



Committee: PLANNING REGULATORY COMMITTEE

Date: MONDAY, 1 MARCH 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 1st February 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 | <u>A5 20/00550/FUL</u> | University of Cumbria, Bowerham Road, Lancaster, Lancashire | John O'Gaunt Ward | (Pages 5 - 14) |
| | | Demolition of buildings including William Thompson Tower, William Thompson Offices, Primary Curriculum Building, Estates & Secondary Centre buildings and erection of an 8, 9 and 10 storey building comprising residential student accommodation in cluster flat arrangements with ancillary laundry room, cycle store, refuse store, management office and reception, plant room and associated landscaping, access and service infrastructure. | | |
| 6 | <u>A6 20/00554/FUL</u> | University of Cumbria, Bowerham Road, Lancaster, Lancashire | John O'Gaunt Ward | (Pages 15 - 25) |
| | | Demolition of buildings including Sarah Witham Thompson, Gressingham and Melling Halls, Black Box Theatre, Old Dining Room and the Long Corridor and | | |

erection of a 4 storey Extra Care residential building (use class C3), partial demolition, conversion and change of use of the Art Studio from education facility (use class D1) to ancillary space associated with the Extra Care residential building and change of use and conversion of Barbon Hall and Hornby Hall from education facility (use class D1) to provide affordable residential apartments (use class C3) with associated landscaping, parking, access and service infrastructure.

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| 7 | <u>A7 20/00762/FUL</u> | University of Cumbria, Bowerham Road, Lancaster, Lancashire | John O'Gaunt Ward | (Pages 26 - 35) |
| | | Erection of a 2-storey supported living facility (C3), erection of a bin and cycle store, creation of access road and parking, and alterations of existing ground levels including retaining walls and gabion terraces, associated landscaping and service infrastructure. | | |
| 8 | <u>A8 20/01295/VCN</u> | Aldi, 48 Aldcliffe Road, Lancaster, Lancashire | Castle Ward | (Pages 36 - 43) |
| | | Relevant Demolition of existing retail building (A1) and associated water tank and enclosure, and the erection of a food store (A1) with associated car parking, external plant and enclosure, servicing areas and hard and soft landscaping (pursuant to the variation of condition 18 on planning application 20/00371/VCN to extend the bank holiday opening hours). | | |
| 9 | <u>A9 20/01153/CU</u> | 5 Owen Road, Lancaster, Lancashire, LA1 2AW | Skerton East Ward | (Pages 44 - 46) |
| | | Change of use from shop (Class E) to a dog groomers (sui generis). | | |
| 10 | <u>A10 19/01033/CU</u> | Charter House Car Park, Bulk Street, Lancaster, Lancashire | Castle Ward | (Pages 47 - 51) |
| | | Change of use of 4 parking spaces to beer garden area. | | |

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| 11 | A11 20/00903/FUL | Storeys AFC, York Road,
Lancaster, Lancashire | Scotforth
West Ward | (Pages 52 -
55) |
| Retrospective application for the retention of a single storey rear infill extension to existing pavilion and a single storey outbuilding. | | | | |
| 12 | A12 20/01053/VCN | Salt Ayre Sports Centre, Doris
Henderson Way, Heaton With
Oxcliffe, Lancaster | Skerton
West Ward | (Pages 56 -
58) |
| Erection of an extension, alterations to the main entrance and construction of a jump tower with a briefing cabin (pursuant to the variation of condition 2 on planning permission 17/00181/VCN to retain the proposed frontage). | | | | |

13 Delegated List (Pages 59 - 66)

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 democracy@lancaster.gov.uk.

KIERAN KEANE,
CHIEF EXECUTIVE,
TOWN HALL,
DALTON SQUARE,
LANCASTER, LA1 1PJ

Published on 15th February 2021.

Agenda Item	A5
Application Number	20/00550/FUL
Proposal	Demolition of buildings including William Thompson Tower, William Thompson Offices, Primary Curriculum Building, Estates & Secondary Centre buildings and erection of an 8, 9 and 10 storey building comprising residential student accommodation in cluster flat arrangements with ancillary laundry room, cycle store, refuse store, management office and reception, plant room and associated landscaping, access and service infrastructure
Application site	University of Cumbria, Bowerham Road, Lancaster, Lancashire
Applicant	University of Cumbria & NWSDL
Agent	Clare Bland
Case Officer	Mr David Forshaw
Departure	No
Summary of Recommendation	Approval

1.0 Application Site and Setting

- 1.1 This is one of three applications on the agenda for separate developments at the University of Cumbria (UoC) campus off Bowerham Road.
- 1.2 This site is in the southern part of the campus adjacent to the Gateway building and close to the chapel and Barbon building. Immediately to the south west are existing residential roads of Havelock Street and Cumberland View. To the north are the open grounds of the campus containing sports facilities and car parking. To the east are existing campus buildings including the non-designated heritage assets Barbon and Hornby buildings and car parking. The campus boundary between the site and neighbouring houses is formed by the original barrack stone wall – another non-designated heritage asset.
- 1.3 The precise location for this development is within the developable area of the campus identified in policy EC6 of the adopted Strategic Policies and Land Allocations DPD (SPLA). It is outside the SPLA identified heritage led residential site (H3.3) and key urban landscape (EN5).

2.0 Proposal

- 2.1 The proposal is to demolish the existing 10 storey accommodation block (William Thompson Tower) and associated single storey buildings and replace them with a new student accommodation block split into 8, 9 and 10 storeys on the same site albeit not the same footprint. The proposals take advantage of the sloping site to include a lower ground floor and external landscaped gardens. This is an amended proposal responding to concerns with the original design and location within the site.
- 2.2 The accommodation will provide 214 en-suite bedrooms arranged in clusters of 5 or 6 with each cluster served by a kitchen/dining area and additional shared social space on each floor. The main entrance is at ground level facing the Gateway campus building. The lobby is served by a reception

area and office. At lower ground floor level further communal student social space is provided along with conferencing facilities, bar/café, laundry, cycle store, plant room, servicing facilities and late-night access door. The replacement block will provide an additional 49 student beds than the current block.

3.0 Site History

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

Application Number	Proposal	Decision
20/00762/FUL	Erection of a 2-storey supported living facility (C3), erection of a bin and cycle store, creation of access road and parking, and alterations of existing ground levels including retaining walls and gabion terraces, associated landscaping and service infrastructure	Decision pending
20/00554/FUL	Demolition of buildings including Sarah Witham Thompson, Gressingham and Melling Halls, Black Box Theatre, Old Dining Room and the Long Corridor and erection of a 4 storey Extra Care residential building (use class C3), partial demolition, conversion and change of use of the Art Studio from education facility (use class D1) to ancillary space associated with the Extra Care residential building and change of use and conversion of Barbon Hall and Hornby Hall from education facility (use class D1) to provide affordable residential apartments (use class C3) with associated landscaping, parking, access and service infrastructure	Decision pending
20/00425/EIR	Screening request for a replacement student residential block in area A following the demolition of the existing 10 storey William Thompson Tower and surrounding buildings	ES not required
18/01220/PREMTG	Demolition of existing teaching and accommodation blocks, conversion of 2 barrack buildings to 17 2-bed apartments, erection of 23 4-bed 3 storey townhouses and 2 4-storey student accommodation buildings comprising a total of 30 5-bed cluster flats	Advice provided
18/00399/PRETWO	Demolition of existing teaching and accommodation blocks, conversion of 2 barrack buildings to 17 2-bed apartments, erection of 23 4-bed 3 storey townhouses and 2 4-storey student accommodation buildings comprising a total of 30 5-bed cluster flats	Advice provided

4.0 Consultation Responses

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

Consultee	Response
United Utilities	No objection subject to standard conditions
County Highways	No objection subject to provision of a zebra crossing, contribution to improvements to Pointer roundabout, implementation of a parking management strategy and travel plan
County Archaeology	No further archaeological investigation is needed
Environmental Health	Condition requested relating to dust and EV charging points
Contaminated Land	No objection subject to standard conditions
Arboriculture Officer	No objection
NHS CCG	A contribution towards extension and reconfiguration of one of the Lancaster Medical Practice's premises is requested, without which they object
Conservation Team	No objections subject to conditions
Civic Society	No objection to loss of the existing tower. In commenting on the original plans – "It is

	regrettable... that a more adventurous design could not be imagined. The extensive use of grey brick cladding will present a somewhat drab appearance.”
Arboricultural Officer	No objection
Police	A crime impact statement provides security advice
Fire Service	Standard advice
CSTEP	More detailed Employment Skills Plan needed which can be conditioned
Natural England	No response received

4.2 A total of 15 neighbour responses were received from 12 different addresses following publicity of the original submission. Of these all were objections apart from one support and two making comments. The objections can be summarised as:

- The area is already suffers from traffic, parking and litter issues
- Effect on wildlife
- Pollution
- Increased traffic
- Worsening parking problems, especially from loss of on-site spaces (planning condition needed to address)
- Out of character with the residential area
- Overshadowing and overbearing impact
- Boundary treatment issues
- Construction noise
- Loss of tower
- 7 storeys is too high
- Too much student development

The support is for loss of the existing tower and the comments state materials should be sandstone in colour and type and not grey or brick.

4.3 Further comments received following re-consultation on the revised plans will be reported verbally at the Committee meeting.

5.0 Analysis

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

- Principle
- Design
- Townscape and visual impact
- Effect on neighbours
- Heritage
- Traffic and parking
- Other material considerations

5.2 **Principle of Development** SPLA DPD Policies SP1: Presumption in Favour of Sustainable Development, SP2: Lancaster District Settlement Hierarchy, EC6: University of Cumbria Campus. Development Management DPD Policies DM7: Purpose Built Accommodation for Students and National Planning Policy Framework Sections 2, 6, 8, 9, 11, 12 and 16.

5.2.1 SPLA policy EC6 states the Council will support sustainable growth of the campus where it accords with both the masterplan for the University of Cumbria (UoC) and all relevant planning policies. Any expansion (except small scale and for outdoor sports) should be confined to the identified developable area. The location for the new block is within the developable area. The University's Masterplan and Estates Strategy have been submitted with the application along with a planning statement which sets the context for the UoC's estate management.

5.2.2. The planning statement states that the UoC is the country's largest provider of initial teacher training operating from five main campus sites. Changes in government policy and the nature of learning has reduced the number of students by over 2,000 or 30% between 2013/14 to 2017/18. The UoC considers future student growth will be modest and further changes to teaching/learning methods

has and will reduce the overall amount of physical space required per head (students, teachers, admin and support staff). The Lancaster campus currently operates at almost double the optimum sq. m floorspace per head (14.02sqm v 7.5 sqm). To remain competitive and attempt to deal with the loss of revenue from reduced student numbers UoC has reviewed all its business practices, including the extent and future requirements for the wider estate.

- 5.2.3 The Estates Strategy sets out initiatives focusing on reducing the amount of space and improving the efficiency and learning environment of the remaining space. It also includes a student residential strategy which aims to provide attractive and affordable accommodation that is owned or leased by the university. The masterplan identifies estate management issues and options and guides future development requirements. This has been informed by various baseline studies.
- 5.2.4 Preparation of the masterplan is supported, and officers have had some involvement in it. However, wider Councillor involvement and endorsement has not taken place. Concern has been raised by officers about the short, 10 year timescale of the masterplan and the ability to plan with comfort for the longer term needs of the University. In response, the applicant states that the higher education sector is extremely fluid with teaching practices continuously evolving (as demonstrated during the pandemic). The UoC considers teaching, student support and administration will never return to the pre-pandemic form. Pre-pandemic, all higher education institutions were seeking to adapt their physical estates in line with new technology and advances in remote learning, alongside the growing demand for better and more dynamic, value for money teaching for students paying higher fees. Having regard to these factors the UoC considers the 10 year masterplan lifespan is appropriate and robust and, unlike a longer plan, is able to offer sufficient flexibility to meet the ever changing requirements placed on it by stakeholders. The need by the UoC for a flexible and responsive masterplan (even if covering a shorter period than officers would like) is reasonable.
- 5.2.5 Part of the baseline research informing the masterplan is a condition survey of the existing William Thompson tower. The survey identifies numerous defects in the masonry and structure throughout the building that need urgent and extensive repair, including total re-pointing and structural strengthening. The survey considers without this work the building's expected life span is less than 5 years.
- 5.2.6 DMDPD policy DM7 covers purpose built student accommodation and sets out a number of criteria which a development must comply with. Other criteria are dealt with in following sections of this report but in terms of the principle, DM7 supports such new development located on campus. The proposal is therefore in compliance with EC6 and the first criterion of policy DM7, and the principle of the development is acceptable.
- 5.3 **Design Consideration DMDPD DM7: Purpose Built Accommodation for Students DM29: Key design principles; DM30: sustainable design; NPPF section 12**
- 5.3.1 The current design has evolved through a series of meetings and discussion with officers both at the pre-submission and determination stages. The original submitted design was considered monolithic, bland and uninspiring, lacking design quality and variation. That building was between 5 and 7 storeys in height with grey brick and bronze cladding predominantly around the top 3 floors and appeared more like a civic building than modern student accommodation. Informal plans were submitted for comment for a 10 storey block incorporating a plinth building but this was still unacceptable. The architects were encouraged to take a bolder and more imaginative approach given the character and constraints of the site.
- 5.3.2 The current plans respond to this criticism by proposing a building of distinctive architectural form that is similar in height to the existing tower, albeit larger in plan. The massing of the proposed building has been designed with an interplay of elements to break up the apparent scale and generate visual interest. The proposal creates more positive and memorable architecture than before, with a striking profile. It now represents a bolder, modern and imaginative design through its appearance, massing, scale, layout and materials.
- 5.3.3 The footprint is L shaped with 4 different size elements making up the single building. There is a central feature tower of 10 storeys running SW-NE clad in bronze metal panels. Its narrow end elevation faces residential properties on Havelock Street. Parallel to this on its SE side is a lower 8 storey tower, also end on to the nearest houses with its long elevation facing the Barbon and Hornby

buildings. This tower will be finished in a contrasting way to the taller central tower with grey brick over buff bricks to the ground and lower ground floors. Adding a great deal of interest to the external elevations of the subservient tower will be a network of profiled aluminium fins which appear like an external supporting skeleton. At a right angle to the central tower on its NW side, furthest from the nearest houses are two more adjoining towers of 7 and 8 storeys. Like the other lower tower they will be finished with the same grey brick and aluminium fins. This design and use of materials breaks up the mass and provides an interesting design that is fitting for a feature building in this location. Although the same height as the existing building, the proposal provides a much improved visual appearance of the multi storey accommodation at the site. Around the building will be landscaped gardens providing sitting out areas for students. The proposed tree planting is largely ornamental but this would not reflect the existing character of the local area which incorporates large tree species or help integrate the development into the wider landscape character. It is important the character of the existing planting is reflected in the scheme particularly close to the boundaries, subject to appropriateness of species close to buildings. Therefore, a condition is proposed requiring a more suitable soft landscaping scheme. All servicing and late night entry to the building will take place at lower ground floor level from within the existing campus.

5.3.4 The building has been aligned with key views to the Lake District and links within the campus. The central tower is a visual anchor and link through to the campus and Gateway building enabling creation of a plaza. The contrasting materials and detailing accentuate the subservient nature of the towers surrounding the central feature tower creating a visually pleasing building. The mass is broken up through use of different heights and vertical projections.

5.3.5 All pedestrian and vehicle access to the building will be through the campus with no new external openings proposed to surrounding roads. The immediate grounds of the building will be landscaped at ground and lower ground floor levels with lawns, planting beds, trees, seating and pathways.

5.3.6 It is considered the design is appropriate to the character of the local area and the height is compatible given it matches the existing building. The building could be converted to hotel or residential use demonstrating its flexibility. The proposal fully complies with the design requirements of policies DM7, DM29 and DM30.

5.4 **Townscape and Visual Impact DMDPD Policy DM46: Development and Landscape Impact; NPPF section 12**

5.4.1 Policy DM46 states that the district has a landscape and townscape which is valued, unique and provides a distinct sense of place which should be protected and enhanced. The Council will support development that is in scale and keeping with the landscape character and is appropriate to its surroundings in terms of scale, siting, massing, design, materials, external appearance and landscaping.

5.4.2 The applicant has completed a Townscape and Visual Appraisal (TVA). At a national level the site is within National Character Area 31: Morecambe Coast and Lune Estuary. At the regional level, A Landscape Strategy for Lancashire (Lancs County Council, 2000) identifies the site as an "Urban" Landscape Character Type and within this as a Landscape Character Area of "Industrial Age". The TVA considers that an Urban character type is a diverse and varied area which has seen much change over the years, has a capacity to accommodate change and therefore of low sensitivity. The Industrial Age character area is described as medium sensitivity given it is defined as relatively attractive and formal although with some detracting features throughout. At the local level the TVA states the site is within the UoC campus which contains a range of land uses and buildings, including non-designated heritage assets and is considered of medium sensitivity. Outside the campus the area is characterised by residential dwellings, urban green space and key urban landscape designations with further residential and the registered Williamson Park, associated Listed buildings and Conservation Area beyond. In order to establish a baseline townscape position the TVA considers the site to be "ordinary" when assessed in terms of its townscape condition and value.

5.4.3 Following establishment of the baseline position of the site and sensitivity of the local character areas, the TVA completes an in-depth assessment of the proposals' effect when viewed from a number of locations by various receptors in the immediate locality. For townscape character and features and heritage assets the assessment concludes the development will give rise to a range of Neutral, Negligible, Minor (beneficial) and Moderate (beneficial) impacts. Loss of the existing

buildings and replacement with a high quality, rationalised scheme promoting connectivity to the wider campus will result in an overall improvement to the local townscape and a positive effect on the setting of the non-designated heritage assets. For visual effects the development will have a range of Neutral, Negligible, Negligible (beneficial), Minor (beneficial) and Moderate (beneficial) impacts on residential, non-designated heritage assets, road users and users of open space. The overall conclusion is that the development would represent an overall improvement in townscape and visual terms and would not give rise to any significant or unacceptable townscape or visual effects.

- 5.4.4 In particular, the TVA includes an appraisal of the visual impact from a number of representative viewpoints close to the site. 13 of the viewpoints are outside the university campus ranging in distance from the site of 30 metres on Adelphi Street to 685 metres at the Ashton Memorial in Williamson Park. The views from roads closest to the site are a combination of close-range, direct and oblique, channelled and partially screened by existing buildings. The building will be visible, particularly between properties on Havelock Street. The assessment concludes the improvement in architectural merit and materials over the existing provides a small (beneficial) overall magnitude of effect giving rise to a minor (beneficial) overall significance of effect for residents and negligible for road users. This represents the worst visual effect identified in the appraisal. At other close viewpoints the overall effect is of small (beneficial) magnitude with a minor (beneficial) significance. The medium to long views have a range between negligible (neutral and beneficial) or no overall magnitude giving rise to a range of overall significance of effect from negligible, neutral or minor (beneficial). This is due to intervening buildings and vegetation. More distant views are limited in number but when visible the existing block appears prominent. Evidence of longer views of the proposal from Skerton Bridge and Lancaster Castle have been submitted which do not lead to a different conclusion about lack of impact on the townscape given the prominence and appearance of the existing building.
- 5.4.5 The existing 10 storey tower is of a 1960s design with multiple telecommunications installations on the roof. It appears dated and suffering from the effects of weather and use and does not enhance the townscape. The proposed building, for the reasons set out above relating to its design and materials will make a more positive contribution the townscape. Given it is the same height as the existing its height and massing are appropriate for the context within which it will be viewed. Local and longer views of the building demonstrate acceptable massing given the existing tower and spacious site context. Therefore, it is considered it complies with the requirements of policy DM46, subject to removing permitted development rights for telecommunication installations.
- 5.5 **Effect on Neighbours** DMDPD DM7: Purpose Built Accommodation for Students; Policy DM 29: **Key Design Principles**
- 5.5.1 The visual impact of the development for occupiers of surrounding residential properties is dealt with in the section above. This section deals with impact on neighbours living immediately adjacent the development, particularly on Cumberland View and Havelock Street, from overshadowing and overlooking causing loss of light and privacy issues respectively. Both roads contain traditional two storey terraced housing running in a straight line away from the campus and development site with rear yards and windows facing NW and SE.
- 5.5.2 The existing 10 storey building is located approximately 25 metres from the nearest houses, with a single/two storey building, campus stone boundary wall and pedestrian alley between. The closest elevation facing the housing contains windows to all floors above ground level serving staircase landings.
- 5.5.3 The original application plans proposed a new building 5 metres from the nearest houses positioned opposite the rear yards and alley between the rear of Cumberland View and Havelock Street. The nearest part of the new build would have been 5 storeys. The nearest windows in the student accommodation were proposed approximately 26 metres away, opposite the end of Havelock Street in a 6 storey wing. This relationship was unacceptable.
- 5.5.4 The current proposal has moved the block to 16 metres from the side elevations of the end terrace properties with the facing elevations of the new build containing no windows. The nearest facing windows in the student accommodation are in the 9 storey wing approximately 37 metres away from the end houses on Cumberland View and Havelock Street. The proposed block is therefore

approximately 9m closer to housing than the existing building but facing windows have been moved a further 12metres away.

5.5.5 Any multi storey building close to lower height houses has the potential to create actual or a perception of overshadowing and overlooking. The existing building gives rise to both issues. The replacement building will be of the same height but 9m closer, potentially worsening any overshadowing effects. However, the replacement building, as is the existing, will be located north east of the closest housing and therefore not within the direct sun path for the vast majority of the day. The only time direct sunlight may be blocked is early in the morning to the rear of properties on Cumberland View. This will occur at present and although will be worsened by the proposed building being closer to Cumberland View, not to a degree that warrants refusal. Overshadowing is also not greatly worsened due to the relative position of the building to the houses and the fact the houses face away at a right angle to the building and not towards it.

5.5.6 In terms of overlooking, the loss of the facing windows in the existing building is a great benefit. Proposed new windows facing south west directly towards the houses' gable ends will only have distant and oblique views of rear facing windows in those houses. This angle, despite the height, is unlikely to cause actual loss of privacy. Any perceived overlooking is much less than that caused at present from the much closer existing student block windows. The proposed south east facing windows will have an oblique view towards houses on Adelphi Street. This occurs at present and the location of the new accommodation is unlikely to worsen actual or perceived overlooking of those properties.

5.5.7 In conclusion, the current overshadowing and overlooking effects of the existing building will be part improved and part worsened by the proposed development. In terms of balance, the slight worsening of the loss of early morning sun is outweighed by the improvement in overlooking from locating windows further from existing housing.

5.6 **Heritage DMDPD DM41: Development Affecting Non-Designated Heritage Assets or their Settings; NPPF section 16**

5.6.1 None of the buildings to be demolished are heritage assets. The stone perimeter wall forming the site boundary to the north and west is a non-designated heritage asset (NDHA) being the original barracks wall. A new pedestrian access is proposed through the wall on the north boundary to link the site to the existing car park off Bowerham Road. This will be used for late night access. The opening has been positioned at the location of an existing modern window to minimise loss of historic fabric and therefore will not diminish the wall's historic significance. Full details of the opening are required by condition.

5.6.2 Within the campus are buildings considered NDHA. The main impact of the development will be on the Barbon and Hornby buildings (former married quarters). The existing building's poor quality materials do not sit comfortably with these buildings. The height of the proposed matches that of the existing but the highest part is set back from Barbon and Hornby. The proposed bronze metal cladding, grey brick and aluminium fins will contrast with the stone used in the historic buildings ensuring they are readily distinguished. The location of the student block would not affect their setting or views from or of them. Other NDHAs are separated from the site by intervening open space or other buildings. It is not considered the proposed building will diminish the setting, appreciation, or significance of any of the campus NDHAs.

5.6.3 The scheme will be a marked improvement on the tired appearance of the existing buildings and help refresh the character of the campus environment. It would add to the varied architectural interest of the wider site while not harming the settings of the more historic and architecturally significant campus buildings nearby. Therefore, the proposal meets the requirements of policy DM41.

5.6.4 An archaeological desk based assessment does not consider there to be any potential for surviving below ground archaeology to be present. County's Historic Environment Team agrees that there is no need for further investigation. Policy DM42 is therefore satisfied.

5.7 **Traffic and Parking SPLA EC6: University of Cumbria Campus; DMDPD DM60: Enhancing Accessibility and Transport Linkages; DM61: Walking and Cycling; DM62: Vehicle Parking Provision;**

NPPF section 9

- 5.7.1 SPLA policy EC6 states proposals that may result in an increase in student numbers and/or traffic movements must include mitigation to ensure no net increase in traffic movements occurs. The proposal will result in an additional 49 student bed spaces on campus. The submitted transport statement says *“the provision of student residential facilities as part of the overall offer at the Lancaster campus is a key element of the University’s strategy to reduce the number of journeys being made to/from the campus by private car. As part of a comprehensive travel plan approach, there are no dedicated car parking facilities proposed for the student residential scheme. As the development is located within the campus and in the immediate vicinity of all key services that future residents....will ultimately require, the demand for private car travel during term time will be extremely low.”*
- 5.7.2 The framework travel plan is accepted by County Highways and will cover monitoring of travel modes, support for students to travel sustainably and later submission of a Parking Management Strategy associated with term start and end times to minimise disruption of the surrounding highway network and residents. The site is well served by public transport, pedestrian and cycle links. The detailed measures to be implemented include appointment of a co-ordinator, welcome packs for students, information on and new signage for pedestrian and cycle routes; on site showers and changing facilities for staff; cycle parking and raising awareness of public transport and discount tickets. The travel plan will be implemented and reviewed through a condition attached to the permission.
- 5.7.3 A study of parking carried out on behalf of the University shows that on a typical university day no more than 65% of the total 528 on site parking spaces are used, leaving spare capacity of at least 184 spaces. Even with the loss of 72 spaces due to the extra care development (20/00554/FUL) if this is approved and implemented, sufficient parking is available on site. A detailed assessment of the parking implications of that development is included in the report elsewhere on this agenda.
- 5.7.4 County Highways states that it is recognised the University contributes to some vehicles parking on surrounding residential streets but that complaints have not been received recently regarding this. The results of the parking survey suggest on-site capacity is not a major factor in this.
- 5.7.5 A dedicated strategy will be designed to deal with vehicles at arrival and departure times of the academic terms. County Highways request a new zebra crossing on Coulston Road on the north east side of the junction with Golgotha Road and provision of 110 cycle parking spaces. These will be secured by conditions.
- 5.7.6 With the measures to be implemented through the travel plan, parking management plan, additional cycle parking and new zebra crossing County Highways raises no objection and it is considered the requirements of policy EC6 will be met by the development.
- 5.8 **Other Material Considerations**
- 5.8.1 **Drainage and flood risk** - Current drainage is through a combined system discharging to an off-site combined public sewer. Infiltration may be possible, subject to testing, but if not surface water will continue to be discharged to the combined sewer as at present subject to an agreed discharge rate. Foul water will be gravity fed to the combined public sewer separately from the surface water while on site. Flood risk at the site is low apart from isolated surface water flooding of high potential. To mitigate this ground levels around the building will fall away so as not to create low points. This meets the requirements of policies DM33 and DM34.
- 5.8.2 **Ecology and trees** – There are no priority habitats on site and the nearest designated site is 600m away (Lancaster Moor Hospital Grassland BHS) with no connectivity to the development site. Two buildings were identified as having potential suitability for bat roosts so the site has been subject of detailed bat surveys. No bats were seen emerging from either building and very low number of commuting bats was recorded. Further species protection/mitigation is proposed through use of suitable external lighting, no site clearance during bird nesting season, use of bat and bird boxes and hedgehog friendly features. These are covered by conditions. Six trees are proposed to be removed which are all assessed as of low quality. They are cherry, goat willow and cypress trees. The tree protection plan is appropriate to the site with a combination of fencing, ground protection and arb

supervision. Replacement in the ratio 3:1 will be included in the landscaping scheme, which can also be designed to ensure biodiversity net gain. The site is within the Morecambe Bay buffer zone and a Habitat Regulation Appropriate Assessment has been completed which concludes the recreational pressures from the development on the designated areas can be mitigated by suitable packs distributed to all resident students. The scheme is compliant with policies DM44 and DM45.

- 5.8.3 Air Quality – A qualitative air quality assessment for the construction and operational phases has been submitted. This concludes during the construction phase there is a medium to low risk of dust soiling effects and proposes mitigation measures to reduce any potential impacts based on best practice. During the operational phase concentrations of pollutants will be below air quality objectives and therefore not significant. Policy DM31 is therefore complied with.
- 5.8.4 Sustainability – An energy statement has been submitted which confirms the development has the potential to achieve a 21% reduction from Part L Building Regulations emission requirements through measures including enhanced thermal building fabric, recovery of waste heat, combined heat and power system, thermal storage water heating, air source heat pumps and solar panels. This complies with the requirements of policy DM30.
- 5.8.5 Planning obligations – A contribution has been requested by the NHS to mitigate the effects of the development. However, all contributions must meet standard tests, so further justification has been requested. Should adequate justification be provided Councillors will be updated verbally.

6.0 Conclusion and Planning Balance

- 6.1 The existing building has a negative impact on the townscape and neighbouring properties. The replacement building is an improved design and uses materials which will improve the overall visual appearance in the locality and from further afield. A worsening of sunlight loss to a small number of properties on Cumberland View is outweighed by the removal of actual and perceived overlooking from existing closer windows than those proposed. There is no negative impact on heritage assets. The development will enable implementation of measures reducing reliance on private cars and utilising carbon reduction technologies. In the overall balance, benefits are considered to outweigh the negatives.

Recommendation

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

Condition no.	Description	Type
1	Time limit	Standard
2	Approved plans	Standard
3	Surface water drainage scheme/management and maintenance	Pre-commencement
4	Off site highway works	Pre-commencement
5	Employment Skills Plan	Pre-commencement
6	Contaminated land	Pre-commencement
7	Details of pedestrian access in boundary wall	Pre-commencement
8	All materials and details of fenestration, eaves, external wall construction and entrance canopies	Above ground
9	Homeowner packs	Above Ground
10	Landscaping details and implementation	Prior to occupation
11	Lighting details	Prior to occupation
12	Travel Plan	Prior to occupation
13	Security details	Prior to Occupation
14	Cycle Parking Provision	Prior to Occupation
15	Car parking management strategy	Prior to Occupation
16	Approved tree Works	Ongoing
17	Ecological mitigation measures	Ongoing
18	Tree protection	Ongoing
19	Hours of construction	Ongoing

20	Travel Plan	Ongoing
21	Nesting birds	Specific time
22	Separate drainage	Control
23	Sustainable construction and energy efficiency	Control
24	Removal of Telecommunications Permitted Development	Control
25	Restriction to student accommodation	Control

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

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

Background Papers

None.

Agenda Item	A6
Application Number	20/00554/FUL
Proposal	Demolition of buildings including Sarah Witham Thompson, Gressingham and Melling Halls, Black Box Theatre, Old Dining Room and the Long Corridor and erection of a 4 storey Extra Care residential building (use class C3), partial demolition, conversion and change of use of the Art Studio from education facility (use class D1) to ancillary space associated with the Extra Care residential building and change of use and conversion of Barbon Hall and Hornby Hall from education facility (use class D1) to provide affordable residential apartments (use class C3) with associated landscaping, parking, access and service infrastructure
Application site	University of Cumbria, Bowerham Road, Lancaster, Lancashire
Applicant	University of Cumbria & NWSDL
Agent	Clare Bland
Case Officer	Mr David Forshaw
Departure	No
Summary of Recommendation	Approval

1.0 Application Site and Setting

- 1.1 This is one of three applications on the agenda for separate developments at the University of Cumbria (UoC) campus off Bowerham Road.
- 1.2 This site is at the southern end of the campus near the junction of Coulston Road and Golgotha Road. The buildings to be converted are the Barbon and Hornby Halls (former barrack married quarters). The new build element will be situated to the rear (north east) of these between them and the retained College North and South buildings with its south east elevation facing and close to Coulston Road. The art studio is situated abutting the boundary wall with Coulston Road close to the Golgotha Road pedestrian/cycle entrance.
- 1.3 To the south, west and east are residential roads outside the campus. To the north west is the site of the proposed replacement student accommodation block (see report on application 20/00550/FUL). To the north and north east is the densely developed university campus buildings and circulation routes.
- 1.4 The precise location of this development is within the adopted Strategic Policies and Land Allocations DPD (SPLA) policy EC6 developable area of the campus and the heritage led residential site (H3.3). It is outside the key urban landscape (EN5).

2.0 Proposal

- 2.1 This application is for demolition of a number of university buildings, the majority of which have been vacant for some time, and replacement with a 3 and 4 storey block of self-contained extra care

residential apartments. Occupants will receive individual levels of care as required. Also proposed is conversion of two non-designated heritage asset buildings to provide open age apartments with no provision of care. All units will be operated by Progress Housing and be available for affordable rent at 20% below market rent levels. Accommodation will be subject to a Local Letting Plan. There will be 92 extra care units (67x1 bed and 25x2 bed) and 16 created by the conversion (8x2 bed and 8x1 bed).

2.2 The grounds contain landscaped gardens with a network of paths running through them and linked to the wider campus and public roads, seating areas, planting beds and a growing area and meeting/community space in the converted art studio. The extra care block will contain roof gardens, communal kitchen and dining areas, cycle and scooter facilities, admin and management area and space for on site treatment rooms, hairdressers, laundry and games/media room.

2.3 A new vehicular access is proposed off Golgotha Road to serve just the development. Pedestrians and cyclists will be able to go between the site and university campus to use this entrance but not vehicles. The access will necessitate a change to a section of Golgotha Road to allow two way traffic so vehicles can enter from Coulston Road. 52 parking spaces are to be provided to serve the development.

3.0 Site History

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

Application Number	Proposal	Decision
20/00762/FUL	Erection of a 2-storey supported living facility (C3), erection of a bin and cycle store, creation of access road and parking, and alterations of existing ground levels including retaining walls and gabion terraces, associated landscaping and service infrastructure	Decision pending
20/00550/FUL	Demolition of buildings including William Thompson Tower, William Thompson Offices, Primary Curriculum Building, Estates & Secondary Centre buildings and erection of an 8, 9 and 10 storey building comprising residential student accommodation in cluster flat arrangements with ancillary laundry room, cycle store, refuse store, management office and reception, plant room and associated landscaping, access and service infrastructure	Decision pending
20/00425/EIR	Screening request for a replacement student residential block in area A following the demolition of the existing 10 storey William Thompson Tower and surrounding buildings	ES not required
18/01225/PLDC	Proposed lawful development certificate for the erection of a fence and gates	Granted
18/01220/PREMTG	Demolition of existing teaching and accommodation blocks, conversion of 2 barrack buildings to 17 2-bed apartments, erection of 23 4-bed 3 storey townhouses and 2 4-storey student accommodation buildings comprising a total of 30 5-bed cluster flats	Advice provided
18/00399/PRETWO	Demolition of existing teaching and accommodation blocks, conversion of 2 barrack buildings to 17 2-bed apartments, erection of 23 4-bed 3 storey townhouses and 2 4-storey student accommodation buildings comprising a total of 30 5-bed cluster flats	Advice provided

4.0 Consultation Responses

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

Consultee	Response
Environmental Health	Conditions requested relating to noise and dust emissions during construction and provision of EV charging points
Housing Strategy	Supports the proposal as meeting an identified specialist and affordable housing need
County Highways	No objections subject to provision of a zebra crossing on Coulston Road, upgrade of bus stops on Coulston Road, restriction of use to extra care, cycle storage and implementation of the travel plan
Policy	Retention of the heritage asset buildings is supported but questions raised about the extent, need for and location of the extra care units as enabling development. Concern raised about the longer term needs of the university and short timescale of the masterplan
County Archaeology	Request condition securing a programme of archaeological works
Conservation Team	No objection subject to conditions
Arboriculture officer	No objection
Public Realm	A contribution of £51,899.50 is requested towards footpath improvements in Williamson Park
Civic Society	No objection to demolition of 1960s blocks and extra care units/affordable being provided. Supports retention of Barbon and Hornby buildings. Concerns about conflict between residents and students and blandness of the new build.
LLFA	To be reported verbally
United Utilities	To be reported verbally
Natural England	To be reported verbally
Police	Crime impact statement and security advice provided
Fire Officer	Standard advice
CSTEP	Require detailed Employment Skills Plan

4.2 A total of 20 neighbour responses were received from 18 different addresses following publicity of the original submission. Of these all were objections apart from two in support and two making comments. The objections can be summarised as:

- Making Golgotha Road 2 way
- Worsening of the amount and speed of traffic in the area
- Poor visibility at the Golgotha Road/Coulston Road junction
- Dangers to pedestrians
- The university entrance should be used not Golgotha Road
- Loss of parking/not enough replacement being provided/pressure on existing on road spaces
- No need for sheltered housing
- Extra care unsuitable within the campus
- 4 storeys too high, out of character and imposing
- Loss of light
- Loss of privacy
- Overshadowing of university buildings
- Effect on the skyline
- Loss of tree
- Loss of wildlife
- Pollution

Those making comments stated materials should be sandstone and not grey colour or brick and a diversion route for cyclists is needed during construction.

4.3 Following re-consultation a further three objections have been received on the following grounds:

- The university should have to improve parking congestion on neighbouring roads e.g. by removing parking charges
- Loss of spaces available to the university
- EV charging is not provided
- Cyclists will be forced onto Coulston Road from loss of cycle routes
- Loss of light
- Loss of trees

- Noise and disturbance
- Effect on historic buildings
- Extra traffic on Coulston Road
- Design out of character
- Building too large and crammed
- Loss of greenspace

5.0 Analysis

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

- Principle
- Design and visual impact
- Effect on neighbours
- Heritage
- Traffic and parking
- Other material considerations

5.2 **Principle of Development SPLA DPD Policies SP1: Presumption in Favour of Sustainable Development, SP2: Lancaster District Settlement Hierarchy, EC6: University of Cumbria Campus; H3.3: Heritage Led Housing Development; Development Management DPD Policies DM8: Accommodation for Older People and Vulnerable Communities and National Planning Policy Framework Sections 2, 6, 8, 9, 11, 12 and 16.**

5.2.1 SPLA policy EC6 states the Council will support sustainable growth of the campus where it accords with both the masterplan for the University of Cumbria (UoC) and all relevant planning policies. Policy H3.3 supports residential development in the interests of conserving non-designated heritage assets in this part of the campus. The main points of principle to consider are whether the development is justified in the context of these policies and ensures conservation of the non-designated heritage assets (NDHAs).

5.2.2 The University's Masterplan and Estates Strategy have been submitted with the application along with a planning statement which sets the context for the UoC's estate management. The planning statement says the UoC is the country's largest provider of initial teacher training operating from five main campus sites. Changes in government policy and the nature of learning has reduced the number of students by over 2,000 or 30% between 2013/14 to 2017/18. The UoC considers future student growth will be modest and further changes to teaching/learning methods has and will reduce the overall amount of physical space required per head (students, teachers, admin and support staff). The Lancaster campus currently operates at almost double the optimum sqm floorspace per head (14.02sqm v 7.5 sqm). To remain competitive and attempt to deal with the loss of revenue from reduced student numbers UoC has reviewed all its business practices, including the extent and future requirements for the wider estate.

5.2.3 The masterplan identifies estate management issues and options and guides future development requirements. The Estates Strategy sets out initiatives focusing on reducing the amount of space and improving the efficiency and learning environment of the remaining space. This has been informed by various baseline studies including condition and suitability assessments of the buildings. Many have been found to be poor quality and unfit for purpose with poor space utilisation. Having regard to this the strategy recommends this part of the campus be disposed of and the UoC consolidate in the remaining, better quality buildings. According to the planning statement this disposal will enable UoC to facilitate a long term commitment to remain within the City and suitably manage the remaining estate. Financial re-investment in the campus will support the university's initiatives to adapt to a low carbon economy. The existing energy infrastructure is outdated and inefficient to meet modern site requirements. Energy efficiency projects have been identified including a new district heating system and photovoltaic energy to power the campus.

5.2.4 Preparation of the masterplan is supported, and officers have had some involvement in it. However, wider Councillor involvement and endorsement has not taken place. Concern has been raised by officers about the short, 10 year timescale of the masterplan and the ability to plan with comfort for the longer term needs of the University. In response, the applicant states the higher education sector

is extremely fluid with teaching practices continuously evolving (as demonstrated during the pandemic). The UoC considers teaching, student support and administration will never return to the pre-pandemic form. Pre-pandemic, all higher education institutions were seeking to adapt their physical estates in line with new technology and advances in remote learning, alongside the growing demand for better and more dynamic, value for money teaching for students paying higher fees. Having regard to these factors the UoC considers the 10 year masterplan lifespan is appropriate and robust and, unlike a longer plan, is able to offer sufficient flexibility to meet the ever changing requirements placed on it by stakeholders. The UoC's need for a flexible and responsive masterplan (even if covering a shorter period than officers would like) is reasonable. It is accepted that the disposal of this part of the campus is based on a rigorous assessment underpinning the Masterplan and Estates Strategy and that the buildings themselves are in poor condition and unfit for purpose.

- 5.2.5 SPLA policy H3.3 states that development proposals must be conservation led with a presumption in favour of the retention and conservation of identified heritage assets including their wider setting. The policy expects enabling development to be around 15 residential units through conversion of buildings. There is no expectation of new build development although this is not precluded by the policy. A full assessment of the impact of the proposals on all NDHAs and their setting is set out in the heritage section of this report. However, retention of Barbon and Hornby through a sympathetic conversion and sympathetic and justified demolition of more modern parts of the art studio building achieve this presumption. In order to ensure the development directly relates to and secures conservation of the NDHAs it is proposed that a condition be imposed that requires completion of the conversion works before a certain point relating to the new build element, e.g. prior to occupation of the first extra care unit. In this way the requirements of H3.3 are met.
- 5.2.6 DM DPD policy DM8 supports new residential accommodation for a range of vulnerable communities where there are proven needs. Strategic Housing state: *"In terms of the need and demand for extra care... Lancashire County Council's Housing with Care and Support Strategy sets a target of providing one new extra care scheme in each district of Lancashire by 2025. This scheme would clearly contribute towards this target. In terms of Lancaster City Council's own evidence base, the Housing Needs Survey undertaken in 2018 undertaken by arc4 clearly identifies the need to ensure a range of appropriate housing provision is required to meet the needs of the ageing population, and the number of people across Lancaster aged 65 or over is predicted to increase from 28,500 in 2017 to 37,000 by 2033 (29.8%). In considering the responses to the survey, 13.8% of older people responding would consider extra care housing to rent. It is for this reason that the council's Homes Strategy (approved by Cabinet on 27 October 2020 and currently being consulted on), sets out the need to support opportunities to bring forward purpose built extra care housing for rent to enable older people to remain in independent settings for as long as possible. Therefore, the council supports this proposal. The county council's needs analysis suggests that the location of the scheme would be deemed as medium need. However, south Lancaster is a very strong housing market and is typically where many residents would choose to live. It will be critical to the success of this scheme that it not only well integrates into the existing campus, but provides an appropriate level of on-site services for residents creating a good community hub. In summary therefore, the Housing Strategy Team support these proposals which align to the council's Homes Strategy 2020-25 by increasing both the specialist and affordable housing required in Lancaster district."*
- 5.2.7 In conclusion, it is considered the principle of development is acceptable within the context of SPLA policies EC6 and H3.3 and DMDPD policy DM8.
- 5.3 **Design and Visual Impact** DMDPD DM2: Housing Standards; DM29: Key design principles; DM30: sustainable design; Policy DM46: Development and Landscape Impact; NPPF section 12
- 5.3.1 According to the design and access statement the design of the extra care building has responded to the constraints and opportunities of the location and NDHAs and seeks to create active frontages and a new public realm to link the elements, ensure it respects the scale and mass of the NDHAs and promote their importance and setting.
- 5.3.2 The proposed building comprises of two joined but offset wings. It is predominantly 4 storeys in height dropping to 3 storeys at both ends and in the middle where the offset occurs. Materials have been revised following negotiations and are now buff sandstone brick for the lower three floors and grey cladding to the top floor and near the main entrance with light grey aluminium fenestration. The façades are broken up by Juliet balconies and insets to the 3rd floor where communal roof terraces

are located. Further amendments have introduced additional glazing to communal areas on the front and rear to break up localised wall mass and provide a softer interface close to the site boundary.

5.3.3 The building extends away from Coulston Road with its mass viewed between existing retained campus buildings. The clearest public views are of the side (end) elevation where it is between approximately 10.5m and 12.5m from the campus boundary wall with no intervening buildings. There are existing mature highway trees on this side of Coulston Road which will filter views when in leaf, especially more oblique views from further along the road. The development will be higher than the adjacent campus/converted buildings. However, the close proximity of the old and new buildings will lessen any impact arising from the difference in height and overall mass of the new build. From a roofscape perspective, the new build will be visible but not to an extent that is harmful to the local area.

5.3.4 Concerns raised by officers about the functional relationship with the university have been addressed. There will be no hard boundaries between the new development and wider campus. The development will not restrict public permeability between the campus and outside. Indeed, pedestrian and cycle access will be maintained for the public, and residents of the new development will be encouraged to use the linked paths to access the wider campus. Soft planting is proposed to delineate the landscaped areas associated with the development.

5.3.5 All apartments will meet both nationally described space standards and M4(2) standards and three extra care apartments will meet M4(3) wheelchair user requirements. The design and impact of the scale and massing on the streetscene are considered acceptable and meet the requirements of the local plan.

5.4 Effect on Neighbours DMDPD Policy DM 29: Key Design Principles

5.4.1 The only properties directly affected by the development are on the opposite side of Coulston Road. These are traditional two storey residential properties facing the end elevation of the extra care block. Between nos. 86 and 96 Coulston Road the distance from their front elevations to the end elevation of the development ranges from approximately 27.5m to 32m. The mature highway trees are situated in this space close to the campus boundary. This elevation contains three floors of apartments with principal habitable room windows facing the houses opposite. The addition of a third floor increases the height for potential overlooking by 3m. In accordance with standard interface distances the separation between this elevation and the facing houses should be 27m. Therefore, adequate separation is provided and no undue loss of privacy will occur.

5.4.2 At this distance it is not considered the development will have any adverse impact from being overbearing or cause any direct loss of light that justifies refusal. The development is therefore compliant with policy DM29.

5.5 Heritage DMDPD DM29: Key Design Principles; DM41: Development Affecting Non-Designated Heritage Assets or their Settings; NPPF section 16

5.5.1 There are 7 non-designated heritage assets directly affected by the proposals: **Barbon and Hornby halls** will be subject to minimal external works. All windows and doors will be replaced like for like with timber heritage style in the same colour. Metalwork and rainwater goods will be made good and repainted to match existing. Alterations are proposed to two windows in Barbon: one in the NW and one in the SW elevations to infill the lower part of each with matching stone and the upper frame replaced like for like. These are minimal works and will retain the buildings' historic character and significance. Details of all this work will be secured by condition. The conversion would ensure a new and sustainable use for these buildings and would not have a detrimental effect on their significance.

5.5.2 The **Art Studio** is a small vernacular building of limited architectural interest. The modern extensions limit the ability to understand the original building so their removal will have a positive effect on its significance.

5.5.3 The **perimeter wall** runs to the SE and SW of the application site. Alterations are proposed to form the new vehicular access on Golgotha Road by widening the existing entrance. Gateposts currently located to either side of the access will be relocated to either side of the new access layout. The wall has been subject to many alterations over the years, including in this location, and the proposed

alterations will have only a limited effect on a short stretch. Removal of the modern extensions to the art studio will open up that stretch of wall to view. The significance of the overall wall will not be substantially affected.

5.5.4 **College North and South** buildings will be immediately to the rear of the extra care facility. The new development would replace existing buildings on the former parade ground in front of them.

5.5.5 **Chapel.** Situated immediately to the north, the setting of the chapel would be most affected by the greater massing of the scheme, although the separation is similar to existing buildings being demolished.

5.5.6 The linear form, scale and layout of the new build is somewhat monolithic and uniform. The spatial character is similarly linear and loses much of the attractive courtyard character of the existing post-war campus buildings it is replacing. The footprint of the building is large with limited surrounding space, exacerbated by the need for vehicular access, parking and new boundaries which affect the spacious open tree'd character of the existing campus. Sensitive landscape design is critical to mitigating these impacts. However, the form and design of the new building is distinctively modelled with a varied elevational composition and roofscape. The lively roofscape would help mitigate the 4 storey height and assimilate the building into its context. The revised materials are also an improvement and help relate the development to the character of its surroundings. The scheme would replace the tired 1960s buildings and help refresh the campus environment. Some of the more generous spatial character and variety of the campus would be lost causing minor harm to the setting of the NDHAs although this is mitigated to some extent by landscaping proposals.

5.5.7 Achieving good landscape design is essential. The linearity of the spaces is challenging and there have been welcome amendments to improve the quality, quantity and variety of outdoor amenity spaces, seating and circulation. The proposed tree planting is largely ornamental but this would not reflect the existing character of the local area which incorporates large tree species or help integrate the development into the wider landscape character. It is important the character of the existing planting is reflected in the scheme particularly close to the boundaries, subject to appropriateness of species close to buildings. Therefore, a condition is proposed requiring a more suitable soft landscaping scheme.

5.5.8 In terms of policy and NPPF paragraph 197 there should be a balanced approach in assessing harm in relation to the significance of undesignated heritage assets, as reflected in policy DM41. In terms of spatial character there would be minor harm on the spacious setting of historic buildings. However, amendments mitigate the minor harm. Retention of Hornby and Barbon and improvements to the art studio are important considerations in favour of the scheme. Subject to improvements to the landscaping and further detailed information on replacement features, both secured through condition, there are no objections.

5.5.7 A desk-based archaeology assessment concludes that the historic and potential archaeological significance has been impacted by C20th construction but some earlier structures remain and need to be recorded. Sub-surface remains may survive so an archaeological watching brief is required during construction. Conditions requiring photographic building surveys and submission of a watching brief are proposed.

5.6 **Traffic and Parking** SPLA EC6: University of Cumbria Campus; DMDPD DM60: Enhancing Accessibility and Transport Linkages; DM61: Walking and Cycling; DM62: Vehicle Parking Provision; NPPF section 9

5.6.1 SPLA policy EC6 states proposals that may result in an increase in student numbers and/or traffic movements must include mitigation to ensure no net increase in traffic movements occurs. As the site would no longer form part of the university campus, its development will result in the loss of 72 spaces that are currently available to students, staff and visitors. To provide for parking needs of the extra care and affordable apartments a dedicated car park with 52 spaces is proposed, accessed from Golgotha Road.

5.6.2 A study of parking carried out on behalf of the University shows that on a typical university day no more than 65% of the total 528 on site parking spaces are used, leaving spare capacity of at least 184 spaces. Even with the loss of 72 spaces due to the extra care development sufficient parking is

available on site to meet the future demands of the university. Furthermore, UoC intends to implement a parking strategy and travel plan. The parking strategy will be rolled out across the campus and includes making the proposed student accommodation car free (20/00550/FUL), providing additional cycle parking facilities and encouraging car sharing. The travel plan will ensure alternative modes of travel are encouraged. The site is well served by public transport, pedestrian and cycle links. The travel plan covers the whole campus and measures to be implemented include appointment of a co-ordinator, welcome packs for students resident on the campus, information on, and new signage for pedestrian and cycle routes; on site showers and changing facilities for staff and raising awareness of public transport and discount tickets. The travel plan will be implemented and regularly reviewed through a condition attached to the permission and is acceptable to County Highways. County Highways recognises the University contributes to some vehicles parking on surrounding residential streets but that complaints have not been received recently. The results of the parking survey suggest on-site capacity is not a major factor in this. Therefore, the loss of these spaces to university use should not give rise to additional on street parking by university users.

- 5.6.3 The parking standards for C3 residential use presents a range of parking requirements based on the number of bed spaces and a separate requirement for flatted development based on an individual case basis. This is a flatted development so it is appropriate to consider the end user requirements. Based on the operation of the extra care accommodation, which would be consistent with sheltered accommodation, 28 spaces are proposed (25 standard plus 3 disabled). For the residential flats created by conversion of the two buildings 24 spaces are proposed. This provides a total of 52 spaces which County Highways accepts as appropriate as long as the use is conditioned to provision of extra care accommodation and not open market residential.
- 5.6.4 Sole access to and from the development by vehicles is proposed via Golgotha Road. There is already a pedestrian/cycle entrance in this location which will be widened to allow two way traffic movements. Golgotha Road is currently one-way in the eastbound direction and no vehicles can approach the site from Coulston Road to the east. Although vehicles could access the site along Golgotha Road using the established one-way system, to limit the impact on local residents along that route it is proposed to provide two-way vehicle movements for a 37m length of Golgotha Road from its junction with Coulston Road. This will enable vehicles to turn off Coulston Road into Golgotha Road for the sole purpose of accessing the development. The new layout will be clearly marked to prevent vehicles continuing along Golgotha Road and any vehicle making a wrong turn into Golgotha Road will be able to enter the site and turn round before leaving to get back onto Coulston Road.
- 5.6.5 The applicant's transport statement has assessed the cumulative impact of the three proposals on the surrounding highway network (i.e. the student block (20/00550/FUL), supported living development off Anderson Close (20/00762/FUL) and this development). The three developments are likely to generate additional two-way traffic movements numbering 23 in the AM peak and 27 in the PM peak. Four road junctions have been assessed for capacity including the proposed new access on Golgotha Road. This assessment includes the AM and PM peak hour periods in both 2020 and 2025 with and without the proposed two-way arrangement on Golgotha Road. The modelling results show that all four junctions have capacity to accommodate the additional traffic with minimal increase in queuing which will not result in any severe delays or have a detrimental impact on the operation of the junctions. Therefore, it is considered the cumulative traffic generated by the three proposed developments or this development in isolation will not result in a severe impact on the surrounding highway network.
- 5.6.6 County Highways accepts the analysis although initially raised concern about the timing of the data collection and growth years used. The former point has also been made by objectors. This has been addressed and the survey was carried out during term time when all the university's facilities were open and the growth years are consistent with DfT guidance. Further requested minor amendments to the access, internal parking and turning arrangements and parking on Golgotha Road were requested by County Highways and have been submitted for consideration and are acceptable to County Highways.
- 5.6.7 A new zebra crossing, upgrades to bus stops on Coulston Road, implementation of a travel plan and cycle storage will be secured by a condition. County Highways raises no objection and it is considered the requirements of policy EC6 will be met.

5.7 Other Material Considerations

- 5.7.1 Drainage and flood risk - Current drainage is through a combined system discharging to an off-site combined public sewer. Infiltration may be possible, subject to testing, but if not surface water will continue to be discharged to the combined sewer as at present subject to an agreed discharge rate. Foul water will be gravity fed to the combined public sewer separately from the surface water while on site. Flood risk at the site is low apart from isolated surface water flooding of high potential. To mitigate this ground levels around the building will fall away so as not to create low points. This meets the requirements of policies DM33 and DM34.
- 5.7.2 Ecology and trees – There are no priority habitats on site and the nearest designated site is 600m away (Lancaster Moor Hospital Grassland BHS) with no connectivity to the development site. A number of buildings were identified in a preliminary ecological assessment as having potential suitability to be used by bats. Detailed bat surveys have been carried out across the site which found that four buildings support a very low number of roosting common pipistrelles. The trees on site are used for foraging but generally low levels of activity were recorded. The four buildings are Barbon and Hornby (to be converted) and Gressingham and Melling halls (to be demolished). Therefore, a full European Protected Species Mitigation licence will be needed from Natural England before works commence. Further species protection/mitigation is proposed through use of suitable external lighting, no site clearance during bird nesting season, use of bat and bird boxes and hedgehog friendly features. These are covered by conditions. 30 trees are proposed to be removed which are all assessed as of low quality apart from 2 which are of moderate quality. A further two are in poor condition and need to be removed for safety reasons and a highway tree will be felled if County Highways agree. 33 replacement trees are included in the landscaping scheme, which can also be designed to ensure biodiversity net gain. 29 trees within or overhanging the site are to be retained and protected while the development is being carried out. The tree protection plan is appropriate to the site with a combination of fencing, ground protection and arboricultural supervision. The site is within the Morecambe Bay buffer zone and a Habitat Regulation Appropriate Assessment has been completed which concludes the recreational pressures from the development on the designated areas can be mitigated by suitable packs distributed to all resident students. The scheme is compliant with policies DM44 and DM45.
- 5.7.3 Air Quality – A qualitative air quality assessment for the construction and operational phases has been submitted. This concludes there is a not significant risk if standard mitigation measures are used. Policy DM31 is therefore complied with.
- 5.7.4 Sustainability – An energy statement has been submitted which confirms the development has the potential to achieve a 23% reduction from Part L Building Regulations emission requirements through measures including enhanced thermal building fabric, recovery of waste heat, combined heat and power system, thermal storage water heating, air source heat pumps and solar panels. This complies with the requirements of policy DM30.
- 5.7.5 Planning obligations – Contributions have been requested by County Highways and Public Realm to mitigate the effects of the development. However, all contributions must meet standard tests, so justification has been requested. Should adequate justification be provided Councillors will be updated verbally.

6.0 Conclusion and Planning Balance

- 6.1 The retention and conversion of three NDHAs is supported. There is a need for extra care and affordable rented accommodation so the proposed uses are acceptable. There will be a loss of 30 low quality trees but no adverse impact on the setting of a number of NDHAs. The proposed development exceeds that expected in policy H3.3 but this alone is not a reason to refuse. The impacts of this size of development on neighbours, the townscape and highway infrastructure has been assessed. The conclusion is that with suitable mitigation the development will not give rise to any undue adverse impacts sufficient to justify refusal. The development will enable implementation of measures reducing reliance on private cars and utilising carbon reduction technologies. The benefits of the proposals as a whole outweigh any negative impacts and therefore in the overall balance, the application is recommended for approval.

Recommendation

That Planning Permission **BE GRANTED** subject to a signing and completing of a s106 agreement to secure the following planning obligations:

- A contribution of £51,899.50 towards footpath improvements in Williamson Park

and the following conditions:

Condition no.	Description	Type
1	Time limit	Standard
2	Approved plans	Standard
3	Surface water drainage scheme/management and maintenance	Pre-commencement
4	Off site highway works	Pre-commencement
5	Employment Skills Plan	Pre-commencement
6	Contaminated land	Pre-commencement
7	Building recording and written scheme of archaeology	Pre-commencement
7	Details of Fenestration/rainwater goods/details for converted buildings	Pre-commencement
9	Materials samples	Above ground
10	Homeowner packs	Above Ground
11	Landscaping details	Above ground
12	Completion of Conversion	Prior to occupation of extra care units
13	Lighting details	Prior to occupation
14	Travel Plan	Prior to occupation
15	Security details	Prior to Occupation
16	Car parking management strategy, cycle store and EV charging points	Prior to Occupation
17	Approved tree Works	Ongoing
18	Ecological mitigation measures	Ongoing
19	Tree protection	Ongoing
20	Hours of construction	Ongoing
21	Landscaping Implementation	Planting season
22	Nesting birds	Specific time
23	Separate drainage	Control
24	Sustainable construction and energy efficiency	Control
25	Nationally described space standards and M4(2) and M4(3) standards	Control
26	Removal of Telecommunications Apparatus Permitted Development	Control
27	Extra Care Use within C3 Only	Control
28	Affordable Housing	Control
29	Retention of pedestrian/cycle routes	Control

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

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

Background Papers

None.

Agenda Item	
Application Number	20/00762/FUL
Proposal	Erection of a 2-storey supported living facility (C3), erection of a bin and cycle store, creation of access road and parking, and alterations of existing ground levels including retaining walls and gabion terraces, associated landscaping and service infrastructure
Application site	University Of Cumbria Bowerham Road Lancaster Lancashire
Applicant	University Of Cumbria & NWSDL
Agent	Clare Bland
Case Officer	Mr David Forshaw
Departure	Yes
Summary of Recommendation	Approval

1.0 Application Site and Setting

- 1.1 This is one of three applications on the agenda for separate developments at the University of Cumbria (UoC) campus.
- 1.2 This site is in the north east corner of the campus close to the sports centre. It is currently the site of two unused tennis courts with housing on three sides on Anderson Close, Coulston Road and Clougha Avenue. The fourth side is open grass within the campus sports ground which drops down to the level of the nearby MUGA.
- 1.3 The site is within areas identified in the Strategic Policies and Land Allocations DPD (SPLA) policies SC3 Open Space, Recreation and Leisure and EN5 Key Urban Landscape. It is outside the EC6 developable area of the campus.

2.0 Proposal

- 2.1 The development proposed is a two storey L shaped building with inverted pitches to the roof. The accommodation is for young adults with learning difficulties and 3 full time equivalent staff in self contained living units. There will be 13x1 bed apartments (one for staff), bin and cycle store and a new access off Anderson Close. The site will be surrounded by 2m high decorative fencing and railings to the boundary with the sports grounds and 1.8m close boarded fencing along the boundaries with housing. Also proposed is a re-working of the current slope down to the MUGA including construction of a retaining wall to the car park and gabions which will provide seating accessed by new steps.
- 2.2 The new access will be taken from the turning head of Anderson Close serving a car park with 11

spaces (two disabled). The grounds of the facility will be landscaped with hard and soft features including seating areas and new tree, shrub and ornamental planting.

- 2.3 A footpath for use by the public to access the wider campus will be retained within the scheme although outside the immediate grounds of the building. Therefore, public access to and through the campus from Anderson Close will be maintained.

3.0 Site History

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

Application Number	Proposal	Decision
20/00554/FUL	Demolition of buildings including Sarah Witham Thompson, Gressingham and Melling Halls, Black Box Theatre, Old Dining Room and the Long Corridor and erection of a 4 storey Extra Care residential building (use class C3), partial demolition, conversion and change of use of the Art Studio from education facility (use class D1) to ancillary space associated with the Extra Care residential building and change of use and conversion of Barbon Hall and Hornby Hall from education facility (use class D1) to provide affordable residential apartments (use class C3) with associated landscaping, parking, access and service infrastructure	Decision pending
20/00550/FUL	Demolition of buildings including William Thompson Tower, William Thompson Offices, Primary Curriculum Building, Estates & Secondary Centre buildings and erection of an 8, 9 and 10 storey building comprising residential student accommodation in cluster flat arrangements with ancillary laundry room, cycle store, refuse store, management office and reception, plant room and associated landscaping, access and service infrastructure	Decision pending
20/00425/EIR	Screening request for a replacement student residential block in area A following the demolition of the existing 10 storey William Thompson Tower and surrounding buildings	ES not required
18/01225/PLDC	Proposed lawful development certificate for the erection of a fence and gates	Granted
18/01220/PREMTG	Demolition of existing teaching and accommodation blocks, conversion of 2 barrack buildings to 17 2-bed apartments, erection of 23 4-bed 3 storey townhouses and 2 4-storey student accommodation buildings comprising a total of 30 5-bed cluster flats	Closed
18/00399/PRETWO	Demolition of existing teaching and accommodation blocks, conversion of 2 barrack buildings to 17 2-bed apartments, erection of 23 4-bed 3 storey townhouses and 2 4-storey student accommodation buildings comprising a total of 30 5-bed cluster flats	Advice provided
15/01007/PAD	Prior Approval for the Demolition of part of the Askwith Building, The Range and the nursery building	Granted
15/00913/FUL	Partial demolition of the Askwith Building and erection of a new three storey teaching block with associated landscaping and replacement car parking and the erection of a single storey extension and installation of new windows to the retained part of the Askwith Building	Permitted
06/01202/FUL	Erection of a new 4 storey Gateway building, incorporating a One stop shop for student contact, catering facilities and	Permitted

	offices	
04/00346/FUL	Demolition of principals house, construct art, design and technology building, including extensions and alterations to Martinaue building and links to new teaching block (approved on application 03/00131/FUL)	Permitted
97/00324/FUL	Removal of Condition No 11 on Permission No 96/00525/CU to allow use of tennis courts for netball during winter months	Refused
96/00525/CU	Formation of new car park from existing tennis court to provide 56 parking spaces together with creation of three new tennis courts	Permitted

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objection subject to use being supported living only, upgrade of bus stops on Wyresdale Road and provision of cycle store
Environmental Health	Require conditions relating to minimisation of dust and provision of electric vehicle charging points
Police	Security advice provided
Fire	Standard advice provided
Contaminated Land Officer	Standard conditions required
Civic Society	Supports development of the unused site; building is of pleasing design although concerned about its height; will cause extra traffic on already congested Anderson Close
County Heritage	Request condition securing a programme of archaeological works
Conservation Team	No comments
Arboricultural Officer	No objection to the revised scheme
Strategic Housing	Supports provision of a specialised housing need
LLFA	To be reported verbally
Natural England	To be reported verbally
United Utilities	To be reported verbally
Public Realm	To be reported verbally

4.2 A total of 54 neighbour responses were received following publicity of the original submission. Of these all were objections apart from one making comments. The objections can be summarised as:

- Increase in traffic in area and on Anderson Close
- Worsened parking in area and on Anderson Close
- Access along Anderson Close poor (appeal for use of Clougha Avenue was dismissed)
- Transport survey carried out outside term time
- Loss of access to university grounds for recreation
- Loss of tennis court facility
- Existing student noise problems at night
- Light nuisance
- Bats forage across the site
- Overlooking/loss of privacy
- Loss of view
- Potential pre-historic features in adjacent field
- Overshadowing/loss of light
- Houses at lower ground level
- Loss of green space
- Noise, traffic and damage during construction
- Design out of character
- Loss of trees on and off site and hedge which screens floodlights

- Air pollution
- Worsening of existing garden and road flooding
- Bin store location
- Neighbours' extensions not shown on plans
- Will there be a different generation of residents and curfew imposed

One comment supports the provision of a pedestrian crossing.

4.3 Following re-consultation 3 further objections have been received on the grounds of:

- Loss of privacy
- Over shadowing
- Loss of trees
- Loss of habitat
- Unacceptable access
- Design out of character
- Over development
- Loss of amenity
- Loss of green space
- Contrary to policy
- Prevention of access from garden onto the site
- Effect on window in kitchen extension in boundary with site
- Noise disturbance
- Effect on traffic safety, parking and congestion
- Worsening of existing flooding
- Loss of tennis courts
- Use of the courts was changed from student use to public use

5.0 Analysis

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

- Principle of development
- Design and visual impact
- Effect on neighbours
- Traffic and parking
- Other material considerations

5.2 Principle of Development SPLA DPD Policies SP1: Presumption in Favour of Sustainable Development, SP2: Lancaster District Settlement Hierarchy; SC3: Open Space, Recreation and Leisure; EN5: Key Urban Landscape; DPD Policies DM8: Accommodation for Older People and Vulnerable Communities; DM27: Open Space, Sports and Recreational Facilities; DM46: Development and Landscape Impact and National Planning Policy Framework Sections 2, 5, 8, 9, 11, 12, 15 and 16.

5.2.1 The site is identified as an open space, recreation and leisure facility and therefore the presumption in SPLA policy SC3 is for its protection from development. DMDPD policy DM27 does not permit the loss of such facilities unless an assessment is undertaken which demonstrates it is surplus to requirements, no longer has an economic, environmental or community value, the loss would be replaced by a better or equivalent facility or the development is for alternative recreation provision. This reflects the requirements of paragraph 97 of the NPPF. Such an assessment has been submitted by the applicant, the summary of which is set out in paragraphs 5.2.2 to 5.2.7 below.

5.2.2 Recent background papers which were prepared to inform the DMDPD are the Open Space Assessment Report (OSA), Open Space Study Standard Paper (OSSSP) and Playing Pitch Strategy and Outdoor Sports (PPSOS). The OSA includes the campus in the amenity green space category as a site "offering opportunities for informal activities close to home or work or enhancement of the appearance of residential or other areas". The campus was not assessed in the OSA for quality or value and only considered against the category of its given primary purpose as amenity greenspace. Although the campus offers more formal recreation facilities such as the MUGA it was not assessed

within the provision for children and young people category in the OSA. This category has good provision within the area and therefore had the campus been included within this category it would have scored more highly. The OSSSP follows the OSA and identifies deficiencies and surpluses in existing and future open space provision throughout the district.

- 5.2.3 The PPSOS is a supply and demand assessment of playing pitch facilities in accordance with Sport England's Playing Pitch Strategy. The PPSOS states that at the time of assessment there were 'a total of 80 tennis courts identified in Lancaster located across 21 sites including sports clubs, parks and schools. This did not include the application site. The assessment describes the tennis courts as "disused", defined as sites that are not in use or available for community hire and, once disused for 5 years or more, will be categorised as "lapsed sites". It says they were last used in 2016 although the university was not consulted on this. However, specifically for tennis the PPSOS does not include these courts in its assessment of provision but says they are disused due to their proximity to residential properties and restrictions as a result. The study concludes that courts in the City not used by clubs have spare capacity for growth in demand and that club courts are sufficient in number to accommodate current and future levels of demand.
- 5.2.4 The follow up Playing Pitch and Outdoor Sports Strategy – Strategy and Action Plan summarises that 'there are sufficient club courts in Lancaster District to accommodate current and future levels of demand'. It indicates that although demand can be met by existing supply there is an undersupply of courts available for use throughout the year due primarily to the nature of the court surfacing and lack of floodlighting. The assessment suggests that the University should 'Explore options to reinstate use, subject to presence of demand'. Being so close to housing and subject to previous complaints regarding noise and disturbance from its use it is not possible to reinstate the use as a tennis court and it is also not considered suitable for alternative playing pitch uses for the same reason of conflict with residential amenity.
- 5.2.5 In terms of the environmental value, it is an unused overgrown hard surfaced area enclosed by 3m high chain link fencing. It does not provide any opportunity for informal activity or enhance the appearance of a residential or other area. It is not considered to add any quality or value to the wider amenity space. Being so close to housing and subject to previous complaints regarding noise and disturbance from its use it is not suitable for alternative playing pitch uses.
- 5.2.6 In assessing its economic value, it is a fact the courts have not been used since at least 2012 (evidence provided from UoC) and provide no economic value to the owner or community. Their use resulted in complaints from residents due to noise and disturbance. To address this, restricted hours were imposed but bookings and use reduced and complaints continued so the courts were closed. Only use during popular times for tennis or alternative sports would render the courts viable but this would cause further problems for neighbours.
- 5.2.7 In terms of community value, the courts have been closed for longer than stated in the PPSOS and ought to be referred to as lapsed. Notwithstanding this, the assessment did not consider the courts to be available for community use and they were not taken into account when calculating that demand can be met by existing supply. The deficiency in facilities able to be used all year will not be able to be met here due to incompatibility with the surrounding houses.
- 5.2.9 The submitted assessment is reasonable. The DMDPD background assessments are up to date and confirm there is sufficient existing and future provision of amenity greenspace (which this site forms part of through the larger provision by the wider campus). Furthermore, overall provision would not be prejudiced by the loss of the site due to its size and it has no value as amenity green space in its own right.
- 5.2.10 With regards tennis, these courts did not form part of the background assessment and there is sufficient existing and future provision without them. There is a deficiency in courts available for year round use but loss of these courts will not increase that deficiency. Therefore, there is no justification for securing a financial contribution towards alternative or improved provision elsewhere.
- 5.2.11 The Key Urban Landscape (KUL) designation is conferred through SPLA policy EN5 and development within it is controlled by DMDPD policy DM46. It covers the UoC campus outside the identified developable area from Wyresdale Road to the north east to Bowerham Road to the south west. KUL areas will be conserved and important natural features safeguarded. Development will

only be permitted where they preserve the open nature of the area and character and appearance of its surroundings.

- 5.2.12 The site forms a small part of the wider designation. The application includes a Townscape Appraisal which compares the site to the wider KUL using the evaluation criteria which was used in designating the original KUL. The appraisal describes the site as a discrete enclave of land on the fringe of the campus, surrounded on three sides by existing built form. It is considered to have a very limited visual relationship with the rest of the KUL or the wider City region. The courts are disused, in disrepair and inaccessible to the public. The site contains no notable mature trees and any vegetation can be retained with the development. The appraisal does not consider it in keeping with the rest of the campus wide KUL and says it detracts from the character of the area.
- 5.2.13 The 2 stage appraisal carried out in 2012 which informed the KUL designation scored the whole designation as 29 out of a maximum of 45 using the published evaluation criteria. The same exercise has been completed in the submitted appraisal relating to the site itself. This scores the site at 15 out of a possible 45. There is no reason or evidence to dispute this result. Assessing a small part of a wider designation would not always result in a lesser score and this demonstrates what the site feels like on the ground; that it can be viewed differently from the rest of the KUL due to its somewhat isolated relationship, being effectively fenced off and tight knit surrounding development.
- 5.2.14 It is accepted the site does not contribute positively to the KUL designation and its development would not diminish the inherent characteristic or significance of the rest of the KUL. Neither would its development necessarily justify development of other parts of the KUL. Therefore, the development is not considered to substantially reduce the open nature, character or appearance of the wider KUL and is not contrary to policies EN5 or DM46.
- 5.2.15 The proposal is to provide supported living accommodation for young adults with disabilities, giving them 24/7 shared background support depending on their individual needs. Support would focus on helping residents engage in social activities and interaction to promote independence whilst ensuring access to personalised care was available.
- 5.2.16 Lancashire County Council's Care and Support Strategy 2018– 2025, and recently approved Vision document, "Care, Support and Wellbeing of Adults in Lancashire" seeks to develop a range of quality housing to better meet people's care and support needs to promote health, wellbeing and independence for young and older adults. The Strategy aims to provide smaller scale flat schemes rather than the current model of shared households. The Council's Strategic Housing Market Assessment similarly identifies the need for accommodation for young adults with disabilities.
- 5.2.17 The Council's Housing Strategy Team states: *"...the Commissioning Lead for People with Learning Disabilities and Autism has also been directly consulted and has provided a supporting statement confirming that the proposed apartment scheme will make a significant contribution to increasing the supply of much needed self-contained supported living accommodation with round the clock support for this vulnerable group, in a very sustainable and appropriate location. The target identified in the Homes Strategy is to provide 50 new supported living apartments in Lancaster district over the next five year period"*. Housing Strategy Team supports this proposal which aligns to the council's Homes Strategy 2020-25 by increasing the specialist housing required in Lancaster district.
- 5.2.18 Policy DM8 supports proposals for accommodation of vulnerable groups that meets a number of criteria. The scheme will be a commissioned service whereby Lancashire County Council will select the most suitable care provider. The premises will be run by Progress Housing Association who will provide an intensive landlord and housing management service. Accommodation will be allocated to individuals who have eligible assessed care needs requiring a high level of care and support at the outset. Lancashire County Council and Progress Housing Group will jointly agree the proposed lettings for the units taking account the specific needs and requirements for each individual. All residents are assumed to qualify for full housing benefit payments. County will have determined that each proposed resident fulfils the threshold for eligible assessed care needs with an agreed care plan in place, and Progress as the landlord will undertake a further needs and risk assessment to ensure the accommodation is suitable and appropriate for each nomination received. The supported living apartments are expected to meet a longer term need and will offer settled accommodation rather than other forms of short term shared accommodation services. If for whatever reason, a need is identified to move an existing resident, the lead organisation would be Lancashire County

Council and whilst working with partners, they will decide on the most appropriate solution in this instance. The proposal therefore complies with policy DM8.

5.2.19 In conclusion regarding the principle of the development, it has been assessed against policies designating the site as key urban landscape and open space, sports and recreation use. It is unfortunate that the development will result in the loss of a part of the KUL and a former sporting facility. However, it is accepted that although attached to the KUL it is perceived as a remote part being bounded on three sides by housing and containing a 3m chain link fence that in effect separates it from the rest of the open space. Its loss will not diminish the overall value of the remaining KUL. In terms of sports use, the courts have not been used since 2012 and they have not been included as part of the supply of tennis courts. Alternative sporting uses are likely to cause the same neighbour amenity problems as when the courts were in use. The proposed use provides a specialist housing need in much demand in the district and is supported by policy DM8. On balance, the principle of the development is accepted.

5.3 **Design and Visual Impact** DMDPD DM2: Housing Standards; DM29: Key design principles; DM30: sustainable design; Policy DM46: Development and Landscape Impact; NPPF section 12

5.3.1 The proposal has a modern design comprising two storeys under inverted pitched roofs i.e. the highest part of the roof is above the external walls with the slope falling inwards to areas of flat roof. Proposed materials are grey facing brick with grey feature brickwork, bronze cladding to the vertical roof parts and dark grey to the roof slopes, bronze relief panels around some window arrangements and bronze aluminium fenestration. The detail of boundary and internal fencing can be conditioned to ensure it is appropriate to the setting of the key urban landscape and neighbouring properties.

5.3.2 The building will be on higher ground than the rest of the surrounding campus and therefore visible from longer views. It will be seen in the context of the adjacent housing and other UoC buildings. Unrestricted public access to the campus will be maintained along the proposed re-aligned footpath from Anderson Close from which the building and grounds will be visible from close quarters. The footpath will be on the campus side of the development and distant views across the campus grounds and beyond will not be affected. The modern design of the building and proposed landscaping is acceptable in the context of its setting and will not give rise to any undue visual impact.

5.3.3 11 of the apartments will be Part M4(3) wheelchair user compliant and two apartments (including the staff unit) will be NDSS compliant in compliance with policy.

5.4 **Effect on Neighbours** DMDPD Policy DM 29: Key Design Principles

5.4.1 The siting of the building has been amended to ensure all interface distances with adjoining houses are met. The houses on Anderson Close back onto the site and their closest windows will be located at least 19m from the nearest wall which does not contain windows (well in excess of the required 12m). The only windows facing these properties are in the furthest wing almost 40m away. Houses to the rear on Coulston Road are approximately 1.5m lower with rear facing ground floor windows and a conservatory. The required interface distance is therefore 24m which the amended layout achieves to the closest of those neighbouring windows. Other windows are further away due to the diverging alignment between the proposed and existing houses. This distance adequately mitigates the effects of the building in terms of any overbearing position above these properties and their gardens. Two trees on this boundary originally proposed to be removed are to be retained which will provide some softening effect.

5.4.2 Housing on Clougha Avenue has much shorter rear gardens at approximately 6.5m in length. The long facing elevation of the development will extend across the full width of the garden of no 9. The proposed wall will have no clear glazed principal windows and be located at least 12m from the rear facing principal habitable room windows to these properties which complies with standards. The rear wall of the proposal will contain an inset mainly behind no 9 and partly to the rear of no 11. This inset takes a 4.5m section of the wall a further 1m away from the houses and provides some relief to the mass of the elevation, especially no. 9.

5.4.3 Undoubtedly, the outlook from all neighbouring properties will be markedly different due to there being no development to the rear at present. This will be particularly apparent from nos. 7, 9 and 11

Clougha Avenue. The impact will be greater than if the development was of traditional house gable ends due to the additional length of this elevation. However, the building will be two storeys in height with a sympathetic roof arrangement whereby the closest part of the roof ridge is located end on to these properties at the eastern end which minimises bulk and massing close to Clougha Avenue. Other parts of the roof slope down to a flat roof on the side of the building closest to Clougha Avenue. Given this and the adequate separation, the adverse effect on no 9 and to a lesser extent 7 and 11 Clougha Avenue is insufficient to justify refusal of the application.

5.5 **Traffic and Parking** SPLA EC6: University of Cumbria Campus; DMDPD DM60: Enhancing Accessibility and Transport Linkages; DM61: Walking and Cycling; DM62: Vehicle Parking Provision; NPPF section 9

5.5.1 Vehicular access is proposed from Anderson Close, a cul de sac serving part of the UoC campus, 8 houses on Anderson Close and rear parking for 6 houses on Coulston Road. A car park for 11 spaces, including 2 disabled bays is proposed.

5.5.2 The site is well served by public transport. The nearest bus stops on Wyresdale Road require upgrading to provide DDA compliant kerbing which will be secured by condition. County Highways consider the vehicle movements generated will not have a severe impact on highway safety due to the relatively low car ownership by residents. A condition is proposed to limit use of the proposal to supported living to ensure car ownership is kept low.

5.5.3 Concerns expressed by County Highways to the original scheme have been addressed. Swept path analysis shows delivery and refuse vehicles can turn into the site without the need to widen Anderson Close, the internal turning head is now acceptable and the traffic survey was carried out during term time and in accordance with DfT guidance.

5.6 **Other Material Considerations**

5.6.1 Drainage and flood risk - Current drainage is through a combined system discharging to an off-site combined public sewer. No testing has been carried out by the applicant and therefore it is not known whether infiltration may be possible and it is proposed that this be handled by planning condition. If infiltration is not possible, surface water will continue to be discharged to the combined sewer as at present. Comments are awaited from the LLFA in this regard and will be reported verbally to councillors. Foul water will be gravity fed to the combined public sewer separately from the surface water while on site, comments are awaited from United Utilities in this regard. Flood risk at the site is low. Subject to receiving the views of the LLFA and UU and assuming they do not object to the development, the scheme accords with the provisions of the Development Plan.

5.6.2 Heritage – There are no heritage assets close to the site and all are separated from the development site by distance and intervening buildings. Archaeological finds have been made in the immediate vicinity. A scheme for the investigation and recording of archaeology will be secured by condition and this aligns with the advice of the County.

5.6.3 Ecology and trees – There are no priority habitats on site and the nearest designated site is 600m away (Lancaster Moor Hospital Grassland BHS) with no connectivity to the development site. An initial Preliminary Ecological Appraisal identified the potential for three trees and an ivy covered wall to have bat roost potential. These were inspected and were found to have negligible potential. In accordance with bat survey guidance, roosts with negligible potential do not require further survey. However, these features will be surveyed again if the development commences in late 2021 or beyond.

5.6.4 In terms of bat foraging, it is expected that bats will use the trees and adjacent gardens as stated by neighbours. The development will retain these trees and the proposed planting around the scheme has been designed to improve the foraging habitat. Overall, the development is considered very unlikely to significantly impact the favourable conservation status of bats in the locality which will continue to forage around the periphery of the site.

5.6.5 Two trees are proposed to be removed: a white willow and a Norway Maple to create the access. Neither are good specimens. Following negotiations two sycamore trees on the east boundary and the existing hedge on the boundary with no.1 Anderson Close are now to be retained.

- 5.6.6 The site is within the Morecambe Bay buffer zone and a Habitat Regulation Appropriate Assessment has been completed which concludes the recreational pressures from the development on the designated areas can be mitigated by suitable packs distributed to all resident students. The scheme is compliant with policies DM44 and 45.
- 5.6.4 Air Quality – A qualitative air quality assessment for the construction and operational phases has been submitted. This concludes there is a not significant risk if standard mitigation measures are used. The development therefore complies with Policy DM31 of the DM DPD.
- 5.6.5 Sustainability – An energy statement has been submitted which confirms the development has the potential to achieve a 24% reduction from Part L Building Regulations emission requirements through measures including enhanced thermal building fabric, recovery of waste heat, controllable lighting, air source heat pumps and solar panels. This complies with the requirements of policy DM30 and can be conditioned as such.
- 5.6.6 Affordable Housing - The accommodation will be purely supported living and not open market housing. Therefore, a condition is proposed limiting occupation to people requiring supported living care. Affordable housing is not required to be provided because the development is of apartments which is exempt under policy DM3.

6.0 Conclusion and Planning Balance

- 6.1 The impacts of the development proposal on the loss of key urban landscape and supply of tennis and other recreation facilities and the development's impact on neighbours, ecology, highway conditions and visual appearance have been carefully assessed. The site is a distinct part of the KUL, scoring much lower in value than the KUL as a whole. Its loss will not diminish the significance or value of the remaining KUL. The courts were not considered a possibly available resource when the playing pitch study was undertaken, and without them there is adequate provision locally. The only deficiency is in year-round use availability but this would not be possible to provide here, due to the conflict with the amenities of neighbours, as experienced previously. The main negative impact is the potential effect of the long elevation facing rear of properties on Clougha Avenue. However, adopted spacing standards are met. Provision of supported living for a vulnerable sector of the community is a positive consideration of this application and something which officers support wholeheartedly. There are not considered to be any material considerations that would justify refusal and, on balance, the benefits are considered to outweigh the negatives. With this it is recommended to councillors to support the development subject to conditions.

Recommendation

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

Condition no.	Description	Type
1	Time limit	Standard
2	Approved plans	Standard
3	Surface water drainage scheme/management and maintenance	Pre-commencement
4	Off site highway works	Pre-commencement
5	Employment Skills Plan	Pre-commencement
6	Contaminated land	Pre-commencement
7	Written scheme of archaeology	Pre-commencement
8	Finished Floor Levels	Pre-commencement
9	Boundary and fencing details	Pre-commencement
10	Materials samples	Above ground
11	Homeowner packs	Above Ground
12	Lighting details	Prior to occupation
13	Travel Plan	Prior to occupation
14	Security details	Prior to Occupation

15	Car parking management strategy, layout and EV charging points	Prior to Occupation
16	Cycle Store	Prior to Occupation
17	Approved tree Works	Ongoing
18	Ecological mitigation measures	Ongoing
19	Tree protection	Ongoing
20	Hours of construction	Ongoing
21	Landscaping Implementation	Planting season
22	Nesting birds	Specific time
23	Separate drainage	Control
24	Sustainable construction and energy efficiency	Control
25	Nationally described space standards and M4(2) and M4(3) standards	Control
26	Supported Living within C3 Only	Control
27	Obscure glazing in rear elevation	Control

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

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

Background Papers

Agenda Item	A8
Application Number	20/01295/VCN
Proposal	Relevant Demolition of existing retail building (A1) and associated water tank and enclosure, and the erection of a food store (A1) with associated car parking, external plant and enclosure, servicing areas and hard and soft landscaping (pursuant to the variation of condition 18 on planning application 20/00371/VCN to extend the bank holiday opening hours)
Application site	Aldi, 48 Aldcliffe Road, Lancaster, Lancashire
Applicant	Aldi Stores Limited
Agent	Miss Lauren Neary
Case Officer	Mr Adam Ford
Departure	No
Summary of Recommendation	Approval

1.0 Application Site and Setting

- 1.1 This application relates to a 0.59-hectare site located approximately 120 metres southwest of the city centre (and Lancaster’s primary shopping area), occupying an edge of centre location. Surrounding development is largely residential with some nearby commercial uses located along Queen Street and Aldcliffe Square whilst the rears of 25-49 Portland Street and the side of 50 Aldcliffe Road flank the western boundary of the site. 23 Portland Street and its rear garden, Speights warehouse (food suppliers) and 24 Queen Street and its garden border the northern boundary. Queen Street borders the north eastern corner of the site with Aldcliffe Road running along the south eastern boundary of the site.
- 1.2 Access/egress into the site is taken off Aldcliffe Road. The site has a triangular form and previously accommodated a B&Q DIY retail unit with associated car parking, serving and storage areas, water tank and landscaping. The building occupied most of the northern half of the site with the car parking dominating the southern part of the site. The former B&Q store and its associated external storage compound and garden centre enclosure have all been demolished. The Aldi building (as approved pursuant to 20/00371/VCN) has now been built out and it occupies the site in its completed form.
- 1.3 Neighbouring properties on Portland Street are elevated above the site and separated by a wooded embankment that has been retained as part of the site’s redevelopment.
- 1.4 The site is situated within the Lancaster Conservation Area immediately adjacent to the Aldcliffe Road Conservation Area. There are a number of Listed buildings in relatively close proximity to the site with a number of non-designated heritage assets of local importance situated immediately adjacent to the site (e.g. Portland Street/Speights Warehouse building). Trees within the site not subject to individual Tree Preservation Orders but are protected by virtue of the Conservation Area designation.

2.0 Proposal

- 2.1 Pursuant to 18/01100/FUL, planning permission was granted for the relevant demolition of the existing retail building, water tank and enclosure, and the erection of a new food store building with associated parking, external plant, enclosures, service areas and landscaping. This permission was implemented through the construction of the Aldi building. An application to vary condition 2 of 18/01100/FUL was subsequently submitted and granted under 20/00371/VCN. The variation to condition 2 specifically sought to amend the layout of the plant equipment, the external plant area and its enclosure.
- 2.2 An application can be made under section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. One of the uses of a section 73 application is to seek a minor material amendment, where there is a relevant condition that can be varied. Permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The new permission sits alongside the original permission, which remains intact and unamended. It is open to the applicant to decide whether to implement the new permission or the one originally granted.
- 2.3 Accordingly, approval 20/00371/VCN represents a fresh planning permission, albeit for a very similar development, which sits alongside the original planning permission. The permission granted under s.73 of the Act does not superseded nor replace the original consent. It is for this reason that the conditions attached to the most recent VCN application are worded to reflect the details which have been agreed via discharge of condition applications.
- 2.4 The current application seeks to vary condition 18 as imposed upon 20/00371/VCN insofar as it relates to the permissible opening hours on bank holidays. For clarity, condition 18 of 20/00371/VCN **currently** restricts the hours of trading as follows:

- Mondays – Saturday: 8am to 10pm
- Sundays and Bank Holidays: 9am to 5pm

The application under determination seeks to vary condition 18 so that the trading hours become:

- Mondays – Saturday: 8am to 10pm (**unchanged**)
- Sundays: 9am to 5pm (**unchanged**)
- Bank Holidays: 8am – 8pm (an increase of 4 trading hours per bank holiday)

- 2.5 The submitted application clarifies that the amendment in trading hours is required to ensure that the store is operating in accordance with the national directives of the business. The supporting cover letter further notes that increase in bank holiday hours is deemed necessary to further support the store in its ability to respond to the on-going Covid-19 pandemic.

3.0 Site History

- 3.1 The most relevant planning history is set out in the table below. This Section 73 application relates to planning permission reference 20/00371/VCN which in itself represents a variation of planning application 18/01100/FUL. The relevant pre-commencement conditions have been complied with under a number of discharge of condition applications:

Application Number	Proposal	Decision
20/00120/DIS	Discharge of condition 7 on approved application 18/01100/FUL	Approved
20/00103/DIS	Discharge of condition 5 on approved application 18/01100/FUL	Approved
20/00371/VCN	Relevant Demolition of existing retail building (A1) and associated water tank and enclosure, and the erection of a food store (A1) with associated car parking, external plant and enclosure, servicing areas and hard and soft landscaping (pursuant to the variation of condition 2 on	Approved

	planning application 18/01100/FUL to amend the location of plant equipment size and details of the external plant enclosure and acoustic fencing)	
19/00125/DIS	Discharge of conditions 6, 7, 8, 10, 12, 13, 14, 15, 16 and 18 on approved application 18/01100/FUL	Approved (safe for details of the enclosure fence)
19/00147/DIS	Discharge of conditions 17 and 20 on approved application 18/01100/FUL	Approved
19/00157/DIS	Discharge of conditions 3, 5 and 11 on approved application 18/01100/FUL	Approved
19/00166/DIS	Discharge of condition 9 on approved application 18/01100/FUL	Approved
19/00200/DIS	Discharge of condition 4 on approved application 18/01100/FUL	Approved
19/01357/ADV	Advertisement application for the display of 2 externally illuminated fascia signs, 1 non-illuminated totem sign and 1 non-illuminated window sign	Approved
19/01577/NMA	Non material amendment to planning permission 18/01100/FUL to reduce the size of the external plant enclosure	Withdrawn
18/01100/FUL	Relevant Demolition of existing retail building (A1) and associated water tank and enclosure and erection of a food store (A1) with associated external plant and enclosure, car parking, servicing areas with hard and soft landscaping	Approved and implemented
12/00917/PLDC	Lawful development certificate for proposed use as a food store	Certificate granted for unrestricted retail use.

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objection
Environmental Health	No objection - they have not identified any significant impacts with respect to noise or public health.

4.2 At the time of writing this report, 4 representations of objection have been submitted from members of the public and a summary of the relevant planning reasons offered within these letters are as follows:

- **Amenity concerns:** the reason for the original condition remains relevant and deliveries to the store will increase. Relaxing the bank holiday hours will be harmful to amenity due to the increased noise, traffic and disturbance generated through the additional trading hours.
- **Validity of noise data:** the noise data submitted is not accurate and should not be relied upon.
- **Alleged breach of condition 18:** the store has already operated in breach of the previously imposed hours.

Other concerns have been raised with respect to deliveries, but these are not relevant to the determination of this application because the condition which controls deliveries (19) will be re-imposed in its current form. This will restrict deliveries to between 9am – 5pm on Bank Holidays as is the current prevailing position.

5.0 Analysis

5.1 As noted above, this application seeks to vary condition 18 as previously imposed upon an implemented consent under 20/00371/VCN. Accordingly, it is not necessary to consider the application in the same degree of detail as a fresh application would be.

The key considerations in the assessment of this application are:

- **The principle of development and historical planning permissions**
(18/01100/FUL and 20/00371/VCN)
- **Noise impacts and amenity**
(NPPF paragraphs 127 and 180. Development Management DPD policy DM29)
- **Imposition of planning conditions**
(Section 73 of the Town and Country Planning Act 1990, paragraphs 014 and 015 of the PPG website)

5.2 The principle of development and historical planning permissions

5.2.1 Permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The new permission sits alongside the original permission, which remains intact and unamended. It is, ultimately, open to the applicant to decide whether to implement the new permission or the one originally granted.

5.2.2 This is a relevant point to note because the site in question already benefits from two recent planning permissions which have firmly established the principle and acceptability of the retail development which is proposed by this further application to vary condition 18. Originally, planning permission was granted, subject to conditions, under 18/01100/FUL for the relevant demolition of existing retail building (A1) and associated water tank and enclosure, and the erection of a food store (A1) with associated car parking, external plant and enclosure, servicing areas and hard and soft landscaping. This permission was implemented, and the granting of this application confirms and iterates the acceptability of the retail use of the site.

5.2.3 Following the granting of 18/01100/FUL, a further application (20/00371/VCN) to amend condition 2 was submitted and subsequently approved in June 2020. This application sought to amend the layout of the plant equipment, the external plant area and its enclosure. It also proposed to house some of the plant equipment inside the building on a mezzanine as well as retaining some plant equipment externally. In determining this application, an in-depth analysis of the potential noise and amenity implications was explored within the officer report. This application has been implemented and the Aldi store has been completed.

5.2.4 In light of the fact that the scheme benefits from two recently issued consents and owing to the implementation of 20/00371/VCN, the principle of development on the site, with respect to a retail offering, is considered to be established as something that the Local Planning Authority is able to support. Consequently, and subject to the impact upon amenity being acceptable, the principle of amending the opening hours of the approved store is judged to be something which can be supported by the Local Planning Authority.

5.2.5 In reaching this conclusion, it is noted that public objections refer to the 1994 Sundays Trading Act which stipulates the lawful opening hours for shops subject to their size. However, this application only seeks to amend the bank holiday restriction and retail units in excess of 280sqm must close on Christmas Day irrespective of which day it may fall upon. The Sunday hours as prescribed under condition 18 of 20/00371/VCN will *remain* as 9am – 5pm. As such, this means that if the current application is approved the store would open for one hour earlier and three hours later for a maximum of 7 bank holidays throughout the year. This, in total, amounts to an extra 28 hours trading throughout the entire calendar year.

5.2.6 It should, however, be noted that due to this application being made under S.73 of the Act and the fact that the previously approved scheme has been implemented, the standard condition which

requires a commencement within 3 years from the date of approval need not be imposed.

5.3 Noise impacts and amenity

- 5.3.1 In conjunction with paragraph 127 of the National Planning Policy Framework, policy DM29 of the Development Management DPD requires all proposals to preserve existing levels of amenity and to ensure that impacts such as noise are appropriately minimised.
- 5.3.2 The consideration of likely noise impacts emanating from the development and the relationship of such on neighbouring residential development was a key issue during the consideration of the original planning application. The main noise sources related to the general use and operation of the food store, deliveries and servicing, and noise emitting from the external fixed plant. Following detailed negotiation, the original planning permission was granted subject to several planning conditions controlling the use and operation of the food store and its associated infrastructure to minimise the noise effects on neighbouring residents. These conditions included the requirement for a Service Delivery Plan, opening times and delivery hours and a condition limiting the noise from external plant equipment. This application only seeks to amend the trading hours with respect to Bank Holidays. No other conditions which seek to control amenity impacts are to be altered.
- 5.3.3 It is not uncommon for new issues can arise after planning permission has been granted, which requires the modifications of the approved proposals. Planning legislation and guidance recognises this with several planning mechanisms available to applicants to try and to secure amendments to existing planning permissions. Section 73 of the Act deals with modifications to a scheme that are more than non-material but not fundamentally or substantially different from the approved scheme.
- 5.3.4 In this instance, the need to amend the hours of operation has, according to the applicant, arisen due to the requirement for the store to follow the Aldi's corporate national directive which prescribes the preferred bank holiday trading hours. The submitted information also suggests that the extra trading time is required to allow the store to support the community through the on-going Covid-19 pandemic. Whilst the business directive of Aldi is noted as being an internal policy that stores are likely to wish (and be required) to follow, given the very modest increase in trading hours that this application would provide, the Local Planning Authority can only ascribe minimal weight to the assertion with respect to Covid-19 on the basis that it does not represent a significant or material increase in trading hours within which to support the community. This in no way suggests that Aldi are not attempting to support and assist with the pandemic response but the minimal increase in trading hours that this variation will afford is such that it is difficult to accept that it will play a vital role in community support with regards to Covid-19.
- 5.3.5 At the time of original proposal being submitted, a detailed noise assessment was commissioned and included within the application. Amongst other relevant considerations, this report, which is BS:8233 compliant considered the likely noise arising from site specific vehicle movements and noise emanation from within the car park. The content of the submitted noise assessment was reviewed by the Council's Environmental Health Officer who raised no objections to its conclusions or methodology.
- 5.3.6 The same noise assessment has been submitted in support of this application without modification. To ensure that this is an acceptable approach, Officers have sought clarification from the Council's Environmental Health Officer who has confirmed that in this instance, such an approach is valid. As sound from the use of the car park and increased vehicle movements in the area have already been assessed within the previously submitted noise report, and determined as being acceptable, the main consideration would be the acceptability of the additional hour at the beginning of the day and 3 hours at the end of the day for just 7 bank holidays per annum. In considering the amenity impacts, it is important to note that the amended hours do not relate to every day of trading; they relate solely to 7 bank holidays per year.
- 5.3.7 Based on the below factors, the submitted noise assessment concludes that noise from the car park could give rise to internal noise levels, which would be below the guideline daytime internal noise level, as recommended in BS8233 during a peak hour with windows open:

- Data included within the previously submitted Transport Assessment (169 arrivals and 160 departures per hour on worst case scenario basis)

- The location of the nearest noise sensitive receptors (dwellings) to the west along Portland Street
- Assumption that all parking spaces could be used simultaneously

The operation of the car park is predicted to give rise to an internal noise level of 25db (Laeq, 1 hour) which is *lower* than the guideline internal daytime noise level prescribed by BS:8233 of 35db (Laeq, 1 hour). These results remain valid with respect to the proposed additional hours of trade and given that the store would be open for one hour earlier and three hours later for a maximum of 7 bank holidays, the additional noise likely to be generated is not deemed to be in excess of the levels previously reported. A conflict with policy DM29 is not therefore judged to arise in this regard.

5.3.8 In addition to the extra activity within the car park, albeit likely modest, regard must also be had to the extra operating hours of the external and internal plant equipment. If the store is open for a longer period, it stands to reason that the associated plant is also likely to be operational for longer too. The total increase would be four hours per bank holiday. The plant which is located internally is unlikely to generate any significant acoustic concerns due its positioning within the main building and the acoustic qualities of the store which have been designed such that disturbance is appropriately mitigated against.

5.3.9 With respect to the external plant, at the time of 20/00371/VCN being considered, the noise arising from this equipment was considered in detail. The changes to the levels within the enclosure and the effect that this had on the noise emanating from the fixed plant was remodelled as part of 20/00371/VCN and the noise report updated accordingly. The objective of the noise assessment, re-design of the plant and noise mitigation was to adhere to the noise limit set by condition 26 of the original planning permission. Taking the previously agreed mitigation into account, it was concluded that there should be no adverse noise impacts associated with the modifications to the external plant enclosure. This also demonstrated, at the time of determination, that the noise criteria detailed in the noise condition could be achieved. The Council's Environmental Health Officer reviewed this submission (as well as the concerns previously raised by residents) and cited no objections to the amendments.

5.3.10 With this in mind, given that amended plant arrangement was deemed acceptable at the time of granting 20/00371/VCN, due to the minimal increase in hours proposed by this application, there is no evidence which would suggest that the previously agreed mitigation measures regarding the external plant would now be rendered as ineffective or obsolete. Although it (plant) will potentially be operational for longer (to support the extra bank holiday hours), the external plant should still result in there being a 'no observed effect level' and this a level of noise exposure below which no effect at all on health or quality of life can be detected. This enables the development to remain compliant with the original objective of condition 26 despite the additional hours of trading which are proposed by the application.

5.3.11 Neighbouring residents are naturally concerned about the proposed modifications to the development and the effects the changes may have on noise and residential amenity. The objections online refer to an increase in noise as a result of the extra trading but with a focus upon deliveries.

5.3.12 This proposal to amend the bank holiday opening hours does not alter the approved hours for deliveries and this would remain controlled by planning condition; further deliveries outside of the current approved hours will not be authorised in the event that this application is granted. The proposal seeks a modest increase in opening hours of 4 hours per bank holiday. The Sunday hours and all other controls imposed by 20/00371/VCN would remain in place. Given the minimal increase in trading hours sought and with respect to the submitted noise report which objectively considers noise arising from trading, significant adverse audible disturbance is not judged to be a likely outcome. However, should the Local Authority receive justifiable complaints about unreasonable noise levels or that noise levels were giving rise to adverse impacts, the Council's Environmental Health team would investigate as part of their statutory function. The Council's Planning Enforcement team would also be responsible for investigating alleged breaches of the approved hours should complaints be submitted.

5.3.13 As clarified in paragraph 5.3.5 the Council's Environmental Health Officer has reviewed the submission and the concerns raised by residents and raises no objections to the proposals from a noise perspective. Therefore, having regard to the details of the submission, planning policy and

guidance and the comments raised by neighbouring residents, on balance the proposed amendment to the permitted trading hours is considered acceptable and does not conflict with the requirements of paragraphs 127 and 180 of the National Planning Policy Framework and DM29 of the Development Management DPD, which seeks to avoid adverse noise impacts and to secure an acceptable standard of amenity for all.

5.4 Imposition of planning conditions

5.4.1 An approval under Section 73 of the 1990 Act effectively results in the grant of a new stand-alone planning permission. Therefore, all the original planning conditions which were imposed upon the development have been reviewed to ensure they remain necessary and relevant.

5.4.2 Where the conditions continue to meet the tests set out within the NPPF, the conditions will be replicated and updated if necessary. Following the original grant of planning permission, the applicant has submitted various discharge of condition applications to satisfy a number of conditions which required details to be agreed. This application is a variation of condition 18 as imposed upon 20/00371/VCN. Since this permission was granted, two further applications to discharge details reserved by a condition (3 and 5) have been submitted and approved and the building has been completed. This means that a number of the conditions which controlled construction triggers need not be re-imposed and conditions which required the submission of details can be amended to simply require ongoing compliance. The recommended conditions are shown below.

5.5 Other matters

5.5.1 It is noted that public objections refer to the Aldi store operating in breach of the stipulated hours and that these concerns have been raised with the Council's Planning Enforcement team. The frustration and concern of local residents who wish to see the approved hours complied with is fully acknowledged and appreciated. The need to adhere to the approved hours has been clearly communicated with Aldi's planning agent who has in turn relayed the importance to the Store Manager.

5.5.2 In the present climate, however, given the ongoing pandemic and its resultant impact upon public health, confidence and interaction, it is understood that the Aldi store has, on occasion, opened before 8am to allow key workers and/or vulnerable groups time to shop. Public objections, however, suggest that the store was not openly exclusively for these segments of society. Given the current Covid-19 pressures that the community faces, pursuing enforcement action with respect to the slightly earlier opening time is not deemed to be in the public interest or expedient at this present time. The matter will however be kept under review and should the store continue to operate in breach of the approved hours once the Covid-19 situation has effectively been resolved, or is deemed to be at a risk too low to justify non-compliance with prescribed hours, the expediency of enforcement action will be considered further.

6.0 Conclusion and Planning Balance

6.1 This application seeks to amend the opening hours for an existing food-store so that it may open for an additional 4 hours for a maximum of 7 bank holidays. This, in total, amounts to an extra 28 hours' worth of trading per annum. Presently the store is able to open from 9am to 5pm on bank holidays whereas this variation to condition 18 of 20/00371/VCN seeks to adjust these hours so that the store may open at 8am and close at 8pm. With respect to paragraphs 127 and 180 of the NPPF and policy DM29 of the Development Management DPD, the additional 4 hours of trading per bank holiday is not considered to give rise to significant or adverse amenity impacts which would warrant the Local Planning Authority considering the refusal of the application. No additional noise disturbances are expected and the modest nature of the increase does not give rise to a situation in which significant audible emanation is likely to arise. Whilst the public objections are noted, the Local Planning Authority must consider the application objectively. Formal comments from the Council's Environmental Health Officer raise no objection from a noise perspective and the infrequency with which the store would be able to benefit from the increase hours further limits any potentially adverse impacts on amenity. Overall, in terms of principle and impacts upon amenity, the proposal is considered compliant with the Development Plan and the NPPF and can therefore be supported.

Recommendation

That this application to vary condition 18 on planning permission 20/00371/VCN **BE GRANTED** subject to the following conditions:

Condition no.	Description	Type
1	Compliance with approved plans	Control
2	Compliance with offsite highway details	Control
3	Compliance with offsite highway details	Control
4	Compliance with heating and ventilation details	Control
5	Compliance with agreed ecological enhancement measures	Control
6	Compliance with agreed material details	Control
7	Compliance with lighting details	Control
8	Retention of refuse area	Control
9	Compliance with agreed cycle details	Control
10	Compliance with car park management plan	Control
11	Compliance with waste management plan	Control
12	Compliance with car parking facilities	Control
13	Compliance with travel plan	Control
14	Net retail floor space	Control
15	Opening hours – (amended for extra bank holiday trading)	Control
16	Compliance with deliveries plan	Control
17	Compliance with approved landscaping details	Control
18	Compliance with approved noise details	Control
19	Permitted development rights restriction	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	A9
Application Number	20/01153/CU
Proposal	Change of use from shop (Class E) to a dog groomers (sui generis)
Application site	5 Owen Road, Lancaster, Lancashire, LA1 2AW
Applicant	Mrs Heather Brown
Agent	n/a
Case Officer	Mrs Petra Williams
Departure	No
Summary of Recommendation	Approval

(i) Procedural Matters

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

1.0 Application Site and Setting

1.1 The site that forms the subject of this application is a small vacant commercial unit which is situated in a gateway location to the City alongside the A6 and close to Skerton Bridge on the northern edge of Lancaster. The unit is one of several which occupy the ground floor below a block of residential flats (Captains Row). Other units within the row include a hot food takeaway and office suppliers. To the rear of the unit there are bin storage and parking areas. The premises are separated from Owen Road by a grassed area and is accessed via a minor road off Lune Street which itself is accessed via the A6.

1.2 There are blocks of residential flats to the north-west and south-east of the commercial row. The Free Grace Church and Skerton Liberal Club are situated within nearby Lune Street which is predominantly residential. There is parking provision to the front of the premises which is restricted to 1 hour between the hours of 8am and 6pm Mondays-Saturdays. There is similar restricted parking provision with the northern end of Lune Street which is otherwise limited to residents parking permits.

1.3 The site is within Flood Zone 2.

2.0 Proposal

2.1 The application proposes the change of use of the vacant retail unit to provide a dog grooming service which is a sui generis use.

3.0 Site History

3.1 There is no planning history associated with this site.

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objections
Environmental Health	No objections
Property Services	No objections

4.2 No public comments have been received.

5.0 Analysis

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

- Principle of the Use
- Residential Amenity
- Highways and Parking
- Flood Risk

5.2 **Consideration 1 Principle of Development** NPPF Section 2: Achieving sustainable development.

5.2.1 The application site is situated within an existing row of commercial outlets which offer a range of services and goods. The unit has been in use as a retail store for a number of years, but it has recently closed. The unit is not within a protected retail frontage and the provision of a dog groomers in this location is considered acceptable given its size and accessibility to the surrounding residential areas and proximity to sustainable transport routes.

5.3 **Consideration 2 Residential Amenity** NPPF Section 8: Promoting healthy and safe communities and Section 12: Achieving well-designed places; Development Management (DM) DPD policy DM29: Key Design Principles

5.3.1 The upper floors of the building are occupied by residential flats, access to which is taken from the rear of the block. There are no planning restrictions in terms of the opening hours of the unit which was last in use as a cycle repair shop. In light of the site's location close to commercial uses, its use does not raise any concerns with respect to existing levels of residential amenity and the Environmental Health Officer has no objection to the proposal. The application has not specified proposed hours, but it would seem reasonable that hours are conditioned in line with other daytime uses.

5.4 **Consideration 3 Highways and Parking** NPPF Section 9: Promoting Sustainable Transport and Section 12: Achieving well-designed places; Development Management (DM) DPD policy DM60: Enhancing Accessibility and Transport Linkages

5.4.1 There is on street parking in the vicinity of the property which is restricted to 1 hour between the hours of 8am and 6pm. Public transport is available close to the site with regular local services available into Lancaster City Centre and surrounding areas. The County Highways consultee has raised no objections and the scheme is considered acceptable in terms of highway impacts.

5.5 **Consideration 4 Flood Risk** NPPF Section 14: Meeting the challenge of climate change, flooding and coastal change; Development Management (DM) DPD policy DM33: Development and Flood Risk

5.5.1 Given the location of the site within an area identified as Flood Zone 2, a Flood Risk Assessment was provided with the application. Land and property in flood zone 2 have a medium probability of flooding. The application is for the change of use of ground floor space and there are no changes proposed to the footprint of the building. The proposal would not increase the risk of flooding to people and property on site, nor the risk of flooding elsewhere. As the proposal seeks a change of use, it can be considered as “minor development” in accordance with the Planning Practice and therefore it is not necessary to apply the sequential test in relation to flood risk. Buildings used for shops and other services are a ‘less vulnerable’ use in terms of Flood Risk Vulnerability Classification, as set out in the Planning Practice Guidance and therefore an Exception Test is not required. The scheme is considered acceptable in terms of flood risk.

6.0 Conclusion and Planning Balance

6.1 The proposal will bring a vacant unit back in to use. It is concluded that the proposal is acceptable in terms of all the relevant material considerations. The scheme is considered to accord with the provisions of the Development Plan and is therefore recommended for approval.

Recommendation

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

Condition no.	Description	Type
1	Standard 3-year timescale	Control
2	Development to be carried out in accordance to approved plans	Control
3	Hours of opening	Control

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

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

Background Papers

None

Agenda Item	A10
Application Number	19/01033/CU
Proposal	Change of use of 4 parking spaces to beer garden area
Application site	Charter House Car Park, Bulk Street, Lancaster, Lancashire
Applicant	Mr Mike Dent
Agent	N/A
Case Officer	Mr Robert Clarke
Departure	No
Summary of Recommendation	Approval

(i) **Procedural Matters**

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

1.0 Application Site and Setting

1.1 The site that forms the subject of this application relates to a small area of car park immediately west of the property known as The Old Stables. This property is a two storey detached stone building with a slate roof with timber windows and doors, located on Bulk Street in Lancaster. The car park to the rear is enclosed on its southern boundary by a high stone wall and established trees.

1.2 This section of Bulk Street is characterised by commercial properties with the Polish Centre located to the east of the site and numerous commercial properties located along Dalton Square which back on to the car park to the west. The ground floor of The Old Stables is used as an office and computer repairs business whilst the first floor has a permitted use as a microbrewery and pub. This current proposal relates to the former recently established micro-brewery/pub use.

1.3 The Old Stables is considered a non-designated heritage asset and the site is located within the Lancaster Conservation Area.

2.0 Proposal

2.1 This application proposes the change of use of 4 parking spaces within the existing car park to form a 100sq.m beer garden area associated with the adjacent microbrewery and pub within the first floor of The Old Stables. The proposed area is to contain moveable tables and chairs whilst a combination of planters and 'café barriers' will form the northern boundary enclosure to the beer garden. The Old Stables building itself will form the eastern boundary whilst the existing raised planting beds and stone walls will form the enclosure to the southern and western boundaries.

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
18/00457/CU	Change of use of mixed use unit comprising an office (B1) and physiotherapy (D1) to mixed use unit comprising an office (B1), bar (A4) and micro brewery (B1)	Permitted
06/00907/CU	Change of use to office space for financial advisor	Permitted
01/00437/CU	Change of use of photographic studio to remedial therapy clinic	Permitted

4.0 Consultation Responses

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

Consultee	Response
Conservation Section	The proposal has the potential to cause a minor (less than substantial) level of harm to heritage assets, which could be minimised by controlling details, fencing and lighting.
Lancaster City Council Property Services	Verbal discussions have been held between the Case Officer and Property Services. Property Services have confirmed that they have no objection to the granting of a temporary permission.
Canal and River Trust	No objection.
Environmental Health	No comments received within the statutory consultation period.
Lancashire Constabulary	No objection. Advice provided regarding security measures.

4.2 No comments have been received from members of the public.

5.0 Analysis

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

- Economic and Social Benefits
- Design and heritage matters
- Residential amenity and security

5.2 Economic and Social Benefits (NPPF Section 6: Economy, Section 7: Town Centres; Policies DM15: Small Business Generation, DM16: Town Centre Development, DM23: Leisure Facilities and Attractions, DM25: The Evening and Night Time Economy)

5.2.1 The Council will encourage and support the sustainable growth of the district's evening and night-time economy, which will contribute to the vitality of town centres, subject to the proposed development meeting the criteria set out in Policy DM25 of the DPD. Furthermore, development proposals that seek to support the creation or expansion of small businesses within the district are also supported in accordance with Policy DM16.

5.2.2 The existing micro-pub/brewery which the proposed beer garden will serve is located within a central and accessible location within the urban area of Lancaster and close to the city centre. The provision of a beer garden will contribute to the continued growth of this business and will provide both economic and social benefits. In addition to this, the micro-pub business has been impacted by the

prolonged periods of lockdown during which this business was either severely restricted with respect to its service offer or non-operational entirely. In light of the likelihood for continued restrictions imposed as a result of the Covid-19 pandemic, the provision of a beer garden would allow this element of the business to adapt and respond to the constantly evolving constraints. It would facilitate a more appropriate layout with respect to social distancing (which cannot be achieved internally due to the constraints of the building and layout), whilst it would also encourage customers to visit such a venue in the knowledge that the facilities have been adapted in the interests of their safety. The beer garden use would also encourage increased footfall within the city centre which would serve to contribute to the wider economic recovery as well as providing social benefits for the local community.

5.2.3 However, as set out above, the Old Stables is separated into two uses - a computer repairs business to the ground floor and the micro-pub/brewery to the first floor. The two businesses at present are operated by the same owner/operator. The two units share the same point of access from Bulk Street with a shared internal lobby from which customers either attend the service counter for the repairs business or utilise the stairs to access the first-floor micro-pub. The business uses within the building operate separately, however, they are inter-related by virtue of this shared access and internal layout. What is more, the customers utilising the beer garden would be required to enter the building from Bulk Street and in order to access the beer garden would be required to follow the corridor and pass through the kitchenette area within the ground floor computer repairs business. Whilst it is most likely that the computer repairs business would not be operating during the evening and weekends when customers would be utilising the access to the beer garden, the internal layout, access and relationship between the two uses within the building is unfavourable. Furthermore, patrons have to walk into the car park, passed the car park entrance (with no designated footpath), along a relatively narrow pavement to enter the building to use the toilet facilities, creating a conflict between patron and vehicles. Whilst planning policy would seek to encourage proposals that secure economic and social benefits, such proposals must be appropriate within their context, including existing surrounding uses. The provision of the beer garden facility should not hinder the successful operation of this already established and successful computer repairs business.

5.2.4 To this end, in order to adapt the building to accommodate both uses successfully, the potential for internal layout alterations were discussed with the applicant. For example, the possibility of either relocating the computer business at the first floor and locating the micro-pub to the ground or the creation of a new separate front and rear access and internal lobby for the micro-pub/brewery was raised. However, such internal changes are considered to be unviable at present due to operational constraints. Despite the clear benefits of this scheme, the layout and access arrangement and relationship between the existing uses is such that the proposal for the beer garden would not be acceptable on a permanent basis.

5.2.5 However, it is acknowledged that the proposal would facilitate the recovery of a small business from the impacts of the response to the Covid-19 pandemic as well as its adaptation to the likely continuation of operational restrictions. This would both secure benefits in terms of the business itself, but also more broad economic benefits through encouraging footfall within the city centre and social benefits to potential customers following the lifting of restrictions and opening of services which encourage social interaction. As a result, it is considered that there would be significant benefit in granting a temporary permission, based on the existing layout, for the operation of the beer garden over the summer period. However, it must be acknowledged that this is solely in the interest of aiding the economic recovery and adaptation of a business in the short term. In order for the beer garden facility to be considered acceptable in the longer term, an alternative layout internally, that respects the operation of the existing business which shares this building must be provided. It is intended that as well as aiding business recovery, the temporary period would allow opportunity for the mix of uses at the site to be reviewed and after this initial period for a new application to come forward with a more appropriate layout to be considered for a permanent solution.

5.3 Design and heritage matters (NPPF Section 16 Historic Environment; Policies DM29: Key Design Principles, DM38: Development affecting Conservation Areas, DM39: The Setting of Designated Heritage Assets, DM41: Development Affecting Non-Designated Heritage Assets of their Settings)

5.3.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed Building and or a Conservation Area or their setting, the local planning authority must pay special attention to the desirability of preserving or enhancing the

character or appearance of the heritage asset or its setting. This is reiterated by the relevant heritage policies in the Development Plan DPD. The proposal will lead to a level of harm to the setting of both the Conservation Area and non-designated heritage assets (NDHA), as expressed by the Conservation Officer. This level of harm, considered to be less than substantial, must be weighed against the benefits of the proposal.

5.3.2 In the first instance, the harm to the heritage assets is considered to be mitigated by the location of the development site. The car park does not contribute positively in itself to the setting of the Conservation Area or heritage assets. In this respect the proposal could also be considered to result in an enhancement to the Conservation Area by reason of introducing activity and vibrancy to an area that would otherwise be occupied by vehicles. In addition, the 4 spaces which would form the beer garden are effectively screened by The Old Stables building itself, such that views from along Bulk Street would be restricted. Secondly, whilst the furniture itself cannot be controlled, the proposal includes the provision of simple and subdued timber tables and chairs, black minimalist 'café barriers' and timber planters, all of which will appear appropriate in the site context. Images of the appearance of the beer garden taken when it operated for a short period in the summer of 2020 have been provided by the Applicant. No external alterations to the appearance of The Old Stables building itself are required to facilitate the change of use.

5.3.3 Overall, whilst the proposal will result in some harm to the setting of the Conservation Area and NDHA, the harm is considered to be appropriately mitigated through the siting of the development within a corner of a car park, use of simple and subdued furniture and barriers and the fact that the harm would be for a temporary period. Given the temporary nature of the proposal it is considered unnecessary to control the barriers and planters by condition, but should an application be submitted for a permanent use, the imposition of such a condition could be considered appropriate.

5.4 Residential amenity and security (NPPF Section 6: Economy, Section 7: Town Centres, Section 12 Achieving Well Designed Places; Policies DM15: Small Business Generation, DM16: Town Centre Development, DM25: The Evening and Night Time Economy, DM29: Key Design Principles)

5.4.1 The site is located within the urban area of Lancaster, close to the city centre and as a result it can be expected that background noise levels would be elevated predominantly by reason of traffic noise. The beer garden would be located approximately 27 metres from the northern elevation of the residential apartments within The Roundhouse which is located on Nelson Street to the south. There are also residential dwellings approximately 50 metres to the north which back on to the car park area. Whilst the proposal would result in an increase in noise levels compared to the existing use of the space as a car park, due to the separation from the nearest residential receptors and the city centre location, it is considered that the proposed development will not result in significant harm to the standard of amenity that these nearby occupants could reasonably expect to enjoy. Should issues of noise arise, appropriate measures can be introduced by way of both the premises licence and Environmental Health Regulations.

5.4.2 Lancashire Constabulary has returned no objection to the application, but made recommendations regarding safety measures including surveillance, lighting, secure fixings and perimeter fencing. The site already has CCTV to the front and rear of the building as well as adequate lighting. As part of the proposal a 'café barrier' will demarcate the beer garden from the rest of the car. The premises also operates a restricted opening schedule as controlled by the premises licence. Overall, it is considered that the proposal will not have a detrimental crime or security impact, though having to circumnavigate the building to enter the premises from the beer garden (say to use the toilet facilities) is a weakness of the scheme. It puts patrons in conflict with vehicles using the car park and the beer garden is not secure space as recommended by the Police. This is another reason why only a short term consent is acceptable.

6.0 Conclusion and Planning Balance

6.1 In general, planning policy seeks to support development proposals that will facilitate the continued growth of businesses that contribute towards local economy. It is clear that businesses have been significantly impacted upon by the restrictions imposed as a result of the Covid-19 pandemic and the provision of a beer garden would contribute towards the recovery and adaptation of the micro-pub business moving forward, which is clearly supported by the City Council. However, the layout and internal arrangement of the building and the relationship of the beer garden with an existing

separate use within the same building results in an unfavourable proposal that could threaten the longer-term viability of an already established and successful business use. There are also concerns about patrons' safety and security matters due to not direct access from the beer garden back into the building. For these reasons, a permanent consent for the beer garden cannot be supported. However, it is considered on balance that a temporary permission until 31 October 2021 could be supported to enable the micro-pub to recommence operations when conditions allow and to enable a period of time during which the mix of uses within the building can be reviewed and a more appropriate layout solution be developed that could be supported on a permanent basis.

Recommendation

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

Condition no.	Description	Type
1	Temporary permission until 31 October 2021	Control
2	Development in accordance with approved plans	Control

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

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

Background Papers

None

Agenda Item	A11
Application Number	20/00903/FUL
Proposal	Retrospective application for the retention of a single storey rear infill extension to existing pavilion and a single storey outbuilding
Application site	Storeys AFC, York Road, Lancaster, Lancashire
Applicant	Mr Toulmin
Agent	Mrs Siobhain Graham
Case Officer	Mr Sam Robinson
Departure	No
Summary of Recommendation	Approval

(i) Procedural Matters

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

1.0 Application Site and Setting

1.1 Storeys of Lancaster Football Club is located at York Road playing field in south Lancaster. The site features a pavilion and outbuilding on the north side of the field and comprises painted brick and render with metal sheeting to the roof. The existing outbuilding comprises metal and is located to the west of the pavilion. The playing field measures about 1.67 hectares in size.

1.2 The site is located within a residential area with the buildings located behind residential garages to the north. The site features a number of access points and remains popular with dog walkers.

1.3 The Land Allocations DPD has designated the site as open space.

2.0 Proposal

2.1 This is a retrospective application that seeks planning permission for the retention of a single storey extension and detached outbuilding. The extension measures approximately 2.25m in depth, 5.45m in width with a matching eaves height of 2.75m finished in matching materials. The outbuilding measures approximately 3.4m x 2.4m with a 2.45m height finished in painted blockwork, PVC roof and timber doors.

2.2 Access and transport to the site remains unchanged and the proposal includes no new landscaping or boundary treatments.

3.0 Site History

3.1 The site has no relevant planning history.

4.0 Consultation Responses

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

Consultee	Response
Natural England	No comment
Property Services	No objection
Public Realm Officer	No response
Sport England	No objection

4.2 No representations have been received from members of the public.

5.0 Analysis

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

- Principle of development
- Design
- Impacts upon residential amenity
- Impacts upon protected species
- Protection of open space

5.2 **Principle of sustainable development** (NPPF paragraphs 7, 8, 9, 10, 11 & 12 and Policy SP1 of the Strategic Polices and Land Allocations DPD (2020))

5.2.1 The presumption in favour of sustainable development is at the core of the NPPF and requires the decision takers to approve development that accords with an up-to-date development plan without delay.

5.2.2 Given the site is located within a sustainable area, the principle of development can be supported subject to the proposal complying with the relevant policies of the Local Plan outlined below.

5.3 **Design** (NPPF paragraphs 124, 127 & 130 and Policy DM29 of the Development Management DPD (2020))

5.3.1 In terms and design, both the extension and outbuilding are relatively modest and remain subservient and proportionate to both the building and site. The infill extension will appear unobtrusive and the small outbuilding is located adjacent to the existing larger outbuilding. The matching materials are considered acceptable and the form and appearance of the extension will ensure that the proposal blends into the existing building.

5.3.2 Both buildings are well contained within the enclosed area of the playing field and will be seen within the context of the surrounding buildings. The buildings will be largely screened by the existing residential garages when viewed from Wellington Road to the north limiting any visual impact. Considering these matters, the proposal will not cause any visual harm to the existing building, playing field or street scene.

5.4 **Impacts upon residential amenity** (NPPF paragraphs 124, 127 & 130 and Policy DM29 of the Development Management DPD (2020))

5.4.1 The extension is located to the rear of the pavilion and anyway from any residential property. As such it will not have any impact on the amenity of any nearby occupiers.

5.4.2 The outbuilding will face towards the rear gardens of the properties which line Sharpes Avenue to the east and will be about 4m away at its closest point. By siting the building away from the boundary

and combined with the small footprint, height and use of the building, there will be no undue impacts on residential amenity of the neighbouring properties.

5.5 **Impacts upon protected species** (NPPF paragraph 175 and Policy DM44 of the Development Management DPD (2020))

5.5.1 The application was accompanied with a bat survey. The existing building has numerous gaps throughout that potentially allowed easy access into the internal spaces. However, due to the internal layout, there was negligible roosting potential within the building as it provided little meaningful shelter. A thorough search found no evidence of bats and it was concluded that a license from Natural England would not be required for works to proceed lawfully.

5.5.2 As such, the Local Planning Authority can be reasonably satisfied that the proposal will not have any adverse effects on the local bat population and consequently is seen to comply with Policy DM44.

5.6 **Protection of open space** (NPPF paragraphs 96 & 97 and Policy DM27 of the Development Management DPD (2020) and Policy SC3 of the Strategic Policies and Land Allocations DPD (2020))

5.6.1 Policy DM27 seeks to protect and enhance existing designated open spaces and prevent the loss of designated open space, sports and recreational facilities unless a certain set of criteria is met.

5.6.2 While both buildings are located within the open space land designation, the areas of land on which they are sited do not involve the loss of any playing field. The buildings will provide an upgrade on the existing facilities for the football club providing a shower/utility room and storage in association with the day to day running of the club.

5.6.3 Sports England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of, all or any part of a playing field. However, there are five exceptions to the rule. The relevant one in this instance is exception 2, which relates to where the proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.

5.6.4 The proposed buildings are clearly integrated into the existing building contained within an existing enclosed area proportionate to the existing building. As discussed above, the additions will provide an improvement to the facilities of the existing football club and will not impinge on the usability of the playing field. By enhancing and investing in the existing facilities, the proposal secures a brighter future for the football club and as such complies with Policy DM27.

6.0 Conclusion and Planning Balance

6.1 Due to the relatively small nature of the development involved, the proposal is considered appropriate to both the site and existing building. The design is in keeping with the built form and does not occupy a prominent position within the streetscene nor does it have a detrimental impact upon the residential amenity of the neighbouring properties. The proposal will improve upon the existing facilities and provide an enhancement to the playing fields without having an adverse impact on the local bat population. As such, the proposal is considered to comply with the local and national policies outlined above and is recommended for approval.

Recommendation

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

Condition no.	Description	Type
1	Development in accordance with plans	In compliance

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

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

Background Papers

None

Agenda Item	A12
Application Number	20/01053/VCN
Proposal	Erection of an extension, alterations to the main entrance and construction of a jump tower with a briefing cabin (pursuant to the variation of condition 2 on planning permission 17/00181/VCN to retain the proposed frontage)
Application site	Salt Ayre Sports Centre, Doris Henderson Way, Heaton With Oxcliffe, Lancaster
Applicant	Lancaster City Council
Agent	N/A
Case Officer	Mrs Kim Ireland
Departure	No
Summary of Recommendation	Approval

(i) Procedural Matters

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

1.0 Application Site and Setting

1.1 The application site relates to Salt Ayre Sports Centre, owned by Lancaster City Council. The site is located south of Morecambe Road and approximately 40 metres south of the nearest dwellinghouse in Scale Hall Farm residential area. Vehicular access to the site is off Ovangle Road and is shared with the Waste Recycling Centre and Asda delivery access. The sports centre is to the east of Salt Ayre Landfill site, immediately south of the Lancaster to Morecambe Greenway green corridor, the Lancaster-Morecambe cycle and pedestrian route, and directly north of the River Lune. Salt Ayre is a purpose built sports, fitness and recreation facility, and as such it is a designated Outdoor Sports Facility, with existing provision for three grass sports pitches, a jump tower developed through permission 16/00552/FUL, a floodlit athletics track, a 0.8 mile cycle track circuit, 295 space car park and approximately 5,738sqm of internal leisure space.

2.0 Proposal

2.1 Planning permission was granted in July 2016 for the erection of an extension, alterations to the main entrance and construction of a jump tower with a briefing cabin at Salt Ayre Sports Centre. The current application seeks consent to vary condition 2 on the consent which relates to the approved plans, more specifically to retain the frontage to the main entrance. Through the varied elevational plans, this application proposes to retain cladding that has been installed to the north of, and above, the main entrance of Salt Ayre.

3.0 Site History

3.1 The site has a long planning history dating back to 1993 with the construction of an 8-lane floodlit athletics track through permission 93/00071/DPA. Various other sporting developments have been granted consent, the vast majority between 1993 and 2000, although not all have been developed.

More recently planning permission was granted for the erection of an extension, alterations to the main entrance and construction of a jump tower with a briefing cabin with a subsequent variation of condition application to alter the approved extension.

Application Number	Proposal	Decision
16/00552/FUL	Erection of an extension, alterations to the main entrance and construction of a jump tower with a briefing cabin	Permitted
17/01094/VCN	Erection of an extension, alterations to the main entrance and construction of a jump tower with a briefing cabin (pursuant to the variation of conditions 2 and 3 on planning permission 16/00552/FUL to amend the proposed extension elevations with the addition of louvres)	Permitted

4.0 Consultation Responses

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

Consultee	Response
Environmental Health	No Objections

4.2 No comments have been received from members of the public.

5.0 Analysis

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

- Principle of the Development
- Scale, Design and Landscape Impact
- Protection of Recreational Open Space
- Residential Amenity
- Highways and Parking

5.2 Principle of the Development (Policies DM22: Leisure Facilities and Attractions, DM24: The Creation and Protection of Cultural Assets, DM56: Protection of Local Services and Community Facilities and NPPF Section 6)

5.2.1 The principle of the development on this site has already been established by the previous planning permission, 16/00552/FUL. This application seeks to vary that consent so to retain cladding that has been installed to the north of, and above, the main entrance of Salt Ayre.

5.3 Scale, Design and Landscape Impact (Policies DM29: Key Design Principles and NPPF Section 12)

5.3.1 The application submitted is to retain the cladding installed to the north of, and above, the main entrance of Salt Ayre. The cladding is finished in a brushed basalt. It has already been installed as the original (permitted) fascia was coming away from the building and posing a health and safety risk.

5.3.2 The retained cladding is seen to complement the existing fascia materials installed to the main entrance of the building and are considered to be a minor amendment to the materials used in the original planning permission. Consequently, the varied scheme is considered to have an acceptable visual impact and is consistent with Policy DM29 and NPPF Section 12.

5.4 Protection of Recreational Open Space (Policies DM24: The Creation and Protection of Cultural Assets, DM27: Open Space, Sports and Recreational Facilities, DM56: Protection of Local Services and Community Facilities and NPPF Section 8)

5.4.1 The proposed variation of condition only affects the cladding that has been installed to the north of, and above, the main entrance. It has no impact upon recreational open space.

5.5 Residential Amenity (NPPF Section 12)

5.5.1 Salt Ayre is located approximately 40 metres south of the nearest residential dwelling. The Lancaster to Morecambe Greenway green corridor, cycle and pedestrian route is located between the proposed development and nearest residential properties, which provides an existing visual and acoustic barrier of two lines of trees, protecting the residential amenity of the properties to the north. Whilst Environmental Health returned no comment to the original permission, the proximity of Salt Ayre to the residential area means that the condition restricting the hours of floodlight use, included on the original permission, should also be retained to ensure no detrimental implications upon the residential amenity of the area.

5.6 Highways and Parking (Policies DM61: Walking and Cycling, DM62: Vehicle Parking Provision)

5.6.1 No changes are proposed to the existing access and parking arrangements, with vehicles entering the site along Doris Henderson Way off Ovangle Road. Parking provision remains at 295 vehicle spaces. The site is accessible on foot and by bicycle due to the close proximity to the Lancaster to Morecambe Greenway, and via public transport with bus stops at the adjacent Asda site and along Morecambe Road. Despite the increase in floor area, which has already been approved through the original permission, the facilities remain within the maximum parking provision. Therefore, the proposal is considered to have no detrimental impact upon the public highway.

6.0 Conclusion and Planning Balance

6.1 The submitted application is to retain the installed cladding to the north of, and above, the main entrance of Salt Ayre. It is considered that the varied development has no impact on the recreational open space, highways and residential amenity, subject to restricting the hours of floodlight use that was included on the original permission. The retained cladding is seen to complement the existing fascias installed to the main entrance of Salt Ayre and is seen as a minor amendment to the original scheme.

Recommendation

That variation of condition 2 on planning permission 17/00181/VCN **BE GRANTED** subject to the following conditions:

Condition no.	Description	Type
1.	Approved Plans	Compliance
2.	Hours of Operation of Flood lights	Compliance

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

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

LIST OF DELEGATED PLANNING DECISIONS

LANCASTER CITY COUNCIL

APPLICATION NO	DETAILS	DECISION
19/01525/VCN	Land To The Rear Of, Queens Hotel, 34 - 36 Market Street Erection of 2 one bedroom apartments and 8 two bedroom apartments and Relevant Demolition of existing detached outbuilding (pursuant to variation of conditions 2, 4, 5, 9, 10, 11, 12, 13 and 14 on planning permission 16/00051/FUL to amend the parking area, shared external space, windows, boundary treatments, bin store, bike store, lighting and landscaping, to remove the requirement for the off-site highway works and to retain the raised walkway and vehicular access) for Mr Adil Haji (Carnforth And Millhead Ward 2015 Ward)	Application Refused
19/01574/FUL	1 Pine Cottages, Quernmore Road, Caton Demolition of existing garage and side extension and erection of a part single and part two storey side/rear extension with balcony to rear, erection of a detached garage and re-rendering of existing property for Miss Sarah Shuttleworth (Lower Lune Valley Ward 2015 Ward)	Application Permitted
20/00121/DIS	Northwood Tissue Lancaster Limited, Lansil Way, Lancaster Discharge of conditions 3,4 and 6 on approved application 19/01251/FUL for Mr Thompson (Bulk Ward 2015 Ward)	Application Permitted
20/00136/DIS	Land East Of Heysham Free Methodist Church, Laureston Avenue, Heysham Discharge of conditions 2, 3, 4 and 6 on approved application 20/00538/FUL for Mr Lee Ogley (Heysham South Ward 2015 Ward)	Split Decision
20/00142/OUT	67-69 Slyne Road, Lancaster, Lancashire Outline application for the demolition of 2 residential dwellings, and associated buildings, together with the erection of 10 dwellings with associated access for Mr John Noye (Skerton East Ward 2015 Ward)	Application Refused
20/00144/DIS	Royal Lancaster Infirmary, Ashton Road, Lancaster Discharge of conditions 3, 4, 5 and 6 on approved application 20/01010/FUL for Mr M Hampton (Scotforth West Ward 2015 Ward)	Application Permitted
20/00145/DIS	Oak Cottage, Lodge Lane, Wennington Discharge of condition 3 on approved application 19/00272/FUL for Mr Brian Rycroft (Upper Lune Valley Ward 2015 Ward)	Split Decision
20/00148/DIS	Oak Cottage, Lodge Lane, Wennington Discharge of condition 3 on approved application 19/00273/LB for Mr Brian Rycroft (Upper Lune Valley Ward 2015 Ward)	Split Decision
20/00154/DIS	Woodside, Ashton Road, Ashton With Stodday Discharge of condition 3 on approved application 19/01246/REM for Mr Michael Blackwell (Ellel Ward 2015 Ward)	Split Decision

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20/00437/FUL	25 Hest Bank Lane, Hest Bank, Lancaster Erection of a three storey dwelling, detached garage, associated hard landscaping and relocation of an existing stables building for Mr E Metcalfe (Bolton And Slyne Ward 2015 Ward)	Application Refused
20/00563/FUL	Morecambe Bay Academy, Dallam Avenue, Morecambe Change of use of caretaker dwellinghouse (C3) to school building in association with Morecambe Bay Academy (D1) and retrospective application for construction of a car park, alteration to vehicular access, erection of security fencing and associated hard landscaping and footpaths for Morecambe Bay Academy (Poulton Ward 2015 Ward)	Application Permitted
20/00605/FUL	5 Nelson Street, Morecambe, Lancashire Change of use of a ground floor retail unit (A1) to a self contained flat (C3) and replacement of door with window to the rear elevation for Mr. C. Hamblett (Poulton Ward 2015 Ward)	Application Permitted
20/00687/FUL	Barn At Grid Reference 349977 452606, Anyon Lane, Bay Horse Change of use of an agricultural barn into two holiday lets and installation of associated access for Mr Prest (Ellel Ward 2015 Ward)	Application Refused
20/00729/FUL	Valley Cottage, Fall Kirk, Gressingham Erection of single storey rear and side extension with external steps and installation of a Juliet balcony to the first floor side elevation for Mullen (Upper Lune Valley Ward 2015 Ward)	Application Permitted
20/00730/FUL	1 Brettargh Close, Lancaster, Lancashire Creation of a new vehicular access and realignment of Brettargh Close, installation of gates and railings, alteration of land levels and erection of an attached garage with balcony above to 1 Brettargh Close for Mr and Mrs Honary (Scotforth West Ward 2015 Ward)	Application Permitted
20/00747/FUL	Batty Hill Farm, Lancaster Road, Cockerham Erection of an agricultural livestock building for Mr Peter Hewitt (Ellel Ward 2015 Ward)	Application Permitted
20/00774/ELDC	102A Sefton Road, Heysham, Morecambe Existing lawful development certificate for use as commercial garage (B2) for Miss Sara Dobson (Heysham North Ward 2015 Ward)	Lawful Development Certificate Refused
20/00813/FUL	Greenfield, Keer Holme Lane, Borwick Retention of exiting static caravan and attached lean-to for Miss Rebecca Dowdall (Kellet Ward 2015 Ward)	Application Permitted
20/00838/FUL	Craigholme House, 70 Crag Bank Road, Carnforth Demolition of side and rear extensions, erection of two storey side extension with patio and single storey rear extension for Mark Davy And Sarah Bates (Carnforth And Millhead Ward 2015 Ward)	Application Permitted

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20/00849/FUL	Barnfield Farm, Tunstall Road, Tunstall Change of use of agricultural land to residential land and conversion of existing attached barn to additional living accommodation, both in association with Barnfield Farm, alterations to windows and doors, installation of a window, installation of a package treatment plant, reduction in height of boundary wall and relocation of biomass boiler and associated pellet store for Mr and Mrs A Stephenson (Upper Lune Valley Ward 2015 Ward)	Application Permitted
20/00850/FUL	Field South Of Scargill Farm, Scargill Road, Halton Creation of a vehicular access into agricultural field for Carnforth Motor Company Halpin (Halton-with-Aughton Ward 2015 Ward)	Application Permitted
20/00906/FUL	Hazelgrove Lodge, Milnthorpe Road, Yealand Redmayne Demolition of existing single storey rear extension and erection of a part single part two storey rear extension and construction of a raised rear terrace for Mr & Mrs N Smith (Silverdale Ward 2015 Ward)	Application Permitted
20/00924/FUL	Straights Head, Aughton Road, Gressingham Part retrospective application for the excavation of land to facilitate the erection of an agricultural livestock building for Mr Townley (Upper Lune Valley Ward 2015 Ward)	Application Permitted
20/00934/FUL	Ellel Hall, Ellel Hall Gardens, Galgate Construction of piers and gates and creation of a hot tub, erection of a two storey timber building with basement which includes ancillary accommodation, balcony, external staircase, garage/workshop and a glazed link to the main dwelling, construction of a new access, gate, driveway, railings and landscaping, installation of a solar array to the SE ground of the dwelling for Mr & Mrs Smith & Hewitt-Smith (Ellel Ward 2015 Ward)	Application Permitted
20/00935/LB	Ellel Hall, Ellel Hall Gardens, Galgate Listed building application for the erection of a two storey timber building with basement which includes ancillary accommodation, balcony, external staircase, garage/workshop and a glazed link to the main dwelling for Mr & Mrs Smith & Hewitt-Smith (Ellel Ward 2015 Ward)	Application Permitted
20/00969/CU	Lune Villa, Victoria Terrace, Glasson Dock Change of use of a dwelling (Class C3) to an office (Class E) for Elsabe White (Ellel Ward 2015 Ward)	Application Permitted
20/00975/PAA	Tomlinsons Farm, Moss Lane, Thurnham Prior approval for change of use of agricultural building to dwellinghouse (C3) for Mr Brian Lamb (Ellel Ward 2015 Ward)	Prior Approval Refused
20/00979/ELDC	Moss Farm, Hawes Villa Caravan And Campervan Park, Moss Lane Existing lawful development certificate for the siting of two static caravans linked by a timber structure and used as a single dwellinghouse for Mr and Mrs Lawton (Silverdale Ward 2015 Ward)	Lawful Development Certificate Granted
20/00982/FUL	18 Hawkshead Drive, Morecambe, Lancashire Construction of dormer extensions to the front and rear elevations for Miss K. Butler (Westgate Ward 2015 Ward)	Application Permitted

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20/00990/FUL	4 -5 Stonewell, Lancaster, Lancashire Change of use of Internet Services Facility and Amusement Arcade (sui generis) to student accommodation (C3) comprising of 4 self contained studio units and ground floor retail (Class E) and alterations to shop front, windows and doors for Mr Peter Mercer (Bulk Ward 2015 Ward)	Application Permitted
20/01028/FUL	64 Swallow Close, Bolton Le Sands, Carnforth Part demolition of existing garage and erection of a two storey side and rear extension for Mr and Mrs Oldland (Bolton And Slyne Ward 2015 Ward)	Application Permitted
20/01030/FUL	82 Chequers Avenue, Lancaster, Lancashire Construction of a hip to gable extension and construction of dormer extensions to the front and rear elevations for Miss Hayes & Wright (John O'Gaunt Ward 2015 Ward)	Application Permitted
20/01074/FUL	14 Carr Lane, Middleton, Morecambe Demolition of existing single storey rear extension and erection of a single storey side and rear extension with balcony above for Mr. D. Atkinson (Overton Ward 2015 Ward)	Application Refused
20/01117/CU	20 Pedder Street, Morecambe, Lancashire Change of use from fast food/takeaway sandwich bar (sui generis) to dog grooming salon and retail (sui generis) for Mr Stephen Nicholls (Poulton Ward 2015 Ward)	Application Permitted
20/01120/FUL	6 St Pauls Drive, Brookhouse, Lancaster Construction of a dormer extension to the rear elevation for Fiona Jackson (Lower Lune Valley Ward 2015 Ward)	Application Permitted
20/01130/FUL	15 Lindeth Road, Silverdale, Carnforth Demolition of existing store and erection of a single storey extension to south east elevation for Prof Malcolm & Val Stevens (Silverdale Ward 2015 Ward)	Application Permitted
20/01159/ELDC	27 Wellington Road, Lancaster, Lancashire Existing lawful development certificate for the use of the dwelling as a house in multiple occupation for up to 6 occupants (C4) for Nick Allnut (Scotforth West Ward 2015 Ward)	Lawful Development Certificate Granted
20/01163/FUL	Elmsfield, Haverbreaks Road, Lancaster Erection of a single storey timber orangery extension to the south elevation for Mr and Mrs Watson (Scotforth West Ward 2015 Ward)	Application Permitted
20/01180/FUL	32 Primrose Street, Lancaster, Lancashire Erection of a part single, part two storey rear extension for Doctor S. Ilott (John O'Gaunt Ward 2015 Ward)	Application Permitted
20/01183/FUL	14 Clarksfield Road, Bolton Le Sands, Carnforth Construction of a raised replacement roof and erection of a front porch for Mr Lawrence Young (Bolton And Slyne Ward 2015 Ward)	Application Withdrawn

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20/01186/FUL	22 Lister Grove, Heysham, Morecambe Retrospective application for the erection of a part single storey, part two storey side and rear extension with balcony and erection of a single storey rear extension, construction of a hip to gable roof extension incorporating 2 dormer extensions to the front and a dormer extension to the rear, installation of 2 chimneys and a porch to the front for Mr Kevin Dines (Heysham South Ward 2015 Ward)	Application Permitted
20/01199/FUL	16 Wilson Grove, Heysham, Morecambe Demolition of existing garage and conservatory and erection of a single storey extension to east elevation for Mrs Gail Wilcock (Heysham Central Ward 2015 Ward)	Application Permitted
20/01207/FUL	2 Stork Cottages, Lancaster Road, Conder Green Demolition of existing conservatory and erection of a two storey side extension for Mr Stuart Rushworth (Ellel Ward 2015 Ward)	Application Permitted
20/01210/FUL	62 Bare Avenue, Morecambe, Lancashire Insertion of 2 rooflights to the rear elevation for Ms C. Woodruff (Bare Ward 2015 Ward)	Application Permitted
20/01221/FUL	135 Cleveleys Avenue, Lancaster, Lancashire Erection of a two-storey extension to side with additional single-storey extensions to front and rear for Mrs C Nolan-Barnes (Skerton West Ward 2015 Ward)	Application Permitted
20/01243/LB	1 Holme View, Main Street, Wray Listed building application for replacement timber windows and doors for Johnathan Wood (Lower Lune Valley Ward 2015 Ward)	Application Permitted
20/01247/FUL	30 Brendjean Road, Morecambe, Lancashire Erection of a two storey side extension for Mr B Hutson (Westgate Ward 2015 Ward)	Application Permitted
20/01267/FUL	202 Brookhouse Road, Brookhouse, Lancaster Erection of a first floor extension to front and rear, construction of pitched roof over existing rear extension and bay window, construction of a canopy to the side elevation (facing St Paul's Drive) for Mr Graham Sykes (Lower Lune Valley Ward 2015 Ward)	Application Refused
20/01271/FUL	9 Highland Brow, Galgate, Lancaster Erection of a front porch for J. Bloe & C. Ker (Ellel Ward 2015 Ward)	Application Permitted
20/01277/ADV	Unit 3, Kingsway Retail Park, Caton Road Advertisement application for the retained display of two non-illuminated fascia signs, one externally illuminated fascia sign and one glazing graphic for Dreams (Bulk Ward 2015 Ward)	Application Permitted
20/01285/FUL	87 Main Road, Galgate, Lancaster Erection of a single storey extension to detached garage for Mr & Mrs K & C Mason (Ellel Ward 2015 Ward)	Application Permitted
20/01287/FUL	Brookfield Barn, Whams Lane, Bay Horse Erection of a two storey outbuilding for Mr Stuart Pakenham-Walsh (Ellel Ward 2015 Ward)	Application Permitted

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20/01289/FUL	11 Wordsworth Avenue, Bolton Le Sands, Carnforth Erection of a single storey rear extension for Mr And Mrs Lawrie (Bolton And Slyne Ward 2015 Ward)	Application Permitted
20/01300/FUL	30 Greaves Drive, Lancaster, Lancashire Erection of a single storey rear extension, construction of a pitched roof to replace existing flat roof and construction of external steps for Mr & Mrs M Molloy (Scotforth West Ward 2015 Ward)	Application Permitted
20/01305/FUL	Moorlands, Hutton Roof Road, Whittington Removal of existing septic tank and installation of new sewage treatment plant for Jackie Holmes (Upper Lune Valley Ward 2015 Ward)	Application Permitted
20/01307/PLDC	46 Coulston Road, Lancaster, Lancashire Proposed lawful development certificate for erection of single storey rear extension for Mr Simon Pickles (John O'Gaunt Ward 2015 Ward)	Lawful Development Certificate Granted
20/01308/FUL	24 Oak Drive, Halton, Lancaster Construction of a dormer extension to the front elevation for Laura Short (Halton-with-Aughton Ward 2015 Ward)	Application Permitted
20/01309/FUL	39 Ashbourne Road, Lancaster, Lancashire Erection of a two storey rear extension, construction of a canopy and insertion of two windows to the side elevation for C J Hannaford (Skerton East Ward 2015 Ward)	Application Permitted
20/01310/PLDC	62 Torrisholme Road, Lancaster, Lancashire Proposed lawful development certificate for erection of single storey rear extension for Mr & Mrs Patterson (Skerton East Ward 2015 Ward)	Application Withdrawn
20/01318/FUL	42 Lister Grove, Heysham, Morecambe Erection of a part two storey, part single storey rear extension with balcony and an external staircase and erection of a porch for Mr & Mrs J Cullen (Heysham South Ward 2015 Ward)	Application Permitted
20/01319/FUL	44 Lister Grove, Heysham, Morecambe Demolition of porch and conservatory, erection of three storey rear extension, two storey side extension, single storey front extension and construction of raised decking with staircase to the rear for Mr. & Mrs. J. Oldrieve (Heysham South Ward 2015 Ward)	Application Permitted
20/01321/FUL	12 Greenways, Over Kellet, Carnforth Erection of a single storey rear extension for Mr John Longton (Kellet Ward 2015 Ward)	Application Permitted
20/01325/LB	The Winter Gardens, Marine Road Central, Morecambe Listed building application for the removal of the existing heating system and installation of a new heating system with associated radiators, pipework, installation of new walls and ceilings to plant room and installation of a roof mounted flue for Professor Vanessa Toulmin (Poulton Ward 2015 Ward)	Application Permitted
20/01329/FUL	1 Lingfield Close, Lancaster, Lancashire Erection of a single storey front and side extension for Mr and Mrs Lunt (Scotforth East Ward 2015 Ward)	Application Permitted

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20/01337/PLDC	42 Coulston Road, Lancaster, Lancashire Proposed lawful development certificate for the demolition of existing store and erection of single storey rear extension for Mr Simon Pickles (John O'Gaunt Ward 2015 Ward)	Lawful Development Certificate Granted
20/01339/FUL	10 Palatine Avenue, Lancaster, Lancashire Demolition of existing porch and erection of a single storey front extension for Mr L Galati (Scotforth West Ward 2015 Ward)	Application Permitted
20/01350/FUL	27 Yealand Avenue, Heysham, Morecambe Demolition of existing garage and erection of a two storey side extension for Mr. L. Kelly (Heysham South Ward 2015 Ward)	Application Permitted
20/01364/FUL	45 Crofters Fold, Galgate, Lancaster Erection of a single storey rear extension and construction of a dormer extension to the rear elevation for Mr and Mrs Buccelli (Ellel Ward 2015 Ward)	Application Permitted
20/01375/FUL	Gibsons Farm, Bay Horse Road, Quernmore Demolition of cattle shed and erection of a replacement building and an extension to the north on existing building to provide cattle accommodation for Mr John and Richard Pye (Lower Lune Valley Ward 2015 Ward)	Application Permitted
20/01378/EIR	Netherby, Aughton Road, Gressingham Screening opinion for alterations to land levels to create a lake for Mr And Mrs John And Rebecca McGuinness (Upper Lune Valley Ward 2015 Ward)	Closed
20/01397/FUL	Riverside Cottage, Low Road, Halton Retrospective application for timber hit and miss fence for mr Warren Cadman (Halton-with-Aughton Ward 2015 Ward)	Application Withdrawn
20/01401/LB	Unit 3, Kingsway Retail Park, Caton Road Listed building application for the fixing of two non-illuminated fascia signs, one externally illuminated fascia sign and one glazing graphic for Dreams (Bulk Ward 2015 Ward)	Application Permitted
20/01405/FUL	The Winter Gardens, Marine Road Central, Morecambe Installation of a roof mounted flue for Professor Vanessa Toulmin (Poulton Ward 2015 Ward)	Application Permitted
20/01411/FUL	20 Slyne Road, Bolton Le Sands, Carnforth Erection of a single storey rear and side extension for Mr. J. Cardwell (Bolton And Slyne Ward 2015 Ward)	Application Permitted
20/01413/FUL	15 Orchard Avenue, Bolton Le Sands, Carnforth Erection of a replacement attached garage to the side elevation for Mr. I. Morley (Bolton And Slyne Ward 2015 Ward)	Application Permitted
20/01423/FUL	20 Seymour Avenue, Heysham, Morecambe Retrospective application for retention of single storey outbuilding for Mr & Mrs M Connolly (Heysham South Ward 2015 Ward)	Application Permitted
20/01431/PAA	Hillam Farm, Hillam Lane, Cockerham Prior approval for the change of use of two agricultural buildings to three residential dwellings (C3) for Mr Gardner (Ellel Ward 2015 Ward)	Prior Approval Refused

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20/01433/PLDC	11 Greenacre Road, Hest Bank, Lancaster Proposed lawful development certificate for the erection of detached outbuilding for Mr and Mrs I and C Walker (Bolton And Slyne Ward 2015 Ward)	Lawful Development Certificate Granted
20/01445/FUL	43 Pinewood Avenue, Bolton Le Sands, Carnforth Erection of a replacement garage with alterations to land levels for Mr Butterworth (Bolton And Slyne Ward 2015 Ward)	Application Refused
20/01458/AD	Sandbeds Farm, Sandbeds Lane, Gressingham Agricultural determination for erection of dairy cattle building for Mr Condor (Upper Lune Valley Ward 2015 Ward)	Prior Approval Refused