



Committee: PLANNING REGULATORY COMMITTEE

Date: MONDAY, 30 SEPTEMBER 2024

Venue: MORECAMBE TOWN HALL

Time: 10.30 A.M.

A G E N D A

Officers have prepared a report for each of the planning or related applications listed on this Agenda. Copies of all application literature and any representations received are available for viewing at the City Council's Public Access website <http://www.lancaster.gov.uk/publicaccess> by searching for the relevant applicant number.

1 Apologies for Absence

2 Minutes

To receive as a correct record the Minutes of meeting held on 2nd September 2024 (previously circulated).

3 Items of Urgent Business authorised by the Chair

4 Declarations of Interest

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

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

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

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

Planning Applications for Decision

Community Safety Implications

In preparing the reports for this agenda, regard has been paid to the implications of the proposed developments on community safety issues. Where it is considered that the proposed development has particular implications for community safety, the issue is fully considered within the main body of the individual planning application report. The weight

attributed to this is a matter for the decision-taker.

Local Finance Considerations

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

Human Rights Act

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

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|---|--|---|----------------------------|----------------------------|
| 5 | A5 23/01383/FUL | Land South Of Burrow Beck
Bailrigg Lane Lancaster | University
Ward | (Pages 4 -
18) |
| | | Construction of a solar farm and associated infrastructure including three substations, cables, CCTV and security fencing. | | |
| 6 | A6 23/01233/FUL | Land At OS Grid Reference
E346160 N461400 Port Royal
Avenue Lune Business Park
Lancaster | Marsh
Ward | (Pages 19 -
33) |
| | | Erection of two industrial buildings (Use Class B2/B8) comprising 14 individual units, including associated access, parking, landscaping and ball stop fencing. | | |
| 7 | A7 24/00598/FUL | Central Lancaster High School
Crag Road Lancaster | Bulk Ward | (Pages 34 -
39) |
| | | Removal of existing fencing and erection of a new boundary fence and access gates. | | |
| 8 | A8 24/00835/FUL | Trafalgar Point Stone Jetty Marine
Road Central Morecambe | Poulton
Ward | (Pages 40 -
43) |
| | | Installation of a temporary coastal monitoring radar mast and equipment box. | | |

9 Planning Performance Report (Pages 44 - 51)

10 Delegated List (Pages 52 - 58)

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Sandra Thornberry (Chair), Sue Tyldesley (Vice-Chair), Louise Belcher, Dave Brookes, Keith Budden, Claire Cozler, Roger Dennison, Martin Gawith, Alan Greenwell, John Hanson, Jack Lenox, Sally Maddocks, Joyce Pritchard, Robert Redfern and Paul Tynan

(ii) Substitute Membership

Councillors Mandy Bannon (Substitute), Martin Bottoms (Substitute), Tim Hamilton-Cox (Substitute), Paul Hart (Substitute), Colin Hartley (Substitute) and Paul Newton (Substitute)

(iii) Queries regarding this Agenda

Please contact Eric Marsden - Democratic Support: 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 September 2024.

Agenda Item	A5
Application Number	23/01383/FUL
Proposal	Construction of a solar farm and associated infrastructure including three substations, cables, CCTV and security fencing
Application site	Land South Of Burrow Beck Bailrigg Lane Lancaster Lancashire
Applicant	Mr Elliott Grimshaw - Lancaster City Council
Agent	HPA Chartered Architects
Case Officer	Mr Andrew Clement
Departure	No
Summary of Recommendation	Approval, subject to conditions

(i) Procedural Matters

Lancaster City Council is the landowner and applicant for this proposal, and the application is a major development scheme that has received representations from the public. Accordingly, in line with the scheme of delegation, the proposal is required to be brought to Planning and Regulatory Committee.

The site is to be visited by Members on the 23rd September 2024 prior to the 30th September 2024 Planning and Regulatory Committee.

1.0 Application Site and Setting

1.1 This application relates to agricultural land just south of Lancaster, to the east of the A6 and Filter House (now Bailrigg Student Living). The application site is to the north of Bailrigg Lane and accessed from this highway, which is a cul-de-sac road leading to Bailrigg village situated to the east of this road. The allocation for Lancaster Health Innovation Campus is on the opposite southern side of Bailrigg Lane. A large-scale housing development was recently refused on land immediately northeast of the application site, between Bailrigg and south Lancaster. The site forms the northern tip for the Lancaster South Broad Location for Growth, however following Lancashire County Council decision to suspend work on the South Lancaster Growth Catalyst, this has triggered a full review of the local plan. The Health Impact Assessment policy associated with this Lancaster South designation also covers the site. A public right of way (PROW) cycle path dissects the two elements of the site, running north to south from south Lancaster to Lancaster University. Electricity power lines cross over the northern portion of the site, with a circa 15-metre-tall pylon located in the eastern field of the site.

1.2 The Burrow Beck flows beyond the north of the site, with associated Flood Zones 2 and 3 flood risks just beyond the development area to the north. The Burrow Beck is a biological heritage site. The

application site itself is in an area at medium risk of groundwater flooding, with potential for groundwater flooding of subterranean property, containing small corner pockets of medium and high surface water flood risk (1in100 year and 1in30 year event risks respectively). Within the south of the site, trees lining Bailrigg Lane are protected through tree preservation orders. The northern and western elements of the site fall within a wider mineral safeguard area, and the site is also within a smoke control area.

2.0 Proposal

2.1 This application seeks planning permission for the installation of solar panels across the circa 6.5ha site area, to produce 4MW of sustainable energy with 3 associated substations within the site. The two fields would be accessed via existing agricultural field accesses to the north of Bailrigg Lane. The proposed solar panels measure between 1 metre and 2.55 metres above the ground level, measuring approximately 3.8 metres long front to back, and separated by circa 4.66 metres between lines of panels within the site. The width of panels proposed is largely across the fields from west to east, broken by the retention of hedgerows within the site. An easement and access to the pylon is located within the site, and there is a 35-metre-wide area parallel to the A6 containing no solar panels or substations. All proposed installations are over 8 metres from the Burrow Beck. Security cameras are proposed attached to up-to 6-metre-tall posts, and plans propose 2-metre-tall wire mesh security fencing.

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
23/00493/EIR	Screening opinion for a solar farm	ES not required
23/00496/PRENG2	Pre-application advice request for the construction of a solar farm	Advice provided

4.0 Consultation Responses

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

Consultee	Response
Scotforth Parish Council	<p>Objection, due to the following concerns:-</p> <ul style="list-style-type: none"> • Wrong location for this development, no assessment of alternative sites, proposal inefficiently slopes northwards • Loss of openness, forming an urban extension of Lancaster • Visual harm to gateway location into Lancaster and Bailrigg • Insufficient screening • Glazing over open ground is incompatible with maintaining green infrastructure • Lack of pre-determination construction method statement and photo-montage • Harmful impact of construction traffic on Bailrigg residents, their visitors and upon trees/hedges along Bailrigg Lane • Adverse glint/glare impact upon student residents, occupants can reside in these year round and for multiple years • Flood risk sequential test deficient and fails to disaggregate the development to assess potential multiple small sites around substations that could accommodate some capacity • Lack of community engagement • Lack of tangible and reasonable Community Benefit

Bailrigg Village Residents Association	<p>Objection, due to the following concerns:-</p> <ul style="list-style-type: none"> • Lack of construction management information, details submitted inadequate. Residents need to know how they will be able to go about their daily lives during construction • Drainage and flood risk concerns • Adverse impact upon the rural character of Bailrigg, no photomontages for assessment • Lack of screening of the development • Oppose the removal of trees • Adverse glint and glare impacts upon upper floors of dwellinghouses and student accommodation on opposite side of the A6. • Lack of community benefit
County Highways	No objection , subject to a detailed Construction Management Plan through pre-commencement planning condition to ensure that the size and volume of vehicles related to the construction phase can be mitigated along the narrow lane with no footways. Further planning condition recommended relating to surveying and repair any damage to Bailrigg Lane has been made good, access points and wheel washing facilities.
Environmental Health	<p>No objection, subject to a planning condition for a contaminated land assessment prior to commencement</p> <p>No observation to glint and glare assessment, reflected light is beyond the statutory remit, as any adverse impacts (if any) would represent a private nuisance</p>
Tree Protection Officer	No objection , subject to sufficient separation between proposed fencing and existing hedgerows, additional trees planting along the site boundaries to enhance existing boundary features, and protection of grassland and soils during construction.
Lead Local Flood Authority	No objection , subject to a planning condition for implementation of flood risk and drainage measures, and a verification report of implemented drainage prior to first use
United Utilities	No objection , subject to subject to a planning condition for implementation of flood risk and drainage measures
Environment Agency	No objection , updated FRA and easement from Burrow Beck have addressed previous objection. Satisfied that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures are implemented
National Grid	Holding objection , due to proximity of proposed panels to pylons
Fire and Rescue	No observation received
National Gas	No adverse comment
Public Rights of Way	No objection , subject to a contribution of £46,200 to improve the surface condition of the footpath running between the two fields of the application site, avoiding draining to public rights of way, landscaping at least 3 metres from a public right of way, avoiding obstruction to the public right of way and measures to avoid/mitigate health and safety risk to public right of way users.
Ramblers Association	No observation received
Public Realm Officers	No observation received
Mineral Safeguard	No observation received
Natural England	No observation received
Electricity North West Limited	No objection , informative regarding development in proximity to electricity infrastructure
Shell UK	No objection , no adverse impact upon pipeline
Conservation Section	No objection , no adverse impact
Lancashire Archaeology	Requested further information on cable run depths and total area of excavation required for substation foundations.
RSPB	No observation received

Engineering Team	No observation received
Sustainable Growth	No objection , the development is infrastructure development of a scale that meets the Employment Skills Plan policy requirement.
Planning Policy Team	No objection , policy accords with policies relating to renewable energy, and exceed biodiversity and ecology policy requirements

4.2 **One objection** has been received from members of the public:

- Scale of development and streetscene impact, incongruent and conspicuous development
- Lack of improvements to pedestrian infrastructure
- Flood risk

5.0 Analysis

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

- Principle of development, and the climate emergency;
- Agricultural land and alternatives;
- Flooding, drainage and infrastructure;
- Design, scale, layout, heritage and landscape impact;
- Residential amenity, glare and contamination;
- Sustainable transport and highways impacts;
- Ecology, landscaping and trees; and
- Employment, infrastructure and mineral safeguarding.

5.2 **Principle of development, and the climate emergency** Development Management (DM) DPD policy DM53 (Renewable and Low Carbon Energy), Strategic Policies and Land Allocations (SPLA) DPD policy SP1 (Presumption in Favour of Sustainable Development); and National Planning Policy Framework (NPPF) Sections 2. (Achieving sustainable development), Section 4. (Decision-making), and Section 14. (Meeting the challenge of climate change, flooding and coastal change)

5.2.1 National Planning Policy Framework (NPPF) states in paragraph 157 that the planning system should support the transition to a low carbon future in a changing climate, and should shape places in ways that contribute to radical reductions in greenhouse gas emissions, and support renewable and low carbon energy. This is elaborated upon in paragraph 163, which stipulates that when determining planning applications for renewable and low carbon development, local planning authorities should approve the application if its impact are, or can be made, acceptable, and not require applicants to demonstrate the overall need for renewable or low carbon energy. The current Government's proposed reforms to the NPPF are out to consultation, and as such, are at present of limited weight. However, within the proposed NPPF reforms, it is noteworthy that the current position of 'recognising the valuable contribution of even small-scale renewable proposal' is sought to be amplified to being given 'significant weight' to such contributions, although this remain out to consultation as a draft change, so of limited weight in policy terms as this stage. The aforementioned paragraphs of the current NPPF adds support and positive weight to the proposal's contribution to renewable energy generation and a net zero future.

5.2.2 Locally, the Council is committed to supporting the transition to a lower carbon future, and will seek to maximise the renewable and low carbon energy generated in the District where this energy generation is compatible with other sustainability objectives. Through DM DPD policy DM53, the Council will support proposals for renewable and low carbon energy schemes, where the following impacts are, or will be made, acceptable:-

1. As a result of its scale, siting or design impacts on the landscape character, visual amenity, biodiversity, geodiversity, flood risk, townscape and historic assets of the district, highway safety, aviation and defence navigation system/communications are satisfactorily addressed;
2. Impacts on the amenities of sensitive neighbouring uses and local residents are minimised (including by virtue of noise, dust odour, shadow flicker, air quality or traffic);
3. The wider environmental, economic, social and community benefits directly related to the scheme outweigh any significant adverse effects; and
4. The proposal is consistent with other relevant policies within the local development plan.

- 5.2.3 The local policy position was adopted in 2020, and whilst the intended additional support to such proposal through the local plan review has yet to be adopted or reached substantive policy weight, Lancaster City Council declared a climate change emergency in January 2019 and set a target date of 2030 to make the Council's activities net-zero carbon. There are national plans to decarbonise the UK power system over the next decade, by 2035, which is a target recently reported as being set to be failed at the current rate of change. Planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable. Turning back to Policy DM53, and national guidance on renewable and low carbon energy development, there are a number of planning considerations that will be assessed fully within subsequent sections of this report. This particularly relates to those listed in criteria 1 and 2 of Policy DM53, whilst criteria 4 is a planning balance within the conclusion.
- 5.2.4 Moving to criteria 3 of Policy DM53, whilst Scotforth Parish Council and Bailrigg Village Residents Association have objected due to a lack of tangible and reasonable community benefit, there are clearly environmental, economic, social and community benefits to delivering such renewable energy projects. Such renewable energy proposals deliver renewable energy, improve energy security and reduce carbon emissions compared to fossil fuel alternatives. The proposal would positively contribute to move towards net-zero carbon and positively contributing to addressing the climate emergency. The provision of renewable energy forms a vital part of delivering sustainable development, and there is a clear presumption in favour of development which would provide for renewable energy, with benefits to the wider community. As such, the proposal is considered to be acceptable in principle, subject to addressing the aforementioned points and material planning considerations assessed in following sections of this report.
- 5.3 **Agricultural land and alternatives Development Management (DM) DPD policies DM44 (The Protection and Enhancement of Biodiversity) DM48 (Diversification of the Agricultural Premises), and DM53 (Renewable and Low Carbon Energy); and National Planning Policy Framework (NPPF) Sections 2. (Achieving sustainable development), Section 11. (Making effective use of land), and Section 15. (Conserving and enhancing the natural environment)**
- 5.3.1 The site is a greenfield site immediately south of the built-up area of Lancaster, and has been used as agricultural grazing land for a number of years. Whilst the site remains in agricultural use, land immediately south of the site is allocated as part of the Health Innovation Campus, and is no longer in agricultural use. Land immediately to the east of the site was recently refused in a planning application for a significant housing development, a decision which is currently under an appeal process. Immediately west of the site beyond the A6 is a four-storey tall block of student accommodation, and further west is the West Coast Mainline railway and Burrow Heights beyond, the latter being used for agricultural grazing.
- 5.3.2 The application site is currently leased as just over 6.5 hectares of agricultural land across two fields, which are separated by a well-used PROW cycle path. The previous government issued a ministerial statement in May 2024 which reiterates that the highest quality agricultural land is least appropriate for solar development. The NPPF recognises the economic and other benefits of best and most versatile agricultural land, and renewable energy guidance seeks for proposals that allow continued agricultural use where applicable and/or encourages biodiversity improvements around arrays. The use of brownfield land or poorer quality agricultural land is preferable to higher quality land.
- 5.3.3 During the application process a sequential test has been submitted for consideration of alternative sites, albeit for similar scale sites and based upon sites within 1km of three potential grid connections in Melling, Trimpell (Middleton) and the Burrow Beck substation immediately adjacent to this application site. The Yealand substation has not been included due to delayed deliverability until the end of the decade, and other substations have capacity constraints for this scale of project. Around Melling, the majority of land is Grade 3 agricultural land, similar to land around the application site, whilst land around Trimpell is classified as non-agricultural, predominantly urban use.
- 5.3.4 There is previously developed and industrial land around the Trimpell substation, however none have been identified within the sequential test. Whilst the search area was limited to 1km proximity due to viability of cable lengths, it is understood these can be further, albeit with compromised cost and efficiency detractions with increasing distance from substations. Having searched for land advertised for sale within 3 miles of the site, the only available land is a dilapidated farm building

group, for sale with permission for 9 much needed dwellinghouses. This land is classified as a greenfield agricultural site irrespective of buildings located on this site, and is less than one tenth of the size of the application site, and could not deliver even a reasonable portion of the quantum of renewable energy sought. Whilst this is unfortunately not a comprehensive search, no comparable alternative brownfield sites have been identified within the submitted sequential test nor by the LPA searches.

- 5.3.5 No land within the district is classified as Grade 1 or 2 agricultural land (Excellent or Very Good). The majority is Good to Moderate (Grade 3) or Poor (Grade 4), notwithstanding urban areas. Grade 3 land can be subdivided into Grade 3a and 3b, with the differentiation between what is considered best and most versatile agricultural land being separated by this subdivision of Grade 3, with one considered 'Good', the other 'Moderate'. Whilst the majority of the districts Grade 3 agricultural land has not been subdivided into subcategories, this site is one that has been assessed and subdivided, primarily due to previous development potential for the Heysham M6 link road 'Blue Route', prior to selecting and developing the preferred option of the Bay Gateway (Orange Route).
- 5.3.6 DEFRA online maps suggest that large portions of the western field is within Grade 3a agricultural land, whereas the entire eastern field is Grade 3b. Specific site assessment and soil sampling took place in 1997 as part of the options appraisal for the Heysham M6 link road. This site assessment soil categorisation concluded that this site east of the A6 is 'unlikely to give best and most versatile agricultural land with soil wetness the most likely limitation'. There are small pockets of the site mapped by the Environment Agency as being at risk from surface water flooding, whilst the majority of the site is recognised by British Geological Survey as being at medium risk of groundwater flooding, with potential for groundwater flooding of property situated below ground level. There are further limitations on-site, including topography over 7-degree slope in certain areas, a limitation whereby such gradient land cannot realistically be used as best and most versatile land. Other areas contain pipework and refill with stoney soil type, which is another recognised limitation to agricultural land quality. Soilscape data for the entire site has low fertility acid loamy soils, with over two thirds of the site classified as slowly permeable seasonally wet land, which is corroborated by the 1997 site assessments.
- 5.3.7 There are a number of limitations to the agricultural use of the land, including wetness, stoniness, gradient and fertility, with the site previously being used and leased for grazing for circa 20 years, as opposed to arable land associated with best and most versatile land. Whilst a minority of the proposed development area of the site may still fall within Grade 3a, best and most versatile land, which local and national policy seeks to protect, the limited land area and connection to surrounding agricultural land reduces the usability further. A senior soil scientist concludes that there would be no lack of supply of comparable agricultural land in the area. The proposal is considered to avoid the very highest quality agricultural land that is least appropriate for solar development.
- 5.3.8 Whilst some of the site may be considered 'Good' quality, given that this is a minority of the site and a relatively small portion of land, with limited agricultural connections other than historic grazing, this has limited economic and other benefits associated with such agricultural land. As such, it is considered that the due weight to attribute to the development of solar panels on this agricultural land is limited. The proposed development would potentially reduce, but not completely prejudice nor restrict, the continued agricultural use of the site for grazing due to the raise nature of the proposed panels. Furthermore, in the long-term timescale such developments are temporary through planning condition for 25 years consent to reflect the functioning lifespan of energy generation from solar panels. A conditional requirement for a decommissioning plan would detail how the site would be restored and used beyond this period, the expectation being that there would be no adverse effects following decommissioning on the land's capability for agriculture. A condition to control cabling beneath the ground will facilitate continued agricultural, whilst reducing the visual impact of the proposal.
- 5.4 **Flood risk and drainage** Development Management (DM) DPD Policies DM33 (Development and Flood Risk), DM34 (Surface Water Run-off and Sustainable Drainage), DM35 (Water Supply and Waste Water), DM36 (Protecting Water Resources and Infrastructure), and DM57 (Health and Wellbeing); Strategic Policies and Land Allocations (SPLA) DPD Policy SP8 (Protecting the Natural Environment); National Planning Policy Framework (NPPF) Section 14. (Meeting the challenge of climate change, flooding and coastal change)

- 5.4.1 The site falls within Flood Zone 1, and the proposed development area avoids Flood Zones 2 and 3 along the Burrow Beck to the north of the site. Surface water flooding impacts small pockets of the site to the central far west of the site, and the southeast corner of the western field, with medium and high flood risks to these areas at risk of surface water flooding events more frequent than 1 in 30 years. The majority of the site is at medium groundwater flood risk, with potential for groundwater flooding of subterranean property, with the northern edges towards the Burrow Beck at higher risk, and a portion of the western field at lower risk of groundwater flooding.
- 5.4.2 In flood risk vulnerability terms, solar developments such as this fall within 'Essential Infrastructure' vulnerability classification, alongside essential infrastructure which has to cross the area at flood risk, and essential utility infrastructure that has to be located in a flood risk area for operational reasons. Whilst these comparable schemes within the vulnerability classification suggests that flood risk is not prohibitive for such development, particularly as such essential infrastructure may be permitted in a Coastal Change Management Areas, there is no exemption from the requirement for such development to meet the Sequential and Exception Tests as appropriate. As such, the proposal should be assessed against these tests, and demonstrate the site is not at risk of flooding and would not increase the risk of flooding elsewhere.
- 5.4.3 The sequential test is applied to steer development to areas with the lowest risk of flood from any source. A sequential assessment has been submitted as part of this application to address this matter. The proposal is located in very close proximity to an existing substation for connection to the national grid, and the development is considered to be immediately deliverable in terms of timeframe for development. Progress has been made regarding grid connections and delivery of the development prior to and during the planning application process. As such, discounting grid connections that cannot accommodate such connection in the short-term is considered to be a reasonable and agreeable limitation for the area of search for alternative sites.
- 5.4.4 Whilst it is understood that grid connections are often required for such renewable energy schemes, and substations need capacity to accommodate this, there is insufficient justification to limit this to within 1km of a few substations within the district. Other solar development in the district has been approved at a straight-line distance of 1km from a substation, whilst others are separated by greater distance but feed into a specific end user, rather than grid connection. It is understood that connection within 1km of a substation may be optimal, however there is insufficient justification that extending this distance to a mile or two would be unviable or impractical. Furthermore, with such a narrowed geographic search, a submitted sequential test would be expected to make direct contact with land agents and neighbouring landowners to determine whether sites are available, rather than solely relying on website searches.
- 5.4.5 Due to the limitations of the submitted sequential test, it is considered that the submitted assessment does not comprehensively explore all alternatives. It is considered that the sequential test fails, as the one provided is inadequate for this purpose, despite the LPA being unable to find a suitable alternative through online searches only. Failure of the sequential test means that it is not necessary to apply the exception test, but also the 'Essential Infrastructure' flood risk category of the proposal negates the requirement of an exceptions test for the risk of flooding at the site. NPPF paragraph 168 states that development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding, whilst the associated flood risk and coastal change guidance states that where the sequential and the exception tests have been applied as necessary and not met, development should not be allowed. These statements appear rather categorical, but such matters can be weighed into planning balance along with other material considerations of the proposal. Given the 'Essential Infrastructure' risk of the sought use combined with the largely subterranean risk of flooding from groundwater across the site, in this case it is considered pragmatic to do so.
- 5.4.6 Taking account of all sources of flooding, large swathes of the district are at risk from one or multiple sources of flooding. It is considered that the submission has failed to rule out all other potential sites within reasonable proximity to grid connections. However, this should be assessed in the context of a solar development, which is within the 'Essential Infrastructure' category risk of flooding, also containing uses necessary in flood risk areas, which national guidance suggests may be permitted in a Coastal Change Management Areas. If flooding were to occur at the site within the 25-year lifetime of the development, the tangible impact would be nominal, as the site would have very limited activity through required infrequent maintenance following construction. For the majority of

the time, the site would simply contain solar panels with associated infrastructure, and otherwise used in a similar fashion to existing.

- 5.4.7 The NPPF and associated national guidance attaches great significance to avoiding flood risk, and directing new development to the areas of lowest risk. This should ideally come forwards through the Local Plan and allocations of sites for appropriate development. Even through this Local Plan process, in Lancaster District this has resulted in housing and employment allocations in locations at known risk of river and sea flooding, due to the lack of alternative sites to meet the development requirements for the district over the plan period. Furthermore, those at 'More Vulnerable' risk, such as residential sites, would more likely be directed to the lowest flood risk areas through the current Local Plan review process, with other development likely allocated following this, once residential allocations have been directed to the most appropriate sites at lowest risk. Whilst this Local Plan review process has only recently begun, from the currently adopted plan position and knowledge of constraints in the district, it will be unachievable for all the districts development needs to be on land at no or low risk of flooding.
- 5.4.8 Proposals must demonstrate they have considered all sources of flooding, which is a significant task in terms of assessing alternatives, particularly when applicants have multiple other considerations in terms of locations for development. When considering all sources in a district as constrained as Lancaster, it will not always be pragmatic to expect all development to have no or low risk of flooding from all sources. There is a the relatively low likelihood/frequency of groundwater flooding situated below ground level affecting part of the site, and a sequential approach to development within the site avoids locating solar panels and substations within surface water flood risk areas. Taking this into account and combined with the largely unharmed impacts of such events upon solar development, it is considered that this reduces the severity of such impacts. This proportionately reduces the weight of harm attributed in planning balance.
- 5.4.9 Due to the severity of significance placed on the failure of the sequential test within the NPPF and guidance, balanced with the actual risk and extent of impact from risk of groundwater flooding below ground flooding to an 'Essential Infrastructure' use, it is considered that the failure of the sequential test and lack of conclusive evidence in directing development to areas at the lowest risk of flooding has very limited harm weighing against this proposal. This needs to be considered in the context that such applications are not required to demonstrate an overall need for renewable energy, recognising the valuable contribution even small-scale projects provide to significantly cutting greenhouse gas emissions. The very limited harm identified presents conflict with local and national planning policies with regards to flooding, which should be proportionately and pragmatically weighed against the merits of the proposal. This task is undertaken in the conclusion and planning balance section of this report.
- 5.4.10 An amended flood risk assessment and drainage strategy has been submitted as part of this application, detailing the proposed development will drain as existing toward Burrow Beck. The installation of ground based solar PV panels would not change the existing site surface water drainage characteristics, which would remain consistent with the existing greenfield conditions. Nevertheless, sustainable drainage measures are proposed in the form of shallow contour drains/swales, with ground protection to prevent surface erosion, and reducing lateral flow through reducing gradient. The proposed contour works result in modest channels up to 50cm deep and raising up to 25cm earth bunds above existing ground levels across circa 4 metres cross-sections. These would be unnoticeable visually subject to grass seeding, whilst providing sustainable drainage of the site. Following discussions with the applicant, a pre-commencement surface water drainage condition has been agreed to allow for full details to be submitted and agreed, so any minor changes to drainage can be regularised through this process. The Environment Agency, Lead Local Flood Authority and United Utilities are all satisfied by the sustainable details provided within the application, and subject to planning conditions controlling final details, implementation and verification of these, it is concurred that the proposal would mitigate and not exacerbate flood risk through such measures.
- 5.5 **Design, scale, layout, heritage and landscape impact** Development Management (DM) DPD policies DM29 (Key Design Principles), DM30 (Sustainable Design), DM39 (The Setting of Designated Heritage Assets), DM42 (Archaeology), DM46 (Development and Landscape Impact) and DM53 (Renewable and Low carbon Energy Generation); Strategic Policies and Land Allocations (SPLA) DPD: SP8 (Protecting the Natural Environment); National Planning Policy Framework

- 5.5.1 The site is located just beyond the southern edge of Lancaster, on the opposite side of the road from Collingham Park from a care home and the residential suburbs of Lancaster around this. On the opposite side of the A6 to the west is Bailrigg Student Living, a four-storey block of student cluster flats, providing 168 bedrooms of student accommodation. To the south is Lancaster Health Innovation Campus, which is allocated for knowledge-based and research businesses. This employment allocation currently only contains the first building constructed as part of this allocation, but with road infrastructure to serve this unit and future developments. Further south is Lancaster University Campus. To the east is the village of Bailrigg, beyond which is the M6 motorway. High voltage 15-metre-tall electricity infrastructure visibly crosses above the site, with a tall pylon within the eastern field of the application site. Masterplanning for the Bailrigg Garden Village had placed the site within the Green Buffer, intended to prevent new garden village housing from amalgamating into existing settlements, but suggested this buffer could facilitate varied uses such as food production, before progress on this plan stalled.
- 5.5.2 Whilst the application site is agricultural land, the immediate surrounding context is not a rural landscape, and as not allocated as Open Countryside. For those experiencing the site from the A6, the proposed is positioned to the south of suburban Lancaster, east of a visually imposing student accommodation block, and north of a knowledge-based employment site. As such, the site and surroundings are not experienced as rural, but a transitional space in the immediate setting of south Lancaster, with associated accommodation, employment and educational functions immediately surrounding. Those experiencing the site via the public right of way via sustainable walking or cycling transport will likely be more observant of surroundings at pedestrian pace. However, even from this perspective, the site forms a tree-lined avenue transitioning between the Lancaster suburbs to the Health Innovation Campus, and to the University beyond, similar to the continued path towards Hala, but not particularly rural in character. The greater sensitivity is travelling along Bailrigg Lane, and particularly towards Bailrigg. Following turning off the A6, the character of this lane is lined by established trees and feels much more rural within a short distance. The same experience is somewhat diluted in the reverse by the visibility of tall student accommodation towards the western head of Bailrigg Lane. There are no local or national landscapes associated with the site, nor is the site within the setting of any such designated landscapes.
- 5.5.3 The proposed development will result in a medium-term change in land cover across the site, from an agricultural land appearance to a solar development for 25 years. Land cover across the site would change from pasture fields to a solar panel array, including small substations, with associated security fencing and CCTV poles. The low profile and pattern of rows of the proposed solar panels would follow the changes in the contours of the undulating site, reflecting the topography of the site, although partially masking the underlying landform. Amendments to the proposed 3x substations will alter land levels through cut/fill to provide a level platform for these development, cut into the sloping topography and build up with sloping grassland at the lower end, reducing the prominence of this aspect of the proposal.
- 5.5.4 Both Scotforth Parish Council and Bailrigg Village Residents Association raise objection due to the visual impacts of the proposal and limitations of screening of the development. The visual impacts of renewable energy schemes can be subjective, particularly in more developed settings such as this, as whilst some may see the loss of agricultural fields, others may see this as low height renewable energy in the context of existing surrounding developments, the above ground electricity lines and pylons. Such development would provide a clear visible intention of practical intervention to addressing the climate emergency. Notwithstanding that there may be mixed opinions as to where visibility of renewable energy infrastructure is inherently harmful or not, mitigation is proposed through the retention of boundary vegetation, which provides a mature landscape setting to the site, and seeks to be supplemented by areas of new hedgerow planting to offer greater screening.
- 5.5.5 A Landscape and Visual Impact Assessment (LVIA) has been submitted with this application, detailing that landscaping could mitigate most viewpoints, other than from upper floors of the recently constructed student accommodation. Mitigation in the form of landscaping would take time to establish, so there would be short-term moderate visual impacts of the proposal. However, these are primarily to those passing along the A6, which is considered to be lower sensitivity given the surrounding built context and location on the edge of Lancaster. The LVIA identifies a short-term

moderate impact from a dwellinghouse within Bailrigg. Whilst this is a private view from a house sought to be demolished as part of a recently refused large housing scheme, landscaping should be focused towards this corner, and other potential viewpoints of the site, through planning condition.

- 5.5.6 It is considered that Bailrigg Lane eastbound is the most sensitive public viewpoint due to the character of this approach to the village. Fortunately, the existing mature protected trees and established hedgerows offer significant existing screening, and immediate mitigation from visual impacts. Fleeting views through this vegetation boundary can be bolster further through additional landscaping where required. Whilst existing access points will provide some visibility, these are not widened through this proposal. The submitted LVIA concludes that within Bailrigg itself there would be very limited views of the proposed development, and the effect on views from Bailrigg village more generally would be no greater than minor. Whilst Burrow Road further west is also rural in character, views to the site have the foreground of the A6 and large student accommodation, which already exerts a developed and institutional character view.
- 5.5.7 It is considered that the most sensitive viewpoints of the proposed development along Bailrigg Lane benefit from existing screening, and where viewpoints are currently more open, such as along the A6 and the adjacent student accommodation, these have lower sensitivity to change given the surrounding context. As such, and subject to planning conditions to control landscape mitigation and details of boundaries and security developments, whilst the site would be visible from some viewpoints in the short-term, this results in only limited harm to the streetscene and the landscape in a location at the edge of the city of Lancaster. Impact could be mitigated further in the medium term upon establishment of additional landscaping through planning condition.
- 5.5.8 The nearest Listed Building is over 450 metres from the site, at the far end of Bailrigg village with no intervisibility to the proposed development. Bailrigg House Grade II Listed Building is a similar distance and in an elevated position. Due to this elevated position, the development would be visible from Bailrigg House and the grounds to this national heritage asset. However, the setting of Bailrigg House is already now formed by Lancaster University, the Health Innovation Campus and student accommodation as existing. Given this intervening visual context and the separation distance, the proposed development is considered to have no adverse impact on the setting of Listed Buildings, with no adverse comment received from Conservation consultees. There may be archaeological interest in the site, with the subterranean infrastructure and cut/fill aspects that may disturb the ground. These impacts can be mitigated through a planning condition for an archaeological written scheme of investigation, as requested within the consultation response from County Archaeology through a pre-commencement planning condition.
- 5.6 **Residential amenity, glare and contamination** Development Management (DM) DPD policies DM29 (Key Design Principles), DM32 (Contaminated Land) and DM53 (Renewable and Low Carbon Energy Generation), DM57 (Health and Well-Being); and National Planning Policy Framework (NPPF) Section 8. (Promoting healthy and safe communities), Section 12. (Achieving well-designed and beautiful places) and Section 15. Conserving and enhancing the natural environment
- 5.6.1 A Glint and Glare Assessment has been carried out and submitted by a specialist consultant. This concludes no impact on train drivers from the railway west of and parallel to the A6, and no significant impact upon aviation activity at Cockerham Airfield. Solar reflections are geometrically possible towards a 300-metre section of the A6 and a 600-metre section of the M6. However, all predicted solar reflections occur outside of a road user's primary field of vision, with no significant impacts upon road user even without mitigation.
- 5.6.2 The majority of surrounding residential properties will not be impacted by glint and glare from the proposed development. The dwellinghouse immediately southeast of the application site, recently sought but refused for demolition, has an impact from an upper floor bay window facing into the application site. This would be between the end of February to middle of October, but for less than an hour, and nearer 30 minutes per day between 5pm and 6pm for this period to the upper floor side west facing window. Another property over 200 metres east of the application site has also been identified as impact from upper floor windows, likely due to the elevated position of this property. These impacts are from geometrically possible solar reflections from April to the middle of September, similarly for circa 30 minutes per day between 5pm and 6pm. Given existing screening limiting impacts to upper floor windows only, separation distances, the effects coincide with direct sunlight, which appear less prominent, and landscaping scheme to mitigate further, these short

duration impacts are considered to be low, as concluded within the assessment submitted as part of this application. These low impacts do not require additional mitigation beyond landscaping, which can be controlled through planning condition, to ensure no undue adverse impact upon residential amenity to either of these residential properties. Whilst this aspect of the proposal was discussed with Environmental Health colleagues, impacts of reflected light are understood to be a private matter, rather than within the remit of this service, and as such there is no observation with this regard from this consultee.

5.6.3 There are further residential impacts to the upper floors of the student accommodation to the west of the site. This impacts 66 bedrooms of student accommodation, along the eastern side of the block parallel to the A6. The submitted Glint and Glare assessment includes lack of permanent residence across the year, and typically only living in such accommodation for a single year, as relevant factors in concluding this does not have an impact upon residential amenity. Officers do not concur with this view, particularly as student will frequently occupy their bedrooms as the only entirely private space available to them, with only a shared living/kitchen within cluster flats as alternative space in their accommodation. The impact would be similar to those to previously assessed residential properties, with geometrically possible solar reflections possible for more than three months per year, but less than an hour on any given day. The separation distances would be at least 75 metres across the A6, but given the four-storey tall student accommodation, landscaping would not mitigate these impacts.

5.6.4 Fortunately, the design of the student accommodation block unusually contains two windows of differing aspects to the vast majority of impacted student bedrooms. This dual aspect reduces the impact of glint and glare, as natural light and outlook can still be obtained from an alternative window serving the room, even if glint/glare impacts up to one hour of the day to another window. There are three bedrooms with eastward facing windows that are only served by one window, but these are at the southern end of the southern building, directly opposing the northern end of the Health Innovation Campus and Bailrigg Lane, and benefits from improved screening from existing landscaping due to the location of these bedrooms. The timing and duration of any potential glint and glare to student accommodation is between mid-April and September, between circa 4:45am and 6am but for no more than one hour per day during this period. The time of year and time of day that glint and glare may direct to this student accommodation windows is considered to be mitigation in itself, because impact at such a time of the morning are less likely to harm amenity. As such, these mitigative factors within the neighbouring student development design are considered to limit the impacts to low levels, with no mitigation required to reduce these further for acceptable residential amenity standards. As such, it is considered that there is no undue adverse impact to residential amenity from glint and glare.

5.6.5 At a local level, during the construction phase there is likely to be some temporary noise and disturbance. A planning condition requiring a construction management plan (CMP) and access details will be required to establish how the construction phase will be managed to ensure that traffic, noise, dust and disturbance is kept to a minimum. During the operation phase, some noise would be generated from inverters and substations, however given the distance to the nearest dwelling and the location of the site close to the A6 and M6 roads, it is considered that this would have no undue adverse impact upon residential amenity. Environmental Health have reviewed other aspects of the scheme, beyond glint and glare, and raised no concerns, subject to a contaminated land assessment to protect construction workers and employees visiting the site, which can be controlled through planning condition.

5.7 **Sustainable transport and highways impacts** Development Management (DM) DPD policies DM29 (Key Design Principles), DM53 (Renewable and Low Carbon Energy Generation), DM60 (Enhancing Accessibility and Transport Linkages) and DM61 (Walking and Cycling); Strategic Policies and Land Allocations (SPLA) DPD policies: T2 (Cycling and Walking Network); and National Planning Policy Framework (NPPF) Section 9. (Promoting sustainable transport)

5.7.1 The cycle path and designated public right of way (PROW) dissects the two fields of the application site. Whilst the County PROW Officer returns no objection to the proposal, this response requests £46,200 of contributions to mitigate against the development and improve sustainable transport. However, it is unclear how development of fields either side of the PROW would directly impact the function of this, and as such there is no impact to mitigate. Such a contribution would not be compliant with relevant legislation required for such contributions, as these can only be secured

where necessary to make the development acceptable. The construction and deliveries would be via the existing field access to the site, and the PROW would be unsuitable for such deliveries. There is no reason for associated vehicle movements or storage of materials to this PROW outside of the development area. Whilst construction management arrangements would be necessary to ensure continued safe pedestrian/cyclist movements during site deliveries, this could be controlled through planning condition to ensure no adverse impact, diversion or temporary closure of this important and well used PROW.

- 5.7.2 Following construction, movements to and from the site would be infrequent and similar to existing, however construction phase movements would be far more intensive. A basic construction method statement has been submitted for consideration to address earlier County Highway concerns with the construction phase and scale of vehicles required to facilitate development, particularly given access is via the narrow Bailrigg Lane. The primary mitigation is construction deliveries via smaller vehicles, at a maximum size similar to a bin wagon. Warning signs of deliveries would be displayed, with bankspersons employed to guide site vehicles to the field access point, with no associated vehicle movements beyond the eastern field access point. Bankspersons should be used for site egress too, rather than removing hedgerows. Whilst the submitted construction method statement is light on precise details, such details can be controlled through planning condition. As such, highway impacts can be mitigated through such a planning condition, with no objection from County Highways. A condition survey to ensure Bailrigg Lane is restored to pre-development condition is also recommended to ensure no adverse impacts upon the public highway.

- 5.8 **Ecology, landscaping and trees** Development Management (DM) DPD policies DM44 (Protection and Enhancement of Biodiversity) DM45 (Protection of Trees, Hedgerows and Woodland), DM53 (Renewable and Low Carbon Energy Generation) and DM57 (Health and Wellbeing); Strategic Policies and Land Allocations (SPLA) DPD Policy SP8 (Protecting the Natural Environment); National Planning Policy Framework (NPPF) Section 11. (Making effective use of land) and Section 15. (Conserving and enhancing the natural environment)

- 5.8.1 The development can be completed as proposed with the retention of all trees within the site, with just 15 metre length of hedging lost to facilitate access between the southern and northern ends of the eastern field. The submitted LVIA and 'Tree and hedge planting and management' document details a number of mitigation measures. These include planting circa 225 metres of mixed native double staggered hedgerows, grassland enhanced across the site through seeding of a species-rich grassland mix with management practices, planting 21 native trees. The creation of new hedges and improvement of existing hedges will introduce a total of approximately 456 metres of new hedging plants at a planting density of 6 plants per metre in a double staggered row. This is considered to be ample mitigation for the loss of a small length of hedgerow to ensure National Grid access to the pylon within the site is maintained. Whilst proximity of suggested fencing to tree root protection areas was a previous point of concern, the locations of fencing have been removed, and if still required through the proposal these can be controlled through planning condition. In order to improve the existing hedgerow network and reduce the impact of shading, hedge renovation works are proposed as detailed within the 'Tree and hedge planting and management' document. The hedgerow bordering the cycle track to the west will be layed, gaps filled and 16 new standard trees planted throughout its length. All other boundary hedgerows will be trimmed annually.

- 5.8.2 The NPPF encourages multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains, such as developments that would enable new habitat creation. Whilst the application was validated prior to the mandatory legal requirement to deliver biodiversity net gain (BNG), the proposal will create a program of ongoing management of proposed additional landscaping and planting. This will achieve the submitted biodiversity net gain assessment results of 23.48 habitat units (156.96%) and 5.01 hedgerow units (45.06%). Subject to the implementation of these through a pre-commencement condition for a BNG plan and maintenance/monitoring information for 30 years, in addition to the protection of trees and during construction, the proposal goes above and beyond policy compliance with this regarding.

- 5.8.3 The proposal offers a significant biodiversity enhancement. Tree protection measures should be submitted, agree and implemented prior to commencement, particularly incorporating the proposed drainage and measures of protection in proximity to trees. Full details, delivery and long-term maintenance of the above landscaping and BNG should be controlled through planning condition,

not just for visual screening but to provide full details of the ecological enhancements proposed, which weigh in favour of the proposal. Subject to such planning conditions, the proposal accords with national planning guidance to encourage biodiversity improvements for renewable energy schemes.

5.9 **Employment, infrastructure and mineral safeguarding** Development Management (DM) DPD policies DM28 (Employment and Skills Plans), DM29 (Key Design Principles), DM53 (Renewable and Low Carbon Energy Generation), DM58 (Infrastructure Delivery and Funding); National Planning Policy Framework (NPPF) Section 17 (Facilitating the sustainable use of minerals); Joint Lancashire Minerals and Waste Local Plan Policy: M2 (Safeguarding Minerals); and Employment and Skills SPD;

5.9.1 This proposed development meets 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 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.

5.9.2 The site contains existing subterranean and above ground infrastructures, with a National Grid power cables and a pylon located in the eastern field. No adverse comments have been received from most consultees with this regard, however a consultation response from National Grid provided a holding objection in April due to insufficient space and access to the pylon. Amendments have been proposed to accord with National Grid technical guidance on solar farms, with an extended maintenance work area to 15 metres around the pylon, at least 3 metre with vehicular access from the public highway to the pylon, and development under 4 metres tall, which is understood to be more than 5.3 metres from the lowest conductors. National Grid were reconsulted on these plans on 2nd July, and whilst amendments and positive discussion have been ongoing, there is no formal response addressing the much earlier holding objection, which remains in place.

5.9.3 Through planning conditions restricting height of development under pylons, ensuring a clear access and maintenance area under pylons that could be temporarily extended through moveable structure/development within the wider area under pylons, Officers are confident that this meets National Grid guidance and requirements. Progress on this and any updated consultation response from National Grid will be reported verbally at planning committee, and it is anticipated this matter can be satisfactorily addressed prior to determination. Subject to such planning conditions to ensure this space remains clear and available for such use by National Grid at all times thereafter, and a scheme to ensure vehicles can traverse proposed drainage swales/bunds, it is considered that the proposal will have no adverse impact upon existing infrastructure. No observations have been received from Fire Safety, however the National Grid access arrangements should be suitable for emergency vehicle too if necessary.

5.9.4 The site is partially located within a Mineral Safeguarding Area as identified by Lancashire County Council and considered within the Joint Lancashire Minerals and Waste Local Plan. The western and northern edges of the site fall within a mineral safeguarding zone. The County Council as Minerals and Waste Authority have been consulted, however they have provided no response to the application. Given the temporary nature of the development, the small areas of mineral safeguard area that are largely undeveloped through the proposal, combined with the lack of proximity to a working quarry or permitted reserves of mineral, it is considered that the scheme complies with Policy M2 of the Lancashire Minerals and Waste Local Plan. The proposed development would not prejudice mineral extraction in the area.

6.0 Conclusion and Planning Balance

6.1 The purpose of the planning system is to contribute to the achievement of sustainable development. The proposed solar development would contribute to the decarbonisation of electric energy in the district, contributing positively to both local and national climate mitigation targets, and clearly supports the Council's climate change targets of net zero by 2030. There are clearly environmental benefits from the proposal, not just in terms of mitigating the impacts of climate change and associated economic benefits, but significant biodiversity net gain and landscaping proposed as enhancements beyond mitigation. Whilst there will be views of the proposed development, these

would be screened and mitigated in the medium term through the additional landscaping proposed, and primarily affect less sensitive viewpoints. This landscaping and streetscene visual impacts have been attributed limited weight against the proposal, but conversely some may feel the visibility of solar panels provides tangible evidence of the seriousness of the climate emergency and declaration by the Local Authority on the southern approach to Lancaster city, and attribute less harm.

6.2 The presence of solar panels would not prohibit agricultural use of the site given the raise panels, but it would likely reduce such usability through the presence of solar panels and associated infrastructure across the site. Whilst there are minority areas of 'Good' agricultural land, given the lack of immediately adjacent linked use, and the ample supply of comparable agricultural land in the wider area, the harm from this impact upon agricultural land is considered to be limited. Given the nature of the development and proposed sustainable drainage system, the subterranean groundwater and surface water flood risk at the site is only attributed very limited harm, despite the failure of the flood risk sequential test. Impacts from glint and glare can be mitigated to have low impacts subject to mitigative landscaping. Impact upon the highway and neighbours during the construction phase can similarly be mitigated through a construction management plan, and as such are neutral in planning balance.

6.3 Whilst there are several limited harm impacts identified, which cumulatively weigh against the proposal, the cumulative social, economic and environmental benefits of a renewable energy development on the edge of the city delivering biodiversity enhancements are considered to be significant, despite the relatively modest scale of the 4MW solar development. These public benefits are considered to comfortably outweigh the identified harm, none of which are considered to be individually nor cumulatively significant adverse effects, which can be largely mitigate in the medium term with comprehensive landscaping to bolster the existing landscape and ecology value of the site. This would provide be longer term ecological benefits of a scheme with a 25-year lifespan and requirement for decommissioning following this period, and providing a sustainable renewable source of energy for the duration of this lifespan, decarbonising and improving security of energy generation. As detailed within NPPF paragraph 163, local planning authorities should approve applications for renewable and low carbon development if its impact are, or can be made, acceptable, as is considered to be the case with this proposal.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Timescale	Control
2	Accord with approved plans	Control
3	Contaminated land assessment	Prior to commencement
4	Construction management plan	Prior to commencement
5	Details of access point works for construction traffic	Prior to commencement
6	Archaeological investigation	Prior to commencement
7	Employment skills plan	Prior to commencement
8	Tree protection measures	Prior to commencement
9	Flood risk and drainage measures	Prior to commencement
10	Biodiversity Gain Plan, including management, maintenance and monitoring plans for at least 30 years	Prior to commencement
11	Scheme for facilitating access over drainage bunds	Prior to implementation of drainage
12	Verification report of implemented drainage	Prior to first use
13	Landscaping plan and maintenance	Prior to first use
14	Surveying and repair any damage to Bailrigg Lane	Prior to first use
15	Details and precise locations of fencing and security poles	Prior to installation
16	Scheme for provision of temporary moveable structures within 30 metre buffer of pylon, no development/structures within 15 metres	Prior to any installations within 30 metre buffer zone
17	25-year period (or 12mths of no electricity generation) and decommissioning plan	Prior to decommissioning

18	Implement ecology report mitigation	Control
19	Geotextile lined, grass seed and maintain level changes for drainage and substations	Control
20	Maintain access and easement to pylon	Control
21	Underground cabling	Control
22	No development/structures over 4 metres tall within buffer of electricity lines	Control

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

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

Background Papers

None

Agenda Item	A6
Application Number	23/01233/FUL
Proposal	Erection of two industrial buildings (Use Class B2/B8) comprising 14 individual units, including associated access, parking, landscaping and ball stop fencing
Application site	Land At OS Grid Reference E346160 N461400 Port Royal Avenue Lune Business Park Lancaster Lancashire
Applicant	Mr Craig Sneddon – Derwent Lodge Estates Limited
Agent	Mr Jack Appleton – Broadgrove Planning & Development
Case Officer	Mr Robert Clarke
Departure	Yes
Summary of Recommendation	Approval – Delegate back to Head of Service for finalisation of planning obligation.

1.0 Application Site and Setting

- 1.1 The application site comprises a parcel of undeveloped land located within the southeastern corner of the Lune Industrial Estate. The site adjoins existing industrial uses to the north and northeast. To the east are football pitches, and to the south and west are woodland and recreational areas which form the Freeman's Wood and Willow Lane Grounds. The site has an approximate area of 6996.5m² and presently consists of unmanaged scrub type habitat with numerous trees and groups of trees as well as an area of hardstanding in the northern area. Palisade security fencing encloses some of the boundaries of the site.
- 1.2 The majority of the development site is located within the Lune Industrial Estate development opportunity site (DOS2). A small area of land in the northwestern corner of the site extends into the Willow Lane Grounds Amenity Greenspace (AGS) designated open space and the Land at Willow Lane development opportunity site (DOS3). The wooded land to the south of the site also forms part of the Freeman's Wood Natural/Semi Natural Greenspace (NSN) designated open space. The football pitches located to the east are identified as Willow Lane grass pitches designated open spaces. The site is located within the Luneside Regeneration Priority Area (Site EC5.4). Trees within the adjoining land to the south and west are protected by Tree Protection Order 496(2011), this does not include trees within the development site. A public right of way extends along the southern boundary of the site, though remains outside the development site. Both Port Royal Avenue and Europa Way are unadopted privately maintained roads. The site forms part of an historic landfill site. Part of the site is located within a high-risk groundwater flooding area; the remaining part of the site falls within a medium risk groundwater flooding area. The site falls within a SSSI impact risk zone

associated with the Lune Estuary SSSI. The Lune Estuary, which is located approximately 800 metres to the west also forms part of a Marine Conservation Zone, Ramsar site, a Special Area of Conservation (SAC) and a Special Protection Area (SPA). A United Utilities high pressure rising main sewer crosses the southeastern end of the site.

2.0 Proposal

2.1 This application seeks planning permission for the erection of two industrial buildings falling within use classes B2 and B8. Block A is the larger building and measures 80.2 metres in length, 18.8 metres in width and with a height of 6 metres to the ridge. Block A would consist of a total of 9 individual units, each containing a mezzanine level within. Block B is located towards the northern end of the site and measures 39.1 metres in length, 18.8 metres in width and 6 metres to the ridge. Block B would consist of 4 units, each containing a mezzanine level within. The proposal also includes the creation of accesses from both Port Royale Avenue and Europa Way, along with internal access road, parking bays and a turning head. The proposal also includes boundary treatments including 7.5 metre tall and 5.5 metre tall ball stop fencing to be located along the southeastern boundary adjacent to the football pitches.

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
23/01306/EIR	Screening opinion for the erection of two industrial buildings (Use Class B2/B8) containing 14 individual units, including associated access, parking and landscaping	Not EIA development

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objection subject to conditions requiring the agreement of a Construction Management Plan, agreement of a Service Management Plan, and provision of approved access points, parking/turning facilities and cycle storage facilities.
Natural England	Considers that the proposed development will not have likely significant effects on the Morecambe Bay and Duddon Estuary SPA, Morecambe Bay SAC and Morecambe Bay Ramsar and has no objection to the proposed development in this respect. However, comments are made regarding the need for assessment for the presence of peat and the potential impact of development upon peat, if present.
Lead Local Flood Authority	No objection subject to conditions requiring final surface water drainage details, construction phase surface water drainage details, drainage system operation and maintenance details and drainage verification report.
Sport England	No objection subject to conditions requiring the installation of ball strike netting and details of maintenance arrangements.
Environmental Health Officer	No objection subject to conditions regarding contaminated land assessment, electric vehicle charging infrastructure, measures for dust control, control of noise and control on hours of construction.

United Utilities	No objection subject to conditions to secure final foul and surface water drainage details and for a scheme to ensure the protection of the rising main within the site.
Arboricultural Officer	Objection requests the retention of a greater number of trees along the edges of the site and highlights that Biodiversity Net Gain is not provided.
Fire Safety Officer	Provides guidance regarding building regulation requirements.
Cadent Gas	No objection, advice note requested regarding the present of gas infrastructure near the site.
Regeneration & Development Officer	The submitted Employment Skills Plan provides a positive commitment to deliver construction skills and training but does not meet the formal policy requirements.

4.2 1 letter of objection and 1 letter neither objecting nor supporting the development have been received from members of the public raising the following comments:

- Expansion of business and employment provision is welcomed

Concerns raised regarding:

- Impact of noise and disturbance from transport activity on surrounding roads and from within the development site
- Parking of vehicles along Port Royale Avenue and subsequent impacts upon residents of Forest Park
- Poplar trees located along Port Royale Avenue show signs of decline and potential loss of screening
- Increased vehicle trips to the site and poor road condition within the industrial estate
- Visual impact of the industrial units
- Development should incorporate opportunities for renewable energy generation and rainwater harvesting
- Foul drainage systems are inadequate
- Impacts upon wildlife

5.0 Analysis

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

- Principle of development
- Highway and transport matters
- Flood risk and drainage
- Residential amenity and pollution
- Biodiversity
- Open space
- Design
- Employment Skills Plan

5.2 **Principle of Development** National Planning Policy Framework: Section 2. Achieving sustainable development, Section 4. Decision-making, Section 6. Building a strong, competitive economy; Strategic Policies and Land Allocations DPD Policies: SP1: Presumption in Favour of Sustainable Development, SP2: Lancaster District Settlement Hierarchy, SP3: Development Strategy for Lancaster District, SP4: Priorities for Sustainable Economic Growth, EC5: Regeneration Priority Areas, DOS2: Lune Industrial Estate, Luneside, Lancaster; Review of the Development Management DPD Policies: DM14: Proposals Involving Employment and Premises and DM15: Small Business Generation.

5.2.1 The application site lies within the settlement boundary of Lancaster, which is identified in the Strategic Policies and Land Allocations DPD (SPLA DPD) as a regional centre within the settlement hierarchy. The SPLA DPD also sets out the development strategy for the district, and promotes an

urban-focussed strategy, directing future growth and development towards the main urban areas of Lancaster, Morecambe, Heysham and Carnforth. One of the fundamental aims is to promote development in sustainable locations. The proposed development aligns with the Council's spatial strategy and the strategic objective S01 contained within the SPLA DPD to *deliver a thriving local economy that fosters investment and growth and supports the opportunities to deliver economic potential of the District.*

5.2.2 Lune Industrial Estate is covered by Policy DOS2 of the SPLA DPD as a development opportunity site. The purpose of development opportunity sites is to provide a more flexible planning framework to assist in the regeneration of particularly challenging sites within the district. With regard to potential uses for this site, Policy DOS2 sets out support for a mixed-use regeneration of the site to include residential, employment and economic uses. It also sets out that any proposals should come forward in a comprehensive manner which include all elements of the whole site. This has in part been achieved through previous planning permission 20/01145/FUL (and subsequent follow-on permissions) which granted consent for a wider redevelopment proposal immediately to the north of the current application site for a combination of economic uses, including the creation of new B2 / B8 units and a range of Class E commercial uses. This planning application relates to a smaller parcel of land in the southern area of the DOS2 allocation and adjacent the larger development scheme permitted through 20/01145/FUL. This application also seeks planning permission for economic and employment uses falling within Use Classes B2 (general industrial) and B8 (storage and distribution). Considering the aims and objectives of the site allocation, the principle of delivering such uses on this site is consistent with the direction of Policy DOS2 and the objectives of the Regeneration Priority Area set out in Policy EC5, and can be supported.

5.3 **Highway and transport matters** National Planning Policy Framework: Section 9. Promoting Sustainable Transport and Section 12. Achieving well-design places; Strategic Policies and Land Allocations DPD Policies: SP10 Improving Transport Connectivity, EC5: Regeneration Priority Areas, and T2: Cycling and Walking Network; Review of the Development Management DPD Policies: DM29: Key Design Principles, DM60: Enhancing Accessibility and Transport Linkages, DM61: Walking and Cycling, DM62: Vehicle Parking Provision, and DM63: Transport Efficiency and Travel Plans.

5.3.1 The application has been supported by a Transport Statement to demonstrate the development can be safely accessed, that there are a range of sustainable transport options available to serve the site and that the traffic impacts can be safely accommodated on both the local and strategic road network without causing any severe impacts. The development site is proposing to use two accesses when serving the site in order to create a through route through the development site. One of the accesses is located off Europa Way while the other is located off Port Royal Avenue. Both of these roads are unadopted and subject to a 20mph speed limit. The access served off Europa Way will be a minimum of 6.7m wide and a 2m wide pedestrian footway will be provided in order to link the development to the wider redevelopment taking place on Lune Business Park. The submitted Swept Path Analysis drawings also shows that the access from Europa Way is safe and suitable to cater for large vehicle movements, such as from an articulated vehicle. The Local Highways Authority (LHA) has confirmed that they raise no concerns with this proposed access arrangement. The LHA has also confirmed that they raise no concerns with the proposed access arrangement taken from Port Royal Avenue. This is considered to be of adequate width and, taking into account the proposed vehicular through access and internal turning arrangements, is satisfactory overall.

5.3.2 With respect to trip generation arising from the proposal, the supporting Transport Statement includes TRICs assessment to predict the approximate level of trips the proposed development could generate during peak times. This assessment concludes that proposals are expected to generate 9 and 8 two-way vehicle movements in the AM and PM peak hours respectively. The LHA has reviewed the development independently and has confirmed that their trip rates differed from those detailed within the Transport Statement. The LHA found that the site could generate 15 (AM) and 13 (PM) two-way vehicular movements during peak hours, a slight increase relative to those detailed within the Transport Statement. Despite this difference, the LHA has confirmed that the development is still unlikely to have a significant material impact upon traffic conditions on the local highway network, and are therefore satisfied with the proposal in this respect.

5.3.3 Turning to the carriageway and internal servicing arrangement within the development site itself, the proposal includes an internal carriageway that will be a minimum of 6 metres wide for the full duration

of the carriageways length, this is welcomed by the LHA. The swept path analysis provided also confirms that an articulated vehicle can safely use the internal carriageway and can also use the provided servicing and turning area provided in between both building blocks to safely exit the site in a forward gear. The LHA has highlighted that the proposal only provides one turning and servicing area for each of the 14 industrial units. For this reason, the LHA requests a condition to secure agreement of a Service Management Plan in order to control the frequency of deliveries, the type of vehicles that will service each individual unit and how each unit will work collaboratively with each other to ensure that deliveries do not occur simultaneously. To control the development through condition in this manner is considered to be overly restrictive and unreasonable. Furthermore, given the scale of the development overall including the number of smaller individual units, the Local Planning Authority would not be in a position to successfully monitor and enforce such a condition in perpetuity. For this reason, this condition would not be recommended. The LHA has confirmed that if this condition is not imposed, they conclude that the proposal would not have a detrimental impact upon the local highway network and would not give rise to a highway safety concern. For this reason, the LHA would not object on this basis.

5.3.4 The LHA are correct in so far that there is only one turning and servicing area which an articulated lorry can utilise. However, there are also a series of smaller turning and service areas located directly in front of both building blocks which have lengths of 8.3 metres to 8.5 metres and would provide service facilities for larger vans to access directly the individual units. Moreover, given the development incorporates an internal through route, should the larger turning/servicing area be occupied, other articulated vehicles don't need to be able to turn around within this space to leave the site. Finally, the units themselves are of a smaller scale and would be more suited to smaller scale business of business start-ups which are reasonably likely to have a lower frequency of visits from larger articulated vehicles. For this reason, it is considered that the inclusion of only one turning and servicing area which an articulated lorry can utilise is acceptable.

5.3.5 With respect to parking arrangements, the development includes the provision of 68 car parking spaces in total, including 12 accessible spaces, and 12 electric vehicle charging bays. The LHA has confirmed that they consider the parking provision to be acceptable in this case, particularly as they consider the development would not overspill or impact upon the operation of the adopted highway. Furthermore, the site is located within an accessible location with good links to bus stops with regular services and cycle and pedestrian connections. The development will also provide a 12-bay cycle storage facility within the site.

5.3.6 Overall, the proposed access, servicing and parking arrangements are considered to be acceptable. Conditions are recommended to secure the full implementation of the access arrangements, to secure final details of the pedestrian facilities and their subsequent implementation, to secure the full implementation of the parking and turning facilities, and to secure final details of the cycle storage and electric vehicle charging facilities and their subsequent installation. Finally, a condition to secure agreement and implementation of a Construction Management Plan is also recommended to satisfactorily mitigate the impacts of the construction phase of the development.

5.4 **Flood risk and drainage** National Planning Policy Framework: Section 14. Meeting the challenge of climate change, flooding and coastal change; Strategic Policies and Land Allocations DPD Policies: SP8: Protecting the Natural Environment; Review of the Development Management DPD Policies: DM30: Sustainable Design, DM33: Development and Flood Risk, DM34: Surface Water Runoff and Sustainable Drainage, DM35: Water Supply and Wastewater, and DM36: Protecting Water Resources and Infrastructure.

5.4.1 Strategic policy seeks to ensure new growth within the district is located in the areas at least risk of flooding, following a sequential approach, and does not create new or exacerbate existing flooding and aims to reduce flood risk overall. The NPPF and DM DPD policies require development to be in areas at least risk of flooding (following the sequential and exception tests) and for major proposals to ensure surface water is managed in a sustainable way accounting for climate change.

5.4.2 Having regard to the most up to date data, the application site is located within flood zone 1 (low probability of flooding from river or the sea). However, according to the Councils Strategic Flood Risk Assessment (SFRA), the majority of the site is identified as being at high risk of groundwater flooding, the remaining areas are identified as being at medium risk of groundwater flooding. With respect to future flood risk, it appears as though the peripheral areas of the development may be at

risk of flood risk in the future according to the Lune Tidal Modelled Outlines data contained within the SFRA.

5.4.3 With respect to groundwater flood risk, the supporting flood risk assessment sets out that to assess site specific flood risk from groundwater, six rounds of groundwater monitoring were completed within three boreholes within the site. The findings were that only BH1 identified any groundwater, and this was located at 5.5 metres below ground level. The assessment ultimately concludes that the risk from groundwater flooding would be low based on this site level investigation.

5.4.4 However, based on the flood risk identified within the Councils SFRA, the flood risk sequential must be considered. Planning Practice Guidance (PPG) details that the aim of the sequential approach includes application of the sequential test, which is designed to ensure that areas at little or no risk of flooding from any source are developed in preference to areas at higher risk. This means avoiding, so far as possible, development in current and future medium and high flood risk areas considering all sources of flooding. The strategic flood risk assessment (SFRA) shows all sources of flood risk, now and in the future, and should be used in the application of the sequential test.

5.4.5 In light of the location of the development within the Lune Industrial Estate Development Opportunity Site allocation and also within the Luneside Regeneration Priority Area, it is reasonable and acceptable to narrow the scope for the area of search to sites which are reasonably available sites appropriate for the proposed development which are located within the allocated Regeneration Priority Area and Development Opportunity Site allocation. Upon review of the extent of groundwater flood risk within these designations, it becomes clear that almost all of the designated area is at high risk of groundwater flooding. There are pockets of land that have a low risk of groundwater flooding, however, these are located immediately adjacent to the River Lune and fall within current fluvial flood zones 2 or 3, and so are in fact at a greater risk in flood risk terms. Furthermore, with respect to future flood risk, according to the Lune Tidal Modelled Outlines data contained within the SFRA, it is only the central area within the application site itself which is not identified as being at flood risk in the future. Accordingly, Officers are satisfied that the need to investigate the availability of any alternative sites is not required as, following assessment of the various sources of flood risk, the application site is clearly at lower risk of flooding than other areas within the wider Development Opportunity Site allocation and also within the Luneside Regeneration Priority Area. On this basis, the sequential test is passed in accordance with Paragraph 168 of the NPPF and Policy DM33.

5.4.6 The flood risk exception test is not required as the proposed development is considered 'less vulnerable' in accordance with the criteria set out within the NPPG. Nevertheless, the development must not be a risk of flooding or cause flooding elsewhere, as per the requirements of DM33 and paragraphs 173 of the NPPF. The submitted FRA has considered the residual flood risks on site taking into account the impacts of climate change, to ensure the development is safe for its lifetime. The development does not avoid medium to high-risk areas of flooding (groundwater) within the site, but given the sites designation for employment regeneration, the nature of the proposed uses (less vulnerable in flood risk terms), the site layout and the proposed mitigation (set out below), the development is considered acceptable.

5.4.7 The proposed mitigation comprises the following measures:

- Existing flood defences protect the site, the assessment has determined that the finished floor level of the new units will be located above the 1.0% AEP (1 in 100 year) event level plus a 35% increase in climate change and 0.1% AEP (1 in 1000 year) during the residual risk breach event.
- The lower lying access road would be at risk of flooding for such an event. However, advanced warning of flood level rising would enable the occupants to leave the site, or to seek refuge on higher ground to the southeast or to remain within the buildings themselves which would be unaffected.

A condition to ensure that the development is undertaken in accordance with the Flood Risk Assessment is recommended.

5.4.8 Regarding the drainage proposals, the application is supported by an outline drainage strategy, this sets out that the drainage scheme shall incorporate a range of techniques that aim to mimic the way rainfall drains in natural systems. Their purpose is to minimise the impact of urban development on

the water environment, reduce flood risk and to improve water quality. In accordance with the NPPF, SuDS will be specified where possible to manage surface water. This in turn reduces the burden downstream on both watercourses and sewerage systems. The outline drainage strategy sets out a framework SuDS strategy to be developed and demonstrates that surface water runoff can be managed satisfactorily with potential permeable paving and on-site storage with an outfall restricted to greenfield runoff rates to the surface water drainage network that ultimately outfalls to the River Lune. This will also include pollution control devices as appropriate. The Lead Local Flood Authority (LLFA) has reviewed this proposal and has confirmed that they are satisfied with this drainage approach. Accordingly, the conditions requested by the LLFA to secure the final surface water drainage details, construction phase surface water drainage details, drainage system operation and maintenance details and drainage verification report can be recommended.

- 5.4.9 Foul drainage shall connect to the existing system which passes through the southern area of the development site. United Utilities have reviewed the development and have confirmed that they have no objection to the proposal subject to a condition to secure final foul drainage details, which is recommended. Moreover, in light of the presence of the United Utilities rising main within the southern area of the development site and the proximity of development to this piece of infrastructure, United Utilities have requested a planning condition to secure a methodology to ensure the protection of this asset from potential impacts of construction activities and post completion. This is reasonable in light of the relationship of the development to this rising main, the condition is therefore recommended.
- 5.4.10 Subject to the identified conditions, the proposal has demonstrated the site is capable of being drained without increase the risk of flooding on site or elsewhere. This is considered compliant with the NPPF and Policies DM33, DM34 and DM35 of the Review of the DM DPD.
- 5.5 **Residential amenity and pollution** National Planning Policy Framework: Section 8. Promoting healthy and safe communities, Section 11. Making effective use of land, Section 12. Achieving well-designed and beautiful places and Section 15. Conserving and enhancing the natural environment; Strategic Policies and Land Allocations DPD Policies: EN9: Air Quality Management Areas; Review of the Development Management DPD Policies: DM29: Key Design Principles, DM30: Sustainable Design, DM31: Air Quality Management and Pollution, DM32: Contaminated Land and DM57: Health and Wellbeing.
- 5.5.1 The application site is located on a development opportunity site in a location where economic and employment development is both anticipated and encouraged. Paragraph 191 of the NPPF requires planning policy and decisions to ensure new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment. To achieve this, it is necessary to avoid noise impacts giving rise to significant adverse effects and to mitigate and reduce potential adverse effects resulting from noise from new development. Policy DM29 of the DM DPD and paragraph 135 of the NPPF is also relevant in the context of assessing the effects of development on residential amenity. Both strongly advocate the need for new development to be of a high standard of design ensuring high standards of amenity are maintained and secured for existing and future users. Policy DM29 specifically states that new development must ensure there is no significant detrimental impact to amenity in relation to overshadowing, visual amenity, privacy, overlooking, massing and pollution.
- 5.5.2 The planning application is accompanied by a noise assessment which considers the impact of the development proposal upon the most sensitive receptors. The nearest residential properties located to the development are those located on Forest Park approximately 100 metres to the northeast. The noise assessment submitted establishes that during both the daytime and night-time periods, noise from the development should not result in any adverse impacts at the receptor locations and therefore no further means of mitigation is deemed necessary. Points for further clarification were requested by the Councils Environmental Health Officer specifically regarding the use of external plant/servicing equipment, cumulative impact of the operation of 14 individual units, and the impacts of road surfacing and traffic derived noise. These points have since been addressed to the satisfaction of the Environmental Health Officer. With respect to the matter regarding road surfacing and traffic derived noise, the section of Port Royale Avenue which passes to the rear of Forest Park is in a good state of repair, whilst the traffic levels generated by the development would not result in a significant increase in traffic (as established by the trip generation data already discussed) when set against the activities already established within the industrial estate.

- 5.5.3 A condition has been requested by the Environmental Health Officer to limit noise associated with plant and servicing machinery and equipment. However, the requirements of the condition are vague and would not meet the relevant tests for imposing planning conditions. No details of any plant and servicing machinery and equipment are provided as part of this application, and new external plant and servicing machinery and equipment may require planning permission in its own right. The effect of plant and machinery is not incorporated into the submitted noise assessment, as this is dependent upon the individual needs of each unit occupier. Therefore, a condition can be imposed to ensure that the rating noise level of any individual external plant element to be installed in the future does not exceed the measured background noise level of 34dB LA90,1h during the daytime, and 32dB LA90,15m during the night-time period at the nearest noise sensitive receptor locations. This requirement it also recommended within the supporting Noise Assessment itself.
- 5.5.4 By reason of the separation distances, intervening development and existing boundary treatments and screening, the development proposed will not result in an overbearing form of development nor impact existing levels of daylight. For this reason, the proposal will not harm the existing standards of residential amenity that neighbouring residents currently enjoy in this regard.
- 5.5.5 The application is supported by a Phase I Preliminary Risk Assessment which sets out the need for further intrusive investigation works to be undertaken to determine the extent of the identified environmental risks and to provide information of the ground for geotechnical properties. This can be covered by a suitably worded planning condition. The conditions requested by the Environmental Health Officer regarding EV charging facilities and dust control measures would be addressed by conditions already highlighted within this report. The condition to control hours of construction is also requested given the proximity of development to the residential properties on Forest Park, the possible need to access the site via Port Royale Avenue and the increased traffic generation expected during the construction phases of such a development.
- 5.5.6 Finally, the application is accompanied by an Air Quality assessment, this concludes that the proposed development itself will not have a significant impact on local air quality. However, in order to mitigate the impacts of the construction phase of the development, mitigation measures as highlighted within table 4 of the Assessment are identified in order to minimise impacts from dust and particular emissions. The implementation of the mitigation measures highlighted within this assessment can be secured by condition.
- 5.6 **Biodiversity** National Planning Policy Framework: Section 15. Conserving and enhancing the natural environment; Strategic Policies and Land Allocations DPD Policies: SP8: Protecting the Natural Environment, EN7: Environmentally Important Areas; Review of the Development Management DPD Policies: DM29: Key Design Principles, DM44: The Protection and Enhancement of Biodiversity and DM45: Protection of Trees, Hedgerows and Woodland.
- 5.6.1 Policy DM44 states development proposals should protect and enhance biodiversity and wherever possible provide net gains in biodiversity. The policy goes on to state where harm cannot be avoided, a development must demonstrate that the negative effects of a proposal can be mitigated, or, as a last resort, compensated for. This is consistent with the NPPF (paragraph 180) which indicates planning decisions should minimise impacts on and provide net gains for biodiversity, including establishing coherent ecological networks. Paragraph 186 of the NPPF requires decision-makers to follow several principles to safeguard biodiversity. This includes a requirement to refuse planning permission where significant harm to biodiversity is identified which cannot be avoided, mitigated, or compensated for and where development results in the loss or deterioration of irreplaceable habitats (such as ancient woodland), unless there are wholly exceptional reasons.
- 5.6.2 Inevitably the proposed development will involve the loss of most of the existing habitats across the site. These habitats have naturally regenerated since the site ceased to be used as a landfill. The site presents a variety of habitats including scrub and grassland habitats and numerous trees, this is often the case on previously developed land that has been left unmanaged. The supporting Ecological Survey and Assessment sets out that the habitat and species identified within the site are considered to be common and widespread and that none of the habitats were considered to be representative of semi-natural habitat. Furthermore, no Priority Habitats are present within the site. In terms of each habitat's importance, the tree lines, scrub and unmanaged grassland are considered to be of 'site' importance. The submitted Biodiversity Net Gain (BNG) assessment

indicates the sites baseline condition and after incorporating the landscape proposals, calculates that the development will result in a total loss of 1.43 habitat units (60.49%) and 0.31 hedgerow units (74.39%).

- 5.6.3 Given when the application was submitted, mandatory BNG is not applicable to this proposal. Nevertheless, during the determination of this planning application, the applicant has actively been looking to minimise impacts through a redesign of the site layout to minimise impacts and establish enhancement of retained areas where possible. Ultimately, it is simply not possible to develop this site for economic and employment uses in the manner proposed and achieve an on-site net gain. Accordingly, the applicant has investigated the possibility of securing a suitable off-site proposal to compensate for the biodiversity losses to accord with policy DM44 and the NPPF. This has involved investigation of alternative sites, however, whilst this option was considered it is noted that the applicant does not own any suitable alternative sites and there are no other registered sites within the Lancaster City Council district on which a scheme could be delivered. Given the time taken already to try and secure net gains in biodiversity, the applicant understandably wishes the proposal to be determined as it stands, which would result in the identified net losses in biodiversity.
- 5.6.4 Policy DM44 states proposals **should** [our emphasis], as a principle, provide net gains in biodiversity assets **wherever possible** [our emphasis]. This is consistent with paragraph 180 of the NPPF. It does not state development must provide net gains. Of course, protecting and enhancing the natural environment is a key component of delivering sustainable development, but given the sites policy designations for economic and employment development, the proposed landscaping scheme coupled with the benefits of associated future maintenance and management, and the efforts the applicant has gone to try and secure net gains, it is considered that any conflict with policy DM44 is limited and satisfactorily outweighed by the benefits that the scheme entails, particularly in terms of economic and employment opportunities.
- 5.6.5 With respect to protected and or priority species, the assessment sets out that 1 tree within the site has a low suitability for use by roosting bats, therefore specific mitigation measures for the removal of this tree are identified and can form the subject of a planning condition. The habitat within the wider site is also suitable for foraging bat species therefore further mitigation measures for the protection of bats are also included. The site also supports habitats suitable for use by nesting birds and foraging and sheltering hedgehog; accordingly, mitigation measures for the protection of these species are also recommended and can be secured by condition. No other protected species were identified. Finally, enhancement opportunities for wildlife are also identified, and potential measures such as bat boxes, suitable lighting design, nesting bird boxes and habitat interconnectivity measures particularly for hedgehog are detailed within the report. A condition to secure final details of such habitat enhancement measures is recommended. Finally, both Japanese Knotweed and Montbretia, both invasive plant species are present within the site. Guidance on the control and management of these species is provided and an invasive species management plan can form the subject of a planning condition.
- 5.6.6 Policy DM45 states new development should positively incorporate existing trees and hedgerows. Where this cannot be achieved the applicant must justify this as part of an Arboricultural Impact Assessment (AIA) and should incorporate replacement planting. The application is supported by an AIA, this sets out that the development would result in the loss of some moderate and low-quality trees, these being tree groups G1 (goat willow and ash), G2 (goat willow, hawthorn and sycamore), G3 (goat willow) and A1 (ash, goat willow, sycamore, apple, hawthorn) and which are all C category tree groups, 5 trees from the northwestern section of tree group G4, which is a B category tree group and individual trees T1 and T2, both of which are sycamore and are C category trees. The southeastern section of tree group G4 and the off-site tree group G5 (C category) which is protected by Tree Protection Order 496(2011) are to be retained and protected within the development proposal, details of the protection measures are included within the AIA and can be conditioned. Tree groups G4 and G5 will require pruning works in order to facilitate the development. G4 requires pruning on the northwest side to obtain 3m ground clearance, on southeast side to enable the erection of a 7.5 metre high Ball Stop Net and on northeast side to enable the erection of a 1.8m high boundary fence. G5 will require pruning on the northeast side to obtain 3m ground clearance over site the development site. Both groups will require ongoing management which would amount to no more than routine arboricultural maintenance.

- 5.6.7 The Council Arboricultural Officer considers that a greater number of trees along the edges of the site should be retained, including all of G4 and increasing the buffer between development and G5. The 6 metre buffer proposed between the two buildings and the periphery of the off-site trees which form G5 accords with the pre-application advice which the Council has previously provided for the development of this site. It is also the same size as the buffer incorporated into the wider redevelopment permitted through application 20/01145/FUL to the north. The layout of the site including the 6 metre buffer provided within the development is considered to be acceptable.
- 5.6.8 There is clearly a degree of conflict between the development and existing trees, and this conflict must be weighed appropriately in the planning balance. Given the site falls within an allocation earmarked for economic and employment development, and that the importance of the existing trees is largely a consequence of the unmanaged nature and natural regeneration of the application site, the weight to be afforded to this conflict is moderate. In incorporating the site into the identified policy designations, the site was clearly anticipated for employment development by the Council. To mitigate the loss of the identified trees, the landscaping proposals for the site include the planting of 16 new trees including silver birch, maple, rowan, and crab apple, as well as a new length of native hedgerow and areas of native shrubs. In the context of the sites policy allocation and the provision of replacement landscaping to mitigate the identified losses, the development is acceptable. A condition to agree final landscaping and maintenance details is recommended as recent minor layout changes are not incorporated in the currently submitted landscape proposals.
- 5.6.9 In light of the proximity of the development site to the sensitive ecological designations which seek to protect the estuarine environment of the Lune Estuary as well as the wider Morecambe Bay ecosystem, the application is supported by a Shadow Habitat Regulations Assessment. This concludes that the proposed development at the site will have no adverse effect on the integrity and conservation objectives of the relevant identified European designated sites for nature conservation either alone or in combination with other projects. No further assessments nor mitigation is required in this regard. Natural England have reviewed the findings of the Shadow Habitat Regulations Assessment and are satisfied with the conclusions. Accordingly, the Council have adopted the Shadow Habitat Regulations Assessment in exercising their duty as the Competent Authority.
- 5.6.10 In reviewing the development proposal, Natural England have also identified the site as being located in an area in which deep peat may be present. These areas are important in ecological terms and for carbon sequestration. Natural England has advised that further information is required to determine if restorable peat is present at this location. It is important in the first instance to address the history of the development site. Historical mapping and aerial photography shows a railway line was constructed through the centre of the development site to serve the wider Lune Mills area and to connect Lancaster to Glasson Dock. Moreover, the whole of the application site forms part of a large historic landfill site. As part of all of these previous activities and uses, a significant level excavation and ground disturbance would have been experienced. The application is supported by trial hole logs undertaken in association with the preliminary contamination and groundwater appraisal and which did not encounter traces of deep peat. In light of the historical land uses and activities at this site and wider area and the lack of deep peat identified within trial holes, the requirement for further assessment for the presence of deep peat is not considered to be reasonable nor justified in this instance.
- 5.7 **Open Space** National Planning Policy Framework: Section 8. Promoting healthy and safe communities; Strategic Policies and Land Allocations DPD Policies: DOS3: Land at Willow Lane, Lancaster, SC3: Open Space, Recreation and Leisure; Review of the Development Management DPD Policies: DM27: Open Space, Sports and Recreation Facilities.
- 5.7.1 The majority of the development site falls within the Lune Industrial Estate development opportunity site (DOS2). However, an area of approximately 550m² of the northwestern corner of the development site extends into the adjacent Willow Lane Grounds Amenity Greenspace (AGS) designated open space which also forms part of the Land at Willow Lane development opportunity site (DOS3). The DOS3 policy allocation sets out that the Council will support appropriate and suitable proposals that facilitate, enhance and regenerate the quality and quantity of recreational open space provision in this area and seeks to maintain and enhance the biodiversity and amenity value of the site. The development remains outside of the Freemans Wood Town and Village Green designation.

5.7.2 In light of the proposal to develop an area of land that falls within the designated Amenity Greenspace open space and within the Land at Willow Lane development opportunity site (DOS3) policy allocation, it is necessary to assess the effects of the development upon the open space designation, as required by Policy DM27. This policy states:

The Council will not permit the loss of designated open space, sports and recreational facilities unless:

- I. An assessment has been undertaken to demonstrate that it is surplus to requirements;*
- II. An assessment has been undertaken to demonstrate that it no longer has an economic, environmental or community value, which shall include consultation with key stakeholders and the local community;*
- III. The loss resulting from development would be replaced by equivalent or better, high quality provision in a suitable location;*
- IV. The development is for alternative open space, sports and recreation provision, the benefits of which clear outweigh the loss.*

5.7.3 The area of designated open space which is proposed to be incorporated into the industrial development currently comprises of unmanaged scrub type habitat with a line of trees adjacent to the security fence which encloses the area of hardstanding. The area does not have an active use for recreational purposes and does not function as part of the main recreational area of the designated open space, however, it does have an environmental value. In order to be acceptable in the context of the requirements of Policy DM27, the development should satisfactorily address one of the criteria I. – IV. set out in this policy. The proposal is accompanied by an Open Space Assessment, however, when considered against the requirements of Policy DM27, the proposal is not considered to directly address any of the identified criteria. Nor would the proposal directly adhere with the exception criteria set out within Policy DOS3 relating to development within the DOS3 allocation. It is for these reasons that the development proposal is considered to represent a departure from the Development Plan.

5.7.4 In order to address this policy conflict, the developer has committed to providing a financial contribution of £35,000 which is to be directed towards the construction of a pedestrian bridge and associated access arrangements which would be located over Lucy Brook, to the southeast of the development site. The intention of the scheme, to be undertaken by the City Council, is to provide improved pedestrian access to the Willow Lane Grounds Amenity Greenspace and Freemans Wood from the residential area around Willow Lane to the east. This would enable greater accessibility for residents in the Willow Lane area to access the recreational open spaces. Whilst not directly addressing criteria I. – IV. of policy DM27, securing enhancements through this development to enable surrounding residents' greater access to recreational opportunities weighs quite significantly in favour of the development. This is considered to overcome the policy conflict with Policies DM27 and DOS3 and is considered sufficient to justify the development of the area of the site which falls within the designated open space and DOS3 allocations for the industrial development proposed. In addition to this, in developing the site as proposed, the proposal would form a contiguous and coherent boundary line with both the wider Luneside redevelopment proposal to the north and with the designated open spaces to the west.

5.7.5 The football pitches located to the east of the development site are identified as Willow Lane grass pitches designated open spaces. Whilst development remains outside of these designated opens spaces, given the proximity of the development to the pitches, it is necessary to assess the potential effects of the development on their continued operation. Policy DM27 states:

Development proposals that are adjacent to designated open spaces, sports and recreational facilities will be required to incorporate design measures that ensure that there are no negative impacts on amenity, landscape value, ecological value and functionality of the space. The Council will only permit development that has identified negative impacts on open space, sports and recreational facilities where appropriate mitigation measures or compensation measures have been provided.

This is consistent with paragraph 193 of the NPPF, which requires new development to be integrated effectively with existing businesses and community facilities (including sports clubs) so as to avoid unreasonable restrictions placed on them as a result of development permitted after they were established.

- 5.7.6 It is against this policy backdrop that Sport England initially objected to the proposal, on the grounds there could be a risk that the proposed development might be at danger from ball strike which could prejudice the sporting use of the football pitches. To overcome Sport England's objections, the applicant has undertaken a ball strike assessment, this has set out that mitigation in the form of ball stop netting measuring 37 metres in length along the eastern boundary of the site adjacent to the football pitches is required. 28 metres of the ball stop netting overall length is required to be 7.5 metres in height, however, a smaller 9-metre-long section would only need to be 5.5 metres in height. These measures are included within the planning application documents and can be controlled by planning condition. Sport England are satisfied with the proposed mitigation and no longer object to the proposals. Additional conditions are recommended to secure the management and maintenance of the ball stop netting in perpetuity, which is required to be the responsibility of the developer.
- 5.7.7 Overall, the proposal has sufficiently justified the release of land from within the designated open space and DOS3 allocations, particularly by way of securing a financial contribution towards delivery an off-site project aimed at improving accessibility for residents to the wider recreational areas. Moreover, the application has demonstrated that the development and existing football pitches can suitably coexist without prejudicing future operations of either land use. In light of the economic benefits of maximising the sites employment opportunities in accordance with Policies DOS2 and EC5 and the social benefits of delivering greater access to recreational facilities, there is considered to be sufficient merit to justify a departure from policies DM27 and DOS3.
- 5.8 **Design** National Planning Policy Framework: Section. 12 Achieving well-designed and beautiful places; Review of the Development Management DPD Policies: DM29 Key Design Principles, and DM30: Sustainable Design.
- 5.8.1 Policy DM29 requires new development to make a positive contribution to the surrounding landscape/townscape through good design, having regard to scale, appearance, layout, materials and local distinctiveness. This policy is consistent with the NPPF, which recognises the importance of good design in achieving sustainable places and the need for new development to add to the overall quality of the area and to sympathetically integrate with existing built environment and landscape setting.
- 5.8.2 The site is located in a peripheral location within the Luneside industrial area. This area is characterised by its industrial form and consists of various large warehouse and industrial buildings. To the west of the development site lies the aforementioned open spaces and Freemans Wood which define the developed edge of this part of Lancaster.
- 5.8.3 The design of the development is influenced by the nature and type of development proposed having regard to the internal and external operational requirements and service yard requirements for typical B2 and B8 uses. The layout ensures the development provides active frontages along the internal estate road and has incorporated suitable footways to support accessibility. The use of security fencing and tall ball stop netting is an essential requirement for the uses proposed and in light of surrounding uses, however, these have been suitably incorporated into the development layout in order to adequately mitigate against the visual effects arising from industrial nature of the required infrastructure.
- 5.8.4 In terms of the buildings themselves, whilst they are of a notable size, they have been designed to offer similar accommodation to the previously approved adjoining scheme which makes up the majority of Lune Industrial Estate (20/01145/FUL). They are of similar proportions, including the 6 metre ridge height, to the neighbouring development. The design and appearance of the development is typical of an industrial development. Given the character of the existing area, it is considered that this approach would be acceptable in this location and would contribute to the character and identity of the existing business park. The proposal includes the use of different coloured cladding panels, grey roofing panels, and window/door openings/roller shutter doors to the primary elevations. This represents an acceptable design approach for the types of uses proposed and their appearance is typical of industrial units.
- 5.8.5 Policy DM30 encourages new development to deliver high standards for sustainable design and construction through the consideration of measures to reduce energy consumption and the use of

renewable and low carbon energy systems. The developer has confirmed that the development will exceed building regulation requirements and take a fabric first approach to building design. The developer has also confirmed that renewable technologies such as solar panels are to be incorporated where possible. A planning condition is recommended in order to secure final details of building efficiency measures and the use of any renewable technology on the buildings (e.g. PV panels). With these conditions, the development is considered to satisfy the requirements of policy DM30.

5.8.6 Overall, the design of the development is considered acceptable and suitable for its location. Whilst the buildings are large, they will represent high quality industrial development which relates well to the wider Luneside industrial area. The development will also complete the remaining parcel of this industrial area, providing enhancements to the industrial estate itself. Subject to conditions controlling the precise colour, texture and finish to the building materials, including fencing, the development is considered to fully accord with policy DM29 of the DM DPD and chapter 12 of the NPPF.

5.9 **Employment and Skills Plan** National Planning Policy Framework: Section 6. Building a strong, competitive economy; Review of the Development Management DPD Policies: DM28: Employment Skills Plans and the associated Supplementary Planning Document.

5.9.1 The applicant has committed to developing a deliverable Employment Skills Plan (ESP) to support and enhance local employment opportunities and upskilling (through the construction phases of the development) in accordance with Policy DM28 and the supporting ESP Supplementary Planning Document (SPD). The submitted ESP has been reviewed by the Councils Regeneration & Development Officer who has confirmed that the document forms an acceptable framework for a final ESP to be agreed at a later date, which can be satisfactorily secured by planning condition.

5.10 **Other Matters**

5.10.1 **S106** – As described within paragraph 5.7.4, the developer has committed to providing a financial contribution of £35000 towards the construction of a pedestrian bridge and associated access arrangements which would be located over Lucy Brook, to the southeast of the development site. The financial contribution would need to be secured by way of a Section 106 agreement.

6.0 Conclusion and Planning Balance

6.1 It has been demonstrated that whilst the proposed development departs from the land use requirements set out in policy DOS3 - Land at Willow Lane, Lancaster, as well as the requirements of Policy DM27, it will provide significant economic and social benefits to the district sufficient to justify the identified conflict. The development provides a flexible approach to the types of economic and employment uses sought within the Lune Industrial Estate development opportunity site (DOS2). The proposal also fully accords with the policy objectives of policy EC5, which specifically supports the regeneration of the Luneside area for modern employment facilities. The economic and social benefits arising from the development should be afforded significant weight. The applicant has sufficiently demonstrated the impacts of the development on nearby sensitive receptors can be made acceptable with the identified mitigation. The applicant has also evidenced the development would not adversely impact the operation and safety of the local and strategic highway networks, with suitable measures incorporated to encourage sustainable travel. The design of the development will be similar in nature, scale and appearance to that already present within the Luneside Industrial Estate and that which has recently been approved within the larger scale redevelopment proposal located immediately to the north. As such the proposal is not considered to adversely impact the character and appearance of the townscape in this location. The applicant has also demonstrated that the proposal would not conflict with flood risk policy and that the development will incorporate a sustainable drainage system. The only matter weighing against the proposal, is the absence of net gains in biodiversity and impacts on existing trees/hedgerows. Whilst new planting will mitigate against some of the losses, the development cannot secure net gains in biodiversity despite exhausting options to secure this off site. Given that mandatory BNG does not apply to this proposal, and that current planning policy only requires net gains where possible, it is concluded that this would not amount to a significant policy conflict, nor is it considered significant enough to

substantiate a refusal of planning permission. On this basis, it is recommended planning permission is granted.

Recommendation

That Planning Permission **BE GRANTED** subject to a s106 legal agreement to secure a financial contribution towards an off-site enhancement scheme and the following conditions:

Condition no.	Description	Type
1	Timescale	Control
2	Approved plans	Control
3	Construction Management Plan	Prior to commencement
4	Employment Skills Plan	Prior to commencement
5	Surface water drainage strategy	Prior to commencement
6	Construction phase drainage strategy	Prior to commencement
7	Foul drainage strategy	Prior to commencement
8	UU infrastructure protection methodology	Prior to commencement
9	Contamination Investigation	Prior to commencement
10	Invasive species management plan	Prior to commencement
11	Details of pedestrian facilities	Prior to above ground works
12	Details of EV charging facilities	Prior to above ground works
13	Details of cycle storage facilities	Prior to above ground works
14	Details of habitat enhancement measures	Prior to above ground works
15	Details of landscaping and maintenance	Prior to above ground works
16	Final details of all external materials, including samples, to the buildings and fencing	Prior to above ground works
17	Final details of energy efficiency and renewable energy technology including their location, dimensions and appearance	Prior to above ground works
18	Final details of ball stop netting including management and maintenance and implementation	Prior to occupation
19	Implementation of access arrangements, parking and turning facilities	Prior to occupation
20	Surface water drainage strategy system operation and maintenance details	Prior to occupation
21	Verification Report of Constructed Sustainable Drainage System	Prior to occupation
22	Development in accordance with Flood Risk Assessment	Control
23	External plant not to exceed specified dB levels	Control
24	Hours of construction	Control
25	Air quality mitigation measures	Control
26	Development in accordance with ecological mitigation	Control
27	Development in accordance with AIA	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	A7
Application Number	24/00598/FUL
Proposal	Removal of existing fencing and erection of a new boundary fence and access gates
Application site	Central Lancaster High School Crag Road Lancaster Lancashire
Applicant	Central Lancaster High School
Agent	Jon Thompson
Case Officer	Ms Sophie Taylor
Departure	
Summary of Recommendation	Approval, subject to conditions

(i) Procedural Matters

This application has been called in to Planning Committee by Councillor Sam Riches, therefore 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 the Central Lancaster High School, located on the south side of Crag Road in the Ridge Area of Lancaster. The land is elevated above Crag Road, which is a designated public right of way and highway, and the general sloping topography down to the River Lune approx. 700m northwest of the site. The site shares its boundaries with residential development to the north and west, and Claver Hill Community Farm to the east which is designated as an Urban Setting Landscape and Open Space, Recreation and Leisure. To the south of the site lies Lancaster Royal Grammar School Pitches. The site is designated as an Open Space, Recreation and Leisure Area.

2.0 Proposal

2.1 This application seeks planning permission for the removal of existing fencing and the erection of a new boundary fence and access gates. The fencing is to be green 2.4m high mesh fencing with associated gates, including a sliding vehicle gate.

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:

- 21/01174/FUL - Demolition of part of existing building and erection of 2-storey building with associated landscaping – Approved
- 23/01061/NMA - Non material amendment to planning permission 21/01174/FUL to relocate one window from the ground floor to the first floor on the North elevation - Approved
- 14/00149/CCC - Erection of a new single storey sports hall including lobby, external retaining wall and pedestrian pathways – No objection
- 13/00490/FUL - Erection of a new visitor reception area and alterations to the main school entrance - Approved
- 09/00359/CCC - Single storey extension comprising of 6 no. classrooms, plantroom, disabled WC and associated ancillary space extension to par park to replace spaces lost due to extension – No objection
- 05/00979/CPA - Construction of a fenced and floodlit synthetic turf pitch for hockey/soccer area – Approved
- 99/00519/CPA - Erection of a sports hall/fitness room/link extension and alterations to existing gymnasium – Approved

Application Number	Proposal	Decision
21/01174/FUL	Demolition of part of existing building and erection of 2-storey building with associated landscaping	Approved
23/01061/NMA	Non material amendment to planning permission 21/01174/FUL to relocate one window from the ground floor to the first floor on the North elevation	Approved
14/00149/CCC	Erection of a new single storey sports hall including lobby, external retaining wall and pedestrian pathways	No objection
13/00490/FUL	Erection of a new visitor reception area and alterations to the main school entrance	Approved
09/00359/CCC	Single storey extension comprising of 6 no. classrooms, plantroom, disabled WC and associated ancillary space extension to par park to replace spaces lost due to extension	No objection
05/00979/CPA	Construction of a fenced and floodlit synthetic turf pitch for hockey/soccer area	Approved
99/00519/CPA	Erection of a sports hall/fitness room/link extension and alterations to existing gymnasium	Approved

4.0 Consultation Responses

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

Consultee	Response
Cadent Gas	No objection. Requests informative note added to decision notice.
County Highways	No objection. Requests conditions for delivery times and road sweeping.
Sport England	No objection subject to a condition requiring a construction management plan.
Ramblers Association	No response.
Public Rights of Way	No objection. The public right of way should be kept clear from obstruction. A temporary closure order will be needed if works likely to cause health and safety risk to users.
Public Realm Officer	No response.
Policy	No response.

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

36 objections have been received from members of the public raising the following material planning concerns:

- Visual impact of the fence – height, not in keeping with local environment, effecting openness.
- Used for recreation and walking, providing social and mental health benefits.

- Views over field.
- Highway visibility concerns.
- Existing fence adequate, no evidenced need.
- Doesn't comply with section 99 or section 98 of NPPF.
- Effect on house prices.
- Impact on wildlife.
- Impact on trees.
- Other applications for school fencing have been refused.

These issues are addressed in the subsequent report.

5.0 Analysis

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

- Principle of Development
- Design and Landscape
- Residential Amenity
- Trees and Ecology
- Highways

5.2 **Principle of Development (National Planning Policy Framework Section 8 Promoting safe and healthy communities, Section 9 Promoting sustainable transport, Section 12 Achieving well-designed and beautiful places; Development Management DPD Policies DM27 Open Space, Sports and Recreation Facilities, DM29 Key Design Principles, DM43 Green Infrastructure, DM56 Protection of Local Services and Community Facilities, DM61 Walking and Cycling; Strategic Policies and Land Allocations DPD Policies SP1 Presumption in Favour of Sustainable Development, SC3 Open Space, Recreation and Leisure)**

5.2.1 Policy DM27 seeks to protect and enhance existing designated open spaces and prevent the loss of designated open space, sports and recreational facilities, whilst Policy DM43 seeks to protect and enhance green spaces including recreational areas and parks. These aims are reiterated by Policy SC3 and Section 8 of the NPPF. Paragraph 108 of the NPPF states that 'access to a network of high-quality open space and opportunities for sport and physical activity is important for the health and well-being of communities.' Policy DM56 supports enhancement of local services such as schools. Policy DM29 seeks to ensure that places are safe and secure, as do Paragraphs 96 and 135 of the NPPF.

5.2.2 The perimeter fencing will prevent unauthorised access onto the school site and create a more secure environment for the pupils and staff. This will also enable the school to work on sport facility improvements. Sport England initially objected to the application as the proposal would have resulted in the segmentation of approx. 0.52ha of playing field capable of providing pitch sports. The proposal has since been amended to prevent any segmentation and Sport England have withdrawn their objection.

5.2.3 The local community consider that the site has some social value in terms of recreational activity and as a walking area and there have been multiple representations from members of the public explaining the value that they place on the use of the site in social and well-being terms. An enquiry was raised with Lancashire County Council regarding the ownership and use of the land, and they have confirmed that the playing field is leased to the Bay Learning Trust for a term of 125 years from Lancashire County Council. They also confirmed that the use of the land is a private playing field, and as such, use by the general public is unauthorised. There are no Public Rights of Way running though the site and the Public Rights of Way Officer raises no objections to the proposal.

5.2.4 The site is designated as open space, recreation and leisure area. It is important to note that open space designations can include land in private ownership, access to which is only possible with the agreement of the owner. Further comments were received stating that the proposal is contrary to Section 103 of the NPPF. This section states that, 'existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:' and then lists a number

of criteria the application must meet. As the proposal is for a boundary fence, this will not result in a loss of open space and the field will still be in use for sports and recreation. It is therefore considered that the proposal is not contrary to section 8 of the NPPF. Additionally, there are various public green spaces within the area, such as Williamson Park and Highfield Recreation Ground as well as Claver Hill and Ridge Community Woodland. Given the above, the proposal will therefore enhance the local secondary school site and provide security benefits and as such can be supported in principle.

- 5.3 **Design and Landscape** (National Planning Policy Framework Section 12 Achieving well-designed and beautiful places, Section 15 Conserving and enhancing the natural environment; Development Management DPD Policies DM27 Open Space, Sports and Recreation Facilities, DM29 Key Design Principles, DM46 Development and Landscape Impact; Strategic Policies and Land Allocations DPD Policies SC3 Open Space, Recreation and Leisure, EN5 Local Landscape Designations)
- 5.3.1 Policy DM29 requires development to ‘contribute positively to the identity and character of the area through good design, having regard to local distinctiveness, appropriate siting, layout, palate of materials, separation distances, orientation and scale.’ Policy DM47 further details this, stating that ‘Outside of protected and designated landscapes the Council will support development that is in scale and keeping with the landscape character and is appropriate to its surroundings in terms of siting, scale, massing, design, materials, external appearance and landscaping.’ Policy EN5 requires development within the identified areas to ‘preserve the open nature of the area and the character and appearance of its surroundings’ and Policy SC3 states that identified sites will be ‘protected from inappropriate development’.
- 5.3.2 The fence will be green mesh which is typical of fencing to schools and sport sites, and is already used in some areas within the curtilage of the site and at other schools within the wider area. A number of public comments refer to the fence as 3m in height, however the proposal is for a fence that will be approx. 2.4m in height and has an open mesh design. Therefore, the proposal is considered to have a minimal scale and massing when considered in the context of the school site. Therefore, the design is considered acceptable and does not have a significant impact upon the character and appearance on the school site and wider streetscene.
- 5.3.3 Claver Hill Community Farm runs adjacent to the eastern boundary of the site and is designated as an Urban Setting Landscape and as an Open Space, Recreation and Leisure area. The fencing will be partially screened from Claver Hill by the existing planting along the boundary and the use of dark green coloured open mesh fencing as described in the Design and Access Statement submitted with the application will also serve to minimise the apparent visibility of the structure and mitigate its impact on the openness of the landscape. Therefore, the proposal is not considered to have an adverse impact upon the landscape.
- 5.4 **Residential Amenity** (National Planning Policy Framework Section 12 Achieving well-designed and beautiful places; Development Management DPD Policy DM29 Key Design Principles.)
- 5.4.1 Policy DM29 states that development should ‘ensure there is no significant detrimental impact to amenity in relation to overshadowing, visual amenity, privacy, overlooking, massing and pollution’.
- 5.4.2 Given the open mesh design and height of approx. 2.4m, the fence will not present adverse overbearing or overshadowing impacts on nearby residential properties. A number of representations have been received detailing that the fencing will prevent views over the playing fields, however, obstruction of personal views is not a material planning consideration that can be given significant weight.
- 5.5 **Trees and Ecology** (National Planning Policy Framework Section 12 Achieving well designed and beautiful places, Section 15 Conserving and enhancing the natural environment; Development Management DPD Policies DM29 Key Design Principles, DM44 The Protection and Enhancement of Biodiversity, DM45 Protection of Trees, Hedgerows and Woodland)
- 5.5.1 Policy DM45 states that the protection of trees and hedgerows that positively contribute, either as individual specimens or as part of a wider group, to the visual amenity, landscape character and/or environmental value of the location.

5.5.2 Due to the nature of the development which has a relatively low intrusive impact, the proposal does not require any removal of trees to facilitate the development. The fencing is located within the root protection areas (RPA) of various trees and as such a condition requiring the submission of arboricultural details is recommended to ensure the development does not damage the trees/hedges during site works.

5.5.3 The fencing will not directly affect the surrounding trees and woodland which may offer habitat to protected species, however an advice note is recommended to ensure the protection of any protected species during the installation of the fencing should permission be granted.

5.6 **Highways (National Planning Policy Framework Section 9 Promoting Sustainable Transport; Development Management DPD Policies DM60 Enhancing Accessibility and Transport Linkages)**

5.6.1 Policy DM60 states that development proposals should be supported where they ‘include measures that address matters of highway safety to the satisfaction of the local highway authority’. County Highways have raised no objections to the proposal but requested conditions to control the delivery times and highway sweeping. The access retains safe access and egress for vehicles and subject to conditions, it is considered that the development is acceptable in terms of highway safety.

5.7 **Other matters**

5.7.1 A number of comments have been received in relation to lowering the property value of the neighbouring properties. As there are various different factors which affect house values, such issues are not material considerations that can be taken into account in the planning assessment.

5.7.2 Comments have also brought up previous applications for school fencing in the Lancaster District which have been refused. This is noted, however, each application must be assessed on its own merits and for the above reasons, the height, design and siting of the fencing is considered to be acceptable overall, and on balance.

6.0 Conclusion and Planning Balance

6.1 The proposed fencing and associated access gates are required in order to create a more secure environment for the pupils and staff. The proposal does not impact upon the quality or quantity of playing pitches or other adversely affect their use. The proposal is acceptable with respect to the sites Open Space, Leisure and Recreation Designation and with respect to the matters of design and landscape and trees.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Standard 3 year timescale	Control
2	Development in accordance with the amended approved plans	Control
3	Submission of Arboricultural Details	Pre-commencement
4	Restriction to delivery times	Control
5	Highway sweeping provision	Control

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

In accordance with the above legislation, Officers have made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure

development that improves the economic, social and environmental conditions of the area. The recommendation has been made having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None

Agenda Item	A8
Application Number	24/00835/FUL
Proposal	Installation of a temporary coastal monitoring radar mast and equipment box
Application site	Trafalgar Point Stone Jetty Marine Road Central Morecambe
Applicant	Mr Graham Lumbery
Agent	Mr Steve Chapman MRTPI
Case Officer	Mr Robert Clarke
Departure	No
Summary of Recommendation	Approval, subject to conditions

1.0 Application Site and Setting

- 1.1 The site which forms the subject of this development is Trafalgar Point, located at the end of the Stone Jetty in Morecambe. The Stone Jetty extends into the bay from the promenade, close to the Midland Hotel. The larger section of the jetty contains the Stone Jetty Café, a grade II listed former railway building, and the associated lighthouse. Trafalgar Point extends a further 150 metres and features two ramps providing access to the bay. The development would be located towards the edge of the jetty within the circular area.
- 1.2 The site is within the Morecambe Area Action Plan boundary, it is located within flood zone 3b. Morecambe Bay is subject to ecological designations, the development site is located outside of but in close proximity to the Ramsar, Special Protection Area, Special Area of Conservation and SSSI designations. The site forms part of the Morecambe Main Seafront and Promenade designation within the Morecambe Area Action Plan.

2.0 Proposal

- 2.1 This application seeks temporary planning permission for the erection of a coastal monitoring radar mast and equipment box. The column would be based on a galvanised steel lighting column design with a height of approximately 16.5 metres including the lighting and radar equipment. The associated equipment box is to be located adjacent to the column and measures 1.61 metres high.

3.0 Site History

- 3.1 No relevant planning applications relating to this site have previously been received by the Local Planning Authority.

4.0 Consultation Responses

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

Consultee	Response
Morecambe Town Council	No response received
Engineers	No response received
Environment Agency	The development proposed is classed as water compatible development, the Environment Agency raises no objection to the development proposed.
Natural England	No response received
Environmental Health	No response 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:

- Principle of development
- Design and heritage
- Ecology
- Flood risk

5.2 **Principle of Development** National Planning Policy Framework: Section 2. Achieving sustainable development.

5.2.1 The development forms part of the North West Regional Coastal Monitoring programme which stretches from the Wirral to the Scottish border, and is one of six regional monitoring programmes that forms a national network across England. The programme facilitates the systematic collection of coastal monitoring data to inform sustainable decision-making on the coast. The programme enables a regional approach to coastal process monitoring, providing information for the development of strategic shoreline management plans, coastal defence strategies and operational management of coastal protection and flood defence. The development is intended to replace the current equipment which has been present at this site, and which is based around a shipping container. The development is intended to be temporary for a period of 3 years. The applicant has set out that the equipment needs a good line of sight to the beach and sea and must be mounted at a sufficiently high elevation to ensure the best possible data collection. The site selected is based on the optimum location for the operation of the equipment. The principle of such development is supported. As the proposal is intended to be temporary in nature, a condition requiring the development to be removed and site restored within the specified temporary period is recommended.

5.3 **Design and heritage** National Planning Policy Framework: Section. 12 Achieving well-designed and beautiful places, Section 16. Conserving and enhancing the historic environment; Strategic Policies and Land Allocations DPD Policy: SP7: Maintaining Lancaster District's Unique Heritage; Review of the Development Management DPD Policies: DM29 Key Design Principles, DM30: Sustainable Design, and DM39: The Setting of Designated Heritage Assets.

5.3.1 The column would be visible in wider landscape views along the jetty and promenade. There are currently no features of this height located at the end of the stone jetty. However, in the context of the surrounding lighting infrastructure located along the larger section of the jetty and along the promenade itself, it is considered that the proposal would not be unacceptably obtrusive. The

proposal would result in a low level of harm to the character and appearance of the immediate location; however, this would be temporary in nature. Furthermore, the benefits entailed with the proposal regarding coastal process management are important and sufficient to justify the development overall.

5.3.2 The development is located around 120 metres away from the Grade II listed former railway building, and the associated lighthouse. Due to this separation distance and the presence of surrounding lighting infrastructure within the immediate setting of the heritage asset, the development proposal does not impact upon the setting of this asset.

5.4 **Ecology** National Planning Policy Framework: Section 15. Conserving and enhancing the natural environment; Strategic Policies and Land Allocations DPD Policies: SP8: Protecting the Natural Environment, EN7: Environmentally Important Areas; Review of the Development Management DPD Policies: DM29: Key Design Principles, DM44: The Protection and Enhancement of Biodiversity.

5.4.1 The development is located outside of but in close proximity to the Ramsar, Special Protection Area, Special Area of Conservation and SSSI designations. The surrounding environment is ecologically sensitive, and the development will enable improved understanding of the coastal processes which take place within them. The installation of the development would be minor in nature including the excavation of a small area of hardstanding to facilitate a foundation for the equipment. The design of the structure is akin to a lighting column of which there are many within the area, as such there are not considered to be any longer-term impacts, such as to species associated with the ecological designation, during the lifetime of the development. In light of the relationship of the development with these ecological designations, the Council has undertaken a Habitat Regulations Assessment in which likely significant effects upon the qualifying features or the conservation objectives of the designations has been ruled out.

5.4.2 The development is not required to provide mandatory Biodiversity Net Gain as the proposal benefits from the de Minimis exemption.

5.5 **Flood risk** National Planning Policy Framework: Section 14. Meeting the challenge of climate change, flooding and coastal change; Review of the Development Management DPD Policies: DM33: Development and Flood Risk.

5.5.1 The development site is located within flood zone 3b, as such the application is supported by a Flood Risk Assessment (FRA). Due to the nature of the development proposed, it is classed as water compatible development. As required by national planning policy, the development is designed to remain operational and safe for users in times of flood. It will also result in no net loss of floodplain storage nor impede water flows, nor increase flood risk elsewhere. The Environment Agency raises no objection to the development proposed.

5.5.2 The application is required to address the flood risk sequential test. In this case, the operational requirements of the development to enable the infrastructure to undertake its role in coastal process monitoring dictate possible locations for siting the development. The development must be in close proximity to and have a clear line of sight of the bay. The nature of the stone jetty and its extension into the bay provides the optimum suitable location to allow the infrastructure to collect the required data. It is considered that in this instance, there are no other as suitable sites where the development could be reasonably steered to at a lower risk of flooding and where it would be equally as successful.

6.0 Conclusion and Planning Balance

6.1 The development will facilitate the collection of data to help improve understanding of coastal processes within the wider Morecambe Bay environment. The principle of development is supported. The development will have a visual impact, however, it is not dissimilar to existing lighting infrastructure within the area. The benefits entailed with the development and described within this report, combined with the temporary nature of the development is considered to justify the development in design and landscape terms. The development is also considered to be acceptable with respect to ecological considerations and flood risk matters.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Timescale	Control
2	Approved plans	Control
3	Temporary 3 year consent and site reinstated following decommissioning	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	A9
Purpose of report	To update members on the Planning Enforcement and Applications Team performance.
Report Author:	Service Manager – Development Management
Summary of Recommendation	That the report be noted

1.0 Purpose of report

1.1 The purpose of the report is to share with members the performance of the City Councils Development Management function since April 2024. It is the intention moving forwards that each quarter a report will be presented to members setting out the team’s performance, and how it compares with government timescales. The report will also provide information on planning and enforcement appeals. Quarter 2 performance will be shared with Committee on 28 October.

2.0 Planning Applications

2.1.1 The planning applications team comprises of a Planning Applications Manager, 3 Principal Planning Officers, 1 Senior Planning Officer, 2 Planning Officers, 3 Planning Assistants, 1 Graduate Planning Officer and a Section 106 Monitoring Officer. The team determines in the region of 1500 applications a year (amongst the applications noted below, this also includes the likes of discharge of planning conditions, non-material amendments and the Councils pre-application offering).

2.1.2 There are different types of applications for which government assess local authorities on in terms of performance, these are broken down below. The majority of the schemes that come before members at Committee are major applications.

2.1.3 Major

Major applications are applications which fall into the following categories:

- Dwellings - 10+ dwellings or cover a site area of 0.5ha+
- Offices/Retail & Distribution/Light Industry -cover over 1,000m2 or floor space or a site area of 1ha+
- General Retail Distribution and Servicing – 1,000m2+ or floor space or site area of 1ha+
- Gypsy and Traveller sites – 10+ pitches
- All other major developments – all other uses, whether in a use class or sui generis uses – 1,000m2

2.1.4 Minor applications

These are applications which fall into the following categories:

- Dwellings – 1-9 dwellings. Or site area of less than 0.5ha
- Offices/Retail & Distribution/Light Industry – less than 1,000m2 floor space or less than 1 ha site area
- General Industry and Distribution and Servicing – less than 1,000m2 floor space or less than 1ha site area
- Gypsy and Traveller sites – 1-9 pitches
- All other minor developments – less than 1,000m2 floor space or less than 1ha site area

2.1.5 **Other Developments**

These applications include the below.

- Change of Use – going from one class use to another
- Householder developments - extensions, conservatories, garages etc within the domestic curtilage of the property
- Advertisements
- Listed Building Consent

2.2 **Performance**

2.2.1 Performance has traditionally been measured in terms of time taken to determine a planning application. The target is 13 weeks for major applications, and 8 weeks for householder and other applications. This is calculated from the date of validation to the date of the decision notice being issued. There is also an opportunity to negotiate an extension of time for applications where it is clear that the statutory target cannot be met.

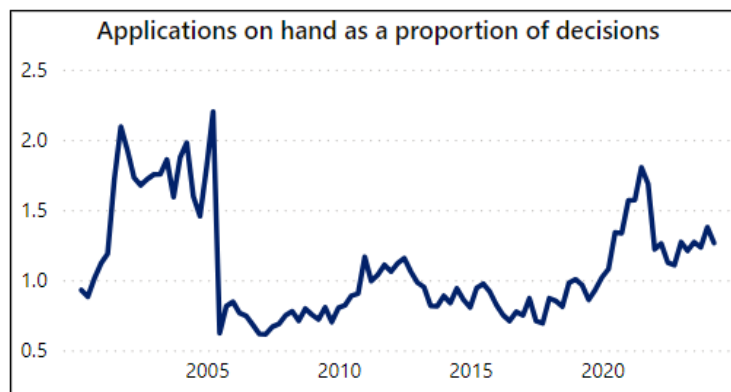
2.2.2 Currently the Government has set Local Planning Authority performance targets (Improving Planning Performance: Criteria for Designation Updated 2020) as follows:- 60% of Major Applications to be determined within 13 weeks or the agreed time extension 70% of Minor Applications and Others to be determined within 8 weeks or the agreed time extension. As can be seen from the statistics below the service is exceeding the timescales imposed by government.

2.2.3 Quarter 1 – 2024/2025 (1 April – 30 June 2024)

- Majors 92% within 13 weeks or within agreed time extension
- Minors 93.90% within 8 weeks or within agreed time extensions
- Others 94.89% within 8 weeks or within agreed time extensions

2.2.4 The table below shows the number of applications received for the first two quarters of 2024, and those determined. Members will note the vast majority of decisions are delegated, and historically the figure is around 93% of applications are delegated to officers to determine. As of 31 March the Councils applications on hand/decisions figure is 1.26, which bodes well when compared against the North-West Average of 1.84. The spike in 2021 was due to the significant planning application backlog the council faced.

	January – March 2024	April -June 2024
Applications received	215	206
Applications determined	219	231
Percentage of decisions delegated	93%	90%



2.3 **Planning Appeals**

There are three main types of planning/enforcement appeals.

These are written representations, Hearings and Inquiries.

2.3.1 **Written Representation**

Most planning appeals are decided by the written representations route. With this procedure the Planning Inspector will consider written evidence from the appellant, the local planning authority (LPA) and anyone else who has an interest in the appeal. The written evidence usually takes the form of a statement of case by the main parties (the appellant and the LPA), and there is also the opportunity to comment on each other's statements.

For householder appeals there is a slightly different process, There are no opportunities to submit further information once the original appeal form has been submitted and the Local Authority will provide a copy of either the officers delegated/ committee report rather than a separate statement.

2.3.2 **Hearing**

A planning hearing is an appeal in which there is normally no legal representation. Statements are submitted by both parties and there is an open, informal discussion on the key issues. A hearing is usually a day event.

2.3.3 **Public Inquiry**

An Inquiry is a more formal process and there is normally legal representation who cross examine witnesses. Public Inquiries will last more than a couple of days.

2.3.4 The following planning appeal decisions were issued between 1 April to 30 June 2024. A separate list is appended to this report detailing the schemes that have been subject of the appeal and the outcomes.

Planning Appeals	Number	Allowed	Dismissed
Determined			
Written Representations	11	1	10
Hearings	1	0	1
Inquiry	1	0	1
Householder	1	1	0
Total	14	2	12

The percentage of allowed appeals is 15% and therefore slightly above the quality indicator of Major and Non-Major Development which stands at 10%.

4.0 **Planning Enforcement**

4.0.1 The Planning Enforcement Team (comprising of 1 Senior Planning Enforcement Officer, 3 Planning Enforcement Officers and 1 Graduate Planning Enforcement Officer (role currently vacant) are

responsible for investigating alleged breaches of planning control, and taking action to remedy breaches of planning control and harm arising.

4.0.2 The team receive on average 350 complaints per year, and until 2021 the Council only employed 2 Planning Enforcement Officers, and 1 Graduate Planning Enforcement Officer. As part of the Development Management Review in 2021, two additional Planning Enforcement Officers posts were created employed to assist in managing caseloads and to help reduce the backlog of cases that had built up over time.

4.1 **Historic Case Review and Management of the Backlog**

4.1.1 Over the past 18 months one of the key priorities has been to work on the review and clearance of historic enforcement cases. Some of these cases date back to 2010. A large number of these cases have been reviewed, and a large number of those cases have been closed, either that it is not proportionate to take action, action has been taken, the breach is de minimis or that through the passage of time the breach is immune from enforcement action. The table below shows the progress in terms of clearing historic cases. The team have worked hard to resolve and close active files. In January 2023 we had 342 active cases from the past decade still active, the figure in August 2024 is 152. The work has been undertaken in addition to ongoing investigations/appeals and prosecutions.

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Live Cases August 2024	1	1	0	3	3	3	8	19	27	31	56
Live Cases January 2023	1	1	2	6	5	7	22	53	61	64	120

4.1.2 A review of cases has also occurred for the recent years of 2021-2024. These are higher in terms of open cases, but closed cases are also much higher, these take into closure of cases from previous years.

4.1.3

	2021	2022	2023	2024
Overall number of cases received	384	355	310	266
Closed Cases	299	176	439	296
Open Cases August 2024	96	88	116	173
Review of ongoing enforcement cases – The review shows figures for the years 2021-2024. The table illustrates the change in the number of live cases received.				

4.1.4 For the year to date (January to the end of August 2024) a total of 266 cases have been received, and 93 cases have been closed. This is illustrated below. 173 cases are currently active for the year of 2024. We expect given the current trends for complaints to reach circa 355 by the end of the year. A slight increase than in 2023.

	2024
Open Cases	173
Closed Cases	93
Cases received January 2024-August 2024	266

4.1.5 The Local Authority currently have 642 live planning enforcement cases. Between 1 January to 31 August we received 266 new complaints. The Local Planning Enforcement Plan sets out a case management system as set out below. The local planning authority have committed to monitoring the performance against the action targets. The new plan adopted by the Planning and Regulatory Committee in 2024 set out a new expediency test aimed at assessing the breach, remedying breach, resolving the breach and formal action to resolve the breach if this is indeed required. The new system is designed to be more focussed and allow time for others to pursue the breaches of planning control that require action to be taken.

'Red' Cases	Cases that involve significant or irreparable harm. These include unauthorised works to a listed building, the felling of a protected tree, development likely to adversely impact public safety, or development likely to cause adverse impacts to sensitive habitats (e.g. Sites of Special Scientific Interest and similar designations).	The Planning Enforcement Officer will aim to visit these cases, or otherwise pursue appropriate action within 1 working day of receipt of the case.
'Amber' Cases	All other cases where there is a breach of planning control.	The Planning Enforcement Officer will aim to visit these cases, or otherwise pursue appropriate action within 15 working days of receipt of the case.
'Green' Cases	Cases where there is no breach of planning control, or where it is proven at Stage 1 and 2 of the Expediency Test that the breach does not warrant enforcement action.	These cases will not be investigated further .

4.1.6 It can be seen from the figures below that whilst red cases have been visited within the timescales committed to in the plan the amber cases are taking more time. Since the new monitoring came into place in April, we have faced recruitment issues with one of our officers leaving for another role within the authority. This is why the number is lower than expected. We would hope if fully resourced to visit 90% of amber sites within the 15 working days.

	Received	Initial visit within target	Percentage in time
Red Case	4	4	100%
Amber	89	54	60%
Green	3	N/A	NA

4.1.7 For the first quarter of 2024/2025 there has been two enforcement notice appeals decisions from the Planning Inspectorate. One was allowed which was for the use of a garage as a gym and one dismissed for the erection of fencing. The details can be seen on the appended list. In terms of action taken in Quarter 1, there have been 23 notices served in the last quarter. The table below breaks this down into the type of action.

Action	Number of Actions
Breach of condition notice	0
Enforcement injunctions	0
Enforcement Notice	11
Injunctive Applications refused	0
Planning Contravention Notice	9
Stop Notice	0
Section 215	1
Listed Building Enforcement Notice	2

5.0 Conclusion

5.1 The Development Management team are working above expected government targets in terms of timescales. Whilst quality of decision making (i.e. schemes allowed on appeal) is slightly higher than the 10% endorsed by government there are no concerns on the quality of decision making. The Planning Enforcement Team are reducing the significant backlog that peaked in December 2022. At that point there were 797 open cases whereas the figure now is 642 (20% reduction). Given the backdrop of recruitment challenges and planning appeals, significant progress has been made with respect to Councils planning enforcement function.

Appeal Reference	Application Reference	Application Site	Proposal	Appeal Decision
23/00027/REF	22/01494/OUT	Land At Grid Reference E347900 N455890 Highland Brow Galgate Lancashire	Outline application for the development of up to 108 dwellings and creation of a new access	Dismissed
23/00037/REF	23/00755/VCN	Former Co-op Warehouse John Street Carnforth Lancashire	Prior approval for the change of use of commercial building into six apartments (C3) pursuant to the variation of condition 1 on approved prior approval application 22/00393/PAC to alter the layout)	Allowed
23/00038/REFLB	22/01272/LB	Ty Nant Wyresdale Road Quernmore Lancaster Lancashire LA2 9EF	Listed building application for the installation of solar panels to south roof slope	Dismissed
23/00039/REF	22/01271/FUL	Ty Nant Wyresdale Road Quernmore Lancaster Lancashire LA2 9EF	Installation of solar panels to south roof slope	Dismissed
23/00041/ENF	20/00317/UNAUTU	Forgewood Cottage Low Road Halton Lancaster Lancashire LA2 6PA	Appeal against enforcement notice - Use of garage as a gym	Allowed
23/00042/ENF	20/00318/UNAUTD	15 Morecambe Road Morecambe Lancashire LA3 3AA	Appeal against enforcement notice relating to the erection of a wall and associated fence panels	Dismissed
23/00043/8WEEK	23/00695/FUL	Willodene Shore Road Silverdale Carnforth Lancashire LA5 0TP	Construction of new access and dropped kerb and rebuilding of boundary wall	Allowed
23/00045/REF	23/00315/FUL	Batty Hill Farm Lancaster Road Cockerham Lancaster Lancashire LA2 0DZ	Use of building and agricultural land for 4 dwellings for holiday use (C3) and installation of a package treatment plant	Dismissed

23/00046/REF	22/01305/CU	Mobile Home Kendal Hill Farm Dobs Lane Glasson Dock Lancashire	Retrospective application for the change of use of agricultural land to site mobile home for holiday occupancy	Dismissed
23/00047/REF	23/01048/FUL	Thwaite End Barn Main Road Bolton Le Sands Carnforth Lancashire LA5 9TN	Change of use of existing ancillary living accommodation to 3 dwellings (C3) creation of a parking and garden area installation of replacement windows and doors and installation of a package treatment plant	Dismissed
23/00048/REF	23/00882/FUL	Pattys Barn Hillam Lane Cockerham Lancaster Lancashire LA2 0DY	Change of use of former shippon to holiday let accommodation (class C1) raising the roof installation and alterations to windows doors and rooflights and other associated works	Dismissed
23/00049/REF	22/00885/OUT	Land North Of Ashford House Ashton Road Lancaster Lancashire	Outline application for development of up to 70 dwellings with public open space and associated infrastructure and creation of a new access	Dismissed
23/00050/REF	23/00580/AD	Lower Addington Farm Birkland Barrow Road Nether Kellet Carnforth Lancashire LA6 1FJ	Agricultural determination for the erection of 5 silos	Dismissed
24/00001/REF	23/01159/FUL	Former Co-op Warehouse John Street Carnforth Lancashire	Retrospective application for the removal of the external staircase installation of new and altered windows doors and rooflights and installation of metal balustrades	Dismissed
24/00002/REF	23/00756/FUL	Former Co-op Warehouse John Street Carnforth Lancashire	Part retrospective application for change of use of commercial building basement to two flats (C3) and ancillary bike store	Dismissed

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APPLICATION NO	DETAILS	DECISION
22/01158/OUT	Land At OS Grid Reference E348374 N455851, Main Road, Galgate Outline application for residential development for up to 45 dwellings with access, associated infrastructure, public open space and flood attenuation measures for Gerrard Stackhouse (Ellel Ward)	Application Withdrawn
23/00201/DIS	Land Off, Wyresdale Road, Lancaster Discharge of conditions 3, 4, 5, 6, 7, 10 and 15 on approved application 22/00817/VCN for Mr Chris Middlebrook (John O'Gaunt Ward)	Split Decision
23/00499/FUL	2 Greta Bridge Cottages, Melling Road, Melling Erection of a two storey side extension and single storey side extension for Mr Sam Lister (Upper Lune Valley Ward)	Application Permitted
23/01052/FUL	The Old Barn, 166A Coastal Road, Bolton Le Sands Change of use from garden machinery repairs to 1 x holiday let (sui generis) for Mr Daniel Low (Bolton And Slyne Ward)	Application Permitted
23/01075/FUL	10 Sun Street, Lancaster, Lancashire Part retrospective application for the change of use of offices, workshop and store to 5 studios for student accommodation (C3), demolition of link extension and erection of a replacement single storey link extension, replacement windows/doors to existing outrigger and construction of an external staircase in rear yard for Ashton Homes Lancashire Ltd (Castle Ward)	Application Permitted
23/01076/LB	10 Sun Street, Lancaster, Lancashire Listed building application for the retention of works to demolish link extension and replacement single storey link extension, replacement windows/doors, installation of external staircase in rear yard and alterations to internal partition walls, installation of internal doors, removal of suspended ceilings and repairs to lath ceiling and installation of new ceilings and repairs to skirtings and cornices for Ashton Homes Lancashire Ltd (Castle Ward)	Application Permitted
23/01104/FUL	Westfield Farm, Kellet Lane, Nether Kellet Part retrospective application for the erection of an agricultural building for storage and livestock for Mr Allan Riley (Halton-with-Aughton And Kellet Ward)	Application Permitted
23/01357/FUL	Green Farm, Mewith Lane, Tatham Erection of an extension to existing home office/stable building for Mr M Harrison (Lower Lune Valley Ward)	Application Permitted
23/01370/FUL	24 Queens Drive, Morecambe, Lancashire Change of use from dwelling house to two self contained flats for Miss L Croston (Bare Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

23/01446/FUL	Scale House Farm, Scale House Lane, Wray Erection of a livestock building for cattle for Mr Daniel Towers (Upper Lune Valley Ward)	Application Permitted
23/01486/FUL	West View, Farleton Old Road, Farleton Erection of single storey rear extension and conversion of existing garage for Mr and Mrs Sutton (Upper Lune Valley Ward)	Application Permitted
24/00071/DIS	Land To The South Of Lawsons Bridge Site, Scotforth Road, Lancaster Discharge of conditions 6, 14, 17 and 18 on approved application 22/00423/VCN for Northstone Development Ltd (Scotforth West Ward)	Application Permitted
24/00072/DIS	Land East Of Bank Barn, Village Road, Cockerham Discharge of conditons 3, 4, 5, 6 and 7 on approved application 24/00050/VCN for Mr L Norman (Ellel Ward)	Application Permitted
24/00073/DIS	Land At OS Grid Reference E346559 N452188, Main Street, Cockerham Discharge of conditions 3, 4, 5 and 6 on approved application 24/00051/VCN for Mr L Norman (Ellel Ward)	Application Permitted
24/00106/FUL	Honeystones, Melling Road, Melling Erection of two roof extensions over existing open yards for Mr John Clarke (Upper Lune Valley Ward)	Application Permitted
24/00107/FUL	Honeystones, Melling Road, Melling Erection of a cattle building for Mr John Clarke (Upper Lune Valley Ward)	Application Permitted
24/00138/DIS	Land North Of Manor Farm Barn, Chapel Lane, Overton Discharge of conditions 3,4 and 5 on approved application 22/01295/FUL for Mr Dean Kent (Overton Ward)	Application Refused
24/00141/DIS	23A Bye-pass Road, Bolton Le Sands, Carnforth Discharge of condition 7 on approved application 24/00068/VCN for Mr & Mrs Hargreaves (Bolton And Slyne Ward)	Split Decision
24/00144/DIS	Lancaster Castle , Castle Park, Lancaster Discharge of conditions 5, 6b and 7 on planning permission 14/01091/LB for Mr Adam Brooks (Castle Ward)	Application Permitted
24/00145/DIS	Yarlside View, Kirkby Lonsdale Road, Arkholme Discharge of condition 3 on approved application number 23/00457/FUL for Mr & Mrs Cornall (Halton-with-Aughton And Kellet Ward)	Application Permitted
24/00155/DIS	St Georges Quay Development Site, St Georges Quay, Lancaster Discharge of condition 16 on approved application 19/00842/VCN for Ms Rachael Graham (Marsh Ward)	Application Permitted
24/00163/DIS	Hawthorne House, Bye-pass Road, Bolton Le Sands Discharge of condition 4 on approved application 22/01221/FUL for C Ashby (Bolton And Slyne Ward)	Application Refused
24/00164/DIS	Lancaster & District Homeless Action Service, Homeless Action Centre, Edward Street Discharge of conditions 3 and 4 on approved application 24/00555/FUL for Phil Moore (Castle Ward)	Closed

LIST OF DELEGATED PLANNING DECISIONS

24/00167/DIS	Land Between 7 And 11, St Johns Avenue, Silverdale Discharge of condition 8 on approved application 22/00072/VCN for Mr John Burrow (Silverdale Ward)	Application Permitted
24/00300/FUL	Smith Green Depot , Stoney Lane, Ellel Demolition of existing building and erection of an industrial building to provide 3 units (Use Class B2/B8) for Mr Mark Armer (Ellel Ward)	Application Permitted
24/00384/FUL	30 Main Street, Heysham, Morecambe Installation of replacement windows for Mrs Kyra Physick (Heysham Central Ward)	Application Permitted
24/00388/FUL	Old Hall Barn, Brookhouse Road, Brookhouse Demolition of existing garage and garden store and erection of 2 outbuildings, a veranda and a pergola for Mr Philip Robson (Lower Lune Valley Ward)	Application Permitted
24/00409/FUL	Carnforth Rangers Football Club, Lundsfield, Kellet Road Erection of 2 single story side extensions to existing store for Mr Casey Bragg (Carnforth And Millhead Ward)	Application Permitted
24/00470/FUL	Hare Tarn Farm , Netherbeck, Carnforth Erection of a building to cover manure storage area for Mr Allen Brown (Carnforth And Millhead Ward)	Application Permitted
24/00624/FUL	Lower Hide, RSPB Leighton Moss, Storrs Lane Demolition of existing bird hide building and erection of a replacement bird hide building with veranda, platform and access ramp for Mrs Jenni Myers (Silverdale Ward)	Application Permitted
24/00639/FUL	21 Noel Road, Lancaster, Lancashire Alterations to shopfront and installation of external roller shutter to the front elevation for Mrs Lydia Thangarajah (Skerton Ward)	Application Permitted
24/00643/FUL	25 Roosevelt Avenue, Lancaster, Lancashire Demolition of garage and erection of a two storey front and side extension, installation of timber cladding, render and replacement windows and doors for Mr Jayousi (Marsh Ward)	Application Refused
24/00644/FUL	9 Waterside, Lancaster, Lancashire Retrospective application to convert existing garage into ancillary living accommodation for Mr Yiheng Wu (Castle Ward)	Application Permitted
24/00651/FUL	Spens Caravan, Fairheath Road, Tatham Demolition of existing garage, removal of existing caravan, change of use of land to domestic curtilage, erection of self-build dwelling (C3) and installation of drainage system for Mr Andrew Staveley (Lower Lune Valley Ward)	Application Permitted
24/00653/FUL	Highmount Court , High Street, Lancaster Replacement of timber windows and doors with UPVC windows and doors for Mr Steve Birch (Castle Ward)	Application Refused
24/00664/FUL	38 Hall Park, Lancaster, Lancashire Construction of a dormer extension to the side and an open porch to the front for Mr & Mrs Leech (Scotforth West Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

24/00691/ELDC	31 Parkfield Drive, Lancaster, Lancashire Existing Lawful Development Certificate for use of property as House in Multiple Occupation (C4) for Ms Ieng Fong Cheang (Bowerham Ward)	Application Refused
24/00699/FUL	Thistle House, Main Street, Wray Installation of 2 replacement windows in rear elevation for Dr and Dr Nick and Lily Arnold and Gouldsbrough (Lower Lune Valley Ward)	Application Permitted
24/00700/LB	Thistle House, Main Street, Wray Listed Building Application for installation of 2 replacement windows in rear elevation for Dr and Dr Nick and Lily Arnold and Gouldsbrough (Lower Lune Valley Ward)	Application Permitted
24/00703/FUL	2 St Christophers Way, Morecambe, Lancashire Demolition of existing utility and erection of single storey side extension for Mr Joe Daly (Bare Ward)	Application Permitted
24/00707/FUL	145 Bare Lane, Morecambe, Lancashire Demolition of existing garage and existing rear extension and erection of single storey side and rear extension, construction of a dormer extension to rear elevation and installation of rendering to all elevations for Mr James Potter (Bare Ward)	Application Permitted
24/00711/FUL	3 Littledale Mews, Kellet Lane, Slyne Replacement of existing window with door for Mr Jonathan Whitworth (Skerton Ward)	Application Permitted
24/00714/FUL	Mill Farm, Burrow Road, Burrow Concreting of existing yards for Mr Richard Crackles (Upper Lune Valley Ward)	Application Permitted
24/00716/PAC	Telephone House, Fenton Street, Lancaster Prior approval for the change of use of upper ground floor, 1st, 2nd, 3rd and 4th floors (e) into 20 apartments (C3) for Mr Inayat Munshi (Castle Ward)	Prior Approval Granted
24/00717/FUL	131 Main Street, Warton, Carnforth Erection of a two-storey side extension for Mr Sam Taylor (Warton Ward)	Application Permitted
24/00718/FUL	Bay Horse Hotel, Kirkby Lonsdale Road, Arkholme Removal of existing bowling green and creation of two racket sports courts with enclosures and construction of acoustic fence to part of boundary for Mr Patrick Benson (Halton-with-Aughton And Kellet Ward)	Application Refused
24/00719/PLDC	45 Redshank Drive, Heysham, Morecambe Proposed lawful development certificate for change of use of dwellinghouse (C3) to a children's care home (C2) for Mr Wayne Dugdale (Heysham South Ward)	Lawful Development Certificate Refused
24/00723/PLDC	64 Bare Lane, Morecambe, Lancashire Proposed lawful development certificate for the erection of a single storey rear and single storey side extension for Mr And Mrs D Opie (Bare Ward)	Lawful Development Certificate Granted
24/00727/FUL	Middle Highfield Farm, Middle Highfield, Halton Installation of an air source heat pump for Andrew Gott (Halton-with-Aughton And Kellet Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

24/00728/FUL	2 Park Court, Park Street, Morecambe Construction of Juliette Balconies over 2 floors to replace existing windows for Mr & Mrs S Galley (Bare Ward)	Application Permitted
24/00731/LB	Old Hall Barn, Brookhouse Road, Brookhouse Listed building application for the demolition of existing garage and garden store and erection of 2 outbuildings, a veranda and a pergola for Mr Philip Robson (Lower Lune Valley Ward)	Application Permitted
24/00740/FUL	Newland Home Farm, Starbank, Bay Horse Demolition of existing garage, single storey lean to and porch and erection of two storey side extension including Juliette balcony and erection of detached garage for Mrs Catherine Halhead (Ellel Ward)	Application Permitted
24/00742/PLDC	10 Beaufort Road, Morecambe, Lancashire Proposed lawful development certificate for the conversion of 2 no flats into 3-bed semi-detached for KWB Projects LTD Kev Wilson (Bare Ward)	Lawful Development Certificate Granted
24/00744/VLA	Whittington Farm, Main Street, Whittington Variation of legal agreement attached to planning permission 16/00397/OUT to amend affordable housing and tea/room/shop provisions for Guy Taylor (Upper Lune Valley Ward)	Application Refused
24/00756/LB	New Brows Farm, Carr Lane, Middleton Listed building application for the installation of replacement windows for Mr & Mrs L Baxter (Overton Ward)	Application Refused
24/00761/FUL	Wilson House , Ashton Road, Lancaster Demolition of existing outbuilding and erection of two storey side extension for Mr & Mrs Aryton (Scotforth West Ward)	Application Permitted
24/00766/PLDC	Land North Of 17, Main Street, Warton Proposed lawful development certificate for change of use of agricultural land into residential use by way of commencement of building operations on planning permission 22/00235/REM for Mr Oliver Whiley (Warton Ward)	Lawful Development Certificate Refused
24/00771/ADV	Greyhound Bridge Bus Shelter, Greyhound Bridge Road, Lancaster Advertisement application for the display of an internally illuminated digital screen for Madeleine Pavitt (Skerton Ward)	Application Permitted
24/00775/NMA	7A First Terrace, Sunderland Point, Morecambe Non-material amendment to planning permission 23/00342/FUL to relocate new window, installation of additional rooflight and creation of ground floor WC for Mr & Mrs Brokenshire (Overton Ward)	Application Refused
24/00781/FUL	33 Anstable Road, Morecambe, Lancashire Construction of two dormer extensions to the front elevation for Mr M Benson (Bare Ward)	Application Refused
24/00784/PA56	Land At Canal Cottage, School Lane, Glasson Dock Prior approval of temporary recreational campsite in a flood zone for Mr Ian Sharples (Ellel Ward)	Prior Approval Refused

LIST OF DELEGATED PLANNING DECISIONS

24/00785/FUL	2 Bottoms Lane, Silverdale, Carnforth Demolition of existing single storey side extension and existing single storey rear extension, erection of two storey rear extension and single storey side and rear extension, entrance canopy, reroofing of existing single storey extension for S Chapman and T Hubbard (Silverdale Ward)	Application Permitted
24/00790/PIP	Newland Hall, Starbank, Bay Horse Permission in principle application for the conversion and extension of existing barn/stable to 1 residential dwelling (C3) for Mrs Cindy Campbell (Ellel Ward)	Application Refused
24/00791/PLDC	Sellet Mill Cottage, Mill Lane, Whittington Proposed lawful development certificate for two storey rear extension and single storey side extension for Mr & Mrs Haslam (Upper Lune Valley Ward)	Lawful Development Certificate Granted
24/00794/FUL	19 Hestham Avenue, Morecambe, Lancashire Erection of a single storey rear extension for Ms K Liver (West End Ward)	Application Permitted
24/00800/PLDC	1 Brettargh Close, Lancaster, Lancashire Proposed lawful development certificate for conversion of garage to create ancillary living accommodation in association with 1 Brettargh Close including removal of garage door and installation of door and window to front elevation for Mrs Honary (Scotforth West Ward)	Lawful Development Certificate Granted
24/00802/FUL	Ulrikken , Cromwell Road, Lancaster Erection of fence to front and side boundary for A. Townsend (Castle Ward)	Application Permitted
24/00804/FUL	9 Lowther Avenue, Morecambe, Lancashire Demolition of rear outrigger and erection of single storey rear extension for Mr Martin Moran (Torrisholme Ward)	Application Permitted
24/00811/FUL	60 Lancaster Road, Overton, Morecambe Retrospective application for the laying of hardstanding in association with a private stable for Mr Jack Reay (Overton Ward)	Application Refused
24/00852/NMA	Whittington Farm, Main Street, Whittington Non material amendment to planning permission 23/01488/VCN to re orientate plots 4 and 12 and amend the appearance and layout of plots 1, 2, 3, 4 and 18 for Mr Keith Southernwood (Upper Lune Valley Ward)	Application Permitted
24/00859/AD	Perry Moor, Old Moor Road, Wennington Agricultural determination for the construction of two tracks for Mr Jim Mckinstry (Lower Lune Valley Ward)	Prior Approval Granted
24/00860/EIR	Perry Moor, Old Moor Road, Wennington Screening request for the construction of two tracks for Mr Jim Mckinstry (Lower Lune Valley Ward)	ES Not Required
24/00889/NMA	53 Palatine Avenue, Lancaster, Lancashire Non-material amendment to planning permission 24/00190/FUL to amend the roof of the extension for Mr & Mrs Kumar (Scotforth East Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

24/00891/EIR	Land North Of, A683 Bay Gateway, Heaton With Oxcliffe Screening opinion for the installation of a battery storage facility with associated development for Mr Mark Dickinson (Overton Ward)	ES Not Required
24/00893/EIR	28 Stankelt Road, Silverdale, Carnforth Screening request for change of use of ancillary building from residential to holiday let (sui generis) for Mr & Mrs Blaydes (Silverdale Ward)	ES Not Required
24/00905/PLDC	1 Mcdonald Road, Heysham, Morecambe Proposed lawful development certificate for erection of a single storey extension to the side for Mrs Taylor (Overton Ward)	Lawful Development Certificate Granted
24/00912/EIR	Hazelwood Lodge, Hollins Lane, Silverdale Erection of single storey dwelling with associated access, erection of replacement car-port, and associated landscaping for Mr R. & Mrs. N. Walton (Silverdale Ward)	ES Not Required
24/00914/NMA	1 Beechfield , Westbourne Road, Lancaster Non-material amendment to planning permission 22/00315/FUL to remove a section of timber cladding, to reposition and alter size of bathroom rooflight and alter doors from bi-fold to sliding for Mr and Mrs Marshall (Marsh Ward)	Application Permitted
24/00928/EIR	Curwen Hill Farm, Hornby Road, Wray Screening opinion for erection of an agricultural workers dwelling and installation of a package treatment plant for Mr Frank Towers (Lower Lune Valley Ward)	ES Not Required
24/00959/EIR	Honeystones, Melling Road, Melling Screening opinion for erection of a cattle building for Mr John Clarke (Upper Lune Valley Ward)	ES Not Required
24/00970/EIR	Brow Foot Farm, Storrs Lane, Yealand Redmayne Screening Opinion for Construction of a roof over existing dirty yard area and concreting of an agricultural yard for Mr James Burrow (Silverdale Ward)	ES Not Required
24/00975/EIR	Gibraltar Farmhouse, Lindeth Road, Silverdale Erection of a roof extension to existing agricultural buildings, and concreting of track and yard area for Mr James Burrow (Silverdale Ward)	ES Not Required