



Committee: PLANNING REGULATORY COMMITTEE

Date: MONDAY, 18 JULY 2022

Venue: MORECAMBE TOWN HALL

Time: 10.30 A.M.

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 20th June 2022 (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 22/00235/REM</u> | Land North Of 17 Main Street | Warton Ward | (Pages 5 - 13) |
| | | Reserved matters application for the erection of nine dwellings. | | |
| 6 | <u>A6 22/00562/VCN</u> | Land At Grid Reference 350900 470170 Leapers Wood Road Over Kellet Lancashire | Kellet Ward | (Pages 14 - 19) |
| | | Hybrid application comprising a full application for proposed alterations to land levels and associated access, and outline application for up to 8,400sqm of employment floor space (Use Classes B1(c), B2 and B8) with associated access (pursuant to the removal of conditions 7,8,9 and 12 on outline planning permission 19/00545/HYB in relation to site access and off-site highway works and variation of condition 24 in relation to BREEAM standards). | | |
| 7 | <u>A7 21/01230/FUL</u> | 3 And 4 Dalton Square Lancaster Lancashire LA1 1PP | Castle Ward | (Pages 20 - 25) |
| | | Change of use of the rear of 4 Dalton Square to form extension to existing beer garden, erection of external cold store, and creation of opening in boundary wall plus regularisation of an external flue. | | |

8	A8 21/01231/LB	3 And 4 Dalton Square	Castle Ward	(Pages 26 - 30)
		Listed building consent for erection of cold store, creation of external doorway, creation of opening in boundary wall, erection of timber fencing, extension of external seating area, relocation of gas barrel, repairs to existing roof and internal alterations, including alterations to internal room layout and the removal/installation of internal walls within the basement plus regularisation of an external flue.		
9	A9 22/00284/FUL	Sunderland Point Mission Heritage Centre The Lane Sunderland Point Morecambe Lancashire LA3 3HS	Overton Ward	(Pages 31 - 35)
		Installation of sewage treatment plant.		
10	A10 21/01588/LB	Sunderland Point Mission Heritage Centre The Lane Sunderland Point Morecambe Lancashire LA3 3HS	Overton Ward	(Pages 36 - 40)
		Listed Building application for internal alterations to provide kitchen and wc's including new treatment plant, reset floor levels, works to the ceiling, insulation, new partition doors, architraves, skirting and relocation of wall panel.		
11	A11 22/00417/CU	17 Patterdale Road Lancaster Lancashire LA1 3HN	Bulk Ward	(Pages 41 - 44)
		Change of use of dwelling (C3) to small HMO (C4).		
12	A12 22/00626/CU	The Old Stables And Charter House Car Park Bulk Street Lancaster Lancashire LA1 1PU	Castle Ward	(Pages 45 - 49)
		Change of use of a mixed use building comprising a ground floor office (E) and first floor bar with micro-brewery (sui generis) to bar with micro-brewery (sui generis) on both floors and change of use of 4 parking spaces to beer garden area.		

- 13 [A13 22/00596/FUL](#) 136 High Road Halton Lancaster Halton-with- (Pages 50 -
Lancashire LA2 6QA Aughton 53)
Ward
- Erection of a two storey side extension, single storey rear extension, and front porch extension, construction of a dormer extension to the rear, and creation of an access, dropped kerb and driveway.

14 **Delegated List (Pages 54 - 63)**

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Sandra Thornberry (Chair), Keith Budden (Vice-Chair), Dave Brookes, Abbott Bryning, Roger Cleet, Tim Dant, Roger Dennison, Kevin Frea, June Greenwell, Mel Guilding, Mandy King, Jack Lenox, Robert Redfern, Malcolm Thomas and Vacancy: MBI

(ii) Substitute Membership

Councillors Mandy Bannon (Substitute), Alan Biddulph (Substitute), Tim Hamilton-Cox (Substitute), Colin Hartley (Substitute), Debbie Jenkins (Substitute), Joyce Pritchard (Substitute), Peter Yates (Substitute), Vacancy: ESI (Substitute) and Vacancy: MBI (Substitute)

(iii) Queries regarding this Agenda

Please contact Eric Marsden - Democratic Services: email emarsden@lancaster.gov.uk.

(iv) Changes to Membership, substitutions or apologies

Please contact Democratic Support, telephone 582170, or alternatively email democracy@lancaster.gov.uk.

MARK DAVIES,
CHIEF EXECUTIVE,
TOWN HALL,
DALTON SQUARE,
LANCASTER, LA1 1PJ

Published on 5th July 2022.

Agenda Item	A5
Application Number	22/00235/REM
Proposal	Reserved matters application for the erection of nine dwellings
Application site	Land North Of 17 Main Street Warton Lancashire
Applicant	Mr O Whiley
Agent	Mr Alastair Skelton
Case Officer	Mrs Eleanor Fawcett
Departure	No
Summary of Recommendation	Approval

1.0 Application Site and Setting

- 1.1 The site is located towards the west of the village of Warton and to the north of existing dwellings which front onto Main Street. It is greenfield land, 0.53 hectares in area, and forms the southern part of a larger 4-hectare field that is used for grazing animals. The site mostly comprises semi-improved grassland, with residential properties located to the east, west and south. The land rises to the north up to Coach Road, which is approximately 150 metres from the site. It is bound by hedgerows to the west and south and garden fences to the east, associated with the properties on Church Hill Avenue. The site also includes part of the garden to 17 Main Street which would provide access to the site. The boundary of this with the highway comprises a stone wall and the garden contains a number of trees.
- 1.2 The site is located within the Arnside and Silverdale Area of Outstanding Natural Beauty (AONB), is approximately 140 metres to the east of the Warton Conservation Area, and the closest Listed building is approximately 145 metres to the west of the site. It is within the District's Countryside Area and Warton Crag, a Site of Special Scientific Interest (SSSI), is located approximately 160 metres to the north. Morecambe Bay is also approximately 1 kilometre to the south west, and is designated as a SSSI, Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar Site. Some of the site is also within a Mineral Safeguarding Area.

2.0 Proposal

- 2.1 Outline planning permission was granted in February 2019 for the erection of nine dwellings on the site and also included permission for the access off Main Street. This included a Section 106 Agreement for the provision of two shared ownership affordable housing units, in addition to the management of open space, non-adopted highway, drainage systems and landscaping. The current application seeks to agree the outstanding reserved matters of scale, layout, appearance and landscaping.

2.2 The proposal comprises seven two storey detached dwellings, each with an attached garage, and two semi-detached dwellings. Six of the detached dwellings would have four bedrooms, with one provided in the roof space above the garage, one would have three bedrooms and the pair of semi-detached dwellings would each have two bedrooms and are proposed as the affordable housing units. As already approved, the access is from Main Street to the west of the existing dwelling at no. 17. The dwellings would be sited on the land which currently forms part of the field. Six of the detached dwellings would be sited in a slightly staggered row, with gardens to the north, fronting onto an internal access road to the south. These would be built into the land and be slightly higher at the front than the rear. The other three units would be sited to the south of this road, and one of these would be immediately to the west of the access road off Main Street and would have its garden to the south, extending into the existing garden of no. 17. The front of the semi-detached units would face west, with gardens to the east. These have been repositioned slightly to the west from the originally submitted scheme.

2.3 The design of the dwellings has changed slightly through the course of the application, and these are now proposed to be finished in stone, render and a small amount of composite wood cladding. The four central dwellings at the north of the site are of the same design and the two on either end are similar but mirrored and use slightly more stone. These are oriented with the gable forming the front and main elevation facing the road. The dwelling on plot 1 is similar in its overall form to the other detached units but has a slightly different appearance due to its location on the corner of the access roads and includes two small powder coated aluminium dormer windows. The semi-detached dwellings have a slightly more traditional form, with the gables forming the side walls. These also include two small aluminium clad windows in the front elevation.

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
17/01186/EIR	Screening opinion for nine dwellings	EIA not required
17/00736/OUT	Outline application for the erection of nine dwellings and associated access	Approved
16/01160/PREONE	Erection of up to 9 dwellings	Advice

4.0 Consultation Responses

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

Consultee	Response
Warton Parish Council	Object. Fully endorse the points made by the AONB Unit. Extremely concerned about increased flooding from new development.
Environmental Health	Object. No scheme for electric vehicle charging has been submitted, as conditioned by the outline approval
Engineers	Comments. Satisfied that the proposed drainage arrangement under the revised site layout can accommodate an acceptable drainage scheme.
Arboricultural Officer	Comments. The updated AMS is suitable and will protect the trees to be retained. The soft landscaping has been updated to include a number of native oak along the northern boundary and along the main access road.
Planning Policy	Comments. With regard to Policy AS22 the following points are made: <ul style="list-style-type: none"> • The revised house types more closely reflect traditional materials and design and are welcomed. • No LVIA has been submitted and there is still uncertainty in terms of the visual impact • Given the loss of trees/shrubs at the frontage of the site, enhancement in the form of additional planting and built in measures eg. swift, bat boxes should be sought. • Trees should be native species

	<p>With regard to meeting housing needs (Policy AS01):</p> <ul style="list-style-type: none"> • Whilst the AONB Housing Needs Assessment (HNA) did identify need over a 5 year period, it is based upon more specific local detail than the district SHMA and there remains a need for 3 bedroom units. • The 2 bedroom intermediate houses will contribute to meeting the needs identified in both the AONB HNA and the SHMA.
Arnside and Silverdale AONB Unit	<p>Comments. Original concerns regarding the contemporary urban design and use of materials have been mostly addressed by the amendments. However still raise the following concerns:</p> <ul style="list-style-type: none"> • Use of timber cladding, red steel columns, flat roof aluminium clad dormers, patio retaining walls; and buff coloured sets; • Housing should meet local needs within the AONB and ideally provide 50% affordable housing; • Planting should be native species and more should be provided on the access drive.
County Highways	<p>No objections, however raise some concerns regarding the layout, with a lack of footway and potential difficulties regarding refuse collection. Amended plans have now overcome these concerns. Request a condition requiring a construction management plan and electric charging points</p>
County Archaeology	<p>No comments to make</p>
Lead Local Flood Authority	<p>No comments to make</p>
County Planning Policy (Minerals)	<p>No comments received</p>
Environment Agency	<p>No comments received</p>
Natural England	<p>No objection</p>
Lancashire Fire and Rescue Service	<p>Advice in relation to Building Regulations.</p>
United Utilities	<p>Object. The proposals are not acceptable as the scheme is proposing to connect surface water to a public foul sewer network in main street. Request evidence that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable before a surface water connection to the public sewer is acceptable.</p>
Warton Flood Action Group	<p>Comments. Should be ensured that the development does not increase the rate of surface water run off onto Warton Mires due to previous flooding of homes in Gardner Road.</p>

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

13 representations to the original proposal opposing the development. A summary of the main reasons are as follows:

- Impact on highway safety: poor visibility due to parked cars and location on bend; access between two existing drives and opposite pedestrian access to new housing scheme; impact from site traffic, increased traffic; insufficient width of access and lack of footway and exceeds permitted gradient; lack of turning circle; insufficient off-street parking will cause over-spill onto Main Street
- Potential flooding: poor drainage in the village; percolation tests carried out in summer; additional water into mains sewer
- No details of foul drainage
- Capacity of school
- Housing mix/ local need: mostly 4 bedroom units; lack of affordable housing
- Visual impact within AONB: lack of screen planting; height of buildings; design and materials not in keeping with surroundings; elevated position
- Impact on residential amenity: overlooking from windows and potential balcony on flat roofs; overshadowing and overbearing impact to no. 19 due to higher level of houses; impacts during construction
- No solar panels provided
- Queries regarding maintenance of proposed hedgerows
- Lack of bin storage close to main road for collection

- Query regarding boundary of land ownership

Following the submission of amendments and re-consultation, a further 7 representations have been received opposing the development. A summary of additional comments to those already raised above are as follows:

- The introduction of pairs of bollards on the access road for the protection of pedestrians, combined with the slope and bends in the road will make vehicular access very awkward
- Impact on boundary wall at no. 19 as a result of land level increase
- Question provision for disabled access to the site
- Question if there is permission for surface water to discharge to the foul sewer
- Concerned about height of trees on boundary with no.46 and impact on 'right to light'
- EV charging points not shown on plan
- Need for additional housing in Warton

A further amendment was made the plans to accommodate a footway which moved plot 1 closer to the eastern boundary. As such, further notification was sent to the three properties to the east.

5.0 Analysis

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

- Scale, design and landscape impacts
- Housing mix and affordable housing
- Residential amenity
- Highway Impacts
- Impact on trees and landscaping
- Flooding and drainage

5.2 **Scale, design and landscape impacts** NPPF: paragraphs 126-134 (Achieving well designed place), paragraphs 174 and 176 -177 (Valued landscapes and AONBs); Policies and Land Allocations (SPLA) DPD: SP8 (Protecting the Natural Environment) EN2 (Areas of Outstanding Natural Beauty), EN3 (The Open Countryside) ; Development Management (DM) DPD policies DM4 (Residential Development Outside Main Urban Areas), DM29 (Key Design Principles), DM46 (Development and Landscape Impact); Arnsdale and Silverdale AONB DPD: AS02 (Landscape), AS07 (Historic Environment), AS08 (Design), AS22 (Land North of 17 Main Street, Warton)

5.2.1 As set out above, outline planning permission has been previously granted for the erection of 9 dwellings on this site. The principle of the development is therefore established. The current application seeks approval for the scale, layout and appearance of the development. Since the outline application was approved, the Arnsdale and Silverdale AONB DPD was adopted. This includes a housing allocation on this site for approximately 10 dwellings (AS22). The policy sets out that a Landscape and Visual Impact Assessment (LVIA) is required to inform the design and layout of the site proposals and that particular attention must be paid to the potential impacts of developing close to a house of local historical importance, and to the open boundary to the north of the site. In addition, policy AS02 requires new development to reflect the rural nature, historic character and local distinctiveness of the area including settlement character and separation, local vernacular traditions and building materials. Policy AS08 sets out more detailed design considerations and reinforces the requirement for development to respond to the character of the landscape and built environment and reinforce what is special and locally distinctive about design in the AONB.

5.2.2 The application proposes seven two storey detached dwellings and two semi-detached two storey dwellings arranged around a new internal road. The detached dwellings have been designed with a dual pitched roof with one of the gables forming the principle and front elevation of the dwellings, and include an attached garage to the side. Six of these face south, with their gardens to the north and are of a similar design, with the main two storey element measuring 7.25 metres wide and 12.2 metres deep, and have an attached garage to the side. They are partly built into the sloping land so are higher at the front than the rear. The further detached dwelling (plot 1) is located to the south of these and will face south. It has a similar form to the other detached units, however it is of a slightly different design corresponding to its location on the corner of the internal access road, and includes

two small dormer windows. It would also be partly built into the rising land, but would be higher at the rear and the garden would be to the south, extending towards Main Street. The semi-detached units are proposed to be sited to the south east of the field and would face west with the gardens to the rear. These would be of a slightly more traditional design, with the gables forming the side walls, and would also include small dormer windows to the front.

- 5.2.3 The originally submitted plans proposed the dwellings to be finished in render at ground floor level with composite timber cladding above, and the detached units also included large sections of glazing in some of the gables. Six of the units were proposed with a slate roof and three with a red clay tile. The attached garages were proposed to be finished in grey composite timber cladding and have a flat roof. The detached units also contained some accommodation within the roof and the six at the north of the site were shown at 8.5 metres in height at the front. Concerns were raised with the agent regarding the proposed design as it was considered that dwellings failed to respond positively to the character and appearance of Warton and its local distinctiveness in terms of the design, height and materials. There were also concerns raised in relation to the orientation of the dwellings, as most in the vicinity are orientated with the roof slope facing the highway, which is the typical and traditional form of the dwellings in this area, in addition to the limited space between the dwellings.
- 5.2.4 As a result of the concerns, the plans were amended. The materials have been changed to be mostly stone and render with small amounts of timber composite boarding on the walls and slate for the roofs. The amount of glazing has been reduced on the detached dwellings and the garages for six of the units are now dual pitched rather than flat, with accommodation in the roof space rather than in the roof of the main part of the dwellings, although the height has not been reduced. The other detached unit (plot 1) has a slightly shallower sloping roof over the garage and has been reduced to a three bedroom unit. and a reduction in glazing. Two of the dwellings at the north of the site have been set back slightly to give more space between these and the semi-detached units to the south and the heights have been varied slightly to provide slightly more visual interest. The orientation of the detached units has not been altered, and the agent advised the current layout allowed the dwellings to be better constructed into the rising land.
- 5.2.5 The alterations to the design and finish of the buildings means that they now better relate to their surroundings. Whilst the orientation does not respond to the more traditional form, it does mean that the massing of the buildings is broken up and the buildings can be better sited into the rising land. Whilst the buildings still include small elements of composite timber cladding, this is not now a dominant feature and will likely add some interest rather than detract from the more traditional detailing. Some comments have been raised about the use of oak sleepers for the patio retaining walls. Given their location, they are unlikely to be viewed from outside the site and would not have a detrimental impact on the character and appearance of the area. The dwellings also show a red steel post at the front, which seems to contrast with the rest of the design, although this could be covered by condition. Some of the dwellings have been shown with stone above render at ground floor, mostly at the rear and side of the central dwellings to the north of the site. Subject to the finish of the render blending with the stone, and not providing too great a contrast, this is considered to be acceptable. However, it is considered that this may appear a little unusual and create an unbalanced appearance in relation to the semi-detached units as it is proposed on all elevations. It would be more acceptable if the front and sides were finished in stone and the rear was finished in render. This has been suggested to the agent and a response is awaited.
- 5.2.6 The buildings will be partly visible in the context of the large traditional buildings fronting Main Street, however the main view from outside the site will be from Coach Road to the north. In this view, they will be seen in the context of bungalows on Church Hill Avenue. Whilst these adjacent dwellings are generally quite low in height, some contain large flat roofed dormer windows which obscure much of the roof slopes and appear quite prominent within the landscape. A section plan has been provided which shows heights compared to the adjacent development. The tallest dwelling will be 1.7 metres higher than no. 46 Church Hill Avenue to the east, and this is the one closest to this property. The rest of the dwellings in the row at the north of the site will be lower than this plot although they will all be higher than no. 46. Those to the south will be at a lower level. The existing dwellings to the east are at a lower level than the adjacent bungalow to the west and do not extend as far to the north as the proposed houses. There is only a ridge height available on the plans for no. 15, which is adjacent to the road. The ridge height of the closest dwelling to this will be 0.4 metres below this, and the one to the north of this will be almost 2 metres higher.

- 5.2.7 Whilst the development will be mostly higher than the adjacent dwellings, it is considered that the visual impact within the landscape, particularly from Coach Road to the north but also more distant views to the south, will be mitigated by the design of the dwellings, including the use of stone, the rising land, and the proposed hedgerow along the northern boundary. Most of the buildings are quite similar in design, although some variation has been provided by the use of a mirrored design for two of the units at the north of the site which changes the gaps between the building so that it is not wholly uniform. There is also some variation in across the dwellings. The dwelling on plot 1 will have the rear wall and garden facing Main Street, however this contains sufficient interest from this view and the garden will be bounded by a stone wall, in keeping with the existing boundaries and should ensure that domestic paraphernalia is visually contained.
- 5.2.8 The policy which relates to the allocation of the site requires that a landscape and visual impact assessment is required to inform that design and layout. One has not been provided, although one was submitted with the outline application, where the principle of the development was established. It is considered that the lack of such assessment would not justify the refusal of the planning application in itself, it just aids in assessing the visual impact. As set out above, the main view of the site is from the north, although there are more distant views from lower land to the site. The presence of the existing development, and the information provided of comparative heights, makes it possible to carry out an assessment of the visual impact on the proposal. Overall, it is considered that the proposal provides a high quality contemporary design which takes cues from more traditional development within Warton and would not have a detrimental impact on the character or appearance of the AONB or the more historic development in the vicinity of the site.
- 5.3 **Housing mix and affordable housing (NPPF: paragraphs 60-63 and 78 (housing needs and affordable housing); Development Management (DM) DPD policies: DM1 (Residential Development and Meeting Housing Needs) and DM3 (The Delivery of Affordable Housing); Arnsdale and Silverdale AONB DPD: AS03 (Housing Provision)**
- 5.3.1 Policy AS03 sets out that within the Arnsdale & Silverdale AONB, the number, size, types and tenures of all homes provided should closely reflect identified local needs in accordance with current AONB housing needs evidence at the time of the application. It goes on to say that proposals for new housing development of two or more properties will be supported where they deliver no less than 50% affordable housing. The outline permission was granted prior to the adoption of the Arnsdale and Silverdale AONB DPD and secured two affordable shared ownership units. It is only relevant to consider at this stage in so far as it relates to the scale of the dwellings proposed. The two units proposed for affordable housing are the two bedroom semi-detached properties. It was requested that one of these be a three bedroom unit as a greater need for three bedroom intermediate affordable housing was identified in the Housing Needs Survey Report (2014) (HNSR) for Warton Parish. This has not been changed, however, as there is still a need for two bedroom units, it is considered that these will meet that need and is therefore acceptable.
- 5.3.2 In terms of the overall housing mix, concerns have been raised that the site provides mostly large four bedroom units and therefore fails to meet an identified housing need. One of the houses (plot 1) is now three bedroom, however six of the units will have four bedrooms. It was requested that some of these were reduced in size in order to provide a better mix that related more closely to the identified local housing need. However, if we were to secure a specific mix, this should have been conditioned at the outline stage. Unfortunately, formal advice that we received on this matter was after that permission was granted. Therefore, whilst a greater proportion of smaller units would be preferable in terms of the housing mix, it would not be possible to refuse on the basis of a lack of this as this is a reserved matters application and the mix is outside the scope of what can be considered. Some concerns have also been raised by residents as to whether the dwellings will be available to purchase on the open market, or only available to a specific group, however this is not a planning issue.
- 5.4 **Residential amenity NPPF paragraphs 130 (amenity)...., Development Management (DM) DPD policies DM2 (Housing Standards), DM29 (Key Design Principles)**
- 5.4.1 The original submission showed the pair of semi-detached dwellings sited approximately 3 metres from the rear boundary of 15 Main Street and at a higher level. Whilst the distance between the buildings was considered sufficient to prevent a loss of light to the dwelling, given the close proximity to the boundary and elevated position, it was considered that this would have an overbearing impact

on the garden to the detriment of the residential amenity of the occupants. As a result, the dwellings have been repositioned to the east. They still slightly extend to the rear on no. 15, by approximately 2 metres, and are still in an elevated position. However, given their position to the north and that they will only overlap a small part of a long rear boundary, it is considered that the development will not have a significant adverse impact on the amenity of this property. The dwellings will extend along more of the boundary of no. 15, although will be slightly further from this. Given the extent of the rear garden and distance from the dwelling, it is considered that the dwellings would not have a detrimental impact on the occupants of this property by way of loss of light, overbearing impact or loss of privacy.

5.4.2 The pair of semi-detached dwellings would be approximately 20 metres from the boundary with the dwellings to the east (37 and 46) Church Hill Avenue, and further from the dwellings. Given the separation distance, it is considered that there will not result in a loss of privacy or light. In addition, the gardens would not extend up to these boundaries but would be separated by parking for two cars and a new hedgerow. The two storey part of the dwelling on plot 7 would be approximately 12 metres from the gardens of 46 and 44 Church Hill Avenue and the garage would be approximately 9 metres. There are no windows proposed in the side wall of the dwelling. As such, it is considered that there would not be a loss of privacy, overbearing impact or impact on light from this dwelling.

5.4.3 The proposed dwelling on plot 1 is approximately 7.5 metres from the eastern boundary at its closest point, and the dormer window is approximately 13 metres from the boundary. Given the presence of the trees, the location of the driveway adjacent to the boundary and the dwellings set back to the east, it is considered that there would not be a significant adverse impact on the amenity of the properties to the east. In addition, the dwelling on plot 2 is set further from the dwellings and would be between 4.5 and 7.5 metres from the boundary. Whilst at a higher level than the adjacent dwellings, given the distance and the extent of the adjacent garden, it is considered that there would not be a detrimental impact as a result of this dwelling.

5.4.4 All of the dwellings meet the Nationally Described Space standards. It is also considered that they all have an appropriate amount of private amenity space. In addition, the dwelling on plot 1 has been designed with only one small window in the north elevation, facing the dwelling on plot 3, to ensure that there is no mutual overlooking. There is approximately 13.5 metres between front wall of no.7 and rear garden of no 8 and there are two windows at first floor. However, this is considered to be a sufficient distance to prevent a significant amount of overlooking to the garden area of the proposed semi-detached dwellings.

5.5 **Highway Impacts ((NPPF paragraphs 104-109 (Promoting Sustainable Transport); Development Management (DM) DPD policies DM29 (Key Design Principles), DM60 (Enhancing Accessibility and Transport Linkages), DM62 (Vehicle Parking Provision); Arnsdale and Silverdale AONB DPD: AS22 (Land North of 17 Main Street, Warton)**

5.5.1 The Access from Main Street was approved by the outline permission and there is a condition requiring the precise details of the road layout. However, it is relevant to this application, insofar as it relates to the layout of the buildings. Concerns were raised by the Highway Authority regarding the lack of footway within the site. This was included at outline stage, to overcome concerns raised, however was not shown on the original plans submitted as part of this application. However, the most recent plans have included this and demonstrate that this can be incorporated into the layout. This has required a slight change to the position of the dwelling on plot 1, however the section above considers the impact of the proposal on residential amenity from the most recent amendments.

5.5.2 Concerns were also raised by the Highway Authority regarding the lack of turning head for refuse vehicles. The plans do show that vehicles can turn at the top of the access road off Main Street, but not at the eastern and western end of the proposed road. The agent has highlighted that the road would not be adopted, partly due to the gradient, and therefore it is unlikely that refuse vehicles would enter the site. The Highway Authority have advised that storage for bins during collection should be provided close to Main Street and, whilst not ideal given the distance from the dwellings, this has now been shown behind the wall close to the access point with the existing highway.

5.5.3 The plans show space for three vehicles for the detached dwellings, with one of these provided within the garage, and two dwellings for the semi-detached dwellings. This is considered to be acceptable and provides an acceptable level of parking. No concerns regarding the parking provision

have been raised by the Highway Authority. A scheme for the provision of electric vehicle charging points is required by a condition on the outline permission, as such there is no requirement for it to be shown on the submitted plans or conditioned as part of this permission.

5.6 **Impact on trees and landscaping** NPPF paragraphs 130 - 131(landscaping), 174 (trees and woodland); Development Management (DM) DPD policies: DM29 (Key Design Principles), DM45 (Protection of Trees, Hedgerows and Woodland); Arnside and Silverdale AONB DPD: AS02 (Landscape), AS04 (Natural Environment) AS08 (Design), AS22 (Land North of 17 Main Street, Warton)

5.6.1 A native hedgerow is proposed around the site and existing hedgerows would be reinforced. Some concerns were raised regarding the lack of trees within the access, where most of the trees are proposed to be removed, in addition to the use of non-native species within the hedgerow to the north, which is an important boundary within the landscape. As such, native oak species have now been proposed, in addition to some additional trees adjacent to the access, close to Main Street and is therefore considered to provide appropriate greening and screening to the site. Some concerns have been raised by one of the neighbouring properties in relation to the potential impact on lights from trees proposed in the hedgerow close to the boundary with their property. As such, this can be reviewed through a condition requiring the detailed landscaping scheme, to ensure that the location of trees is appropriate in terms of residential amenity of neighbouring properties.

5.6.2 An amended arboricultural method statement has been submitted to address the position of the dwelling on plot 1 moving closer to a retained tree. The Arboricultural Officer has confirmed that this is acceptable. There is a condition on the outline permission requiring the submission of an AMS so it can be provided as part of this. However, it demonstrates that the proposed layout will not have a significant impact on the retained trees.

5.7 **Drainage** NPPF paragraph 167 (sustainable drainage); Development Management (DM) DPD policies DM29 (Key Design Principles), DM35 (Surface Water Run-off and Sustainable Drainage); Arnside and Silverdale AONB DPD: AS12 (Water Quality, sewerage and sustainable drainage), AS22 (Land North of 17 Main Street, Warton)

5.7.1 Drainage is not a reserved matter, and is covered by conditions on the outline permission. However, it needs to be ensured that it can be accommodated within the layout. Whilst United Utilities have raised some concerns regarding the information provided, this is not the detailed drainage scheme which will need to be agreed formally as part of a discharge of condition application for the outline permission. The Council’s Engineers Team have confirmed that they consider that a drainage scheme can be accommodated within the proposed layout. Officers are content there is a solution which will not cause off site flooding for the village.

6.0 Conclusion and Planning Balance

6.1 The proposed scheme provides a high quality contemporary design which references the more traditional buildings within Warton and responds to the sloping nature of the site. Subject to securing appropriate materials and landscaping through condition, it is considered that the development would not have detrimental impact on the special qualities of the AONB. In addition, it is considered that the proposal would not have a significant adverse impact on residential amenity and provides an acceptable level of amenity and parking for the future occupants. In addition, the layout shows how the access layout and drainage can be accommodated, which are covered by condition on the outline permission. The proposal is therefore considered to be acceptable and complies with Local and National Planning Policy.

Recommendation

That Approval of Reserved Matters Consent BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Standard reserved matters timescale	Control
2	Approved plans	Control

3	Details of materials – including stone, slate, render, cladding, finish to dormers, finish to flue and metal column, windows and doors, surfacing material, boundary treatments, eaves, verge and ridge details, rainwater goods, external lighting	Above ground
4	Landscaping scheme including maintenance	Above ground
5	Provision of parking prior to occupation	Control

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

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

Background Papers

None

Agenda Item	A6
Application Number	22/00562/VCN
Proposal	Hybrid application comprising a full application for proposed alterations to land levels and associated access, and outline application for up to 8,400sqm of employment floor space (Use Classes B1(c), B2 and B8) with associated access (pursuant to the removal of conditions 7,8,9 and 12 on outline planning permission 19/00545/HYB in relation to site access and off-site highway works and variation of condition 24 in relation to BREEAM standards)
Application site	Land At Grid Reference 350900 470170 Leapers Wood Road Over Kellet Lancashire
Applicant	Mrs Tracy Clavell-Bate
Agent	Hannah Walker
Case Officer	Mrs Eleanor Fawcett
Departure	Yes
Summary of Recommendation	Approval (subject to resolution on visibility splays)

1.0 Application Site and Setting

- 1.1 The site is located 1km to the east of Carnforth town centre and 1.25km to the west of the village of Over Kellet. It is approximately 5 hectares in area, and originally comprised agricultural land used for cattle grazing, although the southern portion has now been developed for a car showroom and is operational. The site is undulating; generally reducing in height to 31 metres Above Ordnance Datum (AOD) as the site drops to the west towards the M6 motorway, with the highest part of the site adjacent to the A601 at approximately 39 metres AOD. However, works have been carried out to create a level area for the car showroom.
- 1.2 Metal and post and wire fences mark the western boundary, with open views across the site from the M6 motorway. The southern boundary is defined by a strong tree belt limiting views into the site from Kellet Road. There is some hedgerow with a grass verge between the A601 and the site, except where the access has been created to serve the car showroom and the wider site. To the north, the site extends up to the roundabout at Junction 35 of the M6. The land beyond the A601 to the east comprises open agricultural land. Leapers Wood Quarry is located to the south of the site but is screened by substantial vegetation. The M6 is to the west with Carnforth Business Park beyond.
- 1.3 The site is allocated as Countryside Area in the adopted Local Plan and the entire site is covered by a mineral safeguarding zone. The Kellet Lane Verges Biological Heritage Site is located on the southern periphery of the site. A public footpath is located 60 metres to the west of the proposal which runs parallel to the M6 motorway

2.0 Proposal

- 2.1 Planning permission was granted in January 2020 for a hybrid application comprising:
- An outline application across approximately 3 hectares of the site for up to 8,400 square metres of employment floorspace (Use Classes B1(c), B2 and B8) with an associated access off the A601 (M), the same as that approved for the car show room development (17/01133/FUL).
 - A full planning application for the associated engineering works to provide for a 'development platform' across the whole 5 hectare site. It was proposed to create a development platform associated with the car showroom (Porsche) site at 35.850 metres AOD, with the bulk of the site at 33.850 metres apart from the northern tip at 33 metres AOD.

The decision notice is in two parts, with separate conditions for the outline and full planning permissions.

- 2.2 The current application seeks to remove conditions 7, 8, 9 and 12 from the original outline permission. Condition 7 relates to the reclassification of the A601(M) to remove its motorway status. Condition 8 relates to a scheme for the construction of the site access off the A601(M) and the off-site works of highway improvement. Condition 9 requires an amended access plan for Kellet Road in order to facilitate the land regarding works. Condition 12 relates to the creation and retention of visibility splays. The submission sets out that these are no longer required following the reclassification of the A601(M) and the completion of the site access and off-site highway works as part of the development of the car showroom.
- 2.3 The application also seeks to vary the wording of condition 24 which requires all buildings to achieve a BREEAM standard of excellent or equivalent.
- 2.4 The submission also sets out that the applicant is not seeking to vary the detailed planning permission as the regrading works are no longer required to implement the outline consent following the development of the car showroom on the southern part of the site.

3.0 Site History

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

Application Number	Proposal	Decision
20/00611/NMA	Non material amendment to planning permission 19/01368/VCN to include a parts delivery enclosure	Approved
20/00537/ADV	Advertisement application for the display of 1 internally illuminated fascia sign 2 non-illuminated fascia signs and 1 internally illuminated totem sign	Approved
20/00119/DIS	Discharge of condition 15 on approved application 19/01368/VCN	Approved
20/00118/DIS	Discharge of condition 14 on approved application 19/01368/VCN	Approved
20/00076/DIS	Discharge of conditions 10 and 11 on approved application 19/01368/VCN	Approved
20/00045/DIS	Discharge of condition 18 on approved application 19/01368/VCN	Approved
19/01368/VCN	Erection of car showroom (sui generis), maintenance workshop and preparation building (B2), display area, storage compound with associated access and landscaping (pursuant to the variation of condition 3 on planning permission 17/01133/FUL to allow construction traffic to use the existing site access from Kellet Road to accommodate initial ground works)	Approved
19/01141/VCN	Erection of car showroom (sui generis), maintenance workshop and preparation building (B2), display area,	Approved

	storage compound with associated access and landscaping (pursuant to the variation of condition 4 on approved application 17/01133/FUL to allow construction traffic to use the existing access on Kellet Road)	
19/00135/DIS	Discharge of conditions 4, 5, 8, 9, 11, 12 and 13 on approved application 17/01133/FUL	Split decision
19/00043/DIS	Discharge of conditions 6,7,9,10,13,18 and 19 on approved application 17/01133/FUL	Split decision
19/00545/HYB	Hybrid application comprising a full application for proposed alterations to land levels and associated access, and outline application for up to 8,400sqm of employment floor space (Use Classes B1(c), B2 and B8) with associated access	Approved (contrary to officer recommendation)
19/00769/EIR	Screening Opinion for a hybrid application comprising a full application for proposed alterations to land levels and associated access, and outline application for up to 8,400sqm of employment floor space (Use Classes B1(c), B2 and B8) with associated access).	EIA not required
18/01606/PRE3	Development of up to 6400sqm of Use Class B1 (Business), B2 (General Industry) and B8 (Storage and Distribution) with associated access	Advice Provided
17/01133/FUL	Erection of car showroom (sui generis), maintenance workshop and preparation building (B2), display area, storage compound with associated access and landscaping	Approved (contrary to officer recommendation)
18/00125/EIR	Erection of car showroom (sui generis), maintenance workshop and preparation building (B2), display area, storage compound with associated access and landscaping	EIA not required
16/01619/PRETWO	Proposed mixed use development to include B1, B2, B8, A4 and C1	Advice Provided

4.0 Consultation Responses

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

Consultee	Response
Parish Council	No comments received
County Highways	No objections
National Highways	No comment to make

4.2 No responses have been received from members of the public

5.0 Analysis

5.1 The principle of the development has already been established through the granting of the previous planning permission. This application just seeks to vary condition 2 of that permission, which relates to the approved plans. As such the key considerations in the assessment of this application are:

- Highway Implications
- Sustainable design

5.2 **Highway Implications** (NPPF paragraphs 104-109 (Promoting Sustainable Transport); Development Management (DM) DPD policy DM60 (Enhancing Accessibility and Transport Linkages))

- 5.2.1 A number of conditions were added to the original consent to ensure that an appropriate and safe means of access was created at the site. These were similar to those included in relation to the approval for the development of the car showroom on the southern part of the site as the access proposed was the same. At the time of granting the original permission, development had not commenced in relation to the car showroom, and it was therefore necessary to include the conditions relating to the access and off-site highway works as the permissions could essentially be implemented separately.
- 5.2.2 The car showroom has now been constructed and is operational and the works required by the conditions has been undertaken. In particular:
- In relation to condition 7, the A601(M) has been reclassified so that it no longer has motorway status;
 - In relation to condition 8, the site access and associated pedestrian and cycle link to Kellet Road have been constructed and the associated off-site highway works have been implemented;
 - Condition 9 relates to access from Kellet Road to allow the land regrading works to be undertaken. The material was imported to facilitate the construction of the car showroom and the new access has been created and is operational; and
 - In relation to condition 12, the visibility splays have been created.
- 5.2.3 Given that the road has been declassified and the access to the site has been created, these conditions are no longer considered to be necessary and can therefore be removed. Condition 12 does require the retention of the visibility splays. Whilst there is no objection to the loss of this from the highway consultees, officers are not convinced that its removal is appropriate. Discussions are ongoing with the applicant's agent to retain the condition in a manner that protects the visibility splays for the duration of the lifetime of the development. Councillors will be updated verbally.
- 5.3 **Sustainable design (NPPF paragraphs 153-157 (Planning for Climate Change); Development Management (DM) DPD policies DM29 (Key Design Principles), DM30 (Sustainable Design) and DM35 Water Supply and Waste Water)**
- 5.3.1 Condition 24 requires that all buildings meet BREEAM standard 'Excellent' or equivalent and was included in the planning decision at the request of planning committee, when the original application was determined. The current application seeks to vary the wording of the condition to require a statement of sustainability measures to be submitted prior to commencement, to achieve at least a BREEAM standard of 'Good' or equivalent. Whilst the design of the buildings is not yet finalised, the submission includes a supporting BREEAM Pre-Assessment Report which demonstrates that at least a BREEAM standard of 'Good' is achievable, with the potential to achieve a standard of 'Very Good'.
- 5.3.2 The submission sets out that the current wording of the condition is unreasonable and is not required by policy and has not been consistently applied to other developments within the District. The Council has been preparing the Climate Emergency Local Plan Review (CELPR) since the adoption of the current Local Plan in July 2020, which superseded the previously adopted 2014 Development Management DPD. Therefore, since the original application was approved, Local Plan Policy has been updated. Policy DM30 sets out a number of sustainable design measures, but does not include a requirement to meet a particular BREEAM standard, although policy DM35 does set out that, in terms of water efficiency "*the design of non-residential building development should enable achievement of the BREEAM 'Excellent' standard.*" However, this only relates to one aspect of BREEAM. Policy DM30a of the CELPR will require that new major non-residential development meets the most up to date BREEAM 'Excellent' standard. It sets out that where the 'Excellent' standard cannot be achieved, evidence must be submitted with an application to the satisfaction of the City Council. The BREEAM 'Very Good' standard must be met as a minimum.
- 5.3.3 It is acknowledged that the planning application was determined against the previously adopted 2014 Development Management DPD which contained no requirement for developments to meet a specific BREEAM Standard. In addition the current Local Plan only requires BREEAM Excellent to be met in relation water efficiency. Whilst the Council is continuing to progress the preparation of its CELPR, with the submission documents to the Secretary of State (via the Planning Inspectorate) taking place on 31st March 2022, Public Examination into the CELPR is still yet to take place (anticipated later this year). Therefore it carries little weight in the determination of this application.

The proposed changes to the wording of condition 24 is therefore considered to be acceptable as it will still require the development include sustainable design measures and therefore complies with Local and National Planning Policy.

6.0 Conclusion and Planning Balance

- 6.1 Given that the road has been declassified and the access to the site has been created, in association with the development of the car showroom, it is considered that conditions 7, 8, 9 and 12 are no longer necessary to make the development acceptable, and can therefore be removed. In addition, as set out above, it is considered that there is no robust policy position at present to require the buildings to be constructed to BREEAM standard “Excellent” or equivalent and the proposed alteration to the condition will still require sustainability measures to be considered and a minimum standard of “Good” to be achieved. The variation to condition 24 is therefore acceptable and complies with Local and National planning policy.
- 6.2 Given that the hybrid application related to both an outline permission and a full permission, all the conditions that are still relevant are required to be included within the decision notice for this application.

Recommendation

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

Condition no.	Description	Type
1	Submission of reserved matters prior to commencement of the relevant phase of development	Control
2	Submission of all reserved matters no later than 3 years from 9 January 2020 or 2 years from the approval of the last reserved matters to be approved	Control
3	In accordance with approved plans	Control
4	Submission of a drainage strategy	Pre-commencement
5	Details of buildings and car parking and restriction of floorspace to 8,400 square metres	Pre-commencement
6	A scheme for renewable energy measures	Pre-commencement
7	Details of finished floor and site levels	Pre-commencement
8	Details of foul drainage	Pre-commencement
9	Submission of a travel plan	Prior to occupation
10	Lighting details	Prior to installation
11	Provision of car parking	Prior to occupation
12	No vegetation clearance, or site activity shall occur from 1st March to 31st July (inclusive) unless survey undertaken	Control/ pre-commencement
13	Unforeseen contamination	Control
14	Removal of permitted development rights	Control
15	Management and maintenance plan for sustainable drainage	Prior to development above ground
16	Development in accordance with the Arboricultural Implications assessment	Control
17	Scheme for ecological enhancement measures	Pre-commencement
18	Submission of a Construction Environmental Management Plan	Pre-commencement
19	Scheme for electric vehicle charging points	Pre-commencement
20	Scheme for sustainability measures to achieve at least a BREEAM standard of ‘Good’ or equivalent	Pre-commencement
21	Details of covered and secure cycle storage	Pre-commencement
22	Submission of a delivery, servicing and waste collection and maintenance scheme	Pre-commencement

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

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

Background Papers

None

Agenda Item	A7
Application Number	21/01230/FUL
Proposal	Change of use of the rear of 4 Dalton Square to form extension to existing beer garden, erection of external cold store, and creation of opening in boundary wall plus regularisation of an external flue
Application site	3 And 4 Dalton Square Lancaster Lancashire LA1 1PP
Applicant	Mr Martin Horner
Agent	HPA Chartered Architects
Case Officer	Mr Andrew Clement
Departure	None
Summary of Recommendation	Approval

1.0 Application Site and Setting

1.1 The site that forms the subject of this application is No. 3 and 4 Dalton Square, currently operated as a public house, restaurant and hotel accommodation, with associated offices and rear beer garden area. The two properties were previously separated, and remain so at the rear gardens and ground and first floor levels. Permissions granted in 2013 and subsequently implemented created a physical link between the two properties at second floor level, and permitted use of the second floor of No.3, outbuilding in No.3 and entirety of No.4 to be used as hotel accommodation in association with the public house and restaurant operated at No.3 at the time. These permissions also granted a physical link through partial demolition of the rear boundary wall, however this aspect has yet to be implemented. The two properties were linked further subsequently through an external fire exit to No.3 being re-routed into the external rear curtilage area of No.4. The two properties are in separate ownership, with No.4 owned by Lancaster City Council.

1.2 The site is located on the northeast corner of Dalton Square in Lancaster City Centre, within the Conservation Area and part of the Dalton Square character area. The site comprises No.3 and 4, both of which are Grade II Listed Buildings, constructed of sandstone ashlar. No. 3 Dalton Square was constructed in 1824 and altered in the late 19th century becoming 'The Borough' restaurant and bar in 2006. No. 4 Dalton Square was constructed around 1830 and was a house, which was subsequently converted to council offices when the building was restored in the late 1980s, prior to becoming hotel accommodation linked to 'The Borough'. The site is within the setting of various other Listed Buildings, notably the Grade II* Listed Buildings Queen Victoria Memorial and Lancaster Town Hall. The site is within a smoke control area, opposite the designated open space of Dalton Square, with surface water flooding 1in1000 year events impacting the surrounding roads, susceptible to groundwater clearwater flooding at 25-50% risk. The application site is within the impact risk buffer zone of the Morecambe Bay and its environmental designations, in a parking permit area with Article 4 and Regulation 7 directions remove permitted and deemed developments

for small scale housing in multiple occupancy and residential 'To Let' signs in this area.

2.0 Proposal

2.1 This application seeks planning and listed building consent to erect a cold store as an extension to an existing timber under slate lean-to outbuilding, accessed internally from a proposed new opening to the existing kitchen area. To the rear outrigger, the application proposes a partial re-slating of the existing roof, regularisation of an existing flue and change of use of the rear curtilage to No4 to an extended beer garden. Within the rear curtilages, development sought relates to creation of an opening between the existing rear boundary stone wall between No.3 and 4, installation of a gate in this opening, installation of planters and a 1.1-metre-tall black galvanised steel railing with the rear curtilage of No.4. The concurrent listed building application also proposes internal alterations to the basement layout of No.3.

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
19/00128/FUL and 19/00129/LB	Change of use of the rear of 4 Dalton Square to form extension to existing beer garden, erection of a single storey rear extension, creation of an opening in boundary wall, erection of a boundary wall, construction of a raised terraced area with water features, erection of dining pods and installation of a retractable canopy system	Withdrawn
16/00955/FUL and 16/00956/LB	Installation of a replacement external fire escape staircase	Approved
14/00414/ADV	Advertisement application for the display of externally illuminated fascia and hanging signs	Approved
13/01195/FUL and 13/01196/LB	Listed Building Consent for the erection of a shed to the rear garden, internal and external alterations to the Coach House and the installation of cowls to a chimney stack	Approved
13/00628/CU and 13/00629/LB	Change of use of 4 Dalton Square, the second floor of 3 Dalton Square and the Coach House to create 11 ensuite bedroom hotel accommodation and 1 en-suite bedroom for staff accommodation	Approved
10/00216/FUL and 10/00217/LB	Installation of evacuated tube solar thermal collectors to east side of the roof	Approved

4.0 Consultation Responses

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

Consultee	Response
Conservation Section	It was considered that the proposal to divide the first floor function room, which was the former drawing room, into bedrooms including installation of ensuite bedrooms and associated services was the most harmful aspect of the scheme. This has subsequently removed from the scheme as amended, and so the level of harm has been reduced (but not removed).
County Archaeology	No objection , subject to an archaeological written scheme for any groundworks and wall removal
National Amenity Societies	No observation received
Property Services	Concerns regarding adverse impacts upon neighbouring office use from noise and nuisance of the beer garden, and detract from security
Tree Officer	No adverse comment

Environmental Health	No objection, subject to condition regarding plant noise
Natural England	No objection subject to any additional visitor accommodation having Visitor Information Packs to explain sensitivities of designated environmental sites

4.2 No response has 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, scale and heritage impacts
- Amenity standards
- Tree, highways and the environment

5.2 **Principle of development** (DM DPD Policies DM15, DM16, DM23, DM24, DM25, DM56; SPLA DPD Policies SP1, SP2, SG4, TC2, EC5; NPPF Section 2, 4, 6, 7 and 11)

5.2.1 This application seeks planning and listed building consent for developments, alteration and retention of existing works that are required for the continued operation of the site in an efficient manner. The proposal seeks a cold store extension to be accessed directly from the kitchen, as opposed to the existing arrangements in the basement. The existing site is used as a public house, restaurant and hotel, and whilst the two original properties retain a degree of separation in built form and ownership, they're effectively operated as one business at present. Other works and developments include flues, re-slating a roof and installation of planters and fences in the proposed beer garden area.

5.2.2 The principle of improving the functionality of the site and extending the external beer garden area to be used in association with the site is considered to be acceptable. This would support the sustainable expansion of the existing small business within a suitable sustainable location of Lancaster City Centre, supporting the continuation of this town centre use that contributes to the local evening and night-time economic. The proposal will make a moderate economic contribution through expanded business activities, and very modest contribution to the regeneration priorities for Central Lancaster as a visitor destination. Aspects of heritage, highways, amenity and environmental impacts will be covered within following sections of this report, but the principle of the development is considered to be acceptable, and economic benefits weigh moderately in favour of the proposal.

5.3 **Design, scale and heritage impacts** (DM DPD Policies DM29, DM30, DM37, DM38, DM39, DM41, DM42; SPLA DPD Policy SP7; NPPF sections 12, and 16; National Model Design Code; Listed Building and Conservation Areas Act 1990 Sections 7 and 17 and Paragraphs 72 and 73)

5.3.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed building, 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 policies DM37 and DM38. DM38 sets out that development within Conservation Areas will only be permitted where it has been demonstrated that:

- Proposals respect the character of the surrounding built form and its wider setting in terms of design, siting, scale, massing, height and the materials used; and,
- Proposals will not result in the loss or alteration of features which contribute to the special character of the building and area; and,
- Proposed uses are sympathetic and appropriate to the character of the existing building and will not result in any detrimental impact on the visual amenity and wider setting of the Conservation Area.

5.3.2 Whilst the site originally formed two town houses, given the duration of time the site has been used as a public house, restaurant and hotel, this is considered to be the optimal viable use of the site and heritage asset. The continuation of this use is consistent with the conservation of the asset, as this allows the building to be appreciated publicly, with continued economic activity at the site

encouraging ongoing maintenance and use of the building.

- 5.3.3 Some of the physical aspects of development would cause harm to the Listed Buildings and Conservation Area. Whilst there is an existing flue, this is unregularised, and cannot be immune to enforcement to a Listed Building. Whilst the proposal seeks to paint this flue, given this has no consent to date, this merely reduces the level of harm the flue causes, as opposed to being considered an enhancement to the existing heritage asset. Supporting information has been provided to justify the scale of the existing flue, which projects just under 2 metres from the existing roof and contains features to reduce odour and noise in proximity to windows. Subject to this being painted in matt anthracite grey colour within months of the decision notice, and viewed in the context of existing chimneys and roof forms, there is no clear way of improving the extraction facilities necessary for the optimal viable use of the site as partly restaurant. Once painted, this flue causes a modest degree of harm to the listed building and conservation area, which is considered justified. Other changes to existing facilities result in modest enhancements, namely the removal of a window ventilation unit and replacement with a glazed pane.
- 5.3.4 The proposed cold store would appear as an extension to an existing outbuilding shed, finished in matching materials of timber walls under a slate roof. This would appear congruent to the existing built form, at a modest scale of circa 3.3 metres by 2.5 metres, similar dimensions and matching height to the existing boiler store shed. Subject to being externally finished in matching materials, the cold store is considered to cause no undue harm to the heritage assets, whilst improving the viability of the continuation of business activities and occupation of the site. Modest harm would be caused to the listed building by creating a door opening between the existing kitchen and the proposed cold store, which could be reduced but not eliminated by suitable details of the proposed internal doorway through the concurrent listed building application.
- 5.3.5 The removal of part of the historic garden wall separating the two curtilage areas would harm the Listed Buildings to a modest degree, diluting the visual separation of the two former townhouses, whilst also potentially uncovering archaeological heritage within this historic wall. However, this part of the application has already been granted consent through extant permissions 13/00628/CU and 13/00629/LB, which permitted a larger opening in the same section of wall, and as such the impacts of this can be implemented irrespective of this determination. As such, resistance of the application from this perspective or imposing archaeological conditions for this aspect of the development would not meet the requirements of a planning condition. The proposed cold store seeks to be sited at existing ground level, with no excavations. Should excavation be required, an archaeological investigation could be imposed through planning condition for this element of the development, but unfortunately not for the creation of the gateway gap within the existing wall. Subject to the proposed gate and fencing being implemented in accordance with the submitted information, this aspect is considered to cause no undue harm to heritage assets beyond those previously permitted.
- 5.3.6 The most harmful aspect of the original proposal for the first-floor function room to be subdivided and form visitor accommodation has been removed from the proposal, which would've been particularly harmful to the piano nobile of the former Georgian house. Other aspect cause harm, namely the internal doorway to the cold store and retention of the existing flue, and the impacts of these can be reduced by sympathetic detailing through condition, although these cannot be completely mitigated, and would still cause modest harm to the Listed Building and Conservation Area (for the flue). Heritage aluminium rainwater goods and removal of an existing window extract fan would result in very modest benefits, insufficient to outweigh these impacts. However, when considered that the extraction system is required to facilitate the ongoing restaurant use of the site, and the cold store directly accessible from the existing kitchen will improve the commercial functionality of the site as an ongoing business enterprise, it is considered that these benefits to the optimal viable use outweigh the modest degree of harm cause by the amended physical interventions at the site. As such, the proposal is considered to be acceptable from a heritage perspective, despite the heritage harm identified within Conservation consultation responses.

5.4 **Amenity standards** (DM DPD Policies DM25, DM29; NPPF Section 12)

- 5.4.1 The application site is an established public house, restaurant and hotel, currently licensed and benefitting from an external beer garden area within the tall stone walled rear curtilage of No.3. Whilst the removal of a section of wall linking the rear curtilages was previously permitted through extant consents, it appears this was to form a landscaped fire exit, as opposed to use as part of an

extended beer garden. The current application seeks to use the eastern half of the curtilage to No.4 as an extended beer garden area. This area of curtilage is closer to the hotel accommodation rooms within the property, in addition to being immediately adjacent to an office building to the south that has north facing windows directly overlooking this area.

- 5.4.2 The application site is split in ownership, with Lancaster City Council owning No.4 Dalton Square and the office building to the south. Property Services have raised concerns regarding this element of the proposal, and particularly the impact upon the office to the south, and noted such use is outside of the existing lease arrangements with the applicant. The application site is within a city centre location, with an existing beer garden use and noise environment. The windows to the neighbouring office are circa 1.5 metres above the external ground level, and whilst this is sufficient height to prevent overlooking when seated, this would not prevent privacy issues if patrons in the extended beer garden were standing. Furthermore, under the agent of change principle, the proposal would bring a potential noise generating use closer to these windows, without the existing mitigation of circa 5 metres separation and behind a large stone wall.
- 5.4.3 Whilst planters have been proposed adjacent to the aforementioned windows, there is no quantitative information to support any noise or privacy mitigation that these would provide, particularly as these windows may need to be opened for ventilation and temperature control. The proposal would potentially impact the two closest office rooms that immediately abut the proposed beer garden at ground floor level, and to a lesser degree to those immediately above. There is an existing noise environment of the city centre location, and potential impacts are reduced by the fact that the affected office rooms benefit from additional windows to elevations away from the beer garden. Combined with the likely normal office daytime weekday working hours for this existing neighbouring use, subject to a planning condition restricting the hours of use of the proposed beer garden to weekday evenings and weekends, it is considered that the proposal would have no undue impact upon this neighbouring office use. It is considered that such a planning condition would avoid restricting or adversely impacting the existing neighbouring office use, and is therefore acceptable under the agent of change principle during such hours to prevent any conflict.
- 5.4.4 Depending on the design of the cold store, the cooling mechanisms of this could potentially generate noise within close proximity to the rear facing windows of the hotel rooms within No.4. Whilst the development is within the curtilage of No.4, and it would be in the interest of the operator to protect the amenity of associated hotel occupants, given the physical separations and ownership and the cold store would be internally accessible from No.3, it is considered necessary to consider impacts upon this hotel occupants, particularly given the proximity a few metres from windows. The timber cladding and roof to this cold room is likely to offer some degree of mitigation, in addition to an existing fence between the aforementioned windows and the proposed cold store. Given that the impact is dependent upon the noise generated and mitigation measures, it is considered that an acceptable scheme can be devised, subject to the precise specifications of the proposed cold store and impact of any mitigation measures. This can be controlled through planning condition, as recommended by the Environmental Health consultee, to ensure the noise within adjacent habitable rooms remains unimpacted or below 35dB from the proposal, in accordance with WHO guidance.
- 5.5 **Trees, highways and the environment** (DM DPD Policies DM44, DM45; SPLA DPD Policy SP8 NPPF Sections 12 and 15)
- 5.5.1 There are two reasonable sized trees as existing within the rear curtilage area of No.4, which are protected due to their location within the Conservation Area. Whilst no ground works are proposed, given the proposal furniture and planters within the root areas of these trees, and construction activities including materials movement is anticipated, it is considered necessary to ensure these trees are protected through an arboriculture method statement and tree protection scheme, which can be controlled through planning condition.
- 5.5.2 Whilst a Habitats Regulations Assessment was undertaken for the original proposal, amended plans have been received removing the two proposed additional hotel rooms within the property, primarily due to concerns regarding the heritage impacts of the requisite subdivisions to create these rooms. As such, there would be no additional recreational pressure or other environmental impacts from the proposal, and therefore attaching visitor accommodation information pack would no longer meet the requirements of a planning condition, and should not be imposed.

- 5.5.3 The proposal is considered to have no undue impact upon the public highway, and despite the heavily trafficked city centre location. The proposed development would not generate additional vehicle trips following completion, and given the modest scale of developments and proximity to goods vehicle loading area and on-street parking provision, it is considered that a construction management plan would be unnecessary.

6.0 Conclusion and Planning Balance

- 6.1 In conclusion, the proposal would expand upon an existing business, delivering moderate economic benefits and assisting with the continuation of the optimal viable use of the site. To facilitate the proposal, interventions into the existing historic wall and retention of an existing flue are necessary to improve the efficiency of the restaurant kitchen service and ensure this use meets suitable Environmental Health requirements and mitigates noise and odour. Subject to the precise details of development and works to mitigate and reduce impacts, whilst this would still cause a modest degree of less than substantial heritage harm, this is considered justified to ensure the continuation of the optimal viable use of the site. Subject to conditions to protect trees and neighbouring amenity standards through hours of use and noise mitigation, the economic benefits are considered to weigh in favour of the proposal, and combined with facilitating the optimal viable use of the site, this is considered to outweigh the great weight attached to the modest degree of heritage harm through the requisite physical interventions required to enable this.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Time limit for commencement	Control
2	Approved plans list	Control
3	Paint flue	Time triggered following decision notice
4	Tree protection measures	Pre-commencement
5	Details of stone lintel	Pre-commencement
6	Archaeological investigation if ground excavated (not wall removal)	Pre-commencement
7	Finish cold store in matching external materials	Prior to first use
8	Acoustic details of cold store and any mitigation	Prior to first use
9	Hours of operation for beer garden	Prior to first use

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

Officers have made this 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 decision 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	A8
Application Number	21/01231/LB
Proposal	Listed building consent for erection of cold store, creation of external doorway, creation of opening in boundary wall, erection of timber fencing, extension of external seating area, relocation of gas barrel, repairs to existing roof and internal alterations, including alterations to internal room layout and the removal/installation of internal walls within the basement plus regularisation of an external flue
Application site	3 And 4 Dalton Square Lancaster Lancashire LA1 1PP
Applicant	Mr Martin Horner
Agent	HPA Chartered Architects
Case Officer	Mr Andrew Clement
Departure	None
Summary of Recommendation	Approval

1.0 Application Site and Setting

1.1 The site that forms the subject of this application is No. 3 and 4 Dalton Square, currently operated as a public house, restaurant and hotel accommodation, with associated offices and rear beer garden area. The two properties were previously separated, and remain so at the rear gardens and ground and first floor levels. Permissions granted in 2013 and subsequently implemented created a physical link between the two properties at second floor level, and permitted use of the second floor of No.3, outbuilding in No.3 and entirety of No.4 to be used as hotel accommodation in association with the public house and restaurant operated at No.3 at the time. These permissions also granted a physical link through partial demolition of the rear boundary wall, however this aspect has yet to be implemented. The two properties were linked further subsequently through an external fire exit to No.3 being re-routed into the external rear curtilage area of No.4. The two properties are in separate ownership, with No.4 owned by Lancaster City Council.

1.2 The site is located on the northeast corner of Dalton Square in Lancaster City Centre, within the Conservation Area and part of the Dalton Square character area. The site comprises No.3 and 4, both of which are Grade II Listed Buildings, constructed of sandstone ashlar. No. 3 Dalton Square was constructed in 1824 and altered in the late 19th century becoming 'The Borough' restaurant and bar in 2006. No. 4 Dalton Square was constructed around 1830 and was a house, which was subsequently converted to council offices when the building was restored in the late 1980s, prior to becoming hotel accommodation linked to 'The Borough'. The site is within the setting of various other Listed Buildings, notably the Grade II* Listed Buildings Queen Victoria Memorial and Lancaster Town Hall. The site is within a smoke control area, opposite the designated open space of Dalton Square, with surface water flooding 1in1000 year events impacting the surrounding roads,

susceptible to groundwater clearwater flooding at 25-50% risk. The application site is within the impact risk buffer zone of the Morecambe Bay and its environmental designations, in a parking permit area with Article 4 and Regulation 7 directions remove permitted and deemed developments for small scale housing in multiple occupancy and residential 'To Let' signs in this area.

2.0 Proposal

2.1 This application seeks planning and listed building consent to erect a cold store as an extension to an existing timber under slate lean-to outbuilding, accessed internally from a proposed new opening to the existing kitchen area. To the rear outrigger, the application proposes a partial re-slating of the existing roof, regularisation of an existing flue and change of use of the rear curtilage to No4 to an extended beer garden. Within the rear curtilages, development sought relates to creation of an opening between the existing rear boundary stone wall between No.3 and 4, installation of a gate in this opening, installation of planters and a 1.1-metre-tall black galvanised steel railing with the rear curtilage of No.4. This listed building application also proposes internal alterations to the basement layout of No.3.

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
19/00128/FUL and 19/00129/LB	Change of use of the rear of 4 Dalton Square to form extension to existing beer garden, erection of a single storey rear extension, creation of an opening in boundary wall, erection of a boundary wall, construction of a raised terraced area with water features, erection of dining pods and installation of a retractable canopy system	Withdrawn
16/00955/FUL and 16/00956/LB	Installation of a replacement external fire escape staircase	Approved
14/00414/ADV	Advertisement application for the display of externally illuminated fascia and hanging signs	Approved
13/01195/FUL and 13/01196/LB	Listed Building Consent for the erection of a shed to the rear garden, internal and external alterations to the Coach House and the installation of cowls to a chimney stack	Approved
13/00628/CU and 13/00629/LB	Change of use of 4 Dalton Square, the second floor of 3 Dalton Square and the Coach House to create 11 ensuite bedroom hotel accommodation and 1 en-suite bedroom for staff accommodation	Approved
10/00216/FUL and 10/00217/LB	Installation of evacuated tube solar thermal collectors to east side of the roof	Approved

4.0 Consultation Responses

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

Consultee	Response
Conservation Section	It was considered that the proposal to divide the first floor function room, which was the former drawing room, into bedrooms including installation of ensuite bedrooms and associated services was the most harmful aspect of the scheme. This has subsequently removed from the scheme as amended, and so the level of harm has been reduced (but not removed).
County Archaeology	No objection , subject to an archaeological written scheme for any groundworks and wall removal
National Amenity Societies	No observations received

Property Services	Concerns regarding adverse impacts upon neighbouring office use from noise and nuisance of the beer garden, and detract from security
Tree Officer	No adverse comment
Environmental Health	No objection, subject to condition regarding plant noise
Natural England	No objection subject to any additional visitor accommodation having Visitor Information Packs to explain sensitivities of designated environmental sites

4.2 No response has 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, scale and heritage impacts

5.2 **Principle of development** (DM DPD Policies DM15, DM16, DM23, DM24, DM25, DM56; SPLA DPD Policies SP1, SP2, SG4, TC2, EC5; NPPF Section 2, 4, 6, 7 and 11)

5.2.1 This application seeks planning and listed building consent for developments, alteration and retention of existing works that are required for the continued operation of the site in an efficient manner. The proposal seeks a cold store extension to be accessed directly from the kitchen, as opposed to the existing arrangements in the basement. The existing site is used as a public house, restaurant and hotel, and whilst the two original properties retain a degree of separation in built form and ownership, they're effectively operated as one business at present. Other works and developments include flues, re-slating a roof and installation of planters and fences in the proposed beer garden area.

5.2.2 The principle of improving the functionality of the site and extending the external beer garden area to be used in association with the site is considered to be acceptable. This would support the sustainable expansion of the existing small business within a suitable sustainable location of Lancaster City Centre, supporting the continuation of this town centre use that contributes to the local evening and night-time economic. The proposal will make a moderate economic contribution through expanded business activities, and very modest contribution to the regeneration priorities for Central Lancaster as a visitor destination. Aspects of heritage, highways, amenity and environmental impacts will be covered within following sections of this report, but the principle of the development is considered to be acceptable, and economic benefits weigh moderately in favour of the proposal.

5.3 **Design, scale and heritage impacts** (DM DPD Policies DM29, DM30, DM37, DM38, DM39, DM41, DM42; SPLA DPD Policy SP7; NPPF sections 12, and 16; National Model Design Code; Listed Building and Conservation Areas Act 1990 Sections 7 and 17 and Paragraphs 72 and 73)

5.3.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed building, 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 policies DM37 and DM38. DM38 sets out that development within Conservation Areas will only be permitted where it has been demonstrated that:

- Proposals respect the character of the surrounding built form and its wider setting in terms of design, siting, scale, massing, height and the materials used; and,
- Proposals will not result in the loss or alteration of features which contribute to the special character of the building and area; and,
- Proposed uses are sympathetic and appropriate to the character of the existing building and will not result in any detrimental impact on the visual amenity and wider setting of the Conservation Area.

5.3.2 Whilst the site originally formed two town houses, given the duration of time the site has been used as a public house, restaurant and hotel, this is considered to be the optimal viable use of the site and heritage asset. The continuation of this use is consistent with the conservation of the asset, as this

allows the building to be appreciated publicly, with continued economic activity at the site encouraging ongoing maintenance and use of the building.

- 5.3.3 Some of the physical aspects of development would cause harm to the Listed Buildings and Conservation Area. Whilst there is an existing flue, this is un-regularised, and cannot be immune to enforcement to a Listed Building. Whilst the proposal seeks to paint this flue, given this has no consent to date, this merely reduces the level of harm the flue causes, as opposed to being considered an enhancement to the existing heritage asset. Supporting information has been provided to justify the scale of the existing flue, which projects just under 2 metres from the existing roof and contains features to reduce odour and noise in proximity to windows. Subject to this being painted in matt anthracite grey colour within months of the decision notice, and viewed in the context of existing chimneys and roof forms, there is no clear way of improving the extraction facilities necessary for the optimal viable use of the site as partly restaurant. Once painted, this flue causes a modest degree of harm to the listed building and conservation area, which is considered justified. Other changes to existing facilities result in modest enhancements, namely the removal of a window ventilation unit and replacement with a glazed pane.
- 5.3.4 The proposed cold store would appear as an extension to an existing outbuilding shed, finished in matching materials of timber walls under a slate roof. This would appear congruent to the existing built form, at a modest scale of circa 3.3 metres by 2.5 metres, similar dimensions and matching height to the existing boiler store shed. Subject to being externally finished in matching materials, the cold store is considered to cause no undue harm to the heritage assets, whilst improving the viability of the continuation of business activities and occupation of the site. Modest harm would be caused to the listed building by creating a door opening between the existing kitchen and the proposed cold store, which could be reduced but not eliminated by suitable details of the proposed internal doorway through this listed building application.
- 5.3.5 The removal of part of the historic garden wall separating the two curtilage areas would harm the Listed Buildings to a modest degree, diluting the visual separation of the two former townhouses, whilst also potentially uncovering archaeological heritage within this historic wall. However, this part of the application has already been granted consent through extant permissions 13/00628/CU and 13/00629/LB, which permitted a larger opening in the same section of wall, and as such the impacts of this can be implemented irrespective of this determination. As such, resistance of the application from this perspective or imposing archaeological conditions for this aspect of the development would not meet the requirements of a planning condition. The proposed cold store seeks to be sited at existing ground level, with no excavations. Should excavation be required, an archaeological investigation could be imposed through planning condition for this element of the development, but unfortunately not for the creation of the gateway gap within the existing wall. Subject to the proposed gate and fencing being implemented in accordance with the submitted information, this aspect is considered to cause no undue harm to heritage assets beyond those previously permitted.
- 5.3.6 The subdivisions and alterations within the basement are considered to cause no undue harm to the listed building, and subject to roof repairs using existing slates where possible and those to match existing where necessary, and any required rainwater goods replacement in heritage aluminium cast iron black, these aspect of the proposal are considered to cause no undue harm to heritage assets.
- 5.3.7 The most harmful aspect of the original proposal for the first-floor function room to be subdivided and form visitor accommodation has been removed from the proposal, which would've been particularly harmful to the piano nobile of the former Georgian house. Other aspect cause harm, namely the internal doorway to the cold store and retention of the existing flue, and the impacts of these can be reduced by sympathetic detailing through condition, although these cannot be completely mitigated, and would still cause modest harm to the Listed Building and Conservation Area (for the flue). Heritage aluminium rainwater goods and removal of an existing window extract fan would result in very modest benefits, insufficient to outweigh these impacts. However, when considered that the extraction system is required to facilitate the ongoing restaurant use of the site, and the cold store directly accessible from the existing kitchen will improve the commercial functionality of the site as an ongoing business enterprise, it is considered that these benefits to the optimal viable use outweigh the modest degree of harm cause by the amended physical interventions at the site. As such, the proposal is considered to be acceptable from a heritage perspective, despite the heritage harm identified within Conservation consultation responses.

6.0 Conclusion and Planning Balance

- 6.1 In conclusion, the proposal would expand upon an existing business, delivering moderate economic benefits and assisting with the continuation of the optimal viable use of the site. To facilitate the proposal, interventions into the existing historic wall and retention of an existing flue are necessary to improve the efficiency of the restaurant kitchen service and ensure this use meets suitable Environmental Health requirements and mitigates noise and odour. Subject to the precise details of development and works to mitigate and reduce impacts, whilst this would still cause a modest degree of less than substantial heritage harm, this is considered justified to ensure the continuation of the optimal viable use of the site. The economic benefits are considered to weigh in favour of the proposal, and combined with facilitating the optimal viable use of the site, this is considered to outweigh the great weight attached to the modest degree of heritage harm through the requisite physical interventions required to enable this.

Recommendation

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

Condition no.	Description	Type
1	Time limit for commencement	Control
2	Approved plans list	Control
3	Paint flue	Time triggered following decision notice
4	Details of stone lintel and internal cold store door	Pre-commencement
5	Archaeological investigation if ground excavated (not wall removal)	Pre-commencement
6	Finish cold store in matching external materials	Prior to first use
7	Roof repair details	Control

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

Officers have made this 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 decision 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	A9
Application Number	22/00284/FUL
Proposal	Installation of sewage treatment plant
Application site	Sunderland Point Mission Heritage Centre The Lane Sunderland Point Morecambe
Applicant	Mission Heritage Centre Trust
Agent	Mr Nigel Atkinson
Case Officer	Mr Sam Robinson
Departure	No
Summary of Recommendation	Approval (Subject to no objection from Natural England)

(i) **Procedural Matters**

This form of development would normally be dealt with under the Scheme of Delegation. However, the application was called in by Councillor Gardiner who requested the application to be determined by the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 Sunderland Point Mission Heritage Centre is a Grade II listed former mission church dating back to 1894. The building was designed by Austin and Paley and illustrates the process of spreading the Church of England mission to remote coastal locations during the late 19th century and early 20th century. The building is rectangular in shape and has been constructed from local Claughton red brick with a Westmorland slate roof. Its use as a Church has recently ceased with the building now under the ownership of the Mission Heritage Centre Trust. The building stands as an independent structure on the south side of 'The Lane' and is bounded by open fields to the south and east. The site forms part of Sunderland Point Conservation Area and is designated as Open Countryside

2.0 Proposal

2.1 This application seeks consent for the installation of a package treatment plant. The plant measures approximately 2.2m x 1.85m with a diameter of 2.45m and is located approximately 3.25m away to the south west of the Church. The cover to the tank will be approximately 0.25m in height with a control panel 0.6m in height. The plant will connect to a new and existing pipe and drain outlet which connects to Morecambe Bay. The treatment plant is required to facilitate the changes and inclusion of the toilets and small kitchen under the 21/01588/LB application.

2.2 There are no proposals to include any landscaping or alterations to the access as part of this application.

3.0 Site History

3.1 Relevant planning history includes:

Application Number	Proposal	Decision
21/01588/LB	Listed Building application for internal alterations to provide kitchen and wc's including new treatment plant, reset floor levels, works to the ceiling, insulation, new partition doors, architraves, skirting and relocation of wall panel	Pending Consideration

4.0 Consultation Responses

4.1 The following responses have been received from statutory and internal consultees. The application is currently undergoing a re-consultation due to the submission of amended plans. The new consultation expiration date is the 12 July 2022. Any further representations will be provided to committee members prior to being presented at planning committee.

Consultee	Response
Parish Council	No objection
British Pipeline Agency	No response
Conservation Team	No objection (Officer did seek clarification over the detail of connection with the listed building in terms of waste/soil pipes)
Engineers	No objection (Subject to the inclusion of the details of the foul drainage system)
Natural England	Further information required (NE requested a revised drainage plan in order to provide comments on the application). Comments will be reported verbally to councillors.
Shell	No objection
United Utilities	No response

4.2 Public representations – 2 letters of support and 17 letters of objection have been received as part of this application. The comments are summarised as follows:

4.3 Letters of support:

- Proposal would secure long term viability of the building

4.4 Letters of objection:

- Not clear of intended use/tourism impacts
- Increased demand to deal with waste water
- Lack of/improper consultation
- Inaccurate description/use of building
- Increased vehicular traffic/impact on emergency vehicles/not suitable for numerous vehicles
- Increased vehicular parking
- Lack of parking facilities/no vehicular rights to the site
- Impact on internationally protected sites
- Biodiversity/lack of reports
- Change of use/intensified use of building and potential impacts on residential amenity
- Impact on the grade II listed building/lack of detail within the submitted heritage statement
- Proposal not justified
- Premature application
- Inaccurate plans (double gate indicated rather than a single gate)
- Lack of details of proposal/potential impact on LB
- Lack of details of surface water and general binding rules
- Existing toilets within the area

- Incorrect red edge on location plan
- Incorrect information on application form/no existing parking arrangements
- Application should not be determined prior to the listed building consent

5.0 Analysis

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

- Impacts on Listed Building and Conservation Area
- Drainage/waste water
- Biodiversity and internationally designated sites
- Other Matters

5.2 **Impacts on Listed Building and Conservation Area (Sections 16 and 72 of the Listed Buildings and Conservation Area Act; Policies SP7 and EN3 of the Strategic Policies and Land Allocations DPD; Policies DM29, DM30, DM37, DM38, DM39 and DM46 of the Development Management DPD, and Sections 12 and 16 of the NPPF:)**

5.2.1 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. Any harm (substantial or less than substantial) to such elements will only be permitted where this is clearly justified and outweighed by the public benefits of the proposal. This is reiterated by the relevant heritage policies in the Development Plan DPD.

5.2.2 The proposed location of the package treatment plant is located to the rear of the building approximately 3.25m away. The plant is relatively minor in scale with the majority of it contained below ground with only a small section visible above. The tank will also be surrounded by small scale shrubs/hedgerows which will provide further screening resulting in it appearing unobtrusive when passing along The Lane. Details of the finished colour have not provided but this can be conditioned to ensure a sensitive and appropriate finish. For these reasons, it is considered that the character of the listed building and wider Conservation Area will be preserved.

5.2.3 The Conservation Officer raised no objection to the principle of the development and foresaw no issues in terms of the setting of the listed building. They did seek clarification over the connection between the plant and listed building, but this is considered to fall outside of the remit of a full planning application but may require a further listed building consent application.

5.3 **Drainage/waste water (Policies DM29, DM35 and DM36 of the Development Management DPD and Section 12 of the NPPF)**

5.3.1 Policy DM35 requires new development to adhere to the National Planning Practice Guidance for sewerage infrastructure, which includes the following prioritised hierarchy:

- A. Connection to the public sewer;
- B. A package sewerage treatment plant; or lastly
- C. The provision of septic tanks.

There are no public sewers in Sunderland Point, so this remains an unviable option. As such, the proposal conforms to the waste water treatment hierarchy outlined above. The plant will connect to a new 100mm pipe which will connect to the existing 100mm field drain, approximately 120m to the south. This existing drain extends 150m to the east and connects to Morecambe Bay/River Lune.

The plant is relatively minor in scale and the utilities statement anticipates that usage will equate to less than a single dwelling (6 persons). No details have been provided of the proposed outfall to the existing watercourse, but it is not expected to be significant given the small scale of both the building and plant. The plant's location away from neighbouring properties will ensure that any noise and odour will not be detrimental to the amenity of the area or surrounding properties. The Council's Engineers department raised no objection to the scheme but requested the inclusion of a condition requiring a foul water drainage layout plan, details of the proposed outfall to the existing watercourse

and details of any works required to ensure adequate discharge of treated foul water without causing flooding or pollution. Officers are in agreement with such a condition to be imposed.

As reasoned above, the proposal follows the prioritised hierarchy outlined in DM35 and with the inclusion of the condition listed above, the Council can be reasonably satisfied that the proposal will result in an effective and efficient disposal of wastewater and will not have a detrimental impact on water run-off into nearby waterways.

5.4 **Biodiversity and internationally designated sites (Policy SP8 of the Strategic Policies and Land Allocations DPD; Policies DM36 and DM44 of the Development Management DPD and Section 15 of the NPPF)**

5.4.1 The application site lies approximately 150m away from the European designated sites of Morecambe Bay and the Lune Estuary which is designated as a Special Protection Area (SPA), Special Area of Conservation (SAC), Ramsar site and Site of Special Scientific Interest (SSSI). As a result of the proximity of the application site to these designated sites, a proportionate Habitats Regulations Assessment (HRA) is required to assess any impacts from the proposal on these protected sites, this report is contained within a separate document and has been sent to Natural England for comment.

5.4.2 The report concluded given the small scale of the development and building that it serves, it is unlikely to have any significant impacts on these protected sites even when considering the in combination effects. As the proposal would not result in any significant impacts on these protected sites, it is considered that likely significant affects can be ruled out and as such, an Appropriate Assessment is not required.

5.4.3 The site is within 60m of two ponds and as per the Council's Validation Guide a Great Crested Newt (GCN) Survey is required. This is proportionate to the scale and scope of the development. The survey concluded that given the below average pond suitability, landscape fragmentation and poor terrestrial habitat adjacent to the pond, the risk of the use of ponds by GCN is very low.

5.4.4 Nevertheless, the survey included a rapid risk assessment tool issued by Natural England which assumes that GCN are present in both ponds. Even in the unlikely event that GCN were present in both ponds, the assessment concluded that the likelihood of committing an offence is highly unlikely. Even though the risk assessment states an offence is highly unlikely, the report included a number of mitigation measures to reduce the risk even further. By conditioning these measures the LPA can be reasonably satisfied that the proposal will not have an adverse effect on this protected species and therefore complies with policy DM44.

5.4.5 Natural England requested further information in the form of drainage details and have been consulted on amended plans. A written update will be provided once the response from Natural England has been provided. It is considered that these details would be covered by the condition requested by the Council's Engineers department and Natural England would be able to be consulted as part of any discharge of condition submission.

5.5 **Other matters**

5.5.1 A number of comments have been received by the LPA relating to the listed building and conservation area, residential amenity drainage and biodiversity and these have been considered in the paragraphs above.

5.5.2 In relation to the other comments, it should be noted that this application simply relates to the installation of a package treatment plant and not any perceived future use. Many of the comments relating to parking, highway safety, the use of the building, existing toilet facilities in the vicinity are not material considerations in the determination of this planning application.

5.5.3 Comments relating to improper information on the form and plans have been noted and this has been corrected through the course of the planning application. Once this became clear, the application was made 'invalid' and consultee and neighbours were reconsulted once the additional information was provided. The agent has also confirmed that notice has also been served on the relevant land owners. Comments relating to the gate are again not particularly relevant to this

planning application. The application does not mention any alterations to the access or parking arrangements, nor is it mentioned in the description of the works.

5.5.4 The application has been submitted with the associated listed building application (21/01588/LB) in order to facilitate the internal changes. Consequently, comments relating to the prematurity and lack of justification of this application are considered to be unfounded. Finally, any increase from surface water run-off is considered to be de-minimus and as such will not have any significant impacts on the surrounding area.

6.0 Conclusion and Planning Balance

6.1 In conclusion, the proposal will have a neutral impact on the character of the listed building and wider conservation area. The proposal also follows the prioritised drainage hierarchy and will help facilitate the conversion and long term future of the listed building. Finally, subject to the conditions outlined in the report, the proposal will not have any significant impacts on the European designated sites. Consequently, the proposal is considered to comply with the local plan and national policies when read as a whole and is therefore recommended that the committee members approve the application.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Timescales	Control
2	Development to accord with plans	Control
3	Prior to installation details of finish/colour	Pre-commencement
4	Prior to installation details of foul drainage system	Pre-commencement
5	Protected species mitigation measures	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	21/01588/LB
Proposal	Listed Building application for internal alterations to provide kitchen and wc`s including new treatment plant, reset floor levels, works to ceiling, insulation, new partition doors, architraves, skirting and relocation of wall panel
Application site	Sunderland Point Mission Heritage Centre The Lane Sunderland Point Morecambe Lancashire LA3 3HS
Applicant	Mr Brian Holmes
Agent	Mr Nigel Atkinson
Case Officer	Ms Charlotte Greenhow
Departure	No
Summary of Recommendation	Approval

(i) Procedural Matters

This form of development would normally be dealt with under the Scheme of Delegation. However, given that the concurrent application for the installation of a sewage treatment plant (ref: 22/00284/FUL) has been called into committee and these two applications are inextricably linked, this application has also been brought forward to be determined by the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 Sunderland Point Mission Heritage Centre is a Grade II listed former mission church dating back to 1894. The building was designed by Austin and Paley and illustrates the process of spreading the Church of England mission to remote coastal locations during the late 19th century and early 20th century. The building is rectangular in shape and has been constructed from local Claughton red brick with a Westmorland slate roof. Its use as a Church has recently ceased with the building now under the ownership of the Mission Heritage Centre Trust. The building stands as an independent structure on the south side of 'The Lane' and is bounded by open fields to the south and east. The site forms part of Sunderland Point Conservation Area.

2.0 Proposal

2.1 Listed Building Consent is sought for internal alterations to provide kitchen and wc`s including new treatment plant, reset floor levels, works to the ceiling, insulation, new partition doors, architraves, skirting and relocation of wall panel.

2.2 The application has been amended since submission following concerns raised by the Conservation Officer.

2.3 It is worthy of note that the LPA are aware of unauthorised alterations to the panelling to allow for the installation of a water supply which have not yet been addressed. The agent is aware of this and intends to submit a separate application. Failure to address these points will result in enforcement investigation and action.

3.0 Site History

3.1 Relevant planning history includes:

Application Number	Proposal	Decision
22/00284/FUL	Installation of sewage treatment plant	Pending consideration

4.0 Consultation Responses

4.1 The following responses have been received from statutory and internal consultees. The application has been publicised twice due to the submission of amended plans. Any further representations received will be verbally relayed to councillors.

Consultee	Response
Parish Council	No objection to the original works proposed. No response has yet been provided following the re-consultation.
Conservation Officer	No objection , condition for large scale details of oak panelling and oak doors recommended.
Lancaster Civic Society	Supports this application to bring a near-derelict listed building back into community use.

4.2 Public representations – 55 letters of objection and 14 letters of support have been received as part of this application. These are summarised as follows. It is noted that some of these letters are reiterations of original concerns following receipt of amended plans received on 20th and 23rd May 2022.

4.3 Letters of support:

- This will be a great asset to Sunderland Point
- This is a positive change to the Mission Centre
- To bring this building up to modern standards will make this a great asset, instead of allowing a listed building to become derelict
- Its lovely to see this church holding is rightful place within the community
- These plans will rejuvenate an historic community asset and ensure it remains available for future generations
- The building would otherwise become overlooked, under used and fall into decay
- The new facilities will help to attract tourists

4.4 Letters of objection:

- Impact on interior of Grade II listed building
- Interior fittings already removed without consent
- Concerns over parking and highway safety
- No evidence of a bat survey
- No evidence that the application has considered flood risk
- Increase in tourists / would create a tourist attraction
- No economic or social benefits
- Lack of / improper consultation
- Lack of clear and detailed Heritage Assessment
- Concerns that the site is of Special Scientific Interest and is home to a series of endangered

birds

- Not clear why toilets and a kitchen are needed
- The views of Historic England have not been sought
- A community facility already exists 225m away in the form of 'The Reading Room'
- The structural report carried out in 2017 has been ignored
- Letters of support have been submitted which do not relate to this listed building consent, but rather relate to the funding and conversion from Mission Church to Heritage Centre

4.5 Notwithstanding the above comments, it should be acknowledged that this application simply relates to works to the listed building and not the intended use. The applicant has noted that the use of the building has not changed and that the Heritage Centre will continue to run educational events, exhibitions, celebrations (including religious celebrations) and performances for the benefit of residents, the local community and visiting public. As such, a change of use application has not been applied for. However, should the use of the building change, this would require planning permission and may be investigated by the Enforcement Team for further action.

5.0 Analysis

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

- Impact on Listed Building and Conservation Area
- Impact on bats

5.2 **Impact on Listed Building and Conservation Area (Sections 16 and 72 of the Listed Buildings and Conservation Area Act; Policy SP7 of the Strategic Policies and Land Allocations DPD; Policies DM29, DM30, DM37, DM38, DM53 of the Development Management DPD, and Sections 12 and 16 of the NPPF:)**

5.2.1 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. Any harm (substantial or less than substantial) to such elements will only be permitted where this is clearly justified and outweighed by the public benefits of the proposal. This is reiterated by the relevant heritage policies in the Development Plan DPD.

5.2.2 The revised submitted heritage, design and access statement outlines the aims of the proposed works. It is stated that the proposals have been put forward by the Trustees as the minimum requirement using the available funding and aim to provide facilities not previously provided within the building over the previous century. These developments include the provision of two WCs, a small kitchen area, new partition ceilings and walls, new matching framed doors in Oak natural finish, and resetting of the uneven floor.

5.2.3 The Councils Conservation Officer has offered detailed advice throughout this application resulting in the location of the kitchen area and WC's being moved from the rear of the building to the front. Following receipt of these amendments, the Conservation Officer has raised no objections to the scheme citing that the alterations are relatively low key and would enable the building to be understood in terms of its historic use. In addition, the proposed improved facilities will allow the building to become a valuable resource for the local community and given the rich local heritage and ecology in the area, and the nature of the former use of the building, the proposals seem entirely appropriate. However, a condition for large scale details of the new oak panelling and new oak doors is recommended, in the interest of the appearance and character of the listed building.

5.2.4 In terms of the above, the proposed alterations are considered to result in less than substantial harm to the historic fabric of the building. Any harm will only be permitted where this is clearly justified by the public benefits of the proposal. Given that the former church services have recently ceased and that the proposals seek to bring the building back into viable public use, the less than substantial harm caused to the building is considered justified in this instance. Furthermore, whilst some of the internal character of the building will be lost, the proposed alterations are considered to be simple

and sympathetic additions to the style and appearance of the building. It is also noted that the alter rail and furniture which have been removed/relocated were freestanding and therefore did not form part of the listed fixtures and fittings.

5.2.5 The concerns raised within the letters of objection relating to impact of the proposals on the fabric and visual amenity of the building have also been noted. However, for the reasons noted above, which includes the public benefit of bringing this building back into viable use and the proposed alterations which are considered to result in less than substantial harm to the character and appearance of the listed building, the proposed internal works are considered acceptable in this instance.

5.2.6 Consequently, the proposed internal works are considered to comply with Policies DM37 and DM38 of the Development Management DPD, Sections 16 and 72 of the Listed Buildings and Conservation Area Act, and Sections 12 and 16 of the NPPF.

5.3 **Impact on bats (Policy DM29 of the Development Management DPD, Section 15 of the NPPF, and Conservation of Habitats and Species Regulations 2017)**

5.3.1 Regulation 9 of 'The Conservation of Habitats and Species Regulations 2017' states that the "competent authority must exercise their functions which are relevant to nature conservation... so as to secure compliance with the requirements of the [Habitats] Directives". Accordingly, competent authorities must consider the Directives in making decisions relating to any of their planning functions.

5.3.2 Several letters of objection raise concerns that the application has not been accompanied by a bat survey. Whilst this would usually be required for a building of this age, it is noted that the building benefits from visible high vaulted ceiling inside and thus bats are unlikely to nest here. Furthermore, other than the creation of new ceilings above the proposed WC, no works are proposed to the existing roof. A distance of approximately 0.75m would remain between the proposed WC ceiling and existing roof eaves. It is therefore not considered that the proposals would affect the use of a roost site.

5.4 **Other Matters**

5.4.1 A number of comments have been received by the LPA relating to the impact of the works on the listed building and impact on roosting bats, and these have been considered in the paragraphs above.

5.4.2 In relation to the other comments, it should be noted that this application simply seeks listed building consent for the works proposed and not any perceived future use. As such, comments relating to parking, highway safety, impacts on residents, flood risk, use of the building, influx of visitors, existing community facilities, and wider site designations are not material considerations in the determination of this application.

6.0 Conclusion and Planning Balance

6.1 In conclusion, the proposed internal works are considered to result in some less than substantial harm to the character, appearance, and fabric of the Grade II listed building. However, this harm is considered to be outweighed by the overall public benefits of bringing the building back into long-term viable use for the local community and visiting public. Consequently, subject to the pre-commencement condition for large scale details of new oak panelling and oak doors, the proposed internal works are considered acceptable and comply with Policies DM37 and DM38 of the Development Management DPD, Sections 16 and 72 of the Listed Buildings and Conservation Area Act, and Sections 12 and 16 of the NPPF.

Recommendation

That listed building consent BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Standard LB timescale	Control
2	In accordance with amended plans	Control
3	Prior to their installation, submission of large-scale details of new oak panelling and oak doors	Pre-commencement

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	Change of use of dwelling (C3) to small HMO (C4)
Proposal	22/00417/CU
Application site	17 Patterdale Road Lancaster LA1 3HN
Applicant	Ms Jade Willman
Agent	N/A
Case Officer	Ms Charlotte Greenhow
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 was called in by Councillor Hamilton-Cox who requested the application to be determined by the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 The application site relates to a two storey mid-terrace property located at 17 Patterdale Road, Lancaster. The property has a dashed exterior, under a tile pitched roof, and white upvc windows throughout. A moderately sized private garden is located to the rear with a detached garden outbuilding/store. Parking is available on street only. The surrounding area is residential in character with a mix of neighbouring properties in terms of style, age and design.

2.0 Proposal

2.1 Planning permission is sought for the change of use of dwelling (C3) to small HMO (C4). Internal alterations include the conversion of the ground floor dining room to a bedroom and the conversion of the existing small first floor bedroom to a study. There will be a total of 3 bedrooms. The existing outbuilding will be converted into a bin store and cycle store.

2.2 Note: the conversion of the small first floor bedroom to a study was requested by the Case Officer. The size of this room would not meet the recommended space standards for a bedroom as highlighted in Appendix B of the Residential Conversions and Houses in Multiple Occupation SPD

3.0 Site History

3.1 No previous applications relating to this site have been received by the Local Planning Authority.

4.0 Consultation Responses

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

Consultee	Response
Property Services	No response
Lancaster University	No response
University of Cumbria	No response
Policy Team	HMO density map provided, but no response otherwise
Environmental Health	No response
County Highways	No objections , the proposal should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site.
Canal and Rivers Trust	No comment

4.2 No public representations have been received.

5.0 Analysis

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

- Principle of development
- Standard of accommodation
- Impact on amenity
- Highway safety

5.2 **Principle of development** (NPPF Section 2 (Achieving sustainable development); Policy DM13 (Residential Conversions) of the Development Management DPD)

5.2.1 On the 10th of November 2021 the Council adopted an Article 4 Direction removing permitted development rights for the change of use of a dwellinghouse (use class C3) into a small house in multiple occupation (HMO, use class C4). The site falls within the boundary of this Direction, and for this reason, planning permission is required for the change of use of this dwellinghouse into an HMO.

5.2.2 Policy DM13 of the Development Management DPD sets out the Councils approach to residential conversions. As part of this, proposals which would lead to a concentration of more than 10% of houses being classed as HMOs within a 100m radius will not be considered acceptable. The HMO density within 100m of the application site is presently 0%. The principle of the change of use is therefore acceptable, subject to other matters being satisfactorily addressed.

5.3 **Standard of accommodation** (NPPF Section 12 (Achieving well-designed places); Policy DM29 (Key design principles) of the Development Management DPD, and Appendix B (Standards for HMO's) of the Residential Conversions and Houses in Multiple Occupation SPD)

5.3.1 As outlined in Appendix B of the Residential Conversions and Houses in Multiple Occupation SPD, all bedrooms must be a minimum of 9sqm without an en-suite, all kitchens/diners must not serve more than six residents, all bathrooms must be a minimum of 3.7sqm, and one bathroom must be provided for every three bedrooms.

5.3.2 The proposed change of use will include three double bedrooms (two at the first-floor level and one at the ground floor level), all of which exceed the minimum 9sqm requirement. The existing small first-floor front bedroom, which only measures approximately 7.7sqm, will be converted into a separate study area for all residents to use. This was requested by the Case Officer, as it was considered that the room would not meet the recommended standards as stipulated above and therefore would not be acceptable for use as a bedroom.

- 5.3.3 The main bathroom measures approximately 3.2sqm. Whilst this is slightly short of the minimum 3.7sqm, given that the property benefits from an additional WC and that these will both be shared by three residents, on balance, the bathroom provision is considered acceptable.
- 5.3.4 The kitchen area can accommodate a sink, fridge/freezer, and adequate work surface area, and the separate living room allows for additional living accommodation. The property also features windows within all habitable rooms allowing for adequate natural light and outlook. The standard of accommodation for a three-person, three-bedroom HMO is therefore considered acceptable.
- 5.4 **Impact on amenity** (NPPF Section 12 (Achieving well-designed places); Policy DM29 (Key design principles) of the Development Management DPD)
- 5.4.1 Whilst the property would be occupied by students or young professionals, it would still function as a standard dwellinghouse. No extensions or external alterations are proposed, and none of the existing windows result in overlooking. As such, the change of use of dwelling to small HMO would not result in any further impacts on residential amenity.
- 5.4.2 The Residential Conversions and Houses in Multiple Occupation SPD states that provision must be made for refuse storage with suitable access from the internal space and to the street without having an adverse impact on the street scene. The proposed development includes a bin storage area within the existing outbuilding to the rear. Access can be gained via the shared snicket between the host dwelling and adjoining neighbour no. 15. This is therefore acceptable as the bins would be easily accessible and not visible from within the street scene.
- 5.4.3 The SPD also states that residents should feel safe accessing the building and feel safe when residing within it. Therefore, all access points must be secured with appropriate levels of security including lighting, natural surveillance, locks and potentially CCTV. The property is located within a fairly busy residential area with streetlights, bus stops and services/facilities in close proximity. As such, it is considered that the site benefits from adequate natural surveillance. In addition, it is deemed that all doors will feature locks (as per typical residential dwellings) and the rear garden can only be accessed via a locked gate.
- 5.5 **Highway safety** (NPPF Section 9 (Promoting sustainable transport); Policy DM61 (Walking and Cycling) of the Development Management DPD)
- 5.5.1 The application site is located within a busy residential area with no off-street parking spaces. Limited parking is available on street for all surrounding houses. Whilst far from ideal, given that there would be no increase in bedrooms, the proposed change of use is considered to have neutral impact on highway safety and capacity. This is echoed by County Highways who raise no objections.
- 5.5.2 Furthermore, given the nature of the HMO, it is not considered that the occupiers would be heavily reliant on cars. The site is located within a sustainable location on the outskirts of Lancaster City Centre with a number of facilities, including two supermarkets in close proximity. Lancaster City Centre is an approx. 10-minute walk away and regular bus services to and from the City Centre run directly outside the property. As such, it is not considered that the proposed change of use would adversely impact upon the surrounding highway network.

6.0 Conclusion and Planning Balance

- 6.1 In conclusion, the proposed change of use of dwelling (C3) to small HMO (C4) as amended would not result in a disproportionate number of HMOs within a 100m radius, would only serve three individuals and therefore meet the recommended space standards, and would have no further impacts on residential amenity or highway capacity than that of a typical dwellinghouse. The change of use is therefore considered acceptable and would comply with policies DM13, DM29 and DM61 of the Development Management DPD.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Standard Planning Permission Timescale	Control
2	Development in accordance with approved plans	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 decision 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 decision 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	22/00626/CU
Proposal	Change of use of a mixed use building comprising a ground floor office (E) and first floor bar with micro-brewery (sui generis) to bar with micro-brewery (sui generis) on both floors and change of use of 4 parking spaces to beer garden area
Application site	The Old Stables And Charter House Car Park, Bulk Street, Lancaster. Lancashire
Applicant	Mr Mike Dent
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 Charter House Car Park 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 the property known as The Old Stables and the small area of car park immediately to the west of the property. The Old Stables 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 was used as an office and computer repair business up until recently when it ceased use in January 2022. The first floor of The Old Stables 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 to change the ground floor of The Old Stables from an office to a bar and microbrewery and retain the bar and microbrewery to the first floor. The entire building will be used

as one business. The ground floor will provide additional seating for the bar and micro-brewery, with a dedicated area within the foyer for pick-up of orders that have been made online. There are no alterations proposed internally or externally to facilitate the change of use.

2.2 The proposal includes the change of use of 4 parking spaces within the existing car park to form a 100sqm beer garden area associated with the adjacent microbrewery and pub within 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 enclosure whilst the existing raised planting beds and stone walls will form the enclosure to the southern and western boundaries. The use of the 4 car parking spaces to be used as a beer garden has previously been granted two temporary consents for a period of just under two years.

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
21/01385/CU	Change of use of 4 parking spaces to beer garden area until 31st December 2022	Permitted
19/01033/CU	Change of use of 4 parking spaces to beer garden area	Permitted
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
Property Services	No comments received at the time of compiling this report.
Parking and Administration	No comments received at the time of compiling this report.
Environmental Health	No comments received at the time of compiling this report.
Licensing	No comments received at the time of compiling this report.
Lancashire Constabulary	No comments received at the time of compiling this report.
Conservation Officer	Not providing heritage comments on this application.
County Highways	No objections to the planning application and is of the opinion that the proposed development should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site.
Lancaster Canal Trust	No comments received at the time of compiling this report.
Arboricultural Officer	No objections the lime trees that border the outside area create dense shade, sitting low over the parking spaces and engulfing the lighting column. If the beer garden were to be formalised some remedial pruning would be required.
Canal and River Trust	No comments to make

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
- Parking and Highways
- 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; DM22: 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 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 microbrewery/pub which the proposed change of use of the ground floor of The Old Stables and the 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 utilising the ground floor of the property for the existing business of the microbrewery/pub and of a beer garden will contribute to the continued growth of this business and will provide economic and social benefits. In addition to this, the micro-pub business has been impacted by the prolonged periods of lockdown in the last couple of years. The provision of additional seating and providing a takeaway service to the ground floor and allowing the beer garden on a permanent basis, would allow the business to evolve and expand on what has been a difficult couple of years. The proposed expansion of the business 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 The previous two planning applications have only allowed temporary consent for the proposed beer garden, due to the convoluted access from the first floor business to the beer garden, where Patrons would have had to walk from 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 patrons and vehicles. Together with the two business uses of the microbrewery/pub and the computer repairs business, although operated at separate times of the day, were inter-related by virtue of the shared access from Bulk Road and internal layout. Therefore the layout and access arrangement and relationship between the two uses was such that the proposal for the beer garden would not be acceptable on a permanent basis.

5.2.4 However, planning permission is now sought for the change of use of the ground floor into additional pub space for the existing business, as well as the permanent change of use of four car parking spaces for the beer garden, therefore allowing the property and area to the west of the building to be used as one business and planning unit. The proposal would facilitate the recovery of a small business from the impacts of the response to the Covid-19 pandemic as well allowing the business to expand and evolve by providing additional services. This will secure benefits in terms of the business itself, but also more broad economic benefits through encouraging footfall within the city centre and social benefits by allowing more space inside and outside of the building for patrons of the business. As a result, it is considered that there would be significant economic and social benefits in granting planning permission.

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 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. No comments have been made on the proposal from the Conservation

Officer at the time of compiling this report. However the proposal will lead to a level of harm to the setting of both the Conservation Area and non-designated heritage assets (NDHA). 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, minimalist barriers/chains and timber planters, all of which will appear appropriate in the site context. 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.

5.4 **Parking and Highways** (NPPF Section 9: Sustainable Transport; Policies DM60: Enhancing Accessibility and Transport Linkages, DM62: Vehicle Parking Provision)

5.4.1 The disabled spaces, electric vehicle charging spaces, pool car spaces and bicycle spaces within Charter House car park are to be unaffected by the proposal. With surrounding public car parks offering alternative car parking provision, the permanent loss of 4 standard spaces at this car park is of no particular concern. In addition, since the Council declared a Climate Emergency in 2019, there is a desire to move away from the use of private motor vehicles in favour of sustainable transport options to access the city centre. The site is within easy reach of bus and cycling routes.

5.4.2 The Highway Development Control Section of Lancashire County Council has no objections to the planning application and is of the opinion that the proposed development should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site. Due to the site's sustainable location with good access to public transport and public car parks, the County Highways Officer is of the opinion that the loss of 4 parking spaces to a beer garden area for a permanent period is acceptable from a highway's perspective.

5.5 **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)

5.5.1 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.

5.5.2 No representations have been received from Lancashire Constabulary at the time of compiling this report. However they have commented on the previous application and made recommendations regarding safety measures including surveillance, lighting, secure fixings and perimeter barriers. The advice obtained from Lancashire Constabulary on the previous application will be shared with the applicant if the application is successful. The site already has CCTV to the front and rear of the building as well as adequate lighting. As part of the proposal a 'cafe barrier' will demarcate the beer garden from the rest of the car park. The premises also operates a restricted opening schedule as controlled by the premises licence. Overall, the change of use of the ground floor as additional space

for the existing business of the pub is a positive of the proposal as there will no longer be conflicts between patrons and vehicles with the previous convoluted access from the building to the beer garden.

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 the business has been significantly impacted as a result of the ongoing Covid-19 pandemic and the provision of additional seating to the ground floor of the property for the micro-brewery/pub and the beer garden would contribute towards the recovery and expansion of the business moving forward, which is clearly supported by the City Council. The proposal overcomes concerns that were raised on the previous two planning consents with regards to a convoluted internal arrangement and concerns about patrons’ safety and security due to no direct access from the beer garden back into the building. Therefore it is recommended that the application is approved.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Standard 3 Year Timescale	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	A13
Application Number	22/00596/FUL
Proposal	Erection of a two storey side extension, single storey rear extension, and front porch extension, construction of a dormer extension to the rear, and creation of an access, dropped kerb and driveway
Application site	136 High Road Halton Lancaster Lancashire
Applicant	Mr Marcin Tkaczyk
Agent	Mr Sam Edge
Case Officer	Mr Patrick Hopwood
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 the landowner of the grass verge is Lancaster City Council, the application must be determined by the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 The property which forms the subject of this proposal is a two-storey end of terrace dwelling, located at 136 High Road, Halton. The property is dash rendered, with UPVC windows underneath a slate roof. The application site benefits from a large garden space which wraps around the front, side and rear. The property does not feature any existing off-road parking.

1.2 The property is set back from High Road, a C-class road, with City Council-owned grassland between.

2.0 Proposal

2.1 This application seeks consent for the erection of a two-storey side extension, single storey rear extension, and front porch extension, construction of a dormer extension to the rear, and creation of an access, dropped kerb and driveway.

2.2 This application is a resubmission of previously approved 21/01024/FUL which is set out in the site history below. This resubmission involves alterations to the roof of the approved extension to accommodate a dormer, and the addition of a front porch and driveway access.

2.3 The two-storey side element will measure 3m projection to the east, measuring approx. 6.7m in

length, 5.2m to the eaves and 7.8m to the ridge. The single storey rear extension will measure a maximum projection of 4m, a width of 8.5m, with an eaves height of 2.4m and a maximum height of 3.4m. The extension will feature a chamfered corner to the west in order to respect the 45-degree line from the rear elevation of 134 High Road. An oak framed front porch with adjoining open canopy and rear box dormer in hung slates (approx. 5.4m wide) are also proposed. Slates will match existing and the extensions will be rendered to match the main house.

2.4 The proposed driveway measures approx. 3m wide and 8m in length, and will be completed to the requirements of Lancashire County Council. The parking area provides parking and turning for two cars.

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
21/01024/FUL	Erection of a two storey side extension and erection of a single storey rear extension	Approved

4.0 Consultation Responses

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

Consultee	Response
Parish Council	No response received.
County Highways	No objection , the proposals should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site. Requests conditions for surfacing, EV charging and visibility splays. Section 184 agreement required.
Property Services	Would not consent to City Council owned land being developed as is part of adopted highway. Not surplus to requirements at time of original enquiry. No objection to extensions.

4.2 No public comments have been received at the time of writing this report. Any further consultee or public comments will be summarised by way of a verbal update.

5.0 Analysis

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

- Design
- Residential Amenity
- Highways

5.2 Design (NPPF Section 12; Policy DM29 of the Development Management DPD)

5.2.1 The extensions are broadly similar to those approved previously, which whilst large was scaled down from the plans first proposed. The use of a lower ridge height and setback for the two storey element helps the extension appear subservient when viewed from the street. With this resubmission, a gable ended roof was original proposed, however this has been amended to a hipped roof to match the existing property and reduce harm to the terrace and wider streetscene. Whilst the pitch of the extension is slightly off compared to the main roof, this is not a significant design issue. Rear dormers often fall under Permitted Development, however this proposal must be assessed as a single construction operation. The dormer has been reduced slightly in scale and is now considered to accord with the recommendations of the LPA's Householder Design Guide.

5.2.2 The parking area has been reduced slightly in scale to mitigate its visual impact.

5.3 **Residential Amenity** (NPPF Section 12; Policy DM29 of the Development Management DPD)

5.3.1 The two storey element is sufficiently set back from the boundary with the bungalows on Harrowdale Park such that the extension is not considered to have any significant overbearing impacts. With the angled corner to the single storey extension, the development does not breach the 45 degree rule used to assess overshadowing. Windows will largely overlook the applicant's own gardens, and overall the proposal raises no significant concerns in relation to amenity.

5.4 **Highways** (NPPF Section 9; Policies DM29 and DM62 of the Development Management DPD)

5.4.1 Policy DM29 expects proposals to incorporate safe access to the highway network and DM62 sets out requirements for off-street parking spaces. Currently the property has no off-street parking with vehicles parked on the surrounding highway network. The proposal will provide two spaces with the existing curtilage and allow cars to enter and leave the site in a forward gear.

5.4.2 County Highways have no objections to the new access, and conclude that the proposals should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site. They have requested conditions to ensure that the parking and turning areas remain available for their intended uses, details of the surfacing materials, provision of EV chargers and control of visibility splays. They also note that a Section 184 agreement will be required.

5.4.3 The control of the parking areas and surfacing materials can be conditioned, to ensure that the parking-spaces are available (particularly given the increased number of bedrooms the extensions will result in) and the surfacing materials can also be conditioned to ensure that loose materials are not dragged onto the highway detrimental to highways safety. It is understood that any drainage required will be assessed by County Highways separately under the Section 184 agreement. Given that this is an application for works to an existing dwellinghouse, a condition for EV charging is not deemed reasonable or necessary, and would fail to meet the requires tests set out in Paragraph 56 of the NPPF. The condition for the visibility splay to remain obstruction-free, in this instance, could not satisfactorily enforced by the LPA therefore failing the aforementioned tests, so it is also recommended that this condition is omitted from the decision notice.

5.4.4 It is noted that the owner of the land which the driveway will cross say they would not consent to the land being developed, however this is a private legal matter between the two parties and has no bearing on the planning decision.

6.0 Conclusion and Planning Balance

6.1 The principle of extensions on this property have been established through the previous application, and the addition of the rear dormer and front porch are considered to be broadly acceptable in both design and amenity terms. The creation of an access and driveway will enable the development of off-street parking spaces, which will be an improvement on the existing parking situation. On balance, the proposal is considered to comply with the relevant local and national polices and as such is recommended for approval.

Recommendation

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

Condition no.	Description	Type
1	Standard three year timescale	Control
2	Development in accordance with plans and details	Control
3	Materials to match	Control
4	Parking areas, driveway and surfacing	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

LANCASTER CITY COUNCIL

APPLICATION NO	DETAILS	DECISION
19/00020/FUL	Pure Leisure Group, South Lakeland Leisure Village, Borwick Lane Part retrospective application for the change of use of former quarry for the siting of 138 holiday lodges with associated access roads, sales display area, play area, car parks and landscaping for Mr Stott (Warton Ward 2015 Ward)	Application Refused
21/00111/DIS	Land To The Side Of Former Police Station, Grosvenor Road, Carnforth Discharge of conditions 3, 4 and 5 on approved application 18/01308/FUL for Mr Daniel Livesey (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
21/00572/PLDC	Red Bank Farm, The Shore, Bolton Le Sands Proposed lawful development certificate for the use of land at Red Bank Farm as a caravan site without limitation for Mr A Archer (Bolton And Slyne Ward 2015 Ward)	Application Withdrawn
21/00654/LB	1 Old Hall Farm, Kirkby Lonsdale Road, Over Kellet Listed building application for the partial demolition of rear outrigger, structural remedial works to external walls, re-pointing of stonework and removal and rebuilding of south west stone wall for Mr Mark Drinkall (Kellet Ward 2015 Ward)	Application Refused
21/00662/FUL	Upper Ashleys, Millhouses Road, Tatham Creation of a new access and installation of a gate for Mrs Lisa Oliver-Hannis (Lower Lune Valley Ward 2015 Ward)	Application Refused
21/01350/FUL	Low House Farm, Low House Lane, Cowan Bridge Part retrospective application for the change of use of agricultural land to caravan site for the siting of 6 touring caravan pitches, 2 timber camping pods, erection of a facilities building, alterations to existing access, areas of hardstanding and internal track and installation of a package treatment plant for Robin Caton (Upper Lune Valley Ward 2015 Ward)	Application Refused
21/01465/FUL	13A Brock Street, Lancaster, Lancashire Change of use of first, second and third floor offices (Class E) to 3 self-contained studio flats (Class C3) for student accommodation, construction of a dormer to the rear elevation, installation of a window to the side elevation and construction of a cycle store to the rear for Omarmayar Ltd (Castle Ward 2015 Ward)	Application Permitted
21/01507/FUL	50 King Street, Lancaster, Lancashire Change of use of ground floor hot food takeaway and first floor flat to form a 5-bed HMO (C4), removal of shop frontage and installation of replacement entrance door and window, widening of rear doorway, installation of replacement windows and doors to the rear and a roof vent to the front and rear elevation for Mr Wah Ho Tang (Castle Ward 2015 Ward)	Application Refused

LIST OF DELEGATED PLANNING DECISIONS

21/01508/LB	50 King Street, Lancaster, Lancashire Listed building application for the removal of shop frontage and installation of replacement entrance door and window, installation of secondary glazing to first and second floor front windows, widening of rear doorway, insertion of new door and window to the rear and installation of replacement windows and doors to the rear, and a roof vent to the front and rear elevation, removal of flue and installation of roof vent to the front and rear elevation and internal works to include insulated plasterboard to walls and ceiling and removal and installation of partition walls for Mr Wah Ho Tang (Castle Ward 2015 Ward)	Application Refused
21/01535/FUL	1 Anstable Road, Morecambe, Lancashire Change of use and conversion of mixed use premises comprising of ground floor distribution centre (B8) and first floor 1-bed flat (C3), to one 2-bed bungalow and one 3-bed two storey house, with landscaping and associated parking for Mr Lee Turton (Bare Ward 2015 Ward)	Application Permitted
22/00056/DIS	Pear Tree Cottage, Borwick Lane, Borwick Discharge of condition 3 on approved application 21/00970/LB for Ms C. Waine (Kellet Ward 2015 Ward)	Application Permitted
22/00064/DIS	Proposed Pumping Station, Caton Road, Quernmore Discharge of condition 5 on approved application 21/01405/FUL for Lancaster City Council (Lower Lune Valley Ward 2015 Ward)	Application Permitted
22/00066/FUL	First To Third Floor Flat, 10 Damside Street, Lancaster Construction of a dormer extension and the installation of one rooflight to the rear elevation for Mr Adrian Burt (Bulk Ward 2015 Ward)	Application Permitted
22/00070/DIS	25 Scotforth Road, Lancaster, Lancashire Discharge of condition 4 on approved application 21/00903/CU for Mr C Elderton (Scotforth West Ward 2015 Ward)	Application Permitted
22/00071/DIS	Land South Of Willow House, Bailrigg Lane, Lancaster Discharge of conditions 3, 4, 5 and 7 on approved application 21/00303/VCN for Mr Elliott Sansom (University And Scotforth Rural Ward)	Application Permitted
22/00072/DIS	Land North Of 120, Newlands Road, Lancaster Discharge of conditions 18 and 19 on approved application 09/00934/FUL for Mr R. Howard (John O'Gaunt Ward 2015 Ward)	Application Withdrawn
22/00073/DIS	Bankfield House, Whitebeck Lane, Priest Hutton Discharge of conditions 4 on approved application 21/01337/LB for Dr Christopher Heginbotham (Kellet Ward 2015 Ward)	Application Permitted
22/00079/DIS	Woodend Stables, Kirkby Lonsdale Road, Halton Discharge of conditions 3,5,6,7 and 8 on approved application 21/01268/FUL for Mr D McGowan (Kellet Ward 2015 Ward)	Application Permitted
22/00106/FUL	Low Greenlands Holiday Park, Burton Road, Priest Hutton Demolition of pigeon loft and erection of three holiday lodges and associated landscaping for Mr L Astin (Kellet Ward 2015 Ward)	Application Refused

LIST OF DELEGATED PLANNING DECISIONS

22/00169/LB	St Leonards House , St Leonards Gate, Lancaster Listed building application for installation of internal cooling units to existing ventilation system and external condenser units for Mr Jack Talbot (Bulk Ward 2015 Ward)	Application Permitted
22/00197/FUL	The Warehouse, Saltoake Road, Bay Horse Change of use of existing building from storage & distribution (B8) to dwelling house (C3), erection of a single storey side extension, alterations to doorways and windows, installation of solar panels to the south west elevation, and associated landscaping for Mrs P Smith (Ellel Ward 2015 Ward)	Application Permitted
22/00202/FUL	145 Lancaster Road, Morecambe, Lancashire Change of use of office (Class E) to mixed use of cafe (Class E) and drinking establishment (sui generis), construction of steps and an access ramp to the front elevation, and erection of a boundary wall with railings for Mr. A. Coffey (Poulton Ward 2015 Ward)	Application Permitted
22/00246/LB	Buildings Adjacent To 43 Main Road And Land To The Front Of Pear Tree House, Nether Kellet, Carnforth Listed building application for works to partition walls, removal of internal walls, replacement of internal staircase, joists and trusses, installation of new openings, replacement roof and rooflights, erection of a single storey link extension, repair/rebuild external walls and erection of fence/gates for Mr Andrew Kirkham (Kellet Ward 2015 Ward)	Application Permitted
22/00281/LB	Lancaster Railway Station, Westbourne Road, Lancaster Listed building application for refurbishment of canopies for Network Rail (Castle Ward 2015 Ward)	Application Permitted
22/00293/FUL	Scale House Farm, Scale House Lane, Wray Part retrospective application for the erection for a side extension to an existing agricultural building to form a covered muck midden for Mr Daniel Towers (Upper Lune Valley Ward 2015 Ward)	Application Permitted
22/00294/FUL	62 The Gars, Wray, Lancaster Erection of a first floor extension to the rear elevation for MR & Mrs Denby (Lower Lune Valley Ward 2015 Ward)	Application Refused
22/00296/FUL	52 - 54 Ullswater Road, Lancaster, Lancashire Change of use of first and second floor flat to 2 2-bed flats, insertion of a door way to the side elevation, new steps to the side and installation of rooflights to the front and rear elevations for Mr M Hackett (Bulk Ward 2015 Ward)	Application Permitted
22/00304/FUL	164 Kingsway, Heysham, Morecambe Construction of a balcony with external steps to the rear for Mr Matthew Clarke (Heysham South Ward 2015 Ward)	Application Permitted
22/00381/FUL	Cotestones Farm, Sand Lane, Warton Erection of a roof structure over existing silage pit for Mr Paul Barker (Warton Ward 2015 Ward)	Application Permitted
22/00384/FUL	1 Westbourne Road, Lancaster, Lancashire Erection of a single storey side extension with associated ramp, steps and wall for T. Walker (Castle Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

22/00399/FUL	Ellel Hall, Ellel Hall Gardens, Galgate Excavation of land to form a subterranean extension to the front elevation for Mr & Miss Smith & Hewitt-Smith (Ellel Ward 2015 Ward)	Application Permitted
22/00400/LB	Buckstone House, Whitebeck Lane, Priest Hutton Listed building application for insertion of a new doorway and steps to the rear, replacement of 2 rooflights, repairs to existing masonry, installation of ensuite bathrooms on the first and second floors, installation of internal doors, removal of internal stairs, wall and window and installation of widened replacement staircase and removal of partition wall and door to eaves and installation of a replacement beam for Mr Andrew Iveson (Kellet Ward 2015 Ward)	Application Permitted
22/00407/LB	Ellel Hall, Ellel Hall Gardens, Galgate Listed building application for works to internal walls and the excavation of land to form a subterranean extension to the front elevation for Mr & Miss Smith & Hewitt-Smith (Ellel Ward 2015 Ward)	Application Permitted
22/00419/FUL	106 High Road, Halton, Lancaster Erection of a two storey side extension, demolition of existing garage and erection of a detached garden room for Mr and Mrs Surman (Halton-with-Aughton Ward 2015 Ward)	Application Permitted
22/00430/FUL	4 Edenbreck , Sunnyside Lane, Lancaster Erection of a two storey side extension, single storey rear extension, erection of a porch to the front elevation and erection of an outbuilding to the side, installation of timber cladding and re-rendering for Mrs Fiona Payne (Marsh Ward 2015 Ward)	Application Permitted
22/00445/FUL	St Leonards House, St Leonards Gate, Lancaster Installation of 8 no. external condenser units and erection of fencing for Bonnie McClements (Bulk Ward 2015 Ward)	Application Permitted
22/00477/FUL	24 Prospect Drive, Hest Bank, Lancaster Erection of a single storey rear extension for Mr A Trevvett (Bolton And Slyne Ward 2015 Ward)	Application Permitted
22/00480/LB	St Peters Church Hall, Main Street, Heysham Listed building application for the demolition and reconstruction of a retaining wall for Diocese of Blackburn (Heysham Central Ward 2015 Ward)	Application Permitted
22/00485/FUL	20 Scott Grove, Morecambe, Lancashire Demolition of existing garage and erection of an outbuilding to be used as ancillary living accommodation for Mrs Joanne English (Harbour Ward 2015 Ward)	Application Permitted
22/00490/FUL	2 Brookside Drive, Dolphinhholme, Lancaster Demolition of existing bungalow and garage and erection of a replacement dwelling with garage and store for Mr Kevin Bray (Ellel Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

22/00495/VCN	Banton Farmhouse, Chipping Lane, Dolphinholme Change of use of and conversion of attached barn into two dwellings (C3) including erection of an extension and change of use of agricultural land to associated domestic garden and change of use of and conversion of the detached barn into one dwelling (C3) including erection of a single storey link extension, installation of windows, doors, balustrades, rooflights and flues, installation of drainage and heating infrastructure, creation of new access and parking and associated landscaping (pursuant to the variation of condition 2 on planning permission 21/00135/FUL to amend the approved plans to include alterations to rooflights, layout and wall finishes, boundary treatments and surfacing of yard area) for The Duchy of Lancaster (Ellel Ward 2015 Ward)	Application Permitted
22/00496/VCN	Banton Farmhouse, Chipping Lane, Dolphinholme Listed building application to facilitate the conversion of attached barn into two dwellings (C3) including erection of an extension, replacement concrete roof tile with slates, installation of windows, doors, staircases, balustrades, rooflights and flues, construction of canopy above door, removal and re-purposing of livestock stalls, installation of partition walls and new floors, repointing works and installation of rainwater goods and conversion of the detached barn into one dwelling (C3) including erection of a single storey link extension, replacement roof materials, installation of windows, doors, rooflights, staircases, balustrades and flues, repointing works, installation of rainwater goods (pursuant to the variation of condition 2 on listed building consent 21/00136/LB to amend the approved plans to include alterations rooflights, layout and wall finishes, boundary treatments and surfacing of yard area) for The Duchy of Lancaster (Ellel Ward 2015 Ward)	Application Permitted
22/00497/FUL	Cartref, Hornby Road, Claughton Construction of a replacement 1.5m stone wall to the front elevation for Mr and Mrs Mason (Lower Lune Valley Ward 2015 Ward)	Application Permitted
22/00499/VCN	Blackpool Teaching Hospitals NHS Foundation Trust, Community Health Offices, Slyne Road Prior approval for change of use from office (E) into 13 dwellinghouses (C3) (pursuant to the variation of conditions 1 and 5 on prior approval application 21/00354/PAC to reconfigure units 1 and 3 and provide details of the bike store) for Healthcare Solutions Ltd (Skerton East Ward 2015 Ward)	Application Permitted
22/00508/FUL	52 Oxcliffe Road, Heysham, Morecambe Construction of a pitched roof to existing front porch, removal of bay window, installation of new windows/doors to the front elevation and new window to the side elevation for Mr Daniel O'Connor (Heysham Central Ward 2015 Ward)	Application Refused
22/00528/FUL	51 Low Lane, Morecambe, Lancashire Installation of a raised roof and construction of hip to gable extensions with a rear dormer extension for Mr C. Stewart (Torrisholme Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

22/00532/FUL	1 Laithbutts Lane, Nether Kellet, Carnforth Reconstruction of roof and side dormer and creation of an extended access for Mr Paul Gott (Kellet Ward 2015 Ward)	Application Permitted
22/00533/FUL	21 Mayfield Drive, Morecambe, Lancashire Demolition of conservatory, erection of single storey rear extension and construction of raised patio for Mr and Mrs Barski (Bare Ward 2015 Ward)	Application Permitted
22/00535/FUL	Brows Fold, Glasson Dock Road, Glasson Dock Erection of a first floor extension and insertion of a enlarged window to the ground floor rear elevation for Mr David Riley (Ellel Ward 2015 Ward)	Application Permitted
22/00536/FUL	The Chapel, Kirkby Lonsdale Road, Over Kellet Retrospective application for the retention of outbuilding for ancillary accommodation in association with The Chapel for Mr Glyn Painter (Kellet Ward 2015 Ward)	Application Permitted
22/00541/LB	Lancaster Castle , Castle Park, Lancaster Listed building application for external envelope repairs to the Female Felons/Work Stores/Fitters Yard elevations including; masonry repairs, repointing works, repairs to windows including removal of later security bars and mesh, refurbishment of historic security bars and replacement of broken/cracked glass panes with single glazed Tatra glass, installation of replacement windows, installation of flashings to corrugated roof, removal of redundant fixings and razor wire, painting of iron/steel bars and timber windows, replacement of plastic gutter/downpipes with cast iron and reinstatement of doorway, installation of WC, wash hand basin and partition walls within the Work Stores building for Ms Vicki Mathews (Castle Ward 2015 Ward)	Application Permitted
22/00542/FUL	Lidl , 98 Westgate, Morecambe Demolition of existing of entrance lobby and canopy and erection of a front extension to form replacement entrance, construction of a freestanding trolley bay and reconfiguration of car park for Mr D Sutcliffe (Westgate Ward 2015 Ward)	Application Permitted
22/00546/FUL	250 Willow Lane, Lancaster, Lancashire Retrospective application for the erection of a boundary fence and gates for Mr & Mrs M Hutchinson-Lyons (Marsh Ward 2015 Ward)	Application Refused
22/00552/FUL	Curwen Hill Farm, Hornby Road, Wray Erection of extension to existing silage clamp for Mr Frank Towers (Lower Lune Valley Ward 2015 Ward)	Application Permitted
22/00553/FUL	4 Quernmore Drive, Glasson Dock, Lancaster Part retrospective application for the retention of single storey rear extension, partial rebuilding of existing ground floor to the side elevation and first floor side extension above with construction of a dormer extensions to the front and rear elevations for Mr Michael Price (Ellel Ward 2015 Ward)	Application Permitted
22/00555/FUL	17 Clevelands Avenue, Morecambe, Lancashire Demolition of existing detached garage and erection of a single storey outbuilding for Mr. D. Gregory (Harbour Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

22/00557/FUL	39 Lancaster Road, Carnforth, Lancashire Installation of seven replacement windows and one replacement door to the side and rear elevations for Fiona Taylor (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
22/00558/LB	The Cathedral Catholic Primary School, Balmoral Road, Lancaster Listed building consent for the installation of replacement metal windows to the front and side elevations for Clare Barnes (John O'Gaunt Ward 2015 Ward)	Application Withdrawn
22/00564/FUL	1 Bellamy Avenue, Morecambe, Lancashire Erection of a front porch, a garage to the side elevation, and the installation of a replacement window to the side elevation for Mr S. Hamer (Harbour Ward 2015 Ward)	Application Permitted
22/00565/FUL	71 Main Street, Wray, Lancaster Partially retrospective application for installation of 2 replacement windows and 2 air grates to the front elevation for Mr Paul Ross (Lower Lune Valley Ward 2015 Ward)	Application Permitted
22/00566/LB	71 Main Street, Wray, Lancaster Listed building application for the installation of 2 replacement windows, 2 air grates to the front elevation, removal of concrete flag floor in living room and installation of a suspended timber floor, replacement of wooden floor in dining room with chipboard, and replacement of flooring in rear bedroom with reclaimed wood floor for Mr Paul Ross (Lower Lune Valley Ward 2015 Ward)	Application Refused
22/00568/PLDC	76 Oak Avenue, Morecambe, Lancashire Proposed lawful development certificate for construction of dormer extension to the rear elevation, new upper floor side window, relocation of rear door and window and blocking up of one window to the side elevation for Mr.& Mrs. J. Stokes (Bare Ward 2015 Ward)	Lawful Development Certificate Granted
22/00571/FUL	57 Copy Lane, Caton, Lancaster Demolition of existing rear extension and detached garage, erection of a replacement single storey rear extension and replacement garage to the side for Mrs. B. Meldrun (Lower Lune Valley Ward 2015 Ward)	Application Permitted
22/00574/FUL	15 Morecambe Road, Morecambe, Lancashire Retrospective application for the erection of boundary wall/fence for Mr M. Jeffries (Torrisholme Ward 2015 Ward)	Application Refused
22/00580/FUL	16 Manor Crescent, Slyne, Lancaster Demolition of existing single storey rear extension and erection of new single storey rear extension with associated external steps for Mr. T. Celisse (Bolton And Slyne Ward 2015 Ward)	Application Permitted
22/00590/FUL	178 Torrisholme Road, Lancaster, Lancashire Demolition of existing porch and erection of replacement porch to front elevation for Mr D. Cochrane (Skerton West Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

22/00592/FUL	3 Greenlands Cottages, Burton Road, Priest Hutton Change of use of land to residential garden and erection of outbuilding to the rear to be used in association with 3 Greenlands Cottages for Mr & Mrs S Wilson (Kellet Ward 2015 Ward)	Application Refused
22/00594/ELDC	Land North East Of Ex Servicemens Club, Scotland Road, Carnforth Existing Lawful Development Certificate following planning permission 18/01183/FUL for pegging out of the new access from Scotland Road and installation of a new manhole to constitute a meaningful start on site for the erection of a care home building for Mr Simon Tomlinson (Carnforth And Millhead Ward 2015 Ward)	Lawful Development Certificate Granted
22/00601/AD	Holme Head, Melling Road, Hornby Agricultural determination for the construction of a silage clamp for Mr Edward Towers (Upper Lune Valley Ward 2015 Ward)	Prior Approval Not Required
22/00602/NMA	Site Of Former Sports Centre, Farrer Avenue, Lancaster University Non material amendment to planning permission 19/00918/FUL to alter the external finish of the roof level plant room walls for Mr Guy Constantine (University And Scotforth Rural Ward)	Application Permitted
22/00605/VCN	Stonehaven, Bay Horse Lane, Bay Horse Outline application for erection of two dwellings (C3) and associated access (pursuant to the variation of condition 5 on planning permission 18/01583/OUT to amend the trigger requirements for the soft landscaping details and maintenance regime) for Mr and Mrs J Armer (Ellel Ward 2015 Ward)	Application Permitted
22/00606/VCN	Stonehaven, Bay Horse Lane, Bay Horse Reserved matters application for the erection of 2 dwellings (C3) (pursuant to the variation of condition 4 on reserved matters approval 19/01247/REM to amend the trigger requirements for the soft landscaping details and maintenance regime) for Mr and Mrs J Armer (Ellel Ward 2015 Ward)	Application Permitted
22/00607/AD	Ellers Farm, Hornby Road, Caton Agricultural determination for creation of a track for Mr Brian Preston (Lower Lune Valley Ward 2015 Ward)	Prior Approval Not Required
22/00610/PLDC	3 Homfray Avenue, Morecambe, Lancashire Proposed lawful development certificate for loft conversion, construction of a hip to gable and rear dormer extension for Heidi Graham (Torrisholme Ward 2015 Ward)	Lawful Development Certificate Granted
22/00616/ELDC	4 Primrose Street, Lancaster, Lancashire Existing lawful development certificate for the existing and continued use of 4 Primrose Street, Lancaster as a HMO (Class C4) for Mr Hiran Marambe (John O'Gaunt Ward 2015 Ward)	Lawful Development Certificate Granted
22/00624/AD	Ellel Hall, Ellel Hall Gardens, Galgate Agricultural Determination for erection of a storage building for Mr & Mrs Smith & Hewitt-Smith (Ellel Ward 2015 Ward)	Application Withdrawn

LIST OF DELEGATED PLANNING DECISIONS

22/00629/PLDC	Lancaster Brewery, Lancaster Leisure Park, Wyresdale Road Proposed lawful development certificate for the erection of a single storey side extension for Mr Allan Blackburn (John O'Gaunt Ward 2015 Ward)	Application Withdrawn
22/00632/FUL	4 & 6 Bentham Road, Lancaster, Lancashire Erection of first floor side extension to both properties for Mr & Mrs Graham Mitchell And Mr & Mrs Pye (Scotforth East Ward 2015 Ward)	Application Permitted
22/00639/PLDC	5 Anstable Road, Morecambe, Lancashire Proposed Lawful Development Certificate for the erection of a single storey side extension for Mr A. Davies (Bare Ward 2015 Ward)	Lawful Development Certificate Granted
22/00641/PLDC	50 Kingsway, Heysham, Morecambe Proposed Lawful Development Certificate for an attic conversion, construction of a dormer extension to the rear elevation and installation of rooflights to the front elevation for Mr S. Wooley (Heysham Central Ward 2015 Ward)	Lawful Development Certificate Granted
22/00642/VCN	34 Meldon Road, Heysham, Morecambe Change of use of dwellinghouse (C3) to a residential care home for one child (C2) (pursuant to the variation of condition 4 on planning permission 21/00425/CU in relation to occupancy) for Mrs J Jones (Heysham South Ward 2015 Ward)	Application Refused
22/00647/FUL	3 Hazelbank, Halton, Lancaster Erection of a single storey rear extension for Mr and Mrs Mayne (Halton-with-Aughton Ward 2015 Ward)	Application Permitted
22/00655/VCN	10 Penrhyn Road, Lancaster, Lancashire Change of use of dwellinghouse (C3) to a residential care home for one child (C2) (pursuant to the variation of condition 4 on planning permission 21/00426/CU in relation to occupancy) for Mrs J Jones (Skerton West Ward 2015 Ward)	Application Refused
22/00664/PLDC	44 Redruth Drive, Carnforth, Lancashire Proposed lawful development certificate for the erection of a single storey side extension, and conversion of garage with installation of a replacement door to the rear, and rooflights to the side and rear for Mr R Roberts (Carnforth And Millhead Ward 2015 Ward)	Lawful Development Certificate Granted
22/00699/PLDC	21 Rochester Avenue, Morecambe, Lancashire Proposed lawful development certificate for a loft conversion, including the installation of rooflights to front and rear elevations for Mrs Christina Perfetto (Westgate Ward 2015 Ward)	Lawful Development Certificate Granted
22/00701/PLDC	10 Hala Grove, Lancaster, Lancashire Proposed lawful development certificate for the erection of a single storey rear extension for Mr & Mrs G Caillot (Scotforth East Ward 2015 Ward)	Lawful Development Certificate Granted
22/00702/PLDC	24 St Albans Road, Morecambe, Lancashire Proposed lawful development certificate for the construction of a dormer extension to the rear elevation and insertion of rooflights to the front elevation for Mr D Collins (Torrisholme Ward 2015 Ward)	Lawful Development Certificate Granted

LIST OF DELEGATED PLANNING DECISIONS

22/00706/PLDC	8 Mill Hill Grove, Middleton, Morecambe Proposed lawful development certificate for demolition of existing garden room and erection of replacement single storey rear extension for Mr & Mrs Boswell-Challand (Overton Ward 2015 Ward)	Lawful Development Certificate Granted
22/00748/PLDC	102 Aldcliffe Road, Lancaster, Lancashire Proposed lawful development application for erection of detached garage with store for Mr and Mrs R Hitchings (Castle Ward 2015 Ward)	Lawful Development Certificate Granted
22/00761/PLDC	417 Lancaster Road, Morecambe, Lancashire Proposed lawful development certificate for the erection of a single storey rear extension for Mr Darwen (Torrisholme Ward 2015 Ward)	Lawful Development Certificate Granted
22/00781/PLDC	4 Pinewood Avenue, Morecambe, Lancashire Proposed lawful development certificate for demolition of existing conservatory and erection of a replacement single storey rear extension for Mr.&Mrs Egan (Bare Ward 2015 Ward)	Lawful Development Certificate Granted