



Committee: PLANNING REGULATORY COMMITTEE

Date: MONDAY, 30 JANUARY 2023

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 9th January 2023 (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.

- | | | | | |
|----------|--|---|-------------------------------|------------------------|
| 5 | A5 18/01165/HYB | Land North Of Hornby Park School Melling Road Hornby Lancashire | Upper Lune Valley Ward | (Pages 5 - 27) |
| | | Hybrid application comprising of a full planning application for the erection of 76 dwellings with associated new access, drainage infrastructure, foul pumping station and sub-station and outline planning consent for the erection of a medical practice (D1) with associated access. | | |
| 6 | A6 22/00048/FUL | Grand Theatre St Leonards Gate Lancaster Lancashire | Bulk Ward | (Pages 28 - 36) |
| | | Relevant Demolition of part of Music Co-op building, single storey toilet block, boundary walls and external stairwells and ramps, and erection of a 2-storey extension to the Grand Theatre, extension of existing car park, construction of a retaining wall, construction of a replacement access ramp and steps, and repair to exposed facades of Music Co-op building. | | |

7	A7 22/00036/LB	Grand Theatre St Leonards Gate Lancaster Lancashire	Bulk Ward	(Pages 37 - 43)
		Listed building application for removal of single storey toilet block, external stairwells and ramps, and erection of a 2-storey extension to the Grand Theatre.		
8	A8 22/01353/FUL	Tarnbrook Stores 8 Tarnbrook Road Heysham Morecambe	Heysham South Ward	(Pages 42 - 46)
		Erection of single storey rear extension.		
9	A9 22/01388/CU	Ludus Dance Assembly Rooms King Street Lancaster	Castle Ward	(Pages 47 - 50)
		Change of use from dance studios to artists studios.		
10	A10 22/01448/LB	Lancaster Town Hall Dalton Square Lancaster Lancashire	Castle Ward	(Pages 51 - 52)
		Listed building application for the fixing of a sign next to the customer services entrance.		
11	A11 22/01570/ADV	Cunningham Jewellers 2 - 4 Damside Street Lancaster Lancashire	Bulk Ward	(Pages 53 - 55)
		Advertisement application for the display of a projecting hanging ring.		
12	A12 22/01571/FUL	14 Damside Street Lancaster Lancashire LA1 1PB	Bulk Ward	(Pages 56 - 59)
		Installation of replica hoist and explanatory plaque to the front elevation.		
13	A13 22/01577/ADV	31-33 North Road Lancaster Lancashire LA1 1NS	Bulk Ward	(Pages 60 - 62)
		Advertisement application for the display of a hanging projecting barrel and a plaque to the front elevation.		
14	A14 22/01445/FUL	98 Aldcliffe Road Lancaster Lancashire LA1 5BE	Castle Ward	(Pages 63 - 66)
		Creation of balcony with raised platform, installation of French doors		

to replace window and installation of window to replace back door to the rear elevation.

- 15 A15 [22/01460/CCC](#) **Salt Ayre Landfill Site Salt Ayre Lane Lancaster Lancashire** **Skerton West Ward** **(Pages 67 - 70)**

County Council Consultation request for the permanent retention of the existing Salt Ayre Materials Recycling & Transfer Facility.

- 16 **Delegated List (Pages 71 - 78)**

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Sandra Thornberry (Chair), Keith Budden (Vice-Chair), Victoria Boyd-Power, Dave Brookes, Roger Cleet, Roger Dennison, Kevin Frea, June Greenwell, Mel Guilding, Colin Hartley, Mandy King, Jack Lenox, Robert Redfern, Malcolm Thomas and Sue Tyldesley

(ii) Substitute Membership

Councillors Fabiha Askari (Substitute), Mandy Bannon (Substitute), Alan Biddulph (Substitute), Jake Goodwin (Substitute), Tim Hamilton-Cox (Substitute), Debbie Jenkins (Substitute), Geoff Knight (Substitute), Sally Maddocks (Substitute), Joyce Pritchard (Substitute) and Peter Yates (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 582000, or alternatively email democracy@lancaster.gov.uk.

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

Published on 17th January 2023.

Agenda Item	A5
Application Number	18/01165/HYB
Proposal	Hybrid application comprising of a full planning application for the erection of 76 dwellings with associated new access, drainage infrastructure, foul pumping station and sub-station and outline planning consent for the erection of a medical practice (D1) with associated access
Application site	Land North Of Hornby Park School Melling Road Hornby Lancashire
Applicant	Story Homes
Agent	c/o Ms Siobhan Sweeney
Case Officer	Mrs Eleanor Fawcett
Departure	Yes
Summary of Recommendation	Refusal

1.0 Application Site and Setting

- 1.1 The site lies to the north of the village of Hornby and is currently used for cultivated agriculture. It comprises a single field of approximately 6.15hectares/15.48acres. The site is bound by a substantial hedgerow and Gressingham Road to the east, by an access track to a local farm to the north, by a hedgerow and further field to the west and further farmland and open play space associated with the school to the south. The junction of Gressingham Road and Melling Road (A683) is located close to the southeast corner of the site. Access into the site can currently be gained off the farm access track which runs from Fleet Lane along the northern boundary but not directly off Fleet Lane.
- 1.2 The site is within Flood Zone 1, although the northern part suffers from surface water flooding. It is broadly level, around 34-35 metres Above Ordnance Datum (AOD). The whole site is identified as a Mineral Safeguarding Area. The Castle Stede and Loyn Bridge Scheduled Monument is located approximately 400m north of the Site. Loyn Bridge is also Grade II* listed. Lawnds Farm is located approximately 270 metres to the northwest and is Grade II listed. The site is also located approximately 350 metres to the north of the Hornby Conservation Area. The River Lune Biological Heritage Site is located 80 metres to the northwest and there is also an area of Ancient Woodland approximately 230 metres to the east. The site is within the Open Countryside, as defined by the Local Plan, and is within the Forest of Bowland Area of Outstanding Natural Beauty (AONB).

2.0 Proposal

- 2.1 The proposal relates to a hybrid application comprising outline and detailed elements. The detailed element consists of the erection of 76 dwellings and its associated access. The outline element relates to an area of the site towards the southeast corner measuring 1340 square metres that would provide a medical practice with associated parking. Given the date of the application, the medical practice was deemed to be D1 Use Class however, with the amendments to the Use Classes Order

in 2021 this operation is now deemed to be Use Class E which is for Commercial, business and services.

2.2 The proposed 76 dwellings would be in the following mix:

Unit Size	Amount	% of total
1 bed	4	5%
2 bed	12	16%
3 bed	21	28%
4 bed	31	41%
5 bed	8	10%
Total	76	100%

Of the 76 dwellings, 30 are proposed to be affordable which represents 40% and would be provided as follows:

Unit Size	Amount	% of total
1 bed	4	13%
2 bed	12	40%
3 bed	14	47%
Total	30	100%

2.3 Access is proposed off Gressingham Road, just north of the centre of the site’s frontage with the road. The dwellings are proposed to be set back from Gressingham Road, with a green buffer of approximately 15 metres from the road. They would be arranged around the principal access and several internal roads which change into shared drive cul-de-sacs. The medical practice would be immediately off the principal access to the south. It would have its own access road and parking and would be bound by the green buffer to the east and housing to the north, west and south.

2.4 Dwellings would be served by rear gardens and front drive parking, with some having internal parking. An area of open space is proposed in the centre of the development, with a larger area to the west of the site. This area is indicated to include attenuation SuDs basins for the drainage strategy.

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
17/01142/FUL	Erection of 80 dwellings with associated access, internal roads, car parking, landscaping, public open space and foul drainage pumping station	Withdrawn
17/00815/EIO	Scoping request for the erection of 80 residential units	Closed
17/00499/EIR	Screening request for the erection of 80 residential units	Closed

3.2 In addition to the above, the local planning authority has provided a number of statements setting out advice on proposals principally 18/00941/PRE3, which set out the following amongst other things:

- The scheme was major development in the AONB
- Only in exceptional circumstances and where in the public interest is such acceptable
- The lack of housing supply is not considered exceptional circumstances

- Identified need for a new surgery and a sequential test of possible sites to accommodate a new surgery within the catchment area (even if the development does not come forward)
- DM6 requires 50% affordable housing by unit in the FoB AONB
- Layout proposed was dense to the north and south and any scheme should seek active frontages to the road instead of gable ends.
- The green buffer adjacent to Fleet Lane should be high quality

4.0 Consultation Responses

- 4.1 The first round of consultation was undertaken in late 2018 (September/October) with neighbour letters and a site notice.
- 4.2 There has been further discussion with the applicant and various statutory consultees on the medical practice and highways to clarify the extent of the proposals on these matters.
- 4.3 The following responses have been received from statutory and internal consultees:

Consultee	Response
Hornby with Farleton Parish Council	<p>Support, subject to the provision of the roundabout, safe footpath link and 40% affordable housing. Also welcome a financial contribution towards upgrades to the village playground.</p> <p>Subsequent concerns were raised if the proposed roundabout was to be removed – consider it to be a fundamental part of the application and would want the opportunity to reconsider the application if this was removed.</p>
Gressingham Parish Council	<p>Object A number of comments have been received over the course of the application and the concerns are summarised below:</p> <ul style="list-style-type: none"> • Not on a site required to meet LPAs own assessment of housing need in local area • Outside existing envelope of Hornby and impacts Gressingham • Unacceptable impact on AONB – large scale urban development in sensitive location which would have long term adverse impacts on the landscape character and visual amenity • Design, scale, proportion, massing, materials and landscaping are not sympathetic nor complimentary to setting or settlement character • Impacts to local and wider views in area and intrusive to the River Lunes setting • Increases risk of ground flooding and surface water flooding on highways • Adverse impact on highways safety and concerns about assessment undertaken • Potential impact on Loyn Bridge, a Scheduled Ancient Monument and listed building, from additional traffic • Lack of independent consultant to assess the Environmental Statement • Majority of support is from within Hornby and Hornby business community specifically, whilst development would have cross parish impacts • The indicative plans for the surgery (October 2022) show a much larger building with greater parking which will compound the intrusion into the sensitive landscape. • The submitted Health Impact Assessment (October 2022) is fundamentally flawed in that it uses Lancaster district data as a whole rather than the local data for the Upper Lune Valley which has different health issues than other areas. • Contradictory comments from NHS commissioners and viability of a new medical centre

Planning Policy	Object - The application as submitted is too large. It is not required to meet the council's assessment of housing need in the local area. The inclusion of a doctor's surgery within the development does not pass the test of exceptional circumstances. The Council's landscape assessment does not support the major development of 76 dwellings plus a doctor's surgery at this location: such a scheme would cause harm to the landscape character and visual amenity of the AONB in a way that could not be mitigated.
Conservation Team	No comments received
Arboricultural Officer	No objection subject to conditions requiring landscaping scheme, development in accordance with Arboricultural Implications Assessment.
County Highways	Comments - Request that an updated junction assessment is provided in addition to off-site highway works, bus turning facility and a commitment to the wider infrastructure contribution.
Local Lead Flood Authority (LLFA)	Object – Inadequate FRA submitted. Flood risk within the site has not been adequately addressed, there is insufficient information with regards to the proposed drainage scheme, including in relation to maintenance.
Lancashire Archaeology	Comments - The impacts on the setting of Lawnds Farm appear to have been underestimated. As such this section of the ES needs to be revisited and further information supplied. Impacts on the buried archaeology of the site appear to be manageable by means of mitigation which can be required by condition, rather than being required prior to determination.
Public Right of Way Officer	Comments – Request contribution towards the Millennium Cycle Path improvements on £20,000
Greater Manchester Ecology Unit (GMEU)	No objection - Adequate ecological information has been submitted, no further information is required prior to determination. Ecological issues include bats, nesting birds and loss of low value ecological habitats. These can be resolved via condition and or informative.
Morecambe Bay Clinical Commissioning Group (CCG) (NHS)	Comments – Request a contribution of £21,016 towards the extension and reconfiguration of the existing premises at Caton Health Centre based on approximately 183 new patient registrations from an average household size of 2.4.
Historic England	No comments to make
Forestry Commission	Comments – referred to standing advice in relation to ancient woodland and veteran trees.
County Ramblers	Comments - Suggest footway is provided along Fleet Street boundary to address highway safety for pedestrian
Planning Casework	No comments to make
Lancashire Constabulary	Comments – should be constructed to secured by design standards
Natural England	Object - Will have a significant impact on the purposes of designation of the Forest of Bowland AONB. Concerns about the appropriateness of the development site and insufficient information to demonstrate impacts on the Forest of Bowland AONB
County Schools Planning Team Schools	No objection subject to the following: a contribution for 12 primary school places of £213,924

United Utilities	No objection – The development should be carried out in accordance with principles set out in the submitted Flood Risk Assessment. Also request condition requiring details of the maintenance and management of the drainage system.
Cadent Gas	Advice - Identified operational gas apparatus within the application site boundary. If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus
AONB Planning Officer	Object. Do not accept the principle of major development on this site as it has limited capacity to accommodate the proposed change without significantly affecting the landscape character of the AONB (the LVIA identified that overall effects would be major/moderate) In addition, the proposed landscaping (mainly around the perimeter of the site) will not offer sufficient mitigation from these major/moderate landscape and visual effects of the development.

4.4 The LPA has received **49 responses in objection from members of the public** raising the following matters:

- No exceptional circumstances for development in the AONB
- Development is not in public interest
- Scale of development would represent extension of village/undermine village character
- Visual impact to local and wider landscape
- Insufficient local services to support the development
- Local highways network does not have capacity and subsequent additional trips would undermine highway safety in the area
- Trips would be through Gressingham as this represents the most direct route to the M6
- Local highways are not controlled parking areas resulting in parking issues
- Proposed access on Fleet Lane is unsafe
- Additional traffic would impact Loyn Bridge which is heritage asset and not fit for purpose with current traffic levels
- Unsuitable architectural design and housing typologies for the rural area
- Doctors surgery would better serve Hornby in a central location
- Housing mix and affordable housing would not reflect local needs
- Construction impacts to amenity and highway safety
- Proposal represents unsustainable ribbon development
- Undermine the drainage and foul water infrastructure in the area
- Given proximity of site to Lune and existing greenfield extent would result in ecology impact
- The proposed landscaping does not provide the necessary mitigation against the impacts and is of low quality

4.5 The LPA has received **20 responses in support from members of the public** and responses in support from the local and city and county councillors (Williamson & Scothern), and the Lune Valley Community Society and the Lunesdale Surgery raising the following matters:

- Delivery of new houses would support local services and business in the area
- Support of local business would enable more employment opportunities to arise
- Delivery of new houses would enable people to move to the area
- Delivery of new houses would result in a young families moving to the area rebalancing the local population
- Current medical facility is at capacity and outdated
- The highway can be improved, and existing issues resolved

4.6 Further comments have been provided setting out the following:

- Boundary treatments should be secured against pets given adjacent field is for grazing animals
- Highlighting highway issues along Fleet Lane between Gressingham and Hornby
- The adjacent farms operation causes significant noise which should be considered given the new houses proposed

5.0 Analysis

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

- Principal of the development including major development within the AONB
- Landscape impact, layout and design
- Traffic impacts, access, parking and sustainable travel
- Flood risk and drainage
- Open Space
- Residential amenity
- Biodiversity and trees
- Heritage Assets
- Affordable housing, housing standards and mix
- Education and health
- Mineral Safeguarding
- Sustainable Design and Renewable Energy

5.2 **Principal of Development including major development within the AONB** NPPF paragraphs: 7 – 12 (Achieving Sustainable Development), and 60-61 and 73-79 (Delivering a Sufficient Supply of Homes), 93 (Provision of facilities and services); 176 – 177 (Development in AONBs); Strategic Policies and Land Allocations (SPLA) DPD policies SP1 (Presumption in Favour of Sustainable Development), SP2 (Lancaster District Settlement Hierarchy), SP3 (Development Strategy for Lancaster District), SP6 (The Delivery of New Homes); EN2 (Areas of Outstanding Natural Beauty), EN3 (The Open Countryside; Development Management (DM) DPD policies: DM1 (New Residential Development and Meeting Housing Needs), DM4 (Residential Development Outside Main Urban Areas) and DM6 (Housing Provision in the Forest of Bowland AONB), DM57 (Health and Wellbeing)

5.2.1 The site is located to the north of the built-up area of Hornby, immediately adjacent to the playing fields associated with the school to the south of the site. Hornby is identified within policy SP2 of the Strategic Policies and Land Allocations (SPLA) DPD as a Sustainable Rural Settlement where growth will be focussed outside the main urban areas. However, for those settlements within an Area of Outstanding Natural Beauty (AONB), which includes Hornby, it sets out that this will be subject to the constraints of the protected landscapes, where a landscape-capacity approach will be taken. This is reiterated in Policy SP3, which goes on to say that great weight will be given to the principle of conserving the landscape and natural beauty, wildlife and cultural heritage of the AONBs.

5.2.2 The application proposes the erection of 76 dwellings and the erection of a building to house a medical practice, with the latter element in outline and identified on the plan by a separate red edge. Paragraph 176 of the NPPF sets out that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs. Paragraph 177 goes on to say that, within AONBs, permission should be refused for major development other than in exceptional circumstances and where it can be demonstrated that the development is in the public interest. Consideration should include the assessment of:

- a) The need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) The cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

5.2.3 The above is reiterated in Policy DM6 of the Development Management DPD. The NPPF and Policy DM6 set out that, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined. Given the scale of the development, the size of the site and the nature and location of the land which has an open character and is divorced from the built up area of the settlement, it is considered that the proposal constitutes major development. Therefore, exceptional circumstances must exist for planning permission to be granted. The submitted planning statement sets out that the exceptional circumstances are demonstrated by housing need and supply, the need for a new medical practice, and the vibrancy

and vitality Hornby and its wider rural hinterland. It goes on to say that, collectively these issues provide for an overwhelming public interest case to support the approval of the planning application.

- 5.2.4 In terms of the housing need, this specifically refers to the lack of a 5 year housing land supply within the District. Policy SP6 sets out a requirement of 485 dwellings per annum from 2019/20 to 2023/24 and 685 dwellings per annum from 2024/25 to 2028/29. The Policy also sets out an expectation of 557 dwellings across the plan period for additional supply of housing across the District, on non-allocated sites, without permission, including Neighbourhood Plan delivery expectations. Policy SP3 identifies a number of villages as sustainable rural settlements but does not set any parameters as to how much each of the settlements should deliver. However, it is clear from the policies that the consideration of development in the AONBs will be subject to the constraints of the protected landscape. It is not intended that housing would be distributed equally between the sustainable settlements or that those settlements in the AONB would be expected to accommodate the District's housing need where the landscape does not have capacity to do so.
- 5.2.5 In further support of the housing need in this location, the submitted statement sets out that the Strategic Housing Market Assessment (SHMA) illustrates that there are 140 households in need of housing within the sub-area of Kellet and the Upper Lune Valley. It goes on to say that Hornby is the main settlement for a large geographical area within this sub-area and is one of only a few sustainable settlements. However, this does not represent the objectively assessed need for market and affordable housing overall to be provided in the sub-area. Instead, it is part of a wider calculation that is used to ascertain the imbalance between the provision of supply and demand for affordable housing. In addition, this sub-area is a large area that includes settlements within and outside the AONB, including some other sustainable settlements. The data within the SHMA cannot therefore be used to demonstrate a particular housing need within Hornby. The submission does not include any specific evidence, to demonstrate an open or affordable need for the amount of housing proposed in this location.
- 5.2.6 The submission also sets out that there is a need for further development to support and maintain the vibrancy and diversity of services in Hornby and that the village is experiencing problems in maintaining its level of services. It sets out that this may be the result of a lack of young families in the village. It is acknowledged that housing development in this location could help to support existing services, however this is difficult to quantify. Given the limited employment in Hornby, there is the potential that people would link journeys to shops, for example, with travelling to places of work. However, approving the development could have a positive impact on the local economy, in terms of increased use of services, if only limited. There would also be a positive impact on the economy through the construction of the dwellings, however this is also difficult to quantify and may be limited within this part of the AONB. The medical practice would also provide employment in this location, which would be a benefit to the local economy, although it is the housing development that makes this a major development in this area and requires the exceptional circumstances to be demonstrated.
- 5.2.7 In support of the medical practice, the planning statement sets out that this will address a local shortfall in health care provision and quality by providing the opportunity for a new larger dedicated facility within the village and is supported by the Partners of Lunesdale Surgery (in Kirkby Lonsdale) who operate the current practice at West View Surgery in Hornby. The submission sets out that the surgery is of a limited size, meaning that patients cannot be seen at the same time and the lack of space affects the efficiency of operations, with little space for meetings, training and administration. It has been advised that the current building is not fit for purpose and does not provide any opportunities for expansion and that there is increased demand due to additional houses constructed, in addition to committed schemes. It is also understood that the hours and days of operation are very limited. The Partners of the Lunesdale Medical Practice have advised that, whilst they have explored the opportunity to secure land for a new surgery, they have struggled to identify a suitable site which is available in the village. In addition, the costs associated with purchasing a suitable site would make this option unviable. They have agreed a position to look at accepting transfer of the land with outline planning permission, should the application be approved, and should the Lunesdale Medical Practice be in a position to do so at that time.
- 5.2.8 The submission does not include any objectively assessed need in relation to the medical practice. A response from the NHS Clinical Commissioning Group (CCG) in January 2021 set out that the proposal would generate approximately 183 new patient registrations based on average household

size of 2.4 and the development falls within the catchment area of Caton Health Centre. This is less than 4.6 miles from the development, and would therefore be the practice where the majority of new residents would register. The response goes on to say that, from a CCG perspective, the growth generated from the development would not trigger consideration of the commissioning of a new general practice. It would however trigger a requirement to support the practice to understand how the growth in the population would be accommodated and therefore premises options.

- 5.2.9 The main reason for the delay in the determination of the application was to allow the applicant the opportunity to provide more information to support the proposal, in particular relation to the details of and the need for the medical practice. In June 2022 the CCG provided further correspondence regarding the proposal and advised that, when the initial response was sent, they were not aware of the discussion between the housing developer and the surgery. It goes on to say that they are working closely with all partners to establish a final design solution at which point they will have established the amount of land required to facilitate the scheme and a surgery building that meets the needs of all. However, no specific information with regards to the need for the surgery have been provided in this response.
- 5.2.10 In October 2022, the applicant submitted a Health Statement, in addition to indicative drawings for the medical practice to show the advanced level and commitment in the project. The building is larger and the parking increased from the details originally submitted, although this element is still in outline and within the red edge shown for this part of the application. The Health Statement does not really add much in terms of the need or how and when the surgery would be delivered. The applicant has advised that they understand the delivery of the surgery would need to be linked to trigger points in the overall development and the detailed wording for this could be negotiated and secured by planning condition or through a s106 obligation. However, this is critical to understanding the provision of the medical practice as justification for the housing development. There is the potential that the housing could be developed and the surgery is not constructed, particularly as the housing aspect of the scheme is a full detailed application and the medical practice would still require the submission and approval of a reserved matters application.
- 5.2.11 A number of queries have been asked of the developer and the CCG to better understand how the two aspects of the scheme are linked. Unfortunately, this information is not in writing but is summarised as follows. It was confirmed that the current surgery in Hornby was not compliant with current standards, being converted from a dwelling, and that a purpose built surgery could also provide additional services to support the GP. The operators of the existing surgery were unable to find land and this opportunity presented itself. It was also set out by the representative of the CCG that the surgery would accommodate the existing population in addition to that predicted over 20 years, which would include the housing proposed at the site. It was advised that it would need to be of the size put forward, even without the proposed housing development at this site. Although, as set out above, this would represent quite a large increase in population, and no assessment has been provided to support this statement or the need in general.
- 5.2.12 In terms of funding, it was advised that they would use funding from other housing sites, if money came forward, funding from the existing GP practice and also from an improvement grant from the NHS. If they were unable to fund through the NHS they could go out to the market and bring in a private landlord. In terms of the trigger for the delivery of the surgery, the developer acknowledged that they may accept a tight trigger to ensure that the surgery was either commenced first or it was sufficiently progressed, such as a contractor appointed, before the housing scheme was implemented. It was asked if the surgery element could be implemented within the standard timescale for a permission and it was set out that 3 years was realistic. The CCG advised that they would want the surgery delivered as soon as possible so that it was available to receive patients. A trigger could be put in place to ensure that it was operational prior to a certain number of dwellings being occupied.
- 5.2.13 Following the discussions, the funding, timescales and potential triggers for the delivery of the medical practice are better understood. However, there are still questions over the need for the medical practice and its proposed size, in addition to the requirement for the number of dwellings proposed to allow for the delivery of the practice. Whilst there might be a case to be made for the medical practice contributing to the special circumstances for the major housing development in the AONB, there is currently not enough evidence to support this, as discussed above. The surgery is

also a relative small element of the whole scheme and there are clearly questions regarding the need for the level of housing development in this location.

- 5.2.14 The NPPF also requires the consideration of the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way. The Consideration of Alternatives section of the Environmental Statement, only appears to refer to an alternative of an earlier scheme (17/01142/FUL) for a wholly housing development and also some consideration of the layout. The Planning Statement includes an assessment of whether the development could be delivered outside the designated area or the need met in some other way. However, most of this information relates to the search for alternative medical facilities, rather than the search for alternative housing sites. The availability of suitable sites for housing development in or close to the AONB in this part of the district is limited because of the constraints associated with the designated landscape. However, as set out above, there is not an objectively assessed housing need for this village or the AONB as a whole and the Local Plan acknowledges that housing will be limited, compared to other sustainable settlements, due to the sensitivity of the landscape.
- 5.2.15 In terms of the consideration of alternatives, the submission does not look at different sizes of development. If it is accepted that there is a need for the medical practice in Hornby and the only way this can be delivered is alongside a housing development, it needs to be demonstrated that this is the minimum amount of housing that would need to be provided to achieve this. This may allow more weight to be given to the provision of medical practice in the planning balance, but it would not necessarily override all other considerations. It is acknowledged that, if development is required to help support services in Hornby, this would need to be in relatively close proximity, although development in smaller settlements close can also achieve this. However, there is not an identified need to be met by the development, so it is considered that the submission does not provide an adequate assessment of alternatives for the residential development, which is the main element of the proposal.
- 5.2.16 Specific considerations in relation to impacts on the environment and the landscape are considered in detail in the sections below. However, in summary, it is considered that the development would have a detrimental impact on the character and appearance of the designated landscape. The site is divorced from the built up area of Hornby, separated by the playing field at the adjacent school, and predominantly comprises a residential estate, more typical to a suburban area, which fails to respond positively to the characteristics and local distinctiveness of the area. The site also has an open character, typical of the landscape character type and is particularly sensitive to change.
- 5.2.17 For the reasons set out above, it is considered that exceptional circumstances have not been demonstrated for this major development within the AONB and it has not been demonstrated that the development is in the public interest. The proposal therefore fails to comply with the requirements of the NPPF or the Development Plan in relation to major development within an AONB.
- 5.3 **Landscape Impact, Layout and Design** NPPF paragraphs: 126-134 (Achieving Well-Designed Places), 174, 176 and 177 (AONBs, Valued Landscapes and the Countryside); Strategic Policies and Land Allocations (SPLA) DPD: SP8 (Protecting the Natural Environment), EN2 (Areas of Outstanding Natural Beauty) and EN3 (The Open Countryside); Development Management (DM) DPD policies: DM29 (Key Design Principles), DM46 (Development and Landscape Impact)
- 5.3.1 The site is located to the north of the built up area of Hornby and comprises an area of low lying and relatively level agricultural land. There are hedgerows along the east, west and most of the southern boundary. The northern boundary is marked by a track which extends from Gressingham Road to a large farm complex to the west of the site. Beyond the northern and western boundaries are similar fields and the River Lune lies to the west and north west and is approximately 130 metres from the site at its closest point. Gressingham Road abuts the eastern boundary of the site and beyond this is a roughly triangular shaped field separating this road from Melling Road. The southern boundary abuts the grounds of the Lancaster campus of the One School Global UK which also includes the Lune Valley swimming pool. The building group is located approximately 90 metres to the south of the boundary and is separated by the associated playing fields. Here is existing residential development to the east of Melling Road, which extends just beyond the southern boundary of the site. The land immediately to the north of these existing house has planning permission for the erection of 23 dwellings, and it is understood that this has been implemented.

- 5.3.2 The application proposes the erection of 76 dwellings served by a new access from Gressingham Road and would be arranged around the main access roads and a number of cul-de-sacs extending from this. A relatively small area of open space is proposed in the centre of the site, with a much larger area to the west, being wider at the southwest corner due to the shape of the site. The area proposed for the built development would measure approximately 230 metres (south to north) by 155 metres (east to west). The application proposes to retain the hedge along the frontage with Gressingham Road, with the exception of the proposed access works, and set the dwellings back from the highway by around 15 metres. The scheme also includes an outline proposal for the erection of a medical centre to the south of the proposed access and close to the eastern boundary. This would share the same main access and have its own access road off this. Updated indicative plans have been provided, following discussions between the developer and the NHS Clinical Commissioning Group, for the scale, design and layout of the medical centre, although these would be considered at reserved matters stage. These show a mostly two storey building and an associate car park comprising 26 spaces.
- 5.3.3 The site is located within the landscape character type J: Valley Floodplain, sub-type J1: Lune, as identified in the Forest of Bowland AONB Landscape Character Assessment (2009). This area is characterised by: the flat, wide floodplain of the River Lune, which is surrounded by rolling drumlins and hills; a patchwork of medium to large size, regular fields of lush green pasture (predominantly improved agricultural land), bounded by low clipped, often gappy, hedgerows with hedgerow trees; river terraces and bluffs along the edge of the floodplain which are sculptural elements that often support stone farm buildings and the remains of motte-and-bailey castles; stone bridges which are a feature and mark historic (medieval) crossing points of the river; evidence of the industrial past and present; large, traditional field barns; and panoramic open views northwards towards the peaks of the Yorkshire Dales and southwards to the dramatic rising Moorland Hills and Plateaux which contribute to a strongly recognisable sense of place.
- 5.3.4 The Landscape Character Assessment sets out that this character type has a high overall visual sensitivity due to the generally strong intervisibility with surrounding higher Landscape Character Types and the strong sense of openness within views along the valleys. A diverse patchwork of linear freshwater and wetland habitats remnant areas of neutral grassland, wet meadows, domed mosses, areas of standing water and marshland contribute to overall high ecological and landscape character sensitivity. In addition, there is a strong cultural pattern of hedgerows and stone walls which delineate field boundaries and contribute to overall high cultural sensitivity. This landscape character type is therefore considered to have limited capacity to accommodate change without compromising key characteristics.
- 5.3.5 A landscape and visual impact assessment has been submitted as part of the application. This acknowledges that the development would have a significant effect on the landscape character of part of the AONB landscape and would also have significant visual effects. The report concludes that the effects on landscape character and visual amenity are an inevitable consequence of development of this type and extent, its settlement edge location, undeveloped nature and proximity of sensitive visual receptors. It also sets out that the built form would be clearly visible from the immediate locality, but with the maturity of proposed planting, the development would not be readily discernible from more distant locations. It also sets out that the impacts should be balanced against other benefits such as measures taken to retain and enhance landscape features, provide new and character enhancing landscape features and measures taken to minimise the visual intrusion of the development.
- 5.3.6 Paragraph 176 of the NPPF sets out that great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty (AONBs), which have the highest status of protection in relation to these issues. It goes on to say that, the scale and extent of development within these designated areas should be limited. This is reiterated in Policy DM46 of the Development Management DPD. The policy also sets out that development proposals should, through their siting, scale, massing, materials, landscaping, vernacular style and design seek to contribute positively to the conservation and enhancement of the protected landscape and its setting. It also states that proposals that would have a significant adverse effect upon the character of the landscape or visual amenity of protected landscapes will not be permitted.
- 5.3.7 The proposal would result in a large residential development to the north of the existing built up area, extending into the low lying and open undeveloped agricultural land. The development would appear

particularly detached from the settlement due to the existing playing field at the school to the south. It is acknowledged that existing development on the opposite side of Melling Road extends to the north of the southern boundary of the site, and this will be further extended by a previously approved development. However, this more closely relates to the existing built development in Hornby and is well contained within the landscape by the highway and the rising land to the east. As set out above, the landscape and visual impact assessment (LVIA) acknowledges that there will be significant landscape and visual impacts. Whilst these impacts are likely to decrease with proximity from the site, the landscape has a high sensitivity and low capacity for change, as discussed above.

- 5.3.8 The conclusion to the LVIA sets out that the scheme will provide benefits to the landscape. The retention of landscape features can be given limited weight as it does not appear that these are currently under threat, and the proposal will require the removal of a section of hedgerow to create the access, which will cause a degree of harm by itself. The enhancement of landscape features has limited benefit, however measures taken to reduce visual intrusion cannot be considered as a benefit of the proposal as these are proposed to mitigate the visual impacts and it also is not clear how successful this would be. In addition, they would also alter the current character of the site which has a low lying and open nature.
- 5.3.9 Due to the overall position, scale, layout and design of the scheme, it is considered that it will result in a more suburban form of development and fails to relate well to the rural settlement. In particular, the site has no frontage to the existing highway and the dwellings are arranged around a series of cul-de-sacs and predominantly comprise closely spaced detached dwellings, which fails to relate positively to the existing form and layout of the settlement. Hornby is relatively linear in form, focussed around the main road through the settlement. Whilst there has been some development behind the more traditional and historic development fronting onto Main Street, and extending to the north of this, it is very limited and on a much smaller scale than the current proposal.
- 5.3.10 In addition to concerns about the closely spaced detached dwellings, the individual house types also contain features that fail to respond positively to the local distinctiveness of the area. Whilst it is acknowledged that there may be dwellings with similar features within the village, the current proposal does relate to a significant increase of dwellings. In addition, the existing presence of a particular feature does not necessarily justify a design of a new dwelling. Of particular concern are: the use of integral garages, particularly given the number of units with these rather than a detached or single storey garage which is more typical to the rural area; the form of dwellings where they relate poorly to more a traditional form, in particular, the Washington, the Salisbury and the Hastings, which is very narrow for a detached dwelling; the presence and design of the dormers proposed; and the very steep pitch of some of the roofs. The development would also be mainly finished in render, with limited stone proposed to front elevations, which relates poorly to the overall settlement character. There are also concerns about the design of the medical centre, although it is acknowledged that approval of this aspect is not currently sought.
- 5.3.11 Policy DM29 sets out that development should make a positive contribution to the surrounding landscape and townscape and contribute positively to the identity and character of the area through good design, having regard to local distinctiveness, appropriate siting, layout, palette of materials, separation distances, orientation and scale. Paragraph 126 of the NPPF also emphasises that the creation of high quality, beautiful and sustainable buildings is fundamental to what the planning and development process should achieve. Paragraph 130 goes on to say that decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive, are sympathetic to local character and history including the surrounding built environment and landscape setting and establish and maintain a strong sense of place.
- 5.3.12 For the reasons set out above it is considered that the development would appear detached from the existing settlement and as a suburban form of development that fails to relate positively to the existing character and appearance of the settlement. It would have a detrimental impact on the character and appearance of the designated landscape and would therefore be contrary to the aims and objectives of local and national policy discussed above.
- 5.4 **Traffic impacts, access, parking and sustainable travel** NPPF paragraphs: 104-106 and 110-113 (Promoting Sustainable Transport); Strategic Policies and Land Allocations (SPLA) DPD policy: SP10 (Improving Transport Connectivity); Development Management (DM) DPD policies DM29 (Key Design Principles), DM57 (Health and Well-being), DM58 (Infrastructure Delivery and Funding),

- 5.4.1 The application proposes the creation of a new access into the land to serve the development off Gressingham Road (also known as Fleet Lane), approximately 130 metres to the northwest of the junction with Melling Road. The development would be served by a number of cul-de-sacs, including elements of shared private driveways. The scheme also proposes the creation of a roundabout at the junction of Gressingham Road and Melling Road and a footway along the front of the site, behind the hedgerow, linking to a new footway on Melling Road. County Highways provided formal comments in October 2018. They subsequently provided an additional response on specific points in July 2019. Further discussions were undertaken in March 2020 in particular relation to off-site highway works and a draft plan was provided. However, no changes have been made to the scheme, in relation to highway works, following the submission. Further comments have been recently provided to provide clarification in relation to their position.
- 5.4.2 Gressingham Road, at the point of the proposed access, has a speed limit of 60mph, which reduces to 30mph on the approach to the junction with Melling Road. County Highways originally advised that visibility splays at the junction should measure 2.4 by 215 metres and be protected by the construction of a 2 metre wide length of footway along the frontage. The most recent comments set out that, based on the speed survey undertaken in 2017, visibility splays of 2.4 by 119 metres to the north and 2.4 by 123 metres to the south. The response also sets out that a review of the location of the 30mph limit would be undertaken as part of a section 278 Agreement with the Highway Authority following engagement with stakeholders. The access drawing indicates visibility splays of 2.4 metres by 70 metres. It is not therefore clear if the requested visibility splays can be achieved or whether the extension of these would have other implications, such as to the hedgerows. County Highways have confirmed that the proposed footway within the site, behind the hedgerow, leading to the junction with Gressingham Road is acceptable.
- 5.4.3 The response from County Highways sets out that the site access arrangement is proposed as a 5.5 metre wide carriageway with 2 metre footways at both sides and a 10 metre radii. However, when measured from the site plans, the main access appears to be slightly less than this, at around 5.2 metres, although there does appear to be scope to widen it within the layout. The roads leading from the main access road are narrower, at around 4.6 metres and there are elements at the end of the cul-de-sacs which would be served by private driveways, although there appears to be sufficient turning. County Highways have set out that there is no swept path analysis submitted within the assessment and they have requested this for a 11.4 metre refuse vehicle for the site access and internal layout.
- 5.4.4 In the most recent response, County Highways have advised that the drawing '*Proposed site access plan reference 0827-F04-Rev A*' details mitigation measures at the Melling Road / Gressingham Road junction, which are supported in principle by the Highway Authority. These measures include the realignment of the junction to create a single point of access on Melling Road rather than the current arrangement, which will increase the visibility splays and provide a right turn ghost lane for southbound traffic on Melling Road. It also includes a new pedestrian central refuge to the south side of the junction with connecting footways from the site to the bus stops. However, this plan has not been submitted formally to the Local Planning Authority, and still includes the proposed roundabout. The response confirms that a new mini roundabout at the junction is not supported by the Highway Authority as the appropriate standards cannot be met regarding visibility splays and flow rates, and it is anticipated that collisions would be introduced onto the highway network as a result of the proposal.
- 5.4.5 In addition, a scheme of street lighting has been requested on Melling Road and Gressingham Road in addition to upgrades to the nearest bus stops on Melling Road to quality bus stop standard. Linking footways have also been requested in addition to enhancements to the pedestrian route to include dropped kerb crossing points with tactile paving to ensure a safe and suitable pedestrian environment to serve the development and to encourage sustainable modes of transport. Concerns had been previously raised about the provision of footways and whether they would be required to go across third party land or impact on a hedgerow. However, the Highway Authority have advised that they consider that these can be provided within the highway and land under the applicant's control.

- 5.4.6 Since the discussions were undertaken regarding the proposed changes to the junction from the proposed roundabout, public busses have started using the junction of Gressingham Road and Melling Road to turn, which is possible due to the multi lane arrangement. Previously, the services were using private land on the school premises to turn, however this agreement has ceased due to access difficulties. County Highways have advised that the junction realignment scheme would result in buses being unable to turn at the junction and will therefore severely risk the future of the services. To mitigate this, they have advised that a facility would need to be provided within the site to allow a bus to pull off Gressingham Road and turn within the site and exit through the site access, southbound toward Melling Road back on its current route. This facility would significantly support the future sustainability of the services.
- 5.4.7 Further clarification has been sought regarding how a bus turning facility would be incorporated into the layout. It is likely that this would require an additional access to the south, allowing busses to enter via a short-angled road and exit via the main site access. This is quite a significant change, which is not included within the existing submission, and has implications to the boundary hedgerow. It does not form part of the current application and therefore improvements to the junction that are required to make the development acceptable in highway terms would have a direct impact on the current operation arrangements of the bus service. Therefore, the development could have a detrimental impact the operation and availability of bus services in this location which would reduce the sustainable transport modes available for the existing and proposed dwellings and would therefore impact on the sustainability of the settlement and increase the reliance on private vehicles.
- 5.4.8 In terms of the traffic impact, County Highways have advised that the trip rates utilised within the Transport Assessment (TA) are not disputed, although it should be noted that this assessment was undertaken in 2018, with counts in 2017, and that the medical centre floor area has been increased. Vehicular traffic generated by the medical centre is based upon a floor area of 190sqm which is now incorrect and a new floor area of 365sqm has been indicated on the most recent indicative drawings. Broadly speaking, County Highways have advised that the traffic generation can be doubled which equates to 22 two-way trips during the weekday AM peak hour and 16 two-way trips in the PM peak hour. The total two-way flows for the new dwellings and medical centre are 60 in the AM peak and 55 in the PM peak. The junction of Melling Road and Gressingham Road has been modelled for the proposed mini-roundabout. Traffic data was collected in April 2017 and the 'with development' flows have had growth added by 5 years to 2022. It is noted that this is out of date and, for completeness, County Highways have requested that a model is submitted for a priority junction arrangement using the higher development flows and growth of the background flows to 2027.
- 5.4.9 In relation to collision data, when the assessment was prepared in 2018, there had been one collision in the previous 5 years resulting in a serious injury of a motorcyclist in June 2014. A review of the previous 5 years (2017-2022) collision history records one collision resulting in a serious injury in September 2022. County Highways have advised that they do not foresee this as a worsening of the collision history since the original assessment however we are seeking mitigation measures to improve this junction for highway users.
- 5.4.10 In terms of parking, the Medical Centre would require 1 space per 2 staff plus four per consulting room. Based on the indicative plan, as this element is in outline, this equates to 22 spaces for the 4 consulting rooms and 12 staff or 26 including the treatment room. There are 26 spaces shown on the indicative plans including 3 disabled parking bays, 3 motorcycle bays and 12 cycle lockers which would be considered acceptable and in line with parking standards set out in the DM DPD. The site plans shows that sufficient parking can be achieved for the dwellings. There is some concerns that some of the garages are too small to count as a parking space, being below 3 metres by 3 metres, although it is not considered that this would lead to an unacceptable impact due to insufficient parking. The dwellings without garages will require an external secure and covered store to provide sufficient bicycle storage facilities.
- 5.4.11 County Highways have also advised that all development will have an influence on highway infrastructure across the district and will therefore be required to contribute to the combination of measures in Lancaster, following an equitable approach that considers all development in the district. The keys measures being developed include:

- M6 Junction 33 reconfiguration with link road (Central 1 option being assessed further);

- Infrastructure in and around the Bailrigg Garden Village area and connecting corridors supporting access both north and south;
- Lancaster wide sustainable transport improvements, including;
 - Cycle superhighway
 - High quality public transport route
 - Park and Ride
- Lancaster City Centre Movement and Public Realm Strategy;
- Traffic management measures to the north and south of the Lune; and
- Changes to other key corridors in the district.

5.4.12 It has been advised that the funding for the Junction 33 link road scheme has been identified, however, the remaining elements of the infrastructure required will need to be delivered through contributions secured from development. County Highways have advised that a wider strategy is being developed by the highway authority that incorporates the above, providing levels of contribution from all developments in Lancaster in an equitable and evidence based manner to support Lancaster's Local Plan. A separate response has been provided confirming that the required contribution is £27,066. They are some queries as to whether all the projects directly relate to the proposed development. In addition, the earlier responses from the Highway Authority identified potential contributions towards improving the Millennium cycle path, including investigating its extension from Bull Beck to Hornby, improving bus service frequencies to Hornby and improved covered and secure cycle parking at Lancaster train station, although the updated response does not include these. It would appear that these may more closely relate to the impacts of the development proposed, although it is not clear if these are still feasible. It does need to be ensured that any contribution request complies with the CIL tests. However, as the proposal has a clear conflict with the development plan and national policy, in particular relation to the location of this major development within the AONB, in addition to other harm caused by the proposal, it is not necessary to delay the determination of the application to allow for the figure to be agreed and this would be secured by a Section 106 Agreement in the event the permission was resolved to be granted.

5.4.13 Policy DM60 of the Development Management DPD requires development proposals to be accessed safely during construction and operational phases of development and ensure that they minimise the need to travel, particularly by private car, and maximise the opportunities for the use of walking, cycling and public transport. It also requires development proposals to not adversely impact the local highway network and where highway capacity is insufficient to accommodate the impacts of the proposal, to secure appropriate mitigation. This aligns with paragraphs 110 of the NPPF. In accordance with paragraph 111 of the NPPF, development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

5.4.14 As set out above, a number of concerns have been raised regarding the current submission in relation to the impact on highway safety. In particular, the width of the access does not appear to comply with the appropriate standards, and the Highway Authority have requested a swept path analysis to confirm that turning can be provided for larger vehicles within the site. The visibility splays are less than what is considered to be acceptable for the speed of the road and it is not clear if the requested splays can be achieved. The scheme currently includes a mini roundabout within the highway, and it has been confirmed by the highway authority that this is unacceptable and would likely result in increased collisions. The layout also fails to incorporate turning facilities for the bus service which would be required to mitigate the loss of the current facilities due to the junction improvement measures required to make the development acceptable in terms of highway safety. Whilst it is likely that a safe and suitable access could be achieved, and impacts on the local highway network be made acceptable, the current submission fails to demonstrate this and therefore the proposal would be contrary to the aims and objectives of the Development Plan, in particular policy DM60, in addition to section 9 of the NPPF.

5.5 **Flood Risk and Drainage NPPF paragraphs: 152, 154, 159-167 and 169 (Flood Risk and Drainage); Strategic Policies and Land Allocations (SPLA) DPD policy SP8 (Protecting the Natural Environment); Development Management (DM) DPD policies DM33 (Development and Flood Risk), DM34 (Surface Water Run-off and Sustainable Drainage) and DM35 (Water Supply and Waste Water)**

- 5.5.1 The site is located within flood zone 1, however there is an area at the north of the site which is identified as being at risk from surface water flooding. A flood risk assessment (FRA), which includes details of surface water drainage, was provided with the original submission. The Lead Local Flood Authority were consulted at that time, however a response was not received until 8 October 2021. However, this does mean that the comments are relatively recent, although it is acknowledged that guidance has recently changed.
- 5.5.2 Paragraph 167 of the NPPF requires applicants to demonstrate, through a site-specific flood risk assessment, that:
- within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
 - the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
 - it incorporates sustainable drainage systems unless there is clear evidence that this would be inappropriate;
 - any residual risk can be safely managed; and
 - safe access and escape routes are included where appropriate, as part of an agreed emergency plan.
- 5.5.3 Paragraph 169 goes on to state that: major development should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate and the systems should:
- take account of advice from the lead local flood authority;
 - have appropriate proposed minimum operational standards;
 - have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
 - where possible, provide multifunctional benefits.
- 5.5.4 The LLFA have raised an objection to the application. They have advised that the submitted FRA does not comply with the requirements set out in the Planning Practice Guidance, and therefore the requirements of the NPPF cannot be satisfied. The FRA does not, therefore, provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. They have raised a number of specific concerns in relation to the assessment which are discussed below.
- 5.5.5 The FRA states that a culvert is present in the southeast corner of the site, however the flood risk from this to the proposed development has not been assessed. The LLFA have advised that more information regarding this culvert is required to ensure it does not pose a flood risk to or from the site, that changes to land drainage associated with the development will not increase any risks posed by the culvert, and that access for future maintenance can be maintained. This includes a plan showing the route of the culvert, dimensions of the culvert, flow paths to/from the culvert and the current capacity of the culvert. In addition, an area at high to low risk of surface water flooding exists along the northern boundary of the site. The submitted assessment fails to address this risk and does not consider how it will be mitigated within the site for the lifetime of the proposed development. It should also be ensured that the most vulnerable development is located within the areas at lowest risk of flooding within the site and it is not clear if this is the case given that there are areas, particularly at the north, at risk from surface water flooding. The LLFA have also advised that the FRA fails to properly consider the effect of extreme exceedance events on people and property. Specifically, details regarding the finished floor levels of the proposed development are required to ensure residual risks from exceedance events are mitigated.
- 5.5.6 The LLFA have also raised concerns regarding the adequacy of the information in relation to surface water drainage and have advised that this does not allow for them to be able to fully ascertain whether this complies with the relevant guidance. The proposed scale of development may present risks of flooding on-site and/or off-site if surface water run-off is not effectively managed. In particular, they have advised that the submission should include a plan showing the locations of the proposed private soakaways and any other infiltration features, with further infiltration testing in accordance with BRE365 at the location of each individual soakaway, with justification on how the infiltration rate for each soakaway has been selected. Details of on-site storage estimations is also required, with 50% climate change (updated following recent changes to guidance) and 10% urban creep allowances for the 1 in 100-year, 6-hour rainfall event, with flow calculations for the proposed drainage network under a range of storm conditions, including exceedance events. Alternatively, a drainage strategy

should be provided should infiltration not be possible for the whole site including a drainage layout, on site storage estimations and flow calculations with 50% climate change and 10% urban creep allowances.

- 5.5.7 The LLFA have also advised that clarification is needed in relation to how surface water will be managed within non drained areas, considering whether there is potential for non-drained areas to contribute to the drainage network. Attenuation volumes should also be re-calculated as appropriate based on the area of the site contributing to the drainage network and a plan should be submitted to show exceedance flow routes. The LLFA have also objected on the grounds that adequate information relating to the maintenance of the proposed drainage system for the lifetime of the development has not been provided. In particular, they have noted that Lancashire County Council Highways will not adopt the proposed infiltration basins, as stated in their consultation response dated 31st October 2018 and it is therefore unclear how the proposed SuDS components will be managed and maintained for the lifetime of the development
- 5.5.8 Overall, the submission fails to fully assess the flood risks at the site, show how these risks will be adequately mitigated or demonstrate how surface water would be effectively managed to ensure that the development does not present risks of flooding on-site and/or off-site. It also does not demonstrate that all of the most vulnerable development has been located in areas at the lowest risk of flooding. The submission therefore fails to comply with the aims and objectives of the NPPF, in addition to local policy set out in DM33 and DM34 of the Development Management DPD.
- 5.6 **Open Space NPPF paragraphs: 92-93, 98-100 (Promoting Healthy and Safe Communities including Open Space and Recreation), 126-134 (Achieving Well-Designed Places), Development Management (DM) DPD policies: DM27 (Open Space, Sports and Recreational Facilities), DM57 (Health and Well-Being)**
- 5.6.1 Policy DM27 sets out the planning policy position in relation to 'Open Space, Sports and Recreation Facilities' stating that 'development proposals located in areas of recognised open space, sports and recreational facility deficiency will be required to provide appropriate contributions toward open space, sports and recreational facility provision, either through provision on-site or a financial contribution toward the creation of new or the enhancement of existing open spaces, sports and recreational facilities off-site'. Whilst it is recognised that the development incorporates the provision of open space within its proposal, it is important that this is the type, amount and quality that is required. The detail on which is currently not clear within the proposal.
- 5.6.2 An area of open space is proposed in the centre of the development, with a larger area to the west of the site. This area is indicated to include attenuation SuDs basins for the drainage strategy. In total there is approximately 3 hectares of open space proposed. The central space has been proposed as a natural play space with a trim trail and the majority of open space would be the landscape buffer to the west of the dwellings. It is considered that an appropriate level of open space could be achieved on the site and the precise details could be covered by a Section 106 Agreement. It is also likely that a contribution would be required to off-site facilities, and again this could be secured through a legal agreement.
- 5.7 **Residential Amenity NPPF paragraphs: 92 (Promoting Healthy and Safe Communities), 130 (Achieving Well-Designed Places), 183-189 (Noise and Pollution); Development Management (DM) DPD policies DM29 (Key Design Principles), and DM57 (Health and Well-Being).**
- 5.7.1 The site is located to the north of the built up area of Hornby. Immediately to the south are the school grounds, to the north and west are fields and to the east is the highway, beyond which is mostly agricultural land. Given the location of the dwellings in relation to nearby residential properties, it is considered that there would not be a detrimental impact on neighbouring residential amenity.
- 5.7.2 In terms of the amenity of the proposed dwellings, the layout achieves an appropriate separation between facing windows and also main windows to walls to ensure an appropriate level of outlook and privacy to future occupants. The supporting text to Policy DM29 sets out that new houses should achieve at least 10 metres in depth, unless there are overriding design reasons to justify a reduced depth, and should have a minimum of 50 square metres for a two bedroom house. Most of the gardens are at least 10 metres in length, although some are shorter. This does result in some of the dwellings quite close to rear gardens of adjacent properties, and a greater separation would allow

for greater privacy of gardens. However, it is considered that this would not result in unacceptable living conditions for occupants. The gardens of some of the two bedroom dwellings fail to achieve 50 square metres in area. The smallest appears to be approximately 40 square metres. Whilst not ideal, it is a small part of the scheme and considered that this would not make the whole scheme unacceptable from a residential amenity perspective.

- 5.8 **Biodiversity and Trees** (NPPF paragraphs: 174 and 179-182 (Habitats and biodiversity); Strategic Policies and Land Allocations (SPLA) DPD policies: SP8 (Protecting the Natural Environment, SG1 (Lancaster South Broad Location for Growth) and EN7 (Environmentally Important Areas); Development Management (DM) DPD policies DM43 (Green Infrastructure), DM44 (Protection and Enhancement of Biodiversity) and DM45 (Protection of Trees, Hedgerows and Woodland).
- 5.8.1 The site is located approximately 80 metres from the River Lune Biological Heritage Site and there is also an area of Ancient Woodland approximately 230 metres to the east. There are no other designated areas close to the application site that have the potential to be impacted by the development. The only potential impact to the River Lune would be likely from pollution during and post construction. This could be adequately controlled through a construction management plan and agreement of an appropriate drainage scheme. The Ancient Woodland is separated from the site by two roads and a field and, as such, it is considered that the development would not cause harm to this.
- 5.8.2 The site predominantly comprises low value ecological grassland, although there are higher value hedgerows along the site east, south and western site boundaries in addition to some individual trees. Greater Manchester Ecological Unit (GMEU) have provided comments on the submitted assessment, although these do date from October 2017 as they relate to the previous application, but they confirmed they were relevant to this proposal. In relation to bats, one tree was assessed as having moderate bat roosting potential and this is located on the boundary and indicated as being retained. It is therefore considered that this would not be impacted by the development. Potential bird nesting habitat is present on the site for both ground nesting birds and within the boundary hedgerows. This is not considered a constraint to the development, and it can be ensured that nesting birds are protected through the timing of works unless a detailed bird nest survey is first undertaken.
- 5.8.3 The submission pre-dates the implementation of a biodiversity net gain metric to ensure that net gain is achieved. However, this matter has been considered in the response from GMEU. The development will result in the loss of around 4 hectares of low value ecological value grassland and short sections of hedgerow to facilitate the access. Without mitigation this would result in a net loss of biodiversity. However, around 2 hectares of land has been set aside for recreation with additional tree and hedgerow planting is proposed. It is therefore considered that adequate land is available for mitigation to occur and a commitment to provide enhanced semi-natural habitats. In addition, other enhancement measures can be incorporated into the scheme, such as the provision of bat nesting and bird roosting opportunities. These can all be adequately covered by conditions which would include a habitat creation and management plan and a detailed landscaping scheme.
- 5.8.4 The submitted surveys are now out of a date that would not normally be acceptable to adequately assess the impacts. However, given the low ecological value of the land, that the development will mostly retain the trees and hedgerows, it is considered that it is unlikely that there would be a significant impact on biodiversity or protected species. Given the date of the assessment, it is considered appropriate to take a precautionary approach to potential impacts during construction and it would be expected that a Construction Environmental Management Plan was prepared, including reasonable avoidance measures. Overall, it is considered that impacts to ecology and trees can be appropriately mitigated and enhancement measures secured to ensure a sufficient level of biodiversity net gain.
- 5.9 **Impacts on Heritage Assets** NPPF paragraphs: 189, 194 - 197, 199 – 206 (Conserving and Enhancing the Historic Environment); Strategic Policies and Land Allocations (SPLA) DPD policies SP7 (Maintaining Lancaster District's Unique Heritage); Development Management (DM) DPD policies DM37 (Development Affecting Listed Buildings), DM38 (Development Affecting Conservation Areas), DM39 (The Setting of Designated Heritage Assets), DM41 (Development Affecting Non-Designated Heritage Assets or their Settings), DM42 (Archaeology)

- 5.9.1 The Castle Stede and Loyn Bridge Scheduled Monument is located approximately 400m north of the Site. Loyn Bridge is also Grade II* listed. Lawnds Farm is located approximately 270 metres to the northwest and is Grade II listed. The site is also located approximately 350 metres to the north of the Hornby Conservation Area. The development would not have a direct impact on these heritage assets, but development within their setting does have the potential to impact on their significance.
- 5.9.2 Given the distance from the Conservation Area, the intervening development, some of which is relatively modern and the relatively low topography of the site, it is considered that the proposal would not cause harm to the significance of the Conservation Area through development within its setting. In addition, due to the distance from Castle Stedy and Loyn Bridge and the intervening woodland group it is considered that the development would also not cause harm to the significance of these assets. There is the potential that the development could impact on the setting of Lawnds Farm given its proximity and that the listed building is in an elevated position. The response from County Archaeology sets out that the submitted assessment does not acknowledge that the buildings have been deliberately sited on top of a raised ridge to the north of Hornby, with sweeping views to the south. The site is also equipped with what appears to be a viewing terrace along the main south front of the buildings. The comments highlight that the development introduces a further modern encroachment and cuts the distance between the farm and the start of the built up area by around 100 metres to a little under 300 metres. It has been advised that a view of the site from Lawnds Farm should be provided and a reassessment of the impact undertaken.
- 5.9.3 Additional information has not been received in response to the comments from County Archaeology regarding the impact on the setting of the Lawnds Farm. However, whilst the proposal will extend the development closer to the listed building, it will be separated by Gressingham Road which has a strong line of mature trees running along this. It is acknowledged that the development will extend into the low lying undeveloped fields, however the land immediately to the south, between the two roads is more directly related to and overlooked by the Listed Building and provides a positive contribution to its setting and therefore its significance in comparison to the application site which has a clear degree of separation. It is therefore considered that the development at the application site would not cause harm to the significance of the listed building through development within its setting, and the impact is more of a landscape one as discussed above.
- 5.9.4 County Archaeology have also provided comments in relation to the archaeological potential at the site, which would be considered as a non-designated heritage asset. They have advised that, given the lack of knowledge of this period, it is not possible to assign a probability to the presence of Early Medieval remains in the area of the site, however, the probability of unknown Medieval remains existing (other than agricultural earthworks) is likely to be moderate to low. They have also advised that it is also a reasonable assessment that the potential for Post Medieval and Modern remains (other than agricultural earthworks). The response goes on to advise that, given that any anticipated remains are unlikely to be of national importance, it would be reasonable to suggest a scheme of impact mitigation that may reduce the impact to an acceptable level. The initial phase of investigation works should include both geophysical survey and trial trenching and the results of this first phase would determine the specific requirements for a second phase of formal mitigation works, which would lead to the residual impact of the proposed development being considered to be acceptable. This could be covered by a condition.
- 5.9.5 As set out above, it is considered that the proposal would not cause harm to the significance of designated heritage assets through development within their setting. It is also considered that any potential impacts to buried archaeology, could be adequately mitigated through a scheme of archaeological work. The proposal is therefore acceptable in terms of its impact on heritage assets, in accordance with Local and National Planning policy.
- 5.10 **Affordable housing, housing standards and mix NPPF: paragraphs 62 and 63 and 78 (housing needs and affordable housing); Development Management (DM) DPD policies: DM1 (Residential Development and Meeting Housing Needs), DM2 (Housing Standards), DM3 (The Delivery of Affordable Housing), and DM6 (Housing Provision in the Forest of Bowland AONB**

- 5.10.1 Policy DM3 sets out most of the requirements for affordable housing, however Policy DM6 relates specifically to housing development in the Forest of Bowland AONB. This sets out that housing development should deliver no less than 50% affordable housing. The policy also states that the number, size, types and tenures of all homes provided should closely reflect identified local needs in accordance with current housing needs evidence at the time of the application. The SHMA identifies the affordable housing need and table 4.1 of the DMDPD provides an indicative mix as follows:

Property Type	Affordable %
House (2 bed)	30
House (3 bed)	20
House (4+ bed)	5
Bungalow	10
Flat/apartment (may include 1 bedroom house)	35

- 5.10.2 The application proposes 40% affordable housing as it was submitted before the Review of the Development management DPD was adopted in July 2020. As such the proposal fails to provide an appropriate level of affordable housing in accordance with the Development, or any justification in terms of viability why this cannot be provided. In terms of the proposed mix, this is set out in the table below and fails to fully reflect the District wide need. There is currently no detailed local housing need evidence for Hornby to demonstrate that a different mix would be appropriate.

Unit Size	Amount	% of total
1 bed apartment	4	13%
2 bed dwelling	9	30%
3 bed dwelling	14	47%
Bungalow (2 bed)	3	10%
Total	30	100%

- 5.10.3 Policy DM1 seeks to ensure that new development promotes balanced communities and meets evidenced housing need in accordance with the Strategic Housing Market Assessment (SHMA). As set out above, policy DM6 requires housing to meet identified local needs in line with current evidence. The SHMA identifies a need for a range of house sizes, including smaller homes, this is carried forward into table 4.1 of the DMDPD, as follows:

Property Type	Market %
House (2 bed)	20
House (3 bed)	35
House (4+ bed)	25
Bungalow	10
Flat/apartment (may include 1 bedroom house)	10

- 5.10.4 The open market housing proposed is set out in the table below. This shows that it fails to adequately reflect the need in the District and, in the absence of detailed local data, this is the most relevant to mix to the development. In particular, the scheme proposes a disproportionate amount of 4 bedroom units, a significant shortfall of 3 bedroom units, no 2 bedroom units and no apartments.

Unit Size	Amount	% of total
3 bed	4	9%
4 bed	31	67%
5 bed	8	17%
Bungalow (3 bed)	3	7%
Total	46	100%

- 5.10.5 Policy DM2 adopts the Nationally Described Space Standards (NDSS) for all new dwellings and requires that 20% of new dwellings meet Building Regulations Requirement M4(2) in relation to accessible and adaptable Dwellings. This policy was also not included within the previous Local Plan and was adopted following the submission of the application. There are 6 bungalows proposed, although 3 also have accommodation in the roof space, which would equate to 7% of the total number of units. However, it is not clear if these would comply with those standards from the information provided. As such, it is not clear if 20% of the dwellings would be accessible and adaptable, as required by M4(2).
- 5.10.6 In terms of the space standards, the larger dwellings appear to achieve this. However, there are some of the smaller ones that do not appear to achieve the standards. In particular, the Epton and Hawthorn house types are both two bedroom units and the overall floor areas are around 4 and 5 square metres lower than that required by the standards. The Rowan house type, which is a 3 bedroom unit, would fail to provide adequate overall floor space if taken at 5 person which is indicated on the plans. Although if 4 persons it would be acceptable. The Banbury house type does not appear to have a large enough main bedroom as the largest one is restricted by the roof slope which reduces the amount of space that can be counted, although the overall floor area is acceptable. The Hasting house type has 3 bedrooms and the smallest bedroom fails to meet the minimum floor area.
- 5.10.7 On the basis of the above, the proposal fails to provide affordable and open market housing in line with the identified housing needs within the District, fails to provide dwellings of an appropriate standard, compliant with the NDSS, and fails to demonstrate that 20% will meet the M4(2) requirement of being accessible and adaptable dwellings.
- 5.11 **Education and Health NPPF paragraphs: 93 and 95 (Services and School Places); Development Management (DM) DPD policies: DM57 (Health and Wellbeing) and DM58 (Infrastructure Delivery and Funding)**
- 5.11.1 Lancashire County Council Schools Planning Team have requested financial contributions for 12 primary school places which has been calculated at **£213,924**. They have advised that they reserve the right to reassess the education requirements taking into account the latest information available. The contribution would be used to provide additional primary places at Hornby St Margaret's CE Primary School and/or Wray with Botton Endowed Primary School which are the closest primary schools to the development that have space to accommodate an expansion. The development would likely generate a growth in pupil numbers and County Council have calculated that there will be a deficit in places. Therefore, the contribution is considered to be necessary and relate to the direct impacts of the development proposed. This can be secured by a Section 106 legal agreement.
- 5.11.2 The response from the NHS sets out that the proposal will generate approximately 183 new patient registrations based on average household size of 2.4. The site falls within the catchment area of Caton Health Centre and they have advised that this need can only be met through the extension and reconfiguration of the existing premises to ensure a sustainable practice and a figure of £21,016 has been put forward. However, there are no details in relation to how this need would be met. In addition, since these comments, it has been advised that they do support the construction of the new surgery and have been involved in developing the plans. They have still advised that a contribution would be required. As this time, there is not sufficient evidence to support this request. However, a contribution could be secured by a S106 Agreement if this was provided and was robust to support the request.
- 5.12 **Mineral safeguarding NPPF paragraphs: 219-204 (Facilitating the Sustainable use of Minerals); Joint Lancashire Minerals and Waste Local Plan Policy: M2 (Safeguarding Minerals)**
- 5.12.1 The site is located within a Mineral Safeguarding Area as identified by Lancashire County Council and considered within the Joint Lancashire Minerals and Waste Local Plan. Policy M2 sets out that planning permission will not be supported for any form of development that is incompatible with working the minerals, unless the applicant can demonstrate that:
- The mineral concerned is no longer of any value or has been fully extracted.

- The full extent of the mineral can be extracted satisfactorily prior to the incompatible development taking place.
- The incompatible development is of a temporary nature and can be completed and the site returned to its original condition prior to the minerals being worked.
- There is an overarching need for the incompatible development that outweighs the need to avoid the sterilisation of the mineral resource
- That prior extraction of minerals is not feasible due to the depth of the deposit.
- Extraction would lead to land stability problems.

5.12.2 A minerals resource assessment has been submitted with the application. However, this does not make an assessment of the resource at the site but sets out that mineral development is unlikely in this location. This is due to the proximity to the school and other residential developments, in addition to the location within The AONB and the likely landscape impact of mineral extraction. Whilst the development would likely sterilise any minerals on the site, it is considered unlikely that it would be developed for minerals and therefore is not considered to be a significant constraint to development on the site.

5.13 **Sustainable Design and Renewable Energy** NPPF paragraphs: 126 (Achieving Well-Designed Places) and 154 -155 and 157 (Planning for Climate Change); Strategic Policies and Land Allocations (SPLA) DPD policies: SG1 (Lancaster South Broad Location for Growth); Development Management (DM) DPD policies: DM29 (Key Design Principles), DM30 (Sustainable Design) and DM53 (Renewable and Low Carbon Energy Generation)

5.13.1 In the context of the climate change emergency that was declared by Lancaster City Council in January 2019, the effects of climate change arising from new/ additional development in the District and the possible associated mitigation measures will be a significant consideration in the assessment of the proposals. The Council is committed to reducing its own carbon emissions to net zero by 2030 while supporting the district in reaching net zero within the same time frame. Buildings delivered today must not only contribute to mitigating emissions, they must also be adaptable to the impacts of the climate crisis and support resilient communities.

5.13.2 One of the primary areas for emissions reductions for residential development in supporting the transition to net zero is in building to high fabric standards and supplying the new homes with renewable and low carbon energy. This is highlighted in the adopted Local Plan in policies DM29 and DM30 and supported by 'PAN9 – Energy Efficiency in new Development Planning Advisory Note'. This has not been fully considered by the submission, as a result of when the application was submitted. However, if measures beyond building regulations were considered to be necessary, these could be covered by condition. The emerging policy, if adopted, would have more weight for the requirement of such measures.

6.0 Conclusion and Planning Balance

6.1 The proposal represents major development within an Area of Outstanding Natural Beauty. In line with the NPPF, exceptional circumstances must exist for such development to be granted, taking into account the need for the development, meeting the need in some other way and the impact on the environment and landscape. As set out in the above assessment, it is considered that exceptional circumstances do not exist and the development would have a significant impact on the character and appearance of the designated landscape. Whilst the Council cannot currently demonstrate a 5 year supply of deliverable housing site, this does not in itself provide exceptional circumstances and the type of development proposed would also fail to meet a specific identified local need or provide an acceptable level of affordable housing or all housing to an appropriate standard.

6.2 In addition to the above, the scheme fails to reflect the local distinctiveness of the area, in terms of its layout, scale and design and would appear detached from the existing settlement. The proposal also fails to provide an acceptable safe and suitable access to serve the development, would have a detrimental impact on highway safety and would potentially impact on the operation of the bus service. It fails to fully assess the flood risk at the site, show how these risks will be adequately mitigated or demonstrate how surface water would be effectively managed to ensure that the development does not present risks of flooding on-site or off-site. The development is therefore contrary to both Local and National Planning policy as discussed above.

- 6.3 Whilst the concerns regarding drainage, highway impact, housing mix and standards could possibly be addressed through amendments and additional information, it is considered that the landscape and visual impact and the impact on the character of the area in general could not be overcome. As set out above, the Council cannot currently demonstrate a five year supply of housing and it is acknowledged that there is significant shortfall. In accordance with the NPPF, and the presumption in favour of sustainable development, a tilted balance should be applied unless other policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the proposal. In this case, the application represents major development in the AONB without exceptional circumstances being demonstrated and there is also harm to the character and appearance of the designated landscape. As such, it is considered that a normal planning balance, rather than a tilted one would apply.

Recommendation

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

1. The proposal fails to demonstrate that exceptional circumstances exist, and that the development would be in the public interest, to justify this major development within the Forest of Bowland Area of Outstanding Natural Beauty, having specific regard to the need for the development, the economic impacts and the impacts on the landscape and the environment. The application is therefore contrary to the aims and objectives of the National Planning Policy Framework, in particular Section 15, Policies SP2, SP3 and EN2 of the Strategic Policies and Land Allocations Development Plan Document and Policy DM6 of the Review of the Development Management Development Plan Document.
2. As a result of the open nature and character of the site, its separation from the built-up area of Hornby and the sensitivity of the landscape, the proposed development would fail to relate positively to the existing settlement and would have a detrimental impact on the character and appearance of the designated landscape and the area in general. In addition, the proposal fails to make a positive contribution to the surrounding landscape and townscape and contribute positively to the identity and character of the area through good design. As such, the proposal fails to comply with the National Planning Policy Framework, in particular Sections 12 and 15, Policy EN2 of the Strategic Policies and Land Allocations Development Plan Document and Policies DM29 and DM46 of the Review of the Development Management Development Plan Document.
3. The proposal fails to provide an acceptable safe and suitable access to serve the development, would have a detrimental impact on highway safety and would potentially impact on the operation of the bus service. In particular, the scheme fails to demonstrate that the access is of an appropriate width and provides adequate turning for all vehicles, that appropriate visibility splays can be provided, and includes a mini roundabout which would likely introduce collisions on the highway. The application is therefore contrary to the aims and objectives of the National Planning Policy Framework, in particular Section 9, and Policies DM57 and DM60 of the Review of the Development Management Development Plan Document.
4. The submission fails to fully assess the flood risk at the site, show how these risks will be adequately mitigated or demonstrate how surface water would be effectively managed to ensure that the development does not present risks of flooding on-site or off-site. It also does not demonstrate that all the most vulnerable development has been located in areas at the lowest risk of flooding. The proposal is therefore contrary to the aims and objectives of the National Planning Policy Framework, in particular Section 14, Policy SP8 of the Strategic Policies and Land Allocations Development Plan Document and Policies DM33 and DM34 of the Review of the Development Management Development Plan Document.
5. The proposal fails to provide an acceptable level of affordable housing and housing that reflects the identified housing needs within the District, fails to provide a scheme where all dwellings are of an appropriate standard, compliant with the national Described Space Standards, and fails to demonstrate that 20% will meet the M4(2) requirement of being accessible and adaptable dwellings. As a result, the proposal is contrary to the aims and objectives of the National Planning Policy Framework, in particular Section 5, and Policies DM1, DM2, DM3 and DM6 of the Review of the Development Management Development Plan Document.

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

In accordance with the above legislation, the City Council can confirm that it takes a positive and proactive approach to development proposals, in the interests of delivering sustainable development. As part of this approach the Council offers a pre-application service, aimed at positively influencing development proposals. Whilst the applicant has taken advantage of this service prior to submission, the resulting proposal is unacceptable for the reasons prescribed in this report.

Background Papers

None

Agenda Item	A6
Application Number	22/00048/FUL
Proposal	Relevant Demolition of part of Music Co-op building, single storey toilet block, boundary walls and external stairwells and ramps, and erection of a 2-storey extension to the Grand Theatre, extension of existing car park, construction of a retaining wall, construction of a replacement access ramp and steps, and repair to exposed facades of music Co-op building
Application site	Grand Theatre St Leonards Gate Lancaster Lancashire
Applicant	Mr Michael Hardy
Agent	Ms Joanna Holland
Case Officer	Mrs Petra Williams
Departure	No
Summary of Recommendation	Approval, subject to conditions

(i) Procedural Matters

The application would normally be dealt with under delegated powers but as the site includes land in the ownership of the City Council the application must go before Planning Committee.

1.0 Application Site and Setting

- 1.1 The Lancaster Grand is an established theatre. The building is Grade II Listed and lies within the Lancaster Conservation Area (Character Area 5). The site lies opposite St Leonards House, which is also Grade II Listed. The site also falls within the Canal Corridor North site.
- 1.2 The Grand Theatre building was Listed for its historic association as the first theatre established in Lancaster in 1782. The building has been altered and damaged by fire, but overall retains its historic Neo-Classical external appearance with an early-20th century interior. The building is constructed in sandstone rubble, with a rendered façade. Historically, there were terraced buildings to the north of the theatre which were demolished in the 1960s for a link road which was not developed. This has eroded the historic association of the setting of the theatre, but does allow for the building to be appreciated along the main street.
- 1.3 The parts of the site that are subject to 1:1000 surface water flood risk are along its frontage with St Leonard’s Gate and its return frontage along Lodge Street. These two aforementioned roads are also subject to surface water flood risk of 1:30 and 1:100 risk in the immediate vicinity of the theatre.

2.0 Proposal

- 2.1 This application seeks permission for relevant demolition of part of Music Co-op building, single storey toilet block, boundary walls and external stairwells and ramps, erection of a 2-storey extension to the Grand Theatre, extension of existing car park, construction of a retaining wall, construction of a replacement access ramp and steps, and repairs to any exposed facade of Music Co-op building.
- 2.2 A similar application was approved in January 2019 (18/00832/FUL and 18/00852/LB) but was not implemented. The current scheme differs slightly from the previous approved scheme in that it includes a small portion of City Council land in order to provide an improved parking arrangement.

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
22/00036/LB	Listed building application for removal of single storey toilet block, external stairwells and ramps, and erection of a 2-storey extension to the Grand Theatre	Pending consideration
22/01307/LB	Listed building application for the installation of lighting to front and side elevations, installation of signs to side elevations, facade repair to front elevation	Permitted
19/01530/LB	Listed Building application for the removal of render and repointing to the Lodge Street elevation, installation of one CCTV camera and installation of a defibrillator cabinet to the side elevation	Permitted
18/00832/FUL	Relevant Demolition of part of Music Co-op building, boundary walls and external stairwells and ramps, erection of a 2-storey extension to the Grand Theatre and a retaining wall, and repair to exposed facades of music Co-op building	Permitted
18/00852/LB	Listed building application for removal of external stairwells and ramps and erection of a 2-storey extension to the Grand Theatre	Permitted
18/01623/LB	Listed building application for the installation of one CCTV camera	Permitted
15/00965/FUL	Removal of existing single storey store house and external fire escape staircase to the side elevation, erection of a two storey side extension	Withdrawn
15/00964/LB	Listed building application for the removal of existing single storey store house and external fire escape to the side elevation, erection of a 2-storey side extension, creation of 2 doorways at the lower ground level, 1 doorway at the upper ground and 2 doorways at the first floor level, removal of the existing first floor bar and toilets and installation of replacement toilets	Withdrawn
08/00421/FUL	Part removal of existing single storey store house and external fire escape staircase at the north eastern elevation. Development of a two storey side extension to provide additional foyer accommodation and associated alteration	Permitted
08/00422/LB	Listed building consent for part removal of existing single storey store house and external fire escape staircase at the north eastern elevation. Development of a two storey side extension to provide additional foyer accommodation and associated alterations	Permitted

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objections - requests a condition relating to a construction management plan and parking and manoeuvring strategy.
Natural England	No comments to make on this application. The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the applications are not likely to result in significant impacts on statutory designated nature conservation sites or landscapes.
Historic England	No comments received
Conservation Team	No objections - This scheme is essentially the same design as the 2018 submission. We support the minor changes in terms of parking access and circulation.
Engineers	No objections
County Archaeology	No objections – Requests a condition for a programme of archaeological work.
Canal and Rivers Trust	No comments to make in respect of the application.
Environmental Health	No objections – Requests a condition for a management plan to minimise dust emissions during demolition
Property Services	No objections - As landowner the city council supports this application and will work with the applicant to formalise the Grand Theatre's occupation and assist with the progression of this development.
Cadent Gas	No objection - Informative note required
Fire Safety Officer	Advice
The Theatres Trust	No comments received
Lancaster Civic Society	No objections - Welcomes plans to expand the reception facilities and other offices at this historic site.
National Amenity Societies	No comments received

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

- No public comments received

5.0 Analysis

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

- Principle
- Design and Impact on designated heritage assets
- Sustainable Design
- Amenity
- Highways impacts
- Surface water and foul drainage
- Ecology implications
- Air quality
- Contamination

5.2 **Principle** (NPPF Section 2: Achieving sustainable development, Section 6: Economy and Section 7: Town Centres; Strategic Policies and Land Allocations DPD SG5: Lancaster Canal Quarter, TC2: City or Town Centre; Development Management (DM) DPD Policies DM16: Town Centre Development, DM23: Leisure Facilities and Attractions and DM25: The Evening and Night Time Economy)

5.2.1 The site is located within the City Centre boundary as defined by the Adopted Policies Map (2020). The NPPF defines theatres as a main town centre use. Local policy is supportive of proposals for

main town centre uses (as defined by the Framework) where they are located within the defined town centre boundary and accord with other policies elsewhere in the Local Development Plan.

- 5.2.2 Policy DM24 supports the creation or improvement of cultural assets subject to specific criteria being met which include the delivery of benefits to the wider economy, improvement of the cultural offer, sustainable access, no damage to the amenity of the area and the conservation and enhancement of an existing heritage assets. Policy DM25 supports the growth of the evening and night time economy subject to specific criteria being met which include design to ensure public safety, no detrimental impact on amenity and character of the area, suitable mitigation for noise and odour, accessibility and active ground frontage. Subject to these criteria being met the principle of development can be supported. As it will be outlined further in the assessment below, the proposed principle of development is considered to be acceptable.
- 5.3 **Design and impact on designated heritage assets** (NPPF Section 12: Achieving well-designed places and Section 16: Conserving and enhancing the historic environment; Strategic Policies and Land Allocations DPD Policy SP7: Maintaining Lancaster's Unique Heritage; Development Management (DM) DPD Policies DM29: Key Design Principles, DM30: Sustainable Design, DM37: Development affecting Listed Buildings and DM38: Development affecting Conservation Areas)
- 5.3.1 National policy states that development should be of good design that contributes positively to making places better for people, requiring development to be visually attractive as a result of good architecture, layout and appropriate and effective landscaping. It is clear that permission should be refused for poor design that fails to take opportunities for improving the quality and character of an area. Local policy echoes this requiring that design should have regard to local distinctiveness have appropriate siting, layout, materials, orientation and scale.
- 5.3.2 The NPPF states that (para 199) that when considering the impact of a proposed development on the significance of a designated heritage assets, great weight should be given to the asset's conservation. This is irrespective of the degree of harm the proposal would result in. Any harm to, or loss of, the significance of a designated heritage assets should require clear and convincing justification (para 200). Where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefit of the proposal including, where appropriate, securing its optimum viable use (para 202).
- 5.3.3 The proposal involves the removal of a modern inappropriate fire escape and a single storey extension, which would be of benefit to the appearance of the building. This elevation would then be altered and extended to allow for a contemporary part glazed and part cladded extension which would connect to the Lancaster Grand and the adjacent original cottages. This scheme is reflective of the original scheme permitted in 2008 and the schemes submitted in 2015 and 2018. The proposal will also facilitate the creation of a plaza area which will provide a public realm enhancement. The current scheme involves a small area within the adjacent City Council Pay and Display car park which has been leased to the Lancaster Footlights in order to support delivery of the foyer extension which, together with external improvements, is identified as a key project within the Lancaster High Streets Heritage Action Zone programme.
- 5.3.4 It is considered that the principle of a modern extension remains acceptable. It is clear that there is a need for the proposed extension as the existing reception area, bar and disabled access are all constrained and negatively impact on the user experience of the building. There is also a lack of alternative performance space and a lack of suitable space for customers to use the building during the day. As such there is a clear need for the extension to enhance and improve the theatre experience at this site. In relation to the design of the proposed extension, given the scale, form and design of the Listed building, the situation of the building relative to neighbouring buildings it is considered that the only option for extending the facilities at the theatre would be to the north east elevation of the building (as proposed), and that it would be very difficult to extend in a traditional manner in a way that would maintain and enhance the Listed building. The design of the extension has been carefully considered to have a glazed connection to the existing buildings, allowing the original building to be perceived, and the bulk of the structure to be set out from the original building. The design of the building to use rain screen cladding and glazing materials would also result in a quality clean finish which would be distinct but complementary both to the sandstone rubble and the rendered façade. A new boundary wall will be erected to delineate the extended car park area and this will be clad in stone to match the existing building.

- 5.3.5 As in the case of the 2018 submission concerns have been raised regarding the marginal intersection of the extension with the existing blocked up windows on the north-east elevation. Whilst it would be preferable to have these windows left unaffected by the extension and fully perceived internally, any increase to the height of the building would result in the overall scale of the building being too great, which would be overbearing on the original building in scale. Therefore, in order to maintain the right proportions of the building as a whole, the roof of the proposed scheme is at a height where it intersects with the top of the arches, which means part of each arch is not visible. Although the tops of the arches may be hidden from view, the existing stone theatre wall will remain completely exposed. As in the case of the previous approval details of the connection points of the extension to the building will be conditioned.
- 5.3.6 Clearly the overall finished quality of the development will hinge on the final detail and execution of the works. In order to ensure this, conditions would be required (in addition to those set out above) in relation to stonework repairs, materials, external/internal doors, balustrades and bollards, surfacing, lighting, flues and vents, rainwater goods and internal fixtures.
- 5.3.7 National policy requires that great weight should be given to the asset's conservation, and where there is less than substantial harm to the significant of the Listed building, this should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Overall, it is concluded that the proposal would result in less than substantial harm to the Listed building, but it is recognised that the design of the extension has been optimally considered to ensure the least harm or impact to the Listed building and its settling. The scheme would clearly result in the optimal use of the heritage asset and would have considerable public benefit from ensuring the growth and bringing up of the existing facility modern standards and expectations of a theatre. On this basis, subject to the conditions proposed, it is considered that the public benefit of the scheme would outweigh any harm to the Listed building and also ensure a high-quality finish to the development.
- 5.4 **Sustainable Design (NPPF Section 12: Achieving Well-Designed Places) and Section 14: Meeting the challenge of climate change; Development Management (DM) DPD Policies: DM29 Key Design Principles, DM30 Sustainable Design and DM53 Renewable and Low Carbon Energy Generation)**
- 5.4.1 In the context of the climate change emergency that was declared by Lancaster City Council in January 2019, the effects of climate change arising from new/ additional development in the District and the possible associated mitigation measures will be a significant consideration in the assessment of the proposals. The Council is committed to reducing its own carbon emissions to net zero by 2030 while supporting the district in reaching net zero within the same time frame. Buildings delivered today must not only contribute to mitigating emissions, but they must also be adaptable to the impacts of the climate crisis and support resilient communities.
- 5.4.2 Although no specific renewable energy measures (such as solar panels) are included in the scheme, the submission sets out that the proposed palette of materials has been chosen to create a durable and sustainable building fabric and recognises the importance of sustainability and energy efficiency in the construction of the extension. The proposed scheme has been developed to maximise the use of key principals which aim to create a sustainable building overall and would therefore contribute to reduced carbon emissions, helping to minimise the impact on climate change. For example, the north facing glazed facade will provide natural lighting into the building without the associated heat build-up from solar gain, which will mitigate cooling loads.
- 5.4.3 Insulation levels and thermal performance will achieve current building regulations as a minimum, but the submission sets out that they are intended to exceed these levels in order to mitigate future energy consumption. It is considered that the erection of the extension will improve the overall thermal properties of the wider building.
- 5.5 **Amenity (NPPF Section 8: Promoting healthy and safe communities and Section 12: Achieving well-designed places; Development Management (DM) DPD Policy DM29: Key design principles and DM57: Health and Well-Being).**
- 5.5.1 In conjunction with the National Planning Policy Framework, the development plan requires proposals to be of a high quality so that they contribute positively to the locality's sense of place and

the community's wider health. In this regard, the Council expects adequately preserving existing levels of amenity which existed prior to the proposal.

- 5.5.2 The site is in proximity to a number of residential units which are restricted to student occupation. However, the proposal will not intensify the use of the theatre in terms of seating numbers but will provide a larger foyer area and bar to improve circulation and access to the building. It is therefore considered that the scheme would not impact unduly on the nearest residential occupants in this city centre location.
- 5.6 **Highways impacts (NPPF Section 9: Promoting sustainable transport and Section 12: Achieving well-designed places; Development Management (DM) DPD Policies DM29: Key design principles, DM60: Enhancing Accessibility and Transport Linkages, DM61: Walking and Cycling and DM62: Vehicle Parking Provision)**
- 5.6.1 National policy seeks to ensure that a safe and suitable access can be achieved for all users. Local policy seeks to ensure that development incorporates suitable and safe access to the existing highway network and road layout in accordance with design standards, and parking is provided in accordance with Appendix E of the DMDPD.
- 5.6.2 In relation to parking Appendix E requires 1 parking space per 10 seats. The existing theatre has 457 seats and therefore the existing theatre should make provision for 46 car parking spaces and 23 cycle spaces. With the extension (applying a general leisure use category) the net additional floor space of 359sq.m would generate a requirement for 15 spaces, 3 bays for disabled, 2 bike spaces, and 2 motorcycles. The existing facility falls significantly short of parking standards within the existing informal parking area which is used by staff and visiting acts. Although this proposal seeks to extend the car parking area which will be formally laid out, the proposed 12 parking spaces will fall significantly below the threshold demanded by Appendix E. Notwithstanding this, it is considered that this facility lies within a sustainable location with immediate access to an existing large area of parking nearby as well as public transport. In addition to this, provision has been made for 10 cycle stands. Whilst this does fall short of the number required, given the space constraints of the site, it is difficult to provide any additional spaces, and notwithstanding the insufficient number of spaces it would still result in an increase in provision on the existing facility. Normally a requirement would be made to have these spaces made secure by being enclosed, but on balance it is considered that the proposed scheme would be of benefit to the setting of the Listed building.
- 5.6.3 The proposal intends for the existing access to be relocated by shifting this slightly to the northeast as the existing access would be blocked by the extension. County Highways have raised no objections to this but has requested the submission of a swept path analysis. As in the case of the 2018 submission, this has not been provided as the existing servicing arrangement is in the highway and there is no current on-site turning facility for large vehicles. This proposal would not result in a change to this situation although the size of the car park will be increased. The County Highways consultee has also requested a parking and delivery strategy. The frequency of refuse collections will not increase and the intensification of deliveries, as a result of this development, is not considered to have a severe impact upon highway safety. However, it is considered necessary to formalise the existing arrangements and provide a more robust improved arrangement in the form of a parking and delivery strategy (including waste collections). Such a strategy will secure the method, frequency and timing of refuse collection and deliveries to ensure that peak periods for vehicles, cycles and pedestrians are avoided to minimise the conflict with highway users. It is anticipated that this is already occurring at the Theatre and this condition will simply formalise the situation.
- 5.6.4 As highlighted within paragraph 5.3.3 the extension to the Theatre car park will utilise a small portion of the adjacent City Council car park on St Leonards gate. This will result in the loss of approximately 7 Pay and Display parking spaces, including a disabled parking bay and cycle stands. Enquiries to the Council's Parking Team revealed that there are only limited times when parking at St Leonardsgate is at full capacity so the loss will just displace to other available spaces.
- 5.6.5 Subject to the inclusion of imposition of conditions to secure the implementation of the parking and turning area and the provision of a parking and delivery strategy the proposal is considered acceptable in relation to the highways safety.

- 5.7 **Surface water and foul drainage** (NPPF Development Management (DM) DPD Policies DM34: Surface Water Run-off and Sustainable Drainage and DM35: Water Supply and Waste Water.
- 5.7.1 Policy requires that new development should seek to demonstrate that there is no increase in surface water run-off rates both on and off site upon completion of development and where practical reduce run-off. New development should also secure appropriate management and maintenance measures.
- 5.7.2 The existing site drains foul and surface water into the combined sewer. This proposal seeks to continue to drain the existing surface water hitting the roof of the existing Lancaster Grand building into the combined sewer. Given that this would not represent any change this can be considered acceptable. The proposal, however, seeks to deal with the run-off from the extension and the plaza area via a soakaway (the preferred drainage option for surface water drainage). This proposal would therefore seek to make a reduction to the level of surface water entering the combined sewer which would be of benefit to the drainage in the area. An indicative design of the soakaways has been provided which would appear adequate for the surface area to be drained, but as no percolation tests have been provided it is unclear whether the ground conditions are suitable for a soakaway and whether any enhancements will need to be made to ensure an appropriate infiltration rate. It is considered that this can be left to a condition requiring the details to be agreed prior to the commencement of development.
- 5.7.3 Foul drainage is proposed to be drained on a separate system to the combined sewer. This is considered to be acceptable and the preferred method of dealing with foul waste. A condition will require the final details of the scheme to be agreed.
- 5.7.4 Subject to the conditions requiring the submission and implementation of precise details, surface water drainage and foul drainage can be considered acceptable.
- 5.8 **Ecology implications** (NPPF section 15: Conserving and enhancing the natural environment; Strategic Policies and Land Allocations (SPLA) DPD Policies: SP8: Protecting the Natural Environment); Development Management (DM) DPD Policy DM44: Protection and Enhancement of Biodiversity)
- 5.8.1 National Planning Policy Framework paragraph 180 requires where significant harm would amount to biodiversity that cannot be mitigated or compensated for planning permission should be refused. Policy DM44 reiterates that development proposals that have the potential to affect protected habitats or species must be accompanied by relevant surveys detailing likely impact and appropriate mitigation and compensatory measures.
- 5.8.2 Cumulatively the information provided for the site concludes that the buildings are not considered to support bats and there is no evidence of notable foraging or community activity was recorded. On this basis it is advised that no further survey work is required. The information provided is a little unusual insofar as it is a summary of a survey that was carried out and therefore it is not possible to assess the full bat survey report comprehensively against the Natural England Standing Advice for Bats Surveys. Notwithstanding this, the survey was carried out at an appropriate time of year, and the methodology, number and scope used would suggest the conclusions can be considered valid. In addition to this, findings of the report do not find any evidence of use of the buildings by bats and found very limited use of the area by bats for foraging. On this basis the reports only provide a recommendation of enhancement of the area to increase the potential for use through native planting. Given the nature of the proposals such enhancement would not be possible to achieve. Given the existing limited ecological value of the site and the limited change that would result from this proposal it is considered that it would not be reasonable or possible to implement any enhancement and therefore no such conditions are required.
- 5.9 **Air quality Noise and Pollution** (NPPF paragraphs 183-186; Development Management (DM) DPD Policy DM31: Air Quality Management and Pollution)
- 5.9.1 The proposal lies outside of the Air Quality Management Areas (AQMA) but only by 50m. The scale of the proposal is such that it does not trigger the requirement for an Air Quality Assessment because the net gross floor area falls below the “greater than 500 sq.m” trigger requirement for an AQA for assembly and leisure uses. The proposal would not increase the seating capacity of the theatre but

seeks to enhance the ancillary areas such as the reception, bar, and improved disabled access. As such it will be an improved building but it will not change its potential impact on the traffic generation to the site, which is already fixed by its seating arrangements. The only elements of the proposal that could result in increased traffic generation would be the performance space and the customer space for daytime use but this is considered to have a marginal increase that would not trigger a requirement for an AQA. Nevertheless, it is considered appropriate to condition the requirement for the provision of Electric Vehicle Charging points.

5.10 **Contamination** (NPPF section 15: Conserving and enhancing the natural environment; Development Management (DM) DPD Policy DM32: Contaminated Land)

5.10.1 National policy requires that sites should be suitable for the development proposed taking account of ground conditions and includes any requirements for mitigation or remediation of contamination. Local policy DM32 reflects this. No information has been submitted in relation to contamination. The proposal site is, however, located on the site of cottages that would have had basements which would have been filled and levelled following demolition. As such the creation of the new basement has the potential to encounter contamination. As a result, in order to ensure that any contamination is effectively remediated the standard contamination condition needs to be applied to any permission granted.

6.0 Conclusion and Planning Balance

6.1 The proposal has been carefully designed to ensure that the impact on the Listed building would not amount to greater than less than substantial harm. It is considered that this harm is outweighed by the public benefit that would result from the enhancement of the facilities at the theatre, which are desperately needed to secure its continued growth and success. Overall, it is considered that the submission represents an acceptable scheme which will not impact unduly on the surrounding street scene or Conservation Area and, will help not only the viability of the site, but the wider area. Subject to conditions, matters relating to design, drainage, contamination access and parking can be adequately dealt with by condition. It is therefore considered that this application can be recommended for approval.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Time Limit (3 years)	Control
2	Development to accord with listed plans	Standard
3	Standard contamination condition	Pre-commencement
4	Implementation of a programme of archaeological work.	Pre-commencement
5	Parking and delivery strategy	Pre-commencement
6	Surface water drainage details, including percolation tests	Pre-commencement
7	Separate foul drainage system	Control
8	Details of fixtures to the main building (inc. details of connection to exposed window arches)	Pre-commencement
9	Details and samples of all external materials: <ul style="list-style-type: none"> • cladding • roof materials • frames • fin details • glazing • external doors • balustrades and bollards • surfacing treatments • external lighting, including any lighting to window arches 	Pre-commencement

	<ul style="list-style-type: none"> • flues and vents • rainwater goods • boundary wall 	
10	Following demolition of extensions and outbuildings, details of stonework repairs to be submitted (including to boundary walls to the south east of the site)	Following demolition
11	Parking and delivery strategy	Prior to use
12	Construction Management Plan	Pre-commencement
13	Cycle storage	Prior to use
14	Electric Vehicle Charging points	Prior to use
15	Implementation of parking and turning	Control

Advice from Cadent to be attached to decision notice for the attention of the applicant.

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	22/00036/LB
Proposal	Listed building application for removal of single storey toilet block, external stairwells and ramps, and erection of a 2-storey extension to the Grand Theatre
Application site	Grand Theatre St Leonards Gate Lancaster Lancashire
Applicant	Mr Michael Hardy
Agent	Ms Joanna Holland
Case Officer	Mrs Petra Williams
Departure	No
Summary of Recommendation	Approval, subject to conditions.

(i) **Procedural Matters**

The application would normally be dealt with under delegated powers but as the site includes land in the ownership of the City Council the application must go before Planning Committee.

1.0 Application Site and Setting

1.1 The Lancaster Grand is an established theatre. The building is Grade II Listed and lies within the Lancaster Conservation Area (Character Area 5). The site lies opposite St Leonards House, which is also Grade II Listed. The site also falls within the Canal Corridor North site.

1.2 The Grand Theatre building was Listed for its historic association as the first theatre established in Lancaster in 1782. The building has been altered and damaged by fire, but overall retains its historic Neo-Classical external appearance with an early-20th century interior. The building is constructed in sandstone rubble, with a rendered façade. Historically, there were terraced buildings to the north of the theatre which were demolished in the 1960s for a link road which was not developed. This has eroded the historic association of the setting of the theatre, but does allow for the building to be appreciated along the main street.

1.3 The parts of the site that are subject to 1:1000 surface water flood risk are along its frontage with St Leonard's Gate and its return frontage along Lodge Street. These two aforementioned roads are also subject to surface water flood risk of 1:30 and 1:100 risk in the immediate vicinity of the theatre.

2.0 Proposal

2.1 The submission is a Listed building application for removal of single storey toilet block, external stairwells and ramps, and erection of a 2-storey extension. A similar application was approved in January 2019 (18/00832/FUL and 18/00852/LB) but was not implemented due to funding issues.

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
22/00048/FUL	Relevant Demolition of part of Music Co-op building, single storey toilet block, boundary walls and external stairwells and ramps, and erection of a 2-storey extension to the Grand Theatre, extension of existing car park, construction of a retaining wall, construction of a replacement access ramp and steps, and repair to exposed facades of music Co-op building	Pending consideration
22/01307/LB	Listed building application for the installation of lighting to front and side elevations, installation of signs to side elevations, facade repair to front elevation	Permitted
19/01530/LB	Listed Building application for the removal of render and repointing to the Lodge Street elevation, installation of one CCTV camera and installation of a defibrillator cabinet to the side elevation	Permitted
18/00832/FUL	Relevant Demolition of part of Music Co-op building, boundary walls and external stairwells and ramps, erection of a 2-storey extension to the Grand Theatre and a retaining wall, and repair to exposed facades of music Co-op building	Permitted
18/00852/LB	Listed building application for removal of external stairwells and ramps and erection of a 2-storey extension to the Grand Theatre	Permitted
18/01623/LB	Listed building application for the installation of one CCTV camera	Permitted
15/00965/FUL	Removal of existing single storey store house and external fire escape staircase to the side elevation, erection of a two storey side extension	Withdrawn
15/00964/LB	Listed building application for the removal of existing single storey store house and external fire escape to the side elevation, erection of a 2-storey side extension, creation of 2 doorways at the lower ground level, 1 doorway at the upper ground and 2 doorways at the first floor level, removal of the existing first floor bar and toilets and installation of replacement toilets	Withdrawn
08/00421/FUL	Part removal of existing single storey store house and external fire escape staircase at the north eastern elevation. Development of a two storey side extension to provide additional foyer accommodation and associated alteration	Permitted
08/00422/LB	Listed building consent for part removal of existing single storey store house and external fire escape staircase at the north eastern elevation. Development of a two storey side extension to provide additional foyer accommodation and associated alterations	Permitted

4.0 Consultation Responses

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

Consultee	Response
Historic England	No comments received
Conservation Team	No objections - This scheme is essentially the same design as the 2018 submission. We support the minor changes in terms of parking access and circulation.
County Archaeology	No objections – Requests a condition for a programme of archaeological work.
The Theatres Trust	No comments received
Lancaster Civic Society	No objections - Welcomes plans to expand the reception facilities and other offices at this historic site.
National Amenity Societies	No comments received

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

- No representations received.

5.0 Analysis

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

- Principle
- Design and impact on designated heritage assets

5.2 **Principle** (NPPF Section 2: Achieving Sustainable Development)

5.2.1 The accompanying full planning application (22/00048/FUL), which also appears on this Committee Agenda, outlines the planning considerations in this case relating to matters that require full planning consent. This Listed Building application considers the impact of the proposed alterations upon the character and appearance of the Listed Building and the Conservation Area.

5.2.2 The principle of the proposed extension and works to the Listed Building has previously been accepted under the 18/00852/LB consent which has now lapsed. The aforementioned application will determine the principle of all the works collectively. The application has been considered to be acceptable and put forward with a recommendation for approval.

5.3 **Design and impact on designated heritage assets** (NPPF Section 12: Achieving well-designed places and Section 16: Conserving and enhancing the historic environment; Strategic Policies and Land Allocations DPD Policy SP7: Maintaining Lancaster's Unique Heritage; Development Management (DM) DPD Policies DM29: Key Design Principles, DM30: Sustainable Design, DM37: Development affecting Listed Buildings and DM38: Development affecting Conservation Areas)

5.3.1 National policy states that development should be of good design that contributes positively to making places better for people, requiring development to be visually attractive as a result of good architecture, layout and appropriate and effective landscaping. It is clear that permission should be refused for poor design that fails to take opportunities for improving the quality and character of an area. Local policy echoes this requiring that design should have regard to local distinctiveness have appropriate siting, layout, materials, orientation and scale.

5.3.2 The proposal relates to a Grade II Listed Building, which is situated in a Conservation Area. As outlined in the Planning (Listed Buildings and Conservation Areas) Act 1990, the local authority should have a desirability of preserving the Listed Building and any features of special interest which it possesses (s.16 and 66) and preserving or enhancing the character and appearance of the Conservation Area (s.72). The NPPF states that (para 199) that when considering the impact of a proposed development on the significance of a designated heritage assets, great weight should be given to the asset's conservation. This is irrespective of the degree of harm the proposal would result

in. Any harm to, or loss of, the significance of a designated heritage assets should require clear and convincing justification (para 200). Where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefit of the proposal including, where appropriate, securing its optimum viable use (para 202).

- 5.3.3 The proposal involves the removal of a modern inappropriate fire escape and a single storey extension, which would be of benefit to the appearance of the building. This elevation would then be altered and extended to allow for a contemporary part glazed and part cladded extension which would connect to the Lancaster Grand and the adjacent original cottages. This scheme is reflective of the original scheme permitted in 2008 and the schemes submitted and approved in 2015 and 2018. The proposal will also facilitate the creation of a plaza area which will provide a public realm enhancement. The current scheme involves a small area within the adjacent City Council Pay and Display car park, which has been leased to the Lancaster Footlights in order to support delivery of the foyer extension which, together with external improvements, is identified as a key project within the Lancaster High Streets Heritage Action Zone programme.
- 5.3.4 It is considered that the principle of a modern extension remains acceptable. It is clear that there is a need for the proposed extension as the existing reception area, bar and disabled access are all constrained and negatively impact on the user experience of the building. There is also a lack of alternative performance space and a lack of suitable space for customers to use the building during the day. As such there is a clear need for the extension to enhance and improve the theatre experience at this site. In relation to the design of the proposed extension, given the scale, form and design of the Listed building, the situation of the building relative to neighbouring buildings it is considered that the only option for extending the facilities at the theatre would be to the north east elevation of the building (as proposed), and that it would be very difficult to extend in a traditional manner in a way that would maintain and enhance the Listed building. The design of the extension has been carefully considered to have a glazed connection to the existing buildings, allowing the original building to be perceived, and the bulk of the structure to be set out from the original building. The design of the building to use rain screen cladding and glazing materials would also result in a quality clean finish which would be distinct but complementary both to the sandstone rubble and the rendered façade.
- 5.3.5 As in the case of the 2018 submission, concerns have been raised regarding the marginal intersection of the extension with the existing blocked up windows on the north-east elevation. Whilst it would be preferable to have these windows left unaffected by the extension and fully perceived internally, any increase to the height of the building would result in the overall scale of the building being too great, which would be overbearing on the original building in scale. Therefore, in order to maintain the right proportions of the building as a whole, the roof of the proposed scheme is at a height where it intersects with the top of the arches, which means part of each arch is not visible. Although the tops of the arches may be hidden from view, the existing stone theatre wall will remain completely exposed. As in the case of the previous approval details of the connection points of the extension to the building will be conditioned.
- 5.3.6 Clearly the overall finished quality of the development will hinge on the final detail and execution of the works. In order to ensure this, conditions would be required (in addition to those set out above) in relation to stonework repairs, materials, external/internal doors, balustrades and bollards, surfacing, lighting, flues and vents, rainwater goods and internal fixtures.
- 5.3.7 National policy requires that great weight should be given to the asset's conservation, and where there is less than substantial harm to the significant of the Listed building, this should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Overall, it is concluded that the proposal would result in less than substantial harm to the Listed building, but it is recognised that the design of the extension has been optimally considered to ensure the least harm or impact to the Listed building and its settling. The scheme would clearly result in the optimal use of the heritage asset and would have considerable public benefit from ensuring the growth and bringing up of the existing facility modern standards and expectations of a theatre. On this basis, subject to the conditions proposed, it is considered that the public benefit of the scheme would outweigh any harm to the Listed building and also ensure a high-quality finish to the development.

6.0 Conclusion and Planning Balance

- 6.1 The proposal has been carefully designed to ensure that the impact on the Listed building would not amount to greater than less than substantial harm. It is considered that this harm is outweighed by the public benefit that would result from the enhancement of the facilities at the theatre which are desperately needed to secure its continued growth and success. Subject to conditions, matters relating to design and materials can be adequately dealt with by condition. It is considered that this application can be recommended for approval.

Recommendation

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

Condition no.	Description	Type
1	Standard listed building consent timescale	Control
2	Development to accord with listed plans	Standard
3	Details and samples of all external materials: <ul style="list-style-type: none"> • cladding • roof materials • frames • fin details • glazing • external doors • balustrades and bollards • surfacing treatments • external lighting, including any lighting to window arches • flues and vents • rainwater goods 	Pre-commencement
4	Details and samples of all internal materials: <ul style="list-style-type: none"> • internal doors • internal fixtures (including bar and storage space) 	Pre-commencement
5	Details of fixtures to the main building (inc. details of connection to exposed window arches)	Pre-commencement

Background Papers

None

Agenda Item	A8
Application Number	22/01353/FUL
Proposal	Erection of single storey rear extension
Application site	Tarnbrook Stores 8 Tarnbrook Road Heysham Morecambe
Applicant	Mr James Brown
Agent	Mr Philip Holt
Case Officer	Mrs Kim Ireland
Departure	No
Summary of Recommendation	Refusal

(i) Procedural Matters

This form of development would normally be determined under the Council’s Scheme of Delegation. However, the hardstanding area to the rear of the property is in the ownership of Lancaster City Council and, as such, the application is referred to the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 The application site is located on the south west side of Tarnbrook Road within the urban area of Heysham. The building comprises of a fish and chip takeaway and a shop to part of the ground floor with the remainder of the ground floor and the first and second floors used as residential accommodation. To the rear of the property is a strip of hardstanding that runs the length of the building that is owned by Lancaster City Council. There is an access road that runs around the rear of the property that separates the strip of hardstanding and a detached block of six garages.

1.2 To the north of the property is a triangular shape of land that is identified as a greenspace, with Mossgate County Primary School further to the north of the site. The remainder of the surrounding area is characterised by residential properties. To the north of Tarnbrook Road is Sugham Lane and to the east of Tarnbrook Road is Kingsway, both of which are main bus routes that provide linkages to Morecambe and Lancaster.

2.0 Proposal

2.1 This application proposes to erect a single storey extension to the ground floor rear elevation of the existing shop. The proposed extension measures 2.9 metres in height, projecting 4.6 metres from the rear elevation at its furthest point and a maximum width of 9.5 metres. The development is proposed to be finished in dash rendered walls, with a red facing brick plinth and fibreglass flat roof.

- 2.2 The development is proposed to be finished in brick walls, white upvc windows and doors to match the existing building. The extended internal area is to be predominantly used as an additional studio and a store room with an external access. Eight concrete anti-ram bollards are to be installed to the south west of the proposed extension and three concrete anti-ram bollards are to be installed to the west of the proposed extension. All concrete anti-ram bollards will be a 0.9 metres in height. To the rear elevation of the proposed extension, it is proposed to install a perforated roller shutter door that will be 2.08 metres in width and 2.29 metres in height that will cover the only door and window to the rear elevation. In addition to the roller shutter to the rear elevation, there is a red facing brick detail to mimic a false window that is 1.6 metres in width and 1.1 metres in height. All gutters are to be visible and not hidden behind a parapet wall.
- 2.3 The proposed extension will provide additional shop floor space to the existing shop business, with the staff W.C and mess room being moved internally to be within the proposed extension. The bin storage is currently internally within the existing building, it has been agreed with the adjoining business of the fish and chip shop that they will share the bin storage that is to the rear area of the adjoining takeaway business.
- 2.4 The submitted proposal initially sought pre-application advice from Lancaster City Council. Advice was provided that the principle of an extension to expand an existing small business that serves the local community was acceptable. However, concerns were raised regarding the poor-quality design of the flat roof extension with numerous security measures included. The nature of the proposed dog-leg shaped extension reduced the natural surveillance that the rear of the building currently offers, as no solid structures exist and this could lead to the misuse of the area to the north of the proposal. In addition no details of a bin store were submitted, however this would need to be provided away from the neighbouring residential bedroom flat window at 14 Tarnbrook Road.

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
93/00513/FUL	Erection of single storey rear extension to form store room and reposition main entrance door/window	Permitted

4.0 Consultation Responses

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

Consultee	Response
Parish Council	No comments received at the time of compiling this report.
Property Services	No comments received at the time of compiling this report.
County Highways	No Objection
Environmental Health	No comments received at the time of compiling this report.
Cadent Gas	No Objection

- 4.2 No comments have 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
- Security Measures
- Residential Amenity

- 5.2 Principle of Development (NPPF Section 6: Economy, Policies DM14: Proposals Involving

- 5.2.1 The Council will seek to protect a local service that serves a local community and recognises the role local services can play in ensuring that communities are sustainable in the long term in accordance with DM56 of the DM DPD. Similarly DM15 of the DM DPD states that the Council will support proposals that involve the creation or sustainable expansion of a small business within the district.
- 5.2.2 The ground floor property has been utilised as a shop in this location since before circa 1993. To allow the business to continue and remain in this location, the proposed extension is required to allow the business to expand by providing additional shop floor space for the local community to utilise. Thereby protecting a local service that serves a local community, allowing the building to be extended, securing the long-term use of the building and existing business. As a result, it is considered that an extension can be accommodated to the rear elevation of the ground floor of the property, however as discussed below concerns have not been overcome with regards to the design and security measures of the proposed extension as advised within the pre-application.
- 5.2.3 Retail proposals that are outside of defined centres that generate no more than 150sqm of gross floorspace in total will be supported by the Council as stated within Policy DM19 DM DPD. The proposed extension together with the existing floor area of the shop will have a proposed gross floorspace of 111sqm, therefore the proposal complies with the criteria set out within Policy DM19 DM DPD. The shop is therefore considered a local facility that is acceptable outside of designated town centre.
- 5.3 Design (NPPF Section 12, Policies DM29: Key Design Principles)
- 5.3.1 Policy DM29 of the DPD requires a good standard of design, requires proposals to demonstrate an understanding of the wider context so that they make a positive contribution to the local area. Similarly paragraph 126 of section 12 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 5.3.2 The design of the proposal is thought to be of poor quality, due to the combination of the flat roof, overall size and dog-legged shape of the extension, as well as the roller shutter and bollard security measures, together with gutter and eave detailing. Although the proposed development is to the rear elevation of the property, all development still requires a good standard of design and should be of high quality. The overall design is not thought to provide an active elevation and diminishes the openness that exists to the rear of the building. The design of the dog-leg shaped extension, together with the projection from the existing rear elevation, could lead to a misuse of the area to the north west of the proposed extension, due to lack of security/ natural surveillance. The number of proposed bollards suggests that there are issues with crime in the area and therefore the design of the dog-leg extension could exacerbate an existing problem further. Collectively, the design and layout of the proposal is not considered to be
- 5.3.3 The agent has stated within the submitted design and access statement that planning permission was previously granted for a single storey extension to the rear elevation for the existing shop in 1993. The local Planning Authority has researched into the previously approved extension, it was smaller in scale and as previously discussed the submitted application is not acceptable due to a combination of the flat roof, overall size and dog-legged shape of the extension and the proposed security measures.
- 5.3.4 The Council is not opposed to an extension to the existing ground floor business, however, the proposal is not considered to be an acceptable design. Improvements to the scheme as suggested to the agent could include a reduced projection, parapet walls with hidden gutters, the removal of the false window and reduced security measures.
- 5.3.5 The proposed design of the proposal is not seen to contribute positively to the identity and character of the area and the original building, through appropriate scale massing and detailing. As such, the proposal is considered to be contrary to section 12 of the NPPF and policy DM29 of the DM DPD.

5.4 Security Measures (NPPF Section 12, Policies DM29: Key Design Principles)

5.4.1 Policy DM29 of the DM DPD requires the safety and security of new development to be fully considered through the design process. Similarly, Paragraph 130F states that development should ensure places are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

5.4.2 The submitted application fails to provide justification for the excessive amount of security measures that are being proposed in the form of eleven anti-ram bollards to the south west and west of the proposed extension and the roller shutter proposed to the rear elevation of the proposed extension. In addition to the excessive amount, the design of the security measures is seen to contribute to the poor design of the proposed development overall and therefore is not seen to comply with section 12 of the NPPF and policy DM29 of the DM DPD.

5.5 Residential Amenity (NPPF Section 12, Policies DM29: Key Design Principles)

5.5.1 Policy DM29 of the DM DPD states that new development should ensure that there is no significant detrimental impact to amenity in relation to overshadowing, visual amenity, privacy, overlooking, massing and pollution.

5.5.2 The neighbouring property of 14 Tarnbrook Road is located to the ground floor, directly adjacent to the existing shop. The proposed extension features a dog-leg design to reduce the overbearing impact upon the bedroom window of the neighbouring property of 14 Tarnbrook Road. However as previously discussed within the design section, due to the projection and the dog-leg design of the proposed extension, this could lead to a misuse of the area to the north west of the proposed extension, due to lack of security/ blind corners, and therefore, have an impact upon the amenity of neighbouring residential property.

6.0 Conclusion and Planning Balance

6.1 The proposed development is thought to be of a poor quality design, by reason of its scale, dog-leg shaped extension and the proposed security measures. The design is considered to therefore be detrimental to the local spatial character and the visual amenities of the original building and wider area.

6.2 The submitted application fails to justify the need for the excessive amount of security measures proposed, and together with the poor design, the security measures are thought to add to the poor design of the overall proposal.

6.3 The Council is supportive of an extension to the rear elevation of the ground floor business; however the design and security measures needs to be explored further as set out within the pre-application advice that was provided to the applicant prior to the submission of this planning application.

6.4 With consideration being given to all other matters, and due to the reasons outlined above, it is recommended to the Planning Regulatory Committee refuse the application.

Recommendation

That Planning Permission BE REFUSED for the following reasons:

1. The local planning authority considers that the design of the proposed development, by reason of scale, poor design and appearance of the extension would have an incongruous addition to the ground floor of the existing property. The proposed development would detrimentally detract from the local spatial character and is not thought to be a good standard of design or high quality. The proposal therefore fails to comply with policy DM29 of the Development Management DPD and paragraph 126 of the National Planning Policy Framework.
2. The submission fails to demonstrate a proven and justified need for the excessive use of security measures proposed in the form of eleven anti-ram bollards and a security shutter to the rear elevation

of the extension. The proposed security measures would contribute to the poor quality design of the overall proposed development and is contrary to the requirements of Policy DM29 of the Development Management DPD and paragraph 130F of the National Planning Policy Framework.

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

Lancaster City Council takes a positive and proactive approach to development proposals, in the interests of delivering sustainable development. As part of this approach the Council offers a pre-application service, aimed at positively influencing development proposals. Whilst the applicant has taken advantage of this service prior to submission, the resulting proposal is unacceptable for the reasons prescribed in the Notice. The applicant is encouraged to liaise with the Case Officer in an attempt to resolve the reasons for refusal.

Background Papers

None

Agenda Item	A9
Application Number	22/01388/CU
Proposal	Change of use from dance studios to artists studios
Application site	Ludus Dance Assembly Rooms King Street Lancaster
Applicant	Dr Alan Morris
Agent	N/A
Case Officer	Mrs Kim Ireland
Departure	No
Summary of Recommendation	Approval

(i) **Procedural Matters**

This form of development would normally be determined under the Council's Scheme of Delegation. However, the building is in the ownership of Lancaster City Council and, as such, the application is referred to the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 The application site is located on the west side of King Street within the city centre of Lancaster. The two-storey building is constructed of sandstone with a slate roof. The building is Grade II listed and dates from 1759 with early and late nineteenth century alterations. It was originally constructed by the Trustees of the Penny's Hospital, which lies immediately to the north and is Grade II* listed. The purpose of the building was to raise money for the hospital through entertainment. The ground floor is currently used as an indoor vintage market with a small café. The first floor was, until September 2022, used as dance studios, which has a separate ground floor access to the front elevation. The site is situated within Lancaster Conservation Area.

2.0 Proposal

2.1 The proposal is seeking to change the use of the entrance hallway of the ground floor, the ground floor mezzanine and the first floor from dance studios to artist studios. The artist studios are to provide a collaborative visual arts hub for high quality, non-assessed teaching with the combination of the provision of professional art studios. The artist studios will provide a gallery, a classroom, a kiln room, an office, two artist studios and a darkroom. There are no alterations proposed internally or externally to facilitate the change of use that require planning consent.

3.0 Site History

3.1 Since 1982, the application site has been the subject of a number of applications including change of use, listed building and advertisement consent. The most recent applications are detailed below:

Application Number	Proposal	Decision
19/01103/LB	Listed building application for removal of external lighting from front elevation and replacement of a non-illuminated wall mounted sign and a non-illuminated hanging sign	Permitted
13/00295/LB	Listed Building Application for remedial works to part of ceiling, re-pointing of south facing gable wall and repair plaster cornice in dance hall	Permitted

4.0 Consultation Responses

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

Consultee	Response
Conservation Officer	No objection
Environmental Health	No comments received at the time of compiling this report.

4.2 No comments have 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 and Heritage Matters

5.2 **Principle of Development** (NPPF Section 6: Economy, Section 7: Town Centres; Policies DM15: Small Business Generation, DM16: Town Centre Development, DM17: Retail Frontages, DM24: The Creation and Protection of Cultural Assets, DM56: Protection of Local Services and Community Facilities, SP9: Maintaining Strong and Vibrant Communities)

5.2.1 The Council will seek to protect existing cultural assets in the district that are considered to be of value to the local and/ or wider community as stated within Policy DM24 of the DPD. Furthermore, development proposals that propose new local services must be located within an accessible location that can be accessed by all members of the community in accordance with DM56 of the DM DPD.

5.2.2 The proposed change of use of the entrance hallway of the ground floor, the ground floor mezzanine and the first floor to artist studios is located within a central and accessible location within the city centre of Lancaster. The proposed artist studios will protect an existing cultural asset that has for years been utilised as a dance studio for the local and the wider community and is within an accessible location that can be accessed by all members of the community.

5.2.3 The site is located within the Lancaster City Centre boundary, as well as within a secondary frontage. The Council will only support proposals for other main town uses within a secondary frontage as set out within Policy DM17 of the DM DPD.

5.2.4 The criteria set out within Policy DM17 of the DM DPD, only applies to ground floor properties located within the secondary frontage of the Town Centre. The proposed change of use only applies to the upper floors of the property and therefore the secondary frontage criteria is not applicable in this instance. Similarly, the proposed application is to change the use of the upper floors from dance studios to and artist studio, both are classified as a use class sui generis and therefore there is not a loss of a town centre use.

- 5.2.5 The use seeks to support the wider continued use of the building and is considered to be appropriate, due to the location at first floor up. The proposal will enable the long-term viability of a cultural asset that also will help maintain the viability of the wider defined primary and secondary shopping areas.
- 5.3 **Design and Heritage Matters** (NPPF Section 16: Historic Environment and Section 12: Achieving Well Designed Places, Policies DM29: Key Design Principles, DM37: Development affecting Listed Buildings, DM38: Development affecting Conservation Areas, SP7: Maintaining Lancaster District's Unique Heritage)
- 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.
- 5.3.2 There are no external or internal works to facilitate the proposed change of use of the uppers floors of the property. The proposal will not lead to a significant level of harm to the Conservation Area and/ or the Listed Building. Freestanding artist pods will be installed into the main studio room, however they are not to be attached to the walls and the floors will be protected with plywood or a lino for the duration of the use of the room, thereby protecting the listed building.
- 5.3.3 Overall, the proposal will not result in any harm to the Conservation Area and the Listed Building and the public benefit is considered to ensure that the change of use is acceptable with regards to the NPPF.
- 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 location of the site is considered to be highly accessible, located to the east of the one-way gyratory system that runs around Lancaster City Centre. Therefore, it is accessible by cars, a cycle lane runs past the site, as well as being in close proximity to various modes of public transport that include Lancaster Train Station and Lancaster Bus Station.
- 5.4.2 The submitted application is not proposing any off-street parking for the proposed change of use. The previous use of the upper floors as dance studios did not provide any off-street parking. Therefore it is considered that there is no loss of a provision of off street parking and given the site's sustainable location with good access to public transport, the proposed change of use of the upper floors of the property is acceptable from a highway's perspective.
- 6.0 Conclusion and Planning Balance**
- 6.1 Overall, planning policy seeks to support new cultural and community facilities within the district that are in accessible locations. The proposed change of use from a dance studio (use class sui generis) to an artist's studio (use class sui generis) does not involve the loss of a main town centre use, nor does the secondary frontage criteria set out within policy DM24 apply to the proposal, as it is only applicable to the ground floor of the properties within the City Centre boundary. There are no external or internal works that require planning consent proposed to facilitate the change of use of the upper floors of the property and, therefore, the proposal will not lead to any level of harm to the Conservation Area and the Listed Building. The change of use of the upper floors is not proposing any off-street parking, however the previous use did not provide any off-street parking, therefore there is not a loss. However, the site is located within a highly sustainable location with good access to public transport, therefore no concerns are raised from a highway perspective.

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	A10
Application Number	22/01448/LB
Proposal	Listed building application for the fixing of a sign next to the customer services entrance
Application site	Lancaster Town Hall Dalton Square Lancaster Lancashire
Applicant	Mrs Dawn Moss
Agent	N/A
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 applicant and landowner is Lancaster City Council, the application must be determined by the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 The site to which this application relates is Lancaster Town Hall at Dalton Square in the city centre. The building was constructed 1906-1909, is of sandstone ashlar and is Grade II* listed. The building is also situated in the Lancaster Conservation Area and within the setting of numerous other listed buildings.

2.0 Proposal

2.1 This application seeks listed building consent for the fixing of a sign next to the Customer Services entrance. The sign measures approx. 22cm in width and 70cm in height and features white text on a blue background. The signage has been fixed to the building using silicone sealant.

3.0 Site History

3.1 The site has an extensive planning history, although there are no recent applications of relevance to this proposal.

4.0 Consultation Responses

4.1 At the time of writing this report, the following responses have been received from statutory and

internal consultees:

Consultee	Response
Historic England	No comments
Conservation Team	No objection
Property Services	No response received

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 consideration in the assessment of this application is:

- Heritage and Visual Impact

5.2 **Heritage and Visual Impact** (NPPF Sections 12 and 16; Policies DM29, DM37, DM38 and DM39 of the Development Management DPD; Policy SP7 of the Strategic Policies and Land Allocations DPD)

5.2.1 In accordance with the Planning (Listed Building and Conservation Areas) Act 1990, when considering any application that affects a Listed Building, Conservation Area or their setting the local planning authority must pay special attention to the desirability of persevering or enhancing the character or appearance of the heritage asset or its setting. This is reiterated by the heritage policies of the Local Plan.

5.2.2 The signage replaces previous signage next to the Customer Services entrance, with the current opening times and contact methods for the Council's Customer Services. The design and colour scheme are in line with the Council's corporate identity policy. The slim-line nature of the sign ensures that it fits neatly within the doorway surround, and is relatively small scale when the building is viewed as a whole. As the signage replaces previous signage and has been sensitively designed, it is considered that the proposal does not affect the character of the designated heritage assets.

5.2.3 In terms of fixing, a silicone sealant has been used. It is understood that the product simply sits on the surface of the stone, and does not leach into the stone. This method avoids mechanical fixing and the need for screws and holes which can lead to longer term damage. Therefore, the method of fixing is considered acceptable and would conserve the significance of the heritage asset.

6.0 Conclusion and Planning Balance

6.1 The replacement signage is required to improve communication of opening times to the public and allow the Listed Building to continue to function as a Town Hall, an important civic building within the district, and these are considered public benefits. The works are considered acceptable in terms of design and fixing, and are also reversible. On balance, the proposal has a neutral impact (less than substantial harm which is outweighed by public benefits in the context of the NPPF) on the character, architectural interest and historic interest of the designated heritage assets and as such is recommended for approval.

Recommendation

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

Condition no.	Description	Type
1	Standard Listed Building Consent Timescale	Control
2	Works in Accordance with Approved Plans and Details	Control

Background Papers

N/A

Agenda Item	A11
Application Number	22/01570/ADV
Proposal	Advertisement application for the display of a projecting hanging ring
Application site	Cunningham Jewellers 2 - 4 Damside Street Lancaster Lancashire
Applicant	K Smith
Agent	HPA Chartered Architects
Case Officer	Mrs Kim Ireland
Departure	No
Summary of Recommendation	Approval

(i) **Procedural Matters**

This form of development would normally be dealt with under the Scheme of Delegation. However, the application has been submitted by a member of staff as part of the on-going works within the Heritage Action Zone and, as such, the application is referred to the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 The application site is located on the north side of Damside Street within the city centre of Lancaster. The three-storey building is constructed of sandstone with a slate roof. The ground floor of the property is utilised as a jewellers, with the first and second floors used as a two bedroom apartment. The property has a double front with two centralised entrances to the ground floor Jewellers and has a traditional timber shop front. The site is situated within Lancaster Conservation Area.

1.2 The property has recently been granted planning permission for the restoration and refurbishment of the shopfront with replacement of inappropriate materials to the first and second floors that include windows, guttering and pointing. The application was determined under delegated powers as the application was not submitted by a member of staff and therefore did not need to be referred to the Planning Regulatory Committee.

2.0 Proposal

2.1 The proposal is seeking to install a non-illuminated projecting hanging ring. The proposed projecting hanging sign will be fixed to a traditional wrought iron hanger that will project from the front elevation by 0.7 metres and will be 0.3 metres in height. The hanging sign will project a maximum of 0.7 metres and will be of a height of 0.6 metres and will be made up of softwood and will be finished in a metallic gold paint. The projecting hanging sign will be fixed above the shopfront, in between two of the windows to the first floor and will fixed a maximum of 4.5m above ground level. The proposed projecting hanging sign will replace an image of a modern ring that is displayed in the fascia sign that

is displayed between the first and second floors.

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
22/01374/FUL	Restoration and refurbishment of shopfront, repair and reinstatement of awnings, replacement of UPVC windows with timber windows, replacement of UVPC gutter with aluminium and replacement of pointing to front elevation	Permitted

4.0 Consultation Responses

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

Consultee	Response
Conservation Officer	No comments received at the time of compiling this report.
County Highways	No comments received at the time of compiling this report.

4.2 No comments have received from members of the public.

5.0 Analysis

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

- Amenity and Impact upon the setting of Heritage Assets
- Public and Highway Safety

5.2 Amenity and Impact upon the setting of Heritage Assets (NPPF Section 12: Achieving well-designed places, Section 16: Conserving and Enhancing the Historic Environment, Policies DM21: Advertisements and Shopfronts, DM29: Key Design Principles, DM38: Development Affecting Conservation Areas, SP7: Maintaining Lancaster District's Unique Heritage)

5.2.1 The proposal seeks to display new signage as part of a refurbishment of an established jewellers within the City Centre of Lancaster. The proposed signage is of a simple design that will be attached to the building with a simple traditional bracket. The design and scale of the proposed signage is considered to be proportionate to the property and use, and will not detract from the visual amenity of the area. The property is within a prominent position, sited at the junction of Damside Street and North Road, within Lancaster Conservation Area, but the proposal will cause no significant harm to the setting of the heritage asset.

5.2.2 The Conservation Area is considered to be a heritage asset as a whole and as such the impact of the proposal needs to be considered. The proposal will have a small impact upon the character of the Conservation Area, however, this impact is considered to amount to less than substantial harm. There is no public benefit to the proposal, however, the design is an improvement upon the existing signage. As such, the proposal is not considered to have a significant impact that would be contrary to the aims of Section 16 of the NPPF.

5.3 Public and Highway Safety (NPPF Section 12: Achieving well-designed places, Policies DM21: Advertisements and Shopfronts, DM29: Key Design Principles)

5.3.1 The proposed signage will have no impact upon the highway, due to no illumination and as it is to be fixed to the front elevation 4.5m above ground level. Nor will the proposed signage impede pedestrian movements, thus no adverse impact upon public safety.

6.0 Conclusion and Planning Balance

- 6.1 The proposed signage has a sympathetic design that is proportionate in scale to the property and use. Forming part of a wider refurbishment of the property, the advertisement will have no detrimental impact upon the amenity or safety of the area, whilst causing no harm to the setting of the heritage asset.

Recommendation

That Advertisement Consent BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Standard 5 Year Timescale for Advertisements	Control
2	Development in accordance with approved plans	Control
3	No advertisement is to be displayed without the permission of the owner of the site	Standard Advertisement Condition
4	No advertisement shall be sited or displayed so as to obscure or hinder various transportation signs or signals	Standard Advertisement Condition
5	Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site	Standard Advertisement Condition
6	Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public	Standard Advertisement Condition
7	Where an advertisement is required under the Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity	Standard Advertisement Condition

Background Papers

None

Agenda Item	A12
Application Number	22/01571/FUL
Proposal	Installation of replica hoist and explanatory plaque to the front elevation
Application site	14 Damside Street Lancaster Lancashire LA1 1PB
Applicant	K Smith
Agent	HPA Chartered Architects
Case Officer	Mrs Eleanor Fawcett
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 has been submitted by Lancaster City Council as part of the ongoing works within the Heritage Action Zone and, as such, the application is referred to the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 The site relates to a three storey mid-terraced property, located on the north side of Damside Street within the city centre of Lancaster. It has a commercial use on the ground floor, with a residential use above and is constructed of sandstone under a slate roof. The site is located within Lancaster Conservation Area and within the Lancaster High Street Heritage Action Zone.

2.0 Proposal

2.1 Planning permission is sought for the installation of a replica hoist to the front of the building. It would be sited adjacent to a second floor window and be of a timber construction with steel bands and a metal hook. The hoist would be just over 1.5 metres high and would project just over 1 metre from the front elevation. The proposal also includes reference to an explanatory plaque, to explain the heritage of the building and its role as part of Lancaster's industry, although this does not require planning permission or advertisement consent in its own right.

3.0 Site History

3.1 The most relevant history is set out below. This relates to the redevelopment of the adjoining property and site and included the change of use of the upper floors of this building to student accommodation, the installation of a new shop front and alterations to the front elevation. The

development has been mostly undertaken, although the shop front has not yet been installed to this property, although works appear to be in progress.

Application Number	Proposal	Decision
22/01294/NMA	Non material amendment to planning permission 17/01563/FUL to alter the shop front	Approved
17/01563/FUL	Demolition of existing building and erection of three storey building comprising ground floor shop (A1) or restaurant (A3) with 14 student studios on upper floors	Approved
17/00702/VCN	Redevelopment of properties and land adjacent, comprising of change of use of first and second floors of 14 Damside Street to one 3 bedroom student cluster flat, erection of first and second floors to 20 Wood Street to create two 3 bedroom and two 5 bedroom student cluster flats and erection of a new 3 storey building of one 4 bedroom and one 6 bedroom student cluster flats and 9 bay car park at rear (pursuant to the variation of condition 2 on planning permission 16/01268/FUL to amend the first and second floor and elevation plans)	Approved
16/01268/FUL	Redevelopment of properties and land adjacent, comprising of change of use of first and second floors of 20 Wood Street to one 3 bedroom student cluster flat, erection of first and second floors to 14 Damside Street to create two 3 bedroom and two 5 bedroom student cluster flats and erection of a new 3 storey building of one 4 bedroom and one 6 bedroom student cluster flats and 9 bay car park at rear	Approved

4.0 Consultation Responses

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

Consultee	Response
Conservation Officer	No comments received at the time of compiling this report.
County Highways	No comments received at the time of compiling this report.

4.2 No comments have received from members of the public. The consultation period expires on 27 January 2023. Any representations received will be reported verbally to Members at the Committee meeting.

5.0 Analysis

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

- Size, siting, design and impact on Heritage Assets
- Impact on Highway Safety

5.2 **Size, siting, design and impact on Heritage Assets** NPPF paragraphs: 126 and 130 (Achieving well-designed places) and 189, 194 - 197, 199 – 206 (Conserving and Enhancing the Historic Environment); Strategic Policies and Land Allocations (SPLA) DPD policies SP7 (Maintaining Lancaster District's Unique Heritage); Development Management (DM) DPD policies DM29: Key Design Principles and DM38 (Development Affecting Conservation Areas)

5.2.1 The site is located within the Lancaster Conservation Area and the Lancaster High Street Heritage Action Zone. The purpose of this zone is to improve the condition of the area in addition to its understanding perception and the proposal would receive funding under this. Based on historical maps, the construction the application property, and the houses at number 10-12 Damside Street appears to have occurred at some point between 1778 and 1807. Photography from 1895, shows

number 14 Damside Street in use as a warehouse, with the goods lifts evident beside the historic openings. The historic warehouse openings at the site were exposed during works to the property in 2017, in conjunction with the development of the adjacent site. As a result, the proposal was altered to include these opening. The reinstatement of the historic warehouse openings has improved the character of the building and better reveal links to its historic use. The application proposes the installation of a replica hoist which will also link to its historic use. The design has been influenced by existing hoists on St Georges Quay and historic photographic evidence.

5.2.2 There is a presumption in favour of preserving the character and appearance of the conservation, as set out in S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990). This is reiterated in local policy and policy DM38 sets development in Conservation Areas should preserve or enhance the character and appearance of the area. Paragraph 197 of the NPPF sets out local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

5.2.3 The proposed replacement hoist is considered to be of an appropriate scale and design and will represent an enhancement to the building, in particular relation to better revealing its historic use and is therefore considered to enhance this part of the Conservation Area and complies with both National and Local Planning policy.

5.3 **Impact on Highway Safety** NPPF paragraphs 110 and 111 (Highway Safety); Development Management (DM) DPD policy DM29 (Key Design Principles)

5.3.1 The proposed hoist would be fixed to the front elevation of the building, approximately 6 metres above the level of the adjacent pavement. As such it is considered that it will not have a detrimental impact on pedestrian or highway safety.

6.0 Conclusion and Planning Balance

6.1 The proposal hoist relates to the historic use of the building as a warehouse and would be sited adjacent to the warehouse opening that was revealed as part of a recent development. It will therefore enhance the understanding of the historic use and will therefore provide an enhancement to the building and this part of the conservation area, in accordance with Local and National Planning policy.

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 the approved plans	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	A13
Application Number	22/01577/ADV
Proposal	Advertisement application for the display of a hanging projecting barrel and a plaque to the front elevation
Application site	31-33 North Road Lancaster Lancashire LA1 1NS
Applicant	K Smith
Agent	HPA Chartered Architects
Case Officer	Mrs Eleanor Fawcett
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 has been submitted by Lancaster City Council as part of the ongoing works within the Heritage Action Zone and, as such, the application is referred to the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 The site relates to a three storey mid-terraced property, located on the south side of North Road within the city centre of Lancaster. It has a commercial use on the ground floor with flats above and is constructed of sandstone under a slate roof, although the front elevation is painted. The site is located within Lancaster Conservation Area and within the Lancaster High Street Heritage Action Zone.

2.0 Proposal

2.1 Advertisement consent is sought for the display of a traditional barrel sign on the front of the property as reference to a historic use at the site. It would be just over 0.5 metres high and have a maximum diameter of 0.4 metres and would be sited at first floor level. The proposal also includes reference to an explanatory plaque, to explain why the barrel exists and the building former use, although this does not require planning permission or advertisement consent in its own right.

3.0 Site History

3.1 There are no recent applications at this site which are relevant to the proposal. The most recent relates to the approval of a projecting sign in 1992.

4.0 Consultation Responses

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

Consultee	Response
Conservation Officer	No comments received at the time of compiling this report.
County Highways	No comments received at the time of compiling this report.

4.2 No comments have received from members of the public.

5.0 Analysis

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

- Amenity and Impact on Heritage Assets
- Public and Highway Safety

5.2 **Amenity and Impact upon the setting of Heritage Assets** NPPF paragraphs: 126, 130 and 136 (Achieving well-designed places) and 189, 194 - 197, 199 – 206 (Conserving and Enhancing the Historic Environment); Strategic Policies and Land Allocations (SPLA) DPD policies SP7 (Maintaining Lancaster District’s Unique Heritage); Development Management (DM) DPD policies DM21 (Advertisements and Shopfronts), DM29 (Key Design Principles) and DM38 (Development Affecting Conservation Areas)

5.2.1 The site is located within the Lancaster Conservation Area and the Lancaster High Street Heritage Action Zone. The purpose of this zone is to improve the condition of the area in addition to its understanding perception and the proposal would receive funding under this. Numbers 29 - 39 North Road are a group of terrace buildings which appear to date from the early nineteenth century. The application site is one of two properties which form the Ship and are thought to predate this and be some of the first built as part of the redevelopment of the Mill Race area. The Ship Inn is listed as a public house in records dating from 1772 and these records detail the various owners and landlords up until its closure in 1970. Historical accounts also show that the site was formerly occupied by two older inns, The Cock and The Three Squirrels. They were later converted into a single public house, called “The Ship Inn”, owing to it being the nearest inn to the old shipyard.

5.2.2 The application proposes a barrel sign to illustrate the lost trade of the public house at this site. The submission sets out that the sizing of the barrel has been determined by analysing photographs of the building taken from 1881 and 1889. When compared to the size of the windows, it is believed that the sign is an 18-gallon barrel (called a Kilderkin or Quarter Cask). The building still includes the wording ‘Ship Hotel’ which references its previous use.

5.3.3 There is a presumption in favour of preserving the character and appearance of the conservation, as set out in S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990). This is reiterated in local policy and policy DM38 sets development in Conservation Areas should preserve or enhance the character and appearance of the area. Paragraph 197 of the NPPF sets out local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

5.3.4 The proposed barrel has been designed and detailed using historic photographs and is considered to be of appropriate scale and design. It is considered that it will represent an enhancement to the building and amenity the area, in particular relation to better revealing its historic use, and is also considered to enhance this part of the Conservation Area. It therefore complies with both National and Local Planning policy.

5.3 **Public and Highway Safety:** NPPF paragraphs 136 (Achieving well-designed places) and 110 and 111 (Highway Safety); Development Management (DM) DPD policies DM21 (Advertisements and Shopfronts) and DM29 (Key Design Principles)

5.3.1 The proposed barrel sign would be fixed to the front elevation of the building, approximately 4.2 metres above the level of the adjacent pavement and is not illuminated. As such it is considered that it will not have a detrimental impact on public or highway safety.

6.0 Conclusion and Planning Balance

6.1 The proposal barrel sign relates to the former historic use of the building as a public house. It is considered appropriate in terms of its scale and design and will provide an enhancement to the character and appearance of the building and the Conservation Area, in accordance with Local and National Planning policy. It is also considered that it would not result in a detrimental impact to public or highway safety.

Recommendation

That Outline Planning Permission Listed Building Consent Advertisement Consent Approval of Reserved Matters Consent BE GRANTED subject to the following conditions: *(delete as appropriate)*

Condition no.	Description	Type
1	Standard 5 Year Timescale for Advertisements	Control
2	Development in accordance with approved plans	Control
3	No advertisement is to be displayed without the permission of the owner of the site	Standard Advertisement Condition
4	No advertisement shall be sited or displayed so as to obscure or hinder various transportation signs or signals	Standard Advertisement Condition
5	Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site	Standard Advertisement Condition
6	Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public	Standard Advertisement Condition
7	Where an advertisement is required under the Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity	Standard Advertisement Condition

Background Papers

None

Agenda Item	A14
Application Number	22/01445/FUL
Proposal	Creation of balcony with raised platform, installation of French doors to replace window and installation of window to replace back door to the rear elevation
Application site	98 Aldcliffe Road Lancaster Lancashire LA1 5BE
Applicant	Mr Dominic Harrison
Agent	Ms Laura Miller
Case Officer	Mr Sam Robinson
Departure	No
Summary of Recommendation	Refusal

(i) **Procedural Matters**

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

1.0 Application Site and Setting

1.1 98 Aldcliffe Road is a mid-terraced residential property located in the Aldcliffe area of south Lancaster. The property is comprised of stone walls under a slate roof with timber windows and doors. The property faces onto Lancaster Canal whilst to the rear is a stone external staircase and a garden measuring c.115sqm with additional land to the northwest which is separated by an access track.

1.2 The site is located within a residential area, is within the Aldcliffe Road Conservation Area and the terrace's high quality material palette and architectural detailing, and its strong illustrative and associative values mean that it is a strongly positive contributor to the character and appearance of the Conservation Area, and a group of non-designated heritage assets [NDHAs] in its own right.

2.0 Proposal

2.1 This application seeks consent for the creation of a balcony, installation of French doors to replace window and installation of a window to replace back door to the rear elevation. The balcony incorporates the external staircase and measures approximately 1.25m in depth and 5.85m in width and is approximately 2.8m above ground level. The balcony features a 0.9m high balustrade.

2.2 This application is a revised submission of the previously refused application 21/00584/FUL.

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
21/00584/FUL	Erection of single storey rear extension with roof terrace above	Refused
06/00617/FUL	Construction of extended dormer on rear elevation	Permitted

4.0 Consultation Responses

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

Consultee	Response
Conservation	Objection – Balcony would not sustain or enhance the Conservation Area and concern over cumulative development
Canal and River Trust	No comments

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

5.0 Analysis

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

- Design and impacts on Conservation Area and NDHA
- Impacts on residential amenity

5.2 **Design and impacts on Conservation Area and NDHA (NPPF paragraphs 126, 130, 134, 202 & 203 and policies DM29, DM38 & DM41 of the Development Management DPD (2020))**

5.2.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed Building, Conservation Area or their setting the local planning authority must pay special attention to the desirability of persevering or enhancing the character or appearance of the heritage asset or its setting. Policy DM38 states that any development proposals and / or alterations to buildings, features and open spaces in Conservation Areas should preserve or enhance the character and appearance of the Conservation Areas. Specifically, they will be required to demonstrate that:

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

5.2.2 Good design is further reinforced by Policy DM29 which states that new development should 'contribute positively to the identity and character of the area through good design, having regard to local distinctiveness, appropriate siting, layout, palate of materials, separation distances, orientation and scale.' DM41 also states that 'any extensions or alterations should be designed sympathetically, without detracting from or competing with the heritage asset. Proposals should relate appropriately in terms of siting, style, scale, massing, height and materials'

- 5.2.3 The rear of the terrace appears relatively uniformed and unaltered from its original appearance, and it is through this uniformity and stone elevation that contributes to the character of the area. It is acknowledged that the staircase does slightly interrupt this uniformity, but it appears to be a historic addition, remains low level and has a stone finish which is sympathetic to the existing dwelling. It is also noted that the neighbouring property has a balcony however, there is not any planning consent for this.
- 5.2.4 The introduction of a projecting glazed balcony would jar and interrupt the simple and uniformed appearance of this row of terraced properties. Such an addition would alter the pleasant visual appearance of this row of properties and through its choice of design and materials, the structure would not be reflective of the of its host property and clash with the architectural form and appearance of the building. The proposal is not set on the principal elevation of the dwelling, but on an elevation that is visible from the wider public vantage points. The properties are all accessed from the rear and, therefore, the proposal would harm the character and appearance of the property and the visual amenity of the wider Conservation Area as a direct result.
- 5.2.5 In terms of the NPPF, the level of harm is considered to be less than substantial and in accordance with paragraph 202 of the NPPF, 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.'
- 5.2.6 While it is acknowledged that the applicant wishes to make alterations to their property, these are largely for private benefits and as such, there are no significant public benefits to the scheme that would outweigh the visual harm that has been identified.
- 5.3 **Impacts upon residential amenity (NPPF paragraphs 126, 130 & 134 and Policy DM29 of the Development Management DPD (2020))**
- 5.3.1 Policy DM29 requires all new development to 'ensure there is no significant detrimental impact to amenity in relation to overshadowing, visual amenity, privacy, overlooking, massing and pollution.'
- 5.3.2 It is noted that the balcony has been scaled back when compared to the previous application which has reduced the overall useable area of the development. However, the terrace still remains in close proximity to the shared boundaries (c.1.5m and c.1.8m) and would still allow for an external elevated seating area to be used by the occupiers. The balcony would offer views to the rear gardens of both no.96 and no.100 and, as a result, the amount of overlooking from the terrace would severely compromise the standard of amenity for the occupiers on either side.
- 5.3.3 It is recognised that there is generally a degree of overlooking of garden areas between properties in residential areas but the inclusion and impact of a balcony in close proximity to the boundaries is considerably greater and could be used for extended periods of time unlike windows and the existing staircase which generally offer a passing outlook. It is also noted that the buildings and vegetation within the neighbouring properties provide a degree of screening but again this is beyond the applicants control and cannot be conditioned to be retained. It would also require the neighbouring properties to retain these at all times to limit the impact of the overlooking.

6.0 Conclusion and Planning Balance

- 6.1 Due to the design and choice of materials, the introduction of a balcony would appear poorly integrated into the host property and one which would also have a detrimental impact on the residential amenity on the occupiers on either side.

Recommendation

That Planning Permission BE REFUSED for the following reasons:

1. The proposed balcony through its scale, design and appearance would result in an unsympathetic addition to the building and terrace causing visual harm to the both the non-designated heritage asset and the Conservation Area. The proposal would therefore be contrary to Policy DM29, DM38 & DM41

of the Development Management Development Plan Document and Section 12 and Section 16 of the National Planning Policy Framework.

2. Due to the proximity of the balcony to the shared boundaries, the proposal would result in a high degree of overlooking of the neighbouring garden spaces on either side. Consequently, the proposal would have a detrimental impact on the residential amenity of the occupiers of both 96 and 100 Aldcliffe Road and would therefore be contrary to Policy DM29 of the Development Management Development Plan Document and Section 12 of the National Planning Policy Framework.

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

Lancaster City Council takes a positive and proactive approach to development proposals, in the interests of delivering sustainable development. As part of this approach the Council has provided access, via its website, to detailed standing advice for householder development in the Lancaster District (the Householder Design Guide), in an attempt to positively influence development proposals. Regrettably the proposal fails to adhere to this document, or the policies of the Development Plan, for the reasons prescribed in the Notice. The applicant is encouraged to consult the Householder Design Guide prior to the submission of any future planning application.

Background Papers

None

Agenda Item	A15
Application Number	22/01460/CCC
Proposal	County Council Consultation request for the permanent retention of the existing Salt Ayre Materials Recycling & Transfer Facility
Application site	Salt Ayre Landfill Site Salt Ayre Lane Lancaster Lancashire
Applicant	Jonathan Wilson, SUEZ Recycling and Recovery UK Ltd
Agent	N/A
Case Officer	Mr Patrick Hopwood
Departure	N/A
Summary of Recommendation	Lancaster City Council OBJECT to the Planning Application

(i) **Procedural Matters**

Consultee responses to Lancashire County Council planning applications are usually dealt with under delegated powers, however as this relates to a minerals and waste development, it must be reported to the Planning Regulatory Committee. This application has been submitted to, and will be determined by, Lancashire County Council as they are responsible for planning matters that relate to waste and minerals through their Minerals and Waste Plan. Lancaster City Council has been consulted as the proposal falls within their district, and as such this report sets out the City Council's proposed **consultation response**. It will be for the County Council to determine whether planning consent should be granted or not.

1.0 Application Site and Setting

1.1 The site to which this application relates is a Materials Recycling & Transfer facility, on the former Salt Ayre Landfill Site, adjacent to the Household Waste Recycling Centre (HWRC). The site is allocated as green corridor open space and a Key Urban Landscape (KUL) on the Adopted Policies Map.

1.2 The site lies within 900m of the Morecambe Bay Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar internationally designated sites, and the Lune Estuary SSSI. The site is located approx. 350m north of the River Lune, and is also located within the Air Quality Management Area.

2.0 Proposal

2.1 The planning application submitted to the County Council seeks consent for the permanent retention of the Salt Ayre Materials Recycling & Transfer Facility. The only documents lodged with the application are a Site boundaries Plan, Site Layout Plan and Planning Supporting Statement. The

applicant's Planning Supporting Statement anticipates that conditions for time limits and restoration schemes will not be imposed.

3.0 Site History

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

Application Number	Proposal	Decision
01/93/0403	Material recycling facility	Approved subject to time limit
01/02/1255	Retention of material recycling facility	Approved allowing operation until December 2010
01/08/1407	Variation of Condition 1 of planning permission 01/02/1255 to allow operation of Materials Recycling Facility to continue until 31 December 2017	Approved
LCC/2014/0006	Vary conditions to require the facility to cease not later than the 31 December 2017 and restored no later than 31 December 2018	Approved
LCC/2017/0014	Vary conditions to allow use until 31 December 2022 and restoration no later than 31 December 2023	Approved

4.0 Consultation Responses

4.1 The following responses have been received from internal City Council consultees:

Consultee	Response
Planning Policy	No response received
Waste & Recycling	No response received
Salt Ayre Leisure Centre	No response received
Environmental Health	No response received
Engineers	No response received
Climate Emergency	No response received
Property Services	Planning application plans inconsistent and not the same as the lease plan. Restoration scheme required, and expected that buildings removed at the end of the lease term.

5.0 Analysis

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

- Principle of Development
- Landscape and Design
- Air Quality
- Biodiversity

5.2 **Principle of Development** (Policy CS9 of Lancashire Minerals & Waste Development Framework Core Strategy DPD; Policy SO3 of the Strategic Policies and Land Allocations DPD)

5.2.1 The site is established and still in use, and provides an important local recycling facility for bulking up of waste collected at the local Household Waste Recycling Centres (HWRCs) and from trade collections, facilitating movement of waste and recycling. It is noted that the site is not allocated or safeguarded for waste use on County Council Local Plan map, nor on the City Council's Local Plan. Sites allocated for waste management facilities within our district include White Lund and Heysham Industrial Estates. The National Planning Practice Guidance sets out that it is rarely justifiable to

grant further temporary planning permissions except in exceptional circumstances where there is clear justification in doing so. However, a further temporary permission for this use could be supported in principle in accordance with Policy CS9 of Lancashire Minerals & Waste Development Framework Core Strategy DPD (which seeks to achieve sustainable waste management and facilities such as bulking sites subject to a set of criteria) and Policy SO3 of Strategic Policies and Land Allocations (SPLA) DPD (which seeks to minimise waste and promote recycling), should the County Council consider that this is adequately justified.

5.3 **Landscape and Design** (NPPF Sections 12 and 15; Policies DM29 and DM46 of the Development Management DPD; Policy EN5 of the Strategic Policies and Land Allocations DPD)

5.3.1 The site is allocated as a Key Urban Landscape, an important open area proving a setting to the main urban areas. Policy EN5 seeks to safeguard these areas, preserving their open nature, and great importance is placed on protecting these areas. With no defined end date proposed, nor a restoration scheme for buildings and equipment to be removed and land restoration on a defined date or within a set number of months on cessation of use, the site would remain developed and industrial in perpetuity, detrimental to the visual amenity of the area and wholly inappropriate within the Key Urban Landscape. The existing buildings and structures are poor quality in design and contribute negatively to the character and appearance of the area, and not a feature the LPA would grant permanent consent for. Permanent planning permission cannot be supported, and a restoration scheme for any further temporary permission is considered essential. Accordingly, this proposal for permanent, indefinite planning permission fails to comply with Policies DM29, DM46 and EN5.

5.4 **Air Quality** (NPPF Section 15; Policy DM31 of the Development Management DPD; Policy EN9 of the Strategic Policies and Land Allocations DPD)

5.4.1 The site lies within an Air Quality Management Area and insufficient information (ie no Air Quality Assessment) has been submitted to enable consideration of air quality and air pollutants. Therefore, the scheme fails to accord with Policies EN9 and DM31 and the Low Emissions and Air Quality Planning Advisory Note.

5.5 **Biodiversity** (NPPF Section 15; Policy DM44 of the Development Management DPD; Policy EN7 of the Strategic Policies and Land Allocations DPD)

5.5.1 The site lies close to environmentally important areas, including the River Lune, Lune Estuary and Morecambe Bay, which are nationally and internationally designated for their ecological importance. Although the application is for a continuance of an existing use, no biodiversity report has been submitted to assess the impacts of this on the local wildlife populations and habitats. Furthermore, the supporting documents do not consider potential harm on the designated sites (protected under the Habitat Regulations), or other potential impact pathways, and no means of biodiversity net gain have been proposed. As such, the proposal fails to conserve and enhance biodiversity and the natural environment, contrary to Policies DM44 and EN7.

5.6 **Other Matters**

5.6.1 The red edge boundaries on the two plans submitted are inconsistent, and it is not clear which boundary defines the land forming this planning application. Furthermore, the plans also show a different boundary to that of the lease agreement between the applicant and Lancaster City Council as landowner.

6.0 Conclusion and Planning Balance

6.1 As discussed above, the need for a recycling facility is acknowledged, and weight is given to this, however ultimately the City Council consider this does not outweigh the overall visual harm, air quality and biodiversity matters identified in this report. For these reasons it is recommended that Lancaster City Council object to the Lancashire County Council planning application.

Recommendation

That Lancaster City Council **OBJECT** for the following reasons:

1. The site is allocated as a Key Urban Landscape, an important open area proving a setting to the main urban areas. Policy EN5 seeks to safeguard these areas, preserving their open nature, and great importance is placed on protecting these areas. With no defined end date proposed, nor a restoration

scheme for buildings and equipment to be removed and land restoration on a defined date or within a set number of months on cessation of use, the site would remain developed and industrial in perpetuity, detrimental to the visual amenity of the area and wholly inappropriate within the Key Urban Landscape. The existing buildings and structures are poor quality in design and contribute negatively to the character and appearance of the area, and not a feature the LPA would grant permanent consent for. Permanent planning permission cannot be supported, and a restoration scheme for any temporary permission is considered essential. Accordingly, the proposal fails to comply with Policies DM29, DM46 and EN5.

2. The red edge boundaries on the two plans submitted are inconsistent, and it is not clear which boundary defines the land forming this planning application. Furthermore, the plans also show a different boundary to that of the lease agreement between the applicant and Lancaster City Council as landowner.
3. The site lies within an Air Quality Management Area and insufficient information (ie no Air Quality Assessment) has been submitted to enable consideration of air quality and air pollutants. Therefore the scheme fails to accord with Policies EN9 and DM31 and the Low Emissions and Air Quality Planning Advisory Note.
4. The site lies close to environmentally important areas, including the River Lune, Lune Estuary and Morecambe Bay, which are nationally and internationally designated for their ecological importance. Although the application is for a continuance of an existing use, no biodiversity report has been submitted to assess the impacts of this on the local wildlife populations and habitats. Furthermore, the supporting documents do not consider potential harm on the designated sites (protected under the Habitat Regulations), or other potential impact pathways, and no means of biodiversity net gain have been proposed. As such, the proposal fails to conserve and enhance biodiversity and the natural environment, contrary to Policies DM44 and EN7.

Background Papers

N/A

LIST OF DELEGATED PLANNING DECISIONS

LANCASTER CITY COUNCIL

APPLICATION NO	DETAILS	DECISION
21/00412/FUL	Land To The Rear Of 25 Townsfield, Silverdale, Carnforth Erection of detached three bedroom bungalow and detached garage with associated access and hardstanding and installation of package treatment plant for Mrs A Mason (Silverdale Ward 2015 Ward)	Application Refused
21/01370/FUL	Land Rear Of Ingleborough View, Station Road, Hornby Erection of 9 dwellings (C3) with associated detached garages, formation of a new access and associated estate roads and landscaping for Mr P Kiely (Upper Lune Valley Ward 2015 Ward)	Application Permitted
22/00028/DIS	Land To The South Of Lawsons Bridge Site, Scotforth Road, Lancaster Part discharge of condition 10 on approved application 19/00332/OUT for Northstone Developments Ltd. (Scotforth West Ward 2015 Ward)	Application Withdrawn
22/00126/DIS	Moss House Farm, Spout Lane, Wennington Discharge of conditions 3,4,6 and 7 on planning permission 19/00888/LB for Mr Paul Metcalfe (Upper Lune Valley Ward 2015 Ward)	Application Permitted
22/00127/DIS	Moss House Farm, Spout Lane, Wennington Discharge of condition 5 on planning permission 19/00887/FUL for Mr Paul Metcalfe (Upper Lune Valley Ward 2015 Ward)	Application Permitted
22/00128/DIS	Moss House Farm, Spout Lane, Wennington Discharge of conditions 4,6,7,9,10,12,13 and 14 on planning permission 19/00887/FUL for Mr Paul Metcalfe (Upper Lune Valley Ward 2015 Ward)	Application Permitted
22/00137/REM	Land Rear Of Ingleborough View, Station Road, Hornby Reserved matters application for the erection of 8 dwellings for Mr P Norris (Upper Lune Valley Ward 2015 Ward)	Application Withdrawn
22/00146/DIS	Sandside Garage, Sandside, Cockerham Discharge of conditions 3,4,5,6,7 and 8 on approved application 19/01381/FUL for Mr & Mrs Winchester (Ellel Ward 2015 Ward)	Split Decision
22/00150/DIS	Ward Field Farm, Main Road, Galgate Discharge of condition 19 on approved application 17/00944/OUT for Hollins Homes (Ellel Ward 2015 Ward)	Application Permitted
22/00161/DIS	11 Moor Lane, Lancaster, Lancashire Discharge of condition 1 on appeal reference APP/A2335/W/21/3278368 for Mr Munshi (Bulk Ward 2015 Ward)	Application Permitted
22/00162/DIS	The Corner House, Woodwell Lane, Silverdale Discharge of conditions 3 and 4 on approved application 18/00380/FUL for Mr Chris Broadman (Silverdale Ward 2015 Ward)	Split Decision

LIST OF DELEGATED PLANNING DECISIONS

22/00172/DIS	Ward Field Farm, Main Road, Galgate Discharge of condition 3 on approved application 19/01100/REM for Hollins Homes (Ellel Ward 2015 Ward)	Application Permitted
22/00776/FUL	Cragg House, Kirkby Lonsdale Road, Over Kellet Change of use and conversion of existing northern barn to one self-contained residential annexe in association with Cragg House, installation of replacement roof to the north and central barn, installation of roof lights to the east and west elevations, flue to the east elevation and provision of turning space with two car parking spaces and associated landscaping for Mrs Elaine Stephenson (Kellet Ward 2015 Ward)	Application Permitted
22/00777/LB	Cragg House, Kirkby Lonsdale Road, Over Kellet Listed building application for works to existing northern barn including works to internal walls, creation of a new ground and first floor, installation of ensuite, installation of new and replacement doors/windows, installation of extract grilles, alterations to openings, new sandstone lintels, repoint the exterior of the barn, installation of replacement roof to the north and central barn, new rainwater goods, installation of roof lights to the east and west elevations and flue to the east elevation for Mrs Elaine Stephenson (Kellet Ward 2015 Ward)	Application Permitted
22/00813/FUL	141 Lancaster Road, Carnforth, Lancashire Demolition of existing outbuilding and erection of replacement outbuilding in association with 141 Lancaster Road for Mr & Mrs Richardson (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
22/00823/CU	G & G Exports, Newfield House, Middleton Road Change of use from storage facility with living accommodation into a residential care home for the elderly (C2) for Mr & Mrs Stephen & Carol Goulding (Overton Ward 2015 Ward)	Application Refused
22/00843/FUL	Thwaite Moss And Thwaite Moss Cottage, Thwaite Lane, Tatham Erection of single storey porch extension to west side elevation, erection of replacement dormers to the north elevation, installation of patent glazing to the north and south roof elevations, installation of replacement rooflights to south elevation, replacement of glazed link, extension to existing outbuilding, installation of rooflights to stables, alterations to some windows and doors at Thwaite Moss and Thwaite Moss Cottage. for Mr Grant Meldrum & Mr Andrew Walker (Lower Lune Valley Ward 2015 Ward)	Application Permitted
22/00844/LB	Thwaite Moss And Thwaite Moss Cottage, Thwaite Lane, Tatham Listed building application for erection of single storey porch extension to west side elevation, erection of replacement dormers to the north elevation, installation of patent glazing to the north and south roof elevations, installation of replacement rooflights to south elevation, replacement of glazed link, extension to existing outbuilding, installation of rooflights to stables, alterations to some windows and doors and internal reconfiguration at Thwaite Moss and Thwaite Moss Cottage. for Mr Grant Meldrum & Mr Andrew Walker (Lower Lune Valley Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

22/00891/FUL	Vale House, Stoney Lane, Galgate Demolition of existing outbuilding and erection of a replacement outbuilding for Mr David Gardner (Ellel Ward 2015 Ward)	Application Permitted
22/00900/FUL	7 Borwick Close, Warton, Carnforth Construction of a replacement dormer extension to the side elevation for Mr Chris Hodkin (Warton Ward 2015 Ward)	Application Permitted
22/00904/FUL	Everlast Fitness Club, Unit 3, Hilmore Way Retrospective application for the change of use of mixed use unit comprising of leisure/retail (Sui Generis) to retail (Class E(a)), removal of roller shutter doors and installation of replacement cladding and new door to the side elevation for Mr Iain Pratt (Harbour Ward 2015 Ward)	Application Permitted
22/01036/FUL	Sandbeds Farm, Sandbeds Lane, Gressingham Excavation of land to facilitate the erection of a cattle building and creation of an underground slurry tank for Mr Mark Conder (Upper Lune Valley Ward 2015 Ward)	Application Withdrawn
22/01046/EIR	Heysham Business Park, Middleton Road, Middleton Screening opinion for the demolition of existing buildings and redevelopment comprising the erection of a new gate house and 3 units (use class E(g) /B2/B8) with associated service yards, parking areas, realigned spine road and landscaping for AMA FIC Ltd (Overton Ward 2015 Ward)	ES Not Required
22/01126/FUL	Oak Cottage, Quernmore Road, Caton Erection of a rear porch for Mary Hodgson (Lower Lune Valley Ward 2015 Ward)	Application Permitted
22/01127/LB	Oak Cottage, Quernmore Road, Caton Listed building application for erection of a rear porch for Mary Hodgson (Lower Lune Valley Ward 2015 Ward)	Application Permitted
22/01149/FUL	3 Green Lane, Lancaster, Lancashire Erection of a two storey extension to the side for Mr J Bulger (Skerton East Ward 2015 Ward)	Application Permitted
22/01150/FUL	1 Roeburn Drive, Morecambe, Lancashire Erection of a two storey rear extension and construction of a front porch for Dr. I. Zafar (Skerton West Ward 2015 Ward)	Application Refused
22/01162/FUL	Londis, 13 Manor Road, Slyne Erection of single storey front extension with roller shutter for Slyne Stores Ltd (Bolton And Slyne Ward 2015 Ward)	Application Permitted
22/01217/VCN	Land North Of 13 Main Street, Warton, Carnforth Erection of a detached dwelling (C3) and creation of a new vehicular access (pursuant to the variation of condition 2 on approved application 20/01349/FUL to add solar panels and an air source heat pump and conditions 3,4,5,9 and 11 to provide details relating to materials, vehicular and pedestrian access, homeowner packs and surface water drainage) for Mr and Mrs P Goldsworthy (Warton Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

22/01228/FUL	Asda, Ovangle Road, Morecambe Erection of a coffee shop retail unit (use class E(a)) incorporating a drive through with associated parking for Head of Construction (Westgate Ward 2015 Ward)	Application Permitted
22/01239/FUL	6 Brookholme Court, Lancaster, Lancashire Installation of windows, front door and patio door with aluminium bi-fold doors and replacement garage doors for Ms Lorraine Birch (Marsh Ward 2015 Ward)	Application Permitted
22/01246/FUL	University Hospitals Of Morecambe Bay NHS Foundation Trust, Royal Lancaster Infirmary, Ashton Road Retrospective application for the change of use of car park to facilitate the siting of a temporary urgent treatment centre with associated servicing equipment for Patrick de Rubeis (Scotforth West Ward 2015 Ward)	Application Permitted
22/01253/FUL	Irving House, Northgate, White Lund Industrial Estate Retrospective application for the change of use of part of ground floor building to MOT bay and alteration of existing window to vehicular door and construction of a ramp to the side elevation for Mr Jack Baldwin (Westgate Ward 2015 Ward)	Application Permitted
22/01256/FUL	Abbotsons Farm, Cantsfield Road, Cantsfield Erection of an agricultural building for the housing of livestock and storage of materials for Mr & Mrs G Atkinson (Upper Lune Valley Ward 2015 Ward)	Application Permitted
22/01277/FUL	108 Bare Lane, Morecambe, Lancashire Erection of a single storey front extension for Mr Tony Waine (Torrisholme Ward 2015 Ward)	Application Permitted
22/01280/FUL	1 Canal Cottages , Kellet Road, Carnforth Demolition of existing rear outriggers, erection of single storey rear extension for Mr Joe Greenland (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
22/01282/FUL	9 Lancaster Road, Caton, Lancaster Removal of chimney stack and raising of a new chimney stack for Mr Alan Longhorn (Lower Lune Valley Ward 2015 Ward)	Application Permitted
22/01283/LB	9 Lancaster Road, Caton, Lancaster Removal of chimney stack and raising of a new chimney stack for Mr Alan Longhorn (Lower Lune Valley Ward 2015 Ward)	Application Permitted
22/01298/ELDC	Old Furness Street Stables , Furness Street, Lancaster Existing lawful development certificate for the use of the building comprising of 4 ground floor workshops/ storerooms for the making of woodwind instruments and works to cars,hallway for dwelling house above, detached commercial/domestic garage and first floor dwelling house (C3) and associated domestic garden for Mr Phillip Bleazey (Marsh Ward 2015 Ward)	Lawful Development Certificate Refused

LIST OF DELEGATED PLANNING DECISIONS

22/01313/FUL	Richmond Hall, Lancaster Road, Cockerham Relocation of vehicular access to field off A588 Lancaster Road and construction of an internal access road for agriculture for Messrs Walmsley (Ellel Ward 2015 Ward)	Application Permitted
22/01344/FUL	Scar Close, 13 The Row, Silverdale Demolition of existing single storey outrigger and erection of replacement single storey side extension and construction of a dormer window to the rear for Mr. & Mrs. Brian Lloyd (Silverdale Ward 2015 Ward)	Application Permitted
22/01345/FUL	65 Masonfield Crescent, Lancaster, Lancashire Demolition of existing conservatory and Erection of one storey rear extension for Mr & Mrs T Duckmanton (John O'Gaunt Ward 2015 Ward)	Application Permitted
22/01354/FUL	1 Higher Stockbridge Barn, High Road, Tatham Erection of a 1kw wind turbine (8.9m high from ground to blade tip) for Richard Wilson (Lower Lune Valley Ward 2015 Ward)	Application Refused
22/01355/VCN	6 Monkswell Drive, Bolton Le Sands, Carnforth Erection of a single storey front extension (pursuant to the variation of condition 2 on planning permission 22/00775/FUL to extend the single storey front extension) for Mrs Marie Riding (Bolton And Slyne Ward 2015 Ward)	Application Permitted
22/01361/FUL	21 Walker Grove, Heysham, Morecambe Demolition of existing rear porch and erection of a single story rear extension for Ms Julie Philip (Heysham South Ward 2015 Ward)	Application Permitted
22/01363/FUL	18 Greenwood Crescent, Bolton Le Sands, Carnforth Construction of a dormer extension to the side elevation, erection of a porch and installation of solar panels to the front roof for Mr & Mrs Daniel & Rebbeca Lawson (Bolton And Slyne Ward 2015 Ward)	Application Permitted
22/01368/PAA	Thwaite Gate Farm, Lancaster Road, Carnforth Prior approval for the change of use of agricultural buildings to 5 dwellings (C3) for Mr K Whittingham (Carnforth And Millhead Ward 2015 Ward)	Application Withdrawn
22/01371/FUL	Land To The South West Of Thorneycroft, Kirkby Lonsdale Road, Arkholme Retrospective application for partial demolition of existing agricultural storage building and erection of an agricultural storage building for Mr Toby Jenkinson (Kellet Ward 2015 Ward)	Application Refused
22/01374/FUL	Cunningham Jewellers, 2 - 4 Damside Street, Lancaster Restoration and refurbishment of shopfront, repair and reinstatement of awnings, replacement of UPVC windows with timber windows, replacement of UVPC gutter with aluminium and replacement of pointing to front elevation for Mr Anthony Gregg (Bulk Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

22/01376/FUL	17A And 17B Second Terrace, Sunderland Point, Morecambe Works to existing garages to remove and infill garage doors to front elevation, installation of 3 doors to the rear elevation and installation of a replacement roof and rooflights, and works to rear elevation to remove garage doors, enlarge opening and install replacement doors and shutters for Mrs E Gilchrist (Overton Ward 2015 Ward)	Application Permitted
22/01378/FUL	8 Woodlands View, Over Kellet, Carnforth Construction of elevated walkway incorporating balustrade for Mr H Trevvett (Kellet Ward 2015 Ward)	Application Refused
22/01384/FUL	2 The Croft, Caton, Lancaster Erection of a single storey rear extension, erection of a balcony with veranda to rear elevation and erection of detached double garage for Mr Ray Hampton (Lower Lune Valley Ward 2015 Ward)	Application Permitted
22/01389/FUL	26 Main Road, Galgate, Lancaster Demolition of existing garage, erection of a two storey side extension and a single storey rear extension and the alteration of the roof to the existing rear extension for Mr C Guest (Ellel Ward 2015 Ward)	Application Permitted
22/01393/FUL	4 Bentham Road, Lancaster, Lancashire Erection of a first floor side extension incorporating a dormer extension to front and rear elevation for Mr & Mrs Graham Mitchell (Scotforth East Ward 2015 Ward)	Application Permitted
22/01397/FUL	19 Townsfield, Silverdale, Carnforth Demolition of existing conservatory to the rear elevation, erection of a single storey rear extension and a covered store to the side, construction of a rear dormer extension, conversion of existing car port to ancillary living accommodation in association with 19 Townsfield with erection of a single storey side and rear extension, excavation of land, construction of retaining walls and steps and installation of a package treatment plant for Mr and Mrs Amor (Silverdale Ward 2015 Ward)	Application Permitted
22/01399/LB	Wennington Hall School, Lodge Lane, Wennington Listed building application for the removal of a section of internal wall to the rear of the ground floor for Mr Warburton (Upper Lune Valley Ward 2015 Ward)	Application Withdrawn
22/01400/FUL	10 And 12 Damside Street, Lancaster, Lancashire Replacement of existing shop front with timber shop front with stone wall underneath, reinstatement of awning, replacement of UPVC windows with timber windows, replacement door, construction of plinths, repairs to the facade and replacement of cement render with lime harling to 10 Damside Street and replacement of gutter and downpipe to front of 12 Damside Street for Mr Adrian Burt (Bulk Ward 2015 Ward)	Application Permitted
22/01402/ADV	22 Glentworth Road West, Morecambe, Lancashire Advertisement application for the display of 2 externally illuminated fascia signs, 3 non-illuminated fascia signs, 2 externally illuminated projecting signs, 2 vinyl signs and 5 dibond panels for Mr Andy Horwood (Westgate Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

22/01412/FUL	28 Tan Hill Drive, Lancaster, Lancashire Demolition of existing rear outbuilding, conversion of existing conservatory to a single storey rear extension with the erection of a single storey side extension for Mr Ghebrehiwot Berhane (Skerton East Ward 2015 Ward)	Application Permitted
22/01413/ELDC	Unit 1A, Major Industrial Estate, Middleton Road Existing lawful development certificate for a Joiners Workshop - Use Class B1 for Mr T Clare (Overton Ward 2015 Ward)	Lawful Development Certificate Granted
22/01415/AD	Mears Beck Farm, Rakes Road, Caton Green Agricultural determination for the erection of a feed storage building for Mr C Mason (Lower Lune Valley Ward 2015 Ward)	Prior Approval Not Required
22/01419/LB	11 Moor Lane, Lancaster, Lancashire Listed building application for works to remove existing partition walls and installation of new partition walls, infill existing doorway, refurbishment of second floor fireplace, repair internal staircase with installation of balustrade, fitting of timber sections to the front elevation, repainting of front elevation, installation of replacement windows, restoration of two window openings, the installation of 2 rooflights to the rear elevation, partial demolition of single storey outrigger, removal of pipework and cabling, construction of bin store and bike store for Mr Munshi (Bulk Ward 2015 Ward)	Application Permitted
22/01421/FUL	Southfield, Whams Lane, Bay Horse Erection of a single storey side extension, alterations to fenestration and raised flagged decking for Mr & Mrs Richard and Jane Leach and Jenkinson (Ellel Ward 2015 Ward)	Application Permitted
22/01422/FUL	Low Barn, Ingleborough View, Station Road Installation of replacement windows to all elevations for Mrs Pauline Gardner (Upper Lune Valley Ward 2015 Ward)	Application Permitted
22/01454/AD	West Hall, West Hall Lane, Whittington Agricultural determination for the erection of a new roof covering over feed yard and replacement of a concrete yard for Mr David Airey (Upper Lune Valley Ward 2015 Ward)	Prior Approval Not Required
22/01465/RCN	84 Twemlow Parade, Heysham, Morecambe Substitution of house type on Plot 9 (pursuant to the removal of condition 8 and 10 on planning permission 02/00279/FUL to allow permitted development) for Mr S And Mrs D Gardner (Heysham Central Ward 2015 Ward)	Application Withdrawn
22/01470/VCN	Lunesdale Court, Hornby, Lancashire Installation of replacement package treatment plant (pursuant to the variation of condition 4 on approved application 21/01513/FUL to allow for a non native species of hedge to be planted) for Lunesdale Court (Hornby) Residents Association Ltd (Upper Lune Valley Ward 2015 Ward)	Application Permitted
22/01471/LB	Lancaster Railway Station, Westbourne Road, Lancaster Listed building application for the installation of a changing place toilet for Mr Alex Spataru (Castle Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

22/01487/PLDC	35 Westfield Drive, Bolton Le Sands, Carnforth Proposed lawful development certificate for construction of hip to gable roof extension to the rear elevation and construction of dormer extensions to both side elevations for Mr. & Mrs. K. Roberts (Bolton And Slyne Ward 2015 Ward)	Lawful Development Certificate Granted
22/01528/NMA	55 Stankelt Road, Silverdale, Carnforth Non-material amendment to planning permission 18/00136/FUL to alter the facade treatment and window arrangements for Mr & Mrs Jeffers (Silverdale Ward 2015 Ward)	Application Withdrawn
22/01532/PLDC	8 Cumberland View Road, Heysham, Morecambe Proposed lawful development certificate for demolition of rear single storey extension and bay window with the erection of a single storey rear extension for Mr D. Berry (Heysham North Ward 2015 Ward)	Lawful Development Certificate Granted
22/01549/PLDC	22 Windsor Grove, Morecambe, Lancashire Proposed lawful development certificate for the erection of a single storey rear extension for Mr & Mrs B Alderson (Harbour Ward 2015 Ward)	Lawful Development Certificate Granted
22/01569/EIR	Hillside Farm, Lancaster Road, Heaton With Oxcliffe Screening request for erection of 100MW energy storage facility including 50 energy storage battery units within steel shipping containers, and ancillary development including substation, transformers, transformer compound, underground cabling, inverters, switchgear, control/switch room, office/site store building, creation of hardstanding, erection of 3m security fencing, access gates, seven 3m CCTV masts and associated balancing pond, landscaping, access track and parking and the change of use of existing farm house and farm building to ancillary offices for Ms Donna Cooper (Overton Ward 2015 Ward)	ES Not Required
22/01592/NMA	Glendare, Hillcrest Avenue, Bolton Le Sands Non-material amendment to planning permission 21/01130/FUL to alter the proposed replacement roof to existing side extension to a dormer extension to the rear elevation, removal of juliet balcony, alter window to garage door to front elevation and remove first floor window to the front elevation for Mr John Wignall (Bolton And Slyne Ward 2015 Ward)	Application Permitted
23/00005/NMA	Land To The Rear Of The Nib, 9 West View, Mill Lane Non material amendment to planning permission 22/00622/VCN to amend the heads and cills for Mr Daniel White (Carnforth And Millhead Ward 2015 Ward)	Application Permitted