



Committee: PLANNING REGULATORY COMMITTEE

Date: MONDAY, 1 FEBRUARY 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.

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 5th January 2021 (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 20/00277/FUL | Land at Low Road, Halton, Lancashire | Halton-with-Aughton Ward | (Pages 5 - 19) |
| | | Erection of 9 dwellings with associated infrastructure and landscaping. | | |
| 6 | A6 20/01005/FUL | St John's Hospice, Slyne Road, Lancaster, Lancashire | Bolton and Slyne | (Pages 20 - 28) |
| | | Demolition of The Lodge/The Gate House (class E) and erection of a 2-storey building to create a family support centre (class E) and erection of fenced enclosure at the rear and associated footpaths. | | |
| 7 | A7 19/01568/FUL | Land at Royal Albert Farm, Pathfinders Drive, Lancaster, Lancashire | Scotforth West Ward | (Pages 29 - 45) |
| | | Erection of 53 dwellings, 1 3-storey building comprising 8 2-bed | | |

apartments and conversion of Derby Home to 8 apartments, regrading of land, creation of parking areas, internal roads including associated upgrading works to Pathfinders Drive, footpaths, drainage infrastructure and provision open space.

- 8** **A8 [19/01569/LB](#)** **Derby Home, Pathfinders Drive, Lancaster, Lancashire** **Scotforth West Ward** **(Pages 46 - 48)**

Listed building application for the removal of the side extension and external staircase, construction of a pitched roof to existing dormer, installation of a roof light and replacement rainwater goods, construction of a new entrance in existing window opening to the side, new window openings to all elevations, removal of doorway opening on the first floor and construction of a new doorway opening and ramp to form new front entrance and construction of internal partition walls, and provision of new slate roofing.

9 **Delegated List (Pages 49 - 57)**

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 19th January 2021.

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	Approve

(i) **Procedural Matters**

This application has been reported back to the Planning Regulatory Committee following a deferral at last month's committee (5 January 2021) to allow officers to review the potential for noise emissions from the overhead powerlines on the amenity of the proposed dwellings and to review the planning (tilted) balance in light of the Council's 5 year housing land supply position, and the development proposal's lack of affordable housing provision and the lack of an education contribution.

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>No comments have been received in response to the amended plan consultation.</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.
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 towards Caton Community Primary School and/or Nether Kellet Primary School. If the contribution is not secured, the County Council School

	Planning Team object to the proposal on the grounds the proposal would be unsustainable.
Lead Local Flood Authority	No objection subject to the following conditions: <ul style="list-style-type: none"> • Construction Method Statement to manage surface water during construction • Detailed surface water scheme limiting the pass flow rates to the surface water system to that of the original approved scheme (for 60 dwellings) • Drainage maintenance and verification of implemented scheme
United Utilities	No objection provided the whole surface water drainage strategy can accommodate the additional development. <i>NB: United Utilities have confirmed no objections to the development from a water supply perspective.</i>
Environmental Health Service	No objection subject to unforeseen land contamination condition and confirmation that noise from the overhead powerlines is unlikely to lead to adverse effects to affect the amenity of future occupants of the development.
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, and amendments to the development, National Grid no longer object to the development.
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	Following amendments to the planning schedule/landscaping, no objection subject to the following condition: <ul style="list-style-type: none"> • Implementation of amended landscaping
Greater Manchester Ecology Unit (GMEU)	No objection subject to the following conditions: <ul style="list-style-type: none"> • Implementation of amended landscaping • Details of external lighting • Implementation of bird/bat habitat
Lancashire County Council Public Rights of Way Officer	No comments received.
Ramblers Association	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 uncertainly 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, 21 letters of opposition have been received, together with a petition against the development (59 signatures from 29 households). 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.
- Reference to inconsistencies of plot numbers between the plans and Wrenman Homes website.
- No consideration of privacy.
- Preparation work already undertaken assuming a forgone conclusion to the decision.
- Infrastructure and services unable to cope with the effects of this development and other development in the village (water supply and internet).
- Light intrusion to properties close to the junction.
- Questions the planning application process.

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 road. There is suitable, safe and improved provision for pedestrians between the development and the village to access local services and bus stops. The closest bus stop is located on Low Road by Forgewood Drive. In principle, the proposed site is considered a sustainable location for residential development (noting it falls within a housing allocation) 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 the 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. However, the applicant has confirmed that House Type B (plots 66/67) does conform to the requirements of M4(2), save for the depth of the door canopy.
- 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 LPA, 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 this 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. The original scheme for 60 dwellings required a range of off-site highway improvements works. These works have been carried out and largely include gateway traffic calming measures and enhancements to pedestrian footways, crossing facilities and a new bus stop. The Highway Authority have raised no objection to the proposal on traffic, highway efficacy or safety grounds.

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 wide path to the other side of the carriageway and throughout the remainder of the development. This is acceptable to the County Highway Authority. Given the number of dwellings proposed in this location, the 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 would provide 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); National Grid Design guidelines for development near pylons and high voltage overhead power lines.**

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. This provides both amenity and design improvements to the 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 (privacy), 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 as part of 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 effects of the development are more notable on plots 29 (of the approved scheme). The proposed development will bring the built form much closer to their property than the approved development and as a result will feel more overbearing. However, the interface distance between the blank gable wall of plot 66 and the rear elevation (containing habitable windows) of plot 29 is 12.5 metres and therefore policy compliant. A refusal on the grounds of residential amenity would be difficult to substantiate in these circumstances. 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 power lines. In this case, the development lies adjacent to the powerlines rather than directly underneath them. There are no operational constraints associated with the development lying close to the overhead powerlines. The applicant has adequately demonstrated to the satisfaction of National Grid that the development would not impinge the safety clearance distances to the powerlines.
- 5.5.9 In terms of the effects on residential amenity, the development is located to the south west of the existing pylon located approximately 22m from the development (plot 61/62). The visual impact of the pylon will be most notable from plots 23/61/62. The amended scheme has sought to mitigate the visual impacts slightly by pulling the development away from the pylon and the overhead lines together with the provision of a landscaping buffer immediately to the north of the gardens to plots

61/62. The revised positioning of the affected plots slightly off-sets the direct line of sight of the pylon to minimise the visual impacts. This accords with the design guidance set out by National Grid.

- 5.5.10 In addition to the visual effects of the pylon, consideration of potential noise effects (largely from the overhead lines) has also been considered. National Grid's design guidance states that high voltage overhead lines can generate noise. The level of noise depends on the voltage of the overhead power lines and weather conditions. Sometimes a 'crackling' sound accompanied by a low frequency hum can be heard. Higher noise levels are likely to occur during damp weather conditions. Paragraph 180 of the NPPF states that planning decisions should ensure that new development is appropriate for its location taking account the likely effects of pollution on health and living conditions. Policy DM29 equally requires there to be no significant detrimental impacts to amenity in relation to pollution.
- 5.5.11 The development lies within in an allocated housing site, therefore, a site considered suitable for residential development. This housing allocation follows the alignment of the overhead lines and is based on the approved development for 60 dwellings. The outline and subsequent reserved matters approval did not require the submission of a noise assessment nor were there any concerns raised by National Grid or the Environmental Health Service in relation to noise effects from the overhead lines. The approved scheme has dwellings at the closest point around 8m from the overhead lines extending to circa 20+ metres. The proposed dwellings are located between 8m (centre point of side facing gable at plot 62) and 20m from the alignment of the overhead lines. The proposed development does result in more dwellings closer to the overhead lines but in some cases shares a similar relationship to the permitted scheme. Like the original outline and reserved matter applications, National Grid and the Council's Environmental Health Service (EHS) have not objected to the development on the grounds of noise impacts. Following last month's Planning Regulatory Committee, the Council's Environmental Health Service has advised the Case Officer that they have not received any complaints from residents of the estate about adverse impacts concerning noise from the overhead power lines. Furthermore, they have advised that there are no recorded complaints relating to this type of noise on their information systems historically. This strongly suggests that the effects of noise from the overhead lines is not likely to result in significant adverse effects and certainly not from within the dwellings themselves. Noise from the powerlines will be greatest, albeit unlikely to be harmful, when it is raining. Inside the dwellings the noise is unlikely to be adverse, if at all audible. Externally, the noise would be audible but during wet conditions the external space will not be heavily used to result in significant adverse effects to the enjoyment of this space. The Council's EHS is of the opinion that the development would not be adversely affected by noise and that there is little justification to request further noise information to assess and determine the application or resist the application on the grounds of noise.
- 5.5.12 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.
- 5.5.13 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 contemporary design, appearance and use of materials to the dwellings of the approved scheme. For this reason, the development appropriately responds to local distinctiveness and reflects the surrounding built form. 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.
- 5.5.14 The amount, layout and appearance of the development has been amended twice during the assessment period of the application. The first set of amendments reduced the quantum of development from 11 dwellings to 9 dwellings. The second set of amendments relate to minor changes to the housetypes following the Committee meeting last month. The changes are subtle, cost-saving adaptations, which on balance do not compromise the overall design or appearance of the dwellings or wider development. These changes include, for example, changes to the rainwater goods, rear aluminium bi-fold doors replaced with uPVC, cladding removed from side elevations, and the rear bay window and balcony and dormer removed from the rear of plot 65.

- 5.5.15 In terms of the layout of the development, 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 also be softened with landscaping, which will further compliment and enhance the landscaping of the wider scheme. Whilst the development results in a larger cul-de-sac (when compared to others on the wider development), the development will not significantly adversely affect the character and appearance of the area or the design of the wider project and therefore accords with national and local design planning policy.
- 5.5.16 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, it must be noted that the eastern boundary to the wider development 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 powerlines. 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 floor levels and associated site levels are practically the same as the approved development (c38m AOD). The development will sit on the same development platform (plateau) as the approved scheme. Land levels to the east of the proposed site (outside of the development 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. Regard has also been given to views from the A683. In terms of views from the public rights of way, the closest public footpath is FP1-5-FP-1 which runs along the northern bank of the River Lune. This path is some 20m lower than the site. There is a steep vegetated bank which will largely screen the development and due to the steepness of the bank would not result in a strong visual connection between the footpath and the development. There will be some visibility of the development from the closest footpath along the southern bank of the River Lune. Viewpoints 1 to 3 in the submitted LVA are relevant here. In these views (relatively close to the site, albeit at a lower elevation) there will be partial and intermittent visibility of the development. The existing vegetation largely conceals the development but where glimpses of the development can be viewed it will be the upper floors and the roofs that will be most dominant. The development will be seen in the foreground to the approved development and in some viewpoints the background to the co-housing development on the riverbank. Nonetheless, the development will extend the built environment further into the countryside and so it is recognised that there are minor moderate visual effects arising from the development in these views. Recreational receptors further east of the site and into the AONB may catch glimpses of the roofs (possibly upper storeys), but at these distances (over 500m) and with the existing tree cover, the impacts are not judged to be substantial. The approved development can be viewed from the A683 (south of the River Lune and elevated above the valley). The proposed development will be viewed in the context of the approved housing despite

encroaching further into the countryside. The views here are at distance and transient (travelling in vehicles) resulting in lower receptor sensitivity. The submitted LVA concludes a negligible potential residual effect, which Officers regard a reasonable conclusion.

5.6.4 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. Nevertheless, the further encroachment of the development will have some minor to moderate visual effects. The development in most viewpoints will be concealed by existing vegetation and/or where intermittent glimpses of the development can be experienced, the development will be seen in the context of the existing village and the Forge Weir View development. The scheme provides enhanced landscaping to the southern landscape buffer and along the eastern boundary of the site, which provides additional mitigation which overtime will provide some landscape benefits. Consequently, the residual landscape and visual effects of the development would not lead to undue harm to substantiate a refusal of planning permission. 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 are no objections from the Council's Arboricultural Officer or GMEU (the Council's ecology advisor) to the proposal development. 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 formed the basis of the original 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. The LLFA require further percolation tests at the detailed design stage to be certain soakaways will be feasible given the nature and variation in ground conditions across the site. The concerns raised in connection with existing gardens poorly draining have been considered. It should be noted, however, that the garden areas are not positively drained (nor are they required to be) to the drainage system (i.e. connected to the sewer or the soakaway). Standing water in gardens can be a consequence of poor and potentially compacted ground underneath following the construction of the development. The developer has indicated all soakaways (where relevant) have been installed correctly and are working. Should problems persist and there is evidence the drainage system is not operating correctly, this is a matter to pursue under the original planning permission and would not deter prevent the determination of this application.

5.8.2 Overall, the general approach to the site drainage is not an unacceptable one. In fact, it follows the drainage strategy adopted across the wider development. United Utilities and Lead Local Flood Authority are now satisfied that the site is capable of draining without causing a flood risk, provided any surface water flows from the proposed development does not exceed the pass flow rates of the approved drainage strategy for the wider site. The precise details of the drainage system and infrastructure, including maintenance requirements, can be adequately controlled by planning condition to ensure the development complies with planning policy.

5.8.3 The developments foul drainage shall connect to the existing approved foul drainage system, which shall be adopted by United Utilities. United Utilities have raised no objection to the foul drainage proposals. In response to the concerns raised by existing residents about water supply, United Utilities have also confirmed that their Clean Water team (water supply) raise no objections to the development. Overall, the development accords with the requirements of both local and national flood risk, drainage and water infrastructure planning policy.

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. Following the concerns raised by the Planning Regulatory Committee at last month's meeting, the applicant has agreed to pay the education contribution despite the viability position evidenced as part of the application. The contribution is only forthcoming based on the cost savings arising from the amendments to the dwellings (discussed at paragraph 5.5.12). Securing the education contribution will remove the County Council's School Planning Team's objection previously reported last month and would remove concerns about the development being unsustainable.

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. A condition is also

recommended to prevent new window and door openings to the side facing elevation of plot 66 facing plot 29 and plot 22 at first floor level facing the garden of plot 21.

5.9.4 Legal Agreement

A legal agreement is required to link the proposed development to the terms and requirements of the original s106 Agreement and to secure the education contribution.

6.0 Conclusion and Planning Balance

6.1 Whilst the proposal encroaches further into the field to the east and would have some minor to moderate visual effects from nearby public footpaths, the visibility of the proposed development between existing and proposed landscaping is limited and in most viewpoints the development would be seen in the context of the wider proposal. The proposed landscaping in the long term also offers additional landscape benefits. Consequently, the development would not result in undue harm or lead to significant adverse visual or landscape effects or adversely affect 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, despite some cost-saving amendments to provide the education contribution, maintains the high-quality nature of the wider scheme which 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 and that the proximity of the development to the overhead lines is not a significant constraint to development. The applicant has sufficiently evidenced that the development can drain and using appropriate conditions would not pose a flood risk to the site itself or elsewhere. For viability reasons, the development cannot support contributions towards affordable housing. 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 applicant has now agreed to pay the education contribution meaning the development will provide essential infrastructure to mitigate the impacts of development growth on school provision locally.

6.2 Overall, the proposal will have some minor to moderate landscape visual impacts and fails to contribute to affordable housing provision. However, for the reasons set out in the report, the development is considered to not conflict with these policies due to the viability case being sufficiently evidenced and the landscape effects considered, on balance, unharmed. Officers contend that a refusal of planning permission on these grounds could not be substantiated at appeal. 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. The proposed housing targets a different sector of the community (smaller dwellings) and will comply with national space standards. Over 20% of the proposed houses will meet the M4(2) criteria (save for one item). All dwellings will have provision for electric vehicle charging and will be constructed above Part L of the Building Regulations.

6.3 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. The minor to moderate landscape effects and the absence of affordable housing would not significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies of the NPPF taken as a whole. Subsequently, officers maintain their position and recommend that the development should be supported.

Recommendation

Subject to the completion of a legal agreement to link the development to the original s106 terms and to secure the education contribution, 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 scheme	Pre-commencement
4	Submission of drainage maintenance scheme	Pre-occupation
5	Submission of landscape management and maintenance scheme	Pre-occupation
6	All dwellings to achieve 10% greater than minimum requirement of Part L Building Regulations – verification to be provided	Pre-occupation
7	Implementation of landscaping scheme	Control
8	Implementation of ecology mitigation scheme (including construction method statement for working close to River Lune)	Control
9	Implementation of CMS (drainage)	Control
10	Limitation to works during bird nesting period	Control
11	Access and turning provision	Control
12	Garage use	Control
13	Implementation of cycle storage and EV charging facilities	Control
14	Implementation of boundary treatments and enclosures to each dwelling before occupation and such to be retained	Control
15	All dwellings to comply with NDSS standards and plots 66 and 67 (M4(2) – save for door canopy)	Control
16	Hours of construction	Control
17	Unforeseen contamination	Control
18	Removal of permitted development rights	Control
19	No windows/doors to side elevation of plot 26 and plot 22	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	20/01005/FUL
Proposal	Demolition of The Lodge/The Gate House (class E) and erection of a 2-storey building to create a family support centre (class E) and erection of fenced enclosure at the rear and associated footpaths
Application site	St John's Hospice, Slyne Road, Lancaster, Lancashire
Applicant	St John's Hospice
Agent	Mr Graham Love
Case Officer	Mr Adam Ford
Departure	No
Summary of Recommendation	Refusal

(i) Procedural Matters

This form of application would normally be determined under the Scheme of Delegation. However, due to the various material planning considerations affecting this sensitive case which are listed in the this report, including considerations relating to the design and appearance of the replacement building, it has been referred to the Planning Regulatory Committee for determination by the Head of Planning and Place.

1.0 Application Site and Setting

1.1 The application site lies within the defined urban area of Lancaster as set out within the Strategic Policies and Land Allocations document policies map. The site is located to the west of Slyne Road which serves as a bus route for the 55 and 555 services. The application site is approximately 1.2 miles north of the historic core of Lancaster City centre and approximately 100 metres north of the Lancaster Canal.

1.2 The site comprises the building known as Slynedales Lodge, a non-designated heritage asset which is located at the junction of the entrance drive to Slynedales (off which the hospice has an access) and Slyne Road. It is the former gate lodge to Slynedales, which is the former 1890s country house to the west of the Hospice that has been occupied by the *Cancer Care* charity since 1990. The Lodge was acquired by the Hospice in 2008 and converted for use as administration offices. It is a modest single storey stone building with a red clay tile roof and a rear roof extension added in 2012.

1.3 Beaumont College is located immediately to the north with the former Slynedales house and grounds to the west, and the main hospice buildings and grounds to the south.

2.0 Proposal

2.1 As clarified within the submitted documentation, the application seeks full planning permission for the demolition of Slynedales Lodge (a non-designated heritage asset) and the redevelopment of the land forming its curtilage to construct a purpose-built centre that will provide therapeutic support and

counselling for children and young people aged 4 to 16 and their families who have lost parents, siblings and close relatives. The applicant advises that the rationale for the Centre is founded on research undertaken last year with Lancaster University, which highlighted gaps in local service provision regarding whole family support, i.e. pre and post bereavement. The applicant intends (if planning permission is granted) to complete development during 2021 to coincide with the 35th anniversary of the Hospice.

- 2.2 The proposed support centre will be a two-storey building clad in timber with a flat roof, first floor terrace and balcony. In terms of its scale, the eaves of the two-storey element is 7.3m whilst the eaves of the single storey element is 3.0m. The building has a footprint of approximately 172 sq.m with 280 sq.m of internal floor space created. Two enclosed gardens with associated planting and landscaping are also proposed. The site's existing stone masonry wall and close boarded timber fencing are to be retained and, where possible, made good. The existing fence to the west of the application site will be painted red and retained.
- 2.3 The proposed new building will necessitate the loss of an existing short length of hedgerow in front of the Lodge building which is assessed as low quality and the loss of an existing sycamore tree, which lies midway along the Slyne Road frontage. The large lime tree at the rear of the site within the grounds of Beaumont College and all other surrounding trees will not be affected by the development.

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
18/01353/FUL	Erection of a single storey side extension and installation of replacement glazing (<i>Hospice building</i>)	Permitted
18/00285/FUL	Alterations and extension to existing car park including the provision of motor cycle parking, electric car charging points, modifications to existing lighting and services and erection of a cycle shelter (<i>Hospice grounds</i>)	Permitted
11/01101/FUL	Raising of roof at rear to form office at first floor level and forming stair access (<i>Lodge</i>)	Permitted
08/00990/CU	Change of use from lodge/dwelling to office including new disabled access and introduction of new car parking bays (<i>Lodge</i>)	Permitted

4.0 Consultation Responses

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

Consultee	Response
Conservation Team	Objection – initial comments dated 28 th October 2020 raise significant concerns with respect to the loss of the Non-Designated Heritage Asset. Conflict with policy DM41 identified. Further comments submitted on the 13 th January 2021 raises same concerns and further highlights to secure compliance with policy DM41.
Highway Authority	No objection - advice offered with respect to gated access points
Tree Officer	Objection to the loss of tree T1, which is a B1 category tree
United Utilities	No objection. Following a review of the drainage details United Utilities has recommended the imposition of a planning condition which secures compliance with the submitted drainage scheme.
Lancaster Civic Society	No objection to the proposal in principle but raises concerns raised with respect to the external appearance of the proposed building and the lack of features. Request made that photographic evidence is kept.

4.2 At the time of writing this report, 29 representations in support of the application have been submitted from members of the public and one from the Lancaster and Fleetwood MP, Cat Smith. The vast majority of these have been received towards the middle of January 2021 following an influx of public comment.

A summary of the relevant planning reasons offered within these letters are as follows:

- **Needed community facility:** the application will enable the hospice to continue to support the local community and therefore contribute towards the locality's wellbeing. Enables local use and reduces the need to rely on services further away.
- **Heritage value of the Lodge:** the Lodge's heritage value should be seen as less important than the service to be provided by the proposed building.
- **Use class of building:** suggestion that an existing class E building being replaced by another class E building should not pose a problem in planning terms.

Some of the recent supportive letters are blank, and do not offer any commentary as to why the proposal is supported.

In addition to the comments of support, one letter of objection has been received from a neighbouring care provider, and the relevant planning considerations referred to within this objection are as follows:

- **Appearance of proposal** – building is featureless and out of keeping with area. Negative visual impact arises. Conflict with paragraph 124 of the NPPF cited.
- **Loss of non designated heritage asset** – scheme conflicts with policy DM41 and does not justify loss of the heritage asset.

The objection referred to above also suggests that the incorrect land ownership certificates have been served. However, the red line of the application site has been reduced since the initial submission and, as a result, third party land no longer falls within the current site location plan.

5.0 Analysis

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

- **Principle of Development, including the Demolition of a non-designated heritage asset** (NPPF paragraphs 7-12, 83, 92, 121 and 197, Strategic Policies and Land Allocation DPD policies SP1, SP2, SP3, SP7 and SP9, and Development Management DPD policies DM41, DM56 and DM57)
- **Design** (NPPF paragraphs 124, 127, 128, 130 and 131, and Development Management DPD policy DM296 and DM29)
- **Bats and Biodiversity Net Gain** (NPPF paragraphs 149, 170, 174 and 175, Strategic Policies and Land Allocation DPD policy SP8, and Development Management DPD policy DM44)
- **Trees** (NPPF paragraph 170, Strategic Policies and Land Allocation DPD policy SP8, and Development Management DPD policy DM45)
- **Flood risk and drainage** (NPPF paragraphs 150, 153, 155-163 and 165, and Development Management DPD policy DM33, DM34 and DM35)
- **Highway safety, access and parking** (NPPF paragraphs 108-111, and Development Management DPD policy DM60, DM61 and DM62)
- **Amenity and air quality** (NPPF paragraphs 103, 127, 170, 180, 181 and 183, Strategic Policies and Land Allocation DPD policy EN9, and Development Management DPD policy DM29 and DM31)

5.2 Principle of Development, including the Demolition of a Non-Designated Heritage Asset

- 5.2.1 The broad principle of development in this location for a family bereavement centre is able to draw support from the National Planning Policy Framework and the recently adopted local plan for Lancaster City Council. Although the site is not allocated for a specific use or strategic development, the District's settlement hierarchy recognises the urban area of Lancaster as being capable of providing the focus for growth and wider development aspirations for the area. In addition, the site lies within the existing complex of buildings which comprise the Hospice and the College. The site physically relates to the existing hub of the community service and seeks to provide a support service to the established Hospice building.
- 5.2.2 In addition, at paragraph 92, the National Planning Policy Framework advocates development which delivers important community facilities which contribute towards the wellbeing of society, whilst paragraph 121 of the framework further advises Local Planning Authorities to take a positive approach to applications for alternative uses of land which are currently developed but not allocated for a specific purpose in plans, where this would help to make effective use of sites which provide community facilities. At a local level, policy DM56 of the Development Management DPD further supports the delivery of new local services such as the proposed family bereavement centre. The policy specifically requires all such proposals to be located where there are already choices of travel options and, given the site's location within the urban area of Lancaster, this is judged to be sufficiently demonstrated. These factors further support, in conjunction with the preceding paragraph, the broad principle of development.
- 5.2.3 However, in this instance, the proposal seeks to demolish the Lodge building which is a non-designated heritage asset. Accordingly, in considering the principle of development with respect to this application, paragraph 197 of the NPPF must be considered in conjunction with policy DM41. Paragraph 197 of the NPPF advises that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining applications. In weighing applications that directly or indirectly affect non-designated heritage assets, as is the case here, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Policy DM41 further reflects this position by clarifying that where a proposal results in the loss of the whole or part of such an asset will require clear and convincing justification. Under the policy, no loss will be permitted without taking all reasonable steps to ensure the new development will proceed after the loss has occurred. Accordingly, formal comments from the Conservation Officer have been secured and are considered below.
- 5.2.4 Ultimately, due to the application seeking to demolish the non-designated heritage asset, a high level of harm is inflicted upon the asset as a direct result of the proposal. The harm, in this instance, being its irrevocable demolition. The application is supported by an analysis of other land parcels and why they cannot be developed due to prevailing constraints. This has been reviewed by Planning and Conservation Officers, who disagree and consider that there is a parcel of land at the north east of the site which appears to be capable of accommodating a building of the scale and footprint as proposed. It is noted that this may result in tree loss (though it potentially it could be relocated), but this loss would need to be balanced against the benefits of the wider scheme and this is, in any event, beyond the scope of this particular application. Nonetheless, there appears to be scope and potential to avoid this harm. The application, therefore, lacks the clear and convincing justification required by Policy DM41 of the Local Plan to demolish a non-designated heritage asset.
- 5.2.5 The reuse of the Lodge building, potentially with a sensitively designed extension, has also been suggested to the applicant's agent but was discounted on the grounds that the cumulative space would not serve the hospice's needs. However, this has not been demonstrated by any drawings – it has simply been rejected in writing with no further explanation given.
- 5.2.6 Having identified harm to the non-designated asset, the provisions of paragraph 197 of the NPPF must be considered. This requires the effect upon the significance of the non-designated heritage asset to be weighed against the benefits arising from the scheme. It is not disputed that a bereavement centre would deliver wider benefits to the local community and the users of the St John's Hospice. However, given that alternative options to develop the site in a way which would not result in the loss of the asset appear to exist, the harm inflicted upon on the asset is not judged to be demonstrably outweighed by the benefits arising from the scheme. A clear and material conflict with policy DM41 has therefore been identified.

5.2.7 Although the broad support for the principle of development is noted, the irrevocable loss of the non-designated heritage asset is considered be a significant weight against the proposal and one which results in Officers regrettably not being able to support the principle of development.

5.3 Design

5.3.1 The NPPF places an enhanced focus upon the importance of good design and well-designed developments. Paragraph 124 places good design at the heart of sustainable development whilst paragraph 127 of the framework makes it clear that proposals should enhance the overall quality of the area and, importantly, function as visually attractive additions to the existing built form. Critically, paragraph 130 of the framework advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. The advice contained within the design paragraphs of the NPPF is encapsulated within policies DM26 and DM29 of the Development Management DPD on the basis that these policies seek to secure developments which contribute positively to their surroundings and appear as visually appropriate additions. Policy DM26 provides that the Local Planning Authority expect development proposals to make a positive contribution to their surroundings. This should be achieved through the use of good design, layout and high-quality materials, to create positive, safe and attractive streetscapes that contribute to the visual amenity of their locality and encourage good accessibility and connectivity between buildings and urban spaces. Policy DM29 also seeks to secure development proposals contribute positively to the identity and character of the area through good design. In meeting the tests of these policies, development should not give rise to adverse visual impacts or undermine the character of the locality within which they are proposed.

5.3.2 In this instance, the proposal seeks to demolish the existing modestly scaled lodge building and replace it with a two-storey timber clad flat roofed development. In principle, a two-storey design is not necessarily a reason for refusal in itself but the unambitious architectural approach which results in a box styled building with minimal articulation is considered to not meet the tests for good design as set out within the NPPF or policies DM26 and DM29. The use of hard edges and the utilitarian appearance of the building give rise to a development which appears as visually jarring and incongruous with its context. Whilst the amended plans submitted by the applicant add some further details to the public facing elevations, the building presents itself as a visually dominant proposal which does not take its inspiration from the prevailing local vernacular. The flat roofed design combined with the proposed scale and massing results in a building which is a visually harsh and dominant addition to the street scene. The massing and bulky design of the building means that the proposal imposes itself onto the public realm in a way that other buildings in the vicinity do not and this is in part down to their degree of setback. This adverse contribution to the area's visual amenity and prevailing character represents a material conflict with policies DM26 and DM29. The building appears as a visually discordant addition which is exacerbated through the use of its hard edged and box style design. As a result, in addition to appearing as out of character, the building fails to positively contribute to the area's visual amenity in the way that the development plan requires and represents a conflict with the NPPF and policies DM26 and DM29.

5.3.3 In addition, given the proximity of the development to its western boundary and the way in which it imposes itself onto the public realm as a needlessly jarring addition, the layout and spatial arrangement appears as a cramped solution which could potentially be addressed by reducing the footprint of the proposed building. This would serve to reflect the area's character in a more sympathetic way and would reduce the visual harm caused by the proposal.

5.4 Bats and Biodiversity Net Gain

5.4.1 As required by the National Planning Policy Framework at paragraphs 8c, 170 and 175 the Local Planning Authority has a duty to consider the conservation of biodiversity and to ensure that valued landscapes or sites of biodiversity are protected when determining planning applications. The NPPF indicates that when determining planning applications, Local Planning Authorities must aim to conserve and enhance biodiversity and that opportunities to incorporate biodiversity in and around developments should be encouraged (Paragraph 175). This is underpinned by Paragraph 8 of the Framework, which details the three overarching objectives that the planning system should try to achieve, and it is here that the Framework indicates that planning should contribute to conserving and enhancing the natural environment. At a local level, this requirement is reflected through policies SP8 and DM44. Accordingly, the application is supported by a phase 1 biodiversity survey. The objectives of such an assessment are to identify potential habitats on or within a development site

and to determine the suitability for protected or notable species. In addition, the survey should also seek to clarify what species may be on the site and what impacts, if any, may arise in the event of the development taking place.

5.4.2 The submitted biodiversity survey clarifies that the building to be demolished and the existing tree to be felled both have a low bat roost potential whilst offering potential bird nesting potential. In considering the potential impact upon bats, the Local Planning Authority, as the competent Authority must have regard to the Conservation of Habitats and Species Regulations 2010. The Regulations transpose certain prohibitions against activities affecting European Protected Species. These include prohibitions against the deliberate capturing, killing or disturbance and against the damage or destruction of a breeding site or resting place of such an animal. The Habitats Directive provides for the derogation from these prohibitions for specified reasons and providing certain conditions are met. In this instance, the submitted biodiversity survey confirms that a preliminary roost assessment took place in conjunction with a nocturnal survey. No evidence of emerging bats was found, and the report therefore concludes that no further surveys or mitigation measures for roosting bats are required.

5.4.3 With respect to other species which may be marginally impacted by the development (predominantly birds and hedgehogs) the submitted ecology report recommends mitigation measures (timing of clearance, checking the site etc). In the event that planning permission be granted, such measures could be reasonably conditioned in accordance with the NPPF's advice and policy DM44. The biodiversity survey further recommends several enhancement measures in order to ensure the development secures biodiversity net gain, which would further secure compliance with paragraph 170 of the NPPF. Such measures could also be reasonably controlled through the imposition of a suitably worded planning condition requiring the submission of project appropriate enhancement measures. Ultimately, whilst the application is recommended for refusal, the scheme does not conflict with paragraphs 149, 170, 174, 175 of the NPPF, policy SP8 or policy DM44.

5.5 Trees

5.5.1 Paragraph 170(b) of the NPPF states that the planning system should recognise the important role played by trees in the decision-making process. Their contribution to the built environment is often important in terms of representing a biodiversity asset and also from an amenity perspective. Locally, policy DM45 provides that the Local Planning Authority will support the protection of trees and hedgerows that positively contribute, either as individual specimens or as part of a wider group, to the visual amenity, landscape character and/or environmental value of the location. In addition, policy DM45 also clarifies that new development proposals should, where possible, positively incorporate existing trees and hedgerows. Where this cannot be achieved the onus is on the applicant to justify the loss of trees and hedgerows as part of their Arboricultural Implications Assessment.

5.5.2 The application is supported by an arboricultural impact assessment (AIA). In this instance, to facilitate the development a 14m high sycamore tree must be felled. It is noted that the scheme seeks to replant 3 additional trees to the south of the application site, but mature trees are a feature of Slyne Road and an important part of the local street scene. The mature sycamore tree identified for removal contributes to this character and should be retained. The submitted AIA identifies the tree as category B1 indicating that it can continue to make a substantial contribution to the character and appearance of the area for a minimum of 20 years. As touched upon in the AIA, any proposed development should be designed around such trees. Further, if we were to permit the development, the positioning of the building so close to the boundary wall does not allow for the loss of the street tree to be adequately compensated for.

5.5.3 Accordingly, in light of these comments and owing to the lack of an overriding need to feel an otherwise healthy specimen which contributes to the character of the locality, the scheme is judged to further conflict with the advice set out within the NPPF at paragraph 170 and policy DM45 of the Development Management DPD.

5.6 Flood Risk and Drainage

5.6.1 The application lies within flood zone 1 and therefore has a low probability of flooding when considered against the Environment Agency's flood mapping tool. As clarified within the national guidance, the Environment Agency advice for developments indicates that a flood risk assessment (FRA) will not normally be required for a site in Flood Zone 1 with an area of less than 1 hectare

unless it could be affected by sources of flooding other than rivers or the sea, e.g. reservoirs or water drains. With respect to this site and taking account of the absence of any significant watercourses in the vicinity of the site, the risk of flooding from fluvial or tidal flooding on the site is generally considered to be low, so no FRA is required.

5.6.2 The submitted surface water drainage strategy further clarifies that based on data available from the DEFRA Surface Water Flood Mapping service, this indicates that there is no evidence of surface waterflooding on or adjacent to the site in 1 in 30-year and 1 in 100-year storms. There is, however, surface water flooding at 1 in 1000-year storms in the road and hospice site to the south of the development site.

5.6.3 Based on the submitted plans, the total impermeable area arising from the existing building and hard paved areas on the site, which drains to the adopted combined sewer system is 341 sq.m. The total impermeable area from the proposed development draining to the combined sewer system is only 192 sq.m which represents a 43% decrease on the pre-development impermeable area.

5.6.4 The proposal seeks to rely on the existing combined sewer connection which is already in situ and serves the current development. Whilst this option is the least preferred when considering the SuDS hierarchy, DM34 permits such an approach where other options which are 'higher' up the hierarchy are demonstrated as being infeasible. The submitted surface water management drainage strategy discounts infiltration, discharge into a water body and discharge into a water sewer and, having offered comments on the application, United Utilities has raised no objection to the proposal to retain the existing connection to the adopted combined sewer subject to a suitably worded planning condition in the event that consent is granted.

5.7 Highway Safety, Access and Parking

5.7.1 At paragraph 109, the NPPF provides that applications for planning permission should, where it is possible to do so, enable safe use of public highways for all stakeholders. The extent to which this is required will of course be dependent upon and commensurate to the scale of development proposed. The Highways Authority has raised no objections to the proposal and have not identified an adverse impact upon the safe operation of the local highway network. In addition, no conditions have been requested from the Highway Authority.

5.7.2 With respect to parking provision, policy DM62 of the Development Management DPD clarifies that the Local Planning Authority would typically expect a new development to deliver a minimum level of parking in line with the standards set out in appendix E of the DPD. In this instance, as illustrated on the site location plan, the application itself does not propose any additional parking as appendix E would nominally require.

5.7.3 However, a recent application to extend the existing car park facility (by providing a further 37 spaces) at the Hospice was granted permission under 18/00285/FUL. This additional provision of parking remains within the control of the applicant as demonstrated by the inclusion of the blue line on the site location plan. Furthermore, the application's supporting documentation advises that there will be no gain in employment, so the parking need generated by staff using the new development is reasonably likely to be met by the Hospices' current provision. As for visitors, the site is adjacent to the A6, which is served by bus services and the canal (c100m away) and the Bay Gateway (c500m away) are both served by foot/cycleways, providing alternative means of transport to access the application site. Given all of this, despite not delivering additional parking provision, it is deemed that there would not be a significant conflict with policy DM62.

5.8 Amenity and Air Quality

5.8.1 Paragraph 127 of the NPPF advises that development proposals should not undermine existing levels of amenity and that future amenity should also be preserved where possible. The need for development to respect existing amenity levels is also exhibited through policy DM29 which seeks to avoid over shadowing and overlooking. In this instance, given the location of the building and the lack of any sensitive boundary relationships, the proposal is judged to not give rise to unacceptable amenity impacts that the Local Planning Authority would otherwise seek to avoid. Undue overlooking does not arise and the scheme does not negatively impact existing levels of residential amenity.

5.8.2 With respect to matters of air quality, as clarified by policy EN9, the Council has designated three Air Quality Management Areas (AQMAs) within the district in order to improve levels of air quality.

The application site falls outside these areas. However, policy DM31 requires all development proposals to demonstrate that they have sought to minimise the levels of air polluting emissions generated and adequately protect their new users, and existing users, from the effects of poor air quality.

5.8.3 Given the modest nature of floor space created by the development (net gain of 130 sq.m), when considered against the advice contained within the Local Planning Authority's planning advisory note 11 (low emissions and air quality), the scheme falls within the definition of a 'small site' and thus, if approval were to be granted, would require standard safeguards to minimise emissions.

5.8.4 Accordingly, the Local Planning Authority has sought confirmation from the application as to whether they would be willing to accept a planning condition which requires the installation of an electrical charge point within their site. This has provisionally been agreed and as such, the scheme is not judged to represent a conflict with respect to policies SP9 or DM31.

6.0 Conclusion and Planning Balance

6.1 Clearly the proposed family support centre would represent a valuable asset in terms of the delivery of much needed pre and post bereavement care, and it would appear to resolve a gap in service provision across the district. These are matters that weigh positively in terms of the planning balance.

6.2 However, the principle and design of the development is considered to be unacceptable and is not in compliance with relevant development plan policies or the National Planning Policy Framework. The application seeks planning permission to demolish a non-designated heritage asset and to replace it with a family bereavement centre. Whilst the basic principle of a community use is acceptable and is compliant with the provisions of policy SP7 of the Strategic Policies and Land Allocations document and paragraphs 124, 127, 128, 130 and 131 and chapter 8 of the NPPF, the loss of the non-designated heritage asset is not justified. The requirements of policy DM41 are deemed not to be met and, as a result, in applying the balance prescribed by paragraph 197 of the NPPF, Officers are unable to conclude that there are material overriding public benefits to warrant the loss of the non-designated heritage asset.

6.3 In addition, the scheme results in an adversely and visually dominant proposal which does not take its inspiration from the prevailing local vernacular. The flat roofed design combined with the proposed scale and massing results in a building which presents itself as a visually harsh and dominant addition to the street scene. The proposed massing and bulky design of the building means that the proposal imposes itself onto the public realm in a way that other buildings in the vicinity do not. The building appears as a visually discordant addition to the street scene which is exacerbated through the use of its hard edged and box style design. As a result, in addition to appearing as out of character, the building fails to positively contribute to the area's visual amenity in the way that the development plan requires and represents a conflict with the NPPF and policies DM26 and DM29. The scheme also results in the unjustified loss of a visually prominent category B tree which conflicts with the aspirations and advice contained with policy DM45 of the Development Management DPD.

6.4 Collectively, the loss of the non-designated heritage asset, the visually jarring design and the adverse arboricultural impacts are factors which weigh against the scheme. Despite the community-based benefits that will arise from the proposal, the degree of conflict with the development plan is deemed to be significant and at a level which outweighs the benefits of the proposed scheme.

Recommendation

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

1. Policy SP7 of the Strategic Policies and Land Allocations document states that the Local Planning Authority will seek to protect and enhance local heritage assets whilst policy DM41 further states that any loss of the whole or part of such an asset will require clear and convincing justification. The application proposes the demolition of Slynedaes Lodge, a non-designated heritage asset, without adequate justification. Whilst the submission discusses alternative options to deliver such a development in a way which would likely not result in the total and irrevocable loss of the asset, some options have been discounted without adequate merit. The harm caused by the loss of the non-

designated asset is not judged to be demonstrably outweighed by the benefits arising from the scheme. A clear and material conflict with policies SP7 and DM41, and paragraph 197 of the NPPF, is therefore judged to arise on the basis that an accepted justification for the demolition of the non-designated heritage asset has not been identified.

2. At paragraphs 124 and 127, the NPPF places an enhanced focus upon the importance of good design and well-designed developments and paragraph 130 of the Framework advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Policies DM26 and DM29 of the Development Management DPD seek to secure developments which contribute positively to their surroundings and appear as visually appropriate additions. In this instance, the architectural approach used within the scheme results in a box styled building with minimal articulation which is considered to not meet the tests for good design as set out within the NPPF or the principles set out within policies DM26 and DM29. The use of hard edges and the utilitarian appearance of the building give rise to a development which appears as visually jarring and incongruous within its context. The proposed building does not take its inspiration from the prevailing local vernacular and, as a result, appears as an out of character addition. The flat roofed design combined with the proposed scale and massing in close proximity to the A6 results in a building which presents itself as a visually harsh and dominant addition to the street scene and this results in the proposal imposing itself onto the public realm in a way that other buildings in the vicinity do not. The building appears as a visually discordant addition which is exacerbated through the use of its hard edged and box style design. As a result, in addition to appearing out of character, the building fails to positively contribute to the area's visual amenity in the way that the development plan requires and this represents a conflict with the advice set out within the NPPF and policies DM26 and DM29.
3. Policy DM45 of the Development Management DPD provides that the Local Planning Authority will support the protection of trees and hedgerows that positively contribute, either as individual specimens or as part of a wider group, to the visual amenity, landscape character and/or environmental value of the location. In addition, policy DM45 also clarifies that new development proposals should, where possible, positively incorporate existing trees and hedgerows. Mature trees are a feature of Slyne Road and an important part of the local street scene. The tree on the roadside boundary of the site, which is proposed to be felled to accommodate the development, contributes to this character and according to the application's supporting documentation has the potential to make a substantial contribution to the character and appearance of the area for a minimum of 20 years. In the absence of adequate justification for the removal of this tree, the scheme represents a material conflict with policy DM45.

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

Lancaster City Council takes a positive and proactive approach to development proposals, in the interests of delivering sustainable development. As part of this approach the Council offered advice on the proposal during the determination period, aimed at positively influencing development proposals. Regrettably the applicant has failed to take advantage of this advice and the resulting proposal is unacceptable for the reasons set out in the recommendation. The applicant is encouraged to amend the proposal in accordance with the local planning authority's advice to resolve the reasons for refusal.

Background Papers

None

Agenda Item	A7
Application Number	19/01568/FUL
Proposal	Erection of 53 dwellings, 1 3-storey building comprising 8 2-bed apartments and conversion of Derby Home to 8 apartments, regrading of land, creation of parking areas, internal roads including associated upgrading works to Pathfinders Drive, footpaths, drainage infrastructure and provision open space
Application site	Land at Royal Albert Farm, Pathfinders Drive, Lancaster, Lancashire
Applicant	Oakmere Homes
Agent	Mr Peter Whittingham
Case Officer	Mr Mark Potts
Departure	No
Summary of Recommendation	Approval

1.0 Procedural Note

The application was presented to the Planning Regulatory Committee in December 2020. However, the application was deferred for further consideration given there was disagreement on the affordable housing provision that could be provided. There is now agreement between parties, and therefore the scheme is being presented to Planning Regulatory Committee for determination.

1.0 **Application Site and Setting**

1.1 The application site relates to circa 3.4 hectares of grazing land located to the west side of Ashton Road along Pathfinders Drive, approximately 1.6km to the south west of Lancaster City Centre. There are a variety of land uses in close proximity to the site. To the east lies an NHS complex consisting of the Orchard and four former barns which have been converted to offices, with the residential development to the north of this in the form of apartments. To the south of the NHS facilities lies the De Vitre and Royal Albert Cottages which are adjacent to Ashton Road. To the south and west lays open countryside. The site rises to the west from along Ashton Road where land levels are in the region of 39 metres above ordnance datum (AOD) and rise to 55 metres AOD towards the western boundary. The site has a gradient in the region of 1:8.

1.2 The site consists of two large fields namely used for grazing land for horses and sheep which are irregularly shaped, together with a smaller field to the south-east corner. The site is bound by trees to the north and north west. The development site also incorporates Derby Home which is curtilage listed in connection with the former Royal Albert Hospital (Grade II*). Derby Home is the only built form within the application site. The site is elevated from Ashton Road with the lowest part of the site to the east. The existing access to the site is via Pathfinders Drive, which serves the NHS facilities in the form of 'the Orchards' and North and East Barns.

1.3 The site is largely unconstrained. It is allocated for housing in the Strategic Policies and Land Allocations Plan under Policy H6, with Key Urban Setting abutting the site's western boundary. The Morecambe Bay Site of Special Scientific interest (SSSI), Special Protected Area (SPA), Special

Area of Conservation (SAC) and Ramsar designation is located 1.25km to the west of the site. It is not located within any nationally designated landscape or Green Belt, nor does it fall within Flood Zones 2 or 3. The site is not protected by any international or local conservation status and no part of the site falls within a Conservation Area. There are individual, grouped and woodland trees which are covered by Tree Preservation Orders (TPO) on the site (TPO number 269). There are a number of Listed buildings in close proximity to the site namely Storey Hall – located 90 metres to the north east (Grade II), North, West, South and East Barn – located 90 metres to the east (Grade II), the gatehouse to the former Royal Albert Hospital site - located 150 metres to the east (Grade II) and finally the former Royal Albert Hospital which is Grade II* and this is located 275 metres to the east.

2.0 Proposal

2.1 The planning application is made in full for the erection of 53 new dwellings together with 16 apartments (3 affordable homes are provided in the form of 3-bedroom properties). The scheme consists of the following components:

- One three storey apartment block (2-bedroom apartments) x 8 (12%);
- Grade II* Derby Home conversion (1 & 2 bedroom apartments) x 8 (12%);
- 3-bedroom semi-detached house x 6 (9%)
- 3-bedroom detached bedroom house x 16 (23%);
- 4-bedroom detached house x 29 (42%);
- 5-bedroom detached house x 2 (2%).

2.2 The proposed three-storey apartment block utilises a mixture of render, reconstituted stone and natural slate. The proposed dwellings are a mixture of natural stone, reconstituted stone and render all under a slate roof. Boundary treatments consist of a mix of post and wire fencing, hedgerows, stone walling and close boarded fencing.

2.3 Derby Home is curtilage-listed in connection with the Jamea Al Kauthar Islamic College (formerly the Royal Albert Hospital) which is Grade II*. The conversion is for 8 apartments and associated car parking provision and refuse stores.

2.4 The proposal would be accessed off Pathfinders Drive. The access road is proposed to be increased to 5.5m, with a new footway being proposed along the northern section of the road where this would join in with the existing pathway that is already present leading to the Cherry Tree Drive mini-roundabout. An emergency access/footway/cycleway at 3.7m in width is located on the southern boundary of the site to connect to Ashton Road. An informal pathway has been proposed to connect to Ashton Road along the north side of the De-Vitre Cottages. The scheme provides for open space including a central amenity area of 1000m² (and circa 2000m² elsewhere across the site) and landscaping.

3.0 Site History

3.1 There is no relevant planning history associated with the “greenfield” element of the scheme, though the area to the east has been developed over time to serve as NHS offices and a Mental Health facility (‘The Orchards’) and therefore the following history is relevant to the proposal.

Application Number	Proposal	Decision
19/01569/LB	Listed building application for the removal of the side extension and external staircase, construction of a pitched roof to existing dormer, installation of a roof light and replacement rainwater goods, construction of a new entrance in existing window opening to the side, new window openings to all elevations, removal of doorway opening on the first floor and construction of a new doorway opening and ramp to form new front entrance and construction of internal partition walls, and provision of new slate roofing	Pending Consideration

17/01074/HYB	Hybrid application comprising an outline application for up to 71 dwellings with associated upgrading works to Pathfinders Drive, and a full application for the conversion of Derby Home into six apartments (C3) and creation of associated parking	Pending decision (awaiting agreed Section 106)
17/01076/LB	Listed Building application for the conversion of Derby Home into six apartments (C3)	Pending decision tied to 17/01074/HYB
15/00600/OUT	Outline application for the demolition of existing Derby Home and erection of up to 77 dwellings with associated new access	Withdrawn
15/00970/LB	Listed Building application for the demolition of the existing side extension at Derby Home.	Approved

4.0 Consultation Responses

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

Consultee	Response
Highways England	No objection
County Highways	<p>No objection in principle. Originally raised concerns with the application, namely the width of Pathfinders Drive, how the scheme would provide for waste and refuse collections, and concerns with the internal layout. There has been a series of amendments to the scheme over the course of the last 12 months, and now the Highway Authority is generally satisfied with the submitted layout following the applicant submitting a Road Safety Audit in December 2020.</p> <p>They recommend securing conditions to enable Pathfinders Drive to provide a 5.5m wide carriageway and new 1.8m wide (minimum) footway on the north side and upgrade of the northbound bus stop.</p> <p>The Highway Authority requests a financial contribution towards the 89 bus service that runs along Ashton Road linking Lancaster to Knott End, which is subsidised by the County Council. To secure an additional vehicle into the service to allow an increase from 90 minutes to 60 minutes during the day, a contribution of £100,000 per year would be required. To introduce a Sunday service would require a contribution of £20,000 per year.</p> <p>The County has again requested £77,000 towards the Pointer Roundabout improvement scheme.</p>
County Council (Transport Masterplan Group)	No observations received
Lead Local Flood Authority	No Objection subject to the development being carried out in accordance with the submitted Flood Risk and Drainage Strategy Report together with the drainage drawings.
Planning and Housing Policy Team	Raise concerns over the mix of housing proposed, and question whether Derby Home is suitable for conversion to affordable housing.
South Lancaster Flood Action Group	Objection on the basis that the management and maintenance arrangement of the SuDS is ill conceived, and could lead to increased flood risk both on and off the site causing problems along Ashton Road.
Cadent Gas	No objection and draws attention to the gas mains that are located within the vicinity of the site.
Lancashire County Education	No objection though request £161,432.25 for the 7 secondary school places.
Public Realm Officer	No objection though request that 1235m ² of amenity space on site is provided, the development is of a size that would require the inclusion of a play area and that a financial contribution of £169,000 should be provided. This could go towards the

	Royal Albert Playing Field at £80,000 , extending 'The Cedars' play area at £70,000 and £19,000 towards improvements at Greaves Park.
Natural England	No objection subject to appropriate mitigation being secured in the form of homeowner packs.
Historic England	No observations to make on the application
Conservation Team	No objection although accept that the proposal would lead to less than substantial harm to the setting and significance of the surrounding designated and non-designated heritage asset. The retention and conversion of Derby Home will be a public benefit which would help preserve some of the significance of the building and association with Royal Albert Hospital (Grade II*). In addition, it is proposed there will be areas of landscape buffers to help mitigate some of the visual harm. The level of harm could further be reduced by the sympathetic use of materials and recommend conditions on materials for Derby Home.
Canal and River Trust	No comments to make on the application
Tree Officer	No objection , although initially had concerns with the loss of trees around Derby Home and the schemes proximity to trees along the western boundary.
Lancaster Civic Society	Objection given minimal transport connections, poor refuse management and cramped internal designs. Overall, does not adhere with sustainable development principles and should be refused.
United Utilities	No objection . Recommend standard planning conditions relating to the detailed design of the drainage scheme and its ongoing management arrangements.
Lancashire County Archaeology	No objection . There is no requirement to undertake any intrusive surveys given previous appraisals of this site have concluded that it is not known to contain any important buried archaeological remains. They recommend a planning condition applied to Derby Home to ensure a formal record of the building is carried out prior to conversion.
Environmental Health (Contaminated Land Officer)	No objection . Recommends that an asbestos survey of Derby Home will be required and that standard contaminated land conditions be applied.
Environmental Health (Air Quality Officer and Noise)	No objection . No significant environmental health implications were noted, but recommend EV charging points and the control of dust during construction.
Greater Manchester Ecology Unit	No objection though draws the council's attention to Derby Home which has been shown to support a bat roost. They recommend the removal of any vegetation is undertaken outside of bird breeding season, and that the site could support badgers and therefore a pre-commencement check should be carried out. Recommend a landscaping scheme is sought using native species.
Dynamo	Objection . The site is not linked to the existing cycle network, there is detrimental impact on those cyclists who currently use Ashton Road and Ashford Road, the site has a low accessibility score and development on greenfield sites should not occur.
Waste Management Officer	Objection given there are a number of properties whereby the City Council collection team would be unable to access, and there is poor provision for waste management associated with the apartment block and Derby Home
Lancashire Police	No objection and advise that the development should be constructed in accordance with secured by design standards.
C-Step	No objection though an employment and skills plan will be required.
Lambert Smith Hampton (Viability consultant)	The scheme can provide three 3-bedroom semi-detached properties and still be deliverable in viability terms.
NHS Morecambe Bay Clinical Care Group	Request £18,949 towards an extension and remodelling of Rosebank Medical Practice and Meadowside Practice as the proposal will generate 165 new patient registrations

4.2 To date there has been 39 letters of objection received based on the reasons below:

- **Highways:** Insufficient capacity on the local highway network; congestion at the Boot and Shoe junction, and the Pointer Roundabout junction is already under pressure; no bus service; lack of accessibility to local shops; improvements should be made to the local road

network before development is applied for; and inadequacies within the Transport Assessment.

- **Landscape:** The development would have an adverse impact on the landscape and cultural heritage value of Lancaster; given it's a sloping site the impact will be more pronounced;
- **Education provision and health care provision:** Lack of school places especially primary school places; there is existing pressure on local NHS services and approval of this scheme would exacerbate this further.
- **Surface water drainage concerns:** Likely to lead to flooding and surface water drainage issues given the sloping nature of the site; there are concerns of exceedance flows in the event of a severe storm event.
- **Heritage concerns:** Given the change from open pastureland to modern housing estate on the fabric of the local area; however, there is support for the conversion of Derby Home to residential.
- **Sustainability arguments:** Difficult to cycle and walk and development will affect the amenity of the Royal Albert/De Vitre Cottages and the NHS mental health units; brownfield land should be used before greenfield; lack of facilities locally to support such an expansion.
- **Affordable housing and green agenda:** Lack of affordable housing and all executive homes being proposed; little in the way of climate change resilient properties have been proposed nor will assist in the council's ambition of becoming net zero.
- **Contaminated land:** Asbestos has been noted within Derby Home and a management plan will be required to deal with this.
- **Natural environment:** The site is used by wildlife and this would be lost if the site was developed.

Councillor Abi Mills **objects** to the development raising the following issues:

- Conflicting advice in the planning statement and transport statement regarding the frequency of bus services;
- Increase in car journeys and associated queuing on the Ashton Road and the main junctions;
- Lack of primary school places locally in terms of being over-subscribed;
- The site has a low accessibility; and
- Visual impact of the development both on local residents and the wider landscape.

Councillor Gina Dowding (to which Councillor Joanna Young supports) **objects** to the development for the following reasons

- Lack of local amenities such as schools, shops and doctor's surgeries;
- Lack of connection to sustainable transport links;
- Visual impact concerns and the risk of flooding.

Lancashire and South Cumbria NHS Foundation Trust **object** for the following reasons:

- Lack of detail on the plans to show the impact of the development on the Orchards, both to secure its privacy, and also protection of future residents
- Pathfinders Drive should not be obstructed during the development and access to the Orchard remains unhindered and a pathway along the northern boundary will compromise resident safety and privacy as will any loss of screen planting around the orchard.
- Concern regarding the parking at the foot of the site adjacent to De Vitre Cottages as this fall's outside the ownership of the applicant
- A further letter was received 10th December 2020 setting out further concerns with respect to potential overlooking of the Orchards facility by plots 1-4 and suggest permitted development rights are removed on these plots.

5.0 Analysis

The key considerations in the assessment of this application are:

1. Principle of development, and housing needs and delivery;
2. Landscape and Visual Effects & Layout and Design;
3. Highway Matters;
4. Flood Risk and Drainage Matters;
5. Cultural Heritage;
6. Natural Environment;
7. Education and Health Provision;
8. Open Space provision;
9. Air Quality Matters; and
10. Reducing Carbon Emissions

5.1 **Consideration 1: Principle of Development and Housing needs and delivery** NPPF paragraph 7 – 12: Achieving Sustainable Development, paragraph 15: Plan-making, paragraph 16, 20-23: Strategic Policies, paragraph 47: Determining applications, paragraphs 54-57: planning conditions and obligations, Chapter 5: Delivering a Sufficient Supply of Homes; Strategic Policies and Land Allocations (SPLA) DPD Policies SP1: Presumption in Favour of Sustainable Development, SP2: Lancaster District Settlement Hierarchy, SP3: Development Strategy for Lancaster District, SP6: The Delivery of New Homes, SG3: Infrastructure Delivery for Growth in South Lancaster H1: Residential development in Urban Areas and H6- Royal Albert Fields and Development Management (DM) DPD policies, DM1: New Residential Development and Meeting Housing Needs, DM2: Housing standards and DM3: Delivery of Affordable Housing; Meeting Housing Needs SPD; Affordable Housing Practice Note Planning Advisory Note; Housing Standards Planning Advisory Note

5.1.1 The Framework (NPPF) requires Councils to significant boost the supply of new homes in their districts. The strategic and spatial objectives of the plan have had to carefully balance the district's housing and employment needs and growth aspirations against the need to rightly protect and enhance the district's natural and built environment. In accordance with national planning policy, the Council has established their full objectively assessed housing need (OAN) and the subsequent housing requirement having regard to available supply, deliverability and the constraints of the district. The Council cannot presently meet its full OAN. The Council's housing requirement is based on the delivery of 522 dwellings per annum. This is a significant uplift from the previous Core Strategy requirement of 400. The Council recognises this is challenging with a plan reliant on the delivery of a number of strategic sites (namely the Bailrigg Garden Village under policy SG1).

5.1.2 The application site is part of a larger allocation for housing within the Strategic Policies and Land Allocations element of the local plan. This allocates land within the H6 allocation (Royal Albert Fields) for 137 residential units. This application only proposes development in the northern section of the site (to include Derby Home). It amounts to circa 60% of the total area of the allocation, and is broadly consistent with the overall number of houses proposed by the plan (on a pro-rata basis). The wider allocation is within two different ownerships, and given there is no development brief for the site, it is not clear whether it was envisaged that access would be taken from either Pathfinders Drive, or a new access off Caspian Way to serve the site in its entirety. This has been left for the decision maker to make an informed view. The applicant had been asked to include a road connection to the boundary of their site to allow connectivity through to the southern parcel of land. There is a road connection between plots 14 and 16, and a hammerhead junction is in place. However, given the width of the access road and no footway, this is unlikely to be feasible as a route to serve further development. The road between plots 32 and 20 is of a standard that may be used as a point of access to serve the adjacent site. Whilst it stops shy of the boundary of the site, only landscaping has been proposed in front, and it does not sterilize the ability for this to be used subject to an agreement being arrived at between the landowners. The applicant has stated that the roads within the development will be privately maintained and not put forward for adoption. This in essence does limit the ability for this to be used unless an agreement can be arrived at. For clarity, the case officer has asked County Highways whether it is possible to secure an access to allow for access on the adjacent site, and this is indeed possible. Given the emergency access/footway/cycleway on the shared boundary this will mean there will be some permeability between the proposals, should development in the south come forward for development.

- 5.1.3 As discussed above the allocation is in separate ownerships, and it would have been helpful on this site to show how the two sites connected and worked as one. Matters such as open space, permeable links and highway arrangements could have been resolved in advance of the application. One is not required, nor does policy request this detail, or has been highlighted by the Planning and Housing Team to consider. Notwithstanding this, the question is whether the development before us restricts the development to the south coming forward. The answer to this is no, as the southern site can be accessed independently.
- 5.1.4 The house types are the applicant's standard house types and compromise a variety of different designs. Whilst the units deviate from the linear form of development which is apparent from the adjacent cottages, they have the potential to work on this site. Furthermore, they have been used to good effect across North Lancashire and South Cumbria. All the new dwellings will be capable of achieving the Nationally Described Space Standards and internally at least 20% meet the M4(2) requirement. A condition is recommended to secure these elements. The units within Derby Home do not meet the Nationally Described Space Standards, nor are capable of being M4(2) compliant. Given the building is listed and the financial pressures of the scheme given the building is being brought back into use is considered to outweigh this minor harm.
- 5.1.5 The proposed housing mix deviates from the identified open market housing need (based on household aspiration and expectation). It is clear that whilst 3-bedroom houses broadly align with the Strategic Housing Market Assessment data, there is a clear increase in the 4 bedroom plus houses proposed by this application. Whilst this seems high, this is a significant reduction compared to the original submission. If more 4-bedroom units could have been supported, this would have led to the provision of more affordable. Whilst the Policy team's comments are noted regarding housing mix, and whilst bungalows and smaller units would be welcomed, to refuse a scheme on the basis of not meeting the housing mix is not likely to be supported at appeal (given the viability evidence).

Dwelling Type	Strategic Housing Market Assessment guidance (%)	Original Submitted scheme (%)	Current Proposal (%)
1 / 2 bed house	17.6	0	0
3 bed house	36.7	18	32
4 bed plus house	20.3	56	44
Bungalow	7.4	0	0
Flat	11.8	25	24
Other	6.3	0	0

5.1.6 Affordable Housing Provision

Bringing Derby Home (Grade II*) back into use and developing on a sloping site does bring significant costs and challenges. This is apparent across all sites in the district of late (unless a site has little in the way of abnormal costs and is flat – which appear few and far between). The adopted position on this site should be that 30% of the site should be affordable (on the greenfield element), and should 10 units or more be sought on a brownfield site (such as Derby Home) then 20% should be achieved (as per Policy DM3 of the Development Management DPD).

5.1.7 It was always envisaged that delivering affordable housing on this site would be constrained, not least, because the applicant can benefit from Vacant Building Credit by bringing Derby Home back into use. The applicant's original scheme provided for 10 units of affordable housing within Derby Home. There was concern as to how attractive a conversion would be to a Registered Provider (who ultimately acquire the building off the developer), and secondly 10 units felt very cramped. However, the scheme has evolved over time, namely to cater for quite significant off-site costs in the form of £100,000 towards the local bus service, and £77,000 towards the improvements at Pointer Roundabout and £161,432.25 towards secondary school education. In the autumn of 2020 and as part of amendments to the scheme, no affordable housing was proposed by the applicant and an updated viability assessment was produced in October 2020. The scheme does provide monies for improvements to the Royal Albert playing fields and also the improvement to the Spruce Avenue play area, but this is to mitigate the impact of the development in particular as no on site play provision has been provided for, and without such the scheme would be refused. In advance of the December 2020 Committee the applicant put forward 4 units of apartment style accommodation within Derby Home, but had not explained how their build costs had been arrived at. Over the

Christmas and New Year break additional information has been forwarded on build costs. This has been reviewed by an independent surveyor on behalf of the council who agree with the costs put forward. Whilst 4 units within Derby Home could be achieved, it is felt a better scenario would be for three 3-bedroom semi-detached properties of shared ownership tenure. This still equates to only 4% affordable housing, which given this is Homes England site is of concern. Whilst the lack of affordable housing is a concern, this has been independently assessed by Lambert Smith Hampton (LSH) on behalf of the council (LSH undertook the council's viability assessment as part of the Local Plan). Officers naturally wanted more affordable homes, but given the independent view expressed, we cannot ask for more, or refuse this application on that basis given this accords with the wording of Policy DM3 of the DM DPD.

5.2 **Consideration 2: Landscape and Visual Effects & Layout and Design** (NPPF: Chapter 15 paragraph 170 and 172 -177 (Conserving and Enhancing the Natural Environment); Strategic Policies and Land Allocations (SPLA) H6 – Royal Albert Fields, EN3 (The Open Countryside), EN5 (Local Landscape Designations); Development Management (DM) DPD policies DM29: Key Design Principles, DM45 (Protection of Trees, Hedgerows and Woodland) and DM46 (Development and Landscape Impact))

5.2.1 Local Plan Policy DM46, together with the NPPF, seeks to attach great weight to the protection of nationally important designated landscapes. For the avoidance of doubt, it should be noted that the application site is not located within any such designation (e.g. AONB or National Park). The site is allocated under Policy H6 of the Local Plan for residential use. Policy DM46 states that outside of protected landscapes, the council will support development which is of scale and keeping with the landscape character and which is appropriate to its surroundings in terms of siting, design, materials, external appearance of landscaping. The application is made in full and therefore the scheme can be properly assessed regarding its visual impacts.

5.2.2 The site is characterised by grazed fields, and the site slopes steeply away Ashton Road. The site is bound by existing residential development/NHS facilities to the east, north and west, and to the south lays farmland which is identified as a housing allocation also. The site is bound by a significant bank of trees to the north of the site and to a lesser extent along the western boundary. The majority of these trees are outside the control of the applicant.

5.2.3 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, in an area that does perform a transition from countryside to city environment. However, a change from open land to built-up area is not necessarily harmful. The development will impact the setting of the area when approaching Lancaster from Ashton Road. However, the impact is localised, and due to the proximity of the site to the existing built form, residential development will be in keeping with its immediate environs.

5.2.4 It would be difficult to mitigate the impacts as the proposal will lead to an inevitable change in character of the application site. It is contended that the visual impacts would not significantly or demonstrably outweigh the benefits of the proposal. The most localised impact of the proposal would be when viewed from Ashton Road, and this change would be significant, though would be localised. It is unfortunate that when viewed from Lancaster Canal the rear facades of dwellings and gardens will be visible for recreational users of Lancaster Canal. However, what is critical is that boundary treatments are post and wire and hedgerows as opposed to close boarded fencing, so this will not prevent the skyline being broken, but will just soften its appearance when viewed from the canal.

5.2.5 Whilst no concern was raised by the Conservation Officer regarding the apartment scheme on the northern element of the site, the case officer was not convinced by the original proposal and how this would be seen in context of Derby Home and from Ashton Road. The applicant has since amended the proposal to drop the height of the land together with amendments to the appearance of apartment block. This works much better, and whilst it is not entirely in keeping with the area, on balance it is considered acceptable.

5.2.6 The scheme provides for sufficient separation distances to off-site dwelling houses. The separation distance to the cottages on Ashton Road are at least 30 metres away. There is some concern for the NHS facility at the Orchards, as the units only carry a garden depth of circa 8 metres, but given the level changes (with the Orchards being located on the leese of a steep embankment) and the

existing planting in place, it is considered there will not be undue harm created or a significant loss of privacy to the Orchards or future occupiers.

- 5.2.7 The layout has been through a series of modifications throughout the application process such as pulling units away from the cottages to the west, amendments to the units facing the main area of open space and changes in house types and sizes. The changes are subtle and whilst officers would have preferred a more outward facing scheme and more significant amendments to the southern parcel of land the applicant was unwilling to accommodate these changes.
- 5.2.8 On-site separation distances do fall under the required separation distances, particularly the southern central belt. Whilst there is generally at least 21 metres between the back to back of dwellings, given the level change is in the region of circa 5 metres it would have been preferable to increase this to at least 30 metres. Good practice is for each ½ metre level change to add one metre separation distance. Whilst this would have been preferable, officers are mindful of the independent review of viability together with the effective use of land. On balance, given this is an allocated site and efforts have been made to limit the impact on the properties on Ashton Road, officers reluctantly accept this element of the proposal. The use of retaining walls and gravel boards have been included to the garden spaces and officers are in general agreement to this. There is a gabion basket retaining wall to the southern boundary of the site and the material and finishing can be addressed by condition. There is circa 28 metres (at its closest point) between the apartment block and the Cunningham Court Complex, although for the most part interface distances between windows are well in excess of 60 metres.
- 5.2.9 On the whole garden sizes are well in excess of the minimum standards, with the majority of dwellings enjoying a garden of at least 100m², albeit gradients on the site will limit the enjoyment of these outside spaces. However, this is the case on any sloping site. The challenge with any sloping site is ensuring gardens can be used especially on the back of Covid-19, when people are spending longer at home. Whilst it would have been preferable to see deeper gardens, overall officers are satisfied that these are acceptable.
- 5.2.10 The immediate surrounding built form is made up of predominately stone and slate, though the more modern Highgrove Development circa 30 metres at its closest point, is all re-constituted stone and tiled roof arrangements. Victoria, Samuel and Cunningham Court to the east are all render. The applicant is proposing to use predominately reconstituted stone in the form of Darlstone and render. In principle this could work well. There are the feature properties when entering the site which are proposed as natural stone. All roofing material will be a natural slate and given the rising nature of the site this will be a critical component of the scheme.
- 5.2.11 The main area of concern is with the apartment building to the far north end of the site. At three storeys of this is higher than the adjacent Derby Home and the apartment building to the east (these are two storeys). Storey Hall is three storeys in height. The apartment block would be almost 12 metres to the ridge when measured at its greatest height with the car parking beneath. Visually the front elevation works, albeit feels quite institutional. From the rear (which is where the scheme would be visible from Haverbreaks and Ashton Road) the proposal feels a little lifeless and whilst shares some synergies with the adjacent apartment blocks given the level changes has the potential to dominate. The applicant has, however, dropped the level of the site in this location to mitigate some of the impact and undertaken some subtle changes to the scheme which can be supported by officers. The applicant has included reconstituted stone on this elevation in lieu of render that was originally proposed. A natural stone would be more sympathetic, but the applicant is reticent.
- 5.3 **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, DM63: Transport Efficiency and Travel Plans; DM64: Lancaster District Highways and Transport Masterplan; Strategic Policies and Land Allocations (SPLA) DPD policies T2: Cycling and Walking Network, H6 – Royal Albert and T4: Public Transport Corridors
- 5.3.1 It is widely accepted that the local highway network is constrained, notably around the Boot and Shoe junction on the A6, and the Pointer Roundabout circa 1km from the site. It does need to be

remembered, however, that the site is allocated for housing within the Local Plan under Policy H6 which provides for 137 dwelling houses. The policy provides for the following:

- XI. The delivery of a highways scheme which provides safe, suitable and appropriate access arrangements into Ashton Road to the satisfaction of the local highway authority;*
- XII. The incorporation of cycle and pedestrian access with strong and positive linkages to the existing network including improvements to cycling and pedestrian links from the site into Lancaster City Centre, particularly improving linkages both along Ashton Road and Lancaster Canal;*
- XIII. The provision of sufficient levels of open space in accordance with the most up-to date evidence in relation to the quantitative and qualitative needs for the locality. Requirements will also be expected to take account of accessibility issues and should be delivered in accordance with the requirements set out in Policy DM27 of the Development Management DPD;*
- XIV. Proposals should include opportunities for the use of ultra-low emission vehicles through the provision of suitable and appropriate charging points*

The scheme provides for improvements to Pathfinders Drive, increasing its width to 5.5 metres to connect onto Ashton Road. This is the same arrangement that was found acceptable on planning application 17/01074/HYB. There is no objection from the County Council as Highway Authority on this arrangement and therefore the scheme can adhere to criteria XI. Internally there is general support from the Highway Authority though they have requested that the divergent footways at plots 1-3 and 60-63 should be amended to along the roadside. Whilst officers understand the stance of the County, officers recommend this acts as a green corridor and in design terms should be commended, albeit does not conform to standard design guidelines. The Highway Authority also requires service strips around the carriageways of 0.5m widened to 1 metre for street lighting, and the applicant is amenable to this. There was disagreement between the applicant and the Highway Authority regarding a footway along the access road serving plots 6-14. The applicant had suggested that this is shared surface serving 19 dwellings and supplied a Road Safety Audit, which demonstrated this was safe. This was supported by Highways Officers. Some concerns have also been raised by the City Council's waste management officer with respect to the layout, but this can be addressed by planning condition.

- 5.3.2 A detailed transport statement undertaken by Mouchel was undertaken for the 2017 application (17/01074/HYB) and the applicant's transport assessment is based on the 2014 and 2017 data collected and analysis. The resolved to be approved 2017 consent provides for 77 dwellings. The applicant has not undertaken a formal assessment of the highway network given the highway network has shown a drop in background traffic levels (according to the Department for Transport – annual average data traffic counts). This is not a surprise as that was one of the intended purposes of the completion of the Bay Gateway. There was significant modelling undertaken in 2017, though the Highway Authority has not asked this to be re-visited as part of this application. From a purely capacity perspective they raise no objection to the scheme. Whilst only a consultee, and its ultimately the responsibility of the council, officers agree that since the Bay Gateway was opened in 2016 there has been less traffic utilising the main A6 corridor. Furthermore, any additional traffic counts in the last 9 months would have been distorted by Covid-19 related restrictions.
- 5.3.3 Parked cars outside the cottages along Ashton Road restrict highway movement. In 2017, it was concluded that the on-street parking would cause some minor delay to the cars and buses using this route but would not be severe in terms of its impact on the highway safety for the future traffic flows. There has been no formal request made to use the development land as additional parking for residents on Ashton Road, and in many ways given terrain levels this would be problematic anyway. If, for instance, the Ashton Road route was to be chosen as a Bus Rapid Transport route (as part of the Transport Masterplan for Lancaster) then the Highway Authority would examine whether the NHS car parks could be utilised for residents and such like, or approach the developer. In any event it would be a controversial proposal given these residents have enjoyed parking outside their homes for many years, and in some ways the parked cars do act as a traffic calming device. The Lead Officer at County on their Transport Masterplan was consulted on the proposals, but no response was forthcoming. It is considered that with the financial contribution towards improvements for pedestrian and cycle provision that criteria XII can be met.

- 5.3.4 Little has been proposed by the applicant to increase the attractiveness of the site to be used by cyclists. This has been highlighted within responses to this application from members of the public and DYANMO. The response from the Highway Authority does not specify any works that are needed in this regard (i.e. increasing the footway on the along Pathfinders Drive to be used as a shared cycle/pedestrian route). However, they do request £77,000 for improvements to the Pointer Roundabout. The scheme at the Pointer Roundabout is still in the design stage and monies from this scheme would dovetail with the scheme on the gyratory system that has been funded by the Housing Infrastructure Fund (HIF). It is envisaged that the scheme will provide enhanced pedestrian and cycle provision and proposed to be implemented by December 2021. These works are not fully funded by the LCC Safety Programme and therefore the monies here would allow for the scheme to be deliverable. This would have benefit not only to this scheme but also the wider network. The bus service has been under threat for a number of years, though still operates. It is a subsidised service and therefore it is recommended to secure the money for the continuation of the service and should it not be needed within a 5 year period the monies be provided towards affordable housing in the district.
- 5.3.5 Open space has been provided on the site and this exceeds the quantum required by policy, though no on-site play equipment has been proposed. It is, however, considered a more logical solution to expand the existing play provision at Cedars which at its furthest location from the site is 650 metres. This was endorsed on previous applications on this site, and whilst in principle this works, one would need to cross the A588 though there are crossings from Pathfinders Drive and by having a pedestrian cycleway on the southern boundary allows a second point of connection here. There is a pathway which is proposed from plot 5 to the proposed amenity area which passes the Orchards. The NHS has raised concern with this pathway but with landscaping it is considered that there will not be harm caused as a result of this. Amendments to the pathway are required and can be addressed by condition.
- 5.3.6 The site will be reliant on private car journeys, but a condition is recommended to ensure electric vehicle charging points are incorporated into dwelling houses. No response from the Council's Air Quality Officer has been received to the application and with this it is assumed there is no objection on air quality grounds. A condition will be attached with a requirement for vehicle charging points to be included (this would allow XIV to be met).
- 5.4 **Consideration 4: Flood Risk and Drainage Matters** ([NPPF: Chapter 14 paragraphs 150 and 153 \(Planning for Climate Change\) and paragraphs 155-163 and 165 \(Planning and Flood Risk\); Development Management \(DM\) DPD policies DM33 \(Development and Flood Risk\), DM34 \(Surface Water Run-off and Sustainable Drainage\), DM35 \(Water Supply and Waste Water\); Strategic Policies and Land Allocations \(SPLA\) DPD Policies H6 – Royal Albert Fields and SP8 \(Protecting the Natural Environment\); Strategic Flood Risk Assessment \(October 2017\); Surface Water Drainage, Flood Risk Management and Watercourses Planning Advisory Note \(PAN\) \(2015\)](#))
- 5.4.1 The application has been subject to pre-application discussions with the Lead Local Flood Authority (LLFA) and United Utilities (UU). Whilst there was concern originally with the application, the applicant has addressed these concerns throughout the application process. There has been infiltration testing undertaken at site in August 2019, which revealed that the site was unsuitable for infiltration, and given there is no watercourse on site the only other viable solution is to discharge to the combined sewer on Ashton Road. The figure that has been agreed collectively between the LLFA and UU is 16.6 litres per second. Whilst this figure does sound high, this is below the Qbar (mean annual flood flow) at all return periods. There is no objection from the LLFA on the understanding the developer implements the development in accordance with the submitted plans, although UU has asked for a pre-commencement condition. The site is quite steep and therefore attenuation will be provided in the form of geo-cellular baskets and oversized pipes, and the developer has proposed run off rates that will match or better the existing greenfield run off rates for all return periods. As with many schemes of this nature the applicant is proposing that surface water proposals will remain within the control of a management company. The same is true for the foul water arrangements. The individual plot drainage will be the responsibility of the future homeowners and therefore private.
- 5.4.2 The South Lancaster Flood Action Group (FLAG) has raised an objection on the basis of the management and maintenance of the proposal could lead to flooding over time. They raise very valid points given the key to effective drainage structure is indeed its associated maintenance, and

to ensure it operates effectively when there is a flood event. The case officer shares FLAG's position that SuDS should be considered as critical infrastructure, and a robust system for their lifelong management should be in place throughout their lifecycle. A concern they raise relates to exceedance flows towards the eastern element of the site adjacent to the De Vitre cottages and the LLFA has been asked to comment on this. A verbal update will be provided to Councillors as a response is awaited. It is recommended that a planning condition is imposed to ensure that the management and maintenance is undertaken. It is with regret that the scheme is likely to remain private, but adopted policy does not prescribe that the drainage infrastructure has to be indeed adopted by UU.

- 5.5 **Consideration 5: Cultural Heritage** (National Planning Policy Framework paragraphs 184-202, Strategic Policies and Land Allocation, Development Management DPD Policy DM37 Development affecting listed buildings, Policy DM39 The setting of designated heritage assets, DM41 Development affecting non-designated heritage or their settings and Policy DM42 Archaeology)
- 5.5.1 Derby Home is Grade II* curtilage listed, which is associated with the former Royal Albert Hospital (Grade II*). The development is also within the setting of other Grade II Listed Buildings, including the former agricultural buildings associated with Royal Albert Farm and Storey Home. The site is also immediately adjacent to De Vitre terraces and collection of buildings along Ashton Road, which are considered to be Non-Designated Heritage Assets (NDHAs).
- 5.5.2 The conversion of Derby Home to residential accommodation was established by application reference 17/01074/HYB (although whilst within the proposed housing allocation (H6) is not referenced within the policy). Since that time the building has fallen into further disrepair. Officers support the conversion of the building into apartments which would help contribute to the long-term use of the asset. The interior is of low significance, but the main concern is how the conversion would affect the character and appearance of the external elevations. Given the state of the building new windows, roofing and doors would all be required and these can be controlled via planning conditions. The Conservation Officer has no objection to the applicant's proposals and furthermore the case officer supports the intervention to bring this building back into a use to secure its long-term future.
- 5.5.3 Historically, the former hospital complex and associated farm buildings were situated in a rural landscape which potentially provided therapeutic benefits to the patients. This setting has been diminished by suburban development to the east of Ashton Road and modern hospital buildings behind the farm. The proposal is for 54 dwellings within the currently rural landscape which surrounds these designated and non-designated heritage assets.
- 5.5.4 The development of the site would not directly impact the designated heritage assets (apart from the conversion of Derby Home) but would erode the wider rural setting of the listed hospital and ancillary buildings, which is associated with its historic development. In addition, there is some inter-visibility between the site and the heritage assets. Due to dense vegetation and mature trees this is, however, limited to views of the farm buildings (Grade II), Derby Home (curtilage listed) and the non-designated heritage assets along Ashton Road. The development of the site would lead to moderate level of harm to the setting and significance of the designated and non-designated heritage assets, but it is considered that some of this harm could be mitigated by landscape buffer zones between adjacent heritage assets and the housing development.
- 5.5.5 Historic England raises no objection to the proposal and this is a view shared by the County Archaeologist who recommends a planning condition for a building survey of Derby Home prior to development. The Conservation Team are mildly supportive of the proposals, given the proposed works to Derby Home. Overall, the proposed development would lead to less than substantial harm to the setting and significance of surrounding designated and non-designated heritage assets. However, the retention and conversion of Derby Home will be a public benefit which would help preserve some of the significance of the building and association with Royal Albert Hospital (Grade II*), and therefore securing its delivery will be critical.
- 5.6 **Consideration 6: Natural Environment** (NPPF: Chapter 15 paragraph 170 and 174-177 (Habitats and biodiversity); Strategic Policies and Land Allocations (SPLA) DPD policies H6- Royal Albert Fields ; Development Management (DM) DPD policies DM44 (Protection and Enhancement of Biodiversity), DM45 (Protection of Trees, Hedgerows and Woodland))

- 5.6.1 Earlier iterations of the scheme involved extensive tree loss and the applicant has amended their proposals to retain the majority of the trees which they intended to remove around Derby Home. The trees are not only important from a biodiversity perspective, but they also contribute to the setting of Derby Home, and in particular assist with some screening of the site beyond. Concerns were raised regarding the positioning of some of the dwellings along the western boundary and how close these were to the trees which are prominent on the skyline. Some minor modifications to the scheme have occurred by pulling the units away from this boundary. The Tree Officer raises no objections to the development.
- 5.6.2 An ecological appraisal has been submitted in support of the scheme and the application site is not designated for its nature conservation value and, apart from bats, is considered unlikely to support any specially protected or priority species (albeit badgers may exist). Small areas of broadleaved woodland, selected trees and lengths of hedgerow will be affected by the scheme as is noted above, although landscaping proposals involve new planting of significant numbers of new trees, shrubs and hedgerows. The dominant habitat on the site, and the habitat which will be most affected by the proposals, is agricultural grassland (pasture).
- 5.6.3 A bat survey is submitted in support of the scheme (August 2019) and Derby Home does support a small bat roost. Due to the threat that bats may be harmed, under the terms of the Habitats Directive and the Conservation of Habitats and Species Regulations 2010 (as amended), a licence will be required from Natural England. The local planning authority will need to have regard to Regulation 9(1) and 9(5) of the Conservation of Habitats and Species Regulations 2010 and must consider:
- That the development is ‘in the interest of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequence of primary importance for the environment;
 - That there is ‘no satisfactory alternative’; and,
 - That derogation is ‘not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range’.
- 5.6.4 With respect to point i) the wider site is allocated for development and is in the public interest to maintain an adequate supply of housing and to encourage development in sustainable locations that accord with local and national planning policy requirements. Whilst not referred by the applicant there is significant benefit in bringing a curtilage listed building back into use. It is also the case that the central government has indicated that sustainable housing developments that accord with the Development Plan could be said to meet the public interest test. In addition, the council is unable to identify a 5 year housing land supply, and this scheme would contribute to open market housing needs (bringing economic and social benefits) and given the potential harm to bats is low, officers consider that on balance this element of the test is passed.
- 5.6.5 The only realistic alternative is to leave Derby Home vacant. Officers consider that the weight attached to bringing a curtilage listed building back into use weighs heavily in support, which the Framework endorses. With this in mind it is considered that other than the ‘do nothing’ approach (which would be detrimental to the regeneration of the site and the building falling further into a state of disrepair) that the council has had due regard to the Regulations and consider that sufficient information has been supplied to enable part ii to be passed.
- 5.6.6 With respect to part iii, Greater Manchester Ecology Unit has noted that the roost found is small and of a relatively common bat species. It is considered unlikely to be a breeding roost. Mitigation for any possible disturbance to bats will be straightforward. In their view it is considered that the third test can be satisfied and no overall objections on the grounds of harm to bats and concludes that a protected species licence is likely to be granted by Natural England for this development. Planning conditions are recommended regarding improvements to the biodiversity value of the site and a further bat survey to be carried out.
- 5.6.7 Natural England (NE) raise no objection to the proposal and whilst the site is allocated for housing within the Local Plan, have highlighted that the council as the competent authority must undertake a Habitats Regulations Assessment. One has been produced and shared with NE who raise no objection subject to securing a condition associated with home owner packs. In any event the site is

removed from Morecambe Bay where the principle concern is associated with the recreational disturbance on the coastal designated site. There are no direct pathways from the site to the Bay though in accordance with Policy H6 a homeowner pack is proposed to be conditioned for future residents to be aware of.

5.7 **Consideration 7: Education and Health Provision** (Development Management DPD Policies DM1 New residential development and meeting housing needs DM57 Health and Wellbeing, DM58 infrastructure delivery and funding)

5.7.1 As with previous applications on this site, there has been concern raised with respect to education provision locally. The County Council has confirmed in December 2020 there needs to be a contribution of £161,432.25 (their earlier response suggested £193,481.28) towards the delivery of 7 secondary school places at Central Lancaster High School and/or Lancaster Royal Grammar. They have advised that there is sufficient capacity within the local primary school network, with the closest schools at Scotforth St Pauls, Bowerham CP and St Bernadettes all operating within capacity in 2025. Education is an infrastructure requirement and subject to being satisfied on the project named by the County, can be endorsed. However, should it not be needed within a 5-year period the monies be provided towards affordable housing in the district.

5.7.2 A request by the Morecambe Bay NHS Clinical Care Group has come forward for monies towards the improvement of two local doctor's surgeries within Lancaster (relating to the extension and reconfiguration of Rosebank and Meadowside surgeries). This was received on the Committee report deadline despite the application been valid 12 months. Given viability is constrained on the site, and Officers are unclear whether on allocated sites such as this site, the increase in population will have been catered for by the NHS in terms of budgeting, it is considered in this instance not to pursue this contribution.

5.8 **Consideration 8: Open Space provision** (Development Management DPD Policies DM27 Open space, sports and recreational facilities, Appendix D of the DM DPD July 2020)

5.8.1 Early iterations of the scheme provided on face value in excess of the required open space. However, it was convoluted and unusable to a degree. Following negotiation there is now a central area of open space at 1000m², and this could be used informally, and could be a small kickabout area for future residents. There is also open space to the west of Derby Home and close to De Vitre Cottages (amounting to circa 2000²). The public realm officer had requested 1235m². Plots around the open space all have direct views now which helps with the natural surveillance. There is also amenity space towards the rear to Derby Home and adjacent to the De Vitre Cottage.

5.8.2 No play equipment has been proposed on the site. On a scheme of this nature with this number of units the council would generally insist on an equipped play area. If a site masterplan had been developed, this could have addressed this issue between the two landowners but a financial contribution has been proposed to address this instead. This will go towards an improvement to the equipped play area off Spruce Avenue and towards the playing fields.

5.8.3 On balance, there is considered sufficient on site open space, and this has been improved as part of the application process, and secondly via the payment of a commuted sum to cater for the improvements to the existing facilities on Spruce Avenue at £70,000 together with improvements to the playing pitches at the Royal Albert Playing Fields at £80,000. On this basis, the scheme complies with Policy H6 XIII.

5.9 **Consideration 9: Air Quality Matters** (National Planning Policy Framework Paragraphs 103 and 181; Development Management DPD Policies DM21 Air Quality Management and Pollution; Strategic Policies and Land Allocations DPD Policy EN9 Air Quality Management Area.)

5.9.1 The site is not located within any Air Quality Management Area (AQMA), but given the level of traffic anticipated from the development and the proximity to both the city centre and Galgate AQMAs, an Air Quality Assessment (AQA) has been undertaken. The AQA addresses air quality impacts during construction and the operational stages of development.

5.9.2 An updated Air Quality Assessment was submitted in October 2020, and this includes a damage cost analysis which highlights that there is a need for a site wide travel plan, car club promotion, and

provision of cycle vouchers, in addition to the usual electric vehicle charging points and low emission boilers. It could be said these are basic matters that all developments should provide and that is correct but in the absence of a robust air quality action plans it is not possible to direct monies towards identified mitigation.

5.9.3 No objection has been received from the council's Environmental Health Team. Furthermore, the applicant has presented a robust assessment, informed by their Transport Assessment and the commitment to a Travel Plan that would reduce traffic over time, which in turn reduces anticipated emission levels from the development. Overall, it is considered that the proposal would not conflict with the Development Plan or the NPPF in respect of air quality.

5.10 **Consideration 10: Reducing Carbon Emissions** (Development Management DPD Policy DM30 Sustainable Design)

5.10.1 The scheme proposes a travel plan, financial contribution to the local bus service, provision of electric vehicle charging points and financial contributions towards upgrades to the Pointer Roundabout. In addition to this the applicants have suggested that they can reduce the energy demand of the proposed development by 16% when compared to current Building Regulations Part L via the fabric first approach. Officers do understand there will be an uplift to Building Regulations Part L in 2020 with an uplift in fabric standards. This is likely to consist of double or triple glazing and very high fabric insulation. Current and future Building Regulations will form the minimum requirements and will have to be adhered to by the development industry. These regulatory energy efficiency standards should not need improvement via planning policy, though as with the current review of the Local Plan, adapting to climate change is a critical component of the Local Plan. This is welcomed, and can be secured by planning condition should Councillors determine to support the scheme.

5.10.2 Matters relating to site contamination have been assessed by the Council's Contaminated Land Officer recommending the imposition of standard site investigation conditions. The applicant's assessment highlights the need for additional surveys and these can be conditioned. There will be circa 200 people employed during the construction phase of the development comprising of contractors and subcontractors and a condition is recommended detailing an Employment and Skills Plan. It is recommended a condition is imposed removing permitted development rights to ensure that garden spaces and parking arrangements are acceptable.

6.0 **Conclusion and Planning Balance**

6.1 The proposal will make a small but valuable contribution towards the supply of market housing in South Lancaster. The area will be the principle area of growth over the next decade. As of November 2020, the council cannot demonstrate a deliverable 5-year housing land supply. Whilst there have been concerns expressed by local residents, officers are satisfied that the application site is sustainably located with good access to public transport provision, and to a lesser extent local services and facilities. Despite the landscape and visual harm identified, given the terrain of the site, through the landscaping proposals and the provision of open space this will positively contribute to the design quality of the scheme. A significant benefit of the proposal is bringing back Derby Home back into use given it is listed and has been unoccupied for at least 2 decades.

6.2 The access, internal road arrangements and off-site highway works are matters necessary to make the development acceptable. The impacts on air quality are capable of being mitigated, and the design and standard of amenity of the development accords with provisions of the development plan. The site is not at risk of flooding, and despite concerns to the contrary, the development can drain in a sustainable manner without leading to a risk of flooding, assuming a robust management and maintenance plan is adopted. There are a number of conditions required to ensure the standard of development meets the aims and objectives of the Local Plan. Neutral weight is given to these considerations.

6.3 Weighing heavily against the proposal is the localised visual impacts resulting from the development and the erosion of pastureland to a housing estate. Regardless how sensitively the site is designed the change is inevitably going to lead to harm. Critically minimal affordable home provision has been provided by the scheme, and therefore this is a significant weakness of the proposal. However, policy does allow for applicants to negotiate this point when viability is constrained, as is the case

here. This has been assessed by an independent chartered surveyor and whilst the quantum is disappointing it has been externally scrutinised and accords with the spirit of the adopted policy.

- 6.4 The balancing exercise in this case remains a 'tilted balance' which means planning permission must be granted unless the adverse impacts would significantly and demonstrably outweigh the benefit when assessed against the Framework as a whole. The site is allocated for housing within the SPLA, and given the amendments made during the application process, this means the adverse impacts identified to the landscape character of the area would not significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole. On this basis officers recommend that the scheme is supported by Councillors.

Recommendation

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

- Affordable Housing (three 3-bedroom semi-detached properties)
- Education contribution of **£161,432.25** for seven secondary school places (if not spent, diverted to affordable housing provision);
- Open space off-site contribution of **£80,000** towards the Royal Albert Playing Fields and **£70,000** towards the extension of the Play Area at the Cedars;
- Highways Contribution of **£100,000** towards the Lancaster – Knott End bus service and **£77,000** towards the Pointer Roundabout Improvements (if not spent, diverted to affordable housing provision);
- Derby Home to be fully converted in accordance with approved plans and an approved timetable; and
- 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	Timescales 3 years	Control
2	Approved Plans	Control
3	Drainage scheme	Pre-commencement
4	Access Detail to be agreed	Pre-commencement
5	Employment skills plan	Pre-commencement
6	Contamination Assessment	Pre-commencement
7	Updated AIA and Tree Protection Measures	Pre-commencement
8	Level 3 Building Recording Derby Home (Only on Derby Home)	Pre-commencement
9	Boundary Details	Above ground
10	Homeowner Packs (Ecology Mitigation)	Above ground
11	Scheme for cycle provision and refuse	Above ground
12	Offsite Highway Works	Above ground
13	Electric Vehicle Charging Points	Above ground
14	NDSS and M4(2) Standards	Above ground
15	Building Materials	Above ground
16	Drainage Management Proposals	Above ground
17	Landscaping Implementation and ongoing aftercare	Above ground
18	Hours of construction	Control
19	Provision of access and turning facilities	Control
20	Finished Floor and Site Levels	Control
21	Development in accordance with Energy Statement	Control

22	Removal of Permitted Development Rights	Control
23	Development in accordance with submitted Travel Plan	Control
24	Development in accordance with submitted Air Quality Mitigation details	Control

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

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

Background Papers

None

Agenda Item	A8
Application Number	19/01569/LB
Proposal	Listed building application for the removal of the side extension and external staircase, construction of a pitched roof to existing dormer, installation of a roof light and replacement rainwater goods, construction of a new entrance in existing window opening to the side, new window openings to all elevations, removal of doorway opening on the first floor and construction of a new doorway opening and ramp to form new front entrance and construction of internal partition walls, and provision of new slate roofing
Application site	Derby Home, Pathfinders Drive, Lancaster, Lancashire
Applicant	Oakmere Homes
Agent	Mr Peter Whittingham
Case Officer	Mr Mark Potts
Departure	No
Summary of Recommendation	Approval

1.0 Application Site and Setting

1.1 Derby Home was designed and built in 1912-13, and is a stone built rectangular structure of a domestic Gothic style beneath a gauged slate gable roof. The rectangular core of the building is a storey and a half high with an additional storey with a habitable projecting eastern wing and a modern single-story structure to the south. The building has been terraced into the slope on its western edge and a part subterranean cellar has been created beneath the northern half of the building. The proposal is situated in the proximity of seven listed buildings and due to its historic connection and association with Royal Albert Hospital (Grade II*), Derby Home is considered to be curtilage listed. The wider site location is referred to in greater detail in the Committee report for planning application 19/01568/FUL.

2.0 Proposal

2.1 Listed building consent is sought for the conversion of Derby Home into 8 residential apartments. Externally the changes will involve the demolition of a flat roof extension on the south facing elevation, including the current external staircase at the southern edge of the eastern elevation. There is a present timber infill within the northern elevation which is also proposed to be demolished. Replacement windows are proposed, and there will be a need for replacement stonework in some locations. Internally there will be some subdivision to facilitate the development and this would involve the demolition of some internal sub-divisions and the construction of new ones.

3.0 Site History

3.1 A number of relevant applications relating to this site have previously been received by the Local Planning Authority. Those most pertinent are noted below:

Application Number	Proposal	Decision
19/01568/FUL	Erection of 54 dwellings, 1 3-storey building comprising 8 2-bed apartments and conversion of Derby Home to 8 apartments, regrading of land, creation of parking areas, internal roads including associated upgrading works to Pathfinders Drive, footpaths, drainage infrastructure and provision open space	Pending Consideration
17/01076/LB	Listed Building application for the conversion of Derby Home into six apartments (C3)	Approval subject to applicant entering into Section 106 on the associated full application – still to be issued.

4.0 Consultation Responses

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

Consultee	Response
Conservation Officer	No objection to the proposals. With respect to the conversion of Derby Home, they consider there would be a degree of harm caused by the subdivision. However, this would be less than substantial. Overall they support the applicant's proposals.
Historic England	No observations to make on the planning application.
National Amenity Societies	No observations received to the proposal.
Lancashire County Specialist Advisory Service Archaeology	No objection though recommends that the building is subject to a Level 3 standard survey. They have suggested the new proposed second floor plans involve the construction of a partition wall across one of the existing window openings.

4.2 No representations have been received directly in relation to this listed building application, though there has been a number of representations received in respect of 19/01568/FUL as noted within its associated Committee report.

5.0 Analysis

5.1 The key consideration in the assessment of this application is:

Preserving the future of the Grade II* Derby Home (Development Management DPD Policy DM37 Development affecting listed buildings, DM39 - The setting of Designated Heritage Assets, DM42 Archaeology, National Planning Policy Framework Section 16 – Conserving and Enhancing the Historic Environment)

5.1.1 The NPPF states that when considering the impact of a proposed development on the significance of a designed heritage asset, great weight should be given to the asset's conservation. Similarly, the local planning authority in exercising its planning function should have regard to s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states "*In considering whether to grant planning permission for development which affects a Listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*". Paragraph 192 of the NPPF seeks to express the statutory presumption set out in S66(1) of the 1990 Act. How the presumption is applied is covered in the following paragraphs of the NPPF, though it is clear that the presumption is to avoid harm. The exercise is still one of planning judgement but it must be informed by the need to give special weight to the desirability to preserve the heritage asset.

5.1.2 The scheme seeks permission to remove the existing flat roof extension to the south elevation (which has in principle already the benefit of listed building consent for its removal), including the timber

extension to the north elevation and the stairs on the front elevation are also proposed to be removed. No window detail has been proposed, though it is expected new windows, which should be timber, are incorporated. Whilst this is less than ideal it is considered that this issue can be addressed by means of planning condition. This is a view shared by the Conservation Officer.

- 5.1.3 Internally there will be a degree of harm associated with the subdivision of Derby Home, though this would be less than substantial harm and a building record condition would help assist in mitigating some of the harm caused by the subdivision (which the Conservation Officer and the County Archaeologist supports). Derby Home has been boarded for some time, and no internal access was made available for its assessment in 2019, but as part of earlier proposals on this site the assessment was able to utilise previous surveys.
- 5.1.4 There will be some harm due to the subdivision, but the conversion will involve the removal of the modern extension on the principle elevation, therefore, better revealing the aesthetic value of the building and fundamentally contributing to its long term use and conservation. Planning conditions are recommended concerning the stonework repair, building materials (to include window, door, stone samples, rainwater goods and flue and vent details) together with any replacement roofing material, and a Level 3 building record analysis to be undertaken.
- 5.1.5 On balance, it is considered that there will be harm caused to Derby Home, though this would amount to less than substantial harm. It is considered that the development would amount to less than substantial harm but this is outweighed by the public benefits associated with restoring this curtilage listed building and bring it back into use and it is considered that the development complies with Policies DM37, DM39 and DM42 of the Development Management DPD.

6.0 Conclusion and Planning Balance

- 6.1 The Local Planning Authority is supportive of the conversion of Derby Home which retains heritage value on several levels and, as such, is considered to be of district/local heritage significance. Whilst its conversion and retention are silent within Policy H6 of the SPLA element of the Local Plan, officers are pleased to see it come forward for conversion. The exterior of Derby Home largely retains its original appearance and has some visual connection with the adjacent listed buildings. Whilst internally in poor condition, the original layout and character of the ground floor spaces appears to have been retained and the function of each space can be understood.
- 6.2 The proposed development will involve the renovation and consolidation of a building that has been derelict for an extended period of time, and as a result its condition has deteriorated, and therefore the proposed development would ensure the long term survival of the building, albeit altered for the foreseeable future.

Recommendation

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

Condition no.	Description	Type
1	Standard Timescale 3 year	Control
2	Approved Listed Building Plans	Control
3	Agreement of materials to be utilised	Pre-commencement
4	Level 3 building recording survey	Pre-commencement
5	Stonework Repair Methodology	Pre-commencement
6	Detail of the ramp access to the front elevation	Pre-commencement

LIST OF DELEGATED PLANNING DECISIONS

LANCASTER CITY COUNCIL

APPLICATION NO	DETAILS	DECISION
20/00105/DIS	Higher Croasdale Grains, Petersbottom Lane, Lowgill Discharge of condition 3, 4 and 5 on approved application 20/00107/FUL for F & K Estates (Lower Lune Valley Ward 2015 Ward)	Application Permitted
20/00113/DIS	Hill Farm, Littledale Road, Brookhouse Discharge of conditions 3, 4, 5 and 6 on approved application 18/01419/FUL for Mr Paul Kershaw (Lower Lune Valley Ward 2015 Ward)	Split Decision
20/00120/DIS	ALDI, 48 Aldcliffe Road, Lancaster Discharge of condition 7 on approved application 18/01100/FUL for Mr Adam Robson (Castle Ward 2015 Ward)	Application Permitted
20/00123/DIS	Former Filter House, Kellet Road, Carnforth Discharge of part of condition 1 and 5 and discharge of conditions 5 and 10 on approved application 19/00495/VCN for Mr John Carter (Carnforth And Millhead Ward 2015 Ward)	Application Refused
20/00137/DIS	Land East Of Arkholme Methodist Church, Kirkby Lonsdale Road, Arkholme Discharge of conditions 6,10,11 and 14 on approved application 15/01024/OUT for Oakmere Homes (Kellet Ward 2015 Ward)	Split Decision
20/00138/DIS	Land East Of Arkholme Methodist Church, Kirkby Lonsdale Road, Arkholme Discharge of condition 3 and 4 on approved application 18/00645/REM for Oakmere Homes (Kellet Ward 2015 Ward)	Split Decision
20/00139/DIS	Booth Hall, Bay Horse Road, Quernmore Discharge of conditions 3 and 4 on approved application 19/00870/FUL for Mr David Kidd (Lower Lune Valley Ward 2015 Ward)	Application Permitted
20/00140/DIS	Land At Grid Reference 358185 471983, Kirkby Lonsdale Road, Arkholme Discharge of conditions 4 and 12 on approved application 15/01024/OUT for Oakmere Homes (Kellet Ward 2015 Ward)	Split Decision
20/00149/DIS	BARCLAYS, 17 - 19 Euston Road, Morecambe Discharge of condition 3 on approved application 20/00715/LB for Chris Barclays (Poulton Ward 2015 Ward)	Application Permitted
20/00150/DIS	Land East Of 3 1 5 Health Club, 3 Mannin Way, Lancaster Discharge of condition 3 on approved application 18/01418/FUL for Ryder (Lower Lune Valley Ward 2015 Ward)	Application Permitted
20/00152/DIS	312 Lancaster Road, Morecambe, Lancashire Discharge of condition 3 on approved application 20/00649/FUL for Mr Brian Peters (Torrisholme Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

20/00199/PLDC	403 Lancaster Road, Morecambe, Lancashire Proposed Lawful Development Certificate for the use of first floor room as a dog grooming business for Mr Mitchell Jeffreys (Torrisholme Ward 2015 Ward)	Application Withdrawn
20/00388/FUL	The Pub, 45 - 47 China Street, Lancaster Relevant demolition of outbuilding to the side, change of use of vacant land to beer garden and outdoor events space in association with 45-47 China Street (A4) installation of a canopy, construction of decked area and erection of a boundary fence, walls and gates for Mr R Morrish (Castle Ward 2015 Ward)	Application Permitted
20/00395/FUL	Hall Farm Barns, Kellet Road, Over Kellet Change of use and conversion of redundant agricultural barns to create three 4-bed residential dwellings, construction of boundary wall, erection of garages and outbuildings with associated access for Mr John Benson (Kellet Ward 2015 Ward)	Application Permitted
20/00396/LB	Hall Farm Barns, Kellet Road, Over Kellet Listed building application for works to internal walls, installation of partition walls and new roof structures and replacement roof trusses, doors and windows, creation of additional window openings, construction of boundary wall, erection of garages and outbuildings with associated access for Mr John Benson (Kellet Ward 2015 Ward)	Application Permitted
20/00403/FUL	11 Moor Lane, Lancaster, Lancashire Change of use of shop and offices (A1/A2) to form 5 studio flats, two 3 bed flats, and three 1 bed flats (C3) for student accommodation, installation of replacement windows and rooflights, partial demolition of single storey outrigger and construction of bin store, bike store and boundary wall for Mr Munshi (Bulk Ward 2015 Ward)	Application Refused
20/00404/LB	11 Moor Lane, Lancaster, Lancashire Listed building application for works to existing partition walls, installation of new partition walls, infill existing doorway, refurbishment of second floor fireplace, repair internal staircase with installation of balustrade, fitting of timber sections to the front elevation, repainting of front elevation, installation of replacement windows, restoration of two window openings, the installation of 2 rooflights to the rear elevation, partial demolition of single storey outrigger, removal of pipework and cabling, construction of boundary wall and construction of bike store for Mr Munshi (Bulk Ward 2015 Ward)	Application Refused
20/00495/FUL	30 Lowlands Road, Morecambe, Lancashire Erection of a single storey side extension for Mr Brian Hopkins (Westgate Ward 2015 Ward)	Application Refused
20/00595/FUL	14 -16 Stanley Road, Heysham, Morecambe Change of use of 2 Dwellings (C3) to 6 self-contained flats (C3), construction of a dormer extension, installation of rooflight and installation of external staircase to the rear of 14 and 16 for Mr M. Mussa (Heysham North Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

20/00661/FUL	Barley Bank Cottage, Rantreefold Road, Tatham Erection of a first floor side extension including installation of flue and erection of front porch for Lucy Ray (Lower Lune Valley Ward 2015 Ward)	Application Permitted
20/00694/FUL	7A Euston Road, Morecambe, Lancashire Change of use of ground floor cafe (A3) to 2 letting bedrooms in association with the Royal Hotel (C1) and alterations to windows and doors for Royal Hotel Morecambe Ltd (Poulton Ward 2015 Ward)	Application Permitted
20/00709/FUL	Land East Of Mill Houses, Tatham, Lancashire Erection of a horticultural building and polytunnel, alterations to the access and installation of a track, alteration to land levels and installation of surface water drainage system for Mr & Mrs Clapp (Lower Lune Valley Ward 2015 Ward)	Application Permitted
20/00739/FUL	Little Grebe Barn, 5 Braides Farm, Sandside Erection of an agricultural shed for Mr Gary Jones (Ellel Ward 2015 Ward)	Application Permitted
20/00745/FUL	53 Market Street, Lancaster, Lancashire Change of use of first and second floor offices (B1) to 2 4-bed student flats (C4), erection of a first and second floor rear extension and erection of a bin store and cycle store for Market Street Ltd (Castle Ward 2015 Ward)	Application Permitted
20/00746/LB	53 Market Street, Lancaster, Lancashire Listed building application for the erection of a first and second floor rear extension, installation of secondary glazing to front first and second floor windows, construction of an internal acoustic wall, construction and removal of internal walls, removal of internal staircase, installation of new door at ground floor level, installation of new opening, and widening of existing openings for Market Street Ltd (Castle Ward 2015 Ward)	Application Permitted
20/00789/FUL	Kitchen Ground Farm, Kit Brow Lane, Ellel Demolition of existing building and erection of extensions to livestock buildings for Mr Andrew Woodhouse (Ellel Ward 2015 Ward)	Application Permitted
20/00790/FUL	Kitchen Ground Farm, Kit Brow Lane, Ellel Erection of an infill extension between livestock housing and milking parlour buildings to form a roof over existing yard and field for Mr Andrew Woodhouse (Ellel Ward 2015 Ward)	Application Permitted
20/00791/FUL	Kitchen Ground Farm, Kit Brow Lane, Ellel Erection of a roof structure over existing ring slurry tank for Mr Andrew Woodhouse (Ellel Ward 2015 Ward)	Application Permitted
20/00792/FUL	Kitchen Ground Farm, Kit Brow Lane, Ellel Formation of concrete surfacing within yard areas and track for Mr Andrew Woodhouse (Ellel Ward 2015 Ward)	Application Permitted
20/00796/FUL	Bay View Holiday Park, Dertern Lane, Bolton Le Sands Change of use of agricultural land, creation of access tracks and regrading of land to allow siting of touring caravans for Holgates (Caravan Parks) Limited (Bolton And Slyne Ward 2015 Ward)	Application Refused

LIST OF DELEGATED PLANNING DECISIONS

20/00804/FUL	Kitchen Ground Farm, Kit Brow Lane, Ellel Erection of a roof structure over existing earth banked slurry lagoon for Mr Andrew Woodhouse (Ellel Ward 2015 Ward)	Application Permitted
20/00827/FUL	Mill House, Sandside, Cockerham Change of use of agricultural land for the siting of 6 camping pods with associated package treatment plant and creation of access road and parking areas for Mr & Mrs R Kellet (Ellel Ward 2015 Ward)	Application Permitted
20/00846/LB	Ripley St Thomas Church Of England Academy, Ashton Road, Lancaster Listed building application for the installation of new internal doors and glazing for Ripley St Thomas (Scotforth West Ward 2015 Ward)	Application Permitted
20/00884/ADV	Ashton Manor, Scotforth Road, Lancaster Advertisement application for the display of an externally illuminated totem sign for Mr Mark Stubbs (Scotforth East Ward 2015 Ward)	Application Withdrawn
20/00898/FUL	RSPB, Leighton Moss, Storrs Lane Erection of an osprey nest platform for Miss Francesca Currie (Silverdale Ward 2015 Ward)	Application Permitted
20/00899/FUL	91 Scotforth Road, Lancaster, Lancashire Change of use of podiatrist (class E) to a 2 bedroom flat (C3), installation of bi-fold doors to the rear elevation and erection of a bin store for Mr Ross Mackay (Scotforth East Ward 2015 Ward)	Application Permitted
20/00900/FUL	64 Newsham Road, Lancaster, Lancashire Erection of a single storey rear extension for MCV Investments Ltd (Scotforth West Ward 2015 Ward)	Application Permitted
20/00908/FUL	16 Sunningdale Avenue, Hest Bank, Lancaster Demolition of existing external store, conservatory and side porch, erection of a single storey side extension, construction of a dormer extension to the front elevation and construction of a partial hip to gable extension for Mrs Deborah Rowley (Bolton And Slyne Ward 2015 Ward)	Application Permitted
20/00951/FUL	Catshaw Hall Farm, Scorton Marshaw Road, Over Wyresdale Erection of extension to an agricultural livestock building at Catshaw Hall Farm and roof over existing yard at Long Barn for Mr William Drinkall (Ellel Ward 2015 Ward)	Application Permitted
20/00955/FUL	2 Hazelmount Crescent, Warton, Carnforth Construction of dormer extensions to the front and rear elevations and erection of a single storey extension to the rear elevation for Mr. A. Butterfield (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
20/00959/PLDC	Asda, Ovangle Road, Morecambe Proposed lawful development certificate for the refurbishment of existing café and change of use of part of the cafe (E) to retail floorspace (E) for Asda Stores Limited (Westgate Ward 2015 Ward)	Lawful Development Certificate Granted
20/00962/FUL	1-3A Sandylands Promenade, Heysham, Lancashire Installation of two air source heat pumps and associated infrastructure for Mr Ian Bond (Heysham North Ward 2015 Ward)	Application Permitted

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20/00973/FUL	1 Broadacre Place, Caton, Lancaster Construction of a dormer extension to the rear for Mr and Mrs P Talbot (Lower Lune Valley Ward 2015 Ward)	Application Permitted
20/00977/FUL	6 Canal Gardens, Bolton Le Sands, Carnforth Demolition of rear conservatory and side lean-to, erection of single storey rear extension and two storey side extension for Mr James Freeman (Bolton And Slyne Ward 2015 Ward)	Application Permitted
20/00985/PLDC	13A And 15 Manor Road, Slyne, Lancaster Proposed lawful development certificate for the conversion of two dwellings(C3) into one dwelling (C3) for Master Joash Arun (Bolton And Slyne Ward 2015 Ward)	Lawful Development Certificate Granted
20/01009/FUL	Land North Of Stonesby House, Stanmore Drive, Lancaster Erection of a pair of semi-detached dwellings with associated access for Munshi (Scotforth West Ward 2015 Ward)	Application Permitted
20/01012/PLDC	20 Stuart Avenue, Morecambe, Lancashire Proposed lawful development certificate for demolition of the existing garage, erection of single storey side extension and alterations to the first floor window on the side elevation for Mr and Mrs MacLuskie (Bare Ward 2015 Ward)	Lawful Development Certificate Granted
20/01017/PLDC	6 Penrith Avenue, Heysham, Morecambe Proposed lawful development certificate for remodelling of existing rear single storey extension for Mr. & Mrs. D. Rothwell (Heysham Central Ward 2015 Ward)	Lawful Development Certificate Granted
20/01029/PLDC	78 Barton Road, Lancaster, Lancashire Proposed lawful development certificate for hip to gable extension. construction of dormer extension to the rear elevation, installation of side window, 2 rooflights to front elevation and removal of existing chimney for Mr & Mrs Zarko and Joanna Babic (Scotforth East Ward 2015 Ward)	Lawful Development Certificate Granted
20/01036/FUL	9 Hest Bank Road, Morecambe, Lancashire Demolition of existing rear extension and erection of a single storey rear extension for Mr Hamza Anwar (Bare Ward 2015 Ward)	Application Permitted
20/01046/PLDC	48 West Road, Lancaster, Lancashire Proposed lawful development certificate for the erection of a single storey side extension to existing outrigger and conversion of external stores to part of kitchen for Mr Jonathan Meadowcroft (Castle Ward 2015 Ward)	Application Withdrawn
20/01047/ADV	Land North Of Hala Carr Farm, Bowerham Road, Lancaster Advertisement application for the display of 2 non-illuminated freestanding signs and 2 non-illuminated flagpoles for K Hill (University And Scotforth Rural Ward)	Application Permitted
20/01065/FUL	25 Beaufort Road, Morecambe, Lancashire Demolition of existing rear extensions and erection of a wrap around single storey rear and side extension for Mr.& Mrs. D. Oldrieve (Bare Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

20/01067/PLDC	62 Norwood Drive, Morecambe, Lancashire Proposed lawful development certificate for the erection of a single storey rear extension for Mr.&Mrs. R. Bright (Torrisholme Ward 2015 Ward)	Lawful Development Certificate Refused
20/01069/FUL	Shaw House, Farleton Old Road, Claughton Retrospective application for the retention of a package treatment plant and drainage mound for Mr Ian Starley (Lower Lune Valley Ward 2015 Ward)	Application Permitted
20/01096/FUL	1 Ferncliffe Drive, Heysham, Morecambe Erection of a single storey side extension for Paul Butterfield (Heysham Central Ward 2015 Ward)	Application Permitted
20/01099/PLDC	41 Farmdale Road, Lancaster, Lancashire Proposed lawful development certificate for the construction of a dormer extension to the rear elevation and installation of a first floor window and SVP to the side elevation for Mr. A. Kennedy (John O'Gaunt Ward 2015 Ward)	Lawful Development Certificate Granted
20/01101/PAA	Middle Crag Farm, Starbank, Dolphinholme Prior approval for the change of use of an agricultural barn and shippon to 4 dwellinghouses (C3) for Mr Ken Drinkwater (Ellel Ward 2015 Ward)	Prior Approval Refused
20/01113/ADV	53 Market Street, Lancaster, Lancashire Advertisement application for the display of a non-illuminated fascia sign for Market Street Ltd (Castle Ward 2015 Ward)	Application Permitted
20/01140/FUL	3 Hodder Avenue, Morecambe, Lancashire Erection of a single storey side extension for Mr. S. Shettock (Skerton West Ward 2015 Ward)	Application Permitted
20/01142/FUL	6 Rylstone Drive, Heysham, Morecambe Construction of a hip to gable extension, construction of a dormer extension to the rear elevation and construction of a pair of dormer extensions to the front elevation for Mr P And Mrs J Rogerson (Heysham Central Ward 2015 Ward)	Application Permitted
20/01151/PLDC	14 Seymour Grove, Heysham, Morecambe Proposed lawful development certificate for the erection of a single storey extension to the rear, construction of dormer extensions to the side and rear, installation of two rooflights and replacement windows to the front for Mr And Mrs C & S Watkins (Heysham South Ward 2015 Ward)	Lawful Development Certificate Granted
20/01161/FUL	3 The Spinney, Heysham, Morecambe Erection of a first floor side extension over existing garage for Mr Robinson (Heysham South Ward 2015 Ward)	Application Permitted
20/01168/FUL	Westfield, Gaskell Close, Silverdale Erection of a two storey side extension for Dr & Mrs S & L Rattenbury (Silverdale Ward 2015 Ward)	Application Permitted
20/01185/FUL	2 Hestham Parade, Morecambe, Lancashire Construction of a new pitched roof and gable wall to replace existing flat roof for Miss Becky Hulme (Harbour Ward 2015 Ward)	Application Permitted

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20/01187/FUL	132 Kingsway, Heysham, Morecambe Retrospective application for the retention of a log store to the rear of existing conservatory for Mr. S. Horrobin (Heysham South Ward 2015 Ward)	Application Permitted
20/01189/FUL	31 Shore Road, Silverdale, Carnforth Construction of an oriel window to stair on the side elevation for Mr Dennis Mcluckie (Silverdale Ward 2015 Ward)	Application Permitted
20/01195/FUL	7 Anderson Close, Lancaster, Lancashire Erection of a part single part two storey front, side and rear extension for Mr & Mrs. R. Kenworthy (John O'Gaunt Ward 2015 Ward)	Application Permitted
20/01206/PLDC	43 Scotforth Road, Lancaster, Lancashire Proposed lawful development certificate for the removal of existing chimney and construction of a dormer extension to the side elevation for Mr. F. Wright (Scotforth East Ward 2015 Ward)	Lawful Development Certificate Granted
20/01228/FUL	10 Grosvenor Road, Carnforth, Lancashire Demolition of existing conservatory and erection of a replacement single storey side extension for Mr & Mrs Mason (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
20/01229/PAA	Stanley Farm, Quernmore Road, Quernmore Prior approval for the change of use of agricultural building into two dwellings (C3) for V Property NW Ltd (Lower Lune Valley Ward 2015 Ward)	Prior Approval Refused
20/01238/FUL	6 Hamilton Drive, Lancaster, Lancashire Erection of a single storey rear and side extension for E & L Boothman (Skerton West Ward 2015 Ward)	Application Permitted
20/01251/FUL	67 Silverdale Road, Yealand Redmayne, Carnforth Conversion of existing garage to form additional living space, erection of a replacement single storey rear/side extension and alterations to land levels for Mr and Mrs Phil Shaw (Silverdale Ward 2015 Ward)	Application Permitted
20/01270/PLDC	27 Wellington Road, Lancaster, Lancashire Proposed lawful development certificates for erection of dormer/second floor extension to rear and installation of four rooflights to the front elevation for Mr Nick Allnutt (Scotforth West Ward 2015 Ward)	Lawful Development Certificate Granted
20/01273/LB	53 Market Street, Lancaster, Lancashire Listed building application for the installation of a non-illuminated fascia sign for Market Street Ltd (Castle Ward 2015 Ward)	Application Permitted
20/01282/PLDC	32 Manor Road, Slyne, Lancaster Proposed lawful development certificate for construction of a dormer extension to the rear elevation and installation of two roof lights to the front elevation for Mr and Mrs Woolfall (Bolton And Slyne Ward 2015 Ward)	Lawful Development Certificate Granted
20/01284/FUL	Beech Cottage, Borwick Road, Borwick Removal of existing septic tank and installation of new sewage treatment plant for Mr & Mrs Chris Trinick (Kellet Ward 2015 Ward)	Application Permitted

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20/01313/NMA	Land Along The East Bank Of The River Lune Between The A683 Viaduct And Skerton Bridge And Land Along The West Bank Of The River Lune East Off Halton Road/Main Street, , Non-material amendment to planning application 18/00751/FUL to include an up and over arrangement with fencing and access gates for Mr Gary Bowker (Overton Ward 2015 Ward)	Application Permitted
20/01332/PLDC	12 Browsholme Close, Carnforth, Lancashire Proposed lawful development certificate for erection of single storey rear extension for Mrs Amanda Robinson (Carnforth And Millhead Ward 2015 Ward)	Lawful Development Certificate Granted
20/01338/PLDC	18 Oak Avenue, Morecambe, Lancashire Proposed lawful development certificate for erection of single storey rear extension for Mr And Mrs Gemson (Bare Ward 2015 Ward)	Lawful Development Certificate Granted
20/01342/PLDC	27 Coulston Road, Lancaster, Lancashire Proposed lawful development certificate for the change of use of a dwelling (C3) to a house in multiple occupation (C4) for Mr. C. Pickthall (John O'Gaunt Ward 2015 Ward)	Lawful Development Certificate Granted
20/01343/PLDC	2 West Street/14 Ash Grove , Lancaster, Lancashire Proposed lawful development certificate for the change of use of a dwelling (C3) to a house in multiple occupation (C4) for Mr. C. Pickthall (Scotforth West Ward 2015 Ward)	Lawful Development Certificate Granted
20/01344/PLDC	4 Gordon Terrace, Bowerham Road, Lancaster Proposed lawful development certificate for the change of use of a dwelling (C3) to a house in multiple occupation (C4) for Mr. C. Pickthall (Scotforth West Ward 2015 Ward)	Lawful Development Certificate Granted
20/01345/PLDC	1 Ulster Road, Lancaster, Lancashire Proposed lawful development certificate for the change of use of a dwelling (C3) to a house in multiple occupation (C4) for Mr. C. Pickthall (John O'Gaunt Ward 2015 Ward)	Lawful Development Certificate Granted
20/01353/PLDC	55 Broadway, Morecambe, Lancashire Proposed lawful development certificate for the construction of dormer extension to the side and rear elevations for Mr. & Mrs. Dent (Bare Ward 2015 Ward)	Lawful Development Certificate Granted
20/01360/PLDC	5 Bedford Place, Lancaster, Lancashire Proposed lawful development certificate for erection of single storey side extension and installation of a roof lantern for Mr. & Mrs. A. Abrams (Scotforth East Ward 2015 Ward)	Lawful Development Certificate Granted
20/01361/PLDC	102 Keswick Road, Lancaster, Lancashire Proposed lawful development certificate for construction of a dormer extension to the rear elevation and installation of three roof lights to front elevation for Mrs V. Fisher (Bulk Ward 2015 Ward)	Lawful Development Certificate Granted
20/01362/NMA	2 Steward Avenue, Lancaster, Lancashire Non material amendment to planning permission 20/00269/FUL to amend the cladding material to the dormers for Mr Gargan (John O'Gaunt Ward 2015 Ward)	Application Permitted

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20/01365/PLDC	21 Windsor Avenue, Lancaster, Lancashire Proposed lawful development certificate for hip-to-gable roof extension, construction of rear dormer extension, installation of window to the side elevation and installation of three roof lights and solar panels to the front elevation for Mr & Mrs Brown (John O'Gaunt Ward 2015 Ward)	Lawful Development Certificate Granted
20/01369/AD	Gibsons Farm, Bay Horse Road, Quernmore Agricultural determination for erection of an agricultural storage building for Messrs Richard Pye (Lower Lune Valley Ward 2015 Ward)	Prior Approval Not Required
20/01379/AD	Field At Grid Reference 351950 471570, Netherbeck, Carnforth Agricultural determination for erection of an agricultural storage building for Mr Andrew Thompson (Kellet Ward 2015 Ward)	Prior Approval Not Required
20/01381/AD	Land Off, Lodge Lane, Adjacent Backland Wood Agricultural determination for creation of a track for Mrs Clarke (Upper Lune Valley Ward 2015 Ward)	Prior Approval Not Required
20/01404/AD	Lots House Farm, Quarry Road, Brookhouse Agricultural determination for erection of a storage building for Miss Lynne Taylor (Lower Lune Valley Ward 2015 Ward)	Prior Approval Not Required
20/01407/NMA	Land South Of Number 26, Littledale Road, Brookhouse Non material amendment to planning permission 19/01048/VCN to install solar panels on the south and east facing roof slopes for Mr S Graham (Lower Lune Valley Ward 2015 Ward)	Application Permitted
20/01424/PLDC	4 Daisy Bank, Quernmore Road, Lancaster Proposed lawful development certificate for the erection of a single storey rear extension and the installation of a door and window to the side elevation for Mr. M. Firth (Lower Lune Valley Ward 2015 Ward)	Lawful Development Certificate Granted
20/01441/AD	Land To The North Of , 72 Beech Road, Halton Agricultural determination for erection of a storage building for Mr. Malcolm Larton (Halton-with-Aughton Ward 2015 Ward)	Prior Approval Refused