



Committee: PLANNING REGULATORY COMMITTEE

Date: MONDAY, 16 DECEMBER 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 25th November 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.

5	A5 24/00509/FUL	Former Skerton High School Owen Road Lancaster	Skerton Ward	(Pages 5 - 33)
		Demolition of existing buildings and the redevelopment of the site for residential and community uses, comprising the erection of dwellinghouses and apartment blocks totalling 135 affordable residential units (C3 uses) and community space (Use Class E(d), F1 and F2), associated parking, vehicular and pedestrian accesses, public open space, two grass football pitches, landscaping, drainage, and associated infrastructure.		
6	A6 23/01182/OUT	Land At Middleton Business Park Middleton Road Middleton	Overton Ward	(Pages 34 - 44)
		Outline application for the erection of industrial buildings (Use Class B2 and B8) including access.		
7	A7 23/01409/FUL	Cove House Cove Road Silverdale	Silverdale Ward	(Pages 45 - 53)
		Demolition of existing service area single storey accommodation unit, erection of two storey extension to		

provide new service area and 2 replacement carehome bedrooms, new supported living unit comprising of 10 dwellings and associated communal space, alterations to car park and access.

8 **A8** [24/00939/FUL](#) **Cohens Chemist 52 - 54 Ullswater Road Lancaster** **Bulk Ward** **(Pages 54 - 60)**

Change of use of chemist (Class E) to 9 residential units (Class C3) comprising of 7 studios and 1 flat for student accommodation and 1 dwellinghouse, demolition of rear extensions at ground floor and first floor level, erection of a single storey rear extension, installation of windows and doors to the front, side and rear elevations, installation of replacement windows to the side elevation and installation of roof lights to the front and rear elevations.

9 **A9** [24/01061/VCN](#) **Palatine Hall Dalton Square Lancaster** **Castle Ward** **(Pages 61 - 63)**

Listed building application for the installation of a new rear service door including a roller shutter, replacement windows and door, alterations to courtyard windows and internal alterations including alterations to doors, new partitions, new ramp and freestanding booth (Pursuant to the variation of condition 2 on listed building consent 23/00637/LB to amend the design to include alterations of stud walls to glazed partition, replace existing doors with partition walls, to reduce the size of freestanding booth and omit the ramp and removal of condition 3 following the submission of details relating to the south facing courtyard window).

10 **A10** [24/00831/FUL](#) **The Storey Gardens Meeting House Lane Lancaster** **Castle Ward** **(Pages 64 - 67)**

Creation of path, hardstanding and shelter and installation of gate and freestanding sign.

- 11 A11 [24/01219/FUL](#) 9 Sizergh Road Morecambe Bare Ward (Pages 68 - 70)
- Erection of single storey front extension and re-location of door to East side elevation.

12 **Delegated List (Pages 71 - 79)**

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

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

(ii) Substitute Membership

Councillors Mandy Bannon (Substitute), Roger Dennison (Substitute), Paul Hart (Substitute), Colin Hartley (Substitute), Paul Newton (Substitute) and Margaret Pattison (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 4th December 2024.

Agenda Item	A5
Application Number	24/00509/FUL
Proposal	Demolition of existing buildings and the redevelopment of the site for residential and community uses, comprising the erection of dwellinghouses and apartment blocks totalling 135 affordable residential units (C3 uses) and community space (Use Class E(d), F1 and F2), associated parking, vehicular and pedestrian accesses, public open space, two grass football pitches, landscaping, drainage, and associated infrastructure.
Application site	Former Skerton High School Owen Road Lancaster Lancashire
Applicant	Mr Andrew Whittaker
Agent	Mr Ollie Thomas
Case Officer	Mrs Jennifer Rehman
Departure	No
Summary of Recommendation	Approve, subject to conditions

(i) **Procedural Matters**

A Planning Committee site visit took place on the 18 November 2024.

1.0 Application Site and Setting

- 1.1 The proposed site comprises 3.65 hectares of land on the former Skerton High School site within the urban area of north Lancaster adjacent to the Mainway Estate. The River Lune is situated approximately 200m east of the site. The site is located approximately 0.8km west of the city centre occupying a prominent gateway position opposite Ryeland's Park and fronting Owen Road. Owen Road (the 'A6') provides a major transport corridor into and out of Lancaster city. The site includes land which formerly occupied school buildings (now demolished), playing fields to the west and a multi-games area/tennis court to the north.
- 1.2 Access into the site is taken from the rear of the site off Mainway, between Greenwater Court and Stewart Court via Aldrens Lane to the north. It comprises a narrow driveway access which also serves access to Chadwick High School. The tree-lined driveway from Owen Road is no longer in use.
- 1.3 Three storey terraced housing on Owen Road and two-storey terraced housing on Pinfold Lane border the site to the north. Side and rear gardens extend up to the boundary of the site separated by a stone wall and a mix of boundary treatments and high metal mesh fencing. The eastern boundary is shared with existing residential apartment blocks (three and four storey high) and associated garage blocks forming part of the Mainway housing estate. The southern boundary of

the site staggers from west to east through the playing fields and along the boundary with the Chadwick High School with Owen Road bordering the site frontage along the western boundary.

- 1.4 The site topography varies with the playing fields to the west considerably lower than the platform where the former school buildings once stood. The playing fields sit around 7m to 8m above ordinance datum (AOD) with the rest of the site approximately 11 metres AOD.
- 1.5 The playing fields are separated by the former driveway to the school (used for pedestrian access most recently) which are lined by cherry trees. A number of trees have already been removed within the site to facilitate the demolition of the school buildings. However, there remain a number of significant mature trees within the site and off-site (within the grounds of Chadwick High School) including a large sycamore tree on the northern boundary which is the subject of tree preservation order 201(1991).
- 1.6 Parts of the site are protected as open space, recreation and sports facilities. This includes the playing pitches to the front of the site and the former tennis court/multi games area. A mineral safeguarding designation sweeps across the lower sections of the site (the playing fields) which extends into Rylands Park opposite and the lower section of the site located within floodzone 2 and subject to medium and high surface water flood risks. There are also some parts of the site at risk of ground water flooding. The upper part of the site is located in floodzone 1.
- 1.7 Slyne Road Conservation Area is located around 135 metres to the north of the site. The closest listed buildings include Rylands House (to the west), Rylands Lodge (southwest) and St Lukes Church (south) which are all grade II listed. Skerton Bridge is located around 180 metres to the south and is grade II star listed and is a registered Scheduled Ancient Monument.
- 1.8 The site lies within the Air Quality Management Zone but outside the Air Quality Management Area. There are cycle routes running along Owen Road adjacent to the site frontage, as well as cycle routes and links through Rylands Park and alongside the banks of the River Lune.

2.0 Proposal

2.1 The applicant seeks full planning permission for 135 new affordable homes comprising:

- 64 one-bedroom (2-person) units (47%)
- 46 two-bedroom (4-person) units (34%)
- 21 three-bedroom (4 and 5-person) units (16%)
- 4 four-bedroom (7 person) units (3%)

The proposed units within the apartment blocks (plots 1 and 2) shall be provided as social rented units. The tenure of the remaining units remains undetermined but will comprise affordable housing as per the NPPF definition (i.e. social rent, affordable rent, discounted market, starter homes and/or shared ownership). All units are designed to meet the National Described Space Standards (NDSS), with the upper floors of plots 1 and 2 and all the 2 and 3 bedroom houses designed to meet M4(2) acceptable and adaptable dwellings standards forming part of Building Regulations. Five units designed to meet M4(3) standards

2.2 The building components consist of:

Plot Number	Scale (storeys)	Type	Height (approximate in metres)
1	5 and 6	Apartments	19 and 23
2	5 and 6	Apartments	19 and 23
3	3 and 2	Bookend apartments and dwellinghouses	11 and 8.5
4	2	Dwellinghouses	8.5
5.1	2 and 3	Bookend apartments and dwellinghouses	11 and 8.5
5.2	2 and 3	Bookend apartments and dwellinghouses	11 and 8.5

The buildings shall be finished in textured brickwork (two colours/tones) with metalwork to the balconies. Roofing material to the terraces consists of a grey rooftile with photovoltaic panels. A substation is proposed adjacent to the site egress in Mainway.

- 2.3 The development will be served by a new priority junction onto Owen Road that can accommodate two-way flows of traffic. The width of the carriageway proposed is 6.5 metres with 2 metre footway provision. A new ghost Island/lane is proposed in Owen Road to support the new access. The exiting access onto Mainway will be redesigned, widened and repositioned slightly to provide egress only. Within the site, a clockwise one-way loop around plots 5.1 and 5.2 is proposed. The former cherry tree line driveway will be opened up to provide a pedestrian connection to Owen Road with a new connection for pedestrians and cyclised running around the norther playing pitch. Footway and cycle connections are proposed onto Mainway, though the development site to form a “greenway” east to west linking Rylands Park to Mainway and the River Lune beyond.
- 2.4 The proposed access strategy alters the access and egress to the adjacent Chadwick School Site. Access and egress will be via Owen Road with an additional option to egress onto Mainway if required. Two new school access/egress points are provided off the new estate road with a further emergency access connection provided into the school’s playing field to the west of their lower building.
- 2.5 Parking provision is proposed on-street or within a parking court to the east of block 4. Four parking bays are proposed south of the new access spine road to serve the adjacent school. Cycle and mobility scooter parking forms part of the overall parking composition.
- 2.6 To complement the housing proposal, the scheme also proposes a community space (333sqm) within the ground floor of plot 2, including the provision of changing facilities associated with the reinstated playing pitches.
- 2.7 Proposed open space include the provision of two junior playing pitches to the site frontage, a bespoke equipped play area built into the embankment, a playable street and central square between plots 1 and 2 with spill out space externally from the community centre. These areas will be tied together as part of the wider public realm and landscaping proposals. Aside from the trees already removed as part of the demolition programme, there are further tree losses proposed including the protected tree on the northern boundary. To mitigate tree loses a total of 110 trees are proposed to be planted on the site.

3.0 Site History

- 3.1 The former Skerton High School site has been used for educational purposes for many years with the first school building built and opened in 1891. The site expanded over the proceeding decades with the latest school building (now demolished) constructed in 1932-34 with the site accommodating junior and infant schools. The school expanded in the late 1930s and by 1939/40 the school site also constructed a large belowground air raid shelter. Further expansion of the school site took place after the end of the war in the year 1950’s. The school underwent significant refurbishment and extensions in the late 20th century, with the gym hall extension in the 1980s and by the 1990s the site was renamed Skerton Community High School. The school closed on the 31 August 2014. A small part of the site has remained in education use by Chadwick PRU High School with the remainder of the school building and playing fields disused and vacant for just under 10 years. The disused school building and air raid shelter has recently been demolished pursuant to the Town and County Planning (General Permitted Development) Order 2015 following a prior approval process with the local planning authority.
- 3.2 Prior to the demolition of the buildings, Lancaster City Council acquired the site from Lancashire County Council as part of its regeneration ambitions for the Mainway Estate. The Skerton High School site comprises phase 1 of the masterplan for the estate. The applicant has engaged with the Local Planning Authority through our formal pre-application process and engagement forum and also took the scheme proposals to Places Matter Design Review panel on the 28 September 2023.
- 3.3 A most relevant planning history is set out in the table below:

Application Number	Proposal	Decision
23/00982/PAD	Prior approval for the demolition of former Skerton High School, caretakers house and bunker	Refused

23/01209/PAD	Prior approval for the demolition of former Skerton High School	Granted
23/00619/PRFORU	Pre-application advice for a hybrid application seeking (i) full permission for the erection of 3 apartment blocks with associated works and (ii) outline planning permission for the erection of up to 145 dwellings with associated infrastructure	Advice Issued
24/00593/EIR	Screening opinion for demolition of existing buildings and the redevelopment of the site for residential and community uses, comprising the erection of dwellinghouses and apartment blocks totalling 135 affordable residential units (C3 uses) and community space (Use Class E(d), F1 and F2), associated parking, vehicular and pedestrian accesses, public open space, two grass football pitches, landscaping, drainage, and associated infrastructure	Screening as not EIA development

4.0 Consultation Responses

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

Consultee	Response
Local Highway Authority (LHA) Lancashire County Council	<p>No objection – Following the submission of amendments, the LHA’s previous concerns have now been addressed. The following conditions are recommended:</p> <ul style="list-style-type: none"> • Construction Management Plan • Precise scheme for the construction of the accesses onto Owen Road and Mainway • Precise scheme for the construction of the off-site highway improvements works including: upgrading of signals at the junction of Owen road and Torrisholme to include a Toucan crossing, linking the new internal path with Ryelands Park. • No occupation until the access and off-site highway works have been constructed and completed. • Submission of Travel Plan. • New estate roads to be constructed in accordance with County Council’s Specification for Construction of estate roads and to at least base course level before any other development takes place. • Scheme for the future maintenance and management of the proposed streets within the development. <p>A Travel Plan Monitoring contribution of £6,000 has been requested.</p>
Active Travel England	No comments – ATE are not a statutory consultee to this application as the development falls below the statutory thresholds.
Lead Local Flood Authority (LLFA) Lancashire County Council	<p>No objection subject to the following conditions:</p> <ul style="list-style-type: none"> • Final surface water drainage scheme • Construction surface water management plan • Verification approved drainage system has been installed • Management and maintenance of the approved drainage system
Environment Agency	Confirmed they are not providing comments.
United Utilities (UU)	No objection. UU has commented that whilst there are no objections in principle, insufficient detail has been provided to assess the risk of sewer surcharge. In the absence of the required information, a pre-commencement drainage condition has been requested.
School Planning Team (Lancashire County Council)	No objection. Following their education assessment (June 2024), the School Planning Team has confirmed no education contribution is required. No updated assessment has been provided at the time of compiling this report. A verbal update will be provided if further comments are received.

Lancashire County Council Estates Team	<p>No objection. Previous concerns relating to lack of access to Chadwick PRU High School and safeguarding concerns arising from overlooking, have been resolved as part of the amendments. The following additional comments have been received:</p> <ul style="list-style-type: none"> • Obscure glazing to the windows (below transom) to the south elevation facing Chadwick PRU High School be secured by condition. • Ensure the school has been consulted. • Planning Statement inconsistencies and errors, mainly in relation to the drawings referenced within it which excludes access to the school. • Further details required for the proposed fencing/boundary treatments with the school to ensure safeguarding is not compromised. • Noting not a planning matter, suggests the land agreement between city and county councils needs to be amended. • Land outside the applicant's control (within the application site) is pending approval from the DfE, with no guarantee it is forthcoming.
Sport England	<p>Objection - Sport England have made representations on a non-statutory basis on the grounds the playing fields have not been used for the past 5 years. A summary of the main concerns include: -</p> <ul style="list-style-type: none"> • The proposals result in the loss of 0.66ha of playing field including sports halls. • The proposal will not meet any of the five exceptions in SE policy. • The submission has taken no account of the loss of the tennis/netball courts and SE do not support the loss of this facility. • The submission does not address the loss of internal sports facilities (sports halls). • SE welcome the provision of 7 v 7 and 5 v 5 pitches, but having consulted the Football Foundation they have explained a preference to retain the 9 v 9 pitches to allow greater future flexibility. • Re-provision of playing pitches on existing playing pitches does not mitigate the loss of playing field. • There should be no reliance on any provision at Ryelands Park as this is already playing field land and cannot be part of the re-provision equation. • Athletics England have previously advised a wish to see an Active Track incorporated into the site but this should not impact the football pitches. • New development will generate demand for sporting provision. Therefore, SE expect that new development should contribute towards meeting demands through on-site and contributions to off-site facilities.
Natural England (NE)	<p>No objection. NE concurs with the Council's Appropriate Assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.</p>
GMEU	<p>No objection, subject to the following mitigation/conditions:</p> <ul style="list-style-type: none"> • Construction Environment Management Plan (CEMP) • Full landscaping details and management plan. • Scheme for the provision for bat roosting within the approved scheme. • Method statement for the eradication of invasive species. <p>In relation to BNG, GMEU advise the development will be subject to the mandatory condition for 10% net gains in biodiversity. GMEU note the off-site biodiversity units to be provided is relatively low (2 units) and conclude it ought to be possible to secure the necessary of-site provision to satisfy the condition.</p>
Environmental Health Service	<p>Land contamination: No objection, subject to a minor amendment to the report and the following conditions:</p> <ul style="list-style-type: none"> • Further investigation and sampling to ensure all elevated contaminants are identified and suitably remediated. • Soil Importation testing and validation • Verification of remediation • Method statement for management of any asbestos <p>Noise: Comments - Noise assessment indicates significant adverse noise impact from the community centre to closest residential dwellings due to the number of doors capable of being opened.</p> <p>Other conditions are recommended:</p>

	<ul style="list-style-type: none"> Hours of use for the community centre Noise mitigation as set out in acoustic report including specification of sound insulation to ceiling/floor and sound system noise limits. <p>Amendments have addressed the concerns regarding the noise emanating from the community centre.</p>
Housing Strategy Team	No objection – Full support is given to the scheme noting the development of Mainway estate is a key regeneration priority identified in the council’s adopted Homes Strategy 2020-2025. Comments received note that the new housing will provide 100% affordable housing and will facilitate decanting programme for existing Mainway tenants. The housing mix is considered to compliment the overall mix of council housing stock and the need and demand for those included on the council’s Housing Register. It is expected that the development will be built in two phases and that the phase one scheme will provide homes for rent. The Housing Strategy Team state “ <i>the proposal will allow the council to embark on its first significant housing development and is the first critical step in bringing transformational change to the existing Mainway estate</i> ”.
Arboricultural Officer	Objection - Disagrees with the loss of T33 and is of the opinion that the development ought to have been designed around existing landscape features, rather than the other way around. The Arboricultural Officer acknowledges the thoroughness of the AIA but notes a slight conflict between the erection of the fencing and the construction of the footpath/soft landscaping. It is also noted that the maintenance for the avenue of cherry trees will need to be picked up in a landscaping/maintenance plan.
Waste and Recycling Team	No comments provided.
Lancaster Civic Vision	Comments include: <ul style="list-style-type: none"> Applauds the provision of much needed social housing and the retention of the cherry trees and playing pitches to the front. The retention of open space will provide an attractive green approach to Skerton Bridge. The replacement of the former art deco building is disappointing and whilst on balance the scheme is well thought out, the appearance of the apartment blocks from a distance looks bland and box-like and a more imaginative external design could have been achieved probably at little or no extra cost. Question the number of one-bedroom apartments but accept there must be sound reasons for the proposed distribution of housing types. Suggests the new access road is likely to cause congestion close to Skerton Bridge Condition to require the 1930’s railings on Owen Road frontage to be maintained. Overall, Lancaster Civic Vision conclude by stating “<i>we regretfully see this as a wasted opportunity for the City Council to promote quality design and create a significant development in this prime location</i>”.
Historic England	No comments – no need to consult with HE under the relevant statutory provisions.
Conservation Team	No objection
County Archaeology	No formal comments have been received. The applicant and County Archaeology are in discussions to ensure there is a robust building record suitable for the Historic Environment Record and archiving. A verbal update will be provided if comments are received ahead of the Committee meeting.
Public Realm Team	No formal comments made in response to this application.
NHS Lancashire and South Cumbria Integrated Care Board	No objection subject to securing a financial contribution of £78,030 (based on 135 units/255 persons) towards new infrastructure at Lancaster Medical Practice (stating a new build at Lancaster University). Failure to secure the contribution would result in the ICB objecting to the development.
Cadent Gas	No objection and recommend an advisory note be included to advise the application of gas infrastructure within the area of development requiring the development to engage with Cadent Gas and be aware of potential legal rights and or restrictive covenants that may exist.
Lancashire Constabulary	No objection - Recommends several security measures to deter and detect crime and anti-social behaviour to be integrated into the design of the development. The response encourages developments to be designed to Secure by Design standards.

Health and Safety Executive	The building does not appear to fall under the remit of planning gateway one because the height condition of a 'relevant building' is not met (i.e. under 18 metres/7 or more storeys).
Lancashire Fire and Rescue Service	No objection – standard advice received relating to Part B5 Building Regulation requirements for access and facilities of the Fire Service.

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

3 letters of objection raising the following material planning considerations:

Residential Amenity concerns, including: unacceptable overlooking of existing property, loss of privacy, buildings and access paths too close to existing residential boundaries leading to increased noise, pollution, foot traffic and potential misuse of space.

Design concerns, including: concerns that there are too many houses proposed, layout could lead to areas used for gathering, loitering and potential recreational drug use and loss of security to existing dwellings.

1 letter in support, noting the following reasons:

- good reuse of the site for affordable housing including open space.
- good to see high standards of energy efficiency in the design.
- overall seems a well thought-out scheme for a difficult site.

5.0 Analysis

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

- Principle of development
- Housing
- Transport
- Flood risk and drainage
- Open space
- Design and place making
- Cultural Heritage
- Residential Amenity and Pollution
- Biodiversity
- Infrastructure
- Sustainable Design

5.2 Principle of Development NPPF Chapter 2 (Achieving Sustainable Development), Chapter 5 (Delivering a Sufficient Supply of Homes), Chapter 11 (Making Effective Use of Land); Strategic Policies and Land Allocations (SPLA) DPD policies SP1 (Presumption in Favour of Sustainable Development), SP2 (Lancaster District Settlement Hierarchy), SP3 (Development Strategy for Lancaster District) and the Joint Lancashire Minerals and Waste Local Plan Policies M1 (Managing Mineral Production) and M2 (Safeguarding Minerals) and Guidance Note (December 2014).

5.2.1 Principle of housing growth

The Strategic Policies and Land Allocations DPD (SPLA DPD) sets out the district's strategic development strategy, advocating an urban-focussed approach to future growth (policy SP3). This is reflected in Policy SP2 which sets out the district's settlement hierarchy. Lancaster is identified as a regional centre where the majority of future growth will be directed. Morecambe, Heysham and Carnforth play a supporting role to Lancaster. These are important urban settlements that will also accommodate new residential and economic development. This approach aims to deliver sustainable growth across the district. Accordingly, the principle of new housing growth within the urban area of Lancaster fully accords with the strategic development strategy set out in the SPLA DPD.

5.2.2 As part of the proposals, the ground floor of plot 2 incorporates a community hall and associated community space with an internal floor area of 333 square metres. It also provides changing

facilities associated with the use of the proposed playing pitches. This is an integral aspect of the housing development which has been incorporated to address the community needs evidenced through the applicant's pre-application consultation engagement. The space will be restricted to the uses applied for which includes Class Ed (indoor sports), F1 (learning and non-residential institutions) and F2 (community halls and meeting places). The community facilities cannot be disaggregated from the housing because of their inherent association therefore the requirement for a retail sequential test has not been considered necessary. There are no concerns regarding the provision of community space within the development, as such would not impact or undermine the vitality or viability of the town centre. Instead, it should support a more inclusive place to live.

5.2.3 Mineral Safeguarding Land

The application site is affected by a Mineral Safeguarding designation. This designation sweeps across most of Ryelands Park across onto the playing fields within the application site on along sections of the River Lune. Policy M2 of the Minerals and Waste Plan seeks to prevent the sterilisation of mineral resources by non-minerals development. Fundamentally, encouraging prior extraction where it is practical and environmentally feasible to do so.

5.2.4 The application is supported by a Mineral Resource Assessment. This identifies the safeguarded minerals as sand and gravel deposits. It also clearly sets out that only 1ha of the site (the playing fields) is affected by the Minerals Safeguarding Area with the remainder of the site not safeguarded. The assessment undertaken sets out two main reasons why the proposals would not conflict with adopted and emerging minerals policy. The first point is on the basis the quantity of safeguarded sand and gravel on the proposed development site would be too small to be of commercial value concluding the mineral concerned is no longer of any value. The second point is the fact the land that is safeguarded is not being developed on with the playing fields remaining and protected as open space. Therefore, no minerals would be sterilised should extraction of these resources become commercially viable in the future.

5.2.5 Whilst it is not set out in the applicant's submission, it is considered a fair and reasonable proposition that mineral extraction on the application site is unlikely to be considered environmentally feasible. This would be a direct consequence of the site location within a highly developed and densely populated part of the city, located very close to existing residential property, important transport corridors, listed buildings and environmentally sensitive sites including the River Lune and Ryeland's Park. Accordingly, it is considered that there is no conflict with policy M2. The site's designation for mineral safeguarding is not a constraint to the principle of housing on this site.

5.2.6 Paragraph 193 of the framework states planning decisions should ensure that new development can be integrated effectively with existing business and community facilities without placing unreasonable restrictions on them as a result of development permitted after they were established. The application site lies immediately to the north of an existing and operating school. It is important that the relationship between the school and the proposed development is considered as a matter of principle.

5.2.7 The applicant had initially failed to sufficiently consider the effects of the proposal on the adjacent school. This included severing their access and including accommodation overlooking external areas of the school used by children, therefore raising a safeguarding issue. These concerns have been overcome in the amended application with access provided and the design of the elevation overlooking the school grounds amended to reduce the potential for overlooking. A planning condition is recommended to secure the obscure glazing to the side facing windows of Plot 1) facing the school) should permission be granted. The school operates during daytime hours and during school term and as such it is considered the residential development and associated community facilities are capable of coexisting without undue restrictions being placed upon the school.

5.3 **Housing needs, affordable housing, housing standards and mix NPPF Chapter 5 (Delivering a sufficient supply of homes); Development Management (DM) DPD policies: DM1 (Residential Development and Meeting Housing Needs), DM2 (Housing Standards) and DM3 (The Delivery of Affordable Housing).**

5.3.1 Paragraph 60 of the NPPF sets out that to support the government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed. The Council's most recent Housing Land Supply Statement (April 2023)

identifies a housing land supply of 2.4 years, which is a significant shortfall against the required 5-year supply requirement. With regard to affordable housing, from adoption of the local plan in 2020, the evidence indicates we have delivered 364 affordable completions. On that basis since the adoption of the local plan we have accrued a shortfall of 1140, against an affordable need of 376 dwellings per annum.

- 5.3.2 Given the acute under supply of deliverable housing against our housing requirements, the provision of new residential development comprising 135 units is a significant benefit of the proposal that must be given significant weight in the overall planning balance. All the proposed residential units are for affordable occupation, with the phase 1 (plots 1 and 2) providing much needed social rented units. This far exceeds the requirements set out in policy DM3 (20% on brownfield sites in Lancaster). The contribution to the delivery of affordable homes in the district, against against the backdrop of a shortfall also weighs substantially in favour of the development.
- 5.3.3 This proposal also provides the catalyst to regenerate the wider Mainway Estate, which is a priority within the Council's Homes Strategy (2020-2025) and is also noted as a key regeneration project within the Council's Plan. It is considered to form phase 1 of a larger masterplan which will support a decanting programme for existing tenants on the estate as future phases materialise. The Council's Housing Strategy Team are fully supportive of the proposals and have been heavily involved in the project from the outset, noting the development will "*allow the council to embark on its first significant housing development and is the first critical step in bringing transformational change to the existing Mainway estate*". The contribution the development will make to wider regeneration is a material consideration. The masterplan for Mainway has commenced with extensive community consultation having already taken place, which has supported the development of phase 1 on the application site. However, it is not yet fully developed with extensive work still required to achieve a fully engaged and comprehensive Masterplan. Accordingly, whilst beneficial only moderate weight is afforded to the contribution the development has to the wider regeneration of the estate.
- 5.3.4 Policy DM1 supports proposals for new residential development that uses land effectively, taking account of characteristics of different locations, where the natural environment, services and infrastructure can or could be made to accommodate the impacts of development and where the proposal meets evidenced housing needs. The housing mix comprises a mix of predominately 1, 2 and 3-bedroom units with a small number of four bedroom units. The proposed housing mix takes account of the existing profile of tenants living in homes on the existing Mainway estate and the demand included on the council's Housing Register and compliments the overall mix of council housing stock. The development is considered to accord with policy DM1 as it would clearly meet an evidenced housing need for Lancaster and the Mainway estate specifically.
- 5.3.5 Policy DM2 relates to housing standards, requiring all new dwellings to meet the Nationally Described Space standards and at least 20% of new affordable housing and market housing to meet building regulations M4(2) Category (Accessible and Adaptable dwellings). The proposed development exceeds these requirements with five ground floor units being designed to M4(3) Category (Wheelchair user dwellings). To secure these standards at the detailed design stage (reserved matters) planning conditions are proposed as part of this recommendation.
- 5.3.6 The development will make a positive contribution to the district's supply of affordable housing, with specific regard to the evidenced housing needs associated with Mainway estate. The proposed residential units are designed to exceed the required housing standards set out in the Local Plan to support more independent living in the aging population. The development is considered to fully accord with the Council's housing policies set out in the Development Plan.
- 5.4 **Traffic impacts, access, parking and sustainable travel** NPPF Chapter 9 (Promoting Sustainable Transport) and Chapter 12 (Achieving Well-designed and Beautiful Places); Strategic Policies and Land Allocations (SPLA) DPD policies: SP10 (Improving Transport Connectivity), T2 Cycling and Walking Network); Development Management (DM) DPD policies DM29 (Key Design Principles), DM57 (Health and Well-being), DM58 (Infrastructure Delivery and Funding), DM60 (Enhancing Accessibility and Transport Linkages), DM61 (Walking and Cycling), DM62 (Vehicle Parking Provision) and DM63 (Transport Efficiency and Travel Plans).

5.4.1 The district's development strategy (policies SP2 and SP3) aims to manage growth in the most sustainable way possible by directing growth to the main urban areas, thereby maximising opportunities for sustainable travel. Development proposals must ensure the following criteria are met (paragraph 114 of the NPPF):

- appropriate opportunities to promote sustainable transport modes can be taken up, given the type of development and its locations.
- safe and suitable access can be achieved for all users.
- the design of streets, parking areas meet standards that reflect national guidance; and
- any significant impacts from the development on the transport network, or highway safety, can be cost effectively mitigated to an acceptable degree.

This criterion is reflected and expanded upon within policies DM60-DM63 of the DM DPD. Policies DM1 and DM29 also requires development to be located where the environment and infrastructure can accommodate the impacts of expansion and new development is well connected to existing settlements and services.

5.4.2 Access Strategy

Currently the only access into the site (and the Chadwick High School site) is via Mainway and Aldrens Lane. The proposal seeks to change this with the main vehicular access to the site proposed via a new priority junction on Owen Road that can accommodate two-way vehicle flows. This has been designed as 6.5m wide carriageway with 6.2m radius on the northern arm and 4.0m radius on the southern arm. An informal crossing point across the junction is proposed along with a new informal crossing point to the north of the new junction across Owens Road with a pedestrian refuge island. The access will serve the proposed residential development and the existing school site.

5.4.3 To demonstrate that the proposed access can achieve the required visibility splays for the eighty fifth percentile speed along Owen Road, 2.4m by 51m splays are required. To obtain these splays, land within the control of the adjacent school site is required. The applicant has now secured control of this land via the County Council estate's team and the Department of Education. This satisfactorily addresses previous concerns raised by the highway authority over the deliverability of the proposed access. The precise details of the access are to be controlled by condition and will ultimately be secured under separate highway agreements (s278/s38).

5.4.4 Egress is proposed via the new junction onto Owen Road and a modified junction onto Mainway, which shall be widened to 5.6m with a 3m radius on each arm with footway provision either side of the carriageway. In addition to the vehicle access points, the scheme proposes an additional footway connection to the south of the junction on Mainway, a shared pedestrian cycleway onto Owen Road (north of the playing pitch) and the reinstatement of the central driveway (for pedestrian/cycles only)

5.4.5 Within the new estate the access strategy relies on a one-way system around plots 5.1 and 5.2. This has provided the ability to support a narrower carriageway to incorporate the parking provision, landscaping and the playable street. All the internal streets will be subject to a 20mph speed limit and will incorporate traffic calming features (details to be agreed). The one-way system and egress only onto Mainway aims to discourage the potential of existing Mainway residents rat-running through the site avoiding Aldrens Lane.

5.4.6 Access to Chadwick school is now provided on the site layout plan. This had been omitted in the applicant's original submissions which would have prejudiced its continued operation. This has been resolved to the satisfaction of the County estates team (involved in the land transfer to the city council) and the highway authority. The school have not made formal representations to the application but the applicant, the county estates team and the case officer have been in communication with the school over various matters. The scheme includes several access points. The main access and egress is directly opposite plot 5.2, this assumes an in-and-out arrangement with secure drop off as per the current arrangement. Emergency access points are also provided off the proposed estate roads to provide the school with essential maintenance access into the lower sections of the school grounds. Four dedicated parking bays are proposed for the school south of the spine road close to the junction with Owen Road.

5.4.7 During construction of the development a Construction Traffic Plan will be required to understand how access and egress to the school site will be maintained and secured throughout the build

programme. It is anticipated that the provision of the main access will need to be secured before other development takes place on the site. This can be controlled through the phasing condition and the access detail conditions.

5.4.8 The applicant has demonstrated safe and suitable accesses can be provided for all users to the satisfaction of the local highway authority and in accordance with local and national planning policy.

5.4.9 Traffic Impacts

Traffic surveys have been undertaken which identifies the peak AM and PM periods of travel, 08:00-09:00am and 17:00-18:00pm respectively. These periods have been selected for the traffic modelling and impact assessment on junctions previously agreed with the local highway authority. In terms of trip generation, the submission sets out 64 two-way trips in the AM peak and 63 two-way trips in the PM peak. These figures were then used as part of the applicant's traffic modelling considering other matters such as trip distribution, baseline traffic counts, traffic growth factors and existing queue data. The modelling undertaken includes a limited number of junctions, including the site access. The TA identifies a need to include a right-turning ghost lane in Owen Road to minimise the risks of queuing (travelling northbound from the city at peak times). The ghost lane will have the capacity for approximately 3.5no. cars to wait to turn, allowing non-turning vehicles to continue unobstructed. Overall, the applicant's Transport Assessment (TA) concludes that whilst the development traffic will reduce capacity within the network, there is still ample residual capacity. Accordingly, the proposed access can be safely accommodated without causing a disproportionate increase in congestion along Owen Road.

5.4.10 The highway authority has raised no objection to the development and is satisfied the development traffic can be accommodated on the network without resulting in highway safety impacts or in residual cumulative impacts on the road network that would be severe (paragraph 115, NPPF). In this regard the development does not conflict with the Framework or the DM DPD in this regard.

5.4.11 Sustainable travel

Planning policy seeks to ensure development maximises opportunities to travel by sustainable transport modes. This includes the promotion of walking and cycling and accessing public transport. In relation to walking, development proposals must not impact the pedestrian environment and should maintain, and where possible, improve the existing pedestrian infrastructure in accordance with policy T2 of the SPLA DPD.

5.4.12 The proposed development includes new and enhanced connections between the site, Mainway and Owen Road. This includes 2 metre wide footways either side of the vehicle egress onto Mainway and a separate 2 metre wide footway to the south of the vehicular junction. This is supported by improved public realm and landscaping to create attractive, safe and legible walking routes. Cyclists would be expected to utilise the new roads. Connections to Owen Road include the reopening of the driveway via the avenue of cherry trees, footway provision forming part of the new vehicular junction and a new dedicated 3 metre wide cycle way which routes around the northern playing pitch onto Owen Road. The former driveway (4.5-5 metre wide) will be reinstated for pedestrian and cyclists only and forms part of a new east – west pedestrian route linking Owen Road and the Mainway Estate. Although there are level changes, it provides a strong visual connection between the two different parts of the Skerton area as well. The main vehicular access incorporates 2 metre wide footways either side of the junction with a refuge in the carriageway of Owen Road to create a safe environment for pedestrians. To further support the cycle provision, the application also includes off-site highway improvement works at the junction of the new cycle lane and across Owen Road towards Ryeland's Park. This is in the form of a Toucan crossing facilities which has been negotiated and agreed with the local highway authority. The reopening of the central driveway for pedestrians forms an important

5.4.13 Throughout the development, there are continues footways (of varying widths) linking the housing units to the open spaces and community facilities provided on the site. There are some areas within the site where the pedestrian environment is well-planned and extensive, such as around the playable street and the central square. However, there are part so the site where the pedestrian environment has been weakened as a consequence of the parking arrangements. Nevertheless, the overall development is considered to positively contribute towards a safe and accessible pedestrian/cycle environment and provides opportunities to encourage active travel. In this regard the development accords with the NPPF and policy DM60 and DM 61 of the DM DPD.

- 5.4.14 With regard to public transport, the site is located less than 400m from bus stops along Owen Road. The site is well served by bus services with regular bus services operating along Owen Road providing good access from the site to Lancaster, Morecambe and further afield. Consequently, it is not necessary for the development to contribute to bus services and associated public transport facilities to make the development acceptable. Together with travel planning, the enhanced pedestrian connections will naturally support improved access to these services in accordance with policy DM60, DM61 and DM63.
- 5.4.15 Parking
Policy DM62 requires development proposals to incorporate provision for car and cycle parking that accords with the levels and layout requirements in Appendix E, including mobility spaces. The car parking standards set out in Appendix E represent maximum standards. Paragraph 111 of the NPPF clearly states '*when setting local parking standards, policies should take account of the accessibility of the development....the availability of and opportunities for public transport and....local car ownership levels*'. The planning submission originally included 129 car parking spaces, equating to 0.81 spaces per property. This level of parking has been sufficiently justified in the applicant's Transport Statement given the sustainable location, census data and having regard to evidence around car ownership to existing tenants on Mainway. Parking provision must be suitable to meet the needs and demands of development without impacting the highway network through increasing the amount of off-site on street parking. This can be a careful balance. Currently, Mainway accommodates on-street parking without any parking restrictions other than double yellow lines and no waiting at any time along narrower sections of the highway. The Transport Statement sets out there is approximately 475 metres of un-restricted on-street parking available on Mainway, equivalent to 79 spaces. The highway authority has consistently advocated a parking ratio as close to 1.00 as possible.
- 5.4.16 However, during the determination of the application and for design-related reasons the level of parking has been negotiated downwards to provide 89 spaces on site (0.66 per property). The reduction in spaces has removed the ability for some of the parking to be utilised by visitors using the playing pitches. Officers have suggested such parking was unnecessary and that with the enhanced pedestrian connections between the site and Ryeland's Park, visitors should be directed to the public car park on Ryeland's Park. The same can be said for any events taking place at the community centre that may attract visitors from areas away from Mainway. This reduced level of parking is considered to be offset by the enhanced connections to support active travel and in a worst case scenario visitors of the site potentially having to overspill onto Mainway where there is capacity for on-street parking. Should any harm arise from the reduced level of parking (none anticipated), it is considered the harm would be outweighed by the design benefits arising from the changes. Parking within the new development will all be on-street and is anticipated to comprise some adopted parking bays and private parking bays. The highway authority has not raised an objection to the reduced level of parking in their amended statutory consultees nor requested any conditions associated with parking. Notwithstanding this, officers recommend there is a car parking management strategy secured by condition and proposed car parking is secured before occupation of the respective phases of development, and thereafter retained.
- 5.4.17 The proposal includes the provision of 6 disabled parking bays, 10 mobility scooter parking bays and cycle parking. Cycle storage provision includes individual cycle stores in each garden for the dwellinghouses and communal cycle parking to the apartments. Accessible, ground floor cycle stores accommodating 58 cycle spaces are proposed in both plots 1 and 2 with 5 mobility spaces in each store. The provision of accessible parking bays, mobility scooter parking and cycle provision is considered acceptable. The precise details of the cycle and mobility scooter parking shall be considered by condition.
- 5.4.18 The adjacent school had limited parking prior to the demolition of Skerton High School. Since the school has been demolished, the applicant has allowed the adjacent school to use an area of hard surfacing for parking. To no surprise it is heavily used, which is disappointing given how sustainable the site is. The proposed development will not be replacing parking for the school based on the current informal use of the temporary hardstanding. Separate from planning, only four spaces were required as part of the land transfer, which are incorporated into the scheme. It is understood the adjacent school have their own commitments to address the schools parking needs within the confines of their site.

- 5.4.19 Overall, it is considered that the development satisfactorily meets the aims and objectives of the relevant transport and sustainable travel policies set out in paragraph 5.4 of this report. In respect of parking, the scheme does not conform to the maximum standards set out in policy DM62/Appendix E and is considered to be below the expected standards. Therefore, there is a degree of conflict in relation to this policy, albeit the lack of parking is unlikely to cause serious harm and has not given rise to an objection from the highway authority.
- 5.5 **Flood Risk and Drainage** NPPF Chapter 14 (Meeting the challenge of climate change, flooding and coastal change); Strategic Policies and Land Allocations (SPLA) DPD policy SP8 (Protecting the Natural Environment); Development Management (DM) DPD policies DM33 (Development and Flood Risk), DM34 (Surface Water Run-off and Sustainable Drainage), DM35 (Water Supply and Waste Water) and DM36 (Protecting Water Resources and Infrastructure).
- 5.5.1 Flood Risk
Strategic policy seeks to ensure new growth within the district is directed to areas at least risk of flooding, does not create new or exacerbate existing flooding issues and should aim to reduce flood risk overall. This approach is consistent with the NPPF (paragraph 165). The NPPF in paragraph 168 states development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas at lower risk of flooding. This sequential approach is embedded in the Development Plan (policy DM33).
- 5.5.2 The site is located within floodzones 1 and 2. Flood zone 2 is considered a medium flood risk, defined as having a 1 in 100 year annual probability of river flooding. Floodzone 2 is limited to the western part of the site, which is also subject to low and medium surface water flood risk. The applicant's Flood Risk Assessment considered the risk of groundwater flooding to be low based on their own site investigations where ground water was encountered between 2.7 metres and 4.5 metres below ground level. However, the Strategic Flood Risk Assessment (SFRA) indicates some parts of the site could be subject to high groundwater flood risk. The applicant's FRA indicates the risk from sewer flooding and artificial sources also to be low.
- 5.5.3 The NPPF and NPPG requires development proposals to consider the risk of flooding from all sources and to undertake the sequential and exception tests where appropriate. This means avoiding, so far as possible, development in current and future medium and high flood risk areas. As there are identified flood risks associated with this site, the applicant has submitted a flood risk sequential test (FRST). The scope of the assessment has been agreed with the local planning authority and narrowed to a land within the Mainway Estate. This is justified given the intrinsic links the proposal has to the regeneration of Mainway and the fact the proposed social rented apartments are proposed to support the intended decanting programme for existing tenants on Mainway. It is also considered reasonable that the development cannot be aggregated as its design and the composition of the proposed land uses (housing, community centre and open space) has been purposefully designed to fulfil wider regeneration benefits which has been informed by extensive community consultation.
- 5.5.4 The applicant's FRST sets out there are no alternative sites within Mainway suitable for the development. This is either because the alternative site is at a higher risk of flood risk, or is not considered available due to existing council housing being occupied by existing tenants. Whilst there are deficiencies in the FRST, officers concur with the applicant's conclusions and are satisfied there are no reasonably available sites appropriate for the proposed development in areas at lower risk of flooding. The sequential test has been satisfied and therefore accords with the NPPF and policy DM33.
- 5.5.5 Paragraph 169 of the NPPF states that where it is not possible for development to be located in areas with a lower risk of flooding, the exception test may have to be applied. Whilst the applicant's FRST sets out the exception test is not required because the residential development is not located in the areas at risk of flooding, this is not considered accurate interpretation of the policy. To pass the exception test it should be demonstrated that:
- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
 - b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

- 5.5.6 In relation to part (a) of the exception test, it is considered that the provision of a 100% affordable housing scheme that will also support the implementation of a wider regeneration programme on the Mainway Estate, provides wider sustainability benefits that outweigh the identified flood risks on the site. Other benefits arising from the development, such as the provision of a toucan crossing over Owen Road to enhance accessibility and the provision of a community centre and community use of playing pitches equally contributes to wider sustainability benefits. In this regard, part (a) of the exception test is passed.
- 5.5.7 The applicant has demonstrated through the siting of the residential development on the higher platform within the site that it would not be at risk of flooding from the identified flood sources. In particular, the housing is located in floodzone 1 and is not subject to surface water flood risk. The applicant's site specific FRA also evidence that the risk from ground water is low with actual results indicating ground water flooding would not occur at the surface. The proposed access and egress from Owen Road would remain within floodzone 2. However, as the development itself is safe and there are other proposed pedestrian/cycle access points and the egress point off Mainway which lies outside floodzone 2, it is considered that the development would be safe. Regard is also paid to the fact the site along with the surrounding area is defended by the Lune flood wall. No site specific flood resistant and reliance measures are required for the residential development as the finish floor levels will be situated above the fluvial flood levels.
- 5.5.8 Drainage Strategy
In accordance with paragraph 173 and 175 of the NPF, policy DM33 and DM34 and to meet the requirements of part b of the exception test, development proposals should ensure surface water is managed in a sustainable way accounting for climate change and flood risk is not increased elsewhere.
- 5.5.9 The applicant's drainage strategy has considered the SuDS hierarchy and proposes a surface water discharge to the River Lune for the developed parts of the site with some infiltration via permeable surfaces and paving. Full site infiltration has been ruled out due to potential risks associated with the water table, which is hydraulically linked to the River Lune tidal river levels. For the western part of the site, the applicant proposes a combination of infiltration with a potential connection to the surface water sewer on Owen Road. The surface water discharge to the public sewer would be relatively small as it would only feed from the access drive and parking bays and the flows would be attenuated. The applicant has proposed to incorporate SuDS features within the development to support the drainage strategy and the wider multi-functional benefits arising from above ground SuDS components, such as amenity, water quality and ecology benefits. This includes a rain garden in the central square and a swale to the east of the playing pitches. The precise details of these features are expected to be submitted as part of the final landscaping scheme and drainage design, which shall be secured by planning condition. The applicant has considered the relevant climate change allowances which will inform the final surface water drainage design and has regard to exceedance events to demonstrate the development will not cause a flood risk elsewhere.
- 5.5.10 The Lead Local Flood Authority (LLFA) and United Utilities (UU) have been consulted and raise no objection to the development, subject to the imposition of pre-commencement conditions relating to the final drainage design. It is expected that the drainage design fully considers the risk of sewer surcharge and evidence a sensitivity check for a surcharged outfall for the system discharged to the River Lune. Suitable management and maintenance of any sustainable drainage systems is imperative to ensure the development is safe for its lifetime and does not flood risk elsewhere. Like most developments, conditions will be imposed to secure details of the ongoing management and maintenance of the drainage systems. Accordingly, part b of the exception test is passed.
- 5.5.11 Foul drainage is proposed to connect by a gravity fed system to the existing public sewer in accordance with the drainage hierarchy. UU have raised no objection to the foul drainage proposals.
- 5.5.12 Subject to the imposition of pre-commencement conditions to secure the final drainage scheme (and other conditions relating to management and maintenance and verification the approved scheme has been implementation), the applicant has sufficiently demonstrated the site is safe from flood risk for its lifetime and is capable of being drained without causing a flood risk off site in compliance with national and local planning policy.

5.6 Open Space NPPF Chapter 8 (Promoting Healthy and Safe Communities including Open Space and Recreation), Chapter 12 (Achieving Well-Designed Places); Strategic Policies and Land Allocations (SPLA) DPD policy SC3 (Open Space, Recreation and Leisure); Development Management (DM) DPD policies: DM27 (Open Space, Sports, and Recreational Facilities), DM29 (Key Design Principles) and DM57 (Health and Well-Being) and Sport England 'Playing Fields Policy and Guidance' (March 2028 updated December 2021).

5.6.1 The provision and access to open space is strongly advocated in the NPPF given the benefits this has to the health and well-being of communities. This is reflected in policies SC3 of the SPLA DPD and policies DM27 and DM57 of the DM DPD. Policy SC3 provides the strategic framework of a network of sites protected for the recreation, environmental and or amenity value. This policy states the sites identified for the value (i.e. allocated as open space) will be protected for inappropriate development in accordance with national and local planning policy. Policy DM27 seeks to protect existing open space designations; requires development proposals that are adjacent to designated open spaces to incorporate design measures that ensures that there are no negative impacts on amenity, landscape value, ecological value, and functionality of the space; and sets out the thresholds and requirements for the provision of new open space to meet the needs of local communities and to mitigate against the impacts of development growth, especially in areas of open space deficiencies. Whilst Policy DM57 is not prescriptive in terms of open space requirements, it recognises the importance open space and landscaping when promoting good health and well-being.

5.6.2 The site includes three areas of protected open space. This includes two playing pitches to the front of the site and a former tennis court/multi games area to the rear of the site.

5.6.3 Policy DM27 states the Council will not permit the loss of designated open space unless:

- An assessment has been undertaken to demonstrate it is surplus to requirements;
- An assessment has been undertaken to demonstrate that it is not longer has an economic, environmental or community value, which shall include consultation with key stakeholders;
- The loss resulting from the development would be replaced by equivalent or better, high quality provision in a suitable location;
- The development is for alternative open space, sports and recreational provision, the benefits of which clear outweigh the loss.

This is consistent with the requirements set out in paragraph 103 of the NPPF.

5.6.4 As the scheme involves playing fields engagement with Sport England has been undertaken by the applicant at the pre-application stage and as a consultee to the application. Prior engagement with Sport England strongly influenced the design of the development, its layout and provision of open space on the understanding Sport England considered themselves to be a statutory consultee. Sport England has accepted they are not a statutory consultee as the playing fields in questions have not been used for the past five years. Nevertheless, Sport England has considered the application against the NPPF (paragraph 103) and their Playing Fields Policy and Guidance Document.

5.6.5 The Playing Fields Policy states: *'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:*

- *all or any part of a playing field, or*
- *land which has been used as a playing field and remains undeveloped, or*
- *land allocated for use as a playing field*

unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.

5.6.6 By definition, playing field is not limited solely to land laid out as playing pitches. Its is defined by the Town and Country Planning (Development Management Procedure) (England) Order 2015 and repeated in the NPPF as: *'the whole of a site which encompasses at least one playing pitch'*. This has been a particular issue raised by Sport England regarding the loss of playing field and necessary mitigation – a matter to be addressed below.

5.6.7 Skerton High School closed in 2014. The playing pitches, including the tennis court, have been disused since the school closed. Prior to the closure of the school, there is no evidence to indicate any level of community use. It is Sport England's argument that the land surrounding the playing

pitches, the embankment up to the former school buildings and hardstanding up to the tennis courts all forms the playing field. The functionality of the embankment as playing field is somewhat ambiguous, therefore, there is some disagreement between the applicant and Sport England over the actual extent of playing field affected by the proposals.

- 5.6.8 The application has been supported by a Playing Field Mitigation Summary Paper (April 2024). Taking the playing pitches to the front of the site. These are protected by the Local Plan (Policy SC3) despite acknowledging they were disused and inaccessible. Due to the deficiency in provision, they were protected in the Plan. The proposal seeks to modify these pitches reducing them to 7 v 7 pitches opposed to 9 v 9 (but not established by the Football Association). This is to accommodate the cycle track to the north and the proposed vehicular access to the south. The submission sets out that this results in the loss of 0.25ha of playing field.
- 5.6.9 The applicant seeks to mitigate against the loss of playing field (in relation the football pitches) by bringing the pitches back into use and improving their quality for junior football (recreational and competitive) and wider community use. The proposal also includes ancillary provision consisting of dedicated WC facilities and changing rooms.
- 5.6.10 Lancaster Playing Pitch & Outdoor Sport Strategy (PPOSS) was completed in February 2024. The applicant's submission points out that the PPOSS provides the evidence base for supply and demand for playing pitches, artificial pitches and other outdoor sports. It goes on to state that within the Lancaster Area, where the application site falls within, the PPOSS indicates there is spare capacity for Youth 9 v 9 but mini 7 v7 and mini 5 v 5 are at capacity. Although the proposal results in a loss of playing field and a reduction to the size of the useable pitches, the proposal is meeting an identified need, which will also support the growth aspirations of some local football clubs. The applicant's Playing Field Mitigation Paper addresses other sports but recognises the site would not meet necessary standards for rugby, cricket provision is best provided at existing cricket sites and that there is no evidence of community demand for further athletics tracks (200m).
- 5.6.11 The applicant's submission sets out that the proposal is unlikely to satisfactory meet any of the five exceptions set out in Sport England's policy. However, the applicant's consultant (KKP) considers that the losses identified will encourage active travel between the site, Mainway Estate and Ryelands Park, which is a positive design option which aligns to the objectives set in the Active Environments section of Sport England's "Uniting the Movement" Strategy. It is also relevant that reintroduction of the pitches for community use is a significant benefit of the proposal.
- 5.6.12 With regard to the loss of disused tennis courts/multigame area, there is no direct provision proposed on site. The site is not capable of replacing this provision alongside the housing and community facility. A Mitigation Note is provided which sets out a commitment by the applicant to provide a MUGA in Ryelands Park. As this is subject to further feasibility work and consultation with relevant partners and the community, plus the requirement to obtain planning permission, the applicant commits to secure and provide the MUGA as part of phase 2 of the regeneration of Mainway. The local planning authority expect the Mainway estate masterplan to include this re-provision and for this to form part of their phase 2 pre-planning enquiries and subsequent planning application. The applicant is committed to this mitigation with Chief Officers of the relevant Services aware of these requirements. Whilst the intension and commitment are evident, there are no planning controls or mechanisms as part of this application to secure the MUGA on Ryelands Park. Accordingly, there is a conflict with policy DM27 in this regard.
- 5.6.13 Sport England continue to object to the application due to the loss of natural turf and non turf playing field and indoor sports facilities. Their argument in relation to indoor facilities cannot be substantiated as the school buildings and facilities have all been demolished under the permitted development regime. Sport England do not consider the Sports Mitigation proposal adequate to provide sufficiently for the loss of natural turf playing field and no provision capable of being secured through this permission has been made for the loss of sports courts and sports hall facilities. As such, Sport England consider the proposal contrary to their Playing Field Policy and paragraphs 96 and 103 of the NPPF.
- 5.6.14 Policy DM27 also requires development proposals located in areas of recognised deficiency to provide contributions towards open space, sports, and recreational facilities either on or off site. This should be in accordance with the standards and thresholds set out in Appendix D of the DM

DPD. In this case, the applicant's contribution to open space is through the re-provision of the playing pitches and ancillary changing facilities on site with no off-site contributions being provided.

- 5.6.15 For the reasons set out above, it is accepted that the proposed development will result in conflict with Policy SC3 of the SPLA DPD, DM27 of the DM DPD and the NPPF in respect of the loss of designated open space on site. This is a matter to be considered in the planning balance.
- 5.7 **Design and place making NPPF Chapter 8 (Promoting healthy and safe communities), Chapter 11 (Making effective use of land), Chapter 12 (Achieving well-designed and beautiful places); Development Management (DM) DPD policies DM1 (New residential development and meeting housing needs), DM26 (Public realm and civic space), DM29 (Key Design Principles) and DM46 (Development and Landscape Impact) and the National Design Guide.**
- 5.7.1 The NPPF places an increasing emphasis on the need to deliver high-quality, inclusive, beautiful and sustainable places. This is reflected in the Local Plan through a number of different policies. Policy DM29 and DM46 seek to achieve this overriding ambition by ensuring new development contributes positively to the identity and character of an area through good design that has regard to local distinctiveness, siting, layout, materials, orientation and scale. Policy DM26 expects development proposals to make a positive contribution to their surrounding through good design, the creation of positive, space and attractive streetscapes and good accessibility and connectivity building buildings and urban spaces. Policy DM29 specifically expected development in gateway locations to be of high standard of design and contribute towards creating a positive statement when entering the city.
- 5.7.2 The design of the development has evolved extensively through engagement and consultation with the community of Mainway, consultees, the local planning authority and Places Matter Design Review panel. This positive engagement is reflected in the final design where a significant amount of effort has been focused on the public realm and the functionality and design of the spaces between existing and new development. Taking instruction from Places Matter Design Review, the scheme now incorporates a number of west to east pedestrian and cycle connections enabling enhanced connections between Mainway and Ryelands Park. This offers significant benefits to the health and well-being of the community as well as encouraging more active travel.
- 5.7.3 The layout and form of the built development is carefully thought out make the best of the spaces around the buildings. The inclusion of the play bank and play street are innovate and positive additions to the development that provides safe and attractive areas for children and their caregivers. These features positively contribute to the creation of active and inclusive streets and provide opportunities for future residents to regularly engage. This collectively contribute to a positive sense of place. The layout also safeguards existing residents, secures access to private amenity space to all the proposed dwellings forming part of the proposals and provides good natural surveillance around the whole development. The layout has, as far as possible, considered security and measures to reduce the fear and risk of crime and antisocial behaviour.
- 5.7.4 The scale of the apartment blocks (plots 1 and 2) and the access and parking strategy are perhaps the most contentious elements of the scheme. The outcomes are largely a consequence of the site constraints (flood risk, playing fields, proximity to school and existing residents) and the demands and requirements of the proposals.
- 5.7.5 The site occupies a large area and has the benefit of being setback from the highway and elevated behind the playing fields to the front. Although the scale of the former Skerton high school buildings were relatively low, it is considered that the site can accommodate buildings of scale without undue harm to the townscape character. The two symmetrical apartment blocks have been designed to create a landmark building in this location. They occupy a prominent position and will be highly visible in the immediate area, with glimpses of the upper levels caught in more long distant views. The apartments sit at 5 and 6 storeys high. From Owen Road these will be seen in the foreground of the taller 11 storey tower blocks which are situated at either end of Mainway on the banks of the River Lune. Accordingly, there is no concern in principle to the scale of these larger buildings. The scale of the residential dwellings to the rear and north of these apartment blocks rightly steps down to 3 and 2 storeys and is of domestic scale to appropriate respond to the scale of existing residential development to the north. Whilst there is some criticism over the appearance to the three-storey

flat-roofed bookends, these do serve to mitigate the imposing effects of the apartment blocks on the two-storey dwellings to the rear.

- 5.7.6 Turning to the design approach for the buildings, the submission clearly sets out an ambition to make reference to the art deco heritage of the site through the architectural language of the proposed buildings. This includes elongated vertical openings, materials and metal work. There is no hard and fast rule that this approach is the right or wrong approach, so long as the development is visually attractive as a result of good design, layout and landscaping (paragraph 135, NPPF). The apartments have been designed to have strong horizontal bands across the façade, which is then complimented by the verticality of the taller components around the central square. These taller elements mitigate against the overly horizontal form and add interest to the overall design. However, the implication of this potentially reduces the attractiveness and the public square between these two blocks as a result of overshadowing and overbearingness. It is also considered that the juxtaposition of the two larger symmetrical buildings with plot 3 is a slightly weaker aspect of the design. From the site frontage, plot 3 appears disproportionate in scale. There is little to mitigate this due to the proximity to the adjacent two-storey dwellings along the northern boundary, however, the applicant has amended the fenestration to provide design consistency across all three blocks.
- 5.7.7 The fenestration to the apartment blocks has been improved through the applicant's own design process and during the application determination stage. This has been in response to pre-application discussions and the outcomes of the Places Matters Design Review panel feedback. The buildings are articulated through the use of recessed brickwork, balcony features with art-deco style railings and horizontal brick banding to the lower level of Plots 1 and 2. Plot 2 is also complemented by extensive curtain glazing associated with the community facilities. The final architectural detailing (i.e. window profiles, window reveals, recess distances for the brickwork etc) and materials are critical to securing high quality design and to preventing the building looking overly monotonous. This detail will be controlled by planning condition.
- 5.7.8 Places Matter Design Review did stress some concerns over the rear elevations of the apartment blocks, which lacked active frontages and appeared overly "back of house". To a certain extent these concerns remain, as the rear of the building has a very different design to the front, supporting all the external accessways to the upper floor accommodation. There are wider design benefits for these external access corridors – a place to congregate and socialise – but the appearance is not particularly pleasing. This is mitigated by being set back behind solid building components which now supports habitable windows to provide activation to the rear elevation.
- 5.7.9 The design of the proposed terraced dwellings is acceptable. Although the roof design (asymmetrical pitch) is not desirable, it is proposed to maximize provision for PV panels to the roof space and is there accepted. This combined with the flat-roofed bookends and the wider streets supporting the playable street creates a modern interpretation to the historic terraced streets to the north and represents innovation and creativity. Again, subject to securing the final architectural details and materials, this aspect of the scheme is considered acceptable.
- 5.7.10 The parking strategy relies on on-street parking within the developable part of the site. The original submission proposed 129 spaces. This significantly dominated the character and appearance of the proposed internal streets to the detriment of the development's design objectives. The amended scheme has resulted in a substantial reduction and provides a betterment to the quality of the spaces around the buildings and the interaction with the open spaces. Even with the welcomed reduction in parking spaces, the streets to the rear of the site will be lined with parking bays. It is accepted this is not a positive feature of the proposal but there is not alternative.
- 5.7.11 The application has also been supported by a comprehensive townscape character and visual appraisal which has assessed the effects of the development on townscape character and the visual effects from several pre-agreed selected viewpoints. Owing to the embedded design mitigation and the prevailing character of the area, the applicant's assessment sets out that the development would result in generally beneficial or neutral effects on townscape character. The beneficial effects are anticipated to be mainly experienced from Mainway as a consequence of the proposed enhancements to the public realm, the new connections between the site and surrounding estate and the design of the buildings. Regarding visual effects, the applicant's submission also sets out that the development would generally result in beneficial or neutral effects on visual amenity and

views, though it does acknowledge some minor adverse effects in views where landmark buildings will be lost (in a limited viewpoint). Overall, whilst the proposal will result in a noticeable change in views, due to the introduction of buildings taller than some of the existing built form, the development will be read in the context of other existing taller buildings associated with Mainway. The conclusion of the townscape and visual appraisals are robust and reasonable and overall demonstrates the development can be accommodated within the existing townscape without significant unacceptable impacts.

- 5.7.12 On the whole, the weaker aspects of the design relate mainly to the appearance of the apartment blocks. The relationship of the buildings to the proposed open space and the connections between the development and the surrounding area are commendable and accord with broad urban design principles. Design is clearly subjective and there will be different views and opinions over the approach taken to the redevelopment of this site. It is considered that the development has successfully accounted for the prevailing character and urban grain and has designed a scheme suitable to support and build a healthy and sustainable place, despite some concerns over the appearance of the apartment blocks. For these reasons it is considered that the development would not conflict fully with policy DM29 and chapter 12 of the NPPF. The concerns associated with the appearance of the larger blocks is minor and would not outweigh the benefits of the development. The concerns raised can, to a certain extent, be mitigated through the use of high-quality materials and finishes and quality architectural detailing. The development would not be detrimental to the wider character and appearance of the townscape to substantiate a refusal of planning permission.
- 5.8 **Cultural Heritage NPPF Chapter 16 (Conserving and Enhancing the Historic Environment); Strategic Policies and Land Allocations (SPLA) DPD policies SP7 (Maintaining Lancaster District's Unique Heritage); Development Management (DM) DPD policies DM37 (Development affecting Listed Buildings), DM38 (Development affecting Conservation Areas), DM39 (The Setting of Designated Heritage Assets), DM41 (Development Affecting Non-Designated Heritage Assets or their Settings) and DM42 (Archaeology).**
- 5.8.1 The application site does not directly affect any designated heritage assets. However, it has the potential to affect the significance of designated and non-detached heritage assets via their setting.
- 5.8.2 The Local Planning Authority has a statutory duty to consider the impact of these proposals on the Conservation Area under section 72 of the Planning (Listed Buildings and Conservations Areas) Act (1990) and to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. This is supported by paragraphs 195-204 of the National Planning Policy Framework, and by policy DM38 of the DM DPD. Policy DM38 requires that proposals preserve or enhance the character and appearance of the Conservation Area, and in particular that they do not *'have an unacceptable impact on...open spaces...including important views into and out of the area.'* There are also statutory duties under sections 16 and 66 of the Planning (Listed Buildings and Conservations Areas) Act 1990 to consider the impact of the proposals on the adjacent Listed Buildings and to ensure that their setting is preserved. This duty is similarly echoed by NPPF paragraphs 195-204, and by policies DM37 and DM39 of the DM DPD. Policy DM37 states that *'The significance of a Listed Building can be harmed or lost... through development within its setting. Any harm (substantial or less than substantial) ...will only be permitted where this is clearly justified and outweighed by the public benefits of the proposal.'* The impact of the proposed development on non-designated heritage assets must also be considered in light of NPPF paragraph 209, and a balanced judgement reached with regard to the scale of harm or loss and the significance of the asset. Policy DM41 supports this obligation, and further requires that *'Proposals affecting the setting of a Non-Designated Heritage Asset will be required to give due consideration to its significance and ensure that this is protected or enhanced where possible.'*
- 5.8.3 The application has been supported by a Heritage Statement and a revised Building Recording of the former school buildings. This has been considered and assessed by the council's Senior Conservation Officer who has raised no objections to the development. The Heritage Statement sets out a robust assessment of the site's history and an assessment of the significance of heritage assets surrounding the site. This includes four listed buildings which have the potential to be affected by the proposals, namely Rylands House, Rylands Lodge, Church of St Lukes (all grade II listed) and Skerton Bridge, which is also a scheduled monument (grade II* listed) and Slyne Road Conservation Area.

- 5.8.4 The submission sets out that the site is experienced as a predominantly open area of land between Owen Road and Mainway and is experienced in conjunction with some of the identified heritage assets, particularly when viewed from Owen Road. It also forms the backdrop to some of the identified assets, when experienced as part of the mixed suburban context of Skerton. The assessment recognises that the openness of the site and its landscape features maintains and extends the open visual character associated with Ryelands Park, contributing to the spacious setting of the associated listed buildings and parkland. Although there is no intervisibility between the site and Slyne Road Conservation Area, this spacious approach into and out of the Conservation Area is considered to reinforce the mixed suburban context of the conservation area and has a neutral effect on its significance.
- 5.8.5 The significance of Skerton Bridge is strongly linked to the River Lune. Due to intervening development the site and proposed development is not considered to impact the significance of Skerton Bridge via its setting. The development would be experienced as part of the wider suburban context to the north of the designated heritage asset.
- 5.8.6 In relation to non-designated heritage assets (NDHA), the former Skerton Primary School is most affected by the proposals. This property sits immediately adjacent to the southern boundary of the site. The former Skerton Primary School derives its significance from its historic and architectural interests as a building of Edwardian design. The asset is generally experienced in glimpsed views between buildings on Mainway, Owen Road and the pedestrian route to the south of St Luke's Churchyard, as well as from the open space to the immediate north (and now west) of the asset.
- 5.8.7 The proposed development will introduce a number of new buildings into the townscape in the location of the former Skerton High School buildings. Plots 1 and 2 are substantially taller than the existing buildings and whilst the development will be seen in the context of the built-up area of Skerton, glimpses of the upper levels of the apartment blocks beyond the intervening development may be experienced from Skerton Bridge and the immediate surroundings. Given the character and scale of the intervening development, the proposed development would not detract from the significance of this designated heritage asset.
- 5.8.8 St Lukes Church and churchyard lies to the south of the site and the former Skerton Primary School (NDHA). This listed building is enclosed by modern development to the east and west and formally enclosed by the previous high school buildings to the north. The development will enclose views from the church once more and will be of higher scale to the former buildings. Views of the church are limited from Owen Road, Ryelands Park and Mainway to intervening development. It is considered that due to the provision of a new access road running along the southern boundary, the development could provide new views to appreciate this listed building. Given the context, the significance of this listed building will not be adversely affected by the proposals.
- 5.8.9 In the cases of both Ryelands House and Rylelands Lodge, the proposed development will introduce new buildings within the setting which is derived from the open and visual character experienced along Owen Road. However, the significance of both heritage assets will still be appreciable within their context of the historic parkland and the suburban character that surrounds the assets. Accordingly, the significance of both listed buildings will be preserved and not adversely affected by the proposals.
- 5.8.10 It is considered that the proposed development will be experienced in conjunction with the Former Skerton Primary School Building. Whilst the scale of the development to the south will be of greater scale to the former school buildings, the regeneration of the site has the potential to enhance its significance by improving the quality of its setting and creating new opportunities to appreciate the architectural interest of the building, notably its principal elevation.
- 5.8.11 The character and appearance of the Conservation Area would not be adversely affected by the proposals. Whilst the upper parts of plots 1 and 2 will be visible in some limited views, these will be seen in the context of the existing townscape. The spacious character of the southern end of the Conservation Area will be preserved with the development set behind the retained playing fields. Subject to high quality materials and detailing, the development will have a neutral impact on the setting of the Conservation Area.

- 5.8.12 In conclusion, and subject to quality materials and detailing (a matter of planning condition), the proposed development is considered to conform to the objectives of the policies and statute set out in paragraph 5.8 of this report. As set out previously, there are no objections from the Council's Conservation Officer who considers there to be no harmful effects on the significance of designated and non-designated heritage assets surrounding the site. The Conservation Officer also considered there to be no significant views to city-wide heritage assets that would be affected either.
- 5.8.13 In respect of archology, extensive work has already taken place as part of the demolition of the school buildings. A Building Record has been submitted and later amended to address deficiencies previously highlighted to the application. Subject to confirmation from the Historic Environment team at Lancashire County Council, it is contended matters pertaining to archaeology have been satisfactory addressed.
- 5.9 **Residential Amenity and Pollution** (NPPF: Chapter 8 (Promoting Healthy and Safe Communities), Chapter 11 (Making effective use of land), Chapter 12 (Achieving Well-Designed Places) and Chapter 15 (Ground Conditions and Pollution); Development Management DM) DPD DM29 (Key Design Principles), DM32 (Contaminated Land) and DM57 (Health and Well-Being).
- 5.9.1 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 if high standard of design ensuring high standards of amenity are maintained and secured for existing and future users. Policy DM29 specifically state that new development must ensure there is no significant detrimental impact to amenity in relation to overshadowing, visual amenity, privacy, overlooking, massing, and pollution.
- 5.9.2 **Residential Amenity**
The proposed development has the potential to impact existing residential development. Existing residents most likely to be affected includes those on Pinfold Lane, Mainway and to lesser extent Owen Road.
- 5.9.3 Residential dwellings on Pinfold Lane comprise two-storey terraces with the rear elevations and gardens/yards facing onto the application site. Proposed plots 3 and 4 run almost parallel with the existing terraces and have their rear elevations facing the existing properties (back to back layout). Plot 4 consists of a run of 12 two-storey terraced dwellings. There is then a small break in the built form with plot 3 extending west and consisting of a further 6 two-storey dwellings with a three storey apartment block forming the end to the terrace. Except for the apartment block, the scale of the terraces reflects the scale of development of Pinfold Lane. The site is slightly elevated above Pinfold Lane but it is not significant. There is currently a high metal mesh fence (above other boundary treatments) separating the former school site to the existing dwellings. The proposed layout secures separation distances between the two-storey terraces and existing dwellings between 21 metres and 29 metres and therefore adequately conforms to the requirements of policy DM29. The three-storey apartment block is situated around 19 metres from the rear elevation of existing properties. There are no windows proposed to this elevation. Although the outlook from Pinfold Lane properties facing onto the apartment block will be bland, it is not considered to be significantly overbearing as the interface distances far exceeds the required 12 metres. Accordingly, whilst the proposed development will be substantially closer to these properties compared to the former school buildings, the development is of a suitable scale and layout to safeguard and protect the residential amenity of existing and future residents.
- 5.9.4 Plot 3 of the development will be located approximately 33 metres west of the four storey Greenwater Court (apartments) with Plot 5a around 21 metres to the southwest. Due to the scale, position and orientation of the proposed development relative to this existing building, it is considered there would be no adverse effects on the residential amenity of existing and future residents by way of overlooking, loss of privacy and overbearingness.
- 5.9.5 Plot 5b is the closest part of the development to the three-storey Steward Court (apartments) with a separation of around 24 metres. The orientation of the development is off-set meaning the

proposed bookend apartment block (also three-storey) will not sit directly behind or adjacent to the Steward Court. This relationship will secure an acceptable standard of amenity for existing and future occupants. Residents of Steward Court will have an improved outlook with the removal of the former caretaker's house, outbuildings and garages. The design of the development will see an improve boundary treatment and interface between Steward Court and the development with an area of open space proposed to the north.

- 5.9.6 Numbers 34-46 Owen Road consists of a single terrace (2-5 storey high) located south of the junction with Pinfold Lane. Some of these dwellings will have side and rear views over the application site from property and private outdoor yards. The proposed built form is in excess of 80 metres from the rear garden boundaries of these properties. Therefore, the buildings themselves will not result in any adverse impacts on residential amenity, in terms of overlooking, loss of privacy and overbearingness despite the substantial scale of plots 1 and 2. A proposed cycle/pedestrian footway is proposed between the northern boundary of the site (with these dwellings and those on Pinfold Lane) and the playing pitch. The open space provision also means there is likely to be more activity (active travel and football games/recreation) on this land closer to existing dwellings. However, compared to its use formerly as a school with associated playing fields, the impact is not going to be significantly more adverse despite the school being disused for a considerable period. The precise details of the boundary treatments and landscaping along this northern boundary shall be the subject of planning conditions to ensure there is a safe relationship between the existing and proposed uses.
- 5.9.7 The layout of the development has had regard to the interface distances set out in policy DM29 and the character and built form of the wider area. However, to ensure the development uses the land efficiently and appropriate separation distances are provided between the adjacent school and existing residents, the new and internal separation distances are shy of the expected standards set out in policy DM29 (between 17 metres and 20 metres). The garden sizes between plots 5a and 5b are also shy of the required 10 metre length (between 7m – 9m in length) and 50 square metre gardens. This mainly relates to plots 5a and 5b. Plots 3 and 4 are closer to the required standards. The postamble to policy DM29 states: '*there may be instances where these minimum distances need to be increased or reduced depending on circumstances, for example site topography or density considerations*'. In relation to garden sizes, the postamble encourages a level of provision for the health and well-being of residents. Whilst the dwellings proposed are not all meeting the required standards, the overall development secures additional external open space and a community centre, which will positively contribute to the overall inclusiveness of the development and the health and well-being of future residents.
- 5.9.8 The larger apartment blocks (Plots 1 and 2) all benefit from the wider open space but also have been designed with external balconies to provide some private outdoor space. Access terraces are also incorporated to offer social spaces for neighbours to meet. The requirement for external space within the apartments has been an integral design component from the outset and is a positive aspect to the scheme.
- 5.9.9 Although the development does not meet the amenity standards (interface distances and garden sizes) for some aspects of the scheme, the overall design, layout and access to opens space and community facilities would outweigh those conflicts. Accordingly, the development is considered to provide an acceptable standard of amenity for all new residents in addition to safeguarding the amenity of existing residents. The proposal therefore conforms with the objectives and requirements set out in the NPPF and policy DM 29.
- 5.9.10 Noise
The submitted Noise Impact Assessment identifies potential noise sources emanating from the community centre, as well as the Air Source Heat Pump room and plant room, and the potential effects this has on residential amenity. The assessment concludes that the noise level emitted will be lower than the existing background sound level at the worst case scenarios and there would be no significant impacts. The submission sets out that to achieve acceptable noise levels within residential properties, it is recommended that the doors to the community centre remain closed where possible to best ensure the noise levels will not regularly exceed the background sound level, as well as sound insulation separating floors between community centre and first floor accommodation. It is also recommended that any sound system (either fixed or temporary) is restricted within the community centre to specific sound limits.

- 5.9.11 The Council's Environmental Health Service has considered the assessment and noted that if the doors were to remain open the noise levels emitting from the community centre would be over 17dB above (worst-case) the background noise level which would give rise to significant impact on the amenity of residents above and surrounding the community centre. It is also considered unenforceable to monitor the operator of the community space to keep doors closed. To remedy the concern amended plans have been received reducing the number of openings to emergency access doors only. It is also noted the acoustic assessment assessed daytime noise only. Therefore, without an updated noise assessment assessing nighttime noise, a hours of use condition would be required limiting the use of the community centre to 07:00-23-00 hrs. Accounting for the amended plans, an hours of use condition and the above forementioned mitigation, the development will not give rise to unacceptable noise impacts and would comply with the requirements of policy DM29 and policy 191 of the NPPF.
- 5.9.12 Contaminated land
Paragraph 189 of the NPPF states the planning decisions should ensure sites are suitable for the proposed use taking account of ground conditions and any risks arising from land instability and contamination. Paragraph 190 goes on to state that where a site is affected by contamination or land stability issue, responsibility for securing a safe development rests with the developer and/or landowner. The application has been supported by an appropriate desk study and site investigation which has considered the potential pollution/health risks as low and concluded the principle of developing the site for residential uses can be made acceptable. The Council's Environmental Health Service has raised no objection to the development but have considered further sampling necessary to ensure all elevated contaminants are identified and remediated appropriately and soft landscaped areas and residential gardens have a suitable growing medium. It is also recognised that although asbestos was not detected within the samples analysed, the age of the buildings means that the presence of asbestos within made ground is feasible. As such a method statement for the management of any asbestos detected on site would be required as part of the remediation scheme. The additional sampling and results will be required to inform a suitable remediation strategy. This will be controlled by planning condition.
- 5.10 **Biodiversity and Trees** (NPPF: Chapter 15 (Habitats and Biodiversity); Strategic Policies and Land Allocations (SPLA) DPD Policies SP8- (Protecting the Natural Environment) and EN7 (Environmentally Important Areas); Development Management (DM) DPD policies DM44 (Protection and Enhancement of Biodiversity) and DM45 (Protection of Trees, Hedgerows and Woodland).
- 5.10.1 Strategic policies SP8 and EN7 both recognise the importance and value of biodiversity within the district and expects development proposals to protect, maintain and enhance biodiversity. This policy position is reflected in the Development Management DPD policies. Policy DM44 states development proposals should protect and enhance biodiversity and, as a principle, there should be net gain of biodiversity assets wherever possible. The policy goes on to state that where harm cannot be avoided, it should be mitigated and as a last resort compensated for, and where a proposal leads to significant harm, planning permission should be refused. Policy DM45 identifies the importance of retaining trees, woodland and hedgerows where they positively contribute to visual amenity, landscape character and/or the environmental value of an area. This policy expects new development to positively incorporate existing trees and hedgerows and where this cannot be achieved, the losses must be justified and mitigation. Policy DM45 seeks to maximum and encourage new tree and hedgerow planting of indigenous species to mitigate against the wider impacts of climate change and to enhance the character and appearance of the district.
- 5.10.2 Impact on designated sites
The site is located approximately 2.8km from Morecambe Bay and Duddon Estuary Special Area of Protection (SPA), Morecambe Bay Special Area of Conservation (SAC) (the SPA and SAC both form part of the UK National Site Network) and Morecambe Bay Ramsar site, in addition to the Morecambe Bay Site of Special Scientific Interest (SSSI). Given the proximity of the site to the designated areas, there is the potential for the development to have an adverse impact on their integrity both during construction and operational phases of the development. No direct impacts will arise from the development. The identified impacts are indirect, relating to potential pollution pathways and the effect of potential increased recreational disturbance. Accordingly, the Local

Planning Authority has undertaken its own Habitat Regulations Assessment (and Appropriate Assessment) to fulfil the duty as the competent authority.

5.10.3 The Appropriate Assessment concludes that the proposal will not result in adverse effects on the integrity of any of the designated areas subject to appropriate mitigation being secured by condition. For potential impacts during construction, this relates to the production and implementation of a Construction Environment Management Plan. This shall include appropriate pollution prevention control measures to ensure no construction related pollutants or run-off enter the drainage network and nearby watercourse, which provides a potential pathway to the designated areas. For impacts during the operational phase, this requires the implementation of a suitable foul and surface water drainage scheme and the provision of homeowner packs, which explain the sensitivities of the nearby designated sites, include a 'responsible user code' and promotes the use of alternative areas for recreation, in particular dog walking. It will also include the provision of onsite open space relating to the playing pitches, equipped play provision and amenity greenspace.

5.10.4 With the implementation of the mitigation outlined above, it is considered that the proposed development will have no adverse effects on the integrity of the designated sites, their designation features or their conservation objectives, through either direct or indirect impacts either alone or in combination with other plans and projects. The mitigation measures can be adequately covered by a condition attached to any planning consent. Natural England has been consulted and concurs with the Council's Appropriate Assessment. In respect of the impact of the development on the National Sites Network, the RAMSAR and SSSI the development is considered to accord with strategic policy SP8, EN7 of the SPLA DPD and policy DM44 of the DM DPD.

5.10.5 Habitat and Protected Species

The application has been supported by a Preliminary Ecological Appraisal (PEA). This summarises the baseline condition of the site which comprises large areas of hardstanding, derelict buildings (now demolished), amenity grassland with some semi-improved grassland and scrub. At the time of the survey (before demolition) the most notable features included the hedgerows and around 50 predominately broadleaved trees. The majority of these trees have been felled as part of the demolition of the buildings under the prior approval process. Except for the existing mature trees and hedgerows remaining following demolition, the site is of relatively low ecological value. In relation to habitats, the PEA promotes the retention and protection of existing hedgerow and trees and replacement planting to mitigate and compensate for any losses.

5.10.6 In relation to protected species, the PEA (and bat surveys) sets out the following mitigation and enhancement measures in order to minimise the ecological impacts of the development:

- Bat roost opportunities to be incorporated into the buildings and/or landscaping
- Low lighting in the provided in the location of any proposed bat boxes
- Vegetation removal to be undertaken outside of bird nesting season
- Species-rich / biodiversity friendly landscaping
- Bird nesting opportunities to be incorporated into the buildings and/or landscaping
- Suitable method for removal of invasive species and ongoing management
- Reasonable Avoidance measures for hedgehogs during construction
- Incorporation of hedgehog highways in the fencing design

The Councils ecology advisors, GMEU, raise no objection to the proposal and are satisfied with the level of survey effort undertaken and concur with the proposed mitigation, subject to the inclusion of a landscape management plan. The stated mitigation can be secured in the form of a Construction Environment Management Plan and a scheme for ecological mitigation and enhancement measures. Subject to conditions securing the above mitigation, it is contended the development would not conflict with policy DM44 and mitigation can be secured to ensure there is no significant adverse effect to protected species or priority habitat.

5.10.7 Arboricultural Implications

An Arboricultural Impacts Assessment (AIA) and Tree Survey support the application. The AIA notes that all the trees to the west of the former school buildings will be protected and retained. This includes the avenue of cherry trees, which form a distinct landscape feature on the site. The scheme has been amended to provide suitable protection to support the retention of trees on the southern boundary with Chadwick School through the removal of parking bays and alterations to the cycle lane to the northwestern corner. The proposal does, however, involve tree losses. The AIA identifies

a total of 16 individual trees that would need to be removed to facilitate the development. Nine groups of trees would either be removed or partially removed for the development and three lengths of hedgerow totalling 79.1m would be removed (this includes trees already removed via the demolition). Of the trees to be removed, there are three Category A trees; nine Category B trees and two groups of trees; and four Category C trees and seven groups of trees.

- 5.10.8 The original proposals involved the retention of the protected tree on the northern boundary. However, in response to the Council's Arboricultural Officer's concerns noting the unacceptable relationship of the development to this protected tree, the applicant now proposes its removal. This does not overcome the objection from the Council's Arboricultural Officer. In fact, it reinforces the point being made, that development should be designed around important landscape features rather than the other way around.
- 5.10.9 The submitted AIA states; '*the removal of this tree would facilitate improved access for construction, allow for improvement work to be carried out to the retaining wall at the north boundary and increase light levels to the existing properties on Pinfold Lane.*' It goes on to state; '*while the tree has landscape and amenity value, the height of the tree and extent of the crown would be disproportionate to the new housing proposed and it is likely that over time, the tree will come under increasing pressure for pruning works and potentially removal.*' The submission claims the removal of the tree is an opportunity to remove the tree and carry out replacement planting of smaller species more compatible with garden space and uses. The applicant's amended design submission recognises the environmental and amenity value of this tree but considers the removal necessary to facilitate well-designed and functional residential development. Retaining this tree with the current layout would not support the longevity of the tree and would adversely impact the amenity of future residents. The submission suggests trying to retain the tree and create more space around it, by removing a couple of units from the terrace, would impact the proposed urban grain and overall design and result in an unmanageable and potentially unsafe area with the development.
- 5.10.10 Policy DM45 states '*new development should positively incorporate existing trees and hedgerows and where this cannot be achieved the onus is on the applicant to justify the loss. Where it is adequately justified the council will seek replacement tree planting at the ratios adopted in the Councils tree Policy (2010).*' The applicant's justification lacks credence, particularly given the applicant's late position to remove this protected tree (having proposed to retain it in the first place). However, whilst it is disappointing the scheme was not designed around the retention of this important tree from the outset, the arguments put forward concerning the creation of a dysfunctional space which could be misused have merit. Replacement tree planting is necessary and will provide some mitigation, but such will not replace the environmental an amenity value of this protected tree in the short to medium term. Therefore, the proposal does result in some conflict with policy DM45.
- 5.10.11 The application has been supported by a landscape plan which provides a schematic of the proposed hard and soft landscaping. The scheme proposes a substantial amount of tree planting on site which will be located along the boundary with Owen Road, clustered in a dedicated ecology area to the south and throughout the build development. The final planting schedule and fully detailed landscaping plans shall be controlled by planning condition. There is sufficient scope within the site to provide the necessary replacement tree ratios as well as provided a diverse mix of plants/scrub to enhance biodiversity.
- 5.10.12 Biodiversity Net Gain (BNG)
The submitted application is subject to mandatory BNG. The application has been supported by a Biodiversity Net Gain assessment (April, 2023). This outlines the baseline biodiversity value of the site having regard to existing habitat. The assessment has carried out before the demolition of the buildings. Consequently, the baseline has regard to extensive areas of hardstanding former derelict buildings surrounded by the semi-improved and amenity grassland with some scrub vegetation. The baseline value of the site has been calculated as 10.46 habitat units and 4.22 hedgerow units. The BNG assessment considered the ecological value of the site to increase to 11.17 habitat units (a gain of 6.73%) and 4.8 hedgerow units (a gain of 13.6%). This is based on the original landscape proposals. Whilst there have been some minor changes to the landscaping, the tree losses from one part of the site have been replaced elsewhere. Nevertheless, it is accepted the applicant will need to secure biodiversity units off-site to achieve 10% net gains in area habitat. The applicant can provide 10% net gains in hedgerow units on site. The assessment indicates 2 habitat units of individual trees any high or very high distinctiveness habitat will be required off-site.

- 5.10.13 It may be possible for these units to be secured off-site on an alternative site, purchasing credits locally or as a last resort through the purchasing of national credits. There are clearly options available to the applicant. It is understood, the applicant has been looking to secure their net gains off-site via a charity who have partnered with the city council on other sites to secure extensive tree planting to benefit the environment and community. This may be a potential option subject to meeting the mandatory requirements and due process when submitting the Biodiversity Net Gain plan via condition. If this does not come to fruition, the applicant is aware of their mandatory obligations in relation to BNG.
- 5.10.14 Our ecology advisors, GMEU, have raised no objection to the proposal in relation to BNG. They state that *'given that the habitats required are relatively common (trees) and that the number of habitat units required is relatively low (2 Units), it ought to be possible for the applicant to secure the necessary off-site BNG provision'*. They advise that the statutory Biodiversity Gain Condition should be applied to any permission, to require the submission of a comprehensive Biodiversity Gain Plan before the development can commence. This will set out how the net gains off-site will be secured and details to secure the 30 years long term management and maintenance of the biodiversity net gains (on and off site).
- 5.11 **Infrastructure, Education and Health NPPF Chapter 8 (Promoting healthy and safe communities) and Chapter 15 (Conserving and Enhancing the Natural Environment); Development Management (DM) DPD policies: DM29 (Key Design Principles), DM57 (Health and Wellbeing) and DM58 (Infrastructure Delivery and Funding).**
- 5.11.1 Planning policy requires the provision of school places to be given great weight in order to ensure the necessary infrastructure is in place to cope with the impacts of population expansion arising from new development. Despite the lack of school places being a concern to some local residents objecting to the development, Lancashire County Council's School Planning Team (the local education authority) has assessed the proposal and confirmed no school places (financial contributions) would be sought from this development.
- 5.11.2 The NHS Integrated Care Board (ICB) has made representations to the application and seeks a contribution towards local health care infrastructure. The response sets out that the proposal will generate 255 new patient registrations based on based on an average household size of 2.4 for 55 dwellings, which generates a contribution request of £78,030. As the proposal falls within the catchment of Lancaster Medical Practice, the response from the NHS suggests the contribution would go towards new infrastructure at the practice comprising a new build at Lancaster University. The response indicates the Owen Road practice (0.2 miles from the site) could not support the additional growth as there is no capacity to expand at this site.
- 5.11.3 The ICB recognise that the growth generated from the proposed development would not trigger consideration of commissioning a new general practice; however, the ICB states the *'proposal would trigger a requirement to support the practice to understand how growth in the population would be accommodated and therefore their premises options.'* Therefore, it is not clear how the contribution would be used. The response contradicts this point and suggests the project would be towards extensions and reconfiguration at Lancaster Medical Practice (at the University site) for additional clinical capacity. Notwithstanding longstanding concerns over the extent of the actual funding gap as the basis for seeking these requests, the absence of a clear project and an understanding the named practice has capacity to expand and/or a new build surgery is actually planned, means the NHS request for contributions cannot be accepted at this time and would not be CIL compliant. Furthermore, the figures are assuming new patient registration. However, in this case we are aware the development is part of a decanting programme from Mainway estate and as such, the actual number of new patient registrations is likely to be less than indicated by the NHS. There is continuing disagreement between the local planning authority and the NHS trust over their requests meeting the CIL tests. Failing to secure the contribution would amount to an objection from the NHS ICB.
- 5.12 **Sustainable Design and Renewable Energy NPPF Chapter 12 (Achieving Well-Designed Places) and Chapter 14 (Meeting the challenge of climate change, flooding, and coastal change); Development Management (DM) DPD policies: DM29 (Key Design Principles), DM30 (Sustainable Design) and DM53 (Renewable and Low Carbon Energy Generation)**

- 5.12.1 In the context of the climate change emergency that was declared by Lancaster City Council in January 2019, the effects of climate change arising from new/ additional development in the district and the possible associated mitigation measures will be a significant consideration in the assessment of the proposals. The Council is committed to reducing its own carbon emissions to net zero by 2030 while supporting the district in reaching net zero within the same time frame. Buildings delivered today must not only contribute to mitigating emissions, but they must also be adaptable to the impacts of the climate crisis and support resilient communities.
- 5.12.2 A Sustainability and Energy Statement has been submitted with the application. This outlines the proposed energy strategy which aims to achieve near net zero carbon energy/carbon in operation. All units will be electric only with no reliance of gas for heating. Air source heat pumps will be provided for all the new units together with photovoltaic (PV) panels as a renewable source of energy. The roof configuration for the housing is purposefully designed to accommodate PVs. Mechanical Ventilation Heat Recovery systems have been chosen over mechanical extract only systems as they recover around 85% of the heat from the extracted air and provide for good ventilation levels. This will enable healthier internal living environments. The proposed energy strategy sets out that the development will also be future proofed for potential wet heating systems if required and when the electricity grid decarbonises fully. The development also takes a fabric first approach and sets out a commitment to achieve a betterment in the reduction of carbon emissions against current building regulations. This has been a key driver in the design of the development in order to provide healthy and more efficient homes or future tenants. The precise scheme of the final energy measures based on the submitted report shall be conditioned. It is considered that the development meets the requirements of policy DM30 and supports the Council's ambitions to achieve net zero.

6.0 Conclusion and Planning Balance

- 6.1 Paragraph 11 of the NPPF (the presumption in favour of sustainable development) requires that, where a local planning authority cannot demonstrate a 5-year supply of deliverable housing sites (unless the provisions of paragraph 76 are applicable), permission should be granted unless the application of policies in the NPPF that protect areas or assets of importance (such as heritage assets and areas at risk of flooding) provide a clear reason for refusing permission or any adverse impacts would significantly and demonstrably outweigh the benefits of the proposal.
- 6.2 In this case, the provisions of paragraph 76 of the NPPF are applicable. This means the local planning authority is not required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing for decision making purposes if the following criteria is met:
- the Local Plan is less than five years old; and
 - that adopted plan identified at least a five year supply of specific, deliverable sites at the time that its examination concluded.
- This simply means the tilted balance set out in paragraph 11 is not applicable to this application and an ordinary planning balance is required. Nevertheless, it is important to note that the local planning authority are fully aware this scenario is likely to be short lived given the poor delivery of housing in the district and that we have entered into a full review of the Local Plan.
- 6.3 Furthermore, in the context of paragraph 11 and footnote 7, the assessment above confirms there are no clear reasons to refuse planning permission (such as flood risk, heritage harm and impacts on national landscapes of the National Site Networks).
- 6.4 The assessment above confirms that the principle of housing development in a sustainable location such as the application site fully conforms with the district's strategic development strategy. It will also result in the redevelopment of an existing brownfield site and will provide the catalyst to unlock the wider estate regeneration of Mainway. These matters way in favour of the proposal and should be given moderate weight.
- 6.5 At a time when we are in a national housing crisis, and locally failing to deliver sufficient housing to meet local needs, the provision of 135 affordable homes is a significant benefit and is afforded significant weight. The provision of the social rented apartments on this site also provides the opportunity to enable a wider tenant decanting programme to facilitate phase 2 of Mainway estate

regeneration, which is inherently important in maintaining a sufficient supply of affordable homes as later phases evolve. The inclusive and sustainable design of the proposal, which provides better connections between the site and its surroundings, access of community open space, highly sustainable and adaptable accommodation and the provision of community spaces, promotes a healthier and sustainable place for future residents and the existing community. This is considered a benefit to the scheme. It is also acknowledged that the development will deliver economic benefits through direct and indirect job creation and economic growth and the upskilling of the community (through the Employment and Skills Plan). However, during construction these benefits are temporary and therefore overall offered limited weight.

- 6.6 The assessment above concludes technical matters such as access and transport impacts, flood risk, drainage, biodiversity, heritage matters, and amenity/noise have all been satisfactorily addressed. Through the use of conditions, the development will be acceptable and conform to the relevant national and local planning policies in relation to these matters.
- 6.7 Finally, weighing against the proposal it has been identified that there would be conflict with policy DM45 relating to the loss of the protected tree; the parking fails to meet the standards set out in policy DM62 and there are some design limitations and concerns (DM29/Section 12 NPPF). It is also accepted the proposal would result in the loss of protected open space and would fail to fully conform to the requirements of local plan policy, the NPPF and Sport England Playing Fields Policy. The conflict with the open space and playing fields policy will amount to harm; however, the harm is not considered to be significant when accounting for the fact the playing fields have been disused for around 10 years and prior to that did not provide any community access. Although the mitigation is considered to fall short of the requirements set out in planning policy and the Sport England’s guidance, the measures set out in the application will provide a benefit to the wider community that was not previously available on this site, which goes some way to mitigate against the conflict with the open space policies.
- 6.8 In this planning balance, it is considered that the conflict with the Local Plan and relevant sections of the NPPF and Sport England’s playing fields policy would not be significantly harmful and would not be outweighed by the significant benefits arising from this proposal. On this basis, the Planning Committee are recommended to support this application.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Time Limit	Control
2	Approved Plans	Control
3	Phasing Scheme	Pre-commencement
4	Employment and Skills Plan	Pre-commencement
5	Construction Environment Management Plan (CEMP)	Pre-commencement
6	Construction Traffic Management Plan	Pre-commencement
7	Site investigation and remediation scheme (additional sampling, method statement for asbestos)	Pre-commencement
8	Soil Importation	Before any importation of soil
9	Construction surface water management plan	Pre-commencement
10	Final surface water drainage scheme	Pre-commencement
11	Final construction details of all new access points/junctions (vehicle/ped/cycle).	Pre-commencement
12	Off-site highway improvement works	Pre-commencement
13	Estate road details, lighting and maintenance scheme	Before construction of any new roads
14	Site levels and finished floor levels	Pre-commencement
15	Ecology mitigation and enhancement (bat roost opportunities)	Pre-commencement
16	Updated AIA and AMS	Pre-commencement

17	Method statement for the eradication of invasive species.	Pre-commencement
18	Final scheme for sustainable design and energy measures based on Energy Report	Before construction of any buildings above ground level
19	Full architectural details of all windows, doors, curtain glazing, roof details, feature canopies, porches, railings, balcony details/framing to be provided including material samples.	Before construction of any buildings above ground level
20	Full details of all boundary walls/fences/railings to be submitted and agreed, including any alterations to the Owen Road frontage wall and railings	Before construction of any buildings above ground level
21	Final security scheme and external lighting	Before construction of any buildings above ground level
22	Full landscaping details	Before construction of any buildings above ground level
23	Details of cycle storage provision and retention thereafter	Before construction of any buildings above ground level
24	Details of refuse storage and refuse management strategy	Before construction of any buildings above ground level
25	Affordable Housing Scheme and ongoing restriction to use for affordable occupation	Before first occupation
26	Landscape & Habitat Management plan	Before first occupation
27	Management and Maintenance Plan for all on-site Open Space	Before first occupation
28	Timetable for the implementation and completion of all on-site public open space and retention thereafter	Before first occupation
29	Car parking management plan	Before first occupation
30	Verification approved drainage system has been installed Management and maintenance of the approved drainage system	Before first occupation
31	Homeowner Packs	Before first occupation
32	Provision of parking and turning facilities	Control
33	Acoustic mitigation set out in noise assessment	Control
34	Community centre use restriction	Control
35	Community centre hours of use	Control
36	Obscure glazing to south elevation window to plot 1	Control
37	Removal of permitted development rights (extensions, roof alternations, fencing and enclosures)	Control
38	Protection of visibility splays	Control

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

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

Background Papers

None

Agenda Item	A6
Application Number	23/01182/OUT
Proposal	Outline application for the erection of industrial buildings (Use Class B2 and B8) including access
Application site	Land At Middleton Business Park Middleton Road Middleton Lancashire
Applicant	Mr M Shahi
Agent	Mr Dan Ratcliffe
Case Officer	Mrs Eleanor Fawcett
Departure	No
Summary of Recommendation	Approval, subject to conditions and a Section 106 legal agreement

1.0 Application Site and Setting

- 1.1 The site relates to approximately 4.3 hectares of previously development land located to the north of Middleton Road and the small settlement of Middleton. It lies adjacent to existing industrial development at Middleton Business Park, with industrial buildings to the north and west of the site. To the east are open fields and to the south is a substantial belt of trees between the site and Middleton Road, which is covered by a Tree Preservation Order. The site comprises vacant scrub with some self-seeded trees. A small part of the access road is identified as being at risk from surface water flood risk (1 in 100 years) and most of the site is identified as potential for groundwater flooding of property situated below ground level.
- 1.2 The site is allocated as part of an employment site (Lancaster West Business Park) and a wider strategic employment site (Heysham Gateway). The southern part of the site is allocated as part of Middleton Nature Reserve. The site is also covered by an allocation for large scale built waste management facilities (Joint Minerals and Waste Local Plan Policy WM2 - Lancaster West Business Park). The site is located approximately 1 kilometre from Morecambe Bay which is designated as a Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar Site. It also lies within the detailed emergency planning zone for Heysham Power Station.

2.0 Proposal

- 2.1 Outline planning permission is sought for the erection of industrial buildings for general industrial (use class B2) and storage and distribution (use class B8). Approval is sought for the access, with all other matters reserved. Access is proposed from the northwest corner of the site from the existing service road within the business park which connects to Middleton Road approximately 250 metres to the west. The indicative plans submitted show nine units in five blocks, with floor space ranging from 720 square metres to 3185sqm providing a total of 13,745 square metres.

3.0 Site History

3.1 An outline planning application, relating to a similar development to the current application was refused permission in 2022 under delegated powers for the following reasons:

1. The application fails to provide sufficient information relating to water quality, bird usage of the site and surroundings and effect of the development on functionally linked land to enable the local planning authority to complete a Habitats Regulation Assessment as competent authority as required by regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended). Accordingly, it is not possible to rule out significant effects on the Morecambe Bay and Duddon Estuary SPA, SAC, Ramsar and SSSI sites contrary to policies SG13 and DM44 of the adopted local plan.
2. The application fails to provide up to date and sufficient information relating to great crested newts, biodiversity net gain and mitigation/compensation for loss of habitat contrary to policies SG13 and DM44 of the adopted local plan.

3.2 The most recent site history is listed below:

Application Number	Proposal	Decision
21/00632/OUT	Outline application for the erection of industrial buildings (B2 and B8) with associated access	Refused
19/00305/PRETWO	Erection of industrial buildings with associated access	Advice given
10/00171/FUL	Application for extension of time on application 07/00135/FUL for the erection of a biomass renewable energy plant	Approved
07/01676/VCN	Variation of Condition 9 of consent No. 07/00135/FUL to permit the use of reclaimed wood as fuel, and Condition 11 to require the submission of a scheme to minimise emissions to the air prior to commencement of operation of the plant	Approved
07/00135/FUL	Erection of a biomass renewable energy plant	Approved

4.0 Consultation Responses

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

Consultee	Response
Middleton Parish Council	No comments received.
Environmental Protection	No objection subject to conditions requiring installation of electric vehicle charging points; scheme for dust control during construction; noise mitigation measures; contaminated land investigation and remediation is necessary.
Arboricultural Officer	Object , subject to the production of a detailed landscape plan and the development of ecological enhancement measures as recommended in the ecological appraisal. If on-site and off-site compensation cannot be delivered, then the proposed layout of the site will have to amended.
Conservation Team	Comments. The indicative scheme impact this scheme would cause a low to moderate level of harm to the setting of a listed farmhouse and therefore fails to satisfy policy. However, there are ways that the impact could be mitigated.
Engineering Team	No comments received.
County Highways	No objection subject to: a Travel Plan contribution, agreement on the Imperial Road link and conditions requiring: Travel Plan; construction management plan; construction of road to base course before any development takes place on the site; and details of management of streets.
Lead Local Flood Authority	No objection subject to conditions requiring the submission of: surface water drainage strategy; construction surface water management plan; sustainable

	drainage system operation and maintenance manual; and verification report of constructed drainage scheme.
County Council Resilience Service	No objections
Natural England	No objection.
Greater Manchester Ecology Unit (GMEU)	Comments. Satisfied that the shadow HRA has demonstrated that the development will have no likely significant effects on any European protected sites and that no further information or measures are required. Concerns that there will be a significant loss of biodiversity units when assessed utilising the defra metric.
Office of Nuclear Regulation	Do not advise against. The proposed development does not present a significant external hazard to the safety of the nuclear site
Active Travel England	Standing advice
United Utilities	Comments. Request condition requiring a detailed drainage scheme. Also advise that a large diameter trunk main crosses / is located in the vicinity of the site. It must not be built over, or our access to the pipeline compromised in any way.
Lancashire Fire and Rescue Service	Comments It should be ensured that the scheme fully meets all the requirements of Building Regulations Approved Document B, Part B5 'Access and facilities for the Fire Service'.

4.2 One piece of correspondence has been received which raises an objection to the application and the following concerns:

- Condition of the existing shared access serving the site.

5.0 Analysis

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

- Principle of the Development
- Impacts on Ecology/ Biodiversity and Trees
- Flood Risk and Drainage
- Traffic Impacts, Parking and Sustainable Travel
- Design
- Impacts on Heritage Assets
- Impacts on Residential Amenity

5.2 **Principle of the Development** NPPF sections: 6 (Building a strong, competitive economy) and 15 (Conserving and enhancing the natural environment); Strategic Policies and Land Allocations (SPLA) DPD policies SP3 (Development Strategy for Lancaster District), SP4 (Priorities for Sustainable Economic Growth), SP5 (The delivery of new jobs), SP8 (Protecting the Natural Environment), SG13 (Heysham Gateway, South Heysham), EC1 (Established Employment Areas) and EC5 (Regeneration Priority Areas); Development Management (DM) DPD policies: DM14: (Proposals Involving Employment Land and Premises) and DM44 (The Protection and enhancement of Biodiversity); Joint Lancashire Minerals and Waste Local Plan policy WM3 (Local Built Waste Management Facilities)

5.2.1 Middleton Business Park forms part of a larger site (Lancaster West Business Park) which is allocated for employment in the Local Plan under Policy EC1 of the Strategic Policies and Land Allocations (SPLA) DPD. It is also covered by Policy EC2 which identifies areas for future employment growth. Lancaster West Business Park is located just off the Bay Gateway Link Road and provides significant opportunity for future growth within the Local Plan period. The part covered by Middleton Business Park, including the application site, is accessed off Middleton Road, and there is currently no link from Middleton Road to Imperial Road, connecting to the Bay Gateway Link Road. It is the intention that this will be created as development comes forward in this area. There are a range of uses located on the business park including general industrial and storage and distribution.

5.2.2 The site also falls within the wider strategic employment allocation of Heysham Gateway, which is covered specifically by policy SG13 of the SPLA DPD. The Heysham Gateway area has a history of heavy industrial uses which has left a legacy of contamination and dereliction. In addition, strategic environmental and transport issues have proved an impediment to investment and development. The purpose of the allocation is to seek to regenerate and expand existing employment areas in South Heysham to create more modern and fit-for-purpose employment opportunities, building on the strong linkages to the M6 via the Bay Gateway and access to the Port of Heysham. In addition to the above, Lancaster West Business Park is also allocated for large scale built waste management facilities under policy WM2 of the Joint Lancashire Minerals and Waste Local Plan, prepared by Lancashire County Council and adopted in 2013.

5.2.3 Policy SG13, relating to Heysham Gateway, sets out that proposals for employment uses (Office / Light Industrial, General Industrial and Storage and Distribution) that deliver effective regeneration and improvement to the area would be supported and should address the following:

- Be complementary to the wider uses of the South Heysham and Middleton area addressing amenity issues appropriately;
- Include improvements to the local transport network, including improvements to Imperial Road and Carr Lane and to sustainable transport linkages;
- Protect the Nature Reserves of Middleton, Heysham and Heysham Moss and, where possible, provide improvements to the nature reserve in terms of future management, amenity, security and access;
- Contribute to improvements to the green infrastructure network in the Heysham Gateway area, including contributions towards the improvement of land to enhance amenity value;
- Demonstrate how the SSSI and Biological Heritage Sites will be protected and enhanced and how any residual impacts can be off-set via habitat creation and enhancement. Also to deliver positive benefits to biodiversity through the restoration, enhancement and creation of appropriate semi-natural habitats within and through the Heysham Gateway Area to maintain, restore and create functional ecological networks;
- Be sympathetic to their surroundings, particularly in the context of sensitive landscapes, seascapes and environments of the Lune Estuary and Morecambe Bay;
- Address any remaining residual contamination issues and water quality matters;
- Ensure that impacts relating to air quality, either via the construction or operation phases of development, are considered and appropriately mitigated;
- Address issues of drainage, with the Council supporting the preparation of a comprehensive drainage strategy for the wider gateway area; and
- Where possible to do so, explore opportunities aimed at minimising energy use, reducing emissions and maximising energy efficiency.

5.2.4 The proposal relates to an outline application for the erection of industrial buildings falling within general industrial (B2) and storage and distribution (B8) use classes. It is therefore an acceptable use within the allocated employment site. The site is previously developed land and currently comprises scrub. The detailed considerations, relating to the criteria above, are set out in the sections below. However, it also needs to be acknowledged that the local plan map indicates that the southern part of the site, which also includes the belt of trees outside the site adjacent to Middleton Road, forms part of Middleton Nature Reserve. The nature reserve designation covers a large area and is partly fragmented. The section covering the application site extends across a further part of the employment allocation to the northwest and is separated from the largest extent of the nature reserve by roads. The allocation for employment development is not compatible with the designation as part of the nature reserve and it is possible that this was not the intention when the Local Plan maps were drafted. The proposed use complies with the employment allocation, however, there clearly is a conflict between the development and the nature reserve designation and therefore a conflict with the third criteria of policy SG13, set out above. The ecological impacts are considered in more detail in the section below

5.3 **Impact on ecology/ biodiversity and trees NPPF section: 15 (Conserving and enhancing the natural environment); Strategic Policies and Land Allocations (SPLA) DPD policies: SP8 (Protecting the Natural Environment), EN7 (Environmentally Important Areas) and SG13 (Heysham Gateway, South Heysham); Development Management (DM) DPD policies: DM43 (Green Infrastructure),**

- 5.3.1 The site is located approximately 1 kilometre from Morecambe Bay which is designated as a Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar Site. close to Morecambe Bay which is designated as a Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar Site. Natural England initially requested further information demonstrating consideration of the potential impacts of the development and scope for mitigation. This specifically related to the potential impact on overwintering and passage birds associated with the designated sites that may use the fields adjacent to the site. Concerns had also previously been raised in relation to the hydrological links to Morecambe Bay and the potential for pollution.
- 5.3.2 A Shadow Habitats Regulations Assessment (HRA) has been submitted to address the comments from Natural England. With regards to hydrological linkages, whilst accepting that this likely existed, the assessment considered that based on the existing measures in place and standard best practice during construction, this would be sufficient and that no additional measures were required. Therefore, it considered that there are no likely significant effects to the SPA and SAC resulting from pollution and hydrological changes. In relation to the farmland to the east, it was accepted that if this was utilised by wintering birds then disturbance could occur. Extensive desk top research has been provided, the most relevant being winter bird surveys for the adjacent wind turbines and cable installation, neither of which recorded significant numbers of qualifying species. Similarly, all other desk top sources provided no evidence that the field to the east are of importance to qualifying species. Given the wind turbines have now been built, the potential has also been reduced further.
- 5.3.3 Natural England have been consulted on the Shadow HRA and have confirmed that they agree with the assessment and likely significant effects can be ruled out. The Local Planning Authority is the competent authority for producing the HRA and therefore it is confirmed that the shadow HRA will be adopted by the LPA.
- 5.3.4 An Ecological Appraisal has been submitted with the application which assesses the nature conservation value of the site and confirms the presence or absence of protected species. The report sets out that the site comprises a semi-natural landscape, which appears to have been subjected to little disturbance in recent decades. The majority of the site comprises an assemblage of grassland, ephemeral, ruderal, swamp, scrub, and to the south, broadleaved woodland which has over time become extended through natural regeneration. It also identifies areas of non-native species (giant hogweed) across the site. There is a large belt of trees, covered by a tree Preservation Order (TPO) to the south of the site which forms an effective barrier between the development and Middleton Road. This is located outside the site boundary and is proposed to be retained,
- 5.3.5 eDNA surveys have confirmed the presence of great crested newts in two ponds to the north, located approximately 100m and 320m from the site. It is therefore likely that the site is utilised as terrestrial habitat. Confirmation has been provided that the applicant has permission to enter into District Licensing. Given the likely very low number of great crested newts on the site, Greater Manchester Ecology Unit (GMEU) have advised that is the most reasonable approach to safeguarding the conservation status of this species. Technically no condition is now required, as the process is dealt with separately by Natural England. However, the developer may decide to change their approach (particularly given this is an outline application) and not enter in to District level Licence, at which point further survey would be required. As such, a condition is considered to be appropriate requiring confirmation of the mitigation.
- 5.3.6 Updated bat activity surveys and roost assessments have been provided. These have confirmed that potential bat roosting features are limited to the woodland along the southern boundary, and that bat activity levels are low and of site importance at most. Three trees with bat roosting potential are shown within the red edge (T1, 7 & 8) with several other trees just outside the red edge also identified as having bat roosting feature. As all the trees are currently shown as retained no further surveys have been carried out, however it is acknowledged that this is an outline application so further surveys would need to be provided if the proposed layout at reserved matters directly impacted the trees with roosting potential. As this is an outline application and therefore the layout may change and a tree or trees with bat roosting features could be lost.

- 5.3.7 All other species were reasonably discounted due to lack of suitable habitat or following survey. GMEU have advised that, as part of reserved matters, updated ecological survey information should be provided for such species. Breeding bird surveys confirmed that the site was of local value for nesting birds, though no protected species found. No works to trees or shrubs should occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance.
- 5.3.8 Rabbit and roe deer were recorded, with habitats on site suitable for species such as hedgehog, UK Biodiversity Priority Species and other amphibians such as common toad, also UK Biodiversity Priority Species. Slow worm and common lizard were also recorded in the desk top report, though the site is regarded as unlikely to be suitable for either of these protected reptiles. As UK Biodiversity Priority Species are a material issue and all mammals are protected from unnecessary suffering under the Wild Mammal (Protection) Act 1996, GMEU have recommended that reasonable avoidance measures are implemented during site clearance to enable such species to move or be removed from the site safely and this can be covered by condition. With regards to wildlife, the main mitigation requirement is for nesting birds and amphibians and mitigation is achievable through nest box provision, creation of hibernaculum for amphibians and habitat enhancements.
- 5.3.9 Paragraph 180 of the NPPF 2023 states that the planning policies and decisions should contribute to and enhance the natural and local environment. The development, as shown on the indicative plans, will result in the loss of a significant area of semi-natural vegetation to buildings and hardstanding. The biodiversity net gain assessment indicates that around 19 biodiversity units will be lost. Policy DM44 sets out that proposals should protect and enhance biodiversity to minimise both direct and indirect impacts and there should, as a principle, be a net gain of biodiversity assets wherever possible. It goes on to say that, where harm from development cannot be avoided, a developer must clearly demonstrate that the negative effects of a proposal can be mitigated, or as a last resort, compensated and where a proposal leads to significant harm, permission should be refused.
- 5.3.10 No information was submitted with the application to show how the loss would be mitigated or compensated. An indicative landscaping plan has subsequently been submitted to show how additional planting can be achieved along the eastern boundary and the agent has advised that something similar could be provided along the northern boundary and, as detailed within the ecology report, further bolster the existing tree belt beyond the southern boundary including better management. It has still not been demonstrated that a net gain will be achieved, and the development would not lead to a net loss. The applicant was unwilling to enter into a legal agreement to secure a set value of biodiversity net gain, to ensure that it could be provided off-site if it was not possible within the site, as this application was submitted prior to the 10% requirement becoming mandatory. There are still concerns that the development would not lead to a net loss, and policy SG13, relating to the strategic allocation of the area, has a strong emphasis on protecting and enhancing the environment, including benefits to biodiversity through the restoration, enhancement and creation of appropriate semi-natural habitats.
- 5.3.11 It is acknowledged that this is an outline application, and the description does not include the quantum of development. Therefore, the amount of area developed could be reduced from the indicative layout to provide greater areas for biodiversity improvements around the edges of the site. However, it is noted that this is likely to be significant to replace the number of units lost and it is not clear if the development could provide the enhancement for all types of habitat. This would need to be detailed when the final layout and scale of the development is known. As such, it is considered that a condition could be included to require details of biodiversity improvements, indicating a net gain. This would need to be submitted at the same time as the reserved matters application to ensure that it is designed into the scheme. This is not an ideal situation and could result in subsequent applications being refused if this cannot be provided within the site.
- 5.3.12 Overall, it is considered that the ecological impacts in the most part, can be appropriately mitigated. The development shown on the indicative plan is likely to lead to a net loss in biodiversity and not a net gain, as required by local and national planning policy. However, as this is an outline application, the extent of the development could be reduced to address this, although it still leaves a level of uncertainty that this can be achieved on the site. The development still conflicts with the extent of the nature reserve, as detailed above, however it avoids the wooded area, which is of high

value. A greater buffer between the built development and the wooded area, including significant enhancements, would help to protect and enhance the area to be retained. The development is broadly in compliance with national and local policy in relation to ecology and biodiversity and the conflict with the nature reserve designation will be considered in the planning balance.

5.4 **Flood Risk and Drainage** NPPF section 14 (Meeting the challenge of climate change, flooding and coastal change); Strategic Policies and Land Allocations (SPLA) DPD policy SP8 (Protecting the Natural Environment) and SG13 (Heysham Gateway, South Heysham); Development Management (DM) DPD policies DM33 (Development and Flood Risk) and DM34 (Surface Water Run-off and Sustainable Drainage)

5.4.1 The site is within flood zone 1 a small part of the access road is identified as being at risk from surface water flood risk (1 in 100 years) and most of the site is identified as potential for groundwater flooding of property situated below ground level, with a small area at the north and close to the access point as potential for groundwater flooding to occur at surface. The NPPF sets out that, inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk which means adopting a sequential approach to the location of new development. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. 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. This is reiterated within policy DM33.

5.4.2 Whilst the Lead Local Flood Authority (LLFA) have raised no objections and consider that drainage can be appropriately covered by condition, the development still needs to pass the sequential test. As such, a sequential assessment has been submitted. The site is allocated for development and, as such, surface water was considered at this stage and therefore does not need to be considered within the assessment. It has been agreed with the applicant that the area of search for the sequential test can be narrowed to the Heysham Gateway area as this is a Regeneration Priority Area.

5.4.3 There are some deficiencies with the submitted sequential test. It makes some broad statements and would have been useful to include plans showing areas of flood risk where these are discussed. Many of the business parks/ estates are set out as being at full capacity. However, at least one has a large area that is undeveloped (Heysham Business Park), although it is noted that this also has groundwater flood risk although possibly slightly less than the application site, and the site area is only approximately 2.5 hectares. There is land adjacent to Imperial Road that is potentially at a lower risk of flooding, but again has a medium and small areas of high ground water and some surface water flood risk.

5.4.4 The sequential test does not provide a clear comparison of sites and their flood risk and could be more detailed to show that a detailed assessment has been undertaken. However, it is acknowledged that the proposed use represents a less vulnerable use as it is for employment purposes and most of the risk is medium ground water with small areas of surface water. Whilst it is not clear from the assessment that there are no sequentially preferable sites in terms of flood risk, and therefore conflicts with the NPPF and policy DM33, it is a less vulnerable use and there are benefits to the proposal which will be considered in the planning balance.

5.5 **Traffic impacts, access, parking and sustainable travel** NPPF section: 9 (Promoting Sustainable Transport); Strategic Policies and Land Allocations (SPLA) DPD policy: SP10 (Improving Transport Connectivity) and SG13 (Heysham Gateway, South Heysham); Development Management (DM) DPD policies DM29 (Key Design Principles), DM58 (Infrastructure Delivery and Funding), DM60 (Enhancing Accessibility and Transport Linkages), DM61 (Walking and Cycling), DM62 (Vehicle Parking Provision), DM63: Transport Efficiency and Travel Plans and DM64 (Lancaster District Highways and Transport Masterplan).

5.5.1 Access to the site is proposed off the existing privately maintained road which serves Middleton Business Park and is accessed off Middleton Road. The submitted transport assessment sets out that the access road will be extended into the site to provide a carriageway width of 6.5 metres to 7.3 metres within the site to accommodate the movement of large goods vehicles. A 2-metre-wide footway will be provided along the western side of the site access to accommodate pedestrian accessibility to the site which will tie into the existing footway along the existing private access road

and provide access to existing infrastructure on Middleton Road. Infrastructure to facilitate crossing movements (i.e. dropped kerbs and tactile paving) would be provided at internal junctions. The application just seeks consent for the first part of the access and not the internal road layout. As such, this can be conditioned to ensure that it is of an appropriate width and provides appropriate facilities for pedestrians. The level of parking will be considered at reserved matters stage once the scale of the development is known.

- 5.5.2 County Highways have raised no objections to the proposed development. They have advised that additional vehicles generated by this proposed development will result in higher flows on the existing network. If supported and delivered, this development will require a suitable approach to ensure the successful delivery and continued maintenance of infrastructure and other measures to best integrate the site into the existing community and to the wider local and strategic network. Immediately north of Middleton Business Park is Middleton Waste Transfer Station, which is served off Imperial Road, a currently unadopted private road which runs south from a roundabout with the A683 Lancaster Morecambe Bypass and terminates approximately 60 metres northeast of Middleton Road. Imperial Road is seen as an important route to support development and act as a future link road to the wider development proposals. In addition, when connection is made, this road will improve routing opportunities from the Middleton area. Therefore, vehicular connection with Middleton Road and future consideration of the status of Imperial Road are key components of an overall masterplan for the Heysham Gateway area, which is reflected in policy SG13.
- 5.5.3 The applicant has ownership of the existing private access road serving Middleton Business Park. Access will be required across this to help secure the link to Imperial Road. As such, the applicant has agreed that this land can be safeguarded for this use to be dedicated as adopted highway once the link is made. This will need to be secured by a legal agreement. As set out above, achieving this link is an important part of regenerating the area and making it more attractive for investment. There are existing limitations of Middleton Road which make it more difficult and also less convenient to serve the level of employment development envisioned in this area. Policy SG13 sets out that proposals should include improvements to the local road network including Imperial Road and securing this land and its future dedication as highway will allow the development to comply with this criteria. If this is not secured, it could undermine the delivery of the regeneration and overall improvement to the wider Heysham Gateway area.
- 5.5.4 County Highways have confirmed that the information presented within the submitted Transport Assessment is acceptable. It presents accident data for the most recent 5 years. On investigation of all the details presented, the number of incidents recorded follow no pattern with regards to positioning or time and appear to be of a nature that would not be worsened by the proposed development. No Travel Plan seems to have been submitted as part of this application, even though the submitted Transport Assessment makes reference to one. Therefore, it is considered that an Interim Travel Plan should be submitted prior to commencement of development, and this will inform the full Travel Plan. This can be covered by condition, and it is not necessary to have this prior to determination.
- 5.5.5 Overall, it is considered that the development will not have a detrimental impact on highway safety and will help to secure the link to Imperial Road, in line with the Local Plan. The precise internal layout of the development, including parking, would be considered at reserved matters stage, and the provision of electric vehicle parking spaces and facilities for cyclist can be covered by condition.
- 5.6 **Design** NPPF sections: 12 (Achieving Well-Designed and Beautiful Places), 14 (Meeting the challenge of climate change, flooding and coastal change) and 15 (Conserving and enhancing the natural environment); Strategic Policies and Land Allocations (SPLA) DPD: SP8 (Protecting the Natural Environment); Development Management (DM) DPD policies: DM29 (Key Design Principles), DM30 (Sustainable Design), DM46 (Development and Landscape Impact) and DM53 (Renewable and Low Carbon Energy Generation)
- 5.6.1 This is an outline application, and the scale appearance and layout would be considered as part of any subsequent reserved matters application. The submitted site plans show an indicative layout of how the site could accommodate several large buildings. For the purposes of the outline application a created floorspace of approximately 13,745 square metres is identified on the plan. The site lies adjacent to existing employment development and is well screened from Middleton Road. Open fields lie adjacent to the eastern boundary, and there are likely to be some views gained across

some of this boundary. However, additional screening and setting the development in from the boundary would help to screen the buildings and associated use of the external areas and soften the development. This would also aid the provision of mitigation for biodiversity loss and in relation to heritage assets, which is discussed in the section below. It is therefore considered that the development can be accommodated without a detrimental impact on the character and appearance of the area.

- 5.6.2 In the context of the climate change emergency that was declared by Lancaster City Council in January 2019, the effects of climate change arising from new development in the District and the possible associated mitigation measures will be a significant consideration in the assessment of the proposals. The Council is committed to reducing its own carbon emissions to net zero by 2030, while supporting the district in reaching net zero within the same time frame. Buildings delivered today must not only contribute to mitigating emissions, they must also be adaptable to the impacts of the climate crisis and support resilient communities.
- 5.6.3 An Energy Statement has been submitted with the application, however it does not include detailed information regarding how the application will address energy and sustainability matters. It does set out that, where possible, the proposal will enhance energy efficiency and enable the addition of renewable and/or low-carbon energy technologies in accordance with the relevant policies on good design and sustainable, renewable energy sources. Local Plan policy does not set a standard for reduction merely that opportunities are seized, although there will be a greater requirement once the emerging Climate Change Review of the Local Plan is adopted. Given that the application is in outline, it is considered that these matters can be covered by condition ensuring that the final design does provide opportunities for energy efficiency measure and renewable or low carbon technology to be incorporated. This would enable the development to comply with Policy DM30 and DM29 in relation to sustainable design.
- 5.7 **Impacts on Heritage Assets** NPPF section: 16 (Conserving and Enhancing the Historic Environment); Strategic Policies and Land Allocations (SPLA) DPD policies SP7 (Maintaining Lancaster District's Unique Heritage); Development Management (DM) DPD policies DM37 (Development Affecting Listed Buildings) and DM39 (The Setting of Designated Heritage Assets)
- 5.7.1 The development has the potential to affect the setting of the Old Roof Tree Inn to the south of the site and Downy Field Farmhouse and Barn, which are all grade II listed buildings. In determining planning applications, local planning authorities have special duties with regard to preserving the listed buildings and their setting under s66 of the 1990 Act. Developments should respond to local character and history and reflect the identity of local surroundings and materials. The NPPF emphasises that great weight should be given to the conservation of heritage assets and that the significance of an asset can be harmed by development within its setting. Any harm to the significance of the heritage asset is avoided or minimised wherever possible and requires clear and convincing justification. Any harm must be weighed against the public benefits of the scheme. This is reflected in policies DM37 and DM39.
- 5.7.2 The mature woodland to the south of the site is protected by a TPO and is outside the application site. Given its presence, it is considered that the development would have minimal impact in visual terms on Old Roof Tree Inn. Downy Field Farmhouse and Barn is further from the site to the east with an intervening field and there is a mature group of trees adjacent to the listed farmhouse which provides further screening. However, while there are some retained trees to the southeast of the site, there are views into the site across a relatively open landscape. Further screening on the eastern boundary of the site would be desirable to protect the rural character which provides the setting for the listed farm. From the indicative plans, the east elevations of Units 2, 8 and 9 would be highly visible within the landscape, with the buildings in close proximity to the boundary with little space to mitigate this impact through planting. A significant tree belt on the eastern boundary, to reinforce the existing trees to the south, would be desirable which would require more space to be proved along the eastern boundary of the site.
- 5.7.3 In terms of setting, it is considered that the indicative scheme fails to satisfy the requirements of the NPPF and local plan policy due to the potential impact on the setting of the listed buildings. However, it is considered that this harm could be mitigated by moving the buildings in from the boundary and providing significant landscape and could be considered at the reserved matters stage. Therefore,

it is considered that heritage impacts can be appropriately mitigated through sensitive siting and landscaping, and this does not provide a constraint to the development of the site in principle.

5.8 **Residential Amenity** NPPF sections: 8 (Promoting Healthy and Safe Communities), 12 (Achieving Well-Designed Places), 15 (Conserving and Enhancing the Natural Environment); Development Management (DM) DPD policies DM29 (Key Design Principles), and DM57 (Health and Well-Being).

5.8.1 The nearest residential properties are located to the south of the site, on the opposite side of Middleton Road. A noise assessment has been submitted with the application. The report advises that the noise sources associated with the development are likely to be items of fixed plant on the exterior facade or roof of a unit, and activities in the outdoor yard. The design of the site should seek to orientate units such that open doors and bays are not directly pointed at sensitive receptors and sensitively locate items of fixed plant and areas such as bin stores. It goes on to say that, depending on the use to which each individual unit will be associated, mitigation through management of opening hours and delivery times may be required. The report sets out that use of the service yard will be mitigated through 2.5m barriers where gaps in the building are present. It goes on to say that, in order to secure a reasonable degree of amenity for existing nearby residential properties, cumulative noise levels due to commercial and industrial operations, including all fixed plant and equipment, should not exceed the typical baseline noise level of 43 dB LA90,1h at the nearest dwellings

5.8.2 Mitigation would need to be secured based on a B2 use, which would potentially be the noisiest, as any approval would not control occupants, just the use class. As such, it is considered appropriate that any mitigation measures are designed into the scheme and therefore it would be appropriate for a condition to ensure that mitigation measures are submitted for approval at the same time as the reserved matters application. It is considered that impacts can be appropriately mitigated to ensure that the development complies with the relevant local plan and national policies.

6.0 Conclusion and Planning Balance

6.1 The redevelopment of this part of Middleton Business Park for employment purposes is welcome and is in line with the aims and objectives of the wider allocation for Heysham Gateway. The development of the site provides an opportunity to deliver effective regeneration and improvement to the area. This includes aiding the delivery of a vehicular link to Imperial Road and the Bay Gateway which is important for the regeneration of the wider area, making this site and others in the area more attractive to investment. There is a conflict between the proposal and the designation of part of the site as a nature reserve, however the higher value habit of the woodland has been kept outside the site and it is considered that the benefits of developing the site and helping to facilitate the transport link outweigh this conflict. There are also deficiencies with the submitted sequential test, as detailed above. However, given the less vulnerable use and the level of risk, it is considered that, in this instance the benefits of redeveloping this previously developed site outweigh the harm of failing the sequential test.

6.2 There are however concerns regarding the amount of development shown on the indicative plans, and the extent of the site proposed to be developed, particularly in terms of biodiversity, but also the impact on heritage assets, as set out above. However, the description of the development does not specify the amount of development, and the layout and scale are reserved matters, not considered by this application. As such, it is considered that the development proposed can be accommodated on the site, although it is likely to be of a reduced scale than shown on the indicative plan and is therefore considered to be acceptable. Matters of drainage, contamination, biodiversity and noise can be covered by conditions.

Recommendation

That Outline Planning Permission **BE GRANTED** subject to a S106 agreement to secure an area of land for dedication as highway to provide a vehicular link to Imperial Road and the following conditions:

Condition no.	Description	Type
1	Standard timescale for submission of reserved matters and commencement	Control

2	Approved plans	Control
3	Concurrent with the first reserved matters application. Submission of a strategy to demonstrate a net gain in biodiversity.	Pre-commencement
4	Concurrent with the first reserved matters application, details of noise mitigation measures.	Pre-commencement
5	Ecology mitigation including: great crested newts; updated survey; no clearance/ demolition during bird nesting season without survey confirming absence; removal of invasive species; provision of bird boxes; creation of amphibian hibernacula; details of external lighting.	Pre-commencement
4	Investigation and remediation of contamination	Pre-commencement
5	Submission of surface water sustainable drainage strategy	Pre-commencement
6	Construction surface water management plan	Pre-commencement
7	Construction management plan	Pre-commencement
8	Travel Plan	Pre-commencement
9	Employment and skills plan	Pre-commencement
10	Construction details of the internal roads and details of management and maintenance	Pre-commencement
11	Details of sustainability measures including in relation to energy efficiency and renewable energy.	Pre-commencement
12	Installation of electric vehicle charging points including infrastructure for future points, and details of secured cycle storage	Above slab level
13	Construction of access to base course prior to construction of rest of development	Control
14	Creation of parking and turning	Control
15	Submission of sustainable drainage system operation and maintenance manual	Prior to first use
16	Verification report of constructed sustainable drainage strategy	Prior to first use
17	Landscape management and maintenance plan for BNG for minimum of 30 years	Prior to first use

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

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

Background Papers

None

Agenda Item	A7
Application Number	23/01409/FUL
Proposal	Demolition of existing service area single storey accommodation unit, erection of two storey extension to provide new service area and 2 replacement carehome bedrooms, new supported living unit comprising of 10 dwellings and associated communal space, alterations to car park and access
Application site	Cove House Cove Road Silverdale Carnforth
Applicant	Mrs C Humphreys
Agent	HPA Chartered Architects
Case Officer	Mr Patrick Hopwood
Departure	No
Summary of Recommendation	Approval, subject to conditions

1.0 Application Site and Setting

1.1 The site to which this application relates is Cove House residential care home in Silverdale. The main Victorian building, Cove House, is a Non-Designated Heritage Asset (NDHA). To the North of Cove House is Cove Orchard, an extra care (sheltered) housing development completed in 2013, for over 65s. The site is located within the Arnside & Silverdale National Landscape (formerly known as an Area of Outstanding Natural Beauty, AONB).

1.2 The trees to the north of the site, around Cove Orchard, are covered by a Tree Preservation Order. The coastal strip of woodland immediately to the west is a Biological Heritage Site and Priority Habitat. The Morecambe Bay designated sites (SSSI, Special Protection Area, Special Area of Conservation and Ramsar) are approx. 40m to the west. The site lies within Flood Zone 1.

2.0 Proposal

2.1 This application seeks planning permission for:

- demolition of existing service area/single storey accommodation unit;
- erection of two storey extension to provide:
 - new service area,
 - two replacement care home bedrooms (Use Class C2),
 - new supported living unit comprising of 10 dwellings (Use Class C3b) and
 - associated communal space; and,
- alterations to car park and access.

2.2 The proposed extension measures approx. 33m in length, 11.5m in width, 4.2m in height to the main eaves, and 7.8m maximum height. The supported housing block will comprise limestone-faced walls

under a slate mansard roof, with feature gables overlooking the lawn. This will be connected to Cove House by a glazed link extension with standing seam metal detailing, and this link extension will house the communal facilities. Cove House will also be extended to the northwest, in materiality and design to match the existing building, and this element will accommodate two care home bedrooms and replacement service areas.

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
08/01154/FUL	Erection of extra care housing comprising 14 no dwellings with car parking	Approved
22/00849/PRETWO	Pre application advice for the demolition of existing service area and bungalow and construction of new extension to provide 10 new bedrooms, living space and new service facilities with associated landscaping.	Advice Provided
24/00453/EIR	Screening opinion for demolition of existing service area single storey accommodation unit, erection of two storey extension to provide new service area and 2 replacement carehome bedrooms, new supported living unit comprising of 10 dwellings and associated communal space, alterations to car park and access	Environmental Statement Not Required

4.0 Consultation Responses

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

Consultee	Response
Parish Council	Supports with concerns. Concerns with architectural style and design, use of garden space, foul drainage, and additional traffic.
County Highways	No objection. The utilisation of the existing access point and proposed internal layout including parking provision and turning is acceptable.
Environmental Health	Recommends conditions for a contamination land watching brief and radon protection measures.
Natural England	No objection , subject to appropriate mitigation being secured.
Arnside & Silverdale National Landscape Partnership	Comments. The proposal does not comply with policy principles set out in the Arnside and Silverdale AONB regarding heritage and design. No objection to increase in care accommodation.
Lead Local Flood Authority	No objection , subject to conditions for final surface water sustainable drainage strategy and verification report.
Environment Agency	No objection , advice provided.
Conservation Officer	Cannot support the application. High level of harm to the significance of the building (NDHA), particularly through siting, form, and character of the proposal.
Arboricultural Officer	Objection. Development positioned close to mature trees, increased pressure on the trees. Drainage not considered within AIA.
Strategic Housing	Support and comments. The scheme will make a positive contribution to meeting local needs for specialist housing with care for an ageing population.
Commissioning Manager	Comments. The proposed units would help meet local housing needs demands for older people.
Planning Policy Officer (Landscape)	Comments. Main considerations are design and potential impact on landscape character and heritage. Only partial LVIA provided, and additional viewpoint required.
Engineering Team	No response received.
Waste & Recycling	No response received.
NHS	Comments. Financial contribution requested.

- 4.2 Three letters of objection have been received from members of the public, raising the following main points in relation to the application proposal:
- Location
 - Highway safety, transport and parking
 - Construction phase impacts
 - Loss of privacy
 - Loss of view
 - Design
 - Costs and level of staffing
 - Safety and security
 - Bin storage

5.0 Analysis

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

- Principle of Development and Housing Needs
- Design and Heritage
- Landscape Impacts
- Biodiversity and Trees
- Residential Amenity
- Drainage
- Highways
- Sustainability

5.2 Principle of Development and Housing Needs (NPPF Section 5; Policies AS03, DM1 and DM8)

5.2.1 Paragraph 63 of the NPPF requires local plans to reflect housing need for older people including those who require retirement housing, housing-with-care, and care homes. Policy AS03 encourages development proposals that provided for specific societal groups such as older or disabled people. Policy DM8 states that the Council will support the development of residential accommodation for older people subject to the relevant criteria being satisfied, which relate to housing needs, location, accessibility, support from County Council, car parking, and garden space. The adopted Homes Strategy 2020-2025 and last Housing Needs Study 2017 make it clear that the council needs to plan positively for an ageing population and wherever possible, seek to increase the housing with care and support offer in Lancaster district.

5.2.2 The Strategic Integrated Commissioning and Contracts Service Manager (Housing Specialist) at Lancashire County Council has confirmed that the proposal would help meet local housing needs demands for older people. The County Council's data shows that there were 783 people aged 65 or over living in Silverdale at the 2021 Census, 234 people aged 65 and over who are classed as disabled or who have had very bad health and 167 people aged over 65 living alone. The overarching Needs Assessment 2022 demonstrates a need for an additional 237 units of extra care in Lancaster and Morecambe Districts by 2028, these proposed additional units would help meet this demand.

5.2.3 The proposal is also supported by the City Council's Principal Housing Strategy Officer. Cove House is run by the Abbeyfield Silverdale Society, which forms part of the larger Abbeyfield federated Charity which provides housing, support and residential and dementia care to older people across the UK. Abbeyfield's offer is more bespoke and unique in contrast to other forms of sheltered and retirement housing in Lancaster district and provides a higher level of direct support to its residents by providing meals, cleaning and laundry services.

5.2.4 The proposed supported housing would provide an innovative form of housing for older people who would benefit from living in a supportive environment with well-staffed background support 7 days a week and with an on-call alarm service overnight but one which provides a higher support offer through the provision of meals and additional services. The units would be entirely tenure (rental) at an affordable level below market rate. Meals and living would be communal with catering from the Cove House kitchen, but with basic kitchenette facilities in each room for residents to use

independently and/or with support. Whilst the 10 new units proposed are not seeking to provide fully self-contained accommodation, the proposal would allow older persons to live semi-independently with support for as long as possible, and prevent early admission to a residential care setting.

- 5.2.5 Whilst Silverdale does contain shops, a doctors surgery and other community facilities, parts of the village lack pavement provision, and the site is over a 1km walk away from the village centre. The 51 bus route (Carnforth-Silverdale) passes the site entrance, however there is no traffic-free walking route to the nearest official bus stop at Holgates Caravan Park. These shortfalls are noted, however the principle of residential care and accommodation for older people at this site is well established. Criteria in Policy DM8 relating to housing standards, accessibility, garden space and highways will be assessed in later sections of this report.
- 5.2.6 In order to ensure that the proposal meets a genuine local housing need, a planning condition is required for the submission and approval of an occupancy and allocations scheme, which would expect priority to be given to older people in housing need and additional priority to those with a local connection to Silverdale and then surrounding rural parishes.
- 5.2.7 Furthermore, in relation to demolition and replacement of existing accommodation and ancillary buildings, these are no longer fit for purpose and the modern replacement facilities for the main care home will result in an improvement which is supported by the Local Plan and the relevant national guidance.
- 5.2.8 In summary, it is recognised that there is demand for supported housing with care locally, and the proposal would clearly help meet this need. As such, the proposal is supported in principle, subject to other material planning considerations being satisfactorily addressed.
- 5.3 Design and Heritage (NPPF Sections 12 and 16; Policies AS07, AS08, DM29, DM41 and SP7)
- 5.3.1 Cove House has been identified by the Council as an NDHA, retaining many original features. Its special interest is as follows:
Eclectic mix of Italianate and Gothic detailing. Rusticated stone with quoins, grey slated roof with terracotta ridge tiles. Point pitched gables with wooden vergeboards and double height canted bay window (in a three-light italianate style). Gothic stone arched main doorway to front. Square sash windows and two-light italianate windows to ground and first floor with thick stone surrounds. Long distance views of Morecambe Bay from the landscaped garden. Cove House appears on the 1845 OS map, but was largely extended and altered in the mid-to late-19th century. Cove House was owned by Rev. Carus Wilson, who set up Casterton School (which was attended by the Bronte sisters). The house eventually passed to the wealthy Boddington family of Manchester brewing fame. It was the Boddingtons who funded the building of St John's Church in Silverdale.
- 5.3.2 The proposal for demolition of the late 20th century single-story unit and services areas is welcomed, as this would better reveal the significance of the NDHA through removal of inappropriately modern development of low quality design, from the setting of the NDHA.
- 5.3.3 The application follows a pre-application (pre-app) advice enquiry, and Officers raised concerns at pre-app stage in relation to some aspects of the positioning, scale and design of the proposed extension. Although the extension was angled so not to interrupt most views between the lawn and the main building, it was considered that this positioning was not fully justified and that it would harm the significance of the NDHA through impact on the setting between the shore and the building. Since the pre-app, the Applicant has explored alternative options for siting of a new extension, and reconfiguration of the existing building. Unfortunately, alternative options are not possible due to mature trees, land levels, impact on existing residents, and various other operational reasons. That said, the application scheme has taken on elements of the pre-app advice and improved the design and massing.
- 5.3.4 The scale of the extension is dictated by the need to accommodate replacement facilities and make a meaningful and viable contribution towards housing demand. The extension is set at a lower level than the car park level, at the level of the lawn, which results in the extension ridge height being lower than that of Cove Orchard. First floor accommodation is set partly within the roof space which assists in reducing the height. The height cannot be lowered any further as this would conflict with

space for overhead hoists. The link extension, with its flat roof, assists in breaking up the scale of the overall extension.

- 5.3.5 The use of limestone facing and slates reflects local materiality, and replicates what has been used on the Cove Orchard development. The use of a mansard roof, however, is not typical of local vernacular. Officers have discussed using a conventional pitched roof with the Agent; however, this results in a significant increase in eaves and ridge height due to the need to allow space for hoists and the width of the extension. Therefore, the mansard roof option is more favourable in this regard, and this will be subject to conditions for details of high quality materials.
- 5.3.6 There is merit in the link extension featuring vast glazing and a contemporary, albeit complementary, design to visually break up the massing of the overall development and provide a focal entrance point. The green colour proposed for the metal work would match that used on Cove Orchard. The proposal includes a bin store and the Applicant is satisfied that this provides ample space. An increase to collection frequencies or further storage could be explored if later found necessary.
- 5.3.7 Overall there is a degree of harm to the significance of the NDHA arising from the design, scale and siting of the proposed extension. The Conservation Team commented on the original plans on this basis. However, all alternative options have been exhausted, and amended plans with subtle, but collectively acceptable improvements, have since been submitted. The benefits of removing unsightly and ad-hoc structures and consolidating services is also acknowledged. Officers are now content with the amended scheme, subject to planning conditions for final details of external materials.

5.4 Landscape Impacts (NPPF Section 15; Policies AS01, AS02, DM46 and EN2)

- 5.4.1 The site is visually contained within the private grounds of an existing residential care home. The submitted Landscape and Visual Impact Assessment does not include any viewpoint from the beach. However, onlookers would have to be far out in order to see the development due to the intervening cliff face, and the sands of Morecambe Bay are notoriously dangerous. Even if the sands were safe enough to allow views from such a position, the view would be so long range and interrupted by the coastal woodland strip that the proposed development would be barely discernible from this location. Officers are satisfied that the proposed development can be accommodated within the site and the wider landscape without any significant detrimental change upon the overall landscape of Arnsdale & Silverdale, when viewed from the identified publicly accessible locations
- 5.4.2 The AONB Landscape Character Assessment sets out that historic buildings of varying age are contributing features of the landscape. Therefore, whilst views of the proposed development would be limited within the wider landscape, for the reasons described in Section 5.3 of this report, the proposal would nevertheless cause some harm to the setting of a traditional house and its gardens, which contributes positively to the qualities of the protected landscape. For this reason, the proposed development would cause some limited minor harm to the landscape and scenic beauty of the National Landscape.

5.5 Biodiversity and Trees (NPPF Section 15; Policies AS04, DM29, DM44, DM45, SP8 and EN7)

- 5.5.1 Policy AS04 states that development proposals must protect and contribute to the appropriate enhancement of the extent, value and/or integrity of) any priority habitat, and that exceptions will only be made where:
- (VII) there is an overriding public need for the development; and*
(VIII) the development cannot be located elsewhere; and
(IX) mitigation is provided, or, where mitigation is not possible, compensatory measures are provided before the development's completion that result in enhancement (net gain) of the habitat's extent and value.

- 5.5.2 The proposal will not result in the loss of the priority habitat, but will be located close to it and does not allow space for buffer planting. However, as set out earlier in this report there is a strong local need for the development and alternative siting options are unfortunately not possible. Mitigation/compensatory and sustainable management measures can be secured through planning condition to enhance the overall condition of the woodland, with buffer planting provided elsewhere on site. As such, it is considered that the proposal complies with the relevant parts of Policy AS04

referenced above.

- 5.5.3 The trees which surround Cove House including the coastal woodland strip were considered worthy of protection by the City Council Tree Protection Officer in 2008, but excluded from TPO 443(2008) by Members of the Council's Appeals Committee as it was deemed that there was no threat at the time. The tree population is diverse in terms of species and age classification and there are important individual trees within the site as well as collectively being an important component of the AONB in which the site sits. The submitted Arboricultural Impact Assessment (AIA) sets out that the proposal will not require the removal of any significant individual trees or notable groups, and all the coastal woodland can be retained. A set of tree protection measures have been proposed.
- 5.5.4 The Arboricultural Officer objected to the original application, on the basis that the development is positioned close to mature trees, and there would be increased management pressure on these trees. The consultee also notes that drainage is not considered within the AIA. Amended plans have since been submitted with the escape staircase reconfigured to bring the development wholly outside of the root protection areas of the coastal woodland trees. Despite Officer requests, unfortunately the Applicant has not been able to move the development any further away from the trees. The soakaway would be located outside of the RPAs. Although new foul drainage pipework to serve the development would be required to pass through RPA zones, subject to appropriate working methods and tree protection being secured through planning condition, any harm could be minimised.
- 5.5.5 A bat survey has been submitted with the application. The survey found no indications of use of the site by bats and concluded that a Protected Species Mitigation Licence will not be required. However, as a precautionary approach, a set of working guidelines has been prepared and should be followed during the works. This can be covered through a planning condition. A further planning condition is recommended for a scheme of general biodiversity enhancements, which may form part of the planting scheme.
- 5.5.6 The site falls within the 3.5km buffer for the Morecambe Bay designated sites, at approx. 40m from the coast. Any new residential units within this buffer have the potential to increase recreational pressure on the coastal designated sites. A Habitats Regulations Assessment (HRA) has been completed, which concludes that the proposed development does have potential to have likely significant effects on the designated sites through recreational disturbance and pollution impacts.
- 5.5.7 The potential impacts from increased recreational pressure are considered to be limited by the nature of the proposed development and the likelihood of residents to use the care home grounds for recreation purposes. However, to mitigate any potential increase in recreational pressures caused by the development, a homeowner/occupier information pack can be provided to the units. To mitigate pollution impacts, submission of a site-specific Construction Environment Management Plan and appropriate drainage details can be controlled by planning conditions.
- 5.5.8 With the implementation of the mitigation outlined above, it is considered that the proposed development will have no adverse effects on the integrity of the designated sites, their designation features or their conservation objectives, through either direct or indirect impacts either alone or in combination with other plans and projects. The mitigation measures can be adequately covered by a condition attached to any planning consent, and Natural England concur with this assessment.
- 5.5.9 Subject to the conditions recommended above being satisfied, a reason for refusal relating to trees would be difficult to justify. Overall, and on balance, the proposal is acceptable in terms of the natural environment
- 5.6 Residential Amenity (NPPF Section 12: Policies DM2 and DM29)
- 5.6.1 The development has been designed to comply with the relevant industry standards for disabled people and the type of accommodation proposed. All rooms feature a good level of natural light and outlook, with low window cill levels to allow views when sitting in a chair. The proposal includes ramped access to the entrance and level access throughout, with a lift and wide circulation spaces. Residents would have access to existing landscaped and wooded grounds for recreation and exercise.

5.6.2 The main part of the new support living block would be located approx. 26.7m from Cove Orchard at its nearest point (window to window). The care home bedrooms extension would be located approx. 18.0m from Cove Orchard at its nearest point (window to blank wall), and approx. 21.0m between windows. These measurements comply with the distances stipulated in Policy DM29 to prevent impact on outlook and loss of privacy. Views of the lawn area may be impacted for Cove Orchard residents, however loss of views is not a material planning consideration. Moreover, due to the aforementioned separation distances and land level differences, there would be no undue harm to residential amenity for existing occupiers.

5.6.3 There may be some disturbance during construction phase, however these can be mitigated against to some extent through good construction management and will be relatively short lived in any case. It is in the Applicant’s best interests to carefully manage timings and methods of working given the existing residents on site. There is no evidence before Officers to suggest that safety and security of existing residents would be unduly compromised by the proposal. Overall, the proposal is acceptable in terms of residential amenity.

5.6.4 Radon protection is covered under Building Regulations legislation, so a planning condition is not necessary for this particular consideration. However, a condition relating to other unexpected land contamination issues is proposed, as requested by Environmental Health Services

5.7 Drainage (NPPF Sections 14 and 15; Policies AS12, DM29, DM33, DM34 and DM35)

5.7.1 The site lies within Flood Zone 1, and the underlying geology is limestone bedrock. Surface water is to be directed to a new soakaway under the lawn, with silt traps to prevent sediments and other pollutants from entering the soakaway and ultimately the underlying limestone. Based on the infiltration testing results submitted, Officers are confident that the site can be drained by way of infiltration. The Lead Local Flood Authority have assessed the submitted application, and also have no objection in terms of surface water drainage subject to conditions for the final details surface water strategy including maintenance regime, and verification report.

5.7.2 Silverdale has no mains sewers so Policy AS12 takes a strong approach to foul drainage and requires full details of the proposed sewage systems for development proposals, to ensure that there will be no adverse impact on the environment. It also sets out that proposals increasing flows on existing systems will only be approved if the condition and capacity of the existing infrastructure can be shown to be adequate to receive the increased flows. The site has two existing package sewage treatment plants (PSTPs), one serving Cove House and the other Cove Orchard, both subject to regular inspections for environmental safety. The PSTP serving Cove House has capacity for 65 residents. Cove House and the proposed development combined will total 60 users including full-time equivalent staff. Therefore, the existing PSTP for Cove House is adequately sized, although a more frequent servicing regime has been recommended by the Applicant’s advisors. Final details of wastewater drainage connections and servicing/maintenance can be secured through a planning condition.

5.7.3 Overall, and subject to conditions, the site can be adequately drained in terms of both surface and foul water drainage, with no adverse harm to the environment.

5.8 Highways (NPPF Section 9; Policies AS10, DM29, DM60, DM61 and DM62)

5.8.1 The site is served from an existing access point off Cove Road, and features existing parking areas. The submitted block plans detail the existing and proposed parking provision, as tabulated below:

	Existing Spaces	Proposed Spaces
Cove House	32	05
Cove Orchard	14	14
New Supported Living Unit	-	04
Overflow	-	22
Totals	46	45

5.8.2 Due to the nature of the accommodation proposed, occupiers are unlikely to own or use cars, but there is likely to be an uplift in vehicle trips from visitors, care staff and servicing/deliveries. County Highways have no objection to the proposal on highways grounds, and consider that the use of the existing access point, proposed internal layout and proposed parking layout is acceptable for the

size and nature of the development. In particular, a high level of unused parking spaces across the site were observed during site visits, capable of accommodating any additional parking demands, despite the net loss of one space. 20 of the total proposed spaces will be accessible parking spaces.

- 5.8.3 The Manual for Streets characterises walkable neighbourhoods as having services within 10 minutes/800m of residential development. At approx. 1.3km from Silverdale village centre (along made roads), the site is not within a reasonable walkable distance, particularly when the age and likely mobility of the occupiers is taken into account. Furthermore, parts of this route lack pavement provision and include narrow pinch points where there is potential for greater conflict between road users. An alternative route of approx. 1.0km can be followed via the public footpath over The Lots. However, this route is unmade, uneven and crosses pastureland which is unlikely to provide a firm, dry surface all year round. For these reasons, walking to local services is likely to be unsafe, impractical and unattractive for most occupiers.
- 5.8.4 The 51 bus route passes the site entrance, although there is no pavement provision to the nearest timetabled bus stop at Holgates Caravan Park. The 2008 permission was subject to a Section 106 agreement for shuttle bus and highway improvement contributions. However, records show that these monies could not be collected because County Highways would not commit to spending the contributions in line with the agreed terms due to implementation difficulties. County Highways have confirmed that they will not be seeking any contributions on this occasion. Officers agree that contributions are not necessary in this instance, given the scale and nature of the development proposed, and the inability by County Highways to spend contributions previously.
- 5.8.5 Despite the poor walkability and distant bus stop location, due to the nature of the development and likely occupiers, residents would be unlikely to regularly visit services on their own and would generally be looked after by staff and visitors on site. In the event of residents needing to access services off-site, appropriate transport and assistance would be arranged. A covered buggy store is proposed for residents' mobility scooters. Bicycle stands (with electric bike charging points) are proposed to encourage sustainable travel for staff and visitors. Overall, having had regard to the parking provision and nature of the proposed use, the proposal is acceptable in terms of highways and parking matters.
- 5.9 Sustainability (NPPF Section 14; Policies AS13 and DM30)
- 5.9.1 The submitted energy statement indicates use of solar photovoltaic panels and air source heat pumps, for renewable energy and low-carbon heating sources. Consideration has also been given to insulation, solar gain, Passivhaus standards and energy use. The development would also be constructed to the latest Building Regulations for energy performance. The generator is as existing, and its retention is required due to importance of a back-up for the residential care in case of power cuts. Overall, the proposed details are an acceptable level of commitment to sustainable design in this instance. Final details of the solar panels and ASHPs can be secured by a suitably worded planning condition.

6.0 Conclusion and Planning Balance

- 6.1 The provision of much needed supported living accommodation to meet identified local housing needs and improved care home facilities is given significant positive weight in favour of the proposal. The NPPF affords great weight to conserving and enhancing landscape and scenic beauty within National Landscapes, and although the landscape harm identified is limited in this instance this still results in great weight against the proposal. Whilst there remains a varying degrees of harm to the NDHA, localised landscape character and trees, positive engagement at pre-application stage and during determination has resulted in some reductions in harm, and improvements in benefits delivered by the proposal. Importantly, and ultimately, the harm does not cumulatively, significantly and demonstrably outweigh the identified benefits, which is the key balance when considering such proposals that deliver contributions to addressing identified local housing needs. As such, the development complies with the relevant local and national planning policies when read as a whole, and is therefore recommended for approval subject to the conditions set out below.

Recommendation

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

Condition no.	Description	Type
1	Standard Timescale	Standard
2	Approved Plans	Standard
3	Occupancy and Allocations Scheme	Pre-commencement
4	Construction Environment Management Plan	Pre-commencement
5	Surface Water Drainage Strategy	Pre-commencement
6	Foul Drainage Strategy	Pre-commencement
7	Tree Protection and Methodology	Pre-commencement
8	Priority Habitat Mitigation/Compensation Scheme	Pre-commencement
9	Hard and Soft Landscaping and Biodiversity Scheme	Pre-Commencement
10	Details of External Materials	Prior to Installation
11	Details of Solar Panels/ASHPs	Prior to Installation
12	Details of External Lighting	Prior to Installation
13	Surface Water Drainage Verification Report	Prior to Occupation
14	Occupier Information Packs	Prior to Occupation
15	Bin Storage	Prior to Occupation
16	Parking	Prior to Occupation
17	Protected Species Mitigation	Control
18	Unforeseen Contamination	Control

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

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

Background Papers

N/A

Agenda Item	A8
Application Number	24/00939/FUL
Proposal	Change of use of chemist (Class E) to 9 residential units (Class C3) comprising of 7 studios and 1 flat for student accommodation and 1 dwellinghouse, demolition of rear extensions at ground floor and first floor level, erection of a single storey rear extension, installation of windows and doors to the front, side and rear elevations, installation of replacement windows to the side elevation and installation of roof lights to the front and rear elevations
Application site	Cohens Chemist 52 - 54 Ullswater Road Lancaster Lancashire
Applicant	Mr Tarik Jayousi
Agent	Mr Steve Donnelly
Case Officer	Mr Sam Robinson
Departure	No
Summary of Recommendation	Approval, subject to conditions

(i) Procedural Matters

The application is brought before Members as the initial proposal related to 11 units and was therefore deemed a 'major' application that was subject to the receipt of representations. During the course of the application 2 of the units have been omitted and the proposal is now for 9 units. The amended scheme for 9 units is out for consultation and further comments will be reported to members in the form of an update prior to presentation at committee.

1.0 Application Site and Setting

- 1.1 The site which forms the subject of this application is an end of terrace property located on the corner of Ullswater Road and Dalton Road. The building is 2/3 storeys in height and is comprised of stone and slate with a mix of timber and uPVC windows throughout. The building is likely to have originally been two separate units but is currently utilised as a single unit.
- 1.2 The site lies within the urban boundary of Lancaster and approximately 15m to the west of the Bath Mill Conservation Area.

2.0 Proposal

- 2.1 This application seeks consent for the change of use of chemist (Class E) to 9 residential units (Class C3) comprising of 7 studios and 1 flat for student accommodation and 1 dwellinghouse, demolition of rear extensions at ground floor and first floor level, erection of a single storey rear extension, installation of windows and doors to the front, side and rear elevations, installation of

replacement windows to the side elevation and installation of roof lights to the front and rear elevations.

2.2 The 7 studios and 1 flat are for student accommodation whilst the dwellinghouse is to be for the open market. The rear extension measures approximately 3m in depth and 4.5m in width and is single storey in height and features a monopitch roof finished in render and tiles. The dwellinghouse will be self-contained within the southern section of the building whilst the studios and flats will be self-contained in the ground, first and second floor of the remaining part of the building with communal hallways for access.

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
23/00869/PAC	Prior approval for the change of use of shop (Class E) to 2 dwellings (C3)	Prior Approval Granted
22/00296/FUL	Change of use of first and second floor flat to 2 2-bed flats, insertion of a door way to the side elevation, new steps to the side and installation of rooflights to the front and rear elevations	Permitted

4.0 Consultation Responses

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

Consultee	Response
Conservation Officer	No response
County Highways	Objection (Concern over the lack of parking for proposed development)
Environmental Health	No response
Fire Safety Officer	No objection (Advice note to be attached to any decision notice)
Waste & Recycling	No objection (Response highlights good design practices)

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

- **x11 letters of objection** citing the following concerns:
 - Lack of demand for student accommodation
 - Parking issues
 - Impact on neighbouring properties
 - Poor standard of accommodation
 - Development not in keeping/other better use for building
 - Drainage impacts
 - Existing site suffers from Japanese knotweed, poor boundary wall condition, rubbish, fly tipping and anti-social behaviour.
 - Potential for HMO use

5.0 Analysis

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

- Principle of Development
- Design and Streetscene Impact
- Residential Amenity
- Highways and Parking
- Impacts on Designated Sites and BNG

- Any other matters

5.2 **Principle of Development** (NPPF Sections 2 and 5; Strategic Policies and Land Allocations DPD policies SP1, SP2 and SP6; and Review of the Development Management DPD policies DM1 and DM56)

5.2.1 Policy SP1 of the Strategic Policies and Land Allocations DPD (SPLA DPD) states the Council will take a positive approach that reflects the presumption in favour of sustainable development contained within the National Planning Policy Framework (NPPF) whilst policy SP2 outlines the settlement hierarchy throughout the district. Policy DM1 of the Development Management DPD (DM DPD) states the Council will support proposals for new residential development that meet an evidenced housing need, however, there may be circumstances where this is not practical. Finally, policy DM13 states that proposal that involve residential conversions must provide accommodation that will address local housing needs and satisfy all other relevant planning policy.

5.2.2 The application site lies within a mixture of residential and some commercial uses within Ullswater Road including a takeaway, public house and two local shops. Lancaster city centre is located c.375m to the southwest of the site where a host of public transport and facilities are available. A bus stop is located directly outside of the building providing services into Lancaster and around Freehold. Consequently, the site is located within a sustainable area where the general principle of residential accommodation can be supported.

5.2.3 As outlined above, the proposal will provide for 7 studios and 1 flat for student accommodation and a single 3-bed open market dwellinghouse within an existing vacant building. The Council cannot currently demonstrate a 5-year housing land supply and the proposal which includes both an open market dwelling and student accommodation will contribute towards the Council's housing supply. This weighs in favour of the proposal.

5.2.4 Policy DM56 discusses the merits of the protection of local services which currently (or have previously) provided the community with a local service. A community facility is defined as any use which provides a wider benefit to the community in economic, environmental and social terms. Such facilities could, for example, include Public Houses, Local Shops, Post Offices, Village Halls and Community Meeting Spaces.

5.2.4 The ground floor of the building was previously used a chemist/pharmacy but appears to have been vacant since c.May 2023. A chemist/pharmacy could be considered a local shop as defined in policy DM56 however, it is recognised that this policy is directed to smaller settlements and rural villages where local services and shops are in short supply where there is significant benefit in their retention. The site has also been granted prior approval for the conversion of the ground floor to residential units which could still be implemented and still result in the loss of the chemist/pharmacy. As mentioned above, the site is located within Lancaster and is close to the city centre which offers various other similar services in relatively close proximity. As such, it is considered that the loss of a single unit here will not result in an adverse impact upon the community.

5.3 **Design and Streetscene Impact** (NPPF Section 12; and Review of the Development Management DPD policy DM29)

5.3.1 DM29 requires all development proposals to make positive contributions to the surrounding landscape or townscape.

5.3.2 The external alterations to the front and side of the building are relatively minor and is comprised of reopening of a window and a door opening and four small rooflights to the front elevation whilst the alterations to the side elevation are comprised of the installation of two replacement windows and a single door and installation of a new window. Windows and doors are to be of a sliding sash design with timber doors to the side and unspecified doors to the front. The design of windows and doors are considered acceptable and precise details can be conditioned. The rooflights indicate that these are to be small conservation style which are considered acceptable as these will not dominate the roof slope.

5.3.3 To the rear, the removal of the small extensions raises no concerns, and the provision of a single storey extension will sit alongside an existing extension. This extension is well contained within the

site and will also appear as a subservient addition. Consequently, the proposal will not result in any adverse impacts on the visual amenity of the street. Due to the relatively minor scale of the works and distance to the Conservation Area, there will be no detrimental impact upon its setting. The proposal is therefore seen to comply with policy DM29.

5.3.4 The proposal will also see small improvements to general landscaping within the site comprising of new railings and gates. It is recommended that the precise details are conditioned.

5.4 **Residential Amenity (NPPF Section 12; and Review of the Development Management DPD policies DM2 and DM29)**

5.4.1 Policy DM29 states that the Council will expect development to ensure there is no significant detrimental impact to amenity in relation to overshadowing, visual amenity, privacy, overlooking, massing and pollution.

5.4.2 It is considered that the use of the building for residential accommodation in this area would not give rise to any adverse impacts on neighbouring properties. The site is located in a residential area and is therefore considered an appropriate use and whilst studios are not commonplace along Ullswater Road, they will contribute to a varied housing mix. As the proposal is for self-contained 1-bed units, these should not result in significant levels of noise or disturbance as capacity within the individual units is limited. The site is also located within the urban boundary and is surrounded by existing development with an existing ambient noise background.

5.4.3 The rear extension to the proposed dwelling will run parallel to the shared boundary with 56 Ullswater Road and is in relatively close proximity to the windows on the neighbouring property. However, the proposed extension is limited to 3m in depth and is located to the north of the affected windows. Consequently, it is considered that the siting of an extension in this position would not result in a significant adverse impact on light levels when considering that solar orientation travels from east to west. In addition, the limited 3m depth should also not appear excessively overbearing on the neighbouring property. The initial scheme had included a raised patio attached to the rear extension, but this has been omitted from the scheme to reduce the overbearing and overlooking impacts. It is considered necessary to remove permitted development rights in order to ensure any potential further alterations to the dwelling can be fully considered by the Council.

5.4.4 The units will largely utilise existing windows for the outlooks and as such, the level of overlooking from the building is already established. It is considered necessary to condition the bathroom window in studio 4 to be obscure glazed in order to reduce overlooking between studio 3 and 4. The proposal also includes the provision of fencing along the existing terrace to prevent overlooking of the garden space of the proposed dwelling.

5.4.5 In terms of securing an acceptable level of amenity for the proposed units, the Council would expect an open market dwelling to comply with the Nationally Described Space Standards (NDSS) as outlined in policy DM2. With regards to the studios and flat that are to be utilised for student accommodation, as these are not occupied full time, they are not required to meet the NDSS but would be expected to meet the minimum requirements for studio accommodation as outlined in Appendix G of the DM DPD.

5.4.6 Considering the proposed dwellinghouse in the first instance, this will provide a 3-bed dwellinghouse with c.126sqm of floor space spread over four floors (including basement and part roof space). The NDSS does not give an example for a 3-bed dwelling house over four floors but states that three floors should provide for 108sqm. Therefore, the provision of c.126sqm is considered sufficient. All habitable rooms are served with windows proportionate to the size and layout of the room whilst the basement will provide for an area of storage for any future occupiers. To the rear, the dwelling will be provided with a c.12m deep garden with c.53sqm of space with new fencing to provide for a private garden space. There is likely to be elements of overlooking of this garden but this similar to others in the area due to the layout and narrow design of the gardens. DM29 requires new build properties comprised of 3-beds to provide 60sqm and whilst this proposal falls slightly short of this requirement, the site is constrained by existing urban grain of the area and this outdoor space will still provide for a suitable and proportionate space when considering the size of the dwelling.

- 5.4.7 Whilst the studios do not meet the NDSS, all exceed the minimum space requirements outlined in Appendix G of the DM DPD (19sqm). It is considered necessary to condition this to ensure full-time student occupation only. The flat meets the NDSS but has been confirmed for student use which is considered appropriate given it would be surrounded by existing student accommodation. It is recommended that the student occupation condition is applied to this unit as well. All of the units will feature windows within the habitable rooms offering natural light and an outlook. The units in the roof space feature 2no. rooflights each which are thought proportionate to the room sizes. The view from studio 3 will be towards an existing single storey outrigger in close proximity, which is not ideal but there are still likely to be views above this as well as angled views to the north. Considering the above, the overall scheme is considered to provide for an acceptable level of amenity to future occupants. The rear outdoor space can accommodate a bin storage area for the occupiers which will be contained within the site.
- 5.4.8 Comments have been made regarding potential use of the building being occupied as a HMO. The applicant is not applying for such a use and the description of the development has been agreed with the agent. Any change to the proposed use would require a further planning application.
- 5.5 **Highways and Parking (NPPF Sections 9 and 12; Development Management DPD policies DM29, DM60 and DM62)**
- 5.5.1 Appendix E of the DM DPD outlines the maximum car parking spaces for development proposals. A 3-bed dwellinghouse should provide a maximum of 2 spaces whilst the studios and flat should provide a maximum of 1-space per unit. Consequently, the proposed development should provide no more than 10 spaces. The application does not propose any off-street parking as the rear is to be used for an outdoor area in conjunction with the studios. This area will provide for bin storage and a bike storage area for 10 bikes as a form of mitigation. Both of which can be conditioned for retention.
- 5.5.2 It is recognised that on street parking is at a premium in the area with most dwellinghouses not having their own off street parking provision. The conversion is not thought to cause vehicle displacement immediately outside of the building as a large section of this highway is covered by double yellow lines. As outlined above, the site is located within a highly sustainable area near bus stops and close to the city centre which offers a comprehensive offer of services, facilities, retail and leisure as well as train and bus stations with links to the wider district and beyond. This puts significantly less pressure on the demand for private motor vehicles for future occupiers as there are good alternative modes of transport. The Council recognises the existing parking issues affecting the area, however, considering the sustainability of the site and inclusion of bike storage for the proposal, it is considered that the provision of 9 small residential units would not result in a significant adverse impact on parking matters or highway safety.
- 5.6 **Impacts on Designated Sites and BNG (NPPF Section 15; Strategic Policies and Land Allocations DPD policy SP8; and Review of the Development Management DPD policy DM44)**
- 5.6.1 The application site lies within the median distance travelled of 3.454km (identified through the Recreational Disturbance Study for the Local Plan) to get to the European designated sites of Morecambe Bay and the Lune Estuary which is designated as a Special Protection Area (SPA), Special Area of Conservation (SAC), Ramsar site and Site of Special Scientific Interest (SSSI).
- 5.6.2 As a result of the proximity of the residential development to the sensitive site, it is considered that a proportionate Habitats Regulations Assessment (HRA) is required to assess the recreational disturbance impacts on the coastal designated sites resulting from the development, the report is contained within a separate document.
- 5.6.3 The potential impacts from increased recreational pressure are considered to be limited by the small size of the proposed development and the distance from the designated areas and other options for recreation in closer proximity. However, to mitigate any potential increase in recreational pressures caused by the development, homeowner packs can be provided to the proposed dwellings, as identified within the HRA for the Local Plan. The homeowner packs would be expected to include details of the adjacent designated sites (and the wider Morecambe Bay coastline), their sensitivities to recreational pressure and promote the use of alternative areas for recreation, in particular dog walking areas. This can be adequately covered by a condition on a planning consent.

5.6.4 Biodiversity Net Gain (BNG) is a mandatory requirement from 2 April 2024 for most planning applications. BNG is a way of creating and improving natural habitats by making sure development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development. However, there are exemptions to the requirement, and it is considered that this development is subject to the de minimus exception in so much that it does not affect a priority habitat and impacts less than 25sqm of onsite habitat, or 5m of linear habitat such as hedgerows. The proposal is considered to fall below these thresholds and as such, the BNG requirement would not be triggered.

5.7 **Any Other Matters**

5.7.1 Some of the comments received by the Council state that Japanese knotweed is within the site and requires removal. This is noted, however, it is not a planning matter as it is covered by other legislation, and it is the responsibility of the owner to address this issue. Other comments relate to the existing untidiness of the site and state of the boundary wall and again, whilst not strictly relevant to this application, bringing the site back into use should see this issue addressed.

5.7.2 The inclusion of a small rear extension will not have a significant impact on any surface water run-off rates. The existing building is already connected existing drainage infrastructure, and the proposed use should not result in any adverse impacts on this existing arrangement. Finally, comments relating to lack of demand for student accommodation are noted however, no evidence has been provided to substantiate this claim.

6.0 **Conclusion and Planning Balance**

6.1 This application would provide a small contribution to meeting the districts housing need as well reusing an existing vacant building which would weigh positively in favour of the scheme. The proposal would not result in any adverse impacts on the visual amenity of the street scene, nor would it result in a significant adverse impact on the amenity of neighbouring properties. The proposal would provide a level of accommodation that would meet the internal space requirements as outlined by the relevant policies and any possible impacts on the special designations of Morecambe Bay can be mitigated by the provision of homeowner packs. Whilst the Council recognises the existing parking issue, considering the location of the site, form of development and proposed mitigation, it is unlikely that this would result in a significant adverse impact on parking matters and highway safety. On balance, the proposal is seen to comply with the development plan when read as a whole and as such is recommended for approval.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Timescales	Standard
2	Development to accord with plans	Standard
3	Submission of details	Pre-commencement
4	Submission of landscaping	Pre-commencement
5	Submission of homeowner packs	Pre-occupation
6	Provision of bike/bin stores	Pre-occupation
7	Provision of gardens/boundaries	Pre-occupation
8	Student occupation condition to studio and flat	Control
9	Obscure glazing	Control
10	Removal of PD rights	Control
11	Store in basement to remain	Control

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

In accordance with Article 35 of the above Order, your decision notice contains reasons for the imposition of planning conditions (where planning conditions are imposed), and in the case of each pre-commencement condition, a justification for the pre-commencement nature of the condition(s).

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
Application Number	24/01061/VCN
Proposal	Listed building application for the installation of a new rear service door including a roller shutter, replacement windows and door, alterations to courtyard windows and internal alterations including alterations to doors, new partitions, new ramp and freestanding booth (Pursuant to the variation of condition 2 on listed building consent 23/00637/LB to amend the design to include alterations of stud walls to glazed partition, replace existing doors with partition walls, to reduce the size of freestanding booth and omit the ramp and removal of condition 3 following the submission of details relating to the south facing courtyard window)
Application site	Palatine Hall Dalton Square Lancaster Lancashire
Applicant	Mr David Hammond
Agent	HPA Chartered Architects
Case Officer	Mr Patrick Hopwood
Departure	No
Summary of Recommendation	Approval, subject to conditions

(i) **Procedural Matters**

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

1.0 Application Site and Setting

1.1 The site to which this application relates is Palatine Hall, at the north end of Dalton Square in Lancaster city centre. The property is a three-storey sandstone hall building with attached townhouse, originally a church, later becoming a public hall, then a music hall, then a cinema, and most recently council offices.

1.2 The site is Grade II listed, within the setting of numerous other Grade II and II* listed buildings, including the Grade II* Queen Victoria Statue. The site also lies within Lancaster Conservation Area.

2.0 Proposal

2.1 This application is made under Section 19 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to vary the proposals approved under listed building consent 23/00637/LB. It is proposed to

vary the approved plan numbers listed in Condition 2 to reference amended design drawings. The amended scheme includes internal alterations to stud walls, glazed partitions, doors and room layouts, and omission of the proposed ramp (with the existing staircase retained). The amended plans also include the replacement of the “ribbon windows” to the Friars Passage elevation with new aluminium ribbon windows. The application also seeks to discharge Condition 3 which required details of works to the courtyard-facing windows, by providing additional details of larch boarding.

2.2 Under Section 19, conditions attached to listed building consents can be varied, discharged, and/or added, subject to the amended proposals falling within the original written description, and the original time limit condition remaining in force.

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
80/0979	Conversion of premises into offices	Approved
01/01332/DPA	Construction of disabled access ramp and step with railings to fire exit door	Approved
01/01333/LB	Listed Building application to form a new step and ramp from emergency exit door including new railings	Approved
09/00544/LB	Listed building application for the installation of CCTV cameras to the front and rear, and installation of a door entry system to the front entrance door	Approved
22/00481/FUL	Installation of air source heat pumps	Approved
23/00637/LB	Listed building application for the installation of a new rear service door including a roller shutter, replacement windows and door, alterations to courtyard windows and internal alterations including alterations to doors, new partitions, new ramp and freestanding booth	Approved

4.0 Consultation Responses

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

Consultee	Response
Conservation Team	Comments. Requests conditions for details of lobby door (specification and colour), folding front entrance door (colour), and ribbon window (colour).
Property Services	No Objection , subject to details of the exact works being agreed with the Council as Landlord.

4.2 At the time of writing this report, no responses from members of the public have been received.

5.0 Analysis

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

- Heritage

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

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

- 5.2.2 In terms of the amended internal alterations, these are relatively academic when compared to the consented scheme, and would largely have a neutral impact on the internal character and special interest of the Listed Building. However, the new lobby doors are of a greater concern given their position in the building’s main entrance and visibility from Dalton Square when the folding doors are open. Amended details have since been received demonstrating that these will be of a high-quality specification and use a colour scheme sensitive to the site’s heritage.
- 5.2.3 The original application sought to retain and repair the existing timber ribbon windows, which are found in the jettied part of the building which faces Friars Passage. It is now proposed to replace them with new aluminium windows. This can be applied for under a S19 application because the original written description included “replacement windows”. The replacement windows are similar in design to the existing windows and given that they are on a 1980s slate-hung addition, aluminium in slate grey is considered acceptable.
- 5.3.1 Alterations to the courtyard-facing windows on the modern 1980s extension were approved through application 23/00637/LB, to board over sections of the glazing and adjust door positions. This is subject to discharging Condition 3 requiring final details. At the time of application 23/00637/LB being determined, the Applicant had indicated two potential options: hung slates and decorative panels. Vertical larch boarding has now been proposed with the current application, laid out in random widths and overlapping to provide visual interest. This proposed treatment will weather to a mellow silvery colour over time, and given its location visually enclosed within the courtyard, and its location on the 1980s extension, is considered acceptable.

6.0 Conclusion and Planning Balance

- 6.1 Overall, the revised proposals for the internal and external works are acceptable, with the less than substantial harm outweighed by the public benefits in improving the thermal, acoustic, and operational properties of the listed building as a large-scale office space, which is seen as a viable use.
- 6.2 Officers recommend that the application be approved with Condition 2 varied to list the new plans and agreed details, and Condition 3 removed.

Recommendation

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

Condition no.	Description	Type
1	VCN Timescale (from decision date of 23/00637/LB)	Control
2	Works in Accordance with Amended Plans and Details	Control

Background Papers

N/A

Agenda Item	A10
Application Number	24/00831/FUL
Proposal	Creation of path, hardstanding and shelter and installation of gate and freestanding sign
Application site	The Storey Gardens Meeting House Lane Lancaster Lancashire
Applicant	Diana McIntyre
Agent	N/A
Case Officer	Mr Sam Robinson
Departure	No
Summary of Recommendation	Approval, subject to conditions

(i) Procedural Matters

This form of development would normally be determined under the Council’s Scheme of Delegation. However, the site is under the ownership of Lancaster City Council, and therefore, the application is referred to the Planning Regulatory Committee for determination.

1.0 Application Site and Setting

1.1 The site which forms the subject of this planning application is the Storey Institute, specifically the gardens located to the west of the main building. The Storey Institute is a grade II listed building, as is the boundary wall, which runs parallel to the gardens and public footpath to the south and divides the gardens into two. The site is also located within the Lancaster Conservation Area and the gardens are designated as open space within the local plan.

2.0 Proposal

2.1 This application seeks consent for the creation of a path, hardstanding and shelter and installation of a gate and freestanding sign located in the southwest corner of the gardens. The path, hardstanding and shelter will be located behind an established hedgerow.

2.2 The path measures approximately 17sqm and is comprised of porous paving grids and gravel. The hardstanding will be comprised of a hardcore base with bricks and slabs as the surface layer measuring approximately 5.7sqm. The shelter will be sited on this hardstanding and measures 1.8m x 2.5m, with a maximum height of 2.2m. The shelter features a mono pitched roof and has an open design and is comprised of timber posts. The timber gate measures approximately 0.9m x 0.9m and the non-illuminated timber sign measures approximately 1.3m in height. The hardstanding and shelter will be used to house a small moveable composter and rainwater harvesting. These are identified as ‘joroform’ and ‘IBC’ on the submitted plans.

2.3 The purpose of the application is to assist the ongoing composting of organic waste generated on-site by the garden, office tenants and the café.

3.0 Site History

3.1 There are no planning applications that are relevant to this application.

4.0 Consultation Responses

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

Consultee	Response
Arboricultural Officer	No objection (Subject to development being built in accordance with AIA)
Conservation Officer	No response
Property Services	No response
Public Realm	No objection

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

5.0 Analysis

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

- Principle of development
- Design and impact on designated heritage assets
- Open space
- Residential amenity
- Trees/biodiversity net gain

5.2 **Principle of development** (NPPF Section 2; Strategic Policies and Land Allocations DPD policies SP1; and Review of the Development Management DPD policy DM15)

5.2.1 Policy DM15 states that the Council will support proposals that involve the sustainable expansion for small businesses within the district.

5.2.2 As outlined above, the proposal is seeking to make improvements to the on-site composting methods which are currently taking place. The scheme is relatively minor, but these alterations will reduce food and garden waste for the site and business and is supported in principle.

5.3 **Design and impact on designated heritage assets** (NPPF Sections 12 and 16; Strategic Policies and Land Allocations DPD policy SP7; and Review of the Development Management DPD policies DM29, DM37, DM38 and DM39)

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

5.3.2 Policy DM37 states that *‘The significance of a Listed Building can be harmed or lost through alteration or destruction of those elements which contribute to its special architectural or historic interest or through development within its setting. Any harm (substantial or less than substantial) to such elements will only be permitted where this is clearly justified and outweighed by the public benefits of the proposal.’* In addition to this policy DM38 states *‘Any development proposals and / or alterations to buildings, features and open spaces in Conservation Areas should preserve or enhance the character and appearance of the Conservation Areas.’*

- 5.3.3 Finally, policy DM29 states that *'New development should be as sustainable as possible and make a positive contribution to the surrounding landscape and / or townscape.'*
- 5.3.4 Both national and local policy are clear inasmuch that any harm to the significance of a listed building or Conservation Area must be clearly justified and needs to be outweighed by the public benefits of the proposal. If no harm has been identified, this test is not engaged.
- 5.3.5 The scale of the development is relatively minor in the context of the wider area and built form of the surrounding buildings and infrastructure. The path is a low level and unintrusive form of development that is surrounded by existing hedgerows and boundary wall. The shelter will also be sited in between the existing hedgerow and boundary walls and appears as a lightweight structure that will be read as a clear ancillary structure that does not compete with the setting or appearance of the main building or boundary walls. There may be distant views of the structure from Dallas Road to the south, but this is likely to be interrupted by the existing trees/vegetation and as it is set within the site it will not occupy a prominent view when passing. The simple form and by utilising timber materials will ensure that it does not appear obtrusive in this setting. Finally, the gate and sign are also relatively low forms of development that will sit comfortably within the site and are comprised of timber which is suitable to the immediate garden environment.
- 5.3.6 Overall, the development is relatively low scale and will be well sited within the existing gardens comprised of sympathetic materials. Consequently, the proposal is considered to have a neutral impact on the significance of both heritage assets and will also have no undue impacts on the street scene. The proposal is therefore considered to comply with the policies listed above.
- 5.4 **Open space** (NPPF Section 8; Strategic Policies and Land Allocations DPD policy SC3; and Review of the Development Management DPD policy DM27)
- 5.4.1 Policy DM27 states *'Proposals that seek to protect and enhance existing designated open spaces, sports and recreational facilities shall be supported by the Council.'* The loss of designated open space will not be permitted unless a certain list of criteria has been met.
- 5.4.2 The open space designation for the site is for a 'Parks and Gardens' typology. This typology covers urban parks and formal gardens which provide accessible high-quality opportunities for informal recreation and community events.
- 5.4.3 As outlined in paragraphs 2.3 and 5.2.2, the application seeks to provide ancillary structures in order to assist the ongoing use of the gardens and café/business within the main building. It is thought that the area in question is not really utilised by members of the public but in the event it is, the proposal would not interfere with the use of either the application site or wider gardens. In addition, the proposal will aid with the compositing of garden waste within the site which will aid the ongoing maintenance of the wider open space. The scheme is therefore seen to comply with policy DM27.
- 5.5 **Residential amenity** (NPPF Section 12; and Review of the Development Management DPD policy DM29)
- 5.5.1 Policy DM29 states that the Council will expect development to ensure there is no significant detrimental impact to amenity in relation to overshadowing, visual amenity, privacy, overlooking, massing and pollution – including odour. The site already has some small bays for composting but these are not suitable for food composting. The food waste composter is not considered to require planning permission as the scale is relatively small and the structure is moveable. In any case the proposal is for a JK400 Joraform Compost Tumbler which is raised off the ground, fully insulated and secured so this would prevent odour or rodent problems.
- 5.5.2 Considering the low-level scale of development and that it is set away from any neighbouring buildings, the proposal will not have an adverse impact on the amenity of the nearest neighbouring properties in terms of overbearingness or loss of light.
- 5.6 **Trees/biodiversity net gain** (NPPF Sections 12 and 15; and Review of the Development Management DPD policies DM44 and DM45)

- 5.6.1 Policy DM45 states that ‘The Council will support 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.’
- 5.6.2 The proposal has been submitted with an Arboricultural Impact Assessment (AIA) which identified 6 trees and 1 hedge in close proximity to the application site. The works will take place within the root protection areas (RPA’s) of 4 of the trees but the nature of the works and hand digging method to construct the path and shelter area are not invasive and will not impact on the health and well-being of the affected trees. No trees or hedgerows are required for removal in order to facilitate the proposed development. A condition is recommended to ensure the works are carried out in accordance with the working practice methods outlined in the AIA.
- 5.6.3 Biodiversity Net Gain (BNG) is a mandatory requirement from 2 April 2024 for most planning applications. BNG is a way of creating and improving natural habitats by making sure development has a measurably positive impact (‘net gain’) on biodiversity, compared to what was there before development. However, there are exemptions to the requirement, and it considered that the development is subject to the de minimus exception in so much that it does not affect a priority habitat and impacts less than 25sqm of onsite habitat, or 5m of linear habitat such as hedgerows. The proposal is considered to fall below these thresholds and as such, the BNG requirement would not be triggered.

6.0 Conclusion and Planning Balance

- 6.1 The proposal would aid the onsite sustainability of an existing business without any adverse impacts on the significance of the identified heritage assets, residential amenity, trees or useability of the site’s open space designation. As such, the seen to comply with the relevant local and national policies and is therefore recommended for approval.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Timescales	Standard
2	Development to accord with plans	Standard
3	Implementation of AIA	Control

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

In accordance with Article 35 of the above Order, your decision notice contains reasons for the imposition of planning conditions (where planning conditions are imposed), and in the case of each pre-commencement condition, a justification for the pre-commencement nature of the condition(s).

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	A11
Application Number	24/01219/FUL
Proposal	Erection of single storey front extension and re-location of door to East side elevation
Application site	9 Sizergh Road Morecambe Lancashire LA4 6TL
Applicant	M A Threlfall And G Banham
Agent	
Case Officer	Ms Charlotte Hutton
Departure	No
Summary of Recommendation	Approval, subject to conditions

(i) Procedural Matters

This form of development would normally be dealt with via the scheme of delegation however, the applicants are directly related to an employee of Lancaster City Council and therefore, the application is required to be determined by the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 9 Sizergh Road is a detached bungalow located in the residential area of Bare, Morecambe. The property has a pebble dashed exterior and is fitted with white upvc windows and doors underneath a hipped slate roof. The property benefits from off street parking to the side and a detached garage. Properties in this part of Bare are predominantly bungalows set within front and rear gardens.

2.0 Proposal

2.1 The application seeks consent for the erection of single storey front extension and to relocate the front door to the side elevation. The extension measures approx. 2.3m wide and 0.7m deep, projecting no further than the existing principal elevation. The walls will be dashed to match the existing dwelling, and the extension will sit underneath the existing hipped roof.

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
24/01011/PLDC	Proposed lawful development for the erection of a	Granted

	single storey rear extension	
95/00902/FUL	Erection of a front porch	Permitted

4.0 Consultation Responses

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

Consultee	Response
Parish	No response

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

One email of concern has been received by the neighbouring property over the installation of a light to the side elevation, illuminating the commenters bedroom window.

5.0 Analysis

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

- Design and Streetscene Impact
- Residential Amenity
- Highways Issues

5.2 **Design and street scene impact** (NPPF paragraphs 131, 132 and 135 and policy DM29 of the Development Management DPD)

5.2.1 Good design is expected by policy DM29 which states that new development should 'contribute positively to the identity and character of the area through good design, having regard to local distinctiveness, appropriate siting, layout, palate of materials, separation distances, orientation and scale.

5.2.2 The scale and massing of the proposed extensions are proportionate to the existing dwelling, and the design incorporates matching materials. An appropriate amount of private garden space is retained and the new window to the front elevation will match the existing windows. The street scene is varied with various examples of extensions and alterations. The extension is considered acceptable in terms of its character and design in relation to the existing dwelling and the wider visual amenity of the street.

5.2.3 The proposed relocation of the front door is not considered to result in significant visual harm to the area or, to the character of the original property, given this is positioned in a similar location as those throughout the street.

5.3 **Residential Amenity** (NPPF paragraphs 131, 132 and 135 and policy DM29 of the Development Management DPD)

5.3.1 Policy DM29 requires all new development to 'ensure there is no significant detrimental impact to amenity in relation to overshadowing, visual amenity, privacy, overlooking, massing and pollution'.

5.3.2 The outlook afforded to the front elevation of the extension is considered to be similar to the existing and directed over the applicant's front garden and highway. There is a separation distance of 22m to the property opposite the application site at No.12. Given the acceptable separation distances, it is considered that the proposed works will not have an adverse impact on the neighbouring properties privacy.

5.3.3 The front extension does not intersect the 45-degree line from the front habitable room windows of the adjacent property No.7 therefore it is considered the same light levels will be retained as existing.

5.3.4 Concerns were raised in relation to the installation of a security light, however, such a light could be installed without planning consent under the General Permitted Development Order. Given that this

aspect has not proposed in the application, and it can be installed without planning consent being obtained, it is not a material planning consideration in this application.

5.4 Highways

5.4.1 Owing to the scale and nature of the proposed alterations, the application does not give rise to any highways implications.

6.0 Conclusion and Planning Balance

6.1 For the reasons outlined above, the design, appearance of the proposal is considered to be acceptable and does not give rise to any other material considerations. The proposal is considered to comply with the relevant local and national polices and as such, is recommended for approval.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Standard Planning Permission Timescales	Control
2	Development In Accordance With Approved Plans	Control

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

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

Background Papers

None

LIST OF DELEGATED PLANNING DECISIONS

LANCASTER CITY COUNCIL

APPLICATION NO	DETAILS	DECISION
23/00888/LB	Derby House, Pathfinders Drive, Lancaster Listed building application for the removal of the side extension, external staircase and existing dormer, alterations to window and door openings, installation of ramp to form new front entrance and construction of a new entrance in existing window opening to the side, installation of replacement rainwater goods and roof and alterations to internal partition walls, plasterboard lining and reconfiguration of staircase. for Oakmere Homes (Scotforth West Ward)	Application Permitted
23/00891/VCN	Land At Royal Albert Farm, Pathfinders Drive, Lancaster Erection of 53 dwellings, 1 3-storey building comprising 8 2-bed apartments and conversion of Derby Home to 8 apartments, regrading of land, creation of parking areas, internal roads including associated upgrading works to Pathfinders Drive, footpaths, drainage infrastructure and provision of open space (pursuant to the variation of condition 2 on planning permission 19/01568/FUL to amend the appearance and layout of Derby Home) for Oakmere Homes (Scotforth West Ward)	Application Permitted
23/01323/FUL	Land At Grid Reference E344953 N454903, Jeremy Lane, Glasson Dock Retrospective application for the siting of two storage containers for Mr Glen Jones (Ellel Ward)	Application Permitted
23/01468/FUL	Greendales Farm Caravan Park, Carr Lane, Middleton Siting of two static caravans to replace two holiday pods, siting of nine new static caravans, creation of outdoor gym in amenity area and landscaping for Mr Miles McCarthy (Overton Ward)	Application Permitted
24/00148/DIS	Animal Care, Blea Tarn Road, Scotforth Discharge of conditions 5, 7 ,8,9 ,11,13,14 on approved application 23/00485/FUL for Mr S Hinde (Ellel Ward)	Split Decision
24/00150/DIS	Land North Of Old Hall Farm, Kirkby Lonsdale Road, Over Kellet Discharge of condition 6 on approved application 17/01050/OUT for Oakmere Homes (Northwest) Ltd (Halton-with-Aughton And Kellet Ward)	Application Withdrawn
24/00169/DIS	32 Regent Road, Morecambe, Lancashire Discharge of condition 3 on approved application 23/00137/FUL for Mr Arulkumaran Kandasamy (West End Ward)	Application Refused
24/00174/DIS	Management School, Gillow Avenue, Lancaster University Discharge of conditions 4 and 5 on approved application 24/00245/FUL for Mr Stuart Foy (University Ward)	Application Permitted
24/00176/FUL	The Sanctuary, 46A Slyne Road, Lancaster Change of use from dwelling house to (C3) to a house of multiple occupation (C4) for Dr Philip Gager (Skerton Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

24/00179/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 Permitted
24/00188/DIS	Old Hall Barn, Brookhouse Road, Brookhouse Discharge of condition 4 on approved application 24/00388/FUL for Mr Philip Robson (Lower Lune Valley Ward)	Application Permitted
24/00190/DIS	Former Co-op Warehouse, John Street, Carnforth Discharge of conditions 2 and 3 on approved application APP/A2335/W/23/3330242 (23/00755/VCN) for Mr Mark Drinkall (Carnforth And Millhead Ward)	Application Permitted
24/00198/DIS	1 And 2 Cross Hill Court, Bolton Le Sands, Carnforth Discharge of condition 4 on approved application 23/01360/FUL for Mr John Myers (Bolton And Slyne Ward)	Application Permitted
24/00203/DIS	Capernwray Diving Centre, Jackdaw Quarry, Capernwray Road Discharge of conditions 3,4,5,6,7,8 and 9 on approved application 21/00543/FUL for Hack Enterprises Ltd (Halton- with-Aughton And Kellet Ward)	Split Decision
24/00205/DIS	Yew Tree Cottage, Selby Lane, Melling Discharge of condition 4 on approved application 22/00867/FUL for Mr and Mrs David Gordon (Upper Lune Valley Ward)	Application Permitted
24/00206/DIS	Willows Park, Bottomdale Road, Halton Discharge of conditions 5,6 and 7 on approved application 22/00874/FUL for Messrs F And J Varey (Halton-with-Aughton And Kellet Ward)	Split Decision
24/00208/DIS	Woodfield House, Moorside Road, Brookhouse Discharge of conditions 3 and 4 on approved application 21/01216/FUL for Sarah Bainbridge (Lower Lune Valley Ward)	Application Permitted
24/00214/DIS	Greywalls Bungalow, Lindeth Road, Silverdale Discharge of conditions 5 and 11 on approved application 24/00009/FUL for Mr M Roberts (Silverdale Ward)	Application Permitted
24/00279/FUL	Lorien, Back Lane, Priest Hutton Installation of solar panels to the east and west facing roof slopes of the rear extension for Mr Kenneth Dunn (Warton Ward)	Application Permitted
24/00329/LB	Upper Floors, 46 King Street, Lancaster Listed building application for works to facilitate the change of use to 7 bed HMO including internal alterations to walls, bathrooms and kitchen units, installation of rooflights, replacement glazing and grilles for Ilyas & Ruksana Suleman (Castle Ward)	Application Permitted
24/00330/FUL	Upper Floors, 46 King Street, Lancaster Change of use of dwelling (C3) to 7 bed HMO (Sui Generis) and installation of rooflights, replacement glazing, and grilles for Ilyas and Ruksana Suleman (Castle Ward)	Application Permitted
24/00492/REM	Land Off, Willey Lane, Cockerham Reserved matters application for the erection of a dwelling (C3) for Mr P Hewitt (Ellel Ward)	Application Permitted

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24/00512/PLDC	24 Bowfell Avenue, Morecambe, Lancashire Proposed lawful development certificate for the erection of a single storey side extension for Mr And Mrs G Cameron (Bare Ward)	Lawful Development Certificate Granted
24/00556/FUL	37 Euston Road, Morecambe, Lancashire Change of use of shop (E) to Nail Salon (sui generis) for Miss Vyanh Tran (Poulton Ward)	Application Permitted
24/00602/FUL	58 Denmark Street, Lancaster, Lancashire Installation of one air source heat pump for Ms Sian Peters (Marsh Ward)	Application Permitted
24/00688/FUL	Clock Tower Farm Buildings, Borwick Lane, Borwick Relevant demolition of existing farm building and erection of an agricultural storage building for Mr James Clarke (Warton Ward)	Application Permitted
24/00721/FUL	5 Bryn Grove, Hest Bank, Lancaster Erection of a single storey rear extension and part replacement of existing conservatory for Mr And Mrs J Garratt (Bolton And Slyne Ward)	Application Permitted
24/00724/FUL	10 Sunningdale Crescent, Hest Bank, Lancaster Demolition of existing conservatory and erection of a single storey side and rear extension for Mr And Mrs C Pilling (Bolton And Slyne Ward)	Application Permitted
24/00769/FUL	23 Second Terrace, Sunderland Point, Morecambe Demolition of front porch and rear extension, erection of canopy to front elevation, erection of single storey rear/side extension and two storey rear extension, installation of roof mounted solar panels and roof lights, alterations to windows, change of materials to walls and roof, erection of detached outbuilding, alterations to boundary wall and landscaping for Mr And Ms M. Sanderson & L. Gilchrist (Overton Ward)	Application Permitted
24/00773/VCN	Land To The Rear Of Cottages, Long Level, Cowan Bridge Erection of 2 dwellings with associated access (pursuant to the variation of conditions 1, 2, 5, 6 and 9 on application 21/00569/VCN to amend the approved site and parking plans, and agree material, drainage and landscaping details) for Mr Andrew Howson (Upper Lune Valley Ward)	Application Permitted
24/00809/FUL	11 Lindeth Road, Silverdale, Carnforth Erection of extension to existing porch, new glazed facade to front, erection of a replacement carport, single story extension to existing garage including new pitched roof, replacement of each conservatory with single story extensions, installation of flue, installation of rooflights, widening of existing driveway, installation of gate and rebuild front wall for Mr Harry Houghton (Silverdale Ward)	Application Permitted
24/00824/FUL	Brookside And Hillside, Fall Kirk, Gressingham Replacement of existing render with textured render for Mr Edward Beattie & Mr Stuart Piner (Halton-with-Aughton And Kellet Ward)	Application Permitted
24/00881/FUL	12 And 12A Newmarket Street, Morecambe, Lancashire Construction of raised roof and dormer extension to the rear elevation to create additional floor, replacement windows to the side elevation and shop front, re-render to front, side and rear elevations for Mr Mo Shahidinejad (Bare Ward)	Application Permitted

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24/00897/FUL	22 Coolidge Avenue, Lancaster, Lancashire Erection of a two storey extension to SE side elevation and erection of part two storey and part single storey extension to NW side elevation for Mr & Ms Hester & Olajos (Marsh Ward)	Application Permitted
24/00927/FUL	6 Wakefield Avenue, Morecambe, Lancashire Erection of a two storey side extension and single storey rear extension for Mr Daniel Grimmitt (Bare Ward)	Application Permitted
24/00934/FUL	Tag Foods Ltd, 10 Hornbeam Road, Lancaster Change of use from a warehouse (B8) to convenience store (E) and erection of a single storey rear extension for Edgeplan Ltd (Marsh Ward)	Application Permitted
24/00961/FUL	6 Peacock Crescent, Hest Bank, Lancaster Conversion of existing outbuilding into a home office, installation of glazed canopy to cover east side entrance, erection of summer house and tool sheds for Duncan & Moira Hallam (Bolton And Slyne Ward)	Application Permitted
24/00981/LB	White Moor Cottage, Marshaw Wyre, Abbeystead Listed building application for replacement of one first floor window in West elevation for Mr Declan Hoare (Ellel Ward)	Application Permitted
24/00987/FUL	Holmere Hall, Dykes Lane, Yealand Conyers Erection of a timber storage building including a carport for Mr R Green (Warton Ward)	Application Permitted
24/00994/FUL	Green Arbour, Emesgate Lane, Silverdale Erection of single storey front and rear extensions, replacement of all dormers, installation of solar panels, alterations and insertions of windows and doors, rendering of existing dwelling, creation of raised patio for Mr and Mrs S & C Taylor (Silverdale Ward)	Application Permitted
24/00998/FUL	Cockhall Farm, Main Road, Thurnham Construction of roof over existing silage clamp for Andrew Clarkson (Ellel Ward)	Application Permitted
24/00999/FUL	Cockhall Farm, Main Road, Thurnham Construction of roof over existing yard for Andrew Clarkson (Ellel Ward)	Application Permitted
24/01010/FUL	8 Elmsdale Close, Lancaster, Lancashire Erection of two storey side extension including alterations to windows and door to rear elevation for Mr And Mrs Broadley (Skerton Ward)	Application Permitted
24/01014/FUL	53 Hyde Road, Morecambe, Lancashire Part retrospective application for replacement boundary wall, fence, landscaping and raising of land level for Mr David King (Torrisholme Ward)	Application Permitted
24/01015/PLDC	Sub Station, Caton Road, Lancaster Proposed lawful development certificate for a siting of a replacement transformer for Mr Andy Fletcher (Bulk Ward)	Lawful Development Certificate Granted
24/01024/VCN	1D/E Queen Street, Lancaster, Lancashire Installation of solar panels to east facing roof slope (pursuant to the variation of condition 2 on planning permission 24/00287/FUL to alter the solar panel array installation from a frame mounted to an in-roof/integrated solar panel installation) for Mr Adrian Eglington (Castle Ward)	Application Permitted

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24/01025/CU	56 Church Street, Lancaster, Lancashire Change of use of basement and ground floor from professional services (Use Class E(C)) to a Creative Youth Space (Sui Generis) for Mr K Foster (Castle Ward)	Application Permitted
24/01026/LB	1D/E Queen Street, Lancaster, Lancashire Listed building application for the installation of solar panels to east facing roof slope for Mr Adrian Eglinton (Castle Ward)	Application Permitted
24/01027/FUL	Ocean Edge Holiday Park, Moneyclose Lane, Heysham Installation of a replacement roof to part of existing facilities building for Mr David Kidd (Overton Ward)	Application Permitted
24/01030/PAH	22 Anthony Road, Lancaster, Lancashire Erection of a 5.3 metre deep, single storey rear extension with a maximum roof height of 3.9 meters and eaves height of 2.6 meters for Nigel Smith (Marsh Ward)	Prior Approval Not Required
24/01031/ADV	Unit C2 / 6 Electric Drive, Carnforth, Lancashire Erection of 2 no. externally illuminated fascia signs for Screwfix Direct Ltd (Halton-with-Aughton And Kellet Ward)	Application Permitted
24/01032/FUL	Unit C2 / 6 Electric Drive, Carnforth, Lancashire Installation of 2 no. external air source heat pump units for Screwfix Direct Ltd (Halton-with-Aughton And Kellet Ward)	Application Permitted
24/01034/FUL	6 Barley Cop Lane, Lancaster, Lancashire Erection of a single storey side extension for Alaric Best (Skerton Ward)	Application Permitted
24/01040/PLDC	75 Fairfield Road, Heysham, Morecambe Proposed lawful development certificate for the change of use of dwelling house (C3) to 6 bed House in Multiple Occupation (C4), erection of a single storey rear extension, construction of a hip to gable extension, construction of dormer extension to the rear elevation and installation of new and replacement windows, doors and rooflights for Mr and Mrs Condon (Heysham North Ward)	Lawful Development Certificate Granted
24/01041/FUL	12 Poppy Lane, Over Kellet, Carnforth Erection of a single storey rear garden room for Mr And Mrs A Hodge (Halton-with-Aughton And Kellet Ward)	Application Permitted
24/01042/FUL	Unit To Rear Of Broadgate Garage, Middleton Road, Middleton Retrospective application for erection of a new class B2 building for Mr Elliot Casson (Overton Ward)	Application Permitted
24/01043/FUL	Broadgate Garage, Middleton Road, Middleton Raising of roof to existing class B2 building for Mr Elliot Casson (Overton Ward)	Application Permitted
24/01047/FUL	Stauvins Barn, Littledale Road, Brookhouse Demolition of existing conservatory and erection of single storey side extension for Mr and Mrs Philip Worrall (Lower Lune Valley Ward)	Application Permitted
24/01048/PLDC	12 Wakefield Drive, Lancaster, Lancashire Proposed lawful development certificate for the construction of a hip to gable extension and rear dormer extension for Mrs A Brown (Scotforth East Ward)	Lawful Development Certificate Granted

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24/01049/FUL	13 Monkswell Drive, Bolton Le Sands, Carnforth Construction of a dormer to the rear elevation and installation of roof lights to the front elevation for Mr & Mrs Killifin (Bolton And Slyne Ward)	Application Permitted
24/01050/FUL	26 Hampsfell Drive, Morecambe, Lancashire Erection of porch to the front for Mr Oliver (Westgate Ward)	Application Permitted
24/01052/PLDC	Deroy Cottage, Hawk Street, Carnforth Proposed lawful development certificate for the change of use of garage/workshop to holiday let, removal of garage door, installation of new and replacement windows/doors and installation of flue for Mr E Wilson (Carnforth And Millhead Ward)	Lawful Development Certificate Refused
24/01054/FUL	Wingates , Westbourne Drive, Lancaster Demolition of existing single storey rear extension and garage, erection of a single-story side extension and two-storey rear extension, installation of roof lights and solar panels for Mr & Miss Wordsworth & Sullivan (Marsh Ward)	Application Refused
24/01059/AD	Railside Yard, Land East Of Old Moor Road, Old Moor Road Agricultural determination for the erection of extension to agricultural machinery shed for Mr J Shaw (Lower Lune Valley Ward)	Prior Approval Not Required
24/01062/FUL	21 Byron Road, Heysham, Morecambe Construction of a dormer extension to the rear elevation for Mrs Carol Brophy (Heysham North Ward)	Application Permitted
24/01069/VCN	Greenbank Farm, Kellet Road, Over Kellet Demolition of existing shippon, conversion of a stable building to create two holiday lets and creation of rear amenity and parking area (pursuant to the variation of condition 3 on planning permission 23/01127/FUL to alter materials) for Mrs P Thomas (Halton-with-Aughton And Kellet Ward)	Application Refused
24/01070/PLDC	17 Oxford Street, Lancaster, Lancashire Proposed lawful development certificate for the demolition of existing conservatory, erection of a single storey rear extension, erection of side boundary wall and fence for Ms W Suchocki (Skerton Ward)	Lawful Development Certificate Granted
24/01075/FUL	13 Broadway, Morecambe, Lancashire Erection of detached outbuilding for S. Forrest & D. Lawton (Poulton Ward)	Application Permitted
24/01079/FUL	30 Cleveleys Avenue, Lancaster, Lancashire Erection of a single storey rear extension and two storey side extension for Mr Graeme Westworth (Scale Hall Ward)	Application Permitted
24/01082/FUL	Irving House, Northgate, White Lund Industrial Estate Retrospective application for the subdivision of existing unit to create three individual units comprising of motor vehicle workshop, parts, repair, sales and office (Sui Generis) and workshop, office and storage (E(g)), installation of roller shutter doors, new and replacement windows, new glazed entrances and installation of EV charging points for Mrs C Crabtree (Westgate Ward)	Application Permitted

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24/01083/FUL	452 Heysham Road, Heysham, Morecambe Demolition of existing detached garage/outbuilding and erection of an outbuilding for ancillary living accommodation for Mr A Hobson (Heysham South Ward)	Application Permitted
24/01086/VCN	22 Fern Bank, Lancaster, Lancashire Demolition of rear conservatory and erection of a single storey extension and two storey side and rear extension (Pursuant to the variation of condition 2 on planning permission 23/00295/FUL to alter the rear extension including revisions to the roof design and height) for Mr Jamie Udall (Scotforth West Ward)	Application Permitted
24/01091/VCN	Land Adjacent 26 Moorside Road, Brookhouse, Lancaster Erection of a detached dwelling (C3) and creation of a new vehicular access (Pursuant to the variation of conditions 2 on planning permission 23/01350/VCN to reduce the area of render and increase the area of cladding) for Mr Brian Pinington (Lower Lune Valley Ward)	Application Permitted
24/01092/LB	Nat West Bank, 68 - 70 Church Street, Lancaster Listed building application for the installation of replacement ATMs to the front elevation with alterations to stone header and cill levels for Rachel Halls (Castle Ward)	Application Refused
24/01093/ADV	Nat West Bank, 68 - 70 Church Street, Lancaster Advertisement application for the display of non-illuminated ATM surround to replace existing for Rachel Halls (Castle Ward)	Application Refused
24/01097/ELDC	227 Bowerham Road, Lancaster, Lancashire Existing lawful development certificate for the conversion of garage into habitable room for Mr Steve Arbon (Bowerham Ward)	Lawful Development Certificate Granted
24/01101/FUL	Land At, Silverhelme Scout Camp, The Row Installation of a 30m high lattice tower with 3 antennas, 1 transmission dish, 2 equipment cabinets, 1 electric meter cabinet, 1 GPS module, 9 Ericsson Radio Systems, 1.8m high fencing and associated ancillary development for Cornerstone Telecommunications Ltd (Silverdale Ward)	Application Withdrawn
24/01103/VCN	28 Westbourne Road, Lancaster, Lancashire Erection of a three storey side extension and a front porch, creation of an 8-bed HMO (sui generis), one 5-bed HMO (C4), one 3-bed HMO (C4), two 2-bed flats (C3) and one 1-bed flat (C3), erection of a bin store, cycle store, installation of fence and gates, installation of solar panels and replacement windows (Pursuant to the variation of condition 10 on planning permission 20/00111/FUL for rewording of the condition in relation refugee occupancy) for Mr S Gershon (Marsh Ward)	Application Permitted
24/01104/FUL	2 Allandale Gardens, Lancaster, Lancashire Change of use of dwelling (C3) into house in multiple occupation (C4) and retrospective application for conversion of garage into habitable room for Mr Glyn Redgrave (Marsh Ward)	Application Refused
24/01115/PAH	36 Michaelson Avenue, Morecambe, Lancashire Erection of a 5 metre deep, single storey rear extension with a maximum roof height of 3.4 metres and a maximum eaves heights of 2.9 metres for Mr & Mrs Shaw (Torrisholme Ward)	Prior Approval Refused

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24/01117/PAH	19 Lodges Grove, Morecambe, Lancashire Erection of a 3.56 metre deep, single storey rear extension with a maximum roof height of 2.98m for Mr Stuart O'Neil (Bare Ward)	Prior Approval Not Required
24/01118/PIP	Land Rear Of Cemetery, Back Lane, Carnforth Permission in principle application for the erection of one dwelling for Mr Graham Wallbank (Carnforth And Millhead Ward)	Application Refused
24/01121/LB	Rockery Cottage, Whitebeck Lane, Priest Hutton Listed building application for the installation of driveway gates and associated pedestrian gate for Mr And Mrs Oldfield (Warton Ward)	Application Permitted
24/01123/FUL	16 Glen View Crescent, Heysham, Morecambe Demolition of existing garage, removal of existing chimney stack, erection of single storey side extension and associated landscaping for Mr & Mrs Gorst (Heysham South Ward)	Application Withdrawn
24/01130/PAA	Parkside, Woodman Lane, Cowan Bridge Prior approval for the change of use of agricultural building to dwelling (C3) for Mr And Mrs J & K Warburton (Upper Lune Valley Ward)	Prior Approval Granted
24/01131/PAA	Parkside, Woodman Lane, Cowan Bridge Prior approval for the change of use of agricultural building to 2 dwellings (C3) for Mr And Mrs J & K Warburton (Upper Lune Valley Ward)	Prior Approval Granted
24/01132/PAA	Parkside, Woodman Lane, Cowan Bridge Prior approval for the change of use of agricultural building to dwelling (C3) for Mr And Mrs J & K Warburton (Upper Lune Valley Ward)	Prior Approval Granted
24/01136/PLDC	19 Lodges Grove, Morecambe, Lancashire Proposed lawful development certificate for the erection of a single storey side extension for Mr Stuart O'Neil (Bare Ward)	Lawful Development Certificate Granted
24/01141/PLDC	448 Heysham Road, Heysham, Lancashire Proposed lawful development certificate for the erection of a single storey rear extension for Mrs A Mather (Heysham South Ward)	Application Withdrawn
24/01150/NMA	Land At Royal Albert Farm, Pathfinders Drive, Lancaster Non-material amendment to planning permission 23/00891/VCN to reposition garages on Plots 4 and 15 for Oakmere Homes (Northwest) Ltd (Scotforth West Ward)	Application Permitted
24/01152/NMA	Land Off, Wyresdale Road, Lancaster Non-material amendment to planning permission 22/00817/VCN for minor design changes to the approved house types Edenfield, Hartford, Formby, Tarleton, Willaston, Heswall, Haigh and Culceth for Mr C Middlebrook (John O'Gaunt Ward)	Application Permitted
24/01153/AD	Belmount Farm, Hasty Brow Road, Slyne Agricultural determination for erection of a storage building for Mr Johnathan Hoggarth (Bolton And Slyne Ward)	Prior Approval Refused
24/01164/AD	Belmount Farm, Hasty Brow Road, Slyne Agricultural determination for erection of a storage building for Mr Johnathan Hoggarth (Bolton And Slyne Ward)	Prior Approval Refused

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24/01178/NMA	Land To The Rear Of Pointer Grove And, Adjacent To High Road, Halton Non-material amendment to planning permission 18/01422/FUL for the omission of rooflight to Egret housetype (Plots 48,49,50) for Miss Josie Scrimgour (Halton-with-Aughton And Kellet Ward)	Application Permitted
24/01179/NMA	Land To The Rear Of Pointer Grove And, Adjacent To High Road, Halton Non-material amendment to planning permission 18/01422/FUL to alter stone boundary treatments around bin stores to timber fencing for Miss Josie Scrimgour (Halton-with-Aughton And Kellet Ward)	Application Refused
24/01195/AD	Higher Moor Head Farm, Rakehouse Brow, Quernmore Agricultural determination for the construction of an access track and concrete yard renewal for Mr Darren Atkinson (Ellel Ward)	Prior Approval Refused
24/01202/NMA	Land To The South Of Lawsons Bridge Site, Scotforth Road, Lancaster Non-material amendment to planning permission 23/00802/REM for changes to house types and plot layouts for Mrs Hannah Jackson (Scotforth West Ward)	Application Permitted
24/01215/NMA	82 Palatine Avenue, Lancaster, Lancashire Non material amendment application to alter the position of the air source heat pump for J Bebbington (Scotforth East Ward)	Application Refused
24/01225/EIR	Former Builders Merchants Yard, New Quay Road, Lancaster Screening request for the redevelopment of the site to provide self storage units (B8) and associated infrastructure for New Quay Lancaster Ltd (Marsh Ward)	ES Not Required
24/01226/NMA	36 Cotton Square, Lancaster, Lancashire Non-material amendment to planning permission 23/01320/FUL to alter external materials to proposed extension from timber clad walls with a standing seam metal roof to brick walls and tiled roof to match the existing for Ms A Spinkute (Marsh Ward)	Application Permitted
24/01248/EIR	16 Lindeth Road, Silverdale, Carnforth Screening request for the change of use from residential dwelling (C3) to holiday let (C1) for Lesley Briggs (Silverdale Ward)	ES Not Required