



Committee: PLANNING REGULATORY COMMITTEE

Date: TUESDAY, 30 MAY 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 Appointment of Vice-Chair

To appoint a Vice-Chair for the duration of the 2023-24 municipal year.

3 Minutes

Minutes of meeting held on 24th April 2023 (previously circulated).

4 Items of Urgent Business authorised by the Chair

5 Declarations of Interest

To receive declarations by Councillors of interests in respect of items on this Agenda.

Councillors are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 9 and in the interests of clarity and transparency, Councillors should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code Of Conduct, Councillors are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

Planning Applications for Decision

Community Safety Implications

In preparing the reports for this agenda, regard has been paid to the implications of the

proposed developments on community safety issues. Where it is considered that the proposed development has particular implications for community safety, the issue is fully considered within the main body of the individual planning application report. The weight attributed to this is a matter for the decision-taker.

Local Finance Considerations

Section 143 of the Localism Act requires the local planning authority to have regard to local finance considerations when determining planning applications. Local finance considerations are defined as a grant or other financial assistance that has been provided; will be provided; or could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments), or sums that a relevant authority has, will or could receive in payment of the Community Infrastructure Levy. Whether a local finance consideration is material to the planning decision will depend upon whether it could help to make development acceptable in planning terms, and where necessary these issues are fully considered within the main body of the individual planning application report. The weight attributed to this is a matter for the decision-taker.

Human Rights Act

Planning application recommendations have been reached after consideration of The Human Rights Act. Unless otherwise explicitly stated in the report, the issues arising do not appear to be of such magnitude to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

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|---|--|--|---|------------------------|
| 6 | A6 21/01341/OUT | Land East Of Fulwood Drive Morecambe | Bolton and Slyne; Lower Lune Valley Ward | (Pages 5 - 30) |
| | | Outline application for the development of 129 residential dwellings and creation of new access. | | |
| 7 | A7 22/01328/REM | Land Adjacent To Porsche Centre South Lakes 1 Electric Drive Carnforth | Kellet Ward | (Pages 31 - 36) |
| | | Reserved matters application for the approval of layout, scale, appearance, and landscaping following planning permission 22/00562/VCN for the development of 8,397sqm of employment (Use Classes B1(c), B2 and B8). | | |
| 8 | A8 22/00618/FUL | Development Land North Of Rectory Gardens Lancaster Road Cockerham | Ellel Ward | (Pages 37 - 49) |
| | | Demolition of existing agricultural | | |

buildings and erection of 22 dwellings (C3) with associated garages, internal roads and open space.

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|---|--|---|--|------------------------|
| 9 | A9 22/00874/FUL | Land North Of Bottomdale Road East Of M6 Bottomdale Road Halton | Halton-with-Aughton and Kellet Ward | (Pages 50 - 56) |
| Retrospective application for change of use of land to residential traveller accommodation consisting of two mobile homes, three touring caravans, storage of two touring caravans, two outbuildings, septic tank, hardstanding, fencing, gates, associated access, re-grading land levels, creation of bund and use of field as paddock. | | | | |
| 10 | A10 23/00222/FUL | Land North Of Lentworth Drive Lancaster | Scotforth East Ward | (Pages 57 - 60) |
| Construction of a permanent flood defence bund and associated works. | | | | |
| 11 | A11 23/00090/FUL | Jubilee Hall China Street Lancaster | Castle Ward | (Pages 61 - 63) |
| Replacement of front door and rear exhaust duct. | | | | |
| 12 | A12 Associated With 21/01284/FUL | Public Footpath Associated With Land South Of Hawthorn Avenue Hawthorn Avenue Brookhouse | Lower Lune Valley Ward | (Pages 64 - 66) |
| To permanently divert a section of Public Footpath No. in Brookhouse to enable the implementation of residential development pursuant to the proposals set out in application 21/01284/FUL for the erection of 25 adaptable bungalows for over 55's with associated access, internal roads and landscaping. | | | | |

13 Appointment to the Crook O' Lune Advisory Committee

To appoint a Planning Regulatory Committee representative to the Crook O' Lune Advisory Committee for the duration of the municipal year 2023-24.

14 Delegated List (Pages 67 - 80)

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Membership of this committee was not known at the time of agenda publication and will be agreed at the Annual Council meeting to be held on 22nd May 2023.

(ii) Substitute Membership

Substitute Membership of this committee was not known at the time of agenda publication and will be agreed at the Annual Council meeting to be held on 22nd May 2023.

(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 May 2023.

Agenda Item	A6
Application Number	21/01341/OUT
Proposal	Outline application for the development of 129 residential dwellings and creation of new access
Application site	Land East Of Fulwood Drive Morecambe Lancashire
Applicant	Oakmere Homes (Northwest) Ltd
Agent	Mr Graham Love
Case Officer	Mrs Eleanor Fawcett
Departure	Yes
Summary of Recommendation	Approval, subject to conditions and a Section 106 legal agreement

(i) **Procedural Matters**

A committee site visit was undertaken on 17 April 2022 to view the application site and its surroundings. The application was reported to the Planning Committee on 24 April 2024. It was resolved that the determination of the application be deferred to allow for the investigation of an alternative access road onto the site to mitigate the impact of construction traffic and to establish whether a footpath can be provided to the site from Hasty Brow Road/ Slyne Road.

1.0 Application Site and Setting

- 1.1 The application site relates to a roughly triangular shaped piece of agricultural land comprising two fields. It is located within the Parish of Slyne with Hest but adjacent to the existing built-up area of Morecambe, specifically Torrisholme. The western boundary of the site adjoins the gardens of residential properties on Fulwood Drive, Hamilton Road and Williams Avenue which are bungalows. The site is mostly at a lower level than these properties. The levels on the site vary between approximately 5 metres and 10 metres, with the higher points towards the eastern boundary. A railway line runs adjacent to the eastern and northern boundary forming an arc. At this point the railway splits from the West Coast Mainline, forming a separate line to Bare and Morecambe.
- 1.2 Torrisholme Barrow lies to the southwest of the site and often refers to the drumlin feature which is approximately 40 metres high and is prominent in the local area. It is also an archaeological feature at the top of the hill which is designated as a Scheduled Monument. The site is located within Flood Zone 1, however, the site is identified as being susceptible to groundwater flooding (50-75%) and there are two watercourses that cross the site. There are also some small areas on the site which are identified as being at risk of surface water flooding. Just over half of the site is located within a Mineral Safeguarding Area. The site is located approximately 900 metres, at its closest point, from Morecambe Bay which is designated as a Special Protection Area (SPA), Special Area of Conservation (SAC), Site of Special Scientific Interest (SSSI) and Ramsar Site.

1.3 The site is designated as Key Urban Landscape and Open Countryside in the Local Plan. It was previously located within the North Lancashire Green Belt and was removed when the Local Plan was adopted in 2020, following the Green Belt Review. The boundary of the Green Belt now lies to the east of the adjacent railway line.

2.0 Proposal

2.1 Outline planning permission is sought for the erection of 129 dwellings. All matters are reserved, with the exception of access, which is proposed from Fulwood Drive. A secondary access is proposed from Williams Avenue towards to the north of the site, which would be used for pedestrians, cyclists and emergency vehicles. The application originally proposed 140 dwellings, however, this has been reduced to address issues that have arisen during the course of the application. An illustrative layout has been provided in addition to a parameter plan which identifies areas that would be developed and those that would be kept open, including for watercourses. These both indicate that the dwellings along the southern boundary would be roughly in line with the development to the east, although extending slightly further to the south. An area of open space would be provided in the southwest corner where the site boundary projects closer to Torrisholme Barrow.

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
21/01359/EIR	Screening opinion for the erection of up to 140 dwellings (C3), associated infrastructure, public open space and off-site mitigation land and associated vehicular access	ES not required
21/01080/PRETWO	Erection of up to 140 dwellings	Informal advice provided

4.0 Consultation Responses

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

Consultee	Response
Slyne with Hest Parish Council	<p>Object and raise the following concerns:</p> <ul style="list-style-type: none"> Designated as Key Urban Landscape and Open Countryside, formally within the Green Belt and is not included as a Strategic Development Site in the emerging Neighbourhood Plan; It is considered not to be an area for potential development particularly due to its closeness to the historic site of the Torrisholme Barrow and because of any adverse environmental impact; The proposed development area and adjoining area is open space with natural wildlife habitats. The Council attaches great importance to maintaining the open nature of this designated area and to protect it from inappropriate development. Land is rough, wet and boggy with potential for flooding; Proximity to railway line; Would not support an access onto Hasty Brow Lane. Pending application for the addition of a public bridleway which needs to be taken into consideration Importation of land to change levels would have a potentially significant disruptive impact on Fulwood Drive and the surrounding roads
Morecambe Town Council	<p>Object and raise the following concerns:</p> <ul style="list-style-type: none"> Designated as Key Urban Landscape and Open Countryside therefore not consistent with the development strategy and designation of the site and would impact on its integrity;

	<ul style="list-style-type: none"> • The percentage of affordable homes required at the site is 30%; • The Land regularly suffers from floods which result from rainfall and inadequate land permeability; • Harm to the significance of the Scheduled Monument; • The site's location on the edge of the urban area is relatively remote from many services such as schools, employment areas, health facilities and walking and cycling has not been prioritised.
Environmental Health	No objections subject to conditions requiring: provision of electric vehicle charging points; measures to manage dust and disturbance to residents during construction; detailed scheme for investigation of contamination; noise mitigation measures.
Planning Policy	<p>Comments. Given the site's sensitive location and adopted open countryside and local landscape designation, the adverse impacts of developing this site, protected from development in a very recently adopted Local Plan, would significantly and demonstrably outweigh the benefits.</p> <p>Also raise the following:</p> <ul style="list-style-type: none"> • The location on the edge of the urban area is relatively remote from many services such as schools, employment areas, health facilities and the indicative layout shows that walking and cycling is not prioritised. Suggest upgrade of the existing Public Right of Way which runs from the site to Hasty Brow Road. • Identify harm to the significance of the Scheduled Monument. • The proposal does not propose energy efficiency standards beyond the minimum suggested by Government, has excluded the use of renewable energy on site, does not suggest that buildings be oriented or built to support renewable retrofitting by owners, and states that fossil fuel burning will be used to heat the homes. • 30% affordable housing should be provided on site and all dwellings should meet the Nationally Described Space Standards and 20% should meet M4(2) of Building Regulations (adaptable and accessible dwellings). • Acknowledge that the Council cannot demonstrate a 5 year supply of deliverable housing sites.
Arboricultural Officer	<p>Comments. It is positive to see that there is an intention to retain the historic hedge line incorporating it into the design of the development. However, this could go further, retaining and enhancing the whole feature, creating a wildlife corridor through the centre of the site. Where removal cannot be avoided due to the road network, planting of larger growing trees could be used to create arboreal bridges. It is essential to ensure that the landscaping drives the layout of the buildings and greater green links should be created across the site (east-west), with further opportunities for tree planting explored outside of front gardens.</p>
Conservation Team	Not providing comments.
Engineering Team	No comments received.
Public Realm Officer	<p>Comments. Based on 129 three bedroom dwellings, 2347 square metres of amenity space would be required on site in addition to a play area. All other requirements may require off site contribution. The maximum contribution would be £249,705.30, with £142,377.30 for outdoor sports and £67,080 for young persons provision.</p>
Waste and recycling Team	<p>No objection in principle. Raise following concerns about the layout:</p> <ul style="list-style-type: none"> • There are aspects of the development which have shared driveways serving multiple houses which are, in some instances, excessively long which would result in residents having to wheel bins over unreasonable distances; and • There should be collection points at the end of each shared driveway to ensure vehicular and pedestrian access is not blocked.
Economic Development	<p>Comments. The Employment and Skills Plan is acceptable save for the level of outputs offered. It has used the band 4 level of outputs for developments between £10M-15M, which seems quite light for the scale of development and would advise that this is updated to Band 5 benchmarks.</p>
County Highways	<p>No objection subject to conditions requiring:</p> <p>And a contribution of £440,379 (based on 140 dwellings) towards wider highway infrastructure.</p>

County Schools Planning Team	Comments. An education contribution is not required.
Lead Local Flood Authority	No objection subject to conditions requiring: a final surface water drainage strategy; construction surface water management plan; a sustainable drainage system operation and maintenance manual; and a verification report of constructed sustainable drainage system.
County Archaeology	No objection subject to a condition requiring a programme of archaeological work, in particular in the area around an identified feature of interest (a kiln in trench 1).
Public Rights of Way Officer	Comments. The application for a Definitive Map Modification Order, which runs across the land to the east of Hamilton Avenue and Fulwood Drive, has been refused and the decision has not been appealed.
County Planning Policy (Mineral Safeguarding)	No comments received.
Greater Manchester Ecology Unit	<p>Comments. Recommend conditions requiring:</p> <ul style="list-style-type: none"> • A Landscape and Ecological Management Plan for the ongoing 30 year management of the site. • Details of the culvert design for the scheme to allow passage of mammals under the roads. • Be supported by detail of a species enhancement scheme for bat/bird boxes, but holes and ecological permeability through the new development via mammal gaps on boundary features within gardens. • A full landscape proposal to include details of locally native species planting to all new habitats including trees/shrubs, grass seed mixes and marginal aquatic vegetation to the attenuation basins. • updated protected species surveys provided (as part of any reserved matters) • No works to trees or shrubs shall occur or earthworks commence between the 1st March and 31st August in any year unless a detailed bird nest survey has been carried out • reasonable avoidance measures method statement of mammals and amphibians covering site clearance and construction • a detailed assessment of potential peat deposits including area and depth and potential for reuse elsewhere in fenland restoration • updated metric as part of reserved matters, that clearly continues to demonstrate 10% net gain for area based habitats and the ditch line and provides evidence that 10% net gain will be achieved for hedge lines.
Network Rail	No objection subject to the bridge not being used as part of the current proposed development. There is a requirement to maintain access to the structure from the south for the routine inspection and maintenance of this bridge. Asset Protection input will be required on site to review the RAMS as well as drainage, excavation/earthworks. The developer will need to supply a minimum 1.8m high trespass proof fence set back 1m from the railway boundary to prevent unauthorised access to the railway by residents of the development. A method statement will be required if piling is to occur on the site, all surface and foul waters must drain away from the direction of the railway boundary and Soakaways must be placed at least 30 metres from the railway boundary. The development should include a minimum 3 metres gap between the buildings and structures on site and the railway boundary. It should be ensured that the most appropriate measures to mitigate noise and vibration are determined.
Natural England	No objection , subject to securing the provision of homeowner packs and the production and implementation of a Construction Environmental Management Plan (CEMP).
Historic England	No comments to make.
United Utilities	Comments. the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. Suggest conditions relating to surface water drainage scheme and maintenance and management.
Lancashire Constabulary	Comments. Recommend that the scheme is designed and constructed to Secured by Design security specifications. Raise concern around the green open space in

	terms of how it will be used and surveillance. Recommend the area is well lit and ideally covered with CCTV. Recommend landscaping is kept to a minimum with trees and foliage allowing for natural surveillance.
Lancashire Fire and Rescue Service	Comments. It should be ensured that the scheme fully meets all the requirements of Building Regulations Approved Document B, Part B5 'Access and facilities for the Fire Service'.
Ramblers Association	No comments received.
NHS	No objection subject to a contribution of £38,587 (based on approximately 336 new patient registrations) towards extension and reconfiguration at York Bridge Surgery.

4.2 127 pieces of correspondence have been received from members of the public, to the original scheme, which raise an objection to the application. These include the following concerns:

- **Highway impacts:** increased traffic; impact on highway and pedestrian safety; Fulwood Drive and other local roads unsuitable for level of traffic; construction traffic and parking; increased congestion at road junctions; impact on condition of existing roads; negative cumulative impact on the local road network; result in longer queues on Bare Lane at the level crossing
- **Flood risk/ drainage:** site suffers from flooding from overflowing watercourses on the site; site collects water; fails to address the consequences of turning the dykes into culverts; drainage relies on culverts being maintained both inside and outside the site; increased flood risk outside the site; potential for groundwater flooding; drainage report should consider the hydrology of the whole site; increasing land levels will increase flooding; will disrupt the hydrology of the area; existing flooding in the surrounding area should be considered; flooding to Morecambe Golf Course and surrounding fields; responsibility for maintenance of drainage system
- **Heritage:** Impact on historical importance of Torrisholme Barrow; will significantly impact on the view from the Barrow; impact on views and appreciation of the Ancient Monument; comprehensive archaeological dig of the area is required
- **Landscape/ visual Impact:** Impact on view from Torrisholme Barrow across to Slyne and Lakeland hills; loss of green space/ open countryside; not in keeping with design of existing housing; loss of views; pollution to future occupants from adjacent agricultural activity; urban sprawl
- **Residential amenity:** Increased noise, including during construction; overlooking and loss of privacy; loss of visual amenity; loss of light; increased pollution from cars; mud and dust during construction; noise and air pollution from railway line to future occupants; distress and anxiety
- **Local plan designation:** Open Countryside and Key Urban Landscape; not identified for development purposes; has recreational and historical importance; clear departure from the Local Development Plan; alternative sites in Local Plan that have not been developed
- **Housing need:** need for more bungalows rather than family houses; unsuited to families being next to a large area of bungalows and retired people; land not identified as necessary by the Parish or City Council to meet housing demands; existing vacant properties in Morecambe
- **Increase in crime:** Isolated location for children and the bridge under the railway is already a focal point for graffiti.
- **Impact on/ loss of wildlife/ ecology:** potential impact on newts and frogs; deer, foxes and heron are seen on or near the site; impact on peat bog on site; loss of valuable wetland; water pollution via runoff/ watercourses; impact on a variety of birds; impact on nearby Biologically Heritage site and Morecambe Bay designations
- **Services/ facilities:** Limited/ no capacity of local health services and schools
- **Infrastructure:** capacity of existing sewerage system; poor water pressure at present
- **Ground stability:** risk of subsidence; existing sink hole in the area
- **Impact on railway line:** this includes the West Coast Main line which has high passenger numbers and carries a large amount of freight
- **Climate change:** release of CO₂ from removal of peat from the site; raising site will create unnecessary CO₂; lack of renewable sources of energy
- **Precedent:** Could lead to further development to the south
- **Contamination:** Question why part of the site was not included in the assessment

- **Impact on footpath:** Development will be built across a footpath; concerns about Network Rail's proposal to infill bridge under railway
- Will be in a different Parish to the development it adjoins
- Raise demand for rail services at peak times

4.3 2 pieces of correspondence have been received from members of the public, to the original scheme, neither objecting to or supporting the application and raise the following:

- Concerns that the development could take place prior to the proper archaeological investigation of the site;
- The land owner could explore the possibility of a different use for this land, for example tree planting/ carbon off setting with public access

4.4 1 piece of correspondence has been received from a member of the public, to the original scheme, in support of the application and raises the following:

- Much needed housing on poor quality land

4.5 Following the reduction in the proposed number of dwellings, the application was re-advertised and an additional 43 comments have been received raising an objection to the application. These include similar concerns to those set out above and also set out the following:

- Affordable housing provision
- Question viability due to rising costs
- Use of Hamilton Road as a main access point
- Potential seepage from the canal into surrounding ditch/ drainage network
- Amended drawing would still require culverting under properties
- Question if a TRICS traffic flow matrix has been applied
- Question why contribution towards sports funding will be used in Lancaster rather than Morecambe
- Used for grazing cattle
- Legitimacy of the proposed contributions.

4.6 An additional piece of correspondence has been received in support of the application and raises the following:

- Need for more bungalows.

4.7 An objection has been received from the ward councillor, Roger Dennison, for the following reasons:

- Policy grounds - the land is not designated for housing and has a protected landscape designation;
- Flood risk - has not shown appropriate methods to mitigate risk both on site, and effects on adjoining areas;
- Traffic movements - the site will require considerable infill and the site access is limited and unsuited to multiple heavy commercial vehicle movements;
- General traffic - the site has limited road access, it's not a bus, extra traffic will be considerable, and will adversely affect existing properties on the access route;
- Noise - the site is immediately adjacent to the elevated west coast main line, with overhead power lines, and the junction to Morecambe. Rail wheel interaction and power coupling surges together with acceleration and braking and diesel units on the Morecambe route, will produce an unsatisfactory residential amenity.

4.8 An objection has been received from councillor Gerry Blakie and raises concerns regarding: flooding and drainage; loss of peat bog; no unmet housing requirement Slyne-with-Hest or Morecambe; land is protected as Key Urban Landscape; increase in traffic with a rise in noise and pollution and impact on pedestrian safety; and shortage of doctors and dentists and capacity of local schools.

5.0 Analysis

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

- Principle of residential development;
- Landscape impact, layout, design and open space;
- Impact on Heritage Assets;
- Traffic impacts, access, parking and sustainable travel;
- Flood risk and drainage;
- Biodiversity and Trees;
- Residential Amenity;
- Affordable housing, housing standards and mix;
- Education and health;
- Sustainable design and renewable energy; and
- Mineral Safeguarding

5.2 **Principle of Residential Development** NPPF paragraphs: 7 – 12 (Achieving Sustainable Development), 60-61 and 73-79 (Delivering a Sufficient Supply of Homes), and 174 (Protecting and Enhancing Valued Landscapes); 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), EN3 (The Open Countryside) and EN5 (Local Landscape Designations); Development Management (DM) DPD policies: DM1 (New Residential Development and Meeting Housing Needs), DM4 (Residential Development Outside Main Urban Areas), DM46 (Development and Landscape Impact)

5.2.1 The site is located adjacent to the existing built-up area Morecambe and is designated as Open Countryside and Key Urban Landscape in the Local Plan. The policies map does show the site within the urban boundary of Morecambe. However, the Local Plan does not contain an urban area policy and the purpose of the boundary is to help delineate the land within the district which is not subject to open countryside policy. Therefore, for the purpose of the assessment of this application, it will be considered against Policy EN3 of the Strategic Policies and Land Allocations (SPLA) DPD. The site was previously located within the North Lancashire Green Belt and was removed when the Local Plan was adopted in 2020, following the Green Belt Review. It was given a new designation as Key Urban Landscape, which also includes adjacent land to the south and west. The Green Belt boundary now lies to the east of the railway line, which abuts the site.

5.2.2 Policy EN3 states that any development proposals located within open countryside should have due regard to all relevant policies contained within the Local Plan, in particular policies within the Development Management (DM) DPD relating to development in the rural areas. Policy DM4 of the DM DPD sets out that the Council will support proposals for residential development outside main urban areas where they reflect sustainable patterns of development and accord with the Council's settlement hierarchy, as described in Policy SP2 of the SPLA DPD. Policy SP3 goes on to set out the development strategy for the District, and promotes an urban-focussed approach to development, concentrated towards the main urban areas of Lancaster, Morecambe, Heysham and Carnforth. It also sets out that, in addition to the main urban areas of the district, development will be supported in sustainable settlements as defined in the settlement hierarchy. The site is within the open countryside and not within a sustainable settlement. However, it is adjacent to one of the main urban areas and the wider facilities and services that it provides.

5.2.3 As set out above, the site is also located within an area designated as Key Urban Landscape, which is a local landscape designation. Policy EN5 of the SPLA DPD seeks to conserve areas designated as Key Urban Landscape and safeguard natural features. It sets out that development proposals will only be permitted where they preserve the open nature of the area and the character and appearance of its surroundings. Policy DM46 of the DM DPD adds to this approach by outlining that particular regard will be made to the historic townscape and built form of the urban areas. The supporting text to the policy sets out that Key Urban Landscapes are identified as those areas within the main urban areas which are integral to the built form of the district, providing a setting for important features and/or heritage assets. It goes on to say that they play an important role in

defining the townscape of the main urban area and are inextricably linked to the experience of the wider setting of these features.

- 5.2.4 The originally submitted scheme proposed the development of 140 dwellings, which has now been reduced to 129 dwellings. The application seeks outline planning consent, including details of the access; all other matters are reserved, and although it does not seek permission for the layout or scale, an indication of this has been given with the submission to demonstrate that the principle of development is acceptable. Even though the number of units has decreased slightly, the proposed residential development would fail to preserve the open nature of the area as it would result in an amount of built development and associated infrastructure on an area of land which is currently open fields. The impact of the development on the surrounding area, including the historic landscape and built form is considered within the sections below. However, it is clear that the proposal technically conflicts with policies EN5 and DM46 of the Local Plan.
- 5.2.5 Paragraph 60 of the NPPF sets out that to support the government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed. The Council’s most recent Housing Land Supply Statement (November 2022) identifies a housing land supply of 2.1 years, which is a significant shortfall against the required 5-year supply set out in paragraph 74 of the NPPF. Paragraph 11 of the NPPF also requires that, where a local planning authority cannot demonstrate a 5-year supply of deliverable housing sites, permission should be granted unless the application of policies in the NPPF that protect areas or assets of importance (such as heritage assets and areas at risk of flooding) provide a clear reason for refusing permission or any adverse impacts would significantly and demonstrably outweigh the benefits of the proposal. This means applying a tilted balance towards the delivery of residential development.
- 5.2.6 As set out above, the proposal will conflict with the aims and objectives of policies EN5 and DM46 which seek to conserve areas designated as Urban Setting landscape. However, the local planning authority currently has a significant undersupply of deliverable housing sites. In addition, the development strategy for the District, set out in policy SP3 of the SPLA DPD, promotes an urban-focused approach to development concentrated towards the main urban areas of Lancaster, Morecambe, Heysham and Carnforth. Whilst the site is within the open countryside, it does lie immediately adjacent to the existing built-up area of Morecambe and the services and facilities that it contains. Therefore, this proposal of 129 dwellings is considered to be sited in a sustainable location, adjacent to the existing built-up area, and great weight is afforded to this factor in the planning balance. However, as this requires consideration of all the impacts of the development, this will be fully considered within the conclusion of the report.
- 5.3 **Landscape Impact, Layout, Design and Open Space** NPPF paragraphs: 92-93, 98-100 (Promoting Healthy and Safe Communities including Open Space and Recreation), 126-134 (Achieving Well-Designed Places), 174 (Valued Landscapes and the Countryside); Strategic Policies and Land Allocations (SPLA) DPD: SP8 (Protecting the Natural Environment), EN3 (The Open Countryside) and EN5 (Local Landscape Designations); Development Management (DM) DPD policies: DM29 (Key Design Principles), DM43 (Green Infrastructure), DM46 (Development and Landscape Impact) and DM57 (Health and Well-Being)
- 5.3.1 The site is located to the east of Fulwood Drive, between existing housing and the railway line. The land is predominantly rough grazing, subdivided by a mature hedgerow and hedge bank. It is bordered by mature trees and shrubs to the west, between the fields and the railway line. The land is relatively low lying and is mostly lower than the adjacent residential development, and is highest towards the east and south of the site. To the south east of the site, outside its boundary, the land rises considerably, forming a prominent local landscape feature, Torrisholme Barrow.
- 5.3.2 The site lies adjacent to the urban area within the Low Coastal Drumlins landscape character type, sub-type Carnforth-Galgate-Cockerham (12a), as identified in the Lancashire County Council Landscape Strategy for Lancashire (December 2000). This character type is characterised by areas of low, whaleback hills around 40 metres high, with broad rounded tops towards the north west coast of the study area. The landscape is characteristically gentler and of lower altitude than that of the drumlin field and individual drumlins are more isolated. There are often areas of poorly drained pasture, standing water and occasionally mosses, fens and fen meadows between the drumlins and the alignment of drumlins gives the landform a distinctive grain. The strong pattern of pastures

emphasises the undulating topography, with neat, low cut thorn hedges traversing the drumlins. Trees and shrubs are limited in this agricultural landscape, although small copses occur on the tops and sides of the drumlins. Scattered large farmsteads are reached by a network of winding hedged lanes and tracks, but large housing estates and industrial development are also features of the landscape today. This particular sub-type supports an extremely high proportion of built development including the large settlements of Lancaster and Morecambe and transport corridors.

- 5.3.3 As discussed in the section above, the site is allocated as Key Urban Landscape and the proposed residential development of much of the land will conflict with the purpose of policies EN5 and DM6 to preserve the open nature of the area. This site is within an area that was identified as one of 10 new local landscape designations by landscape consultants Arcadis in their 'Key Urban Landscapes Review' document (May 2018). The boundaries of the landscape designation in this area (AS-03 – Torrisholme Barrow) are formed by the railway line to the north and east of the site, the existing residential development to the north and west of the site and the Bay Gateway, which is approximately 750 metres to the south of the southern site boundary. The area encompasses land to the north and south of Slyne Road/ Hasty Brow Road, including Torrisholme Barrow. The report concluded that this area contained strong cultural heritage with distinctive landform and mature well-managed landscape features and that it was a landscape which has significant qualities and is distinct in appearance, providing a setting for the adjacent areas. It was scored the highest from the new areas assessed and was recommended as Key Urban Landscape.
- 5.3.4 The site is relatively low lying and forms the northern portion of the designation where it is narrowest, constrained by the existing residential development and the railway line. Given the sites characteristics and location, it is considered that it provides a lower contribution to the wider designation than other areas of the land, particularly in relation to the quality and appearance of the landscape and the setting of Torrisholme Barrow, which will be discussed in more detail in the section below. An illustrative layout plan was submitted with the application and was subsequently amended to address issues of drainage, and the number of units was reduced from 140 to 129. Approval of the layout is not being sought as part of the application; however, the illustrative plan shows how the site could be developed, and has informed a parameters plan which indicates areas to be developed and those to be left open. This could be conditioned at this stage to give a level of certainty over the areas to be developed. The plan shows the southwest corner and land along the eastern and southern boundaries as open space which is broadly the higher parts of the site and the part closest to Torrisholme Barrow. The area shown for housing extends slightly to the south of the adjacent residential development to the west.
- 5.3.5 The development of the site will require some of the levels to be raised quite significantly as the land is much lower than the adjacent properties in some places. An indication of this has been given within the submitted drainage strategy, which has been amended during the course of the application. The levels would be agreed at a layout stage when the layout is determined, however it is considered that the increase in levels would not result in a development that will be unduly prominent in the landscape. Whilst the development will encroach into an open area of land, it will be seen within the context of the existing development and the railway line. It is quite enclosed at this point and does not have the same open character or distinctive landform as other parts of the local landscape designation. It is proposed further south than the adjacent houses, however this is not significant and should not give the impression of wrapping around Torrisholme Barrow, with most of the land to the east of this still left open. There is some planting proposed both within and outside the application site, however this would not be out of keeping with the character and appearance of the landscape in this location, as there are existing groups of trees in the locality.
- 5.3.6 Much of the existing housing development immediately to the east comprises bungalows, and the dwellings adjoining the site all appear to be true bungalows with low eaves and ridge heights. The application does not seek approval for the scale or appearance of the dwellings, however the design and access statement sets out that there would be a mix of sizes and these would all be two storey. It would be expected that some bungalows would be provided on the site to ensure that an appropriate mix to meet different needs is provided. It may also be appropriate that dwellings adjacent to the existing houses are kept quite low in terms of both visual and residential amenity. At this stage the layout is only indicative, therefore full consideration of this would be given at reserved matters stage. However, given the low heights of the adjacent development, it is considered appropriate to restrict the heights of the proposed dwellings on this site to no more than 2 storey.

- 5.3.7 In terms of the layout, the indicative plan shows that the number of dwellings can be accommodated and open space provided. Whilst it would probably be preferable for a larger central area, the location of the open space is likely to be similar to the indicative plan as it occupies the higher land and that projecting closer to the Torrisholme Barrow, in addition to smaller elements within the housing. It would need to be ensured that this has sufficient natural surveillance, however the layout does currently show most of this to be overlooked. The plans were amended and the number of dwellings reduced to accommodate the open watercourses as much as possible which should improve the overall design, environment and sense of place. The Public Realm Officer has advised that 2347 square metres of amenity space would be required on site in addition to a play area. The amount shown does significantly exceed this, although some is on the periphery of the site, as discussed above. This would be considered as part of the overall layout at reserved matters stage. All other requirements may require off site contribution.
- 5.3.8 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'. In terms of off-site provision, as this is an outline application, the calculation has been based on 129 three bedroom dwellings and can be recalculated once the housing mix is known at reserved matters stage. The total figure has been calculated at £249,705.30, with £142,377.30 for outdoor sports, £67,080 for young persons provision and £40,248 for parks and gardens. In relation to young persons provision, the contributions would be used to enhance and improve the multi use games area and pavilion at Happy Mount Park. For parks and gardens, it would be used to enhance public open space within Morecambe and/ or contribute to the nearest park, which is Happy Mount Park. For outdoor sports, the Public Realm Officer has advised that this can be used to enhance changing facilities for football at both Rylands Park and King Georges football fields. Whilst these are both within Lancaster, rather than Morecambe, the site's location means that both these parks are within an appropriate distance of the site for contributions, where occupants on the development could reasonably travel, at around 6 and 8 minutes driving time respectively.
- 5.3.9 Whilst the development will result in the loss of open agricultural land, it is considered that it would not be overly prominent within the landscape and would be seen in the context of the existing residential development. It will obviously conflict with the local landscape designation, and it will erode part of the wider designation. However, being located at the northern part of this and mostly contained between the existing residential properties and the railway line will limit the impact on the wider designation to some degree. 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 130 of the NPPF sets out that 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. Notwithstanding the conflict with the landscape designation, it is considered that the number of dwellings proposed could be accommodated on the site and achieve an appropriate layout with open space and could be integrated into the landscape and existing settlement.
- 5.4 **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 DM39 (The Setting of Designated Heritage Assets), DM41 (Development Affecting Non-Designated Heritage Assets or their Settings), DM42 (Archaeology)
- 5.4.1 The southern corner of the site is located approximately 300 metres from the Scheduled Monument known as Torrisholme Barrow, which is a Bronze Age bowl barrow. A bowl barrow is an inverted pudding bowl-shaped mound and Scheduled Monuments are nationally important archaeological sites. The proposal has the potential to impact on archaeology that may be present within the site and also the setting of the designated heritage asset. Two pieces of cast

bronze, thought to also date to the Bronze Age, were found by a metal detectorist less than 200 metres to the south of the application site, and the 1846 Plan of the Township of Slyne with Hest is thought to possibly record the presence of a standing stone in the southern part of the application site.

- 5.4.2 A Heritage Statement was submitted with the application. The Historic Environment Team at the County Council advised that the site has a medium-high potential to contain material that might help address the Council for British Archaeology/Historic England's North West Regional Research Agenda Prehistory Research questions. Paragraph 194 of the NPPF sets out that, where a site includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. Given that the site has a potential archaeological interest, but as its extent, nature and level of significance had not been determined, the impact of the development could not be easily assessed and further information was requested.
- 5.4.3 A Geophysical Survey was subsequently submitted and identified a number of anomalies across the site which could be pits, with recommendations for these to be investigated. Without the results of the evaluation, the Historic Environment Team advised that they could not provide an informed opinion in relation to the anomalies and if they are of such a significance that they should be considered a constraint on the proposed development, either in part or whole. To address this, archaeological investigation at the site has been undertaken and the results submitted. Following further consultation with the County Council, it is considered that the potential archaeology on the site does not represent a constraint to developing the site. However, a kiln was identified and the remains were not fully excavated and its function remains unknown. As such, further investigation of the area around this feature has been recommended to be secured by a condition. This is considered to be appropriate, to ensure that this and any associated features are appropriately investigated and recorded prior to the development of the site.
- 5.4.4 The Heritage Statement submitted with the application sets out that, in addition to the archaeological interest of Torrisholme Barrow which is not known to have been excavated, its significance is also derived from a number of heritage values. In this case, these have been identified as evidential historical, aesthetic and communal and it goes on to say that barrow sites can provide an emotive and evocative link to the past and are a valuable educational resource, providing an insight into prehistoric beliefs. The statement sets out that they often occupy prominent locations and provide a major historic element in the modern, which is the case with Torrisholme Barrow. Given the separation of the site from the Scheduled Monument, the development would not impact on the evidential, historical or communal value of Torrisholme Barrow, but has the potential to impact on setting, and therefore the aesthetic value. The statement sets out the development will result in a change to the landscape that will be visible from Torrisholme Barrow, in that the extent of existing housing development would appear slightly different, although at some distance from the monument. It goes on to say that the impact can be mitigated by maintaining an area of open green space to the south and southeast sides of the proposed development area, and by providing an interpretation board in relation to Torrisholme Barrow and enhanced views where they do not currently exist.
- 5.4.5 The setting of Torrisholme Barrow has already been eroded by the existing residential development on the eastern edge of Morecambe. To the west, in particular, the development includes some of the higher slopes of the drumlin and extends to approximately 60 metres from the feature. It is slightly lower to the south, but some still extends up the rising landform and is around 150 metres at its closest, extending to approximately 250 metres. To the north, the development is lower and is located between around 300 and 400 metres from the Scheduled Monument. The land to the east is mostly open, the closest development comprising an isolated group of buildings adjacent to Hasty Brow Road, approximately 260 metres from the archaeological feature. The site boundary is approximately 300 metres from the Scheduled Monument and the area to be developed with housing would be at a distance of approximately 430 metres.

- 5.4.6 A heritage impact assessment was prepared as part of the Local Plan process for a larger area which incorporated the current application site. It extended from the railway line at the northern boundary to just above the Bay Gateway, with the railway line forming the eastern boundary. It also increased in width to the south of Hasty Brow Road/ Slyne Road, extending up to the existing development on Russel Drive to the west. The assessment set out that the site surrounds the mound of Torrisholme Barrow and provides the rural setting to the east, which makes a positive contribution to the views and appreciation of the asset and development to the east would further erode the setting and appreciation of the bowl barrow as a prominent feature within the landscape. It concludes that the harm caused to the significance of the Scheduled Monument is considered to be major as it would subsume and surround the asset. It does set out that some of the harm could be mitigated through the restriction of development north of Hasty Brow Road and restriction of heights of buildings to 2 storey although it considers that views from the asset would still be negatively impacted.
- 5.4.7 As discussed in the earlier section regarding the landscape impact, the development would be mostly contained between the existing residential development and the railway line, but would extend slightly to the south of the existing dwellings on Fulwood Drive. It would result in the loss of open agricultural land which visible from Torrisholme Barrow and would particularly alter views to the northeast, where the development would be further from the existing built up area. However, it will not have the same impact as described in the heritage impact assessment for the Local Plan as the land to the east and south east of the drumlin feature, that provides the base of the Scheduled Monument, would remain open. The development would be in the part of the larger site which is located to the north of Hasty Brow Road, but would be confined to the narrow northern section of this. It is therefore considered that it would not subsume or surround the asset but would have some impact on its significance through the loss of the undeveloped open agricultural landscape that contributes to its setting which would impact on some views from the monument. It is considered that this harm would be less than substantial.
- 5.4.8 Policy DM39 of the Development Management DPD relates to the setting of heritage assets, and sets out that the Council recognises the contribution that this can make to the significance of heritage assets, and that proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset will be treated favourably. Policy DM42 states out that proposals should conserve or enhance those elements which contribute towards the significance of a Scheduled Monument and harm to such elements will only be permitted where is clearly justified and outweighed by the public benefits of the proposals. Paragraph 199 of the NPPF sets out that, when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 200 goes on to say that any harm to the significance of a designated heritage asset, including from development within its setting, should require clear and convincing justification. Paragraph 202 states that where a 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 development.
- 5.4.9 As discussed above, it is considered that the development will result in less than substantial harm to the significance of Torrisholme Barrow Scheduled Monument as a result of development within its setting. It is considered that this harm would be mitigated to some degree by limiting how far the development extends to the south, as shown in the parameters plan, and also limiting the development to two storey, as discussed in the section above. The landscaping shown on the illustrative framework plan would also be likely to help soften the development, and an interpretation board could help to aid public understanding and appreciation of the asset. As set out above, any harm should be weighed against the public benefits. The Council currently has a significant undersupply of deliverable housing sites and Paragraph 60 of the NPPF sets out that to support the government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed. This site is located adjacent to the existing built up area of Morecambe and would provide 27% of the units as affordable housing which is a significant public benefit, although slightly lower than the policy requirement.
- 5.4.10 Taking into account the public benefits of the development of 129 dwellings in this location, including the affordable units, it is considered that this outweighs harm that has been identified to the significance of the heritage asset. It therefore complies with local and national planning policy in terms of the impact on the designated heritage assets.

- 5.5 **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), DM60 (Enhancing Accessibility and Transport Linkages), DM61 (Walking and Cycling), DM62 (Vehicle Parking Provision), DM63 (Transport Efficiency and Travel Plans) and DM64 (Lancaster District Highways and Transport Masterplan).
- 5.5.1 The site is located adjacent to an existing residential area and would be accessed off this, utilising an existing cul-de-sac at the eastern end of Fulwood Drive. Fulwood Drive is a relatively long estate road which leads from Low Lane and connects to a series of smaller residential streets. An additional access is also proposed off another cul-de-sac, Williams Avenue, which is located approximately 165 metres to the north of the main access. The submission sets out that this would be a secondary access for pedestrians, cyclists and emergency vehicles. Lancashire County Council, as the Local Highway Authority, have confirmed that both these accesses are acceptable, subject to their detailed design. It would need to be ensured that details of how the access from Williams Avenue will be secured to ensure that it is not used as a main vehicular access, and operated to provide emergency access.
- 5.5.2 The site lies on the edge of the urban area and therefore suitable accessibility of the site by sustainable modes of transport, walking, cycling and access to public transport facilities will be essential to satisfy user needs. This requires consideration for the provision for pedestrian/cycle connectivity to and from this development and the wider sustainable transport network. The submitted Transport Assessment has identified that the site is within an acceptable walking distance from the local amenities on Bare Lane/Princes Crescent. However, taking into account the indicative layout of the site, these are in excess of 800 metres from much of the site. The Highway Authority has raised concerns regarding the connectivity of the site and the existing facilities on the south side of Bare Lane. In particular, Bare Lane experiences high levels of vehicle movements and currently lacks any pedestrian crossing facilities. They have requested that an appropriately located controlled pedestrian crossing is provided on Bare Lane, funded by the proposed development. This can be covered by a condition and under a separate agreement with the Highway Authority and would help improve connectivity and access to services.
- 5.5.3 In terms of public transport, Bare Lane railway station is located approximately 1 kilometre from the centre of the site. Warwick Avenue has the closest bus stops to the site at approximately 450 metres and has regular services to Morecambe and Lancaster. The Highway Authority also advised that in January 2022 that they have requested input from the County Council's Public Transport team, but no information had been provided. The most recent response in January 2023 does not include any reference to this or request for infrastructure or any contribution to support this. A Framework Travel Plan has been submitted with the application and a Full Travel Plan can be conditioned. The Highway Authority have requested a contribution of £6000 to monitor and support the development, implementation and review of the Travel Plan for a period of up to 5 years.
- 5.5.4 From the indicative layout, it appears that walking and cycling is not prioritised and fails to maximise opportunities. The layout also raises some concerns regarding the length of private driveways, in particular relation to refuse collection but potentially emergency service vehicles. One of these is around 150 metres in length. However, this is an outline application and the layout would be determined at the reserved matters stage. The comments from the Planning Policy Team suggested the upgrade of a public right of way which runs from the site to Hasty Brow Road. However, when the planning application was submitted this was not a public right of way but was an application for a modification to the map to show it as one, although this has since been refused by the County Council. The illustrative framework plan shows a potential path to the south of the site (close to the railway line) and this could provide a link to Hasty Brow Road. The agent has agreed that a footpath link can be created and this would need to be secured through a Section 106 Agreement as it does not appear to be within the ownership of the applicant at present, and is outside the red line application site. However, this would likely be more of a recreational route, and would not be too far from the canal tow path. The plan shows other potential paths leading to the south from close to the western boundary. However, it would be difficult to secure those linking to information paths, rather than public rights of way, across and around Torrisholme Barrow. However, there would be a path through the open space, but again this would be more for recreational purposes.

5.5.5 In terms of the impact on the highway network, the Highway Authority have 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 key 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.

5.5.6 The response sets out that the development of the Lancaster Travel and Transport Infrastructure Strategy has included the development of a mechanism to ensure an equitable distribution of Section 106 contributions to fund its required infrastructure. A gravity approach has been developed that determines the degree of the development's influence and impact on areas of concern (locations of initiative) and also has regard to other sources of funding available/secured. A request for a contribution of £440,379 has been made, which equates to £3146 per unit, and would be used to fund the following initiatives:

1. M6 J33
2. A6 Preston Lancaster Road
3. Bailrigg Garden Village
4. A588 Corridor (South)
5. A588 Ashton Road (North)
6. A6 Scotforth Road (and Other Parallel Routes Such as Bowerham Road)
7. Pointer Roundabout
8. City Centre Gyratory
9. A683 Caton Road
10. A6 Slyne Road (and Other Feeder Roads)
11. Local Highway Network Around M6 Junction 34
12. Lancaster Area Wide Local Road/Management Changes
13. Morecambe Area Wide Local Road/Management Changes

5.5.7 Lancaster City Council, as the Local Planning Authority must ensure that any request for a financial contribution that it makes, and subsequently secures through a legal agreement, complies with the tests set out in the CIL Regulations, which are reiterated in paragraph 57 of the NPPF. In particular, a planning obligation must only be sought where it meets all of the following:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

5.5.8 In terms of the first test, one of the considerations is the policy position. There are several policies in the Local Plan which relate to the delivery of infrastructure to support development. The third initiative outlined by the Highway Authority relates specifically to Bailrigg Garden Village. Policy SG1 of the Strategic Policies and Land Allocations DPD sets out a range of principles which will be at the core of planning and development in South Lancaster and for the Garden Village. These principles include: seeking a modal shift in local transport movements between South Lancaster, the Garden Village, Lancaster University Campus and Lancaster City Centre and beyond into the employment areas of Morecambe and Heysham through the delivery of a Bus Rapid Transport System and Cycling and Walking Superhighway network; and addressing longstanding constraints and capacity issues in the strategic and local road network through improvements to traffic management and physical interventions to increase network capacity and advantage sustainable travel. The policy goes on to say that development within the broad location for growth, in advance of the Lancaster South Area Action Plan (AAP) will be permitted provided that it would not prejudice the delivery of the wider Garden Village, would conform with and further the Key Growth Principles

and that opportunities for sustainable transport modes have been fully considered and the residual impacts on the transport network are not severe. However, as this site is not within the Broad Location for Growth, it cannot be given weight in the determination of this application.

5.5.9 Policy SG3 sets out a policy mechanism for the delivery of growth in South Lancaster. It sets out that all development contained within the designation of the Broad Location for Growth, including Bailrigg Garden Village, should contribute to infrastructure requirements in a fair and equal manner and the council will not permit piecemeal development in this area which does not seek to address matters of strategic infrastructure. Neither policy sets out that development outside the area would be expected to contribute to infrastructure requirements in that area or those as a result of the large scale development proposed in South Lancaster. Therefore, it is considered that there is no policy basis for requests in this area of the District in particular.

5.5.10 Policy SP10 relates to improving transport connectivity and refers to the Highways and Transport Masterplan for the District. This sets out that new development will be expected to be sited in sustainable locations that ensure a range of transport options and seek to reduce the need to travel. Where it is appropriate and necessary to do so, development proposals will be expected to contribute to the delivery of important transport infrastructure. Where strategic developments are likely to result in traffic impacts that will require mitigation in the form of projects identified in the Highways and Transport Masterplan then funding will be sought via developer contributions. It goes on to say that the principles and requirements within Policy DM64 of the Development management DPD will apply.

5.5.11 Policy DM64 sets out that the key issues addressed in the Masterplan include:

- Improvement to highway capacity on the A6 Corridor between Lancaster City Centre and Galgate.
- Improvements to traffic management in Lancaster City Centre to provide greater priority to public transport, pedestrian and cycling movements.
- Improvements to connectivity around Morecambe Bay improving rail services and improving cycling and walking linkages.
- Establishing a new Rapid Transit System between South Lancaster – Lancaster City Centre – Junction 34 Park and Ride – Morecambe – Heysham.

It goes on to say that, where appropriate, the Council may seek contributions towards the delivery of new infrastructure to achieve the aims and objectives set out in the Highways and Transport Masterplan where such contributions are reasonable and directly related to the development proposed, in line with national planning policy.

5.5.12 Policy DM63 also sets out that the Council will support proposals that maximise opportunities for the use of sustainable modes of travel. Development proposals should make appropriate contributions) to improve the transport network and transport infrastructure, particularly to facilitate walking, cycling and public transport (bus and rail) to encourage the use of alternative forms of transport from the private car. Policy DM46 is clear that any contribution should directly relate to the development proposed. As highlighted above, it is clear that it was not the intention of the Local Plan to secure funding for infrastructure within the Broad Location for Growth from development outside the area. There are also other initiatives that are a significant distance from the site, several to the south of the City Centre, where it would be difficult to reach a view that the contribution for these works was necessary to make the development acceptable in planning terms. Unfortunately, this does then call into the question the whole approach and how this could be considered to comply with the CIL tests. The Local Planning Authority must ensure that any request it makes and secures is lawful.

5.5.13 Moving on to the second test and whether the contribution request directly relates to the development proposed. As set out above, there are some concerns that not all the infrastructure initiatives relate to this development. The consideration of this test requires a planning judgement to be made, however this must be based on transparent evidence. In this regard, the Highway Authority have provided the Infrastructure Strategy, its appendices and a spreadsheet which shows the level of contribution that has been apportioned to each project. In reaching the level of contribution required from the development, a sum has been calculated per dwelling for each of the initiatives. There are still queries and concerns regarding the methodology for the gravity model,

including how it considers trip generation and traffic distribution. For example, the breakdown of the request sets out £10,669 for the Garden Village, £12,606 for the A6/ Scotforth Road, £11,787 for Pointer roundabout and contributions for the A588, although these are quite small. It is difficult to see how the development has a direct impact on the garden village and routes to the south of Lancaster City Centre or would be unacceptable if this contribution was not made, in addition to the concerns above about the policy basis for this.

- 5.5.14 There are also a number of other concerns about when some of these schemes may come forward as some of the initiatives include options. As the approach intends to include contributions from all developments across the plan period, it may be that some of the initiatives could not be delivered for many years beyond the completion of the development. This raises the question of how they relate to the development proposed but also the implications if unspent money is required to be refunded. The Highway Authority would still be in a position that they could not secure the money, if not spent within an appropriate timeframe, and the development may have been diminished as a result, such as a decrease in affordable housing to allow all the contribution to be made.
- 5.5.15 Finally, any request must fairly and reasonably relate in scale and kind to the development. This test is met where there is a real connection with the development and there is a proportionate relationship between the development and the contribution sought. There is necessarily an overlap between the second and third tests. Given the queries about the transparency of the Gravity Model and the apportionment of the contributions, in addition to concerns about the delivery of some of the initiatives and their location and link to the to the development, it is currently considered that the third test cannot be made.
- 5.5.16 As set out above, the Local Planning Authority can only secure financial contributions where they meet the CIL tests. Whilst discussion have been ongoing with the Local Highway Authority for some time, unfortunately the approach put forward fails to comply with the tests for the above reasons. It is appreciated that a lot of work has been put into the development of the model and the collating the information in relation to the proposed projects, but unfortunately there is no strong policy position to support this as a District wide approach.
- 5.5.17 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.
- 5.5.18 The application proposes a safe and suitable access and the Highway Authority has not raised any concerns regarding this or highway safety in the immediate area, subject to the provision of a crossing on Bare Lane. The site is located on the edge of the built up area, which means that some of the distances are beyond what is desirable to walking to services and facilities. However, the location on the edge of the urban area means that there are a large range of facilities and also access to public transport and the benefits of providing housing weigh heavily in the planning balance. The Highway Authority has not provided sufficient evidence to demonstrate that the development would have a severe residual cumulative impact on the road network if the contribution requested was not secured, particularly as many of the initiatives are very distant from the site. A full Transport Assessment has been submitted as part of this application and it is therefore considered that the development will not have a detrimental impact on highway safety to warrant a refusal of consent on this ground alone.
- 5.6 **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)

- 5.6.1 The site is located within flood zone 1, however it is identified as being susceptible to groundwater flooding (50-75%) and there are some small areas on the site which are identified as being at risk of surface water flooding (1 in 100 and 1 in 1000). There are also two watercourses which cross the site. This is an outline application will all matters, accept access, reserved, and as such the layout is not known. However, it needs to be ensured, at this stage, that an appropriate drainage scheme can be accommodated on the site for the number of dwellings proposed to ensure that any risk of flooding on or off the site can be appropriately managed.
- 5.6.2 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.
- 5.6.3 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.
- 5.6.4 A flood risk assessment and drainage strategy was submitted with the application to assess the risks of flooding on the site and demonstrate how surface and foul water could be appropriately managed. The Lead Local Flood Authority (LLFA) initially raised no objection, but did raise a number of matters that would need to be addressed within a final housing layout and drainage scheme. This included some concerns regarding a reliance on underground storage of surface water, advice on calculating an appropriate discharge rate, advice against building within 8 metres of the open watercourses on the site and also against culverting existing ordinary watercourses. The last two points raised concerns about whether the number of dwellings proposed could be adequately accommodated on the site as this would require keeping watercourses mostly open. The advantage of this, is that they can be incorporated into the overall design of the layout and become attractive places within the development.
- 5.6.5 As part of the public consultation process, photographs of flooding/ ponding on the site, from the last few years, were submitted. The agent was asked to address this as it could impact on the number of dwellings that could be accommodated on the site. The drainage strategy was amended to address the concerns, and initially proposed a large attenuation basin to the north of the railway line. Whilst the LLFA considered that this could adequately deal with drainage, it was outside the application boundary and not in the ownership of the applicant and it could therefore not be considered as part of the current application. A subsequent indicative scheme was provided, which shows the existing open watercourses retained as mostly open, except where required to be crossed by roads. This has resulted in the reduction of the number of dwellings on the site from 140 to 129. It shows the use of geocellular baskets and oversized pipes, but also an attenuation swale towards the eastern boundary of the site. This swale would be around 20 metres from the boundary with Network Rail land and it would therefore need to be ensured that they have no concerns regarding the final drainage design and it is advised that the applicant liaise with them when designing the final layout of the scheme. However, it is considered, in the event that this needs to move further from the railway line, that there would be scope to do this with some changes to the layout and possible reduction in size of some of the larger dwellings.
- 5.6.6 The LLFA have confirmed that they have no objections to the application and consider that surface water could adequately be managed subject to appropriate conditions to secure the final surface water drainage strategy and management. They have advised that, the layout submitted at the

reserved matters stage must provide safe access to all on-site watercourses (open or culverted) for maintenance purposes and no development should occur within 8 metres from the bank top of any ordinary watercourse to achieve this. They have set out that this has not been achieved in the indicative drainage layout. In line with Lancashire County Councils Consenting and Enforcement Policy, consent to culvert any existing open ordinary watercourses will generally be refused. Where highway crossings are proposed, clear span bridges should be used in preference to culverting any open ordinary watercourse. From the layout plan, it appears that more space would need to be created around the watercourses and the road crossing reconsidered. However, it is considered that there is potential for the layout to be altered to address this, although it may require reducing the size of some of the dwellings to accommodate the number proposed.

5.6.7 The detailed design of the drainage scheme can be adequately covered by condition, in addition to measures to manage surface water during construction. It is therefore considered that the application complies with Local Plan policies in relation to flood risk and drainage, in particular DM33 and DM34, in addition to national policy set out in section 14 of the NPPF and discussed above.

5.7 **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 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).**

5.7.1 The site is located approximately 900 metres from Morecambe Bay and Duddon Estuary Special Area of Protection (SPA), Morecambe Bay Special Area of Conservation (SAC) and Morecambe Bay Ramsar site, in addition to the Morecambe Bay Site of Special Scientific Interest (SSSI). Given the proximity of the site to the designated areas, there is the potential for the development to have an adverse impact on their integrity both during construction and operational phases of the development. A Habitats Regulations Assessment has been submitted with the application. It is considered that mitigation is required in relation to potential adverse effects and therefore an appropriate assessment has been undertaken.

5.7.2 The appropriate assessment concludes that the proposal will not result in adverse effects on the integrity of any of the designated areas and Natural England have confirmed agreement to this. This is subject to appropriate mitigation being secured by condition. For potential impacts during construction, this relates to the production and implementation of a Construction and Environmental Management Plan, to include appropriate pollution prevention control measures to ensure no construction related pollutants or run-off enter the drainage ditches or the designated areas. For impacts during the operational phase, this requires the provision of homeowner packs, which explain the sensitivities of the nearby designated sites, include a 'responsible user code' and promotes the use of the on site public open space. The Local Planning Authority has adopted the submitted Habitats Regulations Assessment to fulfil the duty as the competent authority.

5.7.3 Greater Manchester Ecology Unit (GMEU) have provided advice in relation to the ecological impacts of the proposal. During the course of the application an updated ecological appraisal was submitted, in addition to an updated biodiversity net gain metric calculation and alterations to the indicative framework plan which reduced the number of dwellings on the site, as discussed in the sections above. In addition to the designated site discussed above, the site is also approximately 200 metres to the south of Belmont Farm Grassland and Fen Biological Heritage Site (BHS) and is potentially hydrologically linked. However, GMEU have advised that they are satisfied that the measures required to protect the SPA, as discussed above, will be adequate to protect the BHS.

5.7.4 No evidence of any protected species was found on the site, with no ponds near enough to require measures for great crested newts. There was no evidence of badger which, given the site is reported to flood, is to be expected although they could theoretically utilise the adjacent railway embankments. There was no evidence of otter or water vole from the ditches and no suitable structures or trees on site to provide roosting habitat for bats. However, GMEU have advised that the protected species surveys are becoming dated and, whilst it would appear unlikely that badger, bats or great crested newts would colonise the site, the presence of the drains and connectivity to a wider drainage network and Morecambe Bay means that colonisation by otter and water vole, whilst still unlikely, is not impossible. They have therefore recommended a condition requiring updated protected species surveys as part of the reserved matters. It is not possible to condition

that it is provided with the application, as it is not a reserved matter, however it could be conditioned to be provided prior to commencement and mitigation measures updated accordingly depending on the findings.

- 5.7.5 The hedge lines on site and ditches will provide potential bird nesting habitat. Whilst, they are currently shown as largely retained, some will be lost and the final layout is not currently known. A reserved matters application may increase the level of loss. The site also appears suitable, though not high value, for ground nesting birds, although there is no reference to this in the ecological reports. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. They have therefore recommend a condition to ensure that no works to trees or shrubs shall occur or earthworks commence between 1 March and 31 August unless a detailed bird nest survey has been carried out immediately prior to clearance.
- 5.7.6 GMEU have also advised that, whilst the site lacks areas of good cover for other mammals and amphibians, with much of the higher potential habitats retained, given the scale of the site there will be a risk of unnecessary harm and suffering to such species if reasonable avoidance measures are not taken. However, this could be adequately covered by condition. The drainage network also has ecological value in itself. The measures to protect the SPA and BHS will be adequate to protect the retained watercourses. As discussed in the section above, culverts have been proposed although there is some concern from the LLA. If these are provided, GMEU have advised that details of the culvert design should be provided and this should allow passage of mammals under the roads. They have also advised that a species enhancement scheme for bat/bird boxes, bug hotels and ecological permeability through the new development via mammal gaps on boundary features within gardens in addition to a full landscaping proposal should be conditioned.
- 5.7.7 It is also noted that part of the site is recorded as peat within the submitted minerals assessment. GMEU have advised that they would agree with the consultant that the area of peat on the site is too small and isolated (around 1.5ha) to be of use, in terms of extraction. They have also set out that it is too small and isolated (between the railway and housing) for it to be cost effective to restore to fen. There is however an argument that some form of off-site mitigation should be provided for the loss of theoretically restorable peat and or reuse of the peat on a fenland restoration project elsewhere, dependent on the depth of the peat, which does not appear to have been provided. They have recommended that more information is provided as part of the reserved matters application on the actual extent and depth of peat and, if significant, how they could provide compensation off-site.
- 5.7.8 Section 174 of the NPPF 2021 states that the planning policies and decisions should contribute to and enhance the natural and local environment. It has also now been announced that a 10% biodiversity net gain will be mandatory from November 2023 (at least on larger sites). A further updated Defra biodiversity metric was provided in January 2023 to allow this to be assessed. This includes on-site and off-site measures on land to the south of the site. GMEU have advised that they are satisfied that the habitat baseline for area based habitats is reasonable and the habitat areas now match up. Given that the landscape plan indicates significantly more than 10 landscape trees are being provided, probably close to 100 in the illustrative layout, if fed in to the metric this gives well over a 10% net gain. Therefore, given that this is an outline application GMEU have advised that they are satisfied that 10% net gain can be achieved based on the indicative layout.
- 5.7.9 There were previous concerns that not all hedges had been incorporated into the metric, and that still applies. The baseline only records 261 metres of hedge, of which 240 metres are retained and enhanced. It is assuming that this relates to the hedge that forms the central spine of the site as the lengths correspond, with the boundary hedge around the south west of the site not included. Given this is shown as retained, it is not a significant issue, although it potentially represents a missed opportunity for the developer to enhance. There are however issues with the length proposed for retention and enhancement. The most recent illustrative layout indicates that significantly more than 20 metres will be removed and that much of what will be retained will divide dwellings, thereby preventing the enhancement from poor condition to moderate. It is therefore disagreed that net gain will be achieved using the central hedge alone. However, this is an outline application and it could be better incorporated into the layout. As noted, there is also approximately 290 metres of hedge not included in the metric, which appears to be retained and the potential to plant a new hedge along the southern boundary and along the boundaries of the off-site mitigation areas. Therefore,

whilst best practice would be to have a more accurate hedge line metric provided prior to determination, given this is an outline application and net gain clearly achievable, it is acceptable that this is updated once the layout is known.

- 5.7.10 It has been advised that an updated metric is provided as part of the reserved matters application, that clearly continues to demonstrate 10% net gain for area based habitats and the ditch line and also provides evidence that 10% net gain will be achieved for hedge lines. It would not be a reserved matter but it is important that it is considered as part of the layout as discussed above. There is land to the south of the site that is proposed to provide some of the net gain. As this is outside the application boundary, and not currently in the ownership of the applicant, it could not be conditioned so would need to form part of the Section 106 Agreement. In addition, this will also ensure that an updated metric is provided at reserved matters stage and that this is monitored and maintained for a 30-year period. It is therefore appropriate to include the Landscape and Ecological Creation and Management Plan within the legal agreement rather than as a condition. This can also include the investigation and potential compensation in relation to the peat on the site.
- 5.7.11 As the application is in outline, the final layout is not yet known and landscaping would be considered at the reserved matters stage. It should be ensured that the development provides a well landscaped scheme, ideally containing street trees and green areas throughout the site. On the basis of the information provided, it is considered that there would not be a detrimental impact on biodiversity and appropriate mitigation and enhancements can be secured by condition and legal agreement. It is therefore considered that the application complies with policies DM44 and DM45 of the Development management DPD.
- 5.8 **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).**
- 5.8.1 Policy DM29 sets out that development should ensure that there is no significant detrimental impact to amenity in relation to overshadowing, visual amenity, privacy, overlooking, massing and pollution. The supporting text to this sets out that there should normally be at least 21 metres between dwellings where windows of habitable rooms face each other and for every half-metre change in levels between properties, a further 1 metre separation should be provided. It also sets out that rear gardens should look to achieve at least 10 metres in depth, unless there are overriding design reasons to justify a reduced depth, providing that neighbouring private amenity open space will not be overlooked.
- 5.8.2 The application is in outline so the layout would only be assessed through a reserved matters application. However, an indicative framework plan has been submitted to show how the development could be arranged. In terms of neighbouring properties, there is a row of dwellings adjacent to the western boundary which all appear to be bungalows that are quite low in height, without dormer windows. The bungalows are at a higher level than the site, although the land levels would be raised to accommodate the development. These properties also have relatively short rear gardens, between around 6.5 and 10 metres. The indicative plan shows most dwellings set around 12 metres from the boundary with the adjacent dwellings. If these were two storey, this would likely raise concerns with overlooking to the neighbouring dwellings and also gardens, but would not result in a loss of light. If they were reduced to single storey then this would likely address the concern, although a greater separation would also be beneficial, particularly given the short gardens of the existing properties. Some of the dwellings have been shown with side walls facing rear gardens, which is likely to not result in overlooking, subject to the position of windows. However, some of these are quite close and have the potential to be overbearing to adjacent properties, particularly given the short gardens. However, it is considered that these matters could be addressed through the final layout that would be assessed at the Reserved Matters stage.
- 5.8.3 A number of concerns have been raised regarding the impact on residential amenity during construction. At the planning committee meeting in April, it was resolved that the application be deferred to allow for an alternative access to the site during construction to be investigated. The suggested route was from Slyne road/ Hasty Brow Road which would allow large construction vehicles to be diverted away from residential properties on Fulwood Drive. Particular concern has been raised in relation to the amount of material that may be required to be imported to allow for land levels to be raised. Following the committee meeting, the agent has liaised with the local

highway authority to investigate whether this option would be acceptable to them in terms of highway safety. In response to this, they have advised that Hasty Brow Road is an unsuitable alternative to Fulwood Drive for construction traffic. They have set out that all traffic would need to approach from the west, given the restrictions imposed by bridges to the east, and this would put construction traffic through a residential and retail area which would not be a change for the better from using Fulwood Drive. The response from the highway authority goes on to say that, over recent years, complaints have been received regarding the use of Hasty Brow Road for heavy goods vehicles (HGVs) and they have introduced the unsuitable signs due to damage to structures. In addition, they have advised that the restrictive width of Slyne Road/Hasty Brow Lane is not suitable to accommodate significant HGV movements.

- 5.8.4 On the basis of the above, it is therefore considered that the alternative option put forward is not suitable for construction traffic to serve this development. It is acknowledged that there will be a level of disruption during construction, however this is temporary being limited to the construction phase and measures can be put in place to minimise this disruption. A construction management plan can be used to manage some aspects of this, such as limiting working and construction hours and also ensuring that all vehicles can access, turn and load within the site, to prevent any waiting on the highway. The limit to the number of heavy vehicles per day could be considered, however this would be very difficult to monitor and enforce and could also result in prolonging the construction phase and therefore the disruption. The type of vehicle movements will change over the course of construction, with larger vehicles during ground works in particular but likely changing to smaller vans at the fit out stage.
- 5.8.5 In terms of the amenity of the future occupants, these are unlikely to be overlooked from the existing dwellings as these are bungalows. It is considered that adequate separation between proposed dwellings could be achieved, although some of these are currently shown slightly below what would usually be expected. The site is bounded by the railway line, part of which is the west coast mainline, although this continues to the north. It is likely that, there would be a row of properties adjacent to the railway line. A noise and vibration report has been submitted and Environmental Protection have advised that acceptable mitigation measures have been proposed and should be included in a condition. These mostly relate to glazing specification, with acoustically laminated glass proposed in some locations where the windows face the railway line. It also recommends that an alternative means of ventilation is provided to the habitable rooms most exposed to noise from the West Coast Mainline. Some limited noise barriers, at 1.9 metres, have been proposed to protect external areas. There is the potential for these to be adjacent to internal roads, although this would depend on the layout. It would need to be ensured that there are of an appropriate design in terms of visual amenity or appropriated screened by planting. Given that that is an outline application, and the layout is not known, it would be appropriate to condition a scheme for noise mitigation measures.
- 5.8.6 It is considered that the proposal can be accommodated on the site without having a detrimental impact on the amenity of neighbouring properties, subject to the final layout and design of the dwellings. It is acknowledged that there will be a level of disruption during construction which is unavoidable, however measures can be put in place to help mitigate the impact. It is considered that the scheme could achieve an acceptable level of amenity for the proposed dwellings, again subject to the final design and layout, including in relation to levels. There will be a level of noise and disturbance from the nearby railway line, however it is considered that this would be adequately mitigated by the proposed measures set out in the noise assessment.
- 5.9 **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) and DM3 (The Delivery of Affordable Housing).

5.9.1 Policy DM3 sets out the requirements for affordable housing and that 30% affordable housing will be required on site on greenfield sites, for 15 units and over, in this location. It requires that the tenure is split into 50/60% affordable/social rent and 50/40% intermediate tenure. However, since the plan was adopted, the Government has introduced a requirement for 25% of affordable homes to be provided as First Homes. These are homes are discounted by 30%, sold to first time buyers and secured by a S106 Agreement. Until such time the affordable housing tenure mix is amended in the local plan, the PPG provides a tenure split which will result as follows: 25% First Homes, 37.5% shared ownership and 37.5% social/affordable rented. 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

5.9.2 This is an outline application, however the applicant has chosen to test viability at this stage as they considered that it would not be viable to provide 30% on the site. This is more challenging at this stage as there are many unknowns, however it is an accepted approach. Several assessments have been undertaken and reviewed by an independent consultant (CPV). This has been reviewed again recently as there is now more certainty regarding the likely level of financial contributions and it is considered that the scheme can deliver a minimum of 27% on site. The applicant has agreed to this but not to the tenure split and schedule of accommodation at this stage. This is considered to be acceptable and the Section 106 agreement would require a minimum of 27% affordable housing to be delivered and an Affordable Housing Scheme, to quantify the plots, house types and tenures, together with arrangements for its delivery and management to be submitted and approved as part of/alongside an application for approval of reserved matters. This would also be informed by a full and updated Financial Viability Appraisal with final detailed costings and sales values and would also allow for the full policy compliant requirement to be delivered if considered to be viable at that time of the Reserved Matters application being submitted.

5.9.3 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). 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. A condition could be added to any planning permission to ensure that the mix provided as part of a subsequent reserved matters application is in line with this. 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. Again, this can be covered by a condition to ensure that the detailed design of the dwellings complies with this.

5.9.4 The development will secure a minimum of 27% affordable housing on site which will be reviewed at reserved matters stage, this has been viability assessed and is therefore compliant with the Affordable Housing policy. It can therefore be ensured that the development will provide an appropriate level of affordable houses on site. Conditions can be included to ensure that an appropriate mix and standard of accommodation is achieved. Any final layout would also need to ensure that the affordable housing was distributed throughout the site.

5.10 **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)**

5.10.1 Lancashire County Council Schools Planning Team have confirmed that a contribution towards education is not required in relation to this development.

5.10.2 The NHS Clinical Commissioning Group (now the Integrated Care Board) has made representations on the application and seeks a contribution towards local health care infrastructure. The response sets out that the proposal will generate approximately 366 new patient registrations based on an average household size of 2.4, based on the original 140 units proposed, which generates a

contribution of £38,587. The site falls within the catchment area of York Bridge Surgery and they have advised that this need, along with other new developments in the area, can only be met by the extension and reconfiguration of the existing premises in order to ensure sustainable general practice. The response goes on to say that the growth generated from the development would not trigger consideration of commissioning a new general practice but would trigger a requirement to support the practice to understand how growth in the population would be accommodated and therefore their premises options. It is therefore not clear how the contribution would be used. Notwithstanding longstanding concerns over the extent of the actual funding gap as the basis for seeking these requests, the absence of a clear project here means that the NHS request for contributions cannot be accepted at this time and would not be CIL compliant.

5.11 **Sustainable Design and Renewable Energy NPPF paragraphs: 126 (Achieving Well-Designed Places) and 154 -155 and 157 (Planning for Climate Change); Development Management (DM) DPD policies: DM29 (Key Design Principles), DM30 (Sustainable Design) and DM53 (Renewable and Low Carbon Energy Generation)**

5.11.1 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.

5.11.2 An Energy Statement has been submitted with the application. This does not propose energy efficiency standards beyond the minimum suggested by Government, has excluded the use of renewable energy on site, does not suggest that buildings be oriented or built to support renewable retrofitting by owners, and states that fossil fuel burning will be used to heat the homes. As a result, the Energy and Sustainability Statement does not clearly set out how the chosen development pathway is built with the climate crisis in mind or set out how it maximises the potential of Policy DM30 'Sustainable Design' of the adopted Local Plan. It is acknowledged that Policy DM30 only requires high standards of design to be encouraged, and that the current application is at outline and therefore the detailed design of the dwellings is not currently known. Although, if measures are to be sought, they need to be conditioned at the outline stage although the design of the buildings, layout and orientation will also be relevant to this at reserved matters stage. It is therefore considered that a statement setting out energy efficiency and sustainability measures should be conditioned to ensure that these are incorporated into the final design as far as possible.

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 Just over half 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 Mineral Resource Assessment has been submitted with the application. This sets out that mineral resources including glaciofluvial sands and gravels and peat deposits are considered to underlie parts of the site and are of unknown thickness and quality. It goes on to say that, current policy of Lancashire County Council identifies that development will not be supported for any new extraction of sand and gravel, thereby precluding the extraction of glaciofluvial sands and gravels at the site. It also sets out that there are extensive quantities of glaciofluvial deposits within the Lancashire area.

In addition, although peat is identified as a mineral resource on the Lancashire Mineral Resource Map, the Joint Lancashire Minerals and Waste Local Plan identifies that peat is not a mineral of local or national importance and so is not safeguarded. The resources also lie in an area of current agricultural and residential development which would be negatively impacted by subsequent extraction activities. It is therefore considered that the mineral safeguarding allocation on this site does not provide a constraint to the development for housing.

6.0 Conclusion and Planning Balance

- 6.1 The development strategy for the District, set out in policy SP3 of the SPLA DPD, promotes an urban-focussed approach to development concentrated towards the main urban areas of Lancaster, Morecambe, Heysham and Carnforth. The site is located in the open countryside, although it does lie immediately adjacent to the existing built-up area of Morecambe and the services and facilities that it contains. However, the site is designated in the Local Plan as Key Urban Landscape, along with a large area to the south. The development of this site for 129 dwellings would therefore conflict with the purpose of the designation, set out in policies EN5 and DM46 as it would impact on its open character. The proposal, if granted, would therefore represent a departure from the Local Plan. However, the site does comprise the narrower northern section of the wider designation and is reasonably well contained between the existing residential development and the railway line. The land is also relatively low lying and, whilst it will result in the loss of an area of open agricultural land, the development is unlikely to appear overly prominent within the landscape.
- 6.2 The scheme would provide 129 new dwellings, with a minimum of 27% as affordable units. The layout, scale and design of the dwellings is not known at this stage, but it is considered that the number of dwellings proposed could be adequately accommodated and achieve an appropriate development in keeping with the character of the area, without having a detrimental impact on highway safety, residential amenity and flood risk and will also provide a biodiversity net gain. It is considered that the proposal will cause harm to the significance of Torrisholme Barrow Scheduled Monument, through development within its setting. It is considered that this harm has been mitigated to some degree through the location of the built development and landscaping although harm will still exist. However, it is considered that this harm is outweighed by the public benefits of the scheme, in particular the provision a large number of dwellings in a sustainable location in the context of a significant undersupply of housing land.
- 6.3 Paragraph 60 of the NPPF sets out that to support the government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed. The Council's most recent Housing Land Supply Statement (November 2022) identifies a housing land supply of 2.1 years, which is a significant shortfall against the required 5 year supply set out in paragraph 74 of the NPPF. Paragraph 11 of the NPPF also requires that, where a local planning authority cannot demonstrate a 5 year supply of deliverable housing sites, permission should be granted unless the application of policies in the NPPF that protect areas or assets of importance (such as heritage assets and areas at risk of flooding) provide a clear reason for refusing permission or any adverse impacts would significantly and demonstrably outweigh the benefits of the proposal. This means applying a tilted balance towards the delivery of residential development.
- 6.4 In terms of the balance to take in determining the planning application, whilst the development is considered to cause less than substantial harm to the setting of designated heritage assets, it is considered that this is outweighed by the public benefits of the scheme and would therefore not provide a clear reason to refuse permission. It therefore needs to be considered whether the adverse impacts outlined would significantly and demonstrably outweigh the benefits. The delivery of housing, and at least 27% affordable housing provision, although slightly lower than required by policy, weighs strongly in favour of the proposal. Given the significant undersupply of housing within the District, it is considered that the benefits of the proposal do outweigh the harm caused through the loss of this part of the area designated as key urban landscape, the impacts on the setting of the heritage assets and the location within the open countryside.

Recommendation

That Planning Permission BE GRANTED subject to a legal agreement to secure:

- Provision of a minimum of 27% affordable housing, with precise details determined at reserved matters stage and an updated financial viability appraisal submitted to re-assess provision (no less than 27%);
- Financial contribution for open space calculated at reserved matters stage;
- Travel Plan contribution of £6000;
- Details and provision of on site open space;
- Setting up of a management company; and
- Management and Maintenance of all landscaping, unadopted roads, lighting and drainage infrastructure, on-site open space and on-site watercourses
- Biodiversity net gain, including an updated metric at the time of a reserved matters application, that continues to demonstrate 10% net gain and a Landscape and Ecological Creation and Management Plan showing 30 year management and investigation of peat on site and scheme for compensation/ re-use
- Details and creation of footpath linking the site to Slyne Road/ Hasty Brow Road to the south

Condition no.	Description	Type (indicative)
1	Timescale for submission of reserved matters application	Standard
2	Development in accordance with Approved Plans	Standard
3	Developable area based on parameters plan	Control
4	Programme of archaeological work	Pre Commencement
5	Scheme for investigation and remediation of contamination	Pre-Commencement
6	Final surface water sustainable drainage strategy to be submitted	Pre-Commencement
7	Construction surface water management plan	Pre Commencement
8	Construction management plan	Pre Commencement
9	Construction Environmental Management Plan	Pre Commencement
10	Submission of an Employment and Skills Plan	Pre Commencement
11	Details of finished floor and site levels (including gardens and open space)	Pre Commencement
12	Ecology mitigation	Pre Commencement
13	Details of site accesses off Fulwood Drive and Williams Drive	Pre Commencement
14	Arboricultural Implications Assessment/ Tree Protection Plan	Pre Commencement
15	Details of all excavation and earthworks within 10 metres of railway boundary	Pre Commencement
16	Details of the use of any vibro-compaction machinery / piling machinery or piling and ground treatment works and a method statement in relation to impact on railway line	Pre Commencement
17	Fencing to railway line	Above ground
18	Details of the internal estate roads	Prior to commencement of estate roads
19	Off-site highway works - Controlled pedestrian crossing on Bare Lane.	Above Ground
20	Air quality mitigation	Above Ground
21	Full details of noise mitigation measures	Above Ground
22	Sustainability measures	Above Ground
23	Scheme for street lighting and any lighting in the areas of open space	Prior to the installation of any external lighting
24	Details of the provision of an interpretation board in relation to Torrisholme Barrow Scheduled Monument	Pre-Occupation
25	Sustainable drainage system operation and maintenance manual.	Pre Occupation
26	Verification report of constructed sustainable drainage system.	Pre Occupation
27	Travel plan	Pre Occupation
28	Requirements of M4(2) accessibility and adaptability, space standards	Control
29	Housing mix	Control
30	Provision of turning and parking	Control
31	Limit to maximum of 2 storey	Control

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

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

Background Papers

None

Agenda Item	A7
Application Number	22/01328/REM
Proposal	Reserved matters application for the approval of layout, scale, appearance, and landscaping following planning permission 22/00562/VCN for the development of 8,397sqm of employment (Use Classes B1(c), B2 and B8)
Application site	Land Adjacent To Porsche Centre South Lakes 1 Electric Drive Carnforth Lancashire
Applicant	Mrs Tracy Clavell-Bate
Agent	Mr Jordan Clark
Case Officer	Mrs Eleanor Fawcett
Departure	Yes
Summary of Recommendation	Approval, subject to conditions

1.0 Application Site and Setting

- 1.1 The site is located 1km to the east of Carnforth town centre and 1.25km to the west of the village of Over Kellet. It is approximately 3 hectares in area, and is roughly rectangular in shape with a curved boundary at the north eastern end, and comprises agricultural land. The site is located between the M6 motorway and the B6601, which connects the roundabout at junction 35 to Kellet Road. The roundabout lies close to the northeast boundary, separated by a wide verge and an existing car showroom lies adjacent to the southwest boundary, separating the site from Kellet Road. Beyond the M6, to the west, is Carnforth Business Park, and to the east is open agricultural land.
- 1.2 The site is undulating and the land levels fall to around 30 metres Above Ordnance Datum (AOD) along part of the boundary with the M6, with the highest part of the site located at the site's entrance, at approximately 39 metres AOD. There is a watercourse crossing the site towards the northeast which causes the land levels to decrease quite steeply on either side. There are open views across the site from the M6 motorway and there is some hedgerow with a grass verge between the B6601 and the site, except where the access has been created to serve the car showroom and this site.
- 1.3 The site is allocated as Countryside Area in the adopted Local Plan and is covered by a mineral safeguarding area. A public footpath is located approximately 60 metres to the west, which runs parallel to the M6 motorway. The Arnside and Silverdale AONB is located approximately 1.2 kilometres to the northwest.

2.0 Proposal

- 2.1 Outline planning permission was granted in January 2020 for up to 8,400 square metres of employment space, as part of a hybrid application which included a full application for engineering works to provide a development platform across this and the site to the south which now contains the car showroom. A subsequent application was approved to vary the requirements of some of the

conditions on the permission and this replaces the original outline consent. The current application seeks to agree those details which were reserved at outline stage relating to the appearance, layout, scale and landscaping.

2.2 The application proposes the erection of four buildings, two of which will be divided into two units. These will be served by a shared access road running roughly parallel to the south-east boundary and the B6601. Each will have an associated service yard and parking. The buildings will be clad in a mix of grey cladding and have a shallow pitched roof. The floor levels of the buildings vary between 35.85 AOD, at the southwest of the site, to 33.55 AOD at the northeast, due to variations in the site levels. The size of each building is as follows, with Unit A at the southwest and unit D at the northeast:

- Unit A - 56 metres by 35 metres and 11.6 metres to high (to ridge)
- Unit B - 82 metres by 35.5 metres and 11.2 metres high (to ridge)
- Unit C - 54 metres by 25.5 metres and 8.5 metres high (to ridge)
- Unit D - 43.3 metres by 17.3 metres and 8.6 metres high (to ridge)

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
22/00562/VCN	Hybrid application comprising a full application for proposed alterations to land levels and associated access, and outline application for up to 8,400sqm of employment floor space (Use Classes B1(c), B2 and B8) with associated access (pursuant to the removal of conditions 7,8,9 and 12 on outline planning permission 19/00545/HYB in relation to site access and off-site highway works and variation of condition 24 in relation to BREEAM standards)	Approved
19/00545/HYB	Hybrid application comprising a full application for proposed alterations to land levels and associated access, and outline application for up to 8,400sqm of employment floor space (Use Classes B1(c), B2 and B8) with associated access	Approved (contrary to officer recommendation)
18/01606/PRE3	Pre-application advice for the development of up to 6400sqm of Use Class B1 (Business), B2 (General Industry) and B8 (Storage and Distribution) with associated access	Advice provided

3.2 Also of relevance is the development of the car showroom on the adjacent site, which shares the same access and was also covered by the full application part of the hybrid application referenced above. The permission for the car showroom has been implemented and the use is operational. The most relevant applications are set out below:

Application Number	Proposal	Decision
23/00059/FUL	Erection of workshop, relocation of carpark including level alterations and associated drainage	Under consideration
19/01368/VCN	Erection of car showroom (sui generis), maintenance workshop and preparation building (B2), display area, storage compound with associated access and landscaping (pursuant to the variation of condition 3 on planning permission 17/01133/FUL to allow construction traffic to use the existing site access from Kellet Road to accommodate initial ground works)	Approved
19/01141/VCN	Erection of car showroom (sui generis), maintenance workshop and preparation building (B2), display area,	Approved

	storage compound with associated access and landscaping (pursuant to the variation of condition 4 on approved application 17/01133/FUL to allow construction traffic to use the existing access on Kellet Road)	
17/01133/FUL	Erection of car showroom (sui generis), maintenance workshop and preparation building (B2), display area, storage compound with associated access and landscaping	Approved (contrary to officer recommendation)

4.0 Consultation Responses

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

Consultee	Response
Parish Council	No comments received
Environmental Health	No objection subject to a condition requiring wheel washing facilities during construction.
Arboricultural Officer	No comments received
Engineering Team	No comments received
County Highways	No objections. A Traffic Regulation Order will be required to extend the 30mph limit to a point beyond the existing street lighting scheme and electric vehicle changing points should be provided. Request further plans showing the ground levels with the proposed road to ensure that the existing highway B6601 will be suitably supported and not undermined by any works within the development site. Request conditions requiring: construction management plan; construction deliveries outside peak traffic; wheel washing facilities; new road built to base course level; details of the management of private roads; scheme of highway surface water drainage; surfacing and marking of car parking; and off-site highway works prior to occupation.
Lead Local Flood Authority	Awaiting comments (consulted with drainage scheme on 4 May 2023)
County Planning Policy (Minerals)	No comments received
National Highways	No objection subject to conditions relating to construction, drainage, fencing and measures to prevent vehicles entering the M6. Have confirmed that the construction and drainage conditions are not required as these are covered by the outline permission.
Natural England	No objection
Environment Agency	No comments received
Arnsdale and Silverdale AONB Unit	Comments. The site is within the setting of the Arnsdale & Silverdale AONB and is visible from Warton Crag, a key viewpoint within the AONB. It is currently within the rural landscape and will have a negative impact on the character of the setting of the AONB. The loss of an area of open pastureland in this rural setting will be detrimental. Recommend that many more trees are planted on the boundary, and this could help reduce the visual impact on the AONB. Should also take into account the impact of light spillage from the proposed extensive glazing and also any security lights.
Ramblers Association	Object. Request that the building on plot D is deleted or reduced to one storey as it forms the major approach to Carnforth from the M6 and would therefore be inappropriate for the area which has a high tourist economy.
Lancashire Constabulary	Comments. Recommend measures to be incorporated into the design in relation to: boundary treatments; footpaths; defensible spaces; anti-ram bollards; landscaping; car parking; cycle storage; climbing aids; lighting, cctv; walls and roofs; alarms; windows and door; and waste storage.
Lancashire Fire and Rescue Services	Comments. It should be ensured that the scheme fully meets all the requirements of Building Regulations Approved Document B, Part B5 'Access and facilities for the Fire Service'.
United Utilities	No comments received
Cadent Gas	No comments received

Dynamo Cycle Campaign	No comments received
Chamber of Commerce	No comments received

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:

- Siting, scale, design and landscape impacts
- Highway Impacts
- Drainage

5.2 **Scale, design and landscape impacts** NPPF: paragraphs 126-134 (Achieving well designed place), paragraphs 174 and 176 -177 (Valued landscapes and AONBs); Policies and Land Allocations (SPLA) DPD: SP8 (Protecting the Natural Environment) EN2 (Areas of Outstanding Natural Beauty), EN3 (The Open Countryside) ; Development Management (DM) DPD policies DM29 (Key Design Principles), DM46 (Development and Landscape Impact).

5.2.1 This is a reserved matters application following the grant of outline permission for up to 8,400 square metres of employment space. The application proposes the erection of four large industrial buildings, and their associated service yards and car parking, arranged roughly in a line across the site, southwest to northeast. Three of these would be orientated width ways to the M6, with the largest (measuring 82 metres by 35.5 metres) positioned lengthways to the M6. Unit D, which is the one closest to the roundabout, has been re-orientated during the course of the application as it originally extended very close to the northeast boundary and it was considered that it could appear very prominent and dominating when viewed from the roundabout. The outline permission restricts the eaves height of the buildings to no higher than 10 metres, and all the buildings are below this, with the highest ridge height has been proposed at 11.2 metres. The highest building is the one closest to the southwest boundary and would have a similar finished floor level to the adjacent car showroom building, making its ridge 4.35 metres higher.

5.2.2 The landform is quite distinctive and the site straddles two landscape character areas identified as Low Coastal Drumlins (Warton/Borwick 12b) and Drumlin Field (Dock, Kellet and Lancaster 13c). The site is currently agricultural and the development will significantly alter this character and appearance. However, the principle of the development has already been established through the granting of the outline application. The committee report in relation to this acknowledged that there would be a landscape impact associated with the development, and this would harm the character and appearance of the area and the proposal would lead to an urbanisation of the site with the built development being of a notable scale and bulk.

5.2.3 As set out above, the proposal is within the parameters of the height considered at the outline stage, although the floor levels to the southwest of the site are higher than was set out within an indicative section plan, increasing the height of the building closest to the car showroom. However, there is proposed to be quite a significant variation in height between the proposed buildings, and also a significant gap between units C and D which will help break up the overall mass of the buildings. Concern was raised during the course of the application in relation to the overall design of the buildings. This is quite a prominent site with key public viewpoints, although relatively localised, and it was considered that a higher quality approach to the design should be pursued. It was suggested that a more modern approach be taken and the elevations be broken up, with some of the more horizontal emphasis removed in addition to the shallow pitched roofs.

5.2.4 Following discussions with the agent and applicant, amended plans were submitted. It was advised that a flat roof design could not be used due to requirements for drainage and the overall design of the buildings are heavily limited by the nature of the use, which will be mostly storage and distribution. However, the amendments have provided some variation in the cladding, with different shades of grey and utilise different types of cladding in order to break up the overall bulk and massing of the buildings and provide some more interest. The elevation that faces the site entrance

has also been improved to provide greater interest and the colour is generally darker with the elements of white cladding removed.

- 5.2.5 Three of the service yards are proposed to be located to the northwest side of the buildings with the one for the largest building located to the south-east. This will limit the impact of vehicles within the land in views from the M6. The other adjacent road is located at a higher level than the proposed floor levels of the buildings and additional landscaping is proposed between this and the buildings which should screen the external areas and help break up the views of the buildings. A landscaping scheme has been submitted with the application, however the orientation of one of the buildings has changed which will affect this. In addition, there is more detail now known in relation to levels and there is the potential that retaining features now may conflict with some of the landscaping. The gap between the buildings and the M6 is relatively narrow which will limit the landscaping that can be implemented and is also at a lower level which will affect the effectiveness of such screening. However, this is partly due to the nature of the site and, as set out above, the proposed development approved by the outline application would significantly alter the appearance of the site. The landscaping to the southeast is likely to be more effective.
- 5.2.6 Overall, whilst the development will be quite prominent, this is likely to be from relatively localised views and the development will be seen in the context of the car showroom building, the M6 and the industrial development to the east. Given this context and the distance, it is not considered that it will have a significant impact in views from the Arnside and Silverdale AONB and have a detrimental impact on its setting. Improvements have been made to the design to provide more interest and break up the massing, although it will still have the appearance of relatively standard industrial buildings which is difficult to avoid. In the context of the principle of the development that has approval it is considered that the scale, massing and design of the development is appropriate and will not have a detrimental impact on the character and appearance of the area, in line with national and local planning policy, in particular policy DM29 in relation to design.
- 5.3 **Highway Impacts** ((NPPF paragraphs 104-109 (Promoting Sustainable Transport); Development Management (DM) DPD policies DM29 (Key Design Principles), DM60 (Enhancing Accessibility and Transport Linkages), DM62 (Vehicle Parking Provision)).
- 5.3.1 The access to the site was approved by the outline application, but also by the earlier application in relation to the car showroom. As such the highway impact have been previously considered and therefore additional conditions requested by the Local Highway Authority cannot be included on the permission as they do not relate to the proposed reserved matters. National Highways have advised that the potential impact from cars entering the site from the M6 needs to be investigated, with potential for the installation of a barrier and have requested a condition. They have also advised that it needs to be ensured that vehicles from the site cannot enter the M6. There are likely to be two fences between the service areas and the M6, however the details can be covered by a condition. National Highways have advised that a wire mesh fence, similar to that at the car showroom site, would be acceptable adjacent to the M6 rather than the close boarded fence set out in their formal response.
- 5.3.2 As set out above, the layout includes in a shared access road and parking and turning facilities for large vehicles and cars. This is considered to be sufficient to serve the development. It is concerned that the application will not have a detrimental impact on highway safety.
- 5.4 **Drainage** NPPF paragraph 167 (sustainable drainage); Development Management (DM) DPD policies DM29 (Key Design Principles), DM35 (Surface Water Run-off and Sustainable Drainage)
- 5.4.1 Drainage is not a reserved matter, and is covered by conditions on the outline permission. However, it needs to be ensured that it can be accommodated within the layout. A drainage scheme was provided following the amendments to the layout and design of the buildings. The Lead Local Flood Authority has been consulted and the response will be reported at the Committee meeting. However, based on what was considered at the outline stage, it does appear that an adequate scheme can be accommodated within the proposed layout.

6.0 Conclusion and Planning Balance

- 6.1 The development will alter the overall character and appearance of the site, however the principle of this has already been established through the granting of the outline permission. Whilst the development will be quite prominent, this impact will be quite localised and oval it is considered that the improvements that have been made to the design provide more interest and break up the bulk and massing of the buildings. The proposed landscaping, which can be secured by condition, will also do this, in addition to the spacing of buildings and level changes within the development. In the context of the principle of the development that has approval it is considered that the scale, massing and design of the development is appropriate and will not have a detrimental impact on the character and appearance of the area, in line with national and local planning policy. It is also considered that the proposal will provide adequate parking and turning and that drainage can be adequately accommodated within the layout.

Recommendation

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

Condition no.	Description	Type
1	Standard reserved matters timescale	Control
2	In accordance with approved plans	Control
3	Fencing to M6, including during construction	Pre-commencement
4	Measures to prevent vehicle access between site and M6	Pre-commencement
5	Surfacing materials, boundary treatments, retaining features and CCTV	Above slab level
6	Landscaping scheme including maintenance	Above slab level

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

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

Background Papers

None

Agenda Item	A8
Application Number	22/00618/FUL
Proposal	Demolition of existing agricultural buildings and erection of 22 dwellings (C3) with associated garages, internal roads and open space
Application site	Development Land North Of Rectory Gardens Lancaster Road Cockerham Lancashire
Applicant	Mr M Whelan
Agent	Mr Jake Salisbury
Case Officer	Mr Andrew Clement
Departure	No
Summary of Recommendation	Approval, subject to conditions and a Section 106 legal agreement

1.0 Application Site and Setting

- 1.1 The site is located to the north of the village of Cockerham, approximately 500 metres to the north of the village primary school (Cockerham Parochial School), and it occupies an existing agricultural building and part of a rectangular parcel of land covering approximately 1.3 hectares. The site previously benefitted from outline consent for 18 dwellinghouses and a new access, however this consent recently expired. The site is bounded by a mature hedgerow along the eastern boundary of the site along A588 Lancaster Road, together with protected trees that are located primarily along the boundaries to the site. To the north are continuing fields and to the south lies a private cul-de-sac road and residential dwellings on Rectory Gardens. The site rises from east up to the west, with the field approximately 20 metres Above Ordnance Datum (AOD) at its lowest part adjacent to Lancaster Road rising to 26 metres AOD on the western extent of the site.
- 1.2 The site is largely unconstrained beyond the existing agricultural building, however there is a public right of way that runs to the western of the site (footpath no. 10). The Old Rectory is a Grade II listed building is located approximately 150 metres to the south of the site. There are a number of trees to the south, east and west of the site that are the subject of Tree Preservation Order No.620 (2017). The site is located within an Aerodrome Safeguarding Area and is within the designated Open Countryside area.

2.0 Proposal

- 2.1 This application seeks planning permission for the demolition of the existing agricultural building on site, construction of 22 dwellinghouses, with a site vehicular and walking accesses linking to internal roads. The proposal includes 2 one-bed apartments, 3 detached two-bedroom bungalows, 5 semi-detached two-bedroom houses, 6 detached three-bedroom houses, 4 detached four-bedroom houses with garages, and 2 large detached five-bedroom houses with two storey detached garage outbuildings. The proposal seeks to provide 7 affordable dwellings on site, with the overall housing

mix for dwellings on site detailed below:-

- 2 x one-bedroom apartments (both affordable)
- 3 x two-bedroom bungalows (one of which is affordable)
- 5 x two-bedroom semi-detached dwellings (three of which is affordable)
- 6 x three-bedroom detached dwellings (one of which is affordable)
- 4 x four-bedroom detached dwellings
- 2 x five-bedroom detached dwellings

2.2 The proposed properties are to be finished in a mix of natural stone and rendered walls, under a grey slate roof with anthracite grey framed windows and doors. Some of the properties feature timber porches, with a mix of integral garages, detached garages, and off-street parking on driveways and within a communal parking areas to shared surface accessed properties. The proposed site access matches that previously granted through an outline planning permission with access, albeit this permission has since expired due to lack of agreeable reserved matters and no commencement of development within the timeframe stipulated on the consent.

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
22/00056/FUL	Demolition of agricultural buildings and erection of 4 dwellings (C3) with associated infrastructure, internal road and landscaping	Refused
22/00029/REM	Reserved matters application for the erection of 18 dwellings with associated landscaping and open space	Refused
17/00723/OUT	Outline application for the erection of 18 dwellings and creation of a new access	Approved

4.0 Consultation Responses

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

Consultee	Response
Parish Council	Objection , insufficient infrastructure in Cockerham to accommodate addition dwellinghouses, and potential road safety issues from proposed access
Lead Local Flood Authority	No objection , operational standards achievable, subject to planning conditions for a Final Surface Water Sustainable Drainage Strategy, Construction Surface Water Management Plan, Sustainable Drainage System Operation and Maintenance Manual and Verification Report of Constructed Sustainable Drainage System, plus informative regarding Ordinary Watercourse (Land Drainage) Consent.
County Highways	Concern regarding lack of swept path information for turning head and parking provision. Requested highway improvements of pavements, lighting, gateway measures to the village, and bus shelter, plus financial contribution to projects across the district.
County Education	No observation received
Greater Manchester Ecology Unit	Require condition for homeowner packs, avoiding tree/hedge removal during nesting bird season and a Landscape and Ecological Management Plan through planning condition
County Archaeology	No objection , subject to a written scheme of investigation and programme of works of geophysical surveys and trial trenching for archaeological remains
Environmental Health	No observation received
Fire Safety	No objection , informative regarding emergency vehicle access and water provision
Engineering Team	No observation received

Waste and Recycling	Concern regarding the distance plots accessed by shared surface accesses will be expected to manoeuvre waste containers in exceedance the suggested 25 metre maximum. Collection points required at the end of each shared surface access point to the internal road network to prevent blocking vehicular and pedestrian access.
Police	No observation received
Natural England	Further information requested for an updated Habitats Regulation Assessment which includes further assessment of the potential disturbance impacts during the construction and operation phases upon functionally linked land. No updated response received on re-consultation on updated Habitats Regulation Assessment
Parachute Centre	No objection , concern regarding road closure during construction
Arboricultural Officer	Objection , due to proximity of dwellinghouses within falling distance of trees, likely to present future conflict with tree retention. Require further details of planting the site edges, within the site and to plot boundaries. Lack of protection of hedging within the site is disappointing.
United Utilities	No objection , subject to details of sustainable surface water drainage and foul drainage schemes
Planning policy and strategic housing	Affordable housing provision and mix are compliant, require tenure split and details for affordable units

4.2 **Objections from 30** members of the public have been received, plus the residents of Rectory Gardens, raising the following concerns and reasons for objection:-

- Access from a dangerous road, highway safety from access and additional traffic in Cockerham and impacts upon Cockerham Road, including a listed building Canal Bridge
- Poor footpaths/pavements and walking provision
- Poor public transport locally
- Pollution from car-borne travel
- Lack of infrastructure within the village to accommodate additional dwellings, including school at capacity, no shops, doctors, dentist, inadequate foul drainage and telecoms
- Flooding and surface water runoff
- Ecological impacts, including great crested newts
- Adverse landscape impacts, loss of green space, uprooted hedges and trees
- Harm to appearance/character of the village, cumulative impacts of other housing developments, disproportionate to small village
- Impacts upon neighbour's mental health
- Devalue existing neighbouring properties

5.0 Analysis

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

- Principle of development
- Housing Density, Mix and Affordable Housing
- Layout, Residential Amenity and Energy Efficiency
- Scale, Appearance, Design and Heritage
- Highways and Transport
- Flood Risk and Drainage
- Landscape, Trees, Ecology and Open Space
- Contamination, Waste, Health, Education and Employment

5.2 **Principle of development** (Development Management (DM) DPD DM1 (New Residential Development and Meeting Housing Needs), DM2 (Housing Standards), DM3 (The Delivery of Affordable Housing), DM4 (Residential Development outside Main Urban Areas), Strategic Policies and Land Allocations (SPLA) DPD SP1 (Presumption in Favour of Sustainable Development), SP2 (Lancaster District Settlement Hierarchy), SP3 (Development Strategy for Lancaster District), SP6 (The Delivery of New Homes), H2 (Housing Delivery in Rural Areas of The District), National Planning Policy Framework (NPPF) Section 2 (Achieving sustainable development), Section 4 (Decision-making), Section 5 (Delivering a sufficient supply of homes))

- 5.2.1 The National Planning Policy Framework (as updated in 2021) is a material consideration in the determination of planning applications. In this instance, the NPPF reiterates that there is a need to 'significantly boost' the supply of homes, and chapter 5 sets out the priorities that LPAs should pursue in delivering an appropriate number of dwellings to meet their objectively assessed need. From a local perspective, the most recent five-year housing land supply position document (September 2022) confirms that the LPA is presently only able to demonstrate a 2.1 year supply. As a consequence, there is a clear expectation that, unless material considerations imply otherwise, sites that offer the opportunity to deliver additional housing should be considered favourably in the majority of cases. Unless dictated otherwise by relevant policy requirements, proposal for residential development will need to be considered within the context of the NPPF's tilted balance. The general need for housing throughout the district is established, and table 4.1 of the DM DPD sets out the mix of properties that the LPA expects proposals to deliver.
- 5.2.2 Whilst previous outline consent for 18 dwellinghouses at the site have since lapsed just over a year ago, and therefore cannot provide a fallback position, Cockerham is allocated as a sustainable rural settlement within Policy SP2 Settlement Hierarchy. Such settlements provide the focus of growth for Lancaster district outside the main urban areas, where sustainable levels of rural growth would be supported. Two slightly larger housing developments at either end of Cockerham have relatively recently been granted, with the allocated site currently being built out. Whilst the development of 22 additional dwellinghouses is individually considered a sustainable level of rural growth, local concerns regarding the cumulative impacts of other nearby developments and permissions is understandable. However, given the fact Cockerham is allocated as a sustainable rural settlement, combined with the Council's lack of housing land supply and repercussions of this in the preceding paragraph, the principle of development is considered to be acceptable. The windfall site would help to address local housing need, and additional houses would provide support to local services and facilities, and associated social and economic benefits of addressing such housing need weighs moderately in favour of the proposal.
- 5.3 **Housing Density, Mix and Affordable Housing (Development Management (DM) DPD DM1 (New Residential Development and Meeting Housing Needs), DM2 (Housing Standards), DM3 (The Delivery of Affordable Housing), DM4 (Residential Development outside Main Urban Areas), Meeting Housing Need SPD, Strategic Policies and Land Allocations (SPLA) DPD SP1 (Presumption in Favour of Sustainable Development), SP2 (Lancaster District Settlement Hierarchy), SP3 (Development Strategy for Lancaster District), SP6 (The Delivery of New Homes), SP9 (Maintaining Strong and Vibrant Communities), H2 (Housing Delivery in Rural Areas of The District), National Planning Policy Framework (NPPF) Section 2 (Achieving sustainable development), Section 4 (Decision-making), Section 5 (Delivering a sufficient supply of homes) Section 11 (Making effective use of land)**
- 5.3.1 The expired consent at this site proposed 18 dwellinghouses, and whilst the current application site seeks 22 dwellings, this is a larger site. The application incorporates the demolition of an existing concrete panel and corrugated sheet agricultural building, with a smaller buff stone blockwork building, neither of which are of significant age nor architecturally detailed to be noteworthy among the streetscene other than the agricultural appearance within the rural setting of Cockerham village. This larger site provides a developable area of circa 1.1 hectare, and the approximately 20 dwellinghouse per hectare is considered to offer a suitable rural density of development. Whilst this low density offers predominantly detached dwellinghouses, this density and house type is congruent to the existing housing type within of Cockerham, at the gateway to the north of this rural village.
- 5.3.2 The proposal seeks to deliver the housing mix detailed within the table below, which is considered to be a positive aspect of the scheme, meeting the identified housing needs policy position and an identified local housing need detailed by policy colleagues. The provision of bungalows, including one as an affordable unit, is particularly positive. Whilst the affordable provision is for predominantly smaller one and two bed units, the semi-detached units could be occupied as 3-bedroom, albeit the small size of one of these rooms is beneath bedroom scale stipulated within Nationally Described Space Standards (NDSS) and as such is considered a home office within a two-bedroom dwelling. However, the mix is considered policy compliant, with 7x affordable homes delivered on-site providing full 30% affordable provision including bungalows, this is considered to be a positive aspect of the scheme, further amplifying the social and economic benefits of addressing local housing shortages by also addressing specific housing needs.

House type	% required by DM1	Proposed housing mix	Proposed by scheme
1 bed or apartment	10%	2	9%
2 bed dwelling	20%	5	23%
3 bed dwelling	35%	6	27%
4+ bed dwelling	25%	6	27%
Bungalows	10%	3	14%
Other	0%	0	0%
TOTAL	100%	22	100%

- 5.3.3 At this stage, it is unconfirmed which precise affordable units would be affordable/social rent and intermediate tenure. However, subject to committee determination, officers will seek 4x of the units to be affordable/social rent and 3x intermediate tenure through the legal agreement process, ensuring policy compliance with DM3. The three bungalows, ground floor apartment and two largest dwellinghouse on site are all capable of meeting M4(2) accessibility and adaptable dwellings standards, subject to floor and external levels, which should be controlled through planning conditions for these units and other across the site to address flood risk as well.
- 5.4 **Layout, Residential Amenity and Energy Efficiency** (Development Management (DM) DPD DM2 (Housing Standards), DM29 (Key Design Principles), DM30 (Sustainable Design), DM46 (Development and Landscape Impact), DM57 (Health and Well-Being), Strategic Policies and Land Allocations (SPLA) DPD (The Open Countryside), National Planning Policy Framework (NPPF) Section 12 (Achieving well-designed places), Section 15 (Conserving and enhancing the natural environment), Nationally Described Space Standards (NDSS) and National Model Design Code (NMDC))
- 5.4.1 Whilst an upper floor rooms within the semi-detached house type 5 are considered to form home-office due to modest scale, this meets NDSS standards as a 2-bedroom dwellinghouse, and all other house types achieve or proportionate exceed these minimum standards. All habitable rooms benefit from windows with outlook. All dwellinghouses achieve or exceed minimum garden size with 10 metre depths or greater, as would be expected of greenfield housing development in a rural village location.
- 5.4.2 Suitable separation between dwellinghouses is provided to ensure no adverse impacts from overlooking or overshadowing within and around the site. Whilst Unit 20 contains side facing openings towards Units 4 and 5 at circa 18 metres and 16 metres separation respectively, given that the upper floor window of Unit 20 is obscured and opposing ground floor openings face the highway and pavement, this arrangement is considered to offer satisfactory standards of amenity. Similarly, bungalow Unit 19 is circa 19 metres from apartment Units 17 and 18, but the upper floor apartment has no clear glazed rear facing openings, and as such, this arrangement relating to ground floor openings, with garden fence between, maintains privacy standards. This is subject to side facing upper floor openings of Unit 20 and upper floor rear facing openings to Unit 18 being permanently obscure with high-level openings at all times, controlled through planning condition.
- 5.4.3 The sought layout provides a low density of predominantly detached dwellinghouses, achieving minimum standards of space and amenity whilst providing a balance between effective use of land in a fashion that maintains a rural density congruent to Cockerham at this northmost entrances to the village. The focus of open spaces alongside Lancaster Road to the east helps to provide a rural visual to the streetscene, particularly as a continuation of the large grass verge on the inside of the road bend adjacent to the northeast corner of the site. The sought layout of dwellinghouses also offers a suitable setback from Lancaster Road, similar to some other properties within Cockerham and offering mitigation to noise from this road. The road layout is considered positive, fluid curving arrangement reflects the topographical changes across the site, offering similarities to the Rectory Gardens arrangement to the south and the recently granted scheme on the opposite side of Lancaster Road.
- 5.4.4 Three of the eastmost properties present side elevations to Lancaster Road, however this has been mitigated through design aspects explored in the following section. As such, and despite some dwellings facing into the site rather than the more prominent aspect towards Lancaster Road, the layout is considered to be policy compliant and compatible to the wider character of Cockerham,

whilst achieving and maintaining acceptable amenity standards to future occupants and existing neighbouring dwellinghouses.

- 5.4.5 Current adopted Local Plan policy does not set a standard for Energy Efficiency, however the submitted Energy Statement recognises the direction of travel of both future Building Regulations and emerging planning policy and proposes several measures to positively contribute to mitigating against the impacts of climate change. The site-specific fabric details insulated cavity walls, floor slab insulation, insulation for both cold and warm roofs, glazing, low energy lighting and air heating provided by air source heat pumps. Whilst these measures have not been compared directly against building regulation requirements, subject to a planning condition for a full detailed Energy Statement demonstrating an exceedance of Building Regulations, which in themselves have become more stringent since adoption of the current policy position (requiring CO2 emissions from new build homes to be around 30% lower than standards in place at the time of the adoption of the current Local Plan), the proposal is considered to meet sustainable design standards.
- 5.5 **Scale, Appearance, Design and Heritage** (Development Management (DM) DPD DM29 (Key Design Principles), DM37 (The Setting of Designated Heritage Assets), DM42 (Archaeology), DM46 (Development and Landscape Impact), Strategic Policies and Land Allocations (SPLA) DPD SP7 (Maintaining Lancaster District's Unique Heritage), EN3 (The Open Countryside), National Planning Policy Framework (NPPF) Section 12 (Achieving well-designed places), Section 15 (Conserving and enhancing the natural environment), Section 16 (Conserving and enhancing the historic environment), Listed Building and Conservation Areas Act 1990 paragraphs 72 and 73, National Model Design Code (NMDC))
- 5.5.1 In conjunction with the NPPF, policy DM29 seeks to secure developments that contribute positively towards the identity and character of the areas in which they are proposed. Good design should respond to local distinctiveness and in locations such as Cockerham, a focus on an appropriate palette of materials will be important. The revised NPPF also places an increased focus on good design through advocating 'beautiful' buildings and places to reside.
- 5.5.2 Cockerham contains a variety of architectural styles, although these are predominantly bungalows and two-storey dwellings under a gable end roof, with materials of grey slate roofs over a variety of external wall finishes. Whilst the natural stone walls and slate remain unspecified at this time, these could be controlled through planning condition for details and samples to ensure these are appropriate to existing natural buff sandstone walls and natural grey slate roofs that are characteristic of the area. Similarly, render is widely used in Cockerham, and precise details of RAL colour and finish can be controlled through planning condition, along with window frame materials and dimensions, details of doors, garage doors, air source heat pumps and other external details.
- 5.5.3 Given the sloping topography of the site and visibility from the public right of way and particularly Lancaster Road, controlling the details and samples of high-quality external materials through planning condition would be necessary. Details of boundary treatments are currently limited, and given the visibility of the edges to the site, tall timber fencing would appear overtly domestic and a poor visual entrance to the village, particularly given the terraced appearance this would give from sloping topography. This has been discussed with the planning agent, with agreement to a 'notwithstanding' planning condition to control details and heights of boundary treatments through this process, not prejudiced by details on the submitted site plan. Boundary treatments, particularly to the north and south, will be prominent from surrounding roads and viewpoints, and therefore controlling these through planning conditions, and removing permitted development rights for boundary treatments, is considered a necessary and appropriate way of ensuring acceptable details.
- 5.5.4 The proposal contains some large properties, up to 9.4 metres tall to the ridge, but predominantly 8.9 metres tall or shorter. Despite this height of proposed built form, it is considered proportionate to other buildings within Cockerham. The retention of protected trees of substantial heights around the site will help ground the proposed development and make this appear more subservient, despite the rising topography. From a visual and massing perspective the dwellings are considered to be proportionate to existing properties within the visual context of the site, and the positioning of smaller units to the north and east will soften the visual impact of larger properties set within the site. There is suitably varied form of development and external appearance, preventing the scheme from appearing as monotonous and uninspiring, which is important for congruency to Cockerham and the varied dwellinghouse that are characteristic of the village. The gable end roof and front features to

the development are appropriate to the setting, and provide a sufficient congruency to local built form without replicating existing properties or appearing pastiche.

- 5.5.5 Concerns were raised with gable end side elevations facing the highway, particularly the bungalow forming the entrance to the village and dwellinghouses either side of the site entrance, as this would create a poor and uninviting entrance appearance to the site. This has been softened with marginal reorientation and more substantive side facing window openings and projecting bay window features, which helps to articulate and animate side elevations to these key node properties. Whilst ideally having the frontages to these properties facing Lancaster Road would be preferable, given this impacts upon just three properties, combined with the setback from Lancaster Road, the approach within the proposal is considered to be acceptable from design, visual amenity or streetscene perspectives. This is subject to conditions controlling precise details of external materials and landscaping, to ensure the open space areas soften this appearance and retain a rural green aspect to Lancaster Road, transitioning to entering the village from the agricultural surrounds further north. Subject to these and previously mentioned planning conditions, it is considered that the proposed development will appear congruent to Cockerham, causing no undue harm to the character of the village or wider landscape within this sensitive village entrance location.
- 5.5.6 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed building, a Conservation Area or their setting, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the heritage asset or its setting. This is reiterated by policies DM37. The development boundary is located approximately 30 metres to the north of the Old Rectory, which is a former vicarage of 1843 (now residential accommodation) that is a Grade II listed building. The setting of this building has been somewhat undermined by the existing surrounding residential development along Rectory Gardens. Given the intervening built form and protected trees, combined with nearest proposed dwelling being circa 48 metres from the aforementioned heritage asset, it is considered that the proposed development does not pose any further significant detriment to the setting of the listed building. The proposal's impact is considered neutral from a heritage perspective.
- 5.5.6 There is a potential for previously unknown archaeological remains to exist within the proposed development site, which should be addressed by means of a programme of pre-commencement archaeological works. Subject to a written scheme of investigation for carrying out archaeological works, including an initial phase of geophysical survey and trial trenching, prior to commencement. Such survey works must be implemented and report on the outcome of agreed works, which will proportionately address the potential for archaeological interest at the site and mitigate any discovered impacts by fully reporting and cataloguing such finds through the correct channels, controlled through planning condition.
- 5.6 **Highways and Transport** (Development Management (DM) DPD DM29 (Key Design Principles), DM57 (Health and Well-being), DM58 (Infrastructure Delivery and Funding), DM60 (Enhancing Accessibility and Transport Linkages), DM61 (Walking and Cycling), DM62 (Vehicle Parking Provision), DM64 (Lancaster District Highways and Transport Masterplan), Appendix E (Car Parking Standards), Strategic Policies and Land Allocations (SPLA) DPD SP10 (Improving Transport Connectivity), National Planning Policy Framework (NPPF) Section 9 (Promoting sustainable transport))
- 5.6.1 The proposal seeks a new vehicular access broadly in the same location and dimensions as previously consented at the site, although since expiring this no longer provides a fallback position at the site. Whilst the addendum to the Transport Statement submitted relates to additional trips, a key change since granting the permission at the site in 2017 is the introduction of a 30mph zone through Cockerham, which begins circa 38 metres north of the site entrance. Furthermore, very recently average speed cameras have been installed on the A588 Lancaster Road, to enforce the speed limit of 40mph north of the established 30mph sign for circa 533 metres north of this point, and reduction to 50mph (down from 60mph) beyond this towards Lancaster. Whilst further from the site, speed reductions and enforcement measures have also been installed west of Cockerham towards Pilling and beyond as part of these recent highway works.
- 5.6.2 The vehicle speeds and other data within the submitted Transport Statement is over 6 years old, and. However, the reduction of speed limits locally will reduce vehicle speeds on both sides of the proposed access from the information presented within the Transport Statement. The submitted

visibility splay plan demonstrates visibility from a viewpoint 4.5 metres within the site access for 90 metres south, and even reducing the north splay accounting for obstacles of trees outside of the applicant's control, the north splay is also 90 metres long. Whilst we have no reliable contemporary 85th percentile vehicle speed, the requisite visibility splay distance for speeds exceeding the local speed limit is 54 metres up to 35mph, and 65 metres splays required for serious exceedance of up to 40mph. As such, given that the access was originally designed and permitted when higher speed limits were present on this section of Lancaster Road, it is considered that the site access and demonstrated visibility splays of 90 metres either side of this access from 4.5 metres back into the site is suitable for a safe means of access and egress from the site.

- 5.6.3 More recent collisions data shows three non-fatal casualty collisions have been reported in Cockerham within the last 5 years, however these instances have occurred further south at the junction between the A588/B5272 Lancaster Road and Main Street. As such, subject to the provision and maintenance of suitable visibility splays within the site ownership and full details of the construction and lighting at the site access, the proposal is considered to have no severe adverse impact upon highway safety, with no objection from County Highways. Pedestrian movements require off-site highway improvements to ensure these are safe for additional footfall from the proposal, requiring improvements to pavements south of the site access and at the junction between the A588/B5272, as the key crossing point to the primary school and other facilities in Cockerham. In addition to pavement improvements, improvements to bus stops should also be provided as off-site highway improvements to encourage sustainable transport, as recommended within the County Highways consultation response and previously secured through historic but unimplemented consents at this site. These can be controlled through planning conditions and legal agreements. Recognising this is a sensitive section of local highway, a construction management plan should be controlled through planning condition to ensure such vehicle movements, deliveries and activities during construction do not cause any severe adverse impact upon the highway network.
- 5.6.4 County Highways requested £14,050 towards delivering various highway developments in Lancaster and Morecambe. Given the separation distance from suggested highway projects sought for contributions, it is also difficult to reach a planning view that the development should be refused if this was not provided, and fails to comply with the Community Infrastructure Levy (CIL) tests of being reasonable, necessary and proportionate for a development at such a separation. As such, this contribution will not be sought, and aforementioned visibility splays, CMP and off-site highway works are considered suitable mitigation to ensure no adverse impact upon highway safety.
- 5.6.5 The proposed access and main spine road are 5.5 metres wide, with 2 metres wide pavement on both sides of this internal spine road. The three dwellinghouses north of the site entrance and at the far end of the cul-de-sac are served by narrower shared surface arrangements. The provision of pavements across the site and formalisation of an existing walkway gate providing closer links to public right of way footpath no.12 encourages walking through design and such provision, prioritising pedestrian and cycle movements. Subject to secure cycle storage provision for each dwellinghouse and EV charging points for Units sharing parking provision at the heads of shared surface accesses (provision to other Units legislated through Building Control), it is considered that the proposal suitably encourages sustainable transport.
- 5.6.6 Whilst sustainable transport is encouraged, given the rural location and limited bus services, particularly in the evenings, achieving parking standards is an important consideration. Except for the one bed apartments (which have a single space each), all units benefit from at least two parking spaces. More than half (twelve) of the Units benefit from private garages of suitable dimensions to be considered parking spaces, and the off-street parking provided across the site is considered to be acceptable, subject to these being provided prior to occupation of each unit. Whilst concern has been raised regarding the lack of swept-path details for the turning head, this appears to provide sufficient space for domestic and waste collection vehicles, albeit larger vehicles would likely momentarily impede other vehicle movements whilst turning within the site.
- 5.7 **Flood Risk and Drainage (Development Management (DM) DPD DM33 (Development and Flood Risk), DM34 (Surface Water Run-off and Sustainable Drainage) and DM35 (Water Supply and Waste Water), DM36 (Protecting Water Resources and Infrastructure), DM57 (Health and Wellbeing), Strategic Policies and Land Allocations (SPLA) DPD SP8 (Protecting the Natural Environment), National Planning Policy Framework (NPPF) Section 14 (Meeting the challenge of climate change, flooding and coastal change), Section 15 (Conserving and enhancing the natural**

environment)

- 5.7.1 The site lies within flood zone 1, on a downwards east facing slope with the higher point of topography between the site and the sea. Areas of defended flood zone are over 150 metres west of the site. Furthermore, there are no known surface water flooding risks on site or adjacent to this, despite the impermeable subsoils at the site ruling out soakaways through on-site infiltration testing. As such, the site is not at risk of flooding, and subject to suitable drainage arrangements for the development and impermeable areas this would create, the proposal is considered acceptable in terms of flood risk. Foul drainage arrangements can be controlled through planning condition, with mains sewers present in Cockerham circa 75 metres south of the site.
- 5.7.2 The third revision of the Drainage Strategy received in March details intentions to discharge to a drainage ditch approximately 670 metres southwest of the site on the north side of Marsh Lane, a drainage scheme currently being progressed by the granted development on the opposite side of Lancaster Road through a pending discharge of conditions application. The application site will be positively drained and attenuated to pre-development greenfield runoff rates through a hydrobrake, with surface water storage of 400m³ within open space areas. Whilst basic in detail, this provides evidence that a drainage scheme in accordance with the hierarchy of drainage options can be provided at the site without exacerbating flood risk on-site or elsewhere. The Lead Local Flood Authority has no objection to the proposal, subject to planning condition for a fully detailed drainage scheme for the proposed development and measures to ensure suitable drainage arrangements during construction. Subject to the aforementioned planning conditions, the proposal has no adverse impact on flood risk, and be drainage in accordance with policy and guidance, with surface water attenuation ponds benefiting local ecology.
- 5.8 **Landscape, Trees, Ecology and Open Space (Development Management (DM) DPD DM27 (Open Space, Sports and Recreation Facilities), DM43 (Green Infrastructure), DM44 (Protection and Enhancement of Biodiversity) and DM45 (Protection of Trees, Hedgerows and Woodland), Appendix D (Open Space Standards and Requirements), Strategic Policies and Land Allocations (SPLA) DPD SP8 (Protecting the Natural Environment), National Planning Policy Framework (NPPF) Section 8 (Promoting healthy and safe communities), Section 15 (Conserving and enhancing the natural environment)**
- 5.8.1 The site contains a number of trees within the site and just beyond site boundaries that are protected through tree preservation orders. Whilst the submitted information demonstrates how all trees will be protected during construction and development, the proximity of dwellinghouses within falling distance of trees to the southeast corner of the site and tree T32 within the site is unfortunate. This may pressure these trees for removal following occupation, particularly given these trees would shade the nearest gardens, and trees would be within falling distance of dwellinghouses. This arrangement and proximity to established trees has not been addressed within the scheme, and weighs against the proposal. However, only modest weight is applied to this detraction given the trees are protected throughout the construction phase, and tree protection orders of these trees provides some control for their retention.
- 5.8.2 A section of hedgerow would require removal for the site access, and for the southern visibility splay along the site frontage totalling circa 28 metres of hedgerow to the southeast corner of the site adjacent to Lancaster Road. The northern visibility splay is largely provided through curvature of the road, with hedgerow to the north of the access retained through protection measures. Hedges within the site around tree T32 are not included within the protection measures, resulting in a possible loss of 50 metres of hedgerow, some of which could be retained due to separation from development, albeit this makes a less visual and landscape impact set within the site.
- 5.8.3 Whilst the proposal results in a potential 78 metre removal of hedgerow, some of which appears unjustified, this can be mitigated through measures within the submitted Ecological Appraisal, including hedgerow planting around the site and the 135-metre northern boundary to be created/planted, and along the north end of the western boundary. Full details will be required through a detailed planting scheme reflecting the amended site plans, and ensuring a meaningful biodiversity net gain through a Landscape and Ecological Creation and Management Plan, controlled through planning conditions and legal agreement. Subject to these details controlled through such measures, the proposal is considered to satisfactorily mitigate the ecological impacts of hedgerow removals and loss of semi-improved grassland impacts detailed within the submitted Ecological

Appraisal.

- 5.8.4 The site is within an amber risk zone for Great Crested Newts (GCN), and the proposed development presents a risk that great crested newts may be harmed. Under the terms of the Habitats Directive and the Conservation of Habitats and Species Regulations 2010 (as amended), a Licence will be required from Natural England. In this instance, rather than seek the traditional mitigation Licence, the applicant has opted to enter into the District Level Licence (DLL) incentive offered by Natural England. A GCN DLL Impact Assessment & Conservation Payment Certificate has been received as part of this application.
- 5.8.5 Under the traditional approach to licensing disturbance of great crested newts, developers who want to build on land where they are found must trap and relocate the species before starting work, simply keeping them out rather than helping to conserve their wider populations. Research by Natural England has found that the amount of money spent on survey, trapping and exclusion with plastic fencing can outstrip that spent on habitat creation and management by a ratio of almost seven to one. Crucially, a lot of resource is used without there really being significant benefits for the newts. With respect to this application, Natural England have confirmed in writing that a DLL was issued in relation to the application site on 3rd April 2023. Significant weight must be attached to the fact that Natural England have granted a Licence in this instance.
- 5.8.6 Ultimately, although Natural England have granted the DLL, the local planning authority must still have regard to Regulation 9(1) and 9(5) of the Conservation of Habitats and Species Regulations 2010 and must consider whether or not:
- i) That the development is 'in the interest of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequence of primary importance for the environment;
 - ii) That there is 'no satisfactory alternative'; and,
 - iii) That derogation is 'not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range'
- 5.8.7 It is accepted that their granting of the Licence demonstrates compliance with test iii above. However, tests 'i' and 'ii' must still be considered by the Local Planning Authority. With respect to the first test, the benefits of the scheme in terms of social and economic benefits of housing provision, particularly meeting local housing and affordable housing need, provides overriding public interests and benefits. The proposal can be made safe through mitigation, particularly to the site access, and environmental credentials controlled through conditions and legal agreements. As such, this test is considered to be passed.
- 5.8.8 In terms of the second test and the lack of a satisfactory alternative, there is another similar nearby scheme recently granted. However, this similar nearby scheme will not overcome the acute housing need within the district in itself, which this proposal will help to address, albeit still falling a long way short of meeting the lack of housing land locally. As such, the impact upon GCN is considered to be adequately mitigated through the DLL process, and it is considered that the proposal is acceptable with regard to the Conservation of Habitats and Species Regulations 2010.
- 5.8.9 The Ecological Appraisal concludes the existing barn is sealed and offers negligible potential for roosting, and trees with negligible or low potential for bat roosts retained within the development. Construction practices and mitigation measures detailed within the submitted Ecological Appraisal can adequately ensure no adverse harm to protected species, with mitigation and net gain delivered through these measures combined with an Ecological Creation and Management Plan.
- 5.8.10 Morecambe Bay is very important for many species of birds. As such, there is the potential for development and recreational use close to the designated sites to have impacts on birds associated with the SPA and Ramsar designations. It is considered that these impacts could be avoided, but only through mitigation. In light of the People Over Wind ruling by the Court of Justice of the European Union, likely significant affects cannot be ruled out without mitigation and therefore an Appropriate Assessment (AA) is required. This is contained within a separate document and concludes that, with the implementation and retention, where appropriate, of mitigation the development will have no adverse effects on the integrity of the designated sites, their designation features or their conservation objectives, through either direct or indirect impacts either alone or in combination with other plans and projects. Natural England requested further information to be

included within the submitted AA relating to cumulative and functionally linked land impact, however no further response has been received to the updated document consulted upon in mid-March. Given the further information and mitigation of a construction environmental management plan, landscaping and homeowner packs, combined with the nature of the site occupied by a farm building adjacent to a heavily trafficked A-road, it is considered that the impact upon overwintering and passage birds can be adequately mitigated. As such, subject to the implementation of the mitigation measures within the AA, the proposal is considered to have an acceptable impact upon the environment, habitats and protected species and sites.

- 5.8.11 The site plan details public open space of at least 800sq.m within the site, plus areas of communal space for landscaping areas and above ground surface water attenuation features to the front (east) of the site. This provides ample amenity green space within the site. Young persons provision and sports provision cannot be provided on-site, however the additional pressure on such facilities within Cockerham can be adequately mitigated through financial contributions to known projects within Cockerham, calculated based on the number of bedrooms provided within the proposal. Subject to such payment being controlled through legal agreement for the amount and projects detailed within the consultation response from Public Realm, the proposal is considered to adequately address provision and impacts upon public open space.
- 5.9 **Contamination, Waste, Education and Employment** (Development Management (DM) DPD policies, DM28 (Employment and Skills Plans), DM32 (Contaminated Land), DM57 (Health and Wellbeing), Strategic Policies and Land Allocations (SPLA) DPD policies: SP9 (Maintaining Strong and Vibrant Communities), National Planning Policy Framework (NPPF) Section 8 (Promoting healthy and safe communities), Section 12 (Achieving well-designed places))
- 5.9.1 A Contaminated Land Phase One Desk Study has been submitted with the application, detailing potential contaminants from Cementous corrugated sheeting likely containing asbestos fibres, plus the northern end of the site potentially being contaminated from the former petrol station to the north. It is recommended that, following the safe removal of Cementous material, further intrusive investigations are undertaken into the potential existence of asbestos fibres around the agricultural building to the northeast of the site, along with intrusive investigations undertaken along the northern boundary to the site to confirm what risk, if any, will exist from this site. This can be controlled through pre-commencement (other than Cementous removal) planning condition, with the remainder of the site covered through unforeseen contamination measures. Subject to such a planning condition, the proposal is considered to suitably protect and cause no undue harm to construction workers and future occupants through contamination.
- 5.9.2 Waste bin storage can be provided within rear gardens of all dwellinghouses, with the exception of the proposed first floor apartment, which has an external visually contained bin/bike storage area. These arrangements are considered to be suitable. Whilst waste collection lorries can access and turn at the far end of the site, collection points for shared use areas will be required. These have yet to be detailed on plan, but given such provision would involve surfacing and low boundary treatments, these can be controlled through planning condition. The turning head is within 27 metres of Unit 13, marginally exceeding the suggested 25 metre maximum drag distance, whilst such a space is directly to the rear of other units beyond the turning head. The drag distance for Units 16 to 18 would be between 30 metres and 53 metres, a greater exceedance. However, it is understood that at least this route will be downhill to kerbside movements when the bins are full, and slightly uphill when empty. This is still unideal, but with no simple solution, and given other properties have simple kerbside arrangements adjoining front gardens, the exceedance of 3 Units only weighs only modestly against when considered across the whole site of 22 dwellinghouses.
- 5.9.3 It is crucial that development coming forward makes provision for essential community infrastructure, and education would fall within this. It is vital that there are sufficient school spaces to accommodate the additional pupils that the development is likely to generate. There is an existing primary school within Cockerham, and the nearest secondary school is located circa 11 minutes' drive time (5.5 miles road distance) away in south Lancaster. Unfortunately, a response from County Education has not been received; an update regarding this will be reported verbally at committee if received. Contributions sought within Cockerham approximately 6 months ago suggest that contributions relating to two secondary school places and no primary school places will be requested. This will ideally be confirmed prior to committee determination, but such contribution will be controlled through the legal agreement process, if required as evidenced within the anticipated County Education

response. Such a request is considered to be related to the development and fair and reasonable in scale and kind, subject to the final figure being proportionate to the scale of development, and controlled through legal agreement.

5.9.4 This application has met the threshold for requiring production of an Employment and Skills Plan (ESP). The ESP details how opportunities for, access to and up-skilling local people through the construction phase of the development proposal will be provided. As such, and given that mitigation would likely be met during construction phase of the development itself, this should be controlled through pre-commencement planning condition to ensure any consent granted delivers the ESP requirements.

6.0 Conclusion and Planning Balance

6.1 The proposal to deliver up to 22 dwellings, at a housing mix to meet local housing need and including the provision of 7 affordable homes. This offers positive social and economic benefits of additional housing, particularly at a time when there is a lack of housing land supply, with a larger degree of positive weight is attached to the positive housing mix and the delivery of affordable homes at a time where there is a particular demand for affordable homes. The proposal has no adverse impacts upon protected landscapes, irreplaceable habitats, flood risk nor designated heritage assets, therefore applying a tilted balance towards the delivery of residential development. It therefore needs to be considered whether any adverse impacts would significantly and demonstrably outweigh the benefits.

6.2 There are a number of positive aspects to the proposal, and whilst the proximity of dwellinghouses to existing protected trees is not ideal, and waste arrangements could inconvenience a small number of future occupants, given the protection of trees during construction and no obvious solution on waste, neither are attributed greater than modest weight in terms of harm. These considerations would not significantly and demonstrably outweigh the aforementioned benefits of housing provision, and other aspects relating to highways, safety, sustainable transport, archaeology, open space, ecology, protected species, drainage, design, energy efficiency and amenity can all be controlled and mitigated to provide neutral impacts in terms of a planning balance. Given the significant undersupply of housing within the District and above consideration and planning balance, it is recommended that planning permission is granted.

Recommendation

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

- Provision of a minimum of 30% affordable housing (7 units on site, 4x affordable/social rent, 3x intermediate tenure)
- Open space provision (on-site amenity green space provision and financial contribution of £10,000 for young persons provision and £22,328.70 for outdoor sports in Cockerham)
- Biodiversity net gain to demonstrate 10% net gain and a Landscape and Ecological Creation and Management Plan showing 30 year management.
- Provision for long term drainage, open space and landscaping/BNG, maintenance and management company; and,
- Contribution to Education (for two secondary school places)

Condition no.	Description	Type
1	Timescale for commencement (2 years)	Standard
2	Development in accordance with approved plans	Standard
3	Scheme of archaeological work	Pre-commencement
4	Final surface water sustainable drainage strategy (SuDS)	Pre-commencement
5	Foul water scheme	Pre-commencement
6	Finished site and floor levels (including gardens and open space) and M4(2) compliance	Pre-commencement
7	Full landscaping and ecological management plan	Pre-occupation and first planting season
8	Ecology mitigation measures	Pre-commencement
9	Full energy efficiency measures	Pre-commencement

10	Submission of an Employment and Skills Plan	Pre-commencement
11	Submission of construction management plan	Pre-commencement
12	Submission of construction environmental management plan, including avoiding noise disturbance activities during wintering bird season	Pre-commencement
13	Submission of construction surface water management plan	Pre-commencement
14	Full details of site access/footway/lighting	Pre-commencement
15	Elevations and external treatment material details and samples	Pre-commencement
16	Contaminated land – further surveys following recommendations of the report	Pre-commencement (other than Cementous removal)
17	Boundary and surface treatments, method statement for such works within tree protection fencing area, remove permitted development	Pre-commencement of boundary/surface treatments
18	Site lighting scheme	Pre-commencement of lighting
19	Scheme for the full engineering, drainage and construction details of the internal estate roads	Prior to commencement of estate roads
20	Off-site highway works, including pavements and bus shelter	Pre-use of access and occupation
21	Visibility splays	Pre-use of access and occupation
22	Sustainable drainage system operation and maintenance manual.	Pre-occupation
23	Verification report of constructed sustainable drainage system	Pre-occupation
24	Obscure glazed openings 18 and 20	Pre-occupation
25	Cycle storage details	Pre-occupation
26	Waste bin provision details	Pre-occupation
27	Homeowner packs ecology	Pre-occupation
28	EV charging	Pre-occupation
29	Implementation of approved tree protection measures	Control, implement prior to commencement
30	Provide and control parking provision	Control, implement prior to occupation

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

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

Background Papers

None

Agenda Item	A9
Application Number	22/00874/FUL
Proposal	Retrospective application for change of use of land to residential traveller accommodation consisting of two mobile homes, three touring caravans, storage of two touring caravans, two outbuildings, septic tank, hardstanding, fencing, gates, associated access, re-grading land levels, creation of bund and use of field as paddock
Application site	Land North Of Bottomdale Road East Of M6 Bottomdale Road Halton Lancashire
Applicant	Messrs F And J Varey
Agent	Mrs Alison Heine
Case Officer	Mrs Petra Williams
Departure	No
Summary of Recommendation	Approval, subject to conditions

1.0 Application Site and Setting

- 1.1 The site that forms the subject of this application is a located on the western edge of the village of Halton, to the north of Lancaster. The site is accessed via an existing track off Foundry Lane which descends into the site in a north-westerly direction for a distance of approximately 50m before turning sharply back on itself to run in an easterly direction for approximately 35m where there is a gated access into the main site area. Development on this site provides residential traveler accommodation and is comprised two mobile homes, three touring caravans, storage of two touring caravans, two outbuildings. The site is set at a lower level than Bottomdale Road and there is a significant tree belt which provides screening. The track is surfaced with a mix of crushed material and old tarmac. The site itself is level but falls away to the east (outside the red edge of the application).
- 1.2 The M6 abuts the western part of the site close to the access track and Cote Beck runs in a roughly north/south direction 35m beyond the eastern edge of the site. The land to the north and immediate east of the site is agricultural. To the south of the site, on the opposite side of Bottomdale Road, there are a small number of properties which include residential dwellings and a children’s nursery. In the same manner as the application site, these properties are screened from the adjacent highway by a significant tree belt.
- 1.3 The site lies outside the Halton Conservation Area which is located approximately 100m to the south-east of the site. The site is allocated as Open Countryside in the Local Plan. Land to the west of the site on the opposite side of the M6 is designated as Green Belt. The trees which screen the site to the south and east are subject of a Tree Preservation Order (TPO 647(2018)).
- 1.4 The residential element and associated development was granted a temporary 3-year consent in December 2018. The reason for the temporary nature was due to the Council’s commitment at that

time to bring forward a Site Allocations DPD for Gypsy and Traveller Accommodation and the 3-year permission was to allow for this document to come forward following a call for sites.

2.0 Proposal

2.1 The temporary consent has now expired and the current application seeks retrospective permission for the temporary elements permitted in 2018 in addition to the use of the adjacent field to the north as a paddock for the applicants horses.

2.2 Overall, planning permission is sought for the siting of two mobile homes, three touring caravans, storage of two touring caravans and two outbuildings to provide residential traveler accommodation. Other retrospective aspects of the proposal include the installation of a septic tank, hardstanding, fencing, gates, associated access, re-grading land levels and creation of a bund.

3.0 Site History

Application Number	Proposal	Decision
18/00921/FUL	Change of use of agricultural land to a gypsy/traveller site comprising of 2 static caravans and 3 touring caravans, 2 utility blocks demolition of existing stable and erection of a replacement stable building, installation of a septic tank, regrading of land levels, creation of a 1.2m bund and retention of hardstanding and 2.1m boundary fence.	Permitted

4.0 Consultation Responses

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

Consultee	Response
Environment Agency	No objections - The caravans are located in Flood Zone 1, and not at risk from fluvial flooding.
Environmental Health	No objections - No significant environmental health implications were noted, and we offer no adverse comments or advice.
Air Quality Officer	No objections - Generally, air quality near to roads has improved since 2018. On this basis there are no objections on air quality grounds.
Planning Policy and Housing Strategy Team	No objections - The Council cannot demonstrate an up-to-date 5 year land supply of deliverable gypsy and traveller sites and this site contributes towards meeting the identified need and meeting the needs of a family which has local connections.
Lead Local Flood Authority	No objections - The above application is understood to involve no change in the existing impermeable and semi-impermeable site area.
County Highways	No objections - Development has a negligible impact on highway safety and highway capacity within the immediate vicinity of the site. Suggests condition for surfacing of access track.
Highways England	No objections – Advise that the access track and area at the foot of the slope are surfaced with appropriate hardened material.
Natural England	HRA screening required
Tree Officer	No objections - No works are proposed to/within the RPA of existing trees. The AIA recommends that two ash trees (covered by TPO 647) are felled on health and safety grounds. Unless imminently dangerous, a separate tree work application must be submitted to fell.
Fire Safety Officer	Advice to be sent with decision notice

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

- One item of public comment has been received which **neither objects nor supports** the application but points out that the original planning application was granted temporary permission in the absence of an up-to-date 5 year supply of deliverable sites. Concerns raised in relation to noise, site access and air pollution. Suggests that Lancaster City Council's ongoing failure to address the issue of a supply of appropriate sites therefore means that it must still be considered a significant material consideration, but again, this can only be for a grant of temporary planning permission. It is hoped that the issues around the supply of more appropriate sites are addressed within the period of a further grant of temporary planning permission so that a more appropriate site with a healthier environment, free from the issues of concern, can be identified for a permanent development.

5.0 Analysis

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

- Principle
- Gypsy and traveller pitch provision
- Landscape and visual impact
- Highway impacts
- Impacts on residential amenity
- Tree and ecology implications
- Flood risk and drainage

5.2 Principle NPPF Section 2 (Achieving sustainable development), Planning policy for traveller sites 2015 (PPTS), Strategic Policies and Land Allocations DPD Policies SP1 (Presumption in Favour of Sustainable Development), SP2 (Lancaster District Settlement Hierarchy), Development Management (DM) DPD policies DM1 (New residential development and meeting housing needs), DM4 (Residential development outside main urban areas) and DM5 (Rural exception sites)

5.2.1 In evaluating the principle of this proposal, full consideration and appropriate weight must be given to whether or not the proposal would represent sustainable development in terms of satisfying the requirements of the NPPF and in particular if the site is considered to be sustainably located to support a residential use. The NPPF must be read in conjunction with the Government's Planning Policy for Traveller Sites (PPTS). Policy H of the PPTS, requires applications for gypsy sites to be assessed and determined in accordance with the presumption in favour of sustainable development and the application of specific policies in both the Framework and the PPTS.

5.2.2 The site is located on land outside of the main urban area and is identified as 'Open Countryside' in the adopted Strategic Policies and Land Allocations DPD. The LPA would generally look to direct development to the main urban areas of the District. Whilst not precluding development outside such locations it would need to be demonstrated how the proposal complies with other policies within the Development Plan and ultimately the delivery of sustainable development. Since the temporary permission was granted the site has been allocated within the Strategic Housing and Employment Land Availability Assessment (SHELAA), 2018 as it was put forward in the call for Gypsy and Traveller Call Sites. As there are no identified sites within the Urban areas, the site is considered suitable, achievable and available for Gypsy and Traveller development.

5.2.3 Although the site is within the "Open Countryside" it is located approximately 1 km from the village centre which can be accessed via a highway footpath which runs along the southern side of Bottomdale Road. Halton, which is identified in SP2 as a sustainable rural settlement, has a wide range of services which include general store, butchers, newsagent, primary school, post office, pharmacy, doctor's surgery, public house, village hall and public transport facilities. Furthermore, the site is also very well located for access to junction 34 of the M6 Strategic Road Network. It is also worth noting that a larger residential scheme on land identified as "Open Countryside" on the northern edge of the village was recently approved and currently being developed. In light of the site's proximity to local services and transport routes it is considered that the proposal can be viewed as a sustainable form of development in locational terms. Policy DM9 allows for the consideration of sites for Gypsy Traveller accommodation outside Lancaster, Morecambe, Heysham or Carnforth where it is demonstrated that appropriate sites cannot be provided within these specified urban

areas. Therefore, the proposal is not a departure from this policy. Other key points must also be assessed as part of the overall planning balance and are discussed below.

5.3 Gypsy and traveller pitch provision NPPF Section 2 (Achieving sustainable development), Planning policy for traveller sites 2015 (PPTS), Strategic Policies and Land Allocations DPD Policies SP1 (Presumption in Favour of Sustainable Development), SP2 (Lancaster District Settlement Hierarchy), SP6 (The Delivery of New Homes), Development Management (DM) DPD policies DM1 (New residential development and meeting housing needs), DM4 (Residential development outside main urban areas) and DM5 (Rural exception sites)

5.3.1 Policy DM9 sets out that the Council will support proposals for new Gypsy and Travellers and Travelling Showpeople within the District providing they are in accordance with the general principles and locational requirements set out within that policy as well as all other development management policies. Although the policy does not refer to allocated sites, general principles of DM9 are that such proposals would be supported where they:

- i. Demonstrate that the intended occupants meet the of definition of Gypsy and Travellers and Travelling Showpeople;*
- ii. Provide no more than 15 permanent residential Gypsy and Traveller pitches; and,*
- iii. Are in a sustainable location. Preference will be given to new sites within the urban areas of Lancaster, Morecambe, Heysham or Carnforth. However, sites in sustainable settlements will be considered where it can be demonstrated that appropriate sites cannot be provided within the specified urban areas and that the proposal would neither dominate nor be disproportionate to the scale of the existing community*

5.3.2 In terms of locational requirements DM9 sets out that proposal for new Gypsy and Travellers and Travelling Showpeople sites are expected to take the following locational requirements into account:

- i. Proposals can achieve safe access onto the highway network;*
- ii. The site is located within reasonable proximity (preferably within walking distance) of public transport facilities and services;*
- iii. The site will not cause significant harm to the amenity of neighbouring properties;*
- iv. The site would provide satisfactory living conditions for intended occupants including appropriate consideration of flood risk, land contamination, land stability, and important nature sites; and,*
- v. The site would not give rise to potential amenity of land compatibility issues (e.g. proximity to waste disposal facilities, electricity pylons and industrial areas)*

5.3.3 In addition to DM9, the submission must be considered against the national Planning Policy for Traveller Sites (2015) (PPTS) which runs parallel to the NPPF. This document sets out that the Government’s overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community. Annex 1 of the PPTS policy provides the following definition for “Gypsies and Travellers” as follows:

“Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.”

5.3.4 Furthermore, Paragraph 27 of Planning Policy for Traveller Sites (2015) states:

‘if a local planning authority cannot demonstrate an up-to-date 5 year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission. The exception is where the proposal is on land designated as Green Belt; sites protected under the Birds and Habitats Directives and / or sites designated as Sites of Special Scientific Interest; Local Green Space, an Area of Outstanding Natural Beauty, or within a National Park (or the Broads).’

5.3.5 There is currently a lack of appropriate sites within or adjacent to the urban areas and the need for gypsy and traveller sites identified in the Gypsy and Traveller Accommodation Assessment 2017

have not been met. Policy DM9 allows for sites in the sustainable settlements identified within policy SP2 of the SPLA DPD where such sites will neither dominate nor be disproportionate to the scale of the existing community. In this case, the site is situated in close proximity to Halton, a sustainable settlement designated within policy SP2 of the SP&LASPD. It is also close to the northern edge of Lancaster where further services and facilities are available and this should be given weight when assessing the locational accessibility of the site. The Council cannot demonstrate an up-to-date 5 year land supply of deliverable gypsy and traveller sites and this is a significant material consideration. The application site has previously benefited from temporary planning permission, and while this has now lapsed, the site does contribute towards meeting the identified need and meeting the needs of a family which has local connections and have now settled on this site.

5.3.6 It is concluded that given current unmet need for the type of accommodation proposed, coupled with the significant degree of sustainability that the site offers, the provision of pitches for Gypsies and Travellers on this allocated site is acceptable on balance in terms of the general principles and locational requirements of policy DM9.

5.4 Landscape and visual impact NPPF section 12 (Achieving well-designed places), Section 15 (Conserving and enhancing the natural environment), Strategic Policies and Land Allocations (SPLA) DPD policies EN3 (Open countryside), Development Management (DM) DPD policies DM4 (Residential Development Outside Main Urban Areas), DM29 (Key Design Principles), DM46 (Development and Landscape Impact).

5.4.1 Policy DM28 considers landscape impacts of development and saved Local Plan policy E4 takes account of development within the Countryside Area. DM46 sets out that outside protected landscapes the Council will support development which is in scale and keeping with the character and natural beauty of the landscape; appropriate to its surroundings in terms of siting, scale, materials, external appearance and landscaping and this reflects the approach taken within policy EN3 of the SPLA DPD.

5.4.2 The visual impacts of the proposed caravans and outbuildings are restricted by the significant tree belt which wraps around the southern and eastern edges of the site. Furthermore, the paddock is an equestrian use that does not significantly alter the visual appearance of the site. The screening provision is safeguarded by the Tree Preservation Order which covers this tree belt and the site is located at a lower level in relation to the highway and is adjacent to an embankment of trees. Consequently, the site is not highly visible when traveling along Foundry Lane. There are of course transient views of the site from the M6 but there is ample hedge screening along the northern approach of the motorway boundary.

5.4.3 It is considered that this is not a prominent site from surrounding vantage points and as such it is considered that the proposal would not result in any significant visual harm upon the landscape or the character of the immediate street scene. On balance it is considered that due to the location of the site and surrounding screening the proposal will have limited landscape and visual impacts.

5.5 Highway impacts NPPF section 9 (Promoting sustainable transport); Policy DM61 (Walking and Cycling) and DM62 (Vehicle Parking Provision of the Development Management DPD)

5.5.1 As highlighted earlier within this report, the scheme utilises the existing access into the site. In addition, parking provision for 6 vehicles is provided on site. County Highways has raised no objections to the scheme subject to a condition to ensure appropriate surfacing.

5.5.2 Due to the proximity of the site to the motorway Highways England were consulted and responded accordingly. They raise no objections to the principle of the scheme subject to conditions. It is highlighted by the Highways England consultee, the direction of vehicles entering the site would be down the sloping track and roughly at right angles to the motorway itself. At the foot of this slope, vehicles must then make a sharp right turn into the wider site immediately beside the motorway boundary. In response to the 2018 application Highways England recommended that the boundary with the motorway at this location is screened by a close-boarded fence parallel to the motorway boundary fence, which has since been installed. However, the Highways England consultee advises that an appropriate vehicle restraint barrier is installed. Overall, the scheme is considered acceptable from a highways perspective and the precise wording of conditions are to be confirmed with Highways England.

- 5.6 Impacts on residential amenity NPPF section 12 (Achieving well-designed places); Development Management (DM) DPD policies DM29 (Key design principles)
- 5.6.1 The application site lies approximately 50m to the north of the nearest neighbouring properties. As previously highlighted the site is set down from the adjacent highway and screened by trees. It is considered that the scheme would not result in detrimental impacts on neighbouring amenity.
- 5.7 Tree and ecology implications NPPF section 15 (Habitats and biodiversity references); Strategic Policies and Land Allocations (SPLA) DPD policies SP8 (Protecting the Environment); Development Management (DM) DPD policies DM44 (Protection and Enhancement of Biodiversity), DM45 (Protection of Trees, Hedgerows and Woodland)
- 5.7.1 As highlighted in paragraph 1.3 of this report, trees which screen the site to the south and east are subject of a Tree Preservation Order (TPO 647(2018)). No works are proposed to or within the root protection areas of existing trees and the Tree Officer has raised no objections. However, the submitted AIA recommends that two ash trees (covered by TPO 647) are felled on health and safety grounds. The Tree Officer has advised that unless these trees are imminently dangerous, a separate tree work application must be submitted to before felling.
- 5.7.2 The site is not covered by any ecological or landscape designations but as Cote Beck is approximately 6m away from the site an Ecology Survey which includes an Otter and Water Vole survey has been submitted. The survey encompassed the entire site and surrounding land within 30m, as well as 200m upstream and downstream of the nearby Cote Beck. The survey concluded that there would be no impact upon either of these protected species. The survey recommends ecological enhancement measures (e.g. native plant species) and some of these suggestions will be taken into account when considering the landscaping scheme. It is considered prudent to condition details of site drainage to ensure the beck is not impacted by run-off.
- 5.7.3 Natural England have advised that a proportionate assessment of recreational disturbance impacts on the coastal designated sites resulting from the development should be carried out via screening stage of the Habitats Regulations Assessment, as required under the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations'). They have also advised that if the local planning authority can be satisfied that the proposal can conclude no likely significant effects there is no further need to consult Natural England. As the site is located approximately 3.25km from the designated area of Morecambe Bay and Duddon Estuary SPA, Morecambe Bay Ramsar and Morecambe Bay SAC and SSSI Site, the development will not result in any direct impact or land take from the designated areas. The Recreational Disturbance Study that was carried out as part of the evidence base for the recently adopted local plan found that visitors to Morecambe Bay who were on a day-trip/short visit from home travelled a median distance of 3.454km to get to the European site. The HRA for the Local Plan therefore considered that increased disturbance to birds (as a result of recreational pressure) at a European site could occur, particularly for sites within 3.5km. The provision of residential development in this area therefore does have potential to impact upon the designated areas from recreational disturbance, depending upon the scale of the development proposed. However, given that the site is close to the edge of the buffer zone and the fact that the number of units/occupation would not be increased, it is considered that recreational disturbance to the designated sites would not be impacted. It is therefore concluded that there will be no likely significant effects.
- 5.8 Flood risk and drainage NPPF section 14 (Planning for Climate Change), Development Management (DM) DPD policies DM33 (Development and Flood Risk), DM34 (Surface Water Run-off and Sustainable Drainage), DM35 (Water Supply and Waste Water); Strategic Policies and Land Allocations (SPLA) DPD policies SP8 (Protecting the Natural Environment); Flood Risk Management and Watercourses Planning Advisory Note (PAN) (2015)
- 5.8.1 The current Flood Map for Planning shows the red-edge boundary of the site lies wholly within flood zone 1 and is not at risk from fluvial flooding. The caravans are located in Flood Zone 1, and as such not at risk from fluvial flooding. A narrow band of Flood Zone 3 closely follows the watercourse at the bottom of the wooded slope but has no impact on the developed area.

5.8.2 As the site is below the level of Bottomdale Road there is no means of connecting to existing mains sewerage and as such a septic tank with an associated drainage field has been installed to serve the site granted temporary permission. This tank is in the paddock north of the yard area over 20m from the M6 and the existing water course. There is a gate from the yard to the field to provide access for maintenance and de-sludging of solids. It would be necessary to obtain details of the septic tank and verification of its installation to ensure that it is satisfactory to serve the development. This will be conditioned.

6.0 Conclusion and Planning Balance

6.1 There is an identified shortfall in the provision of Gypsy and Traveller pitches within the District and as such this modest scheme would meet an identified need. Since the 2018 permission the site has been allocated within the SHELAA and the principle of the site for use of the site for traveller accommodation is acceptable. It is considered that the scheme does not result in adverse landscape, ecological or visual amenity impacts. Subject to conditions the scheme will not result in highway safety or drainage issues.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Development in accordance with approved plans	Standard
2	Surfacing of access	Within 3 months
3	Full details of the foul drainage system and verification of installation	Within 4 months
4	Details of surface water sustainable drainage scheme	Within 3 months
5	Landscaping scheme	Within 3 months
6	Details of vehicle restraint barrier system and construction plan	Within 3 months
7	Details of lighting and bin storage (including location)	Within 3 months
8	Use of the site limited to Gypsies and Travellers	Control
9	Limited to number and location of units shown on plan	Control
10	Removal of permitted development rights	Control
11	Retention of boundary fence	Control

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

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

Background Papers

None

Agenda Item	A10
Application Number	23/00222/FUL
Proposal	Construction of a permanent flood defence bund and associated works
Application site	Land North Of Lentworth Drive Lancaster Lancashire
Applicant	Environment Agency
Agent	
Case Officer	Mr Patrick Hopwood
Departure	Yes
Summary of Recommendation	Approval, subject to conditions.

(i) **Procedural Matters**

This form of development would normally be dealt with under the Scheme of Delegation. However, as one of the landowners 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 an open grassland area between Lentworth Drive and Burrow Beck in the Hala area of Lancaster, and part of Barton Road playing fields. Both sections of the site are designated as Open Spaces and Green Spaces in the Local Plan.

2.0 Proposal

2.1 This application seeks planning permission for the construction of a permanent flood defence bund to replace the existing temporary sandbag bund. The bund measures approx. 300m in length, 9.5m in width, and a height of 1.6m, although these dimensions vary along the course of the bund. The bund will be comprised of an earth embankment, capped with topsoil and grass seeded.

2.2 The proposal follows on from flood events in August and November 2020, and pre-application advice in 2021 and extensive ongoing discussions between the City Council, Applicant and relevant stakeholders.

3.0 Site History

3.1 No relevant applications relating to this site have previously been received by the Local Planning Authority, although there has been positive pre-application discussion prior to the submission of the application.

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
Lead Local Flood Authority	No objection and supports the proposals
County Highways	No objection subject to conditions for construction management plan and wheel washing/road sweeping.
Sport England	No objection to the application which is considered to meet Exception 3 of our adopted Playing Fields Policy, and paragraph 99(b) of the NPPF, subject to the following conditions: <ul style="list-style-type: none"> • Provision of drainage details in relation to land adjacent to and affecting the playing pitch. • Construction Management Plan. • Continuity of use Scheme for the playing field, or alternative temporary provision during the construction phase.
Environment Agency	No objection , satisfied that the proposal would not exacerbate flood risk elsewhere.
United Utilities	No response received.
South Lancaster Flood Action Group	Support on the basis that the proposal seeks to manage/mitigate existing flood risk. Comments in relation to tree planting, footpath access and longevity of bund.
Lune Rivers Trust	Support to reduce flood risk.
Property Services	No response received.
Public Realm	Comments Recommends 15° maximum for mowing of banking and a strong landscape seed mix for grass variety.
Engineering Team	No response received.
Arboricultural Officer	No objection given the public benefit.

4.2 At the time of writing this report, the following responses have been received from members of the public:

- 10 letters of **support** have been received, commenting that the bund will protect properties/residents and businesses. Two letters of support also queried the termination point /length of the bund.

4.3 Any further consultee or public comments will be summarised by way of a verbal update.

5.0 Analysis

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

- Flood Risk
- Protection of Open and Green Spaces
- Trees and Biodiversity
- Impact on Playing Field
- Highways

5.2 Flood Risk (NPPF Section 14; Policies DM33 and SP8)

5.2.1 Policy SP8 sets out that Council will work with all relevant parties to address the issues of flood risk and implement schemes that will reduce flood risk. Policy DM33 and NPPF Section 14 also seek to minimise and manage the risk of flooding. The Council is keen to ensure that the devastation caused by the flood events in August 2020 (and subsequent events) are not repeated and that the district's flood resilience is improved.

5.2.2 The proposed flood bund will remove the properties on Lentworth Drive from the flood extents of Burrow Beck, and significantly reduce the risk of these properties flooding. The length and height of

the bund have been determined by flood risk modelling (taking into account allowances for climate change) and will be sufficient to protect properties from the 1% flood event plus 300mm freeboard. The submitted flood risk assessment also demonstrates that flood risk will not be increased elsewhere as a result of the proposal. Therefore, the principle of the proposal to protect properties from flooding is fully supported by the Council, subject to other matters being satisfactorily addressed.

5.3 Protection of Open and Green Spaces (NPPF Sections 8, 12 and 15; Policies SC3, SC4, T2 and DM27, DM29 and DM43)

5.3.1 Lentworth Drive Open Space and Barton Road Playing Fields are both designated as Open and Green Spaces with the Local Plan. The siting of the bund on the periphery of these sites departs from the overall aims and objectives of the green space network, and as such the proposal is considered to represent a departure from the Local Plan.

5.3.2 However, subject to access still being retained to allow the community to continued access, it is considered that the proposal complies with the relevant policies of the Local Plan. The applicant has undertaken extensive community engagement prior to the submission of this planning application. The footpath linking Lentworth Drive and Gressingham Drive via the footbridge will be retained, with a DDA-compliant ramped gradient over the bund. Access to the open and green space will also be possible from the south, maintaining desire lines and popular walking routes along the bank of the beck. Temporary post and wire fencing will be placed around the bund until grass cover is fully established, although this will be later removed to allow access over the bund itself. The Local Plan map does record an aspirational cycle route alongside the beck, however it is considered that this could still be implemented with the flood defence bund in place.

The use of a grass covered bund rather than a wall structure, will ensure that visual impacts of the flood defence bund are minimised and softened. The Council's Public Realm Team have confirmed that they will be able to maintain the existing grass and trees, as well as the grass and the bund, post-development.

5.4 Trees and Biodiversity (NPPF Section 15; Policies DM43, DM44, DM45 and SP8)

5.4.1 The submission is accompanied by an Arboricultural Implications Assessment, which confirms that the proposed development will require the removal of five partial tree groups and two partial hedgerows this includes two tree groups classed as moderate quality (Category B) and three tree groups and two hedgerows classified as low quality (Category C). Policy DM45 sets out that where tree loss is adequately justified, replacement tree planting at a ratio of 3:1. The loss of trees is regrettable, however the benefits of the proposal in terms of flood risk reduction are considered to outweigh this justified loss subject to replacement planting.

5.4.2 The Environment Agency are proposing the replace any removed trees using their own ratio of 5:1, which betters the Council's own replating ratio, and is welcomed. Final details of tree planting have not yet been provided however the applicant has indicated that removed tree groups will be replaced alongside the bund, as well as tree planting within the hedgerows. Conditions are recommended for tree protection measures and to secure final details of the replanting scheme.

5.4.3 A Preliminary Ecological Appraisal and update note have been submitted with the application, which found no evidence of water voles, otters, badgers, hedgehogs and reptile species on the site. However, a series of recommendations have been made, including checks for the identified species, and pollution control measures. It is also proposed to improve areas of habitats affected by the works. Final details of biodiversity mitigation and enhancement can be secured by a further planning condition. Overall, subject to tree replacement and ecological mitigation, the proposal is acceptable in terms of trees and biodiversity impacts.

5.5 Impact on Playing Field (NPPF Section 8; Policies DM27 and SC3)

5.5.1 The northernmost part of the bund lies within the edge of Barton Road Playing Fields. Initially, Sport England objected to the application, due to potential impact on the playing fields.

5.5.2 Additional information has since been submitted by the applicant, demonstrating that the alignment of the bund does not conflict with the previously marked out football pitch. On the basis of this information, the LPA are content that the proposed bund would not affect the football pitch should it be reinstated nor would it affect the usability of the wider playing fields given its relatively minimal

encroachment into the playing fields site. Sport England have also been reconsulted and now raise no objection, subject to conditions for drainage details in relation to the land affecting the playing pitch, a construction management plan, and a continuity of use scheme or alternative temporary provision.

5.6 Highways (NPPF Section 9; Policy DM29)

5.6.1 County Highways have requested that construction management details are approved via a planning condition to ensure that road safety is maintained during the construction phase. The applicant has chosen to provide these details prior to determination, and subject to these been acceptable to County Highways, it is proposed to include a condition requiring compliance with these approved details.

6.0 Conclusion and Planning Balance

6.1 The proposed flood defence bund will result in significant flood protection to properties on Lentworth Drive, whilst not increasing flood risk elsewhere. The design of the bund minimises visual impact and retains access to the existing open space and playing fields. Subject to details of planting and biodiversity enhancements, the scheme is also acceptable in terms of trees and ecology. As such, the scheme is considered to comply with the relevant national and local policies and is recommended for approval.

Recommendation

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

Condition no.	Description	Type
1	Standard three year timescale	Control
2	Development in accordance with plans and details	Control
3	Tree protection plan	Control
4	Biodiversity mitigation and enhancement details	Control
5	Landscaping and replanting scheme	Control
6	Playing field drainage details	Control
7	Playing field construction management plan	Control
8	Playing field continuity of use/alternative temporary provision	Control
9	Highways construction details	Control

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

In accordance with the above legislation, Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. For the reasons stated in the report, the proposal departs from the Development Plan. However, taking into account the other material considerations which are presented in full in the report, it is considered that these outweigh the provisions of the Development Plan, and in this instance the proposal can be considered favourably.

Background Papers

None

Agenda Item	A11
Application Number	23/00090/FUL
Proposal	Replacement of front door and rear exhaust duct
Application site	Jubilee Hall China Street Lancaster Lancashire
Applicant	Mr Tom Greenwood
Agent	N/A
Case Officer	Mr Sam Robinson
Departure	No
Summary of Recommendation	Approval, subject to conditions

(i) **Procedural Matters**

This form of development would normally be dealt with by the Scheme of Delegation however, the property is owned by Lancaster City Council and is therefore required to be determined by the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 The site which forms the subject of this application is Jubilee Court which is comprised of 12 flats and is located on China Street in central Lancaster. The building remains well screened from the wider area with access provided off Castle Hill to the west which also provides an external area of parking.

1.2 The site is also located within the Lancaster Conservation Area and lies approximately 70m away from Lancaster Castle.

2.0 Proposal

2.1 This application seeks consent for a replacement door and installation of an exhaust duct. The replacement door is a dark blue composite located on the southern elevation whilst the wraparound duct measures approximately 1.3m x 5m in a black coated finish located on the northern elevation of the building. The duct is replacing an existing duct which serves a restaurant.

3.0 Site History

3.1 The site has an extensive planning history, but these are mainly historic applications and are not particularly relevant to this application.

4.0 Consultation Responses

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

Consultee	Response
Conservation	No objection
Environmental Health	No response

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:

- Principle of development
- Design and impact on Conservation Area
- Residential amenity

5.2 Principle of development (NPPF Sections 2 and 12 and policy DM29 of the Development Management DPD)

5.2.1 The proposal is to provide improvements to the accessibility and standard of accommodation for the existing occupiers for the building. The replacement door will be more energy efficient whilst the exhaust duct requires improving following a Fire Risk Assessment undertaken by Lancaster City Council after the property was purchased.

5.2.2 The modest alterations are considered to be acceptable in principle, subject to the other material considerations listed above which will be discussed in the following paragraphs.

5.3 Design and impact on Conservation Area (NPPF Sections 12 and 16 and policies DM29 and DM38 of the Development Management DPD)

5.3.1 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

5.3.2 The replacement door will have a minimal impact on the wider area. It remains well screened from public viewpoints, utilises the same opening and is finished in a dark colour to blend in with the surrounding built form.

5.3.3 Whilst the exhaust duct has a more industrial appearance, it continues to remain well screened by an existing wall which will limit any significant views from the wider area. The black finish is an

improvement over the galvanised steel finish. Consequently, neither element will have an adverse appearance on the visual amenity of the conservation area.

5.3.4 Whilst the proposal is very minor, there is still a degree of harm with the provision of a larger exhaust duct and in the context of the NPPF, the harm is considered to be less than substantial. However, the level of harm is considered to be very low due to the scale and nature of the development. While there are no significant public benefits, the proposal will improve fire safety for the buildings and the amenity of the flats whilst the change from galvanised steel to a black powder coated finish is a visual improvement. In this instance, these benefits are considered to outweigh the very low level of harm.

5.3.5 The majority of properties that line Castle Hill to the northwest are grade II listed buildings and are between 10m and 40m away. However, due to the scale and siting, neither elements will impact upon their setting.

5.4 **Residential amenity** (NPPF Section 12 and policy DM29 of the Development Management DPD)

5.4.1 The existing exhaust duct lies in close proximity to an existing residential window which is causing conflict in terms of the recently undertaken fire risk assessment. The existing arrangement prevents the window being opened whilst the alterations will seek to position the duct away from the windows and onto the retaining wall. This will improve the amenity for the occupiers of the existing flat. Considering that there is an existing duct in place, it is unlikely that there will be any significant impacts in terms of noise or odour.

6.0 Conclusion and Planning Balance

6.1 The proposal will improve the standard of accommodation for the occupiers of Jubilee Court without having an adverse impact on the amenity of the conservation area or residential amenity of nearby properties. The application is therefore recommended for approval.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Development to accord with plans	Control

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.

Agenda Item	A12
Application Number	Associated with 21/01284/FUL
Proposal	To permanently divert a section of Public Footpath No. in Brookhouse to enable the implementation of residential development pursuant to the proposals set out in application 21/01284/FUL for the erection of 25 adaptable bungalows for over 55's with associated access, internal roads and landscaping.
Application site	Public Footpath No:
Applicant	Applethwaite Homes
Agent	Miss Olivia McQuaid
Case Officer	Mrs Jennifer Rehman
Departure	N/A
Summary of Recommendation	<ol style="list-style-type: none"> 1) That, subject to planning permission being granted for planning application 21/01284/FUL, an Order be made pursuant to Section 257 of the Town and Country Planning Act 1990 to divert Public Footpath 1-10-FP17 in Brookhouse in the manner set out in the report and the subsequent Order to enable the development to be carried out in accordance with the planning permission, and in the event of no objections being received or any objections being received are withdrawn, the Order be confirmed. 2) That the Chief Officer Planning and Climate Change be granted delegated powers to take or authorise any action considered necessary in respect of the making and confirmation of the Order duly authorised to be made.

(i) Procedural Matters

Planning application 21/01284/FUL was reported and resolved to be approved, subject to legal agreement, at last month's planning committee.

1.0 Application Site and Setting

1.1 Public Footpath 1-10-FP17 is a public right of way that lies within the Lower Lune Valley Ward in the Parish of Caton-with-Littledale. This footpath runs south from Brookhouse Road for approximately 67 metres along Hawthorn Avenue. The public footpath then extends approximately 55 metres alongside the garden boundary of No. 6 Hawthorn Avenue and a further 118 metres south, through

the fields to the southern boundary of the planning application site where it connects to public footpath 1-10-FP11.

- 1.2 The condition, surfacing and width of the footpath varies along its length. The initial section is located within the adopted highway (including footway). Alongside the adjacent dwelling (No. 6 Hawthorn Avenue), the footpath is narrow where it is enclosed by the adjacent garden boundary fences and the boundary treatment and vegetation alongside the field track. Beyond this section, the footpath is unmade and grassed within no defined edging. There are gate arrangements in the centre of the footpath and at the connection with footpath 1-10-FP11.

2.0 Background

- 2.1 On 24 April 2023, the Planning Committee resolved to approve a full planning application for 25 bungalows with associated access and landscaping (21/01284/FUL). The resolution was conditional and subject to a legal agreement, which is still pending drafting and agreement. Consequently, the planning permission has not yet been granted.
- 2.2 In order to secure an acceptable and safe vehicular access into the development site and to deliver the residential development, which comprises 25 bungalows, it is necessary to divert the existing public right of way. The resolution to grant planning permission included a Grampian condition to ensure the diversion order is confirmed before development commences.
- 2.3 Section 257 of the Town and Country Planning Act 1990 (the Act) provides that the local planning authority authorised to grant planning permission may, by Order, authorise the stopping up or diversion of any footpath or bridleway if they are satisfied that it is necessary to do so in order to enable development to be carried out in accordance with planning permission granted under Part III of the Act.
- 2.4 When an Order is made by a local planning authority under Section 257, it is necessary for the local authority to give notice of the Order by publishing a notice in a local newspaper, displaying a notice on site and notifying specified persons and bodies. In the event that objections are made and not withdrawn, the Order will need to be referred to the Secretary of State for consideration and confirmation. If there are no objections or all objections are withdrawn or resolved, the Order can be confirmed by the local planning authority.

3.0 The Proposal

- 3.1 The applicant has applied to divert Public Footpath 1-10-FP17 alongside their planning application. The application does not seek to divert the entire length of the footpath. The submitted diversion route plan shows only a short section of the route to be diverted to accommodate plots 8 and 20. Officers are seeking confirmation as to the extent of the alternative route to be diverted given the level changes across the site, especially at the access. Officers are of the opinion that the route to be diverted should be from the junction of the new estate road with Hawthorn Close/Avenue up to the southern boundary of the site. This is largely a consequence of the extend of earthworks proposed at the site access and the layout of the housing development. The final position of the alternative route is a matter that shall be addressed and formalised through the diversion order process.
- 3.2 Fundamentally, any alternative route for the diverted public right of way shall maintain its connections to footpath 1-10-17 along Hawthorn Close/Avenue (connecting to Brookhouse Road) and the connections to footpath 1-10-11, which runs adjacent the southern boundary of the site.
- 3.3 The alternative route shall be provided with no gates or stiles along its route and shall be up to 2 metres wide. The precise position of the diverted route shall be provided on an amended Diversion Route Plan before the Order is made and publicity takes place. Part of the consultation and publicity will involve the County Council's public right of way team who are already aware of the development proposals and the need for the diversion order.

4.0 Advice

- 4.1 The existing footpath provides an important and well used connection between the village and the wider network of existing public rights of way beyond the village into the countryside. It therefore provides a valuable recreational asset to the community and is enjoyed by many. The existing path is narrow in sections as it navigates between boundary fences of the adjacent garden and the boundary fence/vegetation to the field access track. After which, it opens up and is an unmade, grassed path through the paddock.
- 4.2 The development proposals would alter the character and form of the public right of way, with the existing path replaced largely by estate roads. The effect of the development on the landscape character and visual amenity of the site and surroundings has already been assessed as part of the determination of the planning application for residential development. The critical part of this application is to ensure a public right of way is legally protected through the site and that the alternative route maintains connections both to the north and south. There are various options to secure the alternative route. For example, one option could be to provide the alternative route along the eastern footway of the main spine road. An alternative route could be to align the diverted path through the open space or indeed the western footway. The final position shall be determined before the Order is made and in consultation with the County Council Public Rights of Way team.
- 4.3 Section 257 of the Act gives local planning authorities a power to change the route of a public footpath where a diversion is necessary to enable development to be carried out in accordance with a planning permission (the test). It was clear when the Council resolved to grant planning permission for the redevelopment of the site for housing (under 21/01284/FUL) that Footpath 1-10-17 would need to be diverted to make the development acceptable in planning terms. In view of the circumstances set out above and the suitability and availability of an alternative route, it is considered that the test set out in Section 257 is satisfactorily met. Further, it is considered the applicant should pay the costs of diverting the public right of way. The applicant has confirmed agreement to this point.

5.0 Recommendation

- 5.1 That the local planning authority proceeds to make an Order pursuant to Section 257 of the Town and Country Planning Act 1990 to divert Footpath 1-10-17 in Brookhouse to enable the development to be carried out in accordance with the planning permission. In the event of no objections being received to the Order, or any such objections received being withdrawn, the Order be confirmed. This is on the terms the developer pays the cost of diverting the footpath and providing the alternative route in accordance with the requirements of the confirmed Order.
- 5.2 That the Chief Officer of Planning and Climate Change be granted delegated powers to take or authorise any action considered necessary in respect of the making and confirmation of the Order duly authorised to be made.

Background Papers

None

LIST OF DELEGATED PLANNING DECISIONS

LANCASTER CITY COUNCIL

APPLICATION NO	DETAILS	DECISION
22/00031/DIS	Ward Field Farm, Main Road, Galgate Discharge of conditions 10 and 13 on approved application 17/00944/OUT for Hollins Homes (Ellel Ward 2015 Ward)	Application Permitted
22/00050/FUL	St Michaels House, Parkgate Drive, Lancaster Change of use from offices (E(g)) to 14-bedroom visitor accommodation (C1) and installation of glass roof panels to the north and south elevations for Mr Zubeir Mister (John O'Gaunt Ward 2015 Ward)	Application Refused
22/00051/LB	St Michaels House, Parkgate Drive, Lancaster Listed building consent for removal of existing second floor and existing mezzanine, erection of replacement mezzanine with associated staircase, walkway and stud walls, installation of glass roof panels, repair work to external roof and walls, repair and re-painting of existing window frames and replacement of frosted glass in windows with clear glass for Mr Zubeir Mister (John O'Gaunt Ward 2015 Ward)	Application Refused
22/00106/DIS	Former Walled Garden, Ridgeway Park, Lindeth Road Discharge of conditions 3, 4, 5 and 6 on approved application 19/01075/VCN for Mr Michael Whyatt (Silverdale Ward 2015 Ward)	Split Decision
22/00148/DIS	Land East Of, Scotland Road, Carnforth Discharge of conditions 15,16,20 and 22 on approved application 20/00607/VCN for Mrs Vicky Beeton (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
22/00640/FUL	450 Marine Road East, Morecambe, Lancashire Change of use of Bed and Breakfast (C1) and Managers Accommodation to one 2-bed maisonette and two 2-bed flats (C3), installation of two replacement windows to side elevation at first/second floor level, french doors at basement level and rooflight to the rear elevation for Mr Philip Donnigan (Bare Ward 2015 Ward)	Application Permitted
22/00662/FUL	Field West Of, Woodlands View, Over Kellet Part retrospective application for the widening of an existing access and erection of a gate for Mr Mark Drinkall (Kellet Ward 2015 Ward)	Application Permitted
22/00784/FUL	Land Off B6254 Adjacent Swarthdale Road, Kirkby Lonsdale Road, Over Kellet Part retrospective application for alterations to site access and track and erection of a stable block for Mr And Mrs Joel (Kellet Ward 2015 Ward)	Application Permitted
22/00859/FUL	Addington Lodge, Addington Road, Nether Kellet Replacement of existing outbuilding to form ancillary residential use (C3) for Mr Adrian Gott (Kellet Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

22/00870/FUL	Fuel Proof Limited, Middleton Business Park, Middleton Road Erection of an industrial unit for Fuel Proof Ltd (Overton Ward 2015 Ward)	Application Permitted
22/00906/LB	Victoria Hotel, Victoria Terrace, Glasson Dock Listed building application for reconfiguration of internal layout and refurbishment of existing public house and hotel accommodation including repairs to the roof, repair ridge tiles, repairs to flashings, replace lead coverings to the front bays, replacement of the underlying and associated joinery, alterations to openings, insertion of new openings, new doors, frames and windows, repair works to front door/external render, repainting of masonry, replacement of all external pipework, insertion of new bar to the existing main bar area, removal of the boat ceiling in the present dining room, installation of en-suites, removal of internal doors, installation of fire doors, retention/replacement of skirting/architraves, alterations to openings, repairs to stairs, repairs to timber floor, installation of new services for Mr Graham Cass (Ellel Ward 2015 Ward)	Application Permitted
22/00907/FUL	Victoria Hotel, Victoria Terrace, Glasson Dock Change of use of the first floor of the attached barn to staff accommodation, creation of new window and door opening, and alterations to the car park including resurfacing and siting of a bin store, bicycle store and lpg tank for Mr Graham Cass (Ellel Ward 2015 Ward)	Application Permitted
22/00917/FUL	Heaton Park House, Lancaster Road, Overton Change of use and conversion of existing garage/hayloft to residential dwelling (C3), installation of new windows/doors and construction of dormer extensions to the rear elevation for Miss H. Diviny (Overton Ward 2015 Ward)	Application Refused
22/00965/LB	Victoria Hotel, Victoria Terrace, Glasson Dock Listed building application for works to the attached barn including repairs to the roof, repair ridge tiles, repairs to flashings, replacement of the underlying and associated joinery, alterations to openings, insertion of new openings, new doors, frames and windows, repainting of masonry, replacement of all external pipework, reconfigure/upgrade toilets, works to internal walls/partitions, removal of internal doors, installation of fire doors, retention/replacement of skirting/architraves, alterations to openings, repairs to stairs, repairs to timber floor, installation of new services for Mr Graham Cass (Ellel Ward 2015 Ward)	Application Permitted
22/00967/FUL	Agricultural Site, Red Bridge, Moss Lane Erection of a roof extension for Mr Michael Holgate (Silverdale Ward 2015 Ward)	Application Permitted
22/01059/LB	Ripley St Thomas Church Of England Academy , Ashton Road, Lancaster Listed building application for the installation of replacement windows to all elevations for Ripley St Thomas CE High School (Scotforth West Ward 2015 Ward)	Application Refused

LIST OF DELEGATED PLANNING DECISIONS

22/01088/FUL	Boat House, Church Brow, Halton Conversion of existing detached garage to annex living accommodation, installation of raised roof, construction of dormer extension to the east elevation, installation of glazed gable screen and juliet balcony, new windows and rooflights for Mr & Mrs Menzies (Halton-with-Aughton Ward 2015 Ward)	Application Permitted
22/01089/LB	Boat House, Church Brow, Halton Listed building application for the installation of raised roof to existing detached garage, construction of dormer extension to the east elevation, installation of glazed gable screen and juliet balcony, new windows and rooflights for Mr & Mrs Menzies (Halton-with-Aughton Ward 2015 Ward)	Application Permitted
22/01254/OUT	Land Off, Willey Lane, Cockerham Outline application for the erection of a dwelling with associated access for Mr P Hewitt (Ellel Ward 2015 Ward)	Application Permitted
22/01293/OUT	Land At OS Grid Reference E346502 N452533, Lancaster Road, Cockerham Outline application for the erection of 4 dwellings and associated access for Mr P Hewitt (Ellel Ward 2015 Ward)	Application Permitted
22/01295/FUL	Land North Of Manor Farm Barn, Chapel Lane, Overton Erection of six dwellings with associated soakaways, parking and landscaping for Mr & Mrs Williams (Overton Ward 2015 Ward)	Application Permitted
22/01336/ELDC	Field Adjacent To 1 Park Meadow, Lancaster, Lancashire Existing lawful development certificate for the use of a shipping container to be used for agricultural purposes for Colin Bradley Ltd (Scotforth West Ward 2015 Ward)	Lawful Development Certificate Granted
22/01351/FUL	7 Kensington Road, Morecambe, Lancashire Change of use from a dwelling house to two self contained apartments and erection of a single storey rear extension for Mr Ali (Poulton Ward 2015 Ward)	Application Refused
22/01391/FUL	Fat Media Ltd, Unit 811, Harpers Mill White Cross Industrial Estate Siting of generator on existing hardstanding with associated external surface mounted cables, erection of fence and access gate and installation of wall mounted CCTV camera to the southern elevation for Mr Colin Pyne (Scotforth West Ward 2015 Ward)	Application Refused
22/01467/FUL	Coach House, Whitebeck Lane, Priest Hutton Demolition of an existing timber garage and erection of a two storey side extension for Mr John Nolan (Kellet Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

22/01476/LB	13 - 15 Sun Street, Lancaster, Lancashire Listed building application for the installation of partition walls and creation of internal openings, installation of new staircase and enclosure of existing staircase including the formation of a storage cupboard, blocking of doorways, installation of secondary glazing, replacement of UPVC windows with timber windows, repairs to lintel to front elevation, repairs to gable end, removal of external masonry paint and repairs to masonry including replacement pointing, installation of service ducts with external vents to the rear, replacement of roof tiles with slate, fixing of timber housing for bin storage and laundry zone to the rear for Mr R Braithwaite (Castle Ward 2015 Ward)	Application Permitted
22/01485/FUL	13 - 15 Sun Street, Lancaster, Lancashire Change of use of existing mixed use unit comprising commercial on the basement/ground floor with residential above to 1 2-bed flat, 2 studio flats and 2 1-bed flats installation of replacement windows and doors to front and rear, a replacement roof covering, external vents to the rear and erection of a timber bin store to the rear for Mr R Braithwaite (Castle Ward 2015 Ward)	Application Permitted
22/01520/ELDC	Land To The Rear Of , 52 Middleton Road, Heysham Existing Lawful Development Certificate for the siting of a caravan for residential use during the construction of a dwelling for Mr John Mcdonagh (Heysham South Ward 2015 Ward)	Lawful Development Certificate Refused
22/01545/FUL	77 Oxcliffe Road, Heysham, Morecambe Erection of a single storey rear and side extension incorporating a canopy to rear, construction of dormer extension to the rear elevation and hip to gable extension for Mr & Mrs Murgatroyd (Heysham Central Ward 2015 Ward)	Application Permitted
22/01597/FUL	33 Betony, Morecambe, Lancashire Erection of single storey side extension for Mr M Huntington (Bare Ward 2015 Ward)	Application Permitted
23/00004/FUL	Land And Buildings Southwest Of Westmoor Farm, 7 Carr Lane, Middleton Demolition of storage buildings and erection of 2-storey dwelling (C3) with detached double garage, associated package treatment plant, landscaping and access for Mr & Mrs Scott Redpath (Overton Ward 2015 Ward)	Application Permitted
23/00008/FUL	Clear Water Fisheries, Kellet Lane, Over Kellet Construction of wall at site entrance for Mr Alex Mollart (Warton Ward 2015 Ward)	Application Permitted
23/00030/DIS	Middle Crag Farm, Starbank, Dolphinholme Discharge of conditions 3, 4, 5, 6, 7, 8, 9 and 10 on approved application 21/00428/FUL for Mr Ken Drinkwater (Ellel Ward 2015 Ward)	Split Decision
23/00033/DIS	Old Waterslack Farmhouse, Waterslack Road, Silverdale Discharge of conditions 3,4,9,10 and 11 on approved application 21/01304/FUL for Mr Brian Hevey (Silverdale Ward 2015 Ward)	Application Permitted
23/00039/DIS	Cragg House, Kirkby Lonsdale Road, Over Kellet Discharge of condition 4 on approved application 22/00777/LB for Mrs Elaine Stephenson (Kellet Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

23/00040/DIS	59 Yealand Road, Yealand Conyers, Carnforth Discharge of condition 4 for approved application 21/00677/FUL for Dr and Mrs Proctor (Warton Ward 2015 Ward)	Application Permitted
23/00042/DIS	Borwicks, Quernmore Road, Caton Discharge of condition 3 on approved application 22/01000/FUL for Mr & Mrs J Cottle (Lower Lune Valley Ward 2015 Ward)	Split Decision
23/00043/DIS	Borwicks, Quernmore Road, Caton Discharge of condition 3 on approved application 22/01001/LB for Mr & Mrs J Cottle (Lower Lune Valley Ward 2015 Ward)	Split Decision
23/00044/DIS	49 Portland Street, Lancaster, Lancashire Discharge of condition 3 on approved application 21/00431/FUL for Mrs S Dola (Castle Ward 2015 Ward)	Application Permitted
23/00049/DIS	28 Stankelt Road, Silverdale, Carnforth Discharge of condition 4 on approved application 22/01372/FUL for Mr Chris Blaydes (Silverdale Ward 2015 Ward)	Application Permitted
23/00051/FUL	120 North Road, Carnforth, Lancashire Erection of a porch to the front, construction of a dormer to the rear elevation and associated landscaping works for Craig Myers (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
23/00052/DIS	Titterington Cottage, Bay Horse Road, Quernmore Discharge of condition 2 on approved application 22/01110/FUL for Mr Mark Townley (Lower Lune Valley Ward 2015 Ward)	Application Permitted
23/00053/DIS	29 Queen Street, Lancaster, Lancashire Discharge of condition 3 on approved application 22/00454/LB for Renolds (Castle Ward 2015 Ward)	Application Refused
23/00054/DIS	Green Finch Cafe, Corricks Lane, Conder Green Discharge of condition 2 on approved application 22/00636/PAC for Miss Karina Barnes (Ellel Ward 2015 Ward)	Application Permitted
23/00056/DIS	Escowbeck Farm, Quernmore Road, Caton Discharge of conditions 3,4,5 and 7 on approved application 20/00047/FUL for Mr & Mrs A Riley (Lower Lune Valley Ward 2015 Ward)	Application Permitted
23/00057/DIS	Escowbeck Farm, Quernmore Road, Caton Discharge of conditions 3,4,5 and 7 on approved application 22/01587/FUL for Mr & Mrs A Riley (Lower Lune Valley Ward 2015 Ward)	Application Permitted
23/00059/DIS	2 Church Hill, Church Street, Whittington Discharge of conditions 3,4 and 7 on approved application 22/01323/FUL for Mr Jonathan Earl (Upper Lune Valley Ward 2015 Ward)	Application Permitted
23/00060/LB	Banton Farmhouse, Chipping Lane, Dolphinholme Listed building application for installation of damp proof membrane to ground floor, general internal repairs, general cleaning, re-decorating and re-carpeting for Mrs Laura Airton (Ellel Ward 2015 Ward)	Application Withdrawn

LIST OF DELEGATED PLANNING DECISIONS

23/00065/FUL	285 Lancaster Road, Morecambe, Lancashire Demolition of existing detached garage with the erection of a single storey side extension for Mr.& Mrs. Lewis (Westgate Ward 2015 Ward)	Application Permitted
23/00075/FUL	95 Westbourne Road, Lancaster, Lancashire Demolition of existing garage and erection of a two storey front and side extension for Hossaini (Marsh Ward 2015 Ward)	Application Permitted
23/00087/FUL	2A Coach Road, Warton, Carnforth Construction of veranda to the front elevation for Mr & Mrs Stephen, & Debra Hurst (Warton Ward 2015 Ward)	Application Permitted
23/00089/OUT	Farr Bank, Uggle Lane, Lancaster Outline application for one detached dwelling (C3) for Mr Richard Makinson (Scotforth West Ward 2015 Ward)	Application Withdrawn
23/00093/VCN	Dragons Head Hotel, Main Street, Whittington Demolition of outbuildings, conversion of barn to dwelling, erection of 3 dwellings with associated landscaping, parking and alterations to the existing access and erection of a first floor side extension over existing pub (pursuant to the removal of conditions 10 and 20 on approved application 18/00567/FUL to remove the requirement to undertake works associated with the public house prior to the commencement of the three dwellings and to allow the residential use of the barn independently of the public house and the variation of condition 15 to remove reference to condition 10 and the public house) for Mr Simon Nutter (Upper Lune Valley Ward 2015 Ward)	Application Permitted
23/00097/FUL	77-83 Queen Street, Morecambe, Lancashire Replacement of timber sash windows with uPVC sash windows to the front elevation for Mr Mehdi Matthew Khazeni-Rad (Poulton Ward 2015 Ward)	Application Refused
23/00109/LB	Flat 3A , Laurel Bank, Lancaster Listed building application for the removal of an internal wall for Dr Sam Moore (Marsh Ward 2015 Ward)	Application Permitted
23/00111/FUL	35A Lindeth Road, Silverdale, Carnforth Conversion of garage into habitable room, installation of windows and doors and erection of detached car port to the rear for Mr & Mrs Bargh (Silverdale Ward 2015 Ward)	Application Permitted
23/00116/FUL	Greenbank Farm, Hornby Road, Claughton Creation of new access points, internal access road and erection of retaining walls for Mr David Platts (Lower Lune Valley Ward 2015 Ward)	Application Refused
23/00122/ELDC	30 Bay View Avenue, Slyne, Lancaster Existing lawful development certificate for the construction of a dormer extension to the rear elevation for Mr Johnathon Kidd (Bolton And Slyne Ward 2015 Ward)	Lawful Development Certificate Refused
23/00124/FUL	The Owls Nest , Bare Lane, Morecambe Retrospective application for the erection of covered seating pods for Mr Barker (Bare Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

23/00127/FUL	6 Elmslack Lane, Silverdale, Carnforth Demolition of existing conservatory and erection of a single storey side and rear extension, installation of window and doors to rear elevation for Mr and Mrs Steven Dobson (Silverdale Ward 2015 Ward)	Application Permitted
23/00131/FUL	12 Clougha Avenue, Lancaster, Lancashire Installation of solar panels to the south east facing roof slope, installation of pitched roof to existing porch incorporating solar panels for Mr+Mrs S+K Potter (John O'Gaunt Ward 2015 Ward)	Application Permitted
23/00134/LB	Rectory Lodge, Rectory Gardens, Cockerham Listed building application for replacement windows and doors, partial infill of window to front elevation, clean and repoint stonework, repaint render and installation of electric vehicle charging point to side elevation for Ms Rosie Ware (Ellel Ward 2015 Ward)	Application Permitted
23/00135/PAM	Footpath Outside The William Mitchell, Glentworth Road West, Morecambe Prior approval for the installation of 15m monopole with 3 ground-based equipment cabinets and associated ancillary development for CK Hutchinson Networks (UK) Ltd (Westgate Ward 2015 Ward)	Prior Approval Not Required
23/00141/FUL	9 Briarlea Road, Nether Kellet, Carnforth Part retrospective application for change of use of agricultural land to domestic to the rear, erection of a two storey rear extension, side dormer extension, replacement of the existing external materials, alteration of the stepped access for Mr & Mrs G Dalton (Kellet Ward 2015 Ward)	Application Permitted
23/00147/FUL	15 Glen View Crescent, Heysham, Morecambe Retrospective application for the construction of a raised decking area with balustrade and steps to the rear for Mr J. Donnell (Heysham South Ward 2015 Ward)	Application Refused
23/00148/FUL	Bay View Nursery And Garden Centre, Mill Lane, Bolton Le Sands Construction of additional car parking area for Lisa Clarke (Bolton And Slyne Ward 2015 Ward)	Application Refused
23/00151/CU	2 Aalborg Place, Lancaster, Lancashire Change of use of offices (Class E) to homeless action centre (Sui Generis) for Mr Phil Moore (Castle Ward 2015 Ward)	Application Permitted
23/00169/PAA	Pheasantfield Farm, Borwick Road, Borwick Prior approval for the change of use of an agricultural building into 3 dwellings (C3) for Mr N Taylor (Kellet Ward 2015 Ward)	Prior Approval Granted
23/00171/FUL	Collingholme Farm, Low House Lane, Cowan Bridge Alterations to existing access to form separate access and turning for Mr and Mrs Craig (Upper Lune Valley Ward 2015 Ward)	Application Permitted
23/00173/FUL	Lunedale House, Market Street, Morecambe Change of use of part of the ground floor retail units and first floor offices (Class E) to 3 apartments (Class C3) with common access from Derby Street, replacement of the upper level windows, infill a window, increase size of a window and installation of new external doors to west elevation for Mr John Gallagher (Poulton Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

23/00176/FUL	East Lodge , Aldcliffe Road, Lancaster Erection of new boundary railings to the front and side for Mr M Stainton (Scotforth West Ward 2015 Ward)	Application Permitted
23/00178/FUL	Wennington Hall School, Lodge Lane, Wennington Erection of single storey extension to the east, single storey extension to the north and two storey extension to north/east elevation, removal of wall to create archway, construction of balustrade and installation of external stairs to the north elevation, removal of fire escape and installation of hard standing for Mr Warburton (Upper Lune Valley Ward 2015 Ward)	Application Withdrawn
23/00180/FUL	1 The Headlands, Heysham, Morecambe Retrospective application for the retention of an outbuilding and a raised boundary wall for Mr Robert Howard (Heysham South Ward 2015 Ward)	Application Permitted
23/00181/FUL	Former Substation Site, Scale Farm Road, Lancaster Change of use and conversion of former substation site to enclosed domestic garage, construction of new roof and installation of garage door for Mr M Waddington (Skerton West Ward 2015 Ward)	Application Permitted
23/00184/FUL	30 Portland Street, Lancaster, Lancashire Erection of a single storey rear extension, construction of a dormer extension to the rear elevation and installation of rooflights to front elevation for Mr T Dola (Castle Ward 2015 Ward)	Application Withdrawn
23/00185/LB	HSBC, 35 - 41 Market Street, Lancaster Listed building application for the installation of self service machines to be installed to existing machines with minor adjustments made to internal partitions including new internal marketing for Mrs Chloe Source (Castle Ward 2015 Ward)	Application Permitted
23/00193/FUL	Swing Gate, Back Lane, Gressingham Demolition of existing rear porch and erection of a single storey rear/side extension for Dr Michele Luxon (Upper Lune Valley Ward 2015 Ward)	Application Permitted
23/00194/FUL	The Hamblings, Garstang Road, Cockerham Demolition of existing garage, construction of a raised roof to provide first floor accommodation and erection of a single storey rear extension for Mr & Mrs Peter and Catharine Walling (Ellel Ward 2015 Ward)	Application Permitted
23/00195/FUL	4 Wellington Terrace, Morecambe, Lancashire Change of use of dwelling (C3) to 7-bed house of multiple occupation (sui generis) and construction of dormer extension to the rear elevation for Mr Sean Ginger (Poulton Ward 2015 Ward)	Application Permitted
23/00199/FUL	1 St Johns Grove, Silverdale, Carnforth Erection of replacement front porch and installation of solar panels to the south east (front) facing roof slope for Mrs Susan Head (Silverdale Ward 2015 Ward)	Application Permitted
23/00209/FUL	Hollyhead House, Procter Moss Road, Abbeystead Conversion of existing double garage to ancillary living accommodation, removal of garage doors, installation of new windows/doors and construction of decking area and balustrade to the rear for Mrs Anna Carlin (Ellel Ward 2015 Ward)	Application Permitted

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23/00215/FUL	Stubb Hall Bungalow, Scargill Road, Halton Demolition of existing garage, erection of two storey side extension and erection of detached outbuilding for Mr & Mrs Airey (Halton-with-Aughton Ward 2015 Ward)	Application Permitted
23/00217/FUL	Brookside, Wyresdale Road, Quernmore Construction of dormer to the rear elevation and installation of solar panels to the front elevation for Mr & Mrs Gradwell (Lower Lune Valley Ward 2015 Ward)	Application Permitted
23/00218/FUL	73 Prospect Street, Lancaster, Lancashire Change of use from store with rear office (Class E) to 1-bed one person student accommodation (Class C3) for Mr Master (John O'Gaunt Ward 2015 Ward)	Application Refused
23/00221/FUL	Cock Hall Farm, Main Road, Thurnham Part retrospective application for the erection of a two storey detached building for domestic garage/home gym and games room for Mr Andrew Clarkson (Ellel Ward 2015 Ward)	Application Permitted
23/00223/LB	71 Main Street, Wray, Lancaster Installation of replacement windows to the front elevation for Mr Paul Ross (Lower Lune Valley Ward 2015 Ward)	Application Permitted
23/00225/FUL	37 Hest Bank Lane, Hest Bank, Lancaster Erection of a 2-storey side extension for Mr Paul Jackson (Bolton And Slyne Ward 2015 Ward)	Application Permitted
23/00227/FUL	10 Westgate, Morecambe, Lancashire Erection of a single storey side and rear extension for Mrs D Cocks (Torrisholme Ward 2015 Ward)	Application Permitted
23/00228/HLDC	Lancaster Railway Station, Westbourne Road, Lancaster Proposed lawful development certificate for construction of shelter for Mr Geoff Bosley (Castle Ward 2015 Ward)	Lawful Development Certificate Granted
23/00237/FUL	1 Well Lane, Yealand Redmayne, Carnforth Construction of a dormer extension to the rear elevation for Mr Robin Higgens (Silverdale Ward 2015 Ward)	Application Permitted
23/00254/FUL	Silverdale Golf Club, Red Bridge Lane, Silverdale Installation of solar panels to the front and side slope and replacement of like for like roof tiles for Mr S Abbott (Silverdale Ward 2015 Ward)	Application Permitted
23/00256/FUL	22 Rutland Avenue, Lancaster, Lancashire Change of use of a dwelling (C3) to house in multiple occupation (C4) for Miss Esme Kilshaw (Scotforth East Ward 2015 Ward)	Application Permitted
23/00257/FUL	Old Hall Barn, Brookhouse Road, Brookhouse Installation of an air source heat pump to the side, an electric vehicle charging point to the front, and installation of a new window to the side elevation in an existing adapted opening for Robson Brown (Lower Lune Valley Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

23/00258/LB	Old Hall Barn, Brookhouse Road, Brookhouse Listed building application for a new window in an adapted existing opening to the side elevation, installation of an air source heat pump to the side elevation, and new electric vehicle charging point to the front elevation for Robson Brown (Lower Lune Valley Ward 2015 Ward)	Application Permitted
23/00259/FUL	Green Hill Farm, Dunald Mill Lane, Halton Installation of 5 timber cabins and package treatment unit for Ian Ward (Halton-with-Aughton Ward 2015 Ward)	Application Refused
23/00260/ADV	Dog And Partridge Hotel , Bare Lane, Morecambe Advertisement application for the display of 2 non-illuminated port mounted corex signs and 1 non-illuminated banner frame for Mr Paul Triller (Bare Ward 2015 Ward)	Application Permitted
23/00265/FUL	61 Greenwood Avenue, Bolton Le Sands, Carnforth Erection of a single storey rear extension, single storey side porch, covered area to rear and car port to the side for Mr Ray Tyminski (Bolton And Slyne Ward 2015 Ward)	Application Permitted
23/00266/FUL	Brookfield, Whams Lane, Bay Horse Erection of a single storey side extension and detached garage with home office to the side and creation of a canopy to the front of existing outbuilding for Mr & Mrs R Wilson (Ellel Ward 2015 Ward)	Application Permitted
23/00267/FUL	Hare Tarn Farm, Netherbeck, Carnforth Part retrospective application for an extension to existing agricultural building for Mr Allen Brown (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
23/00269/FUL	70 Beaufort Road, Morecambe, Lancashire Erection of a single storey rear, side and front extension and construction of a hip to gable extension with rear dormer extension for Mr M Collins (Bare Ward 2015 Ward)	Application Permitted
23/00272/FUL	13 Oakley Road, Heysham, Morecambe Construction of a dormer extension to the front elevation for Mr G. Jones (Heysham North Ward 2015 Ward)	Application Refused
23/00277/NMA	Marethdale, Old Moor Road, Wennington Non material amendment to planning application 22/00911/FUL to amend roof materials and design, external wall material and window and door arrangement, omit solar panels and add rooflights and remove porch for Mr T. Davies (Lower Lune Valley Ward 2015 Ward)	Application Refused
23/00278/FUL	9 Leslie Avenue, Caton, Lancaster Demolition of existing conservatory, erection of a single storey rear extension, a two story side extension and construction of a front porch for Mr and Mrs Ian Ward (Lower Lune Valley Ward 2015 Ward)	Application Permitted
23/00284/FUL	2 Low Road, Middleton, Morecambe Conversion of outbuilding to create ancillary accommodation in association with 2 Low Road for Mr Chris Ledger (Overton Ward 2015 Ward)	Application Permitted

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23/00285/FUL	38 Bay Horse Drive, Lancaster, Lancashire Demolition of rear porch and erection of a single storey rear extension for Mr & Mrs Waterhouse (Scotforth East Ward 2015 Ward)	Application Permitted
23/00289/FUL	27 Euston Road, Morecambe, Lancashire Change of use of upper floors (E) into first floor 1-bed flat (C3) and second and third floor into 2-bed maisonette (C3) for Mr Z. Hafeez (Poulton Ward 2015 Ward)	Application Refused
23/00298/FUL	71 Africa Drive, Lancaster, Lancashire Installation of rooflights to the front and rear elevations for Mr & Mrs Dzivilskij (Marsh Ward 2015 Ward)	Application Permitted
23/00301/LB	1 Low Road, Middleton, Morecambe Installation of 2 rooflights to the front slope for Mrs Jonathan Hodgson (Overton Ward 2015 Ward)	Application Withdrawn
23/00306/PLDC	22 Carr Lane, Middleton, Morecambe Proposed Lawful Development Certificate for the construction of a dormer extension and installation of rooflight to the rear for Mr & Mrs G McMurray (Overton Ward 2015 Ward)	Lawful Development Certificate Granted
23/00307/FUL	Trinity United Reformed Church, Bowerham Road, Lancaster Erection of a part two storey side extension and part first floor side extension, installation of a lift replacement disabled WC for Trinity United Reformed Church (John O'Gaunt Ward 2015 Ward)	Application Permitted
23/00309/FUL	Metamark UK Ltd, Luneside, Thetis Road Erection of a single storey extension to the front elevation of existing industrial unit for Mr Mark Bateson (Marsh Ward 2015 Ward)	Application Permitted
23/00311/FUL	Land To The South West 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
23/00312/PAH	1 St Annes Avenue, Morecambe, Lancashire Erection of a 4.50 metre deep, single storey rear extension with a maximum roof height of 3.58 metres and a maximum eaves heights of 2.72 metres for Mr Ben Tomlinson (Torrisholme Ward 2015 Ward)	Prior Approval Not Required
23/00313/FUL	Parkside, Woodman Lane, Cowan Bridge Demolition of existing barn, change of use and conversion of an existing barn to one dwelling (C3), erection of three dwellings (C3), installation of sewage treatment plants, construction of boundary walls and associated parking and landscaping for Mr & Mrs J & K Warburton (Upper Lune Valley Ward 2015 Ward)	Application Withdrawn
23/00318/LB	Lower Lee, Rakehouse Brow, Abbeystead Listed building application for the removal of existing render to north-west rear and south-west gable elevations and replacement with a lime based harling and limewash finish for Mr. Declan Hoare (Ellel Ward 2015 Ward)	Application Permitted

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23/00319/FUL	Cellnet At Catshaw Hall Farm, Scorton Marshaw Road, Over Wyresdale Removal of the existing 20m mast and erection of a 27.5m mast with associated antennae (cumulative height of 29.85m) and dishes, ground level cabinets, cabins, dish and generator and improvements to access track surface for Airwave Solutions Ltd (Ellel Ward 2015 Ward)	Application Refused
23/00332/CU	65 Coulston Road, Lancaster, Lancashire Change of use of former newsagents (E) to HMO (C4) to provide a communal living room and bedroom in association with 65 Coulston Road for Wakmoor (Assets) Ltd. (John O'Gaunt Ward 2015 Ward)	Application Permitted
23/00337/NMA	41 Pinewood Avenue, Bolton Le Sands, Carnforth Non-material amendment to planning permission 21/01290/FUL to change of roof tiles to porch and existing roof from Ludlow Grey to Sandtoft cassius clay roof tile - Antique slate for Mr Carl Bryning (Bolton And Slyne Ward 2015 Ward)	Application Permitted
23/00340/PLDC	9 Winthorpe Avenue, Morecambe, Lancashire Proposed Lawful Development Certificate for the construction of a hip to gable extension, replacement dormer extension to the rear elevation and installation of rooflights to front and rear elevations for Mr.& Mrs. W. Ramsbottom (Westgate Ward 2015 Ward)	Lawful Development Certificate Granted
23/00341/PLDC	2 Winthorpe Avenue, Morecambe, Lancashire Proposed Lawful Development Certificate for the demolition of existing rear porch and erection of a single storey rear extension, construction of a hip to gable extension and erection of a dormer extension to the rear elevation for Mr C. Price (Westgate Ward 2015 Ward)	Lawful Development Certificate Granted
23/00345/FUL	Walker In The Field, Scriffen Lane, Ellel Erection of a single storey side extension, two storey rear extension and detached double garage to the side for Mr and Mrs Park (Ellel Ward 2015 Ward)	Application Withdrawn
23/00349/PAH	33 St Nicholas Lane, Bolton Le Sands, Carnforth Erection of a 4 metre deep, single storey rear extension with a maximum roof height of 3.688 metres and a maximum eaves heights of 2.62 metres for Miss K Ferguson (Bolton And Slyne Ward 2015 Ward)	Prior Approval Not Required
23/00354/VLA	Land North Of, Royal Oak Meadow, Hornby Variation of legal agreement attached to planning permission 15/01593/OUT to remove the provision of affordable housing and open space contributions for Hornby Developments Limited (Upper Lune Valley Ward 2015 Ward)	Application Withdrawn
23/00363/FUL	5 Wakefield Avenue, Morecambe, Lancashire Erection of a single storey rear extension for Mr and Mrs Graveson-Cronshaw (Bare Ward 2015 Ward)	Application Permitted
23/00369/PLDC	14 Tranmere Crescent, Heysham, Morecambe Proposed Lawful development certificate for a single storey to side to replace existing outbuilding for Mr.& Mrs. K. Oconnor (Heysham Central Ward 2015 Ward)	Lawful Development Certificate Granted

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23/00372/PAH	3 Jesson Way, Carnforth, Lancashire Erection of a 5 metre deep, single storey rear extension with a maximum roof height of 2.96 metres for Mr Matthew Stelmach (Carnforth And Millhead Ward 2015 Ward)	Prior Approval Not Required
23/00380/PLDC	61 Stankelt Road, Silverdale, Carnforth Proposed lawful development certificate for conversion of existing garage/bedroom into residential annex, installation of new windows, external doors, rooflights and canopy and amendments to the existing external soil vent pipe for Mr & Mrs Glenister (Silverdale Ward 2015 Ward)	Lawful Development Certificate Granted
23/00383/PLDC	Six Acres, Trailholme Road, Overton Proposed Lawful Development Certificate for the erection of a single storey rear extension for Ms J Clarkson (Overton Ward 2015 Ward)	Lawful Development Certificate Granted
23/00388/PLDC	79 Main Street, Warton, Carnforth Proposed lawful development certificate for the erection of a single storey extension to the rear for Mrs L Gora (Warton Ward 2015 Ward)	Lawful Development Certificate Granted
23/00396/CU	32 Sibsey Street, Lancaster, Lancashire Change of use of a dwelling (C3) to HMO (C4) for Mr Graham Drage (Castle Ward 2015 Ward)	Application Withdrawn
23/00411/PAH	Pear Tree House, Main Road, Galgate Erection of a 3.95 metre deep, single storey rear extension with a maximum roof height of 2.6 metres and a maximum eaves heights of 2.4 metres for Mr John Wiener (Ellel Ward 2015 Ward)	Prior Approval Not Required
23/00431/NMA	Railway Cottage, Borwick Road, Borwick Non material amendment to planning permission 22/00512/FUL to alter the fenestration on south gable and west elevation, removal of flat roof replaced by lean-to pitched slated roof and formation of flat roof between ridges of west range for Mr David Harrison (Kellet Ward 2015 Ward)	Application Refused
23/00442/PLDC	28 Wakefield Avenue, Morecambe, Lancashire Proposed Lawful Development Certificate for the construction of a hip to gable extension and a dormer extension to the rear elevation for Mrs. S. Smith (Bare Ward 2015 Ward)	Lawful Development Certificate Granted
23/00443/PLDC	18 Mount Avenue, Morecambe, Lancashire Proposed Lawful Development Certificate for the construction of a hip to gable extension and a dormer extension to the side elevation for Mr & Mrs G Fawcett (Bare Ward 2015 Ward)	Lawful Development Certificate Granted
23/00446/PLDC	13 Marine Drive, Hest Bank, Lancaster Proposed Lawful Development Certificate for the erection of a single storey side extension to replace existing for Ms J. Cawley (Bolton And Slyne Ward 2015 Ward)	Lawful Development Certificate Granted
23/00468/PLDC	31 Hall Drive, Caton, Lancaster Proposed lawful development for the erection of a single storey rear extension for Mr Robert Ellershaw (Lower Lune Valley Ward 2015 Ward)	Lawful Development Certificate Granted

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23/00522/PLDC	15 Lowlands Road, Bolton Le Sands, Carnforth Proposed lawful development certificate for the erection of a dormer extension to the rear elevation and installation of a rooflight to the side elevation for Mr P. Stanborough (Bolton And Slyne Ward 2015 Ward)	Lawful Development Certificate Granted
23/00549/EIR	Cellnet At Catshaw Hall Farm, Scorton Marshaw Road, Over Wyresdale Screening opinion for the removal of the existing 20m mast and erection of a 27.5m mast with associated antennae (cumulative height of 29.85m) and dishes, ground level cabinets, cabins, dish and generator and improvements to access track surface for Airwave Solutions Ltd (Ellel Ward 2015 Ward)	ES Not Required