizabeth Fox (Upper Lune Valley Ward 2015 Ward) | Application Permitted |
| 20/00126/DIS | Ellel Hall, Ellel Hall Gardens, Galgate Part discharge of condition 3 on application 20/00009/FUL for Mr & Mrs Smith & Hewitt-Smith (Ellel Ward 2015 Ward) | Application Permitted |
| 20/00129/DIS | Hérons Wood Farm, Lancaster Road, Conder Green Discharge of conditions 3, 4,5, 6, 7, 8 and 9 on approved application 19/01457/FUL for Mr T Jayousi (Ellel Ward 2015 Ward) | Split Decision |
| 20/00130/DIS | Gornalls Cottage, Flintron Brow, Over Wyresdale Discharge of conditions 5 and 8 on approved application 20/00335/LB for Declan Hoare (Ellel Ward 2015 Ward) | Split Decision |
| 20/00134/DIS | Tarnsyke Cottage, Flintron Brow, Over Wyresdale Discharge of conditions 4 and 8 on approved application 20/00427/LB for Declan Hoare (Ellel Ward 2015 Ward) | Split Decision |
| 20/00135/DIS | Tarnsyke Cottage, Flintron Brow, Over Wyresdale Discharge of conditions 3 and 5 on approved application 20/00426/FUL for Declan Hoare (Ellel Ward 2015 Ward) | Split Decision |
| 20/00380/FUL | Manor Farm, Chapel Lane, Overton Erection of 5 dwellings, creation of new vehicular access and regrading of land for Mr & Mrs D Williams (Overton Ward 2015 Ward) | Application Refused |

LIST OF DELEGATED PLANNING DECISIONS

| | | |
|--------------|---|-----------------------|
| 20/00477/FUL | Sales Office Middleton Retirement Village, Natterjack Lane, Middleton Erection of a two storey building incorporating a shop (A1) and cafe (A3) on the ground floor and staff accommodation (C3) on the first floor with associated car parking and domestic garden area for Mr Ward (Overton Ward 2015 Ward) | Application Permitted |
| 20/00493/LB | The Coach House, Church Brow, Halton Listed Building application for the installation of replacement roof lights at the front and rear for Mr Andrew Greenhalgh (Halton-with-Aughton Ward 2015 Ward) | Application Permitted |
| 20/00622/FUL | 15 Hestham Avenue, Morecambe, Lancashire Rear of house; Raised patio area from extension built and planned and approved. To make safer for children and in line with same houses to left of front. for Sarah Hague (Harbour Ward 2015 Ward) | Application Withdrawn |
| 20/00686/FUL | 6 Haverbreaks Place, Lancaster, Lancashire Construction of a dormer to the North East and South West side elevations and installation of rooflight to SW elevation for Mr and Mrs Curran (Scotforth West Ward 2015 Ward) | Application Permitted |
| 20/00738/CU | 236 Marine Road Central, Morecambe, Lancashire Change of use of ground floor shop to a takeaway (sui generis) for Mr Abdullah Turget (Poulton Ward 2015 Ward) | Application Refused |
| 20/00749/FUL | The Coach House, Church Brow, Halton Installation of replacement roof lights at the front and rear for Mr Andrew Greenhalgh (Halton-with-Aughton Ward 2015 Ward) | Application Permitted |
| 20/00753/FUL | 2 Spruce Avenue, Lancaster, Lancashire Erection of a single storey rear extension and a first floor side extension for Mr.&Mrs. S. Ball (Scotforth West Ward 2015 Ward) | Application Permitted |
| 20/00781/NMA | 278 Heysham Road, Heysham, Morecambe Non material amendment to planning permission 19/00218/FUL enhanced brickwork to better match the existing building and two small windows (900mm by 300mm), one on each floor, facing into the rear garden for Mr Christopher Garbutt (Heysham Central Ward 2015 Ward) | Application Withdrawn |
| 20/00784/FUL | 10 Kirkbeck Close, Brookhouse, Lancaster Retrospective application for the retention of a raised patio area and landscaping for Mr And Mrs C Hothersall (Lower Lune Valley Ward 2015 Ward) | Application Permitted |
| 20/00793/FUL | Beckside Cottage, Whitebeck Lane, Priest Hutton Part retrospective application for demolition of conservatory, erection of single storey extensions to southwest and northwest elevations and stone facing on existing southeast extension for Mr A Stoye (Kellet Ward 2015 Ward) | Application Permitted |
| 20/00805/FUL | 17 Foxfield Avenue, Morecambe, Lancashire Demolition of existing conservatory, erection of a single storey rear extension and construction of dormer extensions to front and rear elevations to replace existing for Mr.&Mrs. D. Smith (Westgate Ward 2015 Ward) | Application Permitted |

LIST OF DELEGATED PLANNING DECISIONS

| | | |
|---------------|--|-----------------------|
| 20/00835/FUL | Foundry Barn, Foundry Lane, Halton Erection of a single storey rear extension for Mr and Mrs Stephen Norfolk (Halton-with-Aughton Ward 2015 Ward) | Application Permitted |
| 20/00836/REM | Land Adjacent Burrow House, Burrow Heights Lane, Lancaster Reserved matters application for the erection of two detached dwellings. for Mr Stainton (University And Scotforth Rural Ward) | Application Permitted |
| 20/00847/FUL | 108 Heysham Road, Heysham, Morecambe Alterations to rear balcony for Mrs Moira Parker (Heysham North Ward 2015 Ward) | Application Permitted |
| 20/00870/FUL | 8 Saxon Heights, Heysham, Morecambe Erection of a single storey rear extension and side link extension to garage for Mr Matthew Entwistle (Heysham South Ward 2015 Ward) | Application Permitted |
| 20/00871/ADV | Tyre Force NW Limited, Haws Hill, Carnforth Advertisement application for the display of non-illuminated signage comprising of one fascia sign, two free-standing signs, and five window signs for Mr Andy Wickham (Carnforth And Millhead Ward 2015 Ward) | Application Permitted |
| 20/00905/FUL | Batty Hill Farm, Lancaster Road, Cockerham Construction of a roof over existing silage pit for Mr Peter Hewitt (Ellel Ward 2015 Ward) | Application Permitted |
| 20/00909/FUL | 65 Sand Lane, Warton, Carnforth Erection of a single storey outbuilding to the side for Mr David Morphy (Warton Ward 2015 Ward) | Application Permitted |
| 20/00910/FUL | 4 Tibicar Drive West, Heysham, Morecambe Erection of a single storey rear extension for Kevin and Elizabeth Anne Clarke (Heysham Central Ward 2015 Ward) | Application Permitted |
| 20/00911/FUL | 62 Ullswater Road, Lancaster, Lancashire Retrospective application for the retention of a detached outbuilding for Mr S Montgomery (Bulk Ward 2015 Ward) | Application Permitted |
| 20/00920/PLDC | 100 Gressingham Drive, Lancaster, Lancashire Proposed lawful development certificate for the erection of a single storey side extension and installation of a window and door to the side elevation for Elizabeth Packham (Scotforth East Ward 2015 Ward) | Application Withdrawn |
| 20/00947/PLDC | 244 Heysham Road, Heysham, Morecambe Proposed lawful development certificate for the conversion of existing detached garage to ancillary accommodation in association with 244 Heysham Road for Mr.&Mrs. P. Sykes (Heysham Central Ward 2015 Ward) | Application Permitted |
| 20/00950/FUL | Catshaw Hall Farm, Scorton Marshaw Road, Over Wyresdale Erection of two roof structures over existing yard areas for Mr William Drinkall (Ellel Ward 2015 Ward) | Application Permitted |
| 20/00957/FUL | 23 The Roods, Warton, Carnforth Retrospective application for the retention of a link side extension and installation of a single pitched roof over extension and existing outbuilding for Dr C Walker (Warton Ward 2015 Ward) | Application Permitted |

LIST OF DELEGATED PLANNING DECISIONS

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|---------------|--|--|
| 20/00961/PLDC | 53 Cleveleys Avenue, Lancaster, Lancashire Proposed lawful development certificate for the construction of a hip to gable and dormer extension to the rear and installation of a roof light to the front elevation for Mr & Mrs G Punt (Skerton West Ward 2015 Ward) | Lawful Development Certificate Granted |
| 20/00966/FUL | J Kelly Laminates (Morecambe) Ltd, Northgate, White Lund Industrial Estate Erection of a storage building for Mr Andrew Peacock (Westgate Ward 2015 Ward) | Application Withdrawn |
| 20/00968/FUL | Brunstow, Scriffen Lane, Ellel Concreting of existing yard and track for Mr James Hayhurst (Ellel Ward 2015 Ward) | Application Permitted |
| 20/00986/FUL | 11 Aldcliffe Hall Drive, Aldcliffe, Lancaster Erection of a garden room for Mr Michael Stainton (Scotforth West Ward 2015 Ward) | Application Permitted |
| 20/00988/FUL | Glenogle, Lancaster Road, Caton Demolition of existing garage and erection of a single storey side extension and a part single storey part two storey rear extension for Mr Barry Mather (Lower Lune Valley Ward 2015 Ward) | Application Permitted |
| 20/00992/PLDC | 5 Hexham Road, Morecambe, Lancashire Proposed lawful development certificate for the removal of existing chimney and construction of a dormer extension to side elevation for Mr & Mrs. M. Parker (Torrisholme Ward 2015 Ward) | Lawful Development Certificate Granted |
| 20/00995/PLDC | 3 Sharpes Avenue, Lancaster, Lancashire Proposed lawful development certificate for the construction of a hip-to-gable and a dormer extension to the rear and installation of two rooflights to the front for Mr & Mrs Holt (Scotforth West Ward 2015 Ward) | Lawful Development Certificate Granted |
| 20/01000/FUL | Low Greenlands, Burton Road, Priest Hutton Siting of 12 glamping pods on existing caravan site, erection of free standing 3m high canopy and creation of a parking area and footpaths for Mr Leigh Astin (Kellet Ward 2015 Ward) | Application Permitted |
| 20/01006/PAM | Public Footway Opposite Regent Bay Holiday Park, Westgate, Morecambe Prior approval for the installation of a 15m telecommunications pole and 4 associated telecommunications cabinets for Hutchinson 3G UK Ltd (Torrisholme Ward 2015 Ward) | Prior Approval Granted |
| 20/01007/PLDC | 57 Regent Park Grove, Morecambe, Lancashire Proposed lawful development certificate for the erection of a single storey rear extension and installation of two windows to the ground floor side elevation for Mr.&Mrs. C. Blake (Harbour Ward 2015 Ward) | Lawful Development Certificate Granted |
| 20/01016/PLDC | 42 Strickland Drive, Morecambe, Lancashire Proposed lawful development certificate for erection of single storey rear extension and installation of a door and window to the side elevation for Miss H. Christian (Bare Ward 2015 Ward) | Lawful Development Certificate Granted |
| 20/01038/FUL | 29 Coach Road, Warton, Carnforth Creation of new vehicular access off Coach Road and construction of a driveway, erection of a stone boundary wall and gate and alterations to land levels for Mr Ian Betley (Warton Ward 2015 Ward) | Application Withdrawn |

LIST OF DELEGATED PLANNING DECISIONS

| | | |
|--------------|--|-----------------------|
| 20/01059/VCN | RSPB, Leighton Moss, Storrs Lane Alterations to land levels to create ditches, bunds, pools and an island feature and the installation of a sluice to form an area of raised water (pursuant to the variation of condition 4 on planning permission 19/01464/FUL allow works to be undertaken between 1 July and 31 March) for Mr Richard Miller (Silverdale Ward 2015 Ward) | Application Permitted |
| 20/01076/FUL | 18 St Nicholas Lane, Bolton Le Sands, Carnforth Erection of a single storey rear and side extension for Mr And Mrs Wait (Bolton And Slyne Ward 2015 Ward) | Application Permitted |
| 20/01081/FUL | Medina, 9A Meadow Park, Galgate Erection of a single storey side extension, construction of dormer extensions to the front and rear elevations, removal of garage door and installation of replacement window and installation of replacement doors to the rear elevation for Mr and Mrs Watts (Ellel Ward 2015 Ward) | Application Permitted |
| 20/01085/LB | 3 Castle Hill, Lancaster, Lancashire Listed building application for the installation of three rooflights to rear roof slope for Mr Rob Morrish (Castle Ward 2015 Ward) | Application Permitted |
| 20/01091/FUL | Lock House, Burton Road, Tewitfield Erection of a 2.43m high green steel panel fence to south boundary for Mrs Anita Reynolds De Gonzalez (Kellet Ward 2015 Ward) | Application Refused |
| 20/01093/FUL | 74 Morecambe Road, Morecambe, Lancashire Demolition of existing rear extension and erection of a single storey rear and side extension for Mr Denninson (Torrisholme Ward 2015 Ward) | Application Permitted |
| 20/01125/FUL | 3 Viscount Drive, Lancaster, Lancashire Erection of a single storey rear extension for Mr Paul Jackman (Scotforth West Ward 2015 Ward) | Application Permitted |
| 20/01128/FUL | University Hospitals Of Morecambe Bay NHS Foundation Trust, Royal Lancaster Infirmary, Ashton Road Removal of existing external spiral staircase and erection of a three storey staircase extension to north elevation of Surgical Admissions Building and Education Centre for Mark Hampton (Scotforth West Ward 2015 Ward) | Application Permitted |
| 20/01147/FUL | 29 Coleman Drive, Lancaster, Lancashire Erection of a single storey rear extension for Mr Daniel Coll (Bulk Ward 2015 Ward) | Application Permitted |
| 20/01171/FUL | 2 Main Road, Nether Kellet, Carnforth Erection of a two storey side extension and single storey rear/side extension incorporating replacement roof for Mr Thomas Evans (Kellet Ward 2015 Ward) | Application Permitted |
| 20/01177/FUL | 82 Main Road, Slyne, Lancaster Replacement of glazed orangery roof with a slated hipped roof for Mr James Branston (Bolton And Slyne Ward 2015 Ward) | Application Permitted |
| 20/01194/FUL | 254 Heysham Road, Heysham, Morecambe Erection of a single storey rear and side extension for Mr.&Mrs. E. Parkinson (Heysham Central Ward 2015 Ward) | Application Permitted |

LIST OF DELEGATED PLANNING DECISIONS

| | | |
|---------------|--|--|
| 20/01197/PLDC | 16 Winster Park, Lancaster, Lancashire Erection of single storey rear extension and creation of additional parking space to the front for Mr. G.P. Welsh (Skerton West Ward 2015 Ward) | Application Withdrawn |
| 20/01212/FUL | Tithe Barn, Capernwray Road, Over Kellet Erection of a detached garage for Mr And Mrs J & L Fox (Kellet Ward 2015 Ward) | Application Permitted |
| 20/01224/ELDC | Heysham Port Limited, North Quay, Heysham Harbour Existing lawful development certificate for the use of the land as a helicopter landing facility for Heysham Port Limited (Overton Ward 2015 Ward) | Lawful Development Certificate Granted |
| 20/01225/PLDC | 22 Whinfell Drive, Lancaster, Lancashire Proposed lawful development certificate for the construction of a dormer extension to the rear elevation for Mrs McCaferty (Scotforth East Ward 2015 Ward) | Lawful Development Certificate Granted |
| 20/01227/PLDC | 20 Spruce Avenue, Lancaster, Lancashire Proposed lawful development certificate for the erection of a single storey rear extension for Mr & Mrs M Norcliffe (Scotforth West Ward 2015 Ward) | Lawful Development Certificate Granted |
| 20/01236/PLDC | 11 Parkside, Morecambe, Lancashire Proposed lawful development certificate for the construction of a dormer extension to the rear, installation of rooflights to the front and installation of a window to the side elevation for C & A Wong (Westgate Ward 2015 Ward) | Lawful Development Certificate Granted |
| 20/01242/AD | Cinderbarrow Farm, Cinderbarrow Lane, Yealand Redmayne Agricultural Determination for the construction of a silage clamp with roof and erection of roofs over yards for Mr Richard Clarke (Silverdale Ward 2015 Ward) | Prior Approval Not Required |
| 20/01249/PLDC | 20 Conder Green Road, Galgate, Lancaster Proposed lawful development certificate for the construction of a dormer extension to the rear for Mr. C. Chistol (Ellel Ward 2015 Ward) | Lawful Development Certificate Granted |
| 20/01250/AD | Marshaw Farm, Marshaw Wyre, Over Wyresdale Agricultural Determination for the excavation of 200mm soil to place clean inert hardcore down to create hardstanding area for farm bedding straw waste for Mr Jim Curwen (Ellel Ward 2015 Ward) | Prior Approval Refused |
| 20/01258/PLDC | 8 Brock Close, Morecambe, Lancashire Proposed Lawful Development Certificate for the erection of a single storey rear extension and erection of a single storey side extension for Mr & Mrs J Booth (Skerton West Ward 2015 Ward) | Lawful Development Certificate Granted |