



Committee: PLANNING REGULATORY COMMITTEE

Date: MONDAY, 10 FEBRUARY 2025

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 13th January 2025 (previously circulated).

3 Items of Urgent Business authorised by the Chair

4 Declarations of Interest

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

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

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

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

Planning Applications for Decision

Community Safety Implications

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

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

Local Finance Considerations

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

Human Rights Act

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

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|---|--|---|---|
| 5 | <u>A5 24/01149/VCN</u> | Land East Of Hazelrigg Lane, Ellel Ward
Hazelrigg Lane, Scotforth | (Pages 5 -
13) |
| | | Construction of a solar farm with associated access and infrastructure to include substation, inverter stations, cabling, landscaping, CCTV and boundary treatments (pursuant to the variation of conditions 2 and 3 of planning permission 23/00505/VCN to alter site entrance, layout, design and landscaping). | |
| 6 | <u>A6 24/00865/VCN</u> | Land South of Hawthorn Avenue, Brookhouse | Lower Lune Valley Ward (Pages 14 -
22) |
| | | Erection of 25 adaptable bungalows for over 55's with associated access, internal roads and landscaping (pursuant to the variation of conditions 2, 12, 14 and 16 on approved application 21/01284/FUL to revise the energy report (omitting solar panels and to include air source heat pumps), to provide full details of the finished floor levels and retaining features to accommodate amendments to the site layout and boundary layout plans). | |

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|--|--|--|----------------------------|------------------------|
| 7 | <u>A7 24/00638/FUL</u> | East Lodge, Aldcliffe Road, Lancaster | Scotforth West Ward | (Pages 23 - 29) |
| | | Installation of a gate and control panel, repair of wall and fence and realignment of pedestrian/cyclist path. | | |
| 8 | <u>A8 24/00637/LB</u> | East Lodge, Aldcliffe Road, Lancaster | Scotforth West Ward | (Pages 30 - 33) |
| | | Proposal Listed building application for installation of a gate and control panel, repair of wall and fence and realignment of pedestrian/cyclist path. | | |
| 9 | <u>A9 24/01210/FUL</u> | St Bernadettes Parish House, 120 Bowerham Road, Lancaster | Scotforth East Ward | (Pages 34 - 38) |
| | | Change of use of parish house (C3) to 7-bed HMO (Sui-generis), installation of replacement doors/windows, conversion of garage to bicycle store and shed, removal of garage door, partially block up with a wall and installation of new timber doors. | | |
| 10 Planning Committee Performance Report 2025 (Pages 39 - 46) | | | | |
| 11 Delegated List (Pages 47 - 56) | | | | |

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

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

(ii) Substitute Membership

Councillors Mandy Bannon (Substitute), Roger Dennison (Substitute), Tim Hamilton-Cox (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 30th January 2025.

Agenda Item	A5
Application Number	24/01149/VCN
Proposal	Construction of a solar farm with associated access and infrastructure to include substation, inverter stations, cabling, landscaping, CCTV and boundary treatments (pursuant to the variation of conditions 2 and 3 of planning permission 23/00505/VCN to alter site entrance, layout, design and landscaping)
Application site	Land East Of Hazelrigg Lane Hazelrigg Lane Scotforth Lancashire
Applicant	Mr Paul Morris
Agent	Mr Robert Greenwood
Case Officer	Mr Robert Clarke
Departure	No
Summary of Recommendation	Approval, subject to conditions

1.0 Application Site and Setting

- 1.1 This proposal relates to a 21.44-hectare area of land located to the east of Hazelrigg Lane. The north of the site is predominantly agricultural land, the east is bordered by Proctor Moss Road and the River Conder. The River Conder curves westwards and runs along the southern boundary of the site. The topography of the site is varied and uneven but roughly runs down at a gradient between its highest point in the north-west to its lowest point in the south on the bank of the River Conder.
- 1.2 The site, which is identified as open countryside, comprised a number of separate fields marked out with hedgerows. It was predominantly utilised for grazing, with some areas of scrub and scattered trees. Additionally, there is a substantial woodland area within the centre of the site and wooded areas to the perimeter. The land is classified as Grade 3b which is not considered best and most versatile. Following approval of planning application 23/00505/VCN, infrastructure for the formation of the solar farm within the site is in the process of construction.
- 1.3 The site itself is not covered by any statutory heritage, ecological or landscape designations. However, there are five listed properties within 1km of the site, the site falls within the Impact Risk Zone of both the Lune Estuary Site of Special Scientific Interest (SSSI) to the west and the Bowland Fells SSSI to the east. The site is within 1km of the Forest of Bowland National Landscape (NL) which lies to the east of the application site.
- 1.4 Most of the site falls within Flood Zone 1 and as such is at the lowest risk of flooding, a small section of land along the southern boundary of the site adjacent to the River Conder is within Flood Zones 2 and 3. There are areas within the site which have been identified within the Councils Strategic Flood Risk Assessment (SFRA) as being at medium and high risk of surface water flooding, and medium risk of groundwater flooding. The site also contains two national pipelines (Essar Oil and Cadent Gas) which run parallel to each other north to south roughly through the centre of the site, a

third national pipeline (National Grid) runs to the east of the site beyond the site boundary. An overhead powerline is located beyond the north-eastern boundary of the site.

- 1.5 Access is taken from Hazelrigg Lane. There are no Public Rights of Way (PRoW) which cross the site and the site is not open for public access.

2.0 Proposal

- 2.1 Planning application 21/01247/FUL granted planning permission for a solar farm including associated access and infrastructure such as substations, inverter stations, cabling, landscaping, CCTV and boundary treatments. A subsequent Section 73 Variation of Condition application 23/00505/VCN granted permission for the variation of a number of conditions (2,4,9,13,18,20 and 22) on the original planning application 21/01247/FUL. This latest Section 73 Variation of Condition application seeks to vary conditions 2 and 3 of planning permission 23/00505/VCN to alter site entrance design, layout, design and landscaping details. The purpose of varying those conditions is to enable alterations to the approved design which are needed following more detailed assessment of the site and the infrastructure required by the developer.

- 2.2 The changes that are being proposed as part of this Section 73 Variation of Condition application are:

1. Alterations to the main solar panel array including solar panel layouts
2. Creation of a research area within the western area of the site
3. Alterations to the internal access road
4. Clarification of feeder pillar design including locations within the site
5. Amendments to the substation design to suit operational requirements
6. Installation of an external transformer adjacent to substation
7. Amendments to the perimeter fence line and gate design
8. Alterations to the approved site landscaping scheme to facilitate revised design and layout

- 2.3 This application is a Section 73 Variation of Condition application. It is not for this application to review the proposal in full, but to focus solely on the matters to which the variation of condition application relates. The principle of the construction of a solar farm at this has already been found to be acceptable.

3.0 Site History

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

Application Number	Proposal	Decision
21/00957/EIR	Screening opinion for Construction of a 16MW solar farm with associated access and infrastructure to include substation, inverter stations, cabling, landscaping, CCTV and boundary treatments.	Environmental Statement not required
21/01247/FUL	Construction of a solar farm with associated access and infrastructure to include substation, inverter stations, cabling, landscaping, CCTV and boundary treatments.	Approved
22/00156/DIS	Discharge of condition 13 on approved application 21/01247/FUL	Condition partially discharged.
23/00373/PRENG2	Pre application advice for proposed amendments to planning permission 21/01247/FUL	Advice provided
23/00514/EIR	Screening opinion for the construction of a solar farm with associated access and infrastructure to include	Environmental Statement not required

	substation, inverter stations, cabling, landscaping, CCTV and boundary treatments (pursuant to the variation of conditions 2,4,9,13,18,20 and 22 of planning permission 21/01247/FUL to amend the approved layout, scale, landscaping detail, boundary treatment and agree details of construction)	
23/00505/VCN	Construction of a solar farm with associated access and infrastructure to include substation, inverter stations, cabling, landscaping, CCTV and boundary treatments (pursuant to the variation of conditions 2,4,9,13,18,20 and 22 of planning permission 21/01247/FUL to amend the approved layout, scale, landscaping detail, boundary treatment and agree details of construction)	Approved
23/00153/DIS	Discharge of condition 13 on approved application 23/00505/VCN	Permitted
24/00102/DIS	Discharge of conditions 9,10,14,15,18,19,22,24 on approved application 23/00505/VCN	Permitted
24/00112/DIS	Discharge of condition 25 on approved application 23/00505/VCN	Permitted
24/00125/DIS	Discharge of condition 8 and 16 on approved application 23/00505/VCN	Permitted
24/00142/DIS	Discharge of condition 5 on approved application 23/00505/VCN	Permitted
25/00052/EIR	Screening opinion for construction of a solar farm with associated access and infrastructure	Environmental Statement not required

4.0 Consultation Responses

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

Consultee	Response
Parish Council	Supports proposal.
County Highways	No objection.
Lead Local Flood Authority	No objection.
Environment Agency	No objection.
Cadent Gas	No response received.
National Highways	No further comments to make on these proposals.
Environmental Protection	No response received.
Natural England	No response received.
Electricity North West	No response received.
United Utilities	No response received.

Arboricultural Officer	No objections to the revised information. The overall impact on existing trees and hedgerows is minor with one small section of H3 (10.5m) to be removed to allow changes to the layout. A reduction in panels has allowed an increase in landscaping, which is positive to see.
Planning Policy	Supports proposal.
RSPB	No response received.
Public Rights of Way Officer	No response received.
Ramblers Association	No response received.
Canal and River Trust	No comments to make.
Mineral Safeguarding Group	No response received.
Engineers	No response received.
Shell UK	No comments to make.
Galgate Flood Action Group	No response received.
Forest of Bowland National Landscape Officer	No response received.
County Archaeology	No objection.
National Gas Transmission	No objection.

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

2 letters of objection from 1 nearby resident have been received by the Local Planning Authority raising the following concerns:

- Landscape character and visual impact
- Ecology
- Flooding
- Noise
- Security

5.0 Analysis

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

- Landscape and Visual Impact
- Highways
- Residential amenity
- Heritage and Archaeology
- Ecology and biodiversity
- Flood risk and drainage

5.2 **Landscape and Visual Impact** (NPPF Section 2 Achieving Sustainable Development, Section 12 Achieving well-designed and beautiful places, Section 15 Conserving and enhancing the natural environment, Strategic Policies and Land Allocations DPD (climate emergency review) Policies SP1 (Presumption in Favour of Sustainable Development), EN3: The Open Countryside and Review of

- 5.2.1 **Alterations to the main solar panel array including solar panel layouts** – This proposal includes alterations to the layout in the solar panel arrays within the development site. Whilst the broad arrangement and orientation of panels the solar panels remains largely the same, the key area of change is the omission of panels in the north eastern corner of the site as well as the retention of the pond which is currently located in this area and which was to be removed as part of the previously consented scheme. These layout changes have been necessitated primarily due the impacts of the topography of the site as well as the design requirements of the procured solar panels and their associated frames. It is clear to see that the distribution of panels within the site is somewhat reduced as a result of these layout changes. The layout change does require the removal of a further small section of H3 (10.5m) to be removed to allow changes to the layout. However, the overall reduction in panels has allowed an increase in landscaping within the wider site which suitably mitigates this impact. Overall, the changes in the solar panel arrays are acceptable and they do not result in unacceptable landscape implications.
- 5.2.2 **Creation of a research area within the western area of the site** – This proposal includes the creation of a research area within the north western area of the development, adjacent to the site access road. This facility will include 96 No. Photovoltaic panels, 8 invertors and associated frames and cable infrastructure. The arrays have been designed as a flexible installation so that various permutations of array configuration can be monitored to understand the impact on generation and other variables. This facility will sit alongside the wider solar farm development, in a location in which solar panels were located as part of the previously consented scheme. The inclusion of the proposed research facility in this location of the site does not raise concerns with respect to landscape impacts.
- 5.2.3 **Alterations to the internal access road** – The access road has been adjusted to suit the layout alterations to the solar panel arrays as well as responding to the undulating and in parts steep topography of the site. When compared to the previously consented scheme, the proposal is more efficient, only extending the road to elements of the scheme requiring the more regular maintenance. The proliferation of access roads is reduced relative to the approved development. The proposal now also includes a turning area within the centre of the site and located adjacent to the main substation building. Considering the large scale and nature of the development, the inclusion of a turning area to facilitate the manoeuvring of larger vehicles which would be reasonably associated with such a scheme is acceptable. The turning area would be largely screened or at least visually assimilated into a wider landscape context of solar panel infrastructure and as such would not appear overtly obtrusive within the landscape.
- 5.2.4 **Clarification of feeder pillar design including locations within the site** – Feeder pillars are an essential piece of infrastructure for this development type and were included as part of the previously permitted development. The previously consented development had 7 external transformers with adjacent enclosures. This proposal now seeks to change the amount of the external transformers, reducing the number to 4 overall. Furthermore, the associated enclosures have been reduced in size to 4.7m width x 6m length x 2.6m height (the previous approval was 5m width x 11.6m length x 3.5m height). The locations of the feeder pillar design and associated enclosures have changed to reflect the topography of the site and the alterations to the access road and array layout proposed as part of this application. The alterations proposed to the feeder pillars do not raise concerns with respect to landscape impacts.
- 5.2.5 **Amendments to the substation design to suit operational requirements** – Following further detailed design, the orientation of the main substation has been amended to reflect the topography of the land on which it is situated, furthermore, the proportions of the building have been increased to suit the infrastructure required within the building. The proposed size of the building is now larger in width and height, at 4.96m (width) x 16.45m (length) x 4.7m (height). The previously consented substation building measures 4.4m (width) x 16.45m (length) x 3.5m (height). The overall design of the substation will remain the same as originally approved, materials for the building have already been agreed and include the use stone elevations with a pitched slate roof to conform with the vernacular of other buildings in the area. Overall, the changes to the main substation building are acceptable and they do not result in unacceptable landscape implications.

- 5.2.6 **Installation of an external transformer adjacent to substation** – The previously consented scheme included the installation of a transformer located within the substation building. However, the statutory authority responsible for the operation of this infrastructure have confirmed a requirement for separated spaces for the high voltage and low voltage sections of the substation. A transformer is now proposed to be located outside of the substation building, as the transformer is an air-cooled unit requiring it to be located externally in a fenced enclosure. This is a more efficient design, not requiring mechanical cooling, saving significant energy over the life of the installation. In the context of the wider energy infrastructure installed through the site, the installation of a transformer adjacent to the substation building does not raise any landscape concerns.
- 5.2.7 **Amendments to the perimeter fence line and gate design** – The perimeter security fence line has been adjusted to reflect the installation method and amended layout of the solar panel infrastructure. The extent of the modifications are minor. The fence still retains the same design as previously approved including the provision of small gaps along the bottom of the fence line to enable the movement of animals through the landscape. The secure entrance gates to the site have been changed to accommodate a more robust structure suited to the wider access width of the road. The proposal also now includes a timber 5 bar gate into the adjacent agricultural field. These alterations are relatively minor and do not raise any concerns with respect to design or subsequent landscape impacts.
- 5.2.8 **Alterations to the approved site landscaping scheme to facilitate revised design and layout** – Following the alterations to the site layout and design changes, it is necessary to amend the previously approved landscaping strategy to suit the updated design. The alterations proposed within the site have enabled an overall increase in retained habitat and new planting/habitat creation. This represents an enhancement compared to the previously consented scheme that will both increase ecological benefits but help to reduce the schemes overall impact in landscape terms relative to the previously approved development.
- 5.2.9 The original planning application establishes the baseline for the development of this site. When considered against the already approved development, the proposed alterations will result in some minor changes to the appearance and layout of the development. Overall, it is clear the solar farm as a whole will undoubtedly change the character and appearance of the site and this in turn will have up to a moderate adverse effect upon the landscape character and visual amenity. In the context of the approved scheme, the changes proposed are minor alterations with respect to landscape harm and do not raise significant concerns when viewed in context of the approved scheme. It must also be acknowledged that significant mitigation is proposed in the form of robust additional planting and habitat creation which will in the longer term serve to assimilate the infrastructure into the wider landscape views. Weighing this in the balance, the negative visual effects arising from the changes proposed as part of this Section 73 application will be offset by the overarching climate change benefits arising from the proposal.
- 5.3 **Highways (NPPF Section 9 Promoting Sustainable Transport, and Review of the DMDPD (climate emergency review) Policies: DM29: Key Design Principles and DM60: Enhancing Accessibility and Transport Linkages).**
- 5.3.1 The proposed access location to the site remains as per the originally approved planning application, however, the route of the internal access road leading from the point of access has been amended to a minor degree to improve manoeuvrability for vehicles within the site. The gated access layout remains similar and the setting back of the gates will allow vehicles including larger vehicles to pull off the highway. The application is also supported by an updated Glint and Glare assessment which considers the amended layout of the panels. The County Highways Officer has raised no objections to the proposed alterations to this development. Moreover, National Highways have confirmed that they have no further comments to make on this proposal. National Highways does highlight that should any future issues arise with respect to glint and glare and the Strategic Road Network, then the responsibility for mitigating the impacts of the development rests with the operator, not National Highways or any other landowner. Should any adverse effects be reported in the future, then National Highways would expect the site operator to introduce appropriate additional mitigation measures within the site itself to deal with any problems that may be experienced in future.
- 5.4 **Residential Amenity (NPPF Section 12 Achieving well-designed places and Review of the DMDPD (climate emergency review) Policies: DM29: Key Design Principles).**

- 5.4.1 As mentioned above, the previous planning application establishes the baseline for the development of this site. The development was at this time considered to be acceptable with respect to its impacts upon the nearest residential receptors. Considering the proposed changes to the panel locations, the impacts of development with respect to glint and glare have been reviewed. The Glint and Glare Addendum report dated September 2024 sets out that, despite the changes proposed, the impact of the development with respect to glint and glare remains the same as the previously approved scheme. This is because the impacts of the revised layout will be comparable to the previously modelled scenario. This original Glint and Glare study concluded that mitigation is required for two dwellings, these being Dwelling 4 (Eastrigg) and dwelling 44 (Andalucia). Mitigation is provided in the form of adequate separation distances from the reflecting area of panels; strategically positioned screening in the form of proposed landscaping and the intensity of reflection from the panels which would be similar to that of still water rather than the typical reflections from glass or steel which are more intense. Overall, the assessment concludes no further mitigation other than the additional planting proposed is required. As with the original development, the applicant confirmed a commitment to plant the screening closest to these residential properties during the construction phase to allow a greater amount of time for it to establish and grow prior to the operation phase. A condition will be included to secure these works within a specified timeframe as per the original consent.
- 5.4.2 Previous noise assessments for this development concluded that the rating levels at all locations will be well below existing background sound levels, and as such there will be no observed adverse effects and therefore no additional mitigation measures were required. In light of the minor nature of the alteration proposed as part of this latest application, it is considered that the findings of the previous assessment remain valid in determining this Section 73 application. The originally approved scheme was accompanied by a Construction Management Plan (CMP). The already approved CMP sets out how the construction phase will be managed to ensure that traffic, noise, dust and disturbance arising from the construction phase of the development will be kept to a minimum.
- 5.5 **Heritage and Archaeology** (NPPF Section 16 Conserving and enhancing the historic environment, Strategic Policies and Land Allocations DPD (climate emergency review) Policy SP7: Maintaining Lancaster District's Unique Heritage and Review of the DMDPD (climate emergency review) Policies: DM29: Key Design Principles, DM37: Development affecting listed buildings, DM39: The Setting of Designated Heritage Assets, DM41: Development affecting Non-Designated Heritage or their settings and DM42: Archaeology).
- 5.5.1 The proposed changes as described above do not give rise to any further heritage and archaeological implications above those which were discussed and found acceptable as part of the original planning application. What is more, the Lancashire County Council Archaeological Advisory Service (LAAS) have reviewed this Section 73 application and confirmed that they are satisfied with the proposals. LAAS have confirmed that the solar farm site has already been subject to a scheme of archaeological field investigation. Ground disturbance required for a number of the intrusive elements of the previously approved scheme has also been monitored archaeologically. No significant or extensive buried archaeological remains have been encountered during these works. This revised scheme will not introduce any new areas of ground disturbance where significant buried remains might be expected and, as such, LAAS do not consider that any new archaeological works beyond those already undertaken are necessary.
- 5.6 **Ecology and Biodiversity** (NPPF Section 15 Conserving and enhancing the natural environment, Strategic Policies and Land Allocations DPD (climate emergency review) Policy SP8: Protecting the Natural Environment, and Review of the DMDPD (climate emergency review) Policies: DM29: Key Design Principles, DM44: Protection and Enhancement of Biodiversity and DM45: Protection of Trees, Hedgerows and Woodland).
- 5.6.1 Local policy DM44 and national planning legislation and the recently adopted Environment Act 2021 requires sites to achieve biodiversity net gain (BNG). Whilst BNG is not a mandatory requirement for this development, a BNG Assessment was carried out for the previously consented scheme, and it was calculated at this stage that the development would result in a biodiversity net gain of 12.86 biodiversity units (+ 13.50%) for area based habitats and a net gain of 8.88 biodiversity units (+683.35%) for hedgerows.

With respect to this latest proposal, there is an additional 1.88 ha of grassland enhancement (a mix of tussock grass margins and wildflower seeding) included within the development as a result of the layout changes to the solar panel arrays. This additional area of enhancement would be equivalent to an additional 7.52 habitat units, therefore the net gain for the scheme would increase and the site would remain with an overall positive biodiversity net gain for habitat areas.

5.6.2 In terms of hedgerow habitat, there is a very minor additional loss, as the previous metric resulted in a gain of +8.88 habitat units (683.35%). This minor loss will very slightly decrease the number of hedgerow units to be provided on site, but this will not drop to below 10%. In addition to the above, the Arboricultural Impact Assessment states that the original application included loss of 0.2638ha or 6.4% of tree canopy cover associated with the site. However, this revised development will only result in loss of 0.1006ha or 2.3% of tree canopy cover associated with the site, significantly less than that which was required for the original application. Replacement planting as shown on the Landscape Mitigation Plans, including new woodland, hedgerow and individual tree planting will effectively and significantly offset the loss of trees and will result in a net gain of tree canopy cover in the long term.

5.6.3 The biodiversity enhancement of the site will be secured in the long term through the already agreed biodiversity management plan which can again be secured by condition.

5.7 **Flood risk and drainage** (NPPF Section 14 Meeting the challenge of climate change, flooding and coastal change and Review of the DMDPD (climate emergency review) Policies: DM33 Development and Flood Risk and DM34 Surface Water Run-off and Sustainable Drainage).

5.7.1 This Section 73 does not require any alterations to the already approved flood risk assessment and surface water drainage strategy for the site. The Lead Local Flood Authority have reviewed this latest application and have confirmed that no objection is raised to the alterations proposed.

6.0 **Conclusion and Planning Balance**

6.1 Planning permission 23/00505/VCN sets the baseline for the development of this site. The amendments proposed do not result in further adverse landscape and visual impacts to the character of the site, particularly in wider landscape views when considered against the already approved development. Overall, the negative effects of the development would be ameliorated through appropriate mitigation including retention of existing vegetation, and an extensive and robust landscaping scheme. These adverse effects are more than sufficiently offset by the significant contribution the development will make towards the Council's initiative to tackle climate change and the significant contribution to the biodiversity value of the site through a range of biodiversity enhancements. On balance, the considerable environmental and public benefits of the scheme are considered to far outweigh the adverse impacts arising from the amendments proposed as part of this Section 73 Variation of Condition application. As such, in accordance with local and national policy, the application is recommended for approval.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Approved plans – Updated to reflect approved plans list.	Standard
2	Implementation of approved landscaping scheme – Updated to reflect approved details.	Specified time
3	Outline surface water management plan	Control
4	Work outside bird nesting season	Control
5	Construction Traffic Management Plan	Control

6	25 year consent and decommissioning scheme	Control
7	Cabling details	Control
8	Final Sustainable Drainage Strategy	Control
9	Survey and repairs of the adopted highway	Control
10	Surfacing of access	Control
11	Provision of visibility splays	Control
12	Invasive species method statements	Control
13	Details of materials for substation building	Control
14	Operation and Maintenance Plan & Verification Report of Sustainable Drainage System	Prior to first use
15	BNG proposals and associated Landscape and Biodiversity Management Plan	Control
16	Construction Phase Surface Water Management Plan	Control
17	Wheel washing facilities	Control
18	Implementation of hedgerow planting to mitigate glint and glare	Specified time
19	Employment Skills Plan	Control
20	Development in accordance with AIA addendum	Control
21	Tree Protection Plan and Arboricultural Method Statement	Control
22	Details and installation of new pond	Specified time
23	Zone 1 panel heights	Control

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

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

Background Papers

None

Agenda Item	A6
Application Number	24/00865/VCN
Proposal	Erection of 25 adaptable bungalows for over 55's with associated access, internal roads and landscaping (pursuant to the variation of conditions 2, 12, 14 and 16 on approved application 21/01284/FUL to revise the energy report (omitting solar panels and to include air source heat pumps), to provide full details of the finished floor levels and retaining features to accommodate amendments to the site layout and boundary layout plans).
Application site	Land South of Hawthorn Avenue Hawthorn Avenue Brookhouse Lancashire
Applicant	Mr David Devine
Agent	N/A
Case Officer	Mrs Jennifer Rehman
Departure	No
Summary of Recommendation	Approve with S106 legal agreement (Deed of Variation)

(i) **Procedural Matters**

Where this report refers to the Strategic Policies and Land Allocations DPD and Development Management DPD, these are those policies set out in the adopted Climate Emergency Review of the Local Plan (CERLP). The CERLP was reported and adopted at Full Council on the 22 January 2025.

1.0 Application Site and Setting

- 1.1 The site comprises 2.18 hectare of greenfield land located within the village of Brookhouse, which lies within Caton-with-Littledale Parish in the Forest of Bowland National Landscape, formerly known as an Area of Outstanding Natural Beauty (AONB). The site is situated south of Hawthorn Close and west of properties on Pinewood Avenue approximately 550 metres west of Brookhouse village centre and approximately 700m southeast of Caton village centre. Land south and west of the site is designated Open Countryside. Access to the site is taken from the existing private field gate and track situated between No.1 Hawthorn Close and No.6 Hawthorn Avenue.
- 1.2 The site is subdivided into small paddocks and used by grazing horses. A group of small timber stable buildings/chattels occupy the lower field. The paddocks are separated by drystone walls and post and wire fencing with a public right of way (Footpath 1-10 17) running through the eastern section of the site. This public right of way links Brookhouse Road to a wider network of footpaths to the south, including footpath 1-10 11 which runs adjacent to the southern boundary of the site.

The site is enclosed by mature hedgerows and trees, which form important landscape features within the wider rural landscape though none of these trees are protected.

- 1.3 The site occupies an elevated position above and directly behind existing residential development. It is between 32m and 37m Above Ordnance Datum (AOD) along the northern boundary before ascending to approximately 46m AOD along the southern boundary. The site is located outside areas of flood risk (from all sources).
- 1.4 Surrounding development adjacent to the site comprises detached bungalows, dormer bungalows and some split level two-storey dwellings. More traditional buildings are located to the north and east towards the village centre and along Brookhouse Road. The village conservation area is approximately 370m to the east of the site (as the crow flies and at its closest point) where there are several listed buildings. The closest listed buildings include Grade II listed Brookhouse Old Hall and Old Hall Farm (circa 450 metres to the east of the site) and Grade II Artlebeck Bridge on Brookhouse Road (circa 270 metres to the west of the site).
- 1.5 The site lies within the Caton-with-Littledale Neighbourhood Plan area. The NP does not allocate the proposed site for housing (or any other land use) but does lie adjacent to the designated Area of Separation between the village settlements of Caton and Brookhouse.

2.0 Proposal

- 2.1 Full planning permission was granted on 19 April 2024 for the erection of 25 adaptable bungalows for over 55's with associated access, internal roads and landscaping. The planning permission was granted subject to a legal agreement to secure the age-restricted occupation of the dwellings, alongside the provision and long-term management of on-site public open space and biodiversity net gain (BNG). The planning permission was subject to several planning conditions.
- 2.2 This application seeks approval from the local planning authority (pursuant to Section 73 of the Town and County Planning Act) not to comply with conditions previously imposed on the planning permission, and instead, to comply with amended details/plans submitted as part of this proposal.
- 2.3 The applicant seeks to vary the following conditions:

Condition 2 (Approved Plans) – the applicant seeks approval to substitute the approved solar PV location plan with an air source heat pump (ASHP) location plan and changes to the site layout plan following amendments to the retaining features and site levels along the northern boundary.

Condition 4 (Energy Statement) – the applicant seeks approval to vary the approved Energy Statement with an amended Energy Statement which proposes enhanced fabric specifications (U values) and the use of ASHPs and Mechanical Ventilation Heat Recovery systems (MVHR) to each dwelling. This replaces the need for solar photo-voltaic (PV) panels as set out in the approved Energy Statement.

Condition 12 (Finished Floor Levels (FFLs) and Site Levels) - the applicant seeks approval of the submitted plans setting out the proposed FFLs and site levels. These influence the details of retaining structures/walls pursuant to condition 16.

Condition 16 (Retaining Structures/walls) – the applicant seeks approval of the submitted plans setting out the details of the proposed retaining structures/walls.

3.0 Site History

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

Application Number	Proposal	Decision
21/01510/EIR	Screening under EIA regulations for the erection of 25 dwellings and associated infrastructure	Not EIA development

21/01284/FUL	Erection of 25 adaptable bungalows for over 55's with associated access, internal roads and landscaping.	Approved
Associated with 21/01284/FUL	Public Right of Way Diversion Order pursuant to Section 257 of the Town and Country Planning Act 1990 to divert Public Footpath 1-10-FP17 in Brookhouse.	Order Confirmed
24/00091/DIS	Discharge of condition 3,4,6,7,8,10,11 and 12 on approved application 21/01284/FUL	Split decision (Conditions 3, 6, 7, 11 approved and conditions 4, 10 and 12 refused)
24/00105/DIS	Discharge of condition 5 and 9 on approved application 21/01284/FUL	Refused
24/00156/DIS	Discharge of condition 16 on approved application 21/01284/FUL	Refused
24/00158/DIS	Discharge of condition 9 on approved application 21/01284/FUL	Approved
24/00159/DIS	Discharge of conditions 13,14 and 15 on approved application 21/01284/FUL	Pending Consideration
24/00191/DIS	Discharge of condition 10 on approved application 21/01284/FUL	Pending Consideration

4.0 Consultation Responses

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

Consultee	Response
Parish Council	Neither objecting to nor supporting the application. The Parish Council have commented that they would support the retention of solar panels in addition to the air source heat pumps.
Lancashire County Public Right of Way Team	No objection - the initial concerns regarding the layout of the development and the diversion path as marked on the Order Plan have been resolved.
Climate Policy Hub (City Council Policy team)	No objection. In summary, the Climate Policy Hub support the changes and note: <ul style="list-style-type: none"> The revised proposal provides significant fabric efficiency improvements over the previous design in terms of energy savings and go beyond the requirements of the local plan in terms of energy and fabric efficiency. The energy saving measures, combined with the air source heat pumps (ASHP), will provide significant reduction in CO2 emissions and will greatly outweigh the inclusion of rooftop solar. The requirements of policy DM30a of the CERLP are achieved with the revised proposals.

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

- One response **objecting** to the proposal but with no detailed comments.

5.0 Analysis

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

- Procedural Matters
- Sustainable Design
- Design and Landscape
- Residential Amenity
- Previous Conditions and Planning Obligation

5.2 **Procedural Matters** (NPPF Chapter 2 (Achieving Sustainable Development) and Chapter 4 (Decision-making)).

- 5.2.1 A Section 73 application provides the mechanism to make material changes to a development by varying or removing conditions associated with the planning permission, provided the change only relates to the conditions and not the operative part of the permission (the description of development).
- 5.2.2 Permission granted under Section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The new permission sits alongside the original planning permission, which remains intact and unamended. It is ultimately open to the applicant to decide whether to implement the new permission or the one originally granted. A Section 73 application is not an opportunity to re-examine the principal considerations associated with the approved development, such as the principle of the land use, traffic impacts, flood risk and drainage and ecology etc.
- 5.2.3 The legislation makes it clear that the local planning authority shall consider only the question of the conditions subject to which the planning permission should be granted (i.e. those conditions the applicant seeks to vary). The provisions allow the local planning authority to consider whether the proposals (as amended) should be granted subject to conditions differing from those subject to which the previous planning permission as granted; or shall be granted unconditional; or refused (Section 73 (2) of the TCPA 1990).
- 5.2.4 In this case the applicant seeks approval from the local planning authority to vary conditions to substitute previously approved plans/reports pursuant to condition 2 (approved plans) and 14 (energy statement/measures) and to provide full details required to satisfy pre-commencement conditions 12 (FFLs and site levels) and 16 (retaining wall details). The details provided in relation to conditions 12 and 16 have been submitted following pre-application discussions after the refusal of details pursuant to conditions 12 and 16 under applications 24/00091/DIS and 24/00156/DIS. The local planning authority can only assess the implications arising from the changes to the conditions the applicant seeks to vary.
- 5.3 **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); Strategic Policies and Land Allocations DPD Policy CC1 (Responding to Climate Change and Creating Environmental Sustainability); Development Management (DM) DPD Policies DM29 (Key Design Principles), DM30a (Sustainable Design and Construction) and DM53 (Renewable and Low Carbon Energy Generation); Caton with Littledale Neighbourhood Development Plan Policy CL13 (Energy and Communications)).
- 5.3.1 The approved Energy Statement (February 2023) incorporated several sustainable design features including enhanced fabric specifications, efficient gas boilers, mechanical heat recovery systems and the use of solar photovoltaic panels (PV) to each of the dwellings. This demonstrated the proposed development (dwellings) would reduce average fabric energy demand on the site by 7.73% over Part L1 2021 (approximately 22.73% over Part L1a 2013) and, with the use of solar PV result in a reduction in the average predicted carbon emissions of 2.84% over Part L1 2021 (33.84% over Part L1a 2013). These commitments were deemed acceptable and compliant with policy DM30 at the time the planning permission was granted.
- 5.3.2 Condition 14 required the development to be constructed in accordance with the measures set out in the approved Energy Statement, with details of the solar PV to be submitted to the local planning authority for approval. The applicant sought to amend the approved Energy Statement, to provide enhanced fabric specification above that previously approved and the removal of the solar PV via an application to satisfy the requirements of the condition (discharge of condition application). It was determined the changes were material and it was not possible to amend the Energy Statement via this route, thus requiring an application under Section 73.
- 5.3.3 The applicant's revised Energy Statement (July 2024) demonstrates the proposed enhanced fabric specification (U-values) reduces average fabric energy demand on the site by 9.26% over Part L1 2021 (approximately 24.26% over Part L1a 2013) and, along with the application of renewable technology in the form of ASHPs and MVHR units, leads to a reduction in the average predicted carbon emissions of 52.31% over Part L1 2021 (83.31% over Part L1a 2013). The revised measures, even with the loss of the solar PV, are an enhancement on the approved scheme

resulting in the development being significantly improved beyond the requirements of building regulations and fully aligns with the strategic policy objectives set out in SPLA policy CC1.

- 5.3.4 Despite the Parish Council stating they would seek to retain the solar PV; the proposed Energy Statement clearly demonstrates these are no longer required. The measures proposed follow the hierarchy of carbon reduction set out in emerging policy DM30a which prioritises minimising the demand for energy and maximising energy efficiency before the utilising renewable energy technology. Consequently, there are no substantive grounds to resist the proposals due to the removal of solar PV. The Council's Climate Policy Hub has assessed the revised Energy Statement and fully support the proposals, noting the commitments being made go beyond the sustainable design target requirements set out in policy DM30a of the local plan in relation to energy and fabric efficiency. Accordingly, it is considered the proposal equally conforms with policy CL13 of the Neighbourhood Plan, which states: *'Development proposals that promote the AONB [now National Landscape] as a low carbon landscape will be particularly encouraged. This includes the provision of low carbon, energy efficient and renewable energy systems within new developments...'*
- 5.3.5 On the whole, the amendments to condition 14 to allow the development to be carried out in accordance with the revised Energy Statement (July 2024) results in an improvement on the approved scheme and fully accords with the policy requirements and objectives of the Local Plan, the Neighbourhood Plan and the NPPF.
- 5.4 **Design and Landscape** (NPPF Chapter 2 (Achieving Sustainable Development), Chapter 12 (Achieving Well-designed Places) and Chapter 15 (Conserving and Enhancing the Natural Environment); Strategic Policies and Land Allocations (SPLA) DPD: SP8 (Protecting the Natural Environment), EN2 (Areas of Outstanding Natural Beauty) and EN3 (Open Countryside Area) and Development Management (DM) DPD policies: DM4 (Residential Development outside Main Urban Areas), DM29 (Key Design Principles), DM45 (Protection of Trees, Hedgerows and Woodland) and DM46 (Development and Landscape Impact); Caton with Littledale Neighbourhood Development Plan Policy CL1 (Development Strategy), CL8 (Design).
- 5.4.1 The NPPF, the Neighbourhood Plan and Local Plan policies (DM4 and DM29 specifically) make it clear that planning decisions should ensure new development is visually attractive as a result of good architecture (§135, NPPF), positively contributes to local distinctiveness having regard to appropriate materials, local vernacular, native landscaping etc (DM29, CL8), maintains a sense of place reflective of local character and the built environment (§135, NPPF), respects visual amenity, tranquillity and dark skies of the National Landscape (CL8) and conserves and enhances the natural beauty of the National Landscape (DM46, CL1, CL8). These policy requirements were relevant in the determination of the parent planning permission and remain relevant as part of this section 73 application.
- 5.4.2 Section 73 applications provide a suitable mechanism to enable proportionate flexibility in the planning system to amend planning proposals where such changes are required/sought. However, to safeguard the quality of approved development paragraph 140 of the NPPF states *'local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme'*. This is a key material consideration in the assessment of this application.
- 5.4.3 The development in its approved form was considered acceptable and compliant with the relevant landscape and design related policies of the Development Plan and NPPF. This was on the basis the development site was relatively small and contained, immediately adjacent to the existing settlement, was limited to bungalows, with structural landscaping secured to the southern and western boundaries to enhance a new settlement edge. These principal features of the development are not affected by the proposed changes.
- 5.4.4 The applicant had submitted details to satisfy conditions 12 (FFLs and site levels) and 16 (details of retaining structures/walls) via two separate discharge of condition applications. These were refused because of the overbearing form and unacceptable appearance the retaining features. Whilst it was understood there would be a need for relatively large retaining features across the site, the original recommendation associated with the parent planning permission (paragraph 5.4.24-5.4.25) recognised there could be scope at the condition stage to reduce the scale and improve the

appearance of such features. The applicant had not exhausted options in this regard resulting in the refusal of the condition applications.

- 5.4.5 Subsequent negotiations between the local planning authority and the applicant have resulted in the amended details submitted as part of this application. The main changes relate to the northern edge of the development and the site entrance.
- 5.4.6 In relation to the northern edge of the development, the applicant has reduced the depths of the rear gardens to plots 1 to 7 (to the rear of properties on Hawthorn Close) to reduce the scale of the retaining wall along this boundary and having regard to the amended site levels. This also secures a wider landscape buffer which tapers west to east between the rear of existing neighbouring properties and the proposed rear garden boundaries to plots 1 to 7.
- 5.4.7 In addition, and to break up the massing of the retaining wall required along this boundary, the applicant has introduced a stepped landscape buffer to the retaining structure itself. This means the lower part of the retaining feature will be no higher than 1920mm. Above this there will be a raised landscape bed/buffer with a further retaining structure no higher than 600mm set back behind the proposed additional planting. To the west side of plot 7, a retaining fence is proposed up to a height of circa 2.5m. An amended planting plan introduces additional planting to help screen and filter the appearance of this boundary fence. The combination of these amendments, together with details of the retaining structures along the northern edge of the development, results in a far more visually acceptable retaining wall/boundary treatment which is considered more in keeping with the locality and is of a more domestic scale. The proposed changes in relation to this aspect of the scheme are considered an enhancement on the approved development.
- 5.4.8 The applicant has also submitted details of the proposed retaining wall for the site entrance having had their initial proposal refused pursuant to a condition application. The applicant's original proposal was for vertical timber cladding (against the retaining concrete walls) with random heights to the vertical timber planks. This was considered to be an incongruous treatment which failed to preserve and enhance the natural beauty of the National Landscape and was considered out of keeping with the surrounding locality.
- 5.4.9 Following pre-application discussions, the proposals for the site entrance now compromise one side of the retaining wall finished in a natural random rubble stonewall (adjacent to 6 Hawthorn Avenue) and the other side (adjacent to 1 Hawthorn Close) finished with a purposefully designed living green wall. Whilst it is unusual for the finishes to the site entrance to be finished in different treatments, given the scale of the retaining walls in this location, adding some variety to the finishes will help minimise the overbearingness of the structures in this location. The incorporation of a natural random stone wall to the site entrance is a more traditional boundary treatment, which reflects similar details evident in the core of the village and along Brookhouse Road. This is considered an acceptable and sensitive response given the site's location within the National Landscape. Final details of the entrance stone wall (material sample and coping details) will be required by condition. This has been included in the recommendation below.
- 5.4.10 The proposed living green wall shall be fixed to the retaining wall and will be supported by an integrated irrigation system. This is a unique proposal and one that requires adequate maintenance to secure the intended outcome. If appropriately installed and maintained, the living wall should provide a visually attractive entrance into the development. Subject to an additional condition to secure a suitable maintenance plan for the living wall, the details for the site entrance are considered acceptable and compliant with the design related policies set out at the head of this section of the recommendation.
- 5.4.11 In terms of the final finished floor levels (FFLs) and site levels, the local planning authority recognise the final FFLs and site levels are heavily influenced by the provision of infrastructure including highway design and drainage. It is also recognised the requirement for M4(2) dwellings also influences the final FFLs and site levels. There are no objections to the proposed FFLs for each of the dwellings, which is not dissimilar to those original set out in the original planning application and those set out as part of satisfying the surface water drainage proposals.
- 5.4.12 The proposed site levels (amended since the discharge of condition stage) incorporate subtle changes across the site to reduce the scale of the retaining features and their combined appearance

with garden boundary treatments. It is considered these changes are acceptable and address the previous concerns set out by the local planning authority when refusing the discharge of condition application.

5.5 **Residential Amenity** (NPPF Chapter 12 (Achieving Well-Designed Places); Development Management (DM) DPD policies DM29 (Key Design Principles) and DM57 (Health and Well-Being)).

5.5.1 The proposed changes to the depth of the gardens and the retaining boundary treatments to the rear of plots 1 to 7 will improve the relationship of the development to the existing residents of Hawthorn Close when compared to the approved layout. The retaining garden boundary walls/features to the rear of plots 1 to 7 have been pulled away from existing residential properties with the landscape buffer increased in this location. The proposed landscape buffer measures around 5.3m deep at the rear of plot 3 increasing to circa 9m to the rear of plot 7. For comparison the approved landscape buffer was around 5.3m to the rear of plot 3 increasing to c6.5m at plot 7. This increased buffer, combined with the massing of the proposed retaining structure being broken up with a landscape bed set above the first retaining wall, will improve the visual outlook and reduce the potential overbearingness of the development from neighbouring property above that of the approved scheme. In this regard, the changes to the development are considered to be acceptable and would not be any more harmful than the development as previously approved.

5.5.2 In relation to the amenity of future occupants, the changes result in smaller rear gardens to plots 1 to 7. The post-enable to policy DM29 states all new dwellings should ensure at least 50sqm of usable private garden (this increases by 10sqm for every additional bedroom above 2-bedroom units) that is not directly overlooked, and rear gardens should achieve at least 10 metres in depth, unless there are overriding design reasons to justify a reduced depth.

5.5.3 Except for plot 7, the gardens to plots 1 to 6 are reduced in depth to below 10m. However, all plots continue to have well over 50sqm of useable garden space, albeit stepped in the case of plots 6 and 7. Indeed all gardens have over 70sqm of useable garden.

5.5.4 It is considered that the changes to the retaining wall feature to the northern boundary provides an overriding design reason to justify the reduction in garden sizes. Accordingly, plots 1 to 7 continue to have access to sufficient private garden space to secure acceptable living standards in compliance with policy DM29 and the NPPF.

5.5.5 In conclusion, the effect of the changes proposed by this application would not adversely impact residential amenity of future or existing residents and would not conflict with the requirements of the Local Plan or NPPF.

5.6 **Planning Conditions and Obligation** (NPPF Chapter 4 (Decision-Making) and Development Management DPD Policy DM58 (Infrastructure Delivery and Funding)).

5.6.1 As set out earlier in the report, the effect of a Section 73 permission is a new planning permission enabling the developer to implement either the original consent or the amended consent. Therefore, it is important for the local planning authority to consider the conditions previously imposed to assess whether they remain necessary.

5.6.2 Condition 1 prescribes the time limit in which the permission can be implemented. A Section 73 consent cannot alter the time limit granted by the original planning permission. Consequently, condition 1 must be varied to only allow two years to implement the development from the date of the original planning permission. Original planning conditions 2, 12, 14 and 16 shall be varied to reflect the proposed changes pursuant to this application. Conditions 6, 8, 9 and 11 shall be reworded to reflect the details already approved pursuant to discharge of condition applications. Conditions 10, 13 and 15 are the subject of pending condition applications. These conditions shall either be reimposed as originally drafted or varied to reflect any approved details in the event these applications are determined before this application is presented to Planning Committee. Condition 5 required the PROW diversion to be confirmed before commencement of development. The PROW diversion has been confirmed therefore this condition is no longer necessary. Condition 7 (archaeology) has been fully discharged and also unnecessary to reimpose. Condition 26 seeks details of all boundary treatments. It is considered that this condition is no longer necessary as details of the boundary treatments have been submitted to address conditions 12 and 16. The

reimposition would represent unnecessary duplication. Finally, as a consequence of the changes to the layout and the form of the retaining treatments to the northern part of the site, the landscaping plans have been updated. These will be updated as part of the reimposed condition 23. All remaining conditions shall be reimposed as originally drafted. Due conditions being discharged and as a consequence of the details submitted with this application, the numbering of the conditions will vary from the original permission and the recommendation set out below.

- 5.6.3 The terms of the original legal agreement remain unaltered by the proposed application. A deed of variation is required and has been drafted to ensure this application is bound to the planning obligation. It is anticipated this will be completed as soon after the application has been considered by Planning Committee.

6.0 Conclusion and Planning Balance

- 6.1 The principle of the development has been established through the granting of the original planning permission. This application seeks to amend the approved plans, covered by condition 2, in relation to the layout of the gardens for plots 1 to 7 and landscaping plans to facilitate an improved retaining structure on the northern boundary between the new development and existing development of Hawthorn Close. The application also secures details of the site levels and details of the location, type and heights of retaining features across the site, together with amendments to the approved Energy Statement to remove the provision of solar PV in place of enhanced fabric specification and the provision of ASHP and MHVS. It is considered that the proposed changes are acceptable in terms of sustainable design requirements, landscape impact, design and residential amenity. The assessment above demonstrates the changes would not diminish the proposals from what was originally granted and in fact represent betterment, especially in relation to sustainable construction design. The changes to the layout of the development also facilitate improvements (to that originally approved) to the form and appearance of the retaining structures at the site entrance and to the rear of plots 1 to 7. Accordingly, the changes to the development pursuant to conditions 2, 12, 14 and 16 are considered compliant with the relevant local plan policies, the Neighbourhood Plan and the NPPF. On this basis, the proposals can be supported.

Recommendation

That **APPROVAL IS GRANTED** to vary conditions 2, 12, 14 and 16 of the planning permission, subject to a deed of variation to vary the original S106 Agreement to tie it to this permission and the following conditions:

Condition no.	Description	Type
1	Time Limit (<i>2 years from the original date granted</i>)	Control
2	Approved Plans (<i>varied to reflect the proposed changes</i>)	Control
3	Employment and Skills Plan (<i>varied to reflect the details approved by condition application</i>)	Control and pre-occupation.
4	Details of the access, visibility splays and new retaining structures adjacent to the highway and implementation	Pre-commencement
5	Phase II Site Investigation (<i>varied to reflect the details approved by condition application</i>)	Control and pre-occupation.
6	Site entrance provision and detailing - stonework and sample panel, details of coping finish, planting schedule maintenance plan for living wall. (ADDITIONAL CONDITION)	Before commencement of retaining wall
7	Surface water construction method statement (<i>varied to reflect the details approved by condition application</i>)	Control
8	Construction method statement (<i>varied to reflect the details approved by condition application</i>)	Control
9	Surface water and foul drainage scheme (pre-commencement or <i>varied to reflect the details approved by condition application subject to pending condition application</i>)	Pre-commencement
10	Habitat and species protection and enhancement scheme including CEMP (and RAMS) (<i>varied to reflect the details approved by condition application</i>)	Control

11	Material samples (dwellings and hard landscaping) <i>(before slab level or varied to reflect the details approved by condition application subject to pending condition application)</i>	Before slab level
12	In accordance with Energy Statement <i>(varied to reflect proposed changes)</i>	Control
13	Lighting scheme <i>(before installation or varied to reflect the details approved by condition application subject to pending condition application)</i>	Before installation of lighting
14	Provision of approved boundary treatments and retaining features	Control
15	Details of scheme for cycle storage provision	Before occupation
16	Off-site highway improvement to street lighting and 4 local bus stops to encourage and improve use of public transport	Before occupation
17	Management and maintenance of estate street prior to adoption	Before occupation
18	Validation, management and maintenance of surface water drainage scheme	Before occupation
19	Scheme for improvements to PROW gates/connections	Before occupation
20	In accordance with the AIA and Tree Protection Measures to be implemented before construction of development.	Control
21	Implementation of landscaping scheme <i>(varied to reflect proposed changes)</i>	Control
22	Removal of PD	Control
23	M4(2)	Control

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

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

Background Papers

None

Agenda Item	A7
Application Number	24/00638/FUL
Proposal	Installation of a gate and control panel, repair of wall and fence and realignment of pedestrian/cyclist path
Application site	East Lodge Aldcliffe Road Lancaster Lancashire
Applicant	Mr Michael Stainton
Agent	Mr David Hall
Case Officer	Mr Patrick Hopwood
Departure	No
Summary of Recommendation	Refusal

(i) Procedural Matters

This application has been called in for determination at the Planning and Regulatory Committee by Councillor Hamilton-Cox.

Where this report refers to the Strategic Policies and Land Allocations DPD and Development Management DPD, these are those policies set out in the adopted Climate Emergency Review of the Local Plan (CERLP). The CERLP was reported and adopted at Full Council on the 22 January 2025.

1.0 Application Site and Setting

- 1.1 The site to which this application relates is a gateway adjacent to East Lodge on Aldcliffe Hall Drive, which leads from Aldcliffe Road to Aldcliffe Hall Lane. East Lodge is a Grade II listed building and the wall and railings opposite (on the northwest side) are identified as a Non-Designated Heritage Asset (NDHA) within Appendix 5 of the Aldcliffe-with-Stodday Neighbourhood Development Plan (NDP). The trees adjacent to the driveway are protected by a Tree Preservation Order (TPO) and recorded as a NDHA within the NDP. The site faces Lancaster Canal.

2.0 Proposal

- 2.1 This application seeks planning permission for installation of electric gates and a control panel, repair of a wall and fence, and realignment of pedestrian/cyclist path. The proposed double gates are to be constructed of timber with metal railings and timber boarding at the base. The gates are to be hung from new metal posts set behind the existing stone gateposts across Aldcliffe Hall Drive. An intercom control panel is to be fitted to the railings of East Lodge, and a 2m wide pedestrian/cycle path is proposed to bypass the proposed gates on the northwest side of the driveway. A 2m wide opening is to be created within the wall and railings on the northwest side to facilitate the new path.

3.0 Site History

3.1 A number of applications relating to East Lodge have previously been received by the Local Planning Authority. The most recent of these include:

Application Number	Proposal	Decision
23/00176/FUL	Erection of new boundary railings to the front and side	Approved
22/00795/LB	Listed building application for internal refurbishment, addition of lime plaster to internal walls and erection of a two storey side extension	Approved
22/00794/FUL	Erection of a two storey side extension	Approved

4.0 Consultation Responses

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

Consultee	Response
Parish Council	Objection. Definitive Map Modification Order should be resolved before erection of gates is considered; restricts and impacts flow of pedestrians and cyclists; presents Aldcliffe as if it is a “gated community”; impact on restricted byway and safety claims unfounded.
Conservation Team	Comments. Low harm from loss of wall section balanced by benefit in reinstatement of gates. No harm from intercom unit. Images of the old gate required to justify the design. Details of how the railing and stone wall would be made good required. Details of materials for footpath, gateposts and gate timber also required.
Arboricultural Officer	Comments. Requires further information relating to ground protection, surfacing, excavation, impact on tree roots and reinstated railings.
Canal and River Trust	Comments and advice. Efforts should be made to protect the canal during construction works.
Natural England	No response received.
County Highways	No objection , subject to condition for gate restrictions.
County Public Rights of Way	Neither support nor object. Comments and advice provided in relation to current Definitive Map Modification Order made by Lancashire County Council.
Ramblers Association	No response received.
Planning Policy Officer (Active Travel)	Comments. Proposal would have an adverse impact on the existing cycle network and cycle users, and is not justified from a safety point of view.
Dynamo Cycle Campaign	Objection. Case for the gates is tenuous and proposed realignment is very cyclist-unfriendly.
North West Ambulance Service	Objection. Risk that access to patients would be delayed.

4.2 At the time of writing this report, 107 letters of objection have been received raising the following main issues:

- Gates unnecessary
- Impact on trees
- Impact on wildlife
- Could displace users onto unsafe main road
- Impact on pedestrians and cyclists
- Impact on views, openness and character of area
- Lack of community support
- Definitive Map Modification Order should be resolved first
- Contrary to encouraging active leisure
- Impact on non-standard cycles, trailers and mobility scooters
- Impact on highway and public safety
- Impact on horse riders
- Impact on postal, delivery and emergency services

- Convey a “keep out” message
- Not all property owners agree to the gates
- Future maintenance responsibilities unknown
- Impact on restricted byway

One letter of support has been received raising the following main points:

- Sympathetic to original design
- Helps alleviate traffic problem
- Improves security and aesthetics

5.0 Analysis

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

- Trees impacts
- Biodiversity impacts
- Highway impacts
- Heritage and design impacts
- Residential amenity

5.2 **Trees** (NPPF Sections 12 (Achieving well-designed places) and 15 (Conserving and enhancing the natural environment); Policies ASNP1 (Conserving and Enhancing Local Biodiversity), ASNP3 (Protecting and Enhancing Local Character and Landscape), DM29 (Key Design Principles), DM43 (Green and Blue Infrastructure) and DM45 (Protection of Trees, Hedgerows and Woodland))

5.2.1 Policy ASNP1 requires proposal to avoid impacts from loss of natural infrastructure, retaining mature trees to improve habitat quality. Policy ASNP3 requires development proposals to follow the Aldcliffe with Stodday Design Code (ASDC) and protect and enhance local character and landscape, including NDHAs. The trees adjacent to the driveway are protected by a Tree Preservation Order (TPO) and also recorded as a NDHA within the NDP. Design Code 4 of the NDP requires trees to be incorporated in development design.

5.2.2 Policy DM45 sets out that new development should positively incorporate existing trees, and that the council supports the protection of trees that positively contribute either as individual specimens or a part of a wider group, to the visual amenity, landscape character and/or environmental value of a location. Section 15 of the NPPF seeks to conserve and enhance the natural environment, and expects planning decisions to recognise the intrinsic character and beauty of the countryside and also the wider benefits of trees. Policy DM29 and Section 12 of the NPPF require a high standard of design and layout, which positively contributes to surrounding landscape. Policy DM43 requires green infrastructure, which includes woodland and trees, to be protected and enhanced.

5.2.3 The NDP notes that many of the trees along Aldcliffe Hall Drive – beech, oak, horse-chestnut, lime – are over 190 years old having been planted when the Drive was laid out and the East Lodge built in 1827. The trees provide a wildlife corridor supporting insects, birds and bats. A basic Tree Protection Plan has been submitted with the application but not a full Arboricultural Impact Assessment (AIA) as required by Policy DM45 where proposal have potential implications for existing trees. The proposed development is within the Root Protection Area of the protected trees. Due to the absence of a full AIA, it is not possible to accurately establish the full impact of the construction and completed development on the protected trees.

5.2.4 However, Officers have observed that there appears to be a difference in land levels either side of the wall, which is likely to require some degree of excavation to enable the path to be level with the driveway and accommodate a suitable surface. There are also shallow/exposed crown roots visible close to the gate post which are likely to be negatively affected by the excavation required for the proposed path to be level with the driveway and be completed in accordance with any of the proposed cross-section construction options. Excavations would not be supported given the presence of the TPO and significance of these trees.

5.2.5 Overall, the proposal would potentially adversely harm the long-term health and stability of the protected trees, contrary to Policies ASNP1, ASNP3, DM29, DM43 and DM45 and NPPF Sections 12 and 15.

- 5.3 **Biodiversity (NPPF Section 15 (Conserving and enhancing the natural environment); Policies ASNP1 (Conserving and Enhancing Local Biodiversity), SP8 (Protecting the Natural Environment) and DM44 (The Protection and Enhancement of Biodiversity))**
- 5.3.1 Policy ASNP1 requires development proposal to conserve and enhance biodiversity, avoiding impacts on wildlife and natural environment and aim to achieve a biodiversity net gain of 10% minimum. Policies SP8 and DM44 seek to protect and enhance biodiversity, including both habitats and species. Paragraph 187 of the NPPF requires planning decisions to provide net gains for biodiversity. Biodiversity Net Gain (BNG) became mandatory for most planning applications in February 2024 and requires developers to increase or enhance wildlife habitats by a minimum value of 10%. The BNG legislation requires developers to complete the Defra Biodiversity Metric to record and calculate the pre-development baseline biodiversity value of the site.
- 5.3.2 The Applicant has claimed that the application is exempt from BNG based on simple land area value so has not provided a completed Metric, nor any survey reports, to demonstrate the baseline habitat information. However, in accordance with the national legislation and Planning Practice Guidance, where there are trees within the site or affected by the proposal, the value of the trees needs to be considered using the Defra Biodiversity Metric, to establish the habitat value. Furthermore, no assessment of ecological impact upon the woodland understorey habitat has been provided.
- 5.3.3 Overall, insufficient information has been submitted to determine the impact of the proposal upon ecology and ensure that it secures biodiversity net gain.
- 5.4 **Highways (NPPF Section 9 (Promoting sustainable transport); Policies ASNP2 (Supporting Walking and Cycling) and DM61 (Prioritising Walking and Cycling))**
- 5.4.1 Policy ASNP2 requires development to incorporate measures to promote sustainable travel enhancing cyclist and pedestrian safety. Policy DM62 states *“To build on the previous success of Lancaster’s designation as a ‘Cycling Demonstration Town’ the Council will ensure that development proposals do not adversely impact on the existing cycling network or cycle users. Development proposals should also encourage greater opportunities for cycle users through good design, and deliver appropriate cycle access.”* NPPF Paragraph 117 requires development to give priority first to pedestrian and cycle movements; address the needs of people with disabilities and reduced mobility; and minimise scope for conflicts between pedestrians, cyclists and vehicles.
- 5.4.2 Aldcliffe Hall Drive is a long established and well used public right of way for pedestrians and cyclists and forms part of an important link between the Lancaster Canal towpath and the Lune Estuary cycle path. The link provides a safe and attractive alternative to Aldcliffe Road which is an on-road route and has a narrow blind bend to the east of East Lodge.
- 5.4.3 The submitted design shows a narrow and awkward arrangement for cyclists to negotiate to the side of the proposed gate. It is shared space with pedestrians and likely to cause conflict between cyclists and pedestrians. Referring to the Planning Statement it is apparent that the purpose of the proposal is to slow down and impede cyclists. The proposed design is not in conformity with Government guidance for cycling infrastructure (LTN1/20 Cycle Infrastructure Design) and will require cyclists to dismount in order to avoid potential conflict with pedestrians.
- 5.4.4 In terms of existing safety issues, there is no substantive evidence provided in the application to suggest that cyclists need to be restricted and certainly not to the point that gates across the driveway are required with cyclists having to negotiate a bypass route. No other speed control measures appear to have been considered. Rather than residents attempting to address highway safety issues themselves, improvements to highway safety are more appropriately pursued by the Highway Authority, in association with landowners and other stakeholders as necessary, based on evidence and designed to the relevant codes and legislation.
- 5.4.5 The driveway is subject to a Definitive Map Modification Order to record a public right of way (restricted byway) and the proposed gates would obstruct this route, with the proposed pedestrian/cycle bypass not approved by the County Council as a suitable diversion to the Order route. Lancashire County Council have not yet confirmed this Order to add the route to the definitive map. Should the Order be confirmed, the landowner will need to open the route to the public along

the alignment shown on the Order plan, and remove any obstructions to the path, regardless of whether any planning permissions exist. Due to the current status of the public right of way application and noting that this is subject to separate legislation under the Highways Act 1980, no weight as a material planning consideration can be attached to this matter.

- 5.4.6 The objection from the Ambulance Service is noted; however, it is understood that there are other gated communities within the district and appropriate arrangements for emergency vehicle access can be arranged. In the event of an approval, this matter could be explored further in consultation with the relevant authorities. County Highways have no objection to the application and note that the gates are set back a sufficient distance from the adopted highway to avoid waiting vehicles obstructing Aldcliffe Road.
- 5.4.7 Overall, whilst the proposal is acceptable in terms of impact on the adopted highway network and can be made acceptable in terms of emergency vehicle access, the proposal would have an adverse impact on the existing cycle network and cycle users and is not justified from a safety point of view. It is, therefore, considered to be contrary to Policies ASNP2 and DM61, and NPPF Section 9.
- 5.5 **Heritage and Design** (NPPF Sections 12 (Achieving well-designed places) and 16 (Conserving and enhancing the historic environment)); Policies ASNP3 (Protecting and Enhancing Local Character and Landscape), ASNP4 (Promoting High Quality and Detailed Design), SP7 (Maintaining Lancaster District's Unique Heritage), DM29 (Key Design Principles), DM37 (Development Affecting Listed Buildings), DM39 (The Setting of Designated Heritage Assets) and DM41 (Development Affecting Non-Designated Heritage or their Settings))
 - 5.5.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed Building, a Conservation Area or their setting, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the heritage asset or its setting. This is reiterated by the heritage policies of the Local Plan.
 - 5.5.2 Section 16 of the NPPF seeks to conserve and enhance the historic environment; with Paragraph 212 affording 'great weight' to a designated heritage asset's conservation; Paragraph 213 requiring clear and convincing justification for any harm to the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting); and Paragraph 215 requiring decision makers to weigh 'less than substantial' harm against the public benefits of the proposal.
 - 5.5.3 Policies DM37 and SP7 also seek to protect and enhance Lancaster's Listed Buildings and historic environment. Policy DM39 expects new development to preserve or enhance the setting of heritage assets, whilst Policy DM41 calls for alterations to NDHAs to be designed sympathetically, with any loss in whole or part of an NDHA requiring clear and convincing justification. NDP Policies ASNP3 and ASNP4 required development designs to be of high quality and sensitive to the character and significance of any nearby heritage assets, including the NDHAs listed in Appendix 5 of the NDP.
 - 5.5.4 Grade II-listed East Lodge dates to 1827 and related to the former Aldcliffe Hall (now demolished). The building is of Elizabethan style in coursed sandstone and ashlar dressings under a decorative slate roof with spike finials. The lodge sits adjacent to the driveway at its junction with Aldcliffe Road and is surrounded by a low sandstone wall with metal railings atop.
 - 5.5.5 Appendix 5 of the NDP notes that the railings opposite East Lodge on Aldcliffe Hall Drive are included due to their historical significance contributing to the "collective memory" of the area, and that they are all that remain of the entrance to the drive leading to the now demolished Aldcliffe Hall. The railings comprise of decorative metal railings atop a low stone wall. The avenue of trees is included as an NDHA as a designated landscape feature, with many planted in 1827 when the drive was laid out as part of Edward Dawson's landscaping vision for the Hall.
 - 5.5.6 The proposed gates are of a distinctive design, constructed from timber with vertical metal rods. The submitted Heritage Statement sets out that the design of gates has been based on an old photograph and a painting. Copies of the aforementioned photograph and painting have not been submitted with the application, and provision of these would be useful in confirming and justifying the proposed design. It is understood that there have been no gates on the driveway for many years,

and the reinstatement of gates could help to enhance the historic environment by way of reinstating lost features.

- 5.5.7 The new gate posts would be functional on design but reasonably slim and discretely sited, and have potential to be acceptable subject to details of their finish. The intercom unit will be a small feature, and the mechanical feature would be underground, resulting in no material harm from these elements of the proposal.
- 5.5.8 The proposed pedestrian/cyclist path requires the removal of a 2m section of the NDHA wall which will result in a degree of harm from its loss. This harm to the NDHA, overall, is of low level, but such an impact, and the potential impact upon the trees/ ecology, is collectively attributed moderate harm.
- 5.5.9 The reinstatement of the gates can be considered a public benefit and is afforded positive weight in the heritage balance. Any harm to heritage assets (less than substantial in the context of the NPPF) is given negative weight, and the harm must be clearly and convincingly justified. It is noted that the Conservation consultee considers that the loss of the NDHA wall and railings section is balanced by the reinstatement of the gates. However, Officers take a different view when balancing all impacts and benefits and consider that the loss of the wall and railings is not properly justified, given the lack of convincing justification, together with the identified harm to protected trees, biodiversity and cycle movements. Without such justification the Local Planning Authority cannot conclude that the harm identified would be outweighed by any public benefits of the proposal. Therefore, on balance, the proposal is unacceptable in terms of impact on the historic environment as a whole.
- 5.6 **Residential Amenity** (NPPF Section 12 (Achieving well-designed places); Policy DM29 (Key Design Principles))
- 5.6.1 The main concern in terms residential amenity is potential noise impact from the electric gate motors and mechanism. Based on the information provided the applicant, the noise would be barely discernible, and therefore result in no adverse residential amenity impacts.

6.0 Conclusion and Planning Balance

- 6.1 For the reasons outlined above, the proposal is unacceptable in terms of trees, biodiversity, cycle movements, and heritage, contrary to the relevant local and national planning policies.

Recommendation

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

1. By virtue of the development being located within the Root Protection Area of the protected trees, the proposed development would potentially adversely harm the long-term health and stability of the protected trees. Furthermore, insufficient information has been submitted in order to accurately establish the full impact of the construction and completed development upon the trees. As such, the proposal is considered contrary to contrary to Policies ASNP1 and ASNP3 of the Aldcliffe with Stodday Neighbourhood Development Plan, Policies DM29, DM43 and DM45 of the Development Management DPD, and NPPF Sections 12 and 15 of the National Planning Policy Framework.
2. Insufficient information has been provided to determine the impact of the development upon ecology and biodiversity. As a consequence, it is not possible to conclude that the development proposed would minimise ecological impacts nor provide net gain for biodiversity. Without such information, the development results in adverse overall biodiversity value of the site, and contradicts the aims and objectives of Policy ASNP1 of the Aldcliffe with Stodday Neighbourhood Development Plan, Policy SP8 of the Strategic Policies and Land Allocations DPD, Policy DM44 of the Development Management DPD, and Section 15 of the National Planning Policy Framework.
3. Due to the narrow and awkward design of the proposed pedestrian/cyclist path, there is likely to be conflict between cyclists and pedestrians. As a result, the proposed development would have an adverse impact on the existing cycle network and cycle users is contrary to Policy ASNP2 of the Aldcliffe with Stodday Neighbourhood Development Plan, Policy DM61 of the Development Management DPD, and Section 9 of the National Planning Policy Framework.

4. It is considered that the proposed gates and pedestrian/cycle path would result in harm to the Grade II Listed Building and Non-Designated Heritage Assets, which is not clearly and convincingly justified. Consequently, the proposal fails to comply with the aims and objectives of Policies ASNP3, ASNP4 and Appendix 5 of the Aldcliffe with Stodday Neighbourhood Development Plan, Policy SP7 of the Strategic Policies and Land Allocations DPD, Policies DM37, DM39 and DM41 of the Development Management DPD, and Section 16 of the National Planning Policy Framework.

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

In accordance with the above legislation, the City Council can confirm that it takes a positive and proactive approach to development proposals, in the interests of delivering sustainable development. As part of this approach the Council offers a formal pre-application service, aimed at positively influencing development proposals. Regrettably the applicant has failed to take full advantage of this service and the resulting proposal is unacceptable for the reasons prescribed in this report. The applicant is encouraged to utilise the pre-application service prior to the submission of any future planning applications, in order to engage with the local planning authority to attempt to resolve the reasons for refusal.

Background Papers

N/A

Agenda Item	A8
Application Number	24/00637/LB
Proposal	Listed building application for installation of a gate and control panel, repair of wall and fence and realignment of pedestrian/cyclist path
Application site	East Lodge Aldcliffe Road Lancaster Lancashire
Applicant	Mr Michael Stainton
Agent	Mr David Hall
Case Officer	Mr Patrick Hopwood
Departure	No
Summary of Recommendation	Refusal

(i) Procedural Matters

An associated application for full planning permission (24/00638/FUL) has been called in to Planning Committee by Councillor Hamilton-Cox through the 'call in protocol', therefore this listed building consent application must also be determined by the Planning Regulatory Committee.

Where this report refers to the Strategic Policies and Land Allocations DPD and Development Management DPD, these are those policies set out in the adopted Climate Emergency Review of the Local Plan (CERLP). The CERLP was reported and adopted at Full Council on the 22 January 2025.

1.0 Application Site and Setting

1.1 The site to which this application relates is a gateway adjacent to East Lodge on Aldcliffe Hall Drive, which leads from Aldcliffe Road to Aldcliffe Hall Lane. East Lodge is a Grade II listed building and the wall and railings opposite (on the north west side) are identified as a Non-Designated Heritage Asset (NDHA) within Appendix 5 of the Aldcliffe-with-Stodday Neighbourhood Development Plan (NDP). The trees adjacent to the driveway are protected by a Tree Preservation Order (TPO) and also recorded as a NDHA within the NDP. The site faces Lancaster Canal.

2.0 Proposal

2.1 This application seeks listed building consent for installation of electric gates and control panel, repair of a wall and fence, and realignment of pedestrian/cyclist path. The proposed double gates are to be constructed of timber with metal railings and timber boarding at the base. The gates are to be hung from new metal posts set behind the existing stone gateposts across Aldcliffe Hall Drive. An intercom control panel is to be fitted to the railings of East Lodge, and a 2m wide pedestrian/cycle

path is proposed to bypass the proposed gates on the northwest side of the driveway. A 2m wide opening is to be created within the wall and railings on the northwest side to facilitate the new path.

3.0 Site History

- 3.1 A number of applications relating to East Lodge have previously been received by the Local Planning Authority. The most recent of these include:

Application Number	Proposal	Decision
23/00176/FUL	Erection of new boundary railings to the front and side	Approved
22/00795/LB	Listed building application for internal refurbishment, addition of lime plaster to internal walls and erection of a two storey side extension	Approved
22/00794/FUL	Erection of a two storey side extension	Approved

4.0 Consultation Responses

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

Consultee	Response
Parish Council	No response received.
Conservation Team	Comments. Low harm from loss of wall section balanced by benefit in reinstatement of gates. No harm from intercom unit. Images of the old gate required to justify the design. Details of how the railing and stone wall would be made good required. Details of materials for footpath, gateposts and gate timber also required.

- 4.2 At the time of writing this report 4 letters of objection have been received from members of the public, raising the following main heritage issues:
- Lack of need and evidence for the gates

5.0 Analysis

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

- 5.2 **Heritage** (NPPF Section 16 (Conserving and enhancing the historic environment)); Policies ASNP3 (Protecting and Enhancing Local Character and Landscape), ASNP4 (Promoting High Quality and Detailed Design), SP7 (Maintaining Lancaster District's Unique Heritage), DM37 (Development Affecting Listed Buildings), DM39 (The Setting of Designated Heritage Assets) and DM41 (Development Affecting Non-Designated Heritage or their Settings))

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

- 5.2.2 Section 16 of the NPPF seeks to conserve and enhance the historic environment; with Paragraph 212 affording 'great weight' to a designated heritage asset's conservation; Paragraph 213 requiring clear and convincing justification for any harm to the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting); and Paragraph 215 requiring decision makers to weigh 'less than substantial' harm against the public benefits of the proposal.

- 5.2.3 Policies DM37 and SP7 also seek to protect and enhance Lancaster's Listed Buildings and historic environment. Policy DM39 expects new development to preserve or enhance the setting of heritage assets, whilst Policy DM41 calls for alterations to NDHAs to be designed sympathetically, with any loss in whole or part of an NDHA requiring clear and convincing justification. NDP Policies ASNP3

and ASNP4 required development designs to be of high quality and sensitive to the character and significance of any nearby heritage assets, including the NDHAs listed in Appendix 5 of the NDP.

- 5.2.4 Grade II-listed East Lodge dates to 1827 and related to the former Aldcliffe Hall (now demolished). The building is of Elizabethan style in coursed sandstone and ashlar dressings under a decorative slate roof with spike finials. The lodge sits adjacent to the driveway at its junction with Aldcliffe Road and is surrounded by a low sandstone wall with metal railings atop.
- 5.2.5 Appendix 5 of the NDP notes that the railings opposite East Lodge on Aldcliffe Hall Drive are included due to their historical significance contributing to the “collective memory” of the area, and that they are all that remain of the entrance to the drive leading to the now demolished Aldcliffe Hall. The railings comprise of decorative metal railings atop a low stone wall. The avenue of trees is included as an NDHA as a designated landscape feature, with many planted in 1827 when the drive was laid out as part of Edward Dawson’s landscaping vision for the Hall.
- 5.2.6 The proposed gates are of a distinctive design, constructed from timber with vertical metal rods. The submitted Heritage Statement sets out that the design of gates has been based on an old photograph and a painting. Copies of the aforementioned photograph and painting have not been submitted with the application, and provision of these would be useful in confirming and justifying the proposed design. It is understood that there have been no gates on the driveway for many years, and the reinstatement of gates could help to enhance the historic environment by way of reinstating lost features.
- 5.2.7 The new gate posts would be functional on design but reasonably slim and discretely sited, and have potential to be acceptable subject to details of their finish. The intercom unit will be a small feature, and the mechanical feature would be underground, resulting in no material harm from these elements of the proposal.
- 5.2.8 The proposed pedestrian/cyclist path requires the removal of a 2m section of the NDHA wall which will result in a degree of harm from its loss. This harm to the NDHA, overall, is of low level, but such an impact, and the potential impact upon the trees/ ecology, is collectively attributed moderate harm.
- 5.2.9 No formal planning permission has been granted for the development, and for the reasons detailed in the Committee Report for associated planning application 24/00638/FUL, the proposed development is considered unacceptable on a number of grounds. With no planning permission in place for the associated development, the proposed works to the heritage assets are not fully justified, and it would be premature to support a scheme for listed building consent at this time.

6.0 Conclusion and Heritage Balance

- 6.1 The reinstatement of the gates can be considered a public benefit and is afforded positive weight in the heritage balance. Any harm to heritage assets (less than substantial in the context of the NPPF) is given negative weight, and the harm must be clearly and convincingly justified. It is noted that the Conservation consultee considers that the loss of the NDHA wall and railings section is balanced by the reinstatement of the gates. However, Officers take a different view and consider that the loss of the wall and railings is not properly justified given the lack of convincing justification and identified harm to protected trees, biodiversity and cycle movements. Without such justification the Local Planning Authority cannot conclude that the harm identified would be outweighed by any public benefits of the proposal. Therefore, on balance, the proposal is unacceptable in terms of impact on the historic environment.

Recommendation

That Listed Building Consent **BE REFUSED** for the following reason:

1. The proposed gates and pedestrian/cycle path have no formal planning consent for the development, therefore the proposed works and their associated harm to the Grade II Listed Building and Non-Designated Heritage Assets, are not clearly and convincingly justified. Consequently, the proposal fails to comply with the aims and objectives of Policies ASNP3, ASNP4 and Appendix 5 of the Aldcliffe with Stodday Neighbourhood Development Plan, Policy SP7 of the Strategic Policies and Land Allocations DPD, Policies DM37, DM39 and DM41 of the Development Management DPD, and Section 16 of the National Planning Policy Framework.

Background Papers
N/A

Agenda Item	A9
Application Number	24/01210/FUL
Proposal	Change of use of parish house (C3) to 7-bed HMO (Sui-generis), installation of replacement doors/windows, conversion of garage to bicycle store and shed, removal of garage door, partially block up with a wall and installation of new timber doors
Application site	St Bernadettes Parish House 120 Bowerham Road Lancaster Lancashire
Applicant	Mr Mark Atkinson
Agent	Mr Steve Donnelly
Case Officer	Mr Patrick Hopwood
Departure	No
Summary of Recommendation	Approval, subject to conditions

(i) Procedural Matters

The application has been called in to Planning Committee by Councillors Punshon and Otway, therefore the application must be determined by the Planning Regulatory Committee.

1.0 **Application Site and Setting**

1.1 The site to which this application relates is a parish house, connected to and associated with St Bernadette's Catholic Church, on Bowerham Road in Lancaster. To the southwest and southeast boundaries is St Bernadette's Catholic Primary School, and further to the southeast is Moorside Primary School. Opposite the site is semi-detached residential housing.

1.2 The site lies within the Morecambe Bay Special Protection Area buffer zone for new residential development, and is located approx. 55m from Burrow Beck. The Council's Strategic Flood Risk Assessment identifies the site as being at risk from ground water flooding at surface level. In terms of restrictive planning constraints, the site lies within an Article 4 Direction area, which removes permitted development rights for the change of use of dwellinghouses to small Houses in Multiple Occupation (HMOs), and Regulation 7 direction area, removing deemed consent for 'to let' boards.

2.0 **Proposal**

2.1 This application seeks planning permission for the change of use of the parish house (Use Class C3) to a 7-bed HMO (sui generis). Also proposed is the installation of replacement doors/windows, conversion of the garage to a bicycle store and shed. The property is no longer required to house clergy, and the Diocese and Parish require an effective new use to provide income for the upkeep of the site and to sustain the Church's mission. The Applicant wishes for the property to be occupied by Catholic students recruited and vetted via the Lancaster University Chaplaincy.

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
24/00573/PRENG2	Pre-application advice request for the change of use of vacant Rectory House to HMO relating to the Church	Advice Provided

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objections.
Environmental Health	No response received.
Natural England	No objection.
Planning Policy	No response received.
Fire Safety Officer	No response received.

- 4.2 At the time of writing this report, 30 letters of objection have been received raising the following main points:

- Safeguarding issues surrounding potential occupiers
- Overlooking towards school
- Public safety
- Emergency access to school
- Parking
- Highway safety
- Traffic
- Construction phase impacts
- Anti-social behaviour and litter
- Other uses of building not considered

- 4.3 Two neutral letters of representation have also been received, raising the following main points:

- Safeguarding issues surrounding potential occupiers
- Overlooking towards school
- Emergency access to school
- Highway safety
- Parking

5.0 Analysis

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

- Principle of HMO Use
- Residential Amenity and Housing Standards
- Highways
- Design and Sustainability
- Flood Risk

- 5.2 **Principle of HMO Use** (NPPF Section 12 (Achieving well-designed places); Policies DM1 (New Residential Development and Meeting Housing Needs), DM13 (Residential Conversions), DM29 (Key Design Principles) and SP9 (Maintaining Strong and Vibrant Communities))

- 5.2.1 Policy DM13 of the Development Management DPD (the DM DPD) sets out the Council's approach to residential conversions. As part of this, the Council considers the importance of maintaining an appropriate housing mix and safeguarding the character of residential areas to be important priorities. The supporting text explains that large concentrations of HMOs in a small area can impact

on the character of a residential area and give rise to an inappropriate mix of residents. It goes on to say that this has been the case in areas of Lancaster, having a negative effect on local amenity. Policy DM13 is clear in that proposals which would lead to a concentration of more than 10% of houses being classed as HMOs of the total housing stock within a 100m radius will not be considered acceptable. The site lies within an Article 4 Direction area, which removes permitted development rights for changes of use to HMOs, and was introduced to control the growth of HMOs which have been found to cause imbalances to communities and harm neighbourhood character.

- 5.2.2 Policies DM1 and SP9 seek to ensure that proposals promote balanced, strong and vibrant communities. Paragraph 135 of the NPPF requires developments to add to the overall quality of the area, be sympathetic to the local character of the area, and not undermine quality of life and community cohesion. This is reiterated by Local Plan Policy DM29 which seeks to promote a balanced mix of compatible uses, contributing positively to the identity and character of an area.
- 5.2.3 After undertaking an assessment of surrounding housing stock, in accordance with Appendix A of the Residential Conversions and Houses in Multiple Occupation SPD (the SPD), the HMO density within 100m of the application site is 5.77%. This is clearly below the 10% concentration set by Policy DM13, so the proposal in this instance is unlikely to cause imbalances to communities and harm neighbourhood character. As such, the principle of a change of use of this dwellinghouse to an HMO can be supported, subject to other matters being satisfactorily addressed.
- 5.2.4 Policy DM13 sets out that proposals for HMOs will be acceptable where:
V. Effective measures are proposed to minimise noise and other forms of disturbance to neighbouring residential properties;
VI. Suitable means of storage including refuse, recycling and bicycle storage is provided;
VII. The proposal would not harm the character of the building or surrounding area;
VIII. The proposal would not result in unacceptable impact on parking including unacceptable levels of on-street parking;
IX. The proposal would not result in the creation of sub-standard living conditions.
- 5.2.5 These matters are discussed in the relevant sections below. Subject to satisfying the above and addressing any other material planning considerations, the proposal would not unduly harm the quality, character, housing mix and community of the local area, and is therefore acceptable in principle.
- 5.3 **Residential Amenity and Housing Standards (NPPF Section 12 (Achieving well-designed places); Policies DM13 (Residential Conversions) and DM29 (Key Design Principles))**
- 5.3.1 Originally the application was proposed for 10 people and the communal facilities were inadequate for this population size. Amended plans have been received with the proposal changed to 7 single occupancy bedrooms. The level of communal living facilities is now considered acceptable for the number of occupiers. The scaled floor plans indicate that bedroom sizes comply with the Nationally Described Space Standard and habitable rooms would have adequate natural daylight and outlook. Overall, the amended scheme is acceptable in terms of housing standards.
- 5.3.2 The property is well set back from the road and the properties on the opposite side of Bowerham Road. No new window openings are proposed, and the property is already in residential use as accommodation for the clergy, their family and housekeeper. As such, there would be no new overlooking impact towards the school. Furthermore, the Parish House is at a lower ground level than the school, and there is established vegetation screening which limits intervisibility between the two sites. Due to the nature of the use, proposed occupants, and management by the Diocese (of which the school and church is part of) no adverse impacts are anticipated in terms of safeguarding and anti-social behaviour. On balance, the proposal is acceptable in terms of impact on residential amenity and is compatible with surrounding land uses.
- 5.4 **Highways (NPPF Section 9 (Promoting sustainable transport); Policies DM13 (Residential Conversions), DM61 (Prioritising Walking and Cycling) and DM62 (Vehicle Parking Provision and Electric Vehicle Charging Points))**
- 5.4.1 The site is sustainably located on a frequent bus route for trips to the city centre, hospital and university. The site is also approx. 500m from local shops on Bowerham Road, with a safe walking

route along lit pavements. Covered and secure cycle parking is proposed in the garage, together with space for associated cycling gear storage and a drying area. As the proposed occupants are students, it is likely that there will be lower car ownership, although the application site does include spaces for up to 5 cars, without taking any spaces from the church car park. Emergency access to the school field is to be retained, as indicated on the proposed site plan. As a result, the proposal is acceptable in terms of sustainable transport options, parking and highway safety.

5.5 Design and Sustainability (NPPF Sections 12 (Achieving well-designed places) and 14 (Meeting the challenge of climate change, flooding and coastal change); Policies DM13 (Residential Conversions), DM29 (Key Design Principles) and DM30a (Sustainable Design and Construction))

5.5.1 The proposed replacement windows/doors and alterations to the garage are acceptable in terms of design and impact on the wider street scene. The is space within the front garden for bin and recycling storage behind the existing wall, screening the bins from the highway. In terms of sustainability, the replacement windows will approve thermal efficiency, and other upgrades to the building as part of the conversion process will result in enhanced energy efficiency and insulation. As set out in the previous section, the proposal is acceptable in terms of sustainable transport modes are assessed in the following section. On balance, the proposal is acceptable in terms of design and sustainability.

5.6 Flood Risk (NPPF Section 14 (Meeting the challenge of climate change, flooding and coastal change); Policy DM33 (Development and Flood Risk))

5.6.1 At the time of submission, the application site was located in Flood Zone 1 (the lowest flood risk zone) but within an area of groundwater flood risk. Following publication of the Council's updated Strategic Flood Risk Assessment (January 2025), the site is no longer identified as being at risk of surface water flooding. There is also no risk identified from fluvial, tidal and surface water sources. On this basis, and as a conversion of an existing building, the proposal would be safe from flooding and not increase flood risk on or off site.

6.0 Conclusion and Planning Balance

6.1 This application follows pre-application advice, and the Applicant has addressed all material planning considerations raised. As outlined above, the proposal is acceptable in terms of the proposed use, housing standards, residential amenity, highways, design, sustainability and flood risk, and is found to be compliant with the relevant local and national policies.

Recommendation

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

Condition no.	Description	Type
1	Standard Timescale	Standard
2	Approved Plans	Standard
3	Bicycle Storage	Prior to Occupation

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

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

Background Papers

N/A

Agenda Item	A10
Purpose of report	To update members on the Planning Enforcement and Applications Team performance.
Report Author:	Service Manager – Development Management
Summary of Recommendation	That the report be noted

1.0 Purpose of report

- 1.1 The purpose of the report is to share with members the performance of the Development Management function since April 2024. It is the intention moving forwards that each quarter a report will be presented to members setting out the team's performance, and how it compares with government timescales. The report will also provide information on planning and enforcement appeals. Quarter 4 performance will be shared with Committee in April 2025.

2.0 Planning Applications

- 2.1.1 The planning applications team comprises of a Planning Applications Manager, 3 Principal Planning Officers, 1 Senior Planning Officer, 2 Planning Officers, 3 Planning Assistants, 1 Graduate Planning Officer and a Section 106 Monitoring Officer. The team determines in the region of 1500 applications a year (amongst the applications noted below, this also includes the likes of discharge of planning conditions, non-material amendments and the Councils pre-application offering). The Planning and Enforcement Teams (together with the Councils Building Control function) are supported by our planning and building technical team who play a pivotal role in supporting the success of the services.

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

2.1.3 Major

Major applications are applications which fall into the following categories:

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

2.1.4 Minor applications

These are applications which fall into the following categories:

- Dwellings – 1-9 dwellings. Or site area of less than 0.5ha
- Offices/Retail & Distribution/Light Industry – less than 1,000m² floor space or less than 1 ha site area
- General Industry and Distribution and Servicing – less than 1,000m² floor space or less than 1ha site area

- Gypsy and Traveller sites – 1-9 pitches
- All other minor developments – less than 1,000m2 floor space or less than 1ha site area

2.1.5 Other Developments

These applications include the below.

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

2.2 Performance

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

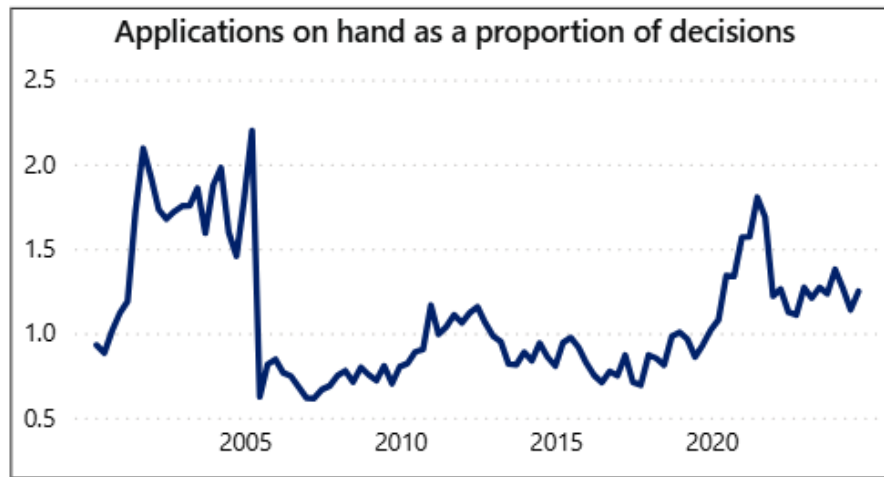
2.2.2 Currently the Government has set Local Planning Authority performance targets (Improving Planning Performance: Criteria for Designation Updated 2020) as follows:- 60% of Major Applications to be determined within 13 weeks or the agreed time extension 70% of Minor Applications and Others to be determined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

2.2.3 Quarter 3 – 2024/2025 (October - December 2024)

- Majors 100% within 13 weeks or within agreed time extension
- Minors 92.54% within 8 weeks or within agreed time extensions
- Others 95.12% within 8 weeks or within agreed time extensions

2.2.4 The table below shows the number of applications received since the start of 2024, and those determined. Members will note the vast majority of decisions are delegated, and historically the figure is around 93% of applications are delegated to officers to determine. As of 30 September, the Councils applications on hand/decisions figure is 1.25 which is a slight increase from the previous quarter of 1.14, however bodes well when compared against the North West Average of 1.72. The spike in 2021 was due to the significant planning application backlog the council faced.

	January – March 2024	April -June 2024	July – September 2024	October – December 2024
Applications received	215	206	200	189
Applications determined	219	231	182	194
Percentage delegated	93%	90%	95%	93%



2.3 Planning Appeals

There are three main types of planning/enforcement appeals.

These are written representations, Hearings and Inquiries.

2.3.1 Written Representation

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

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

2.3.2 Hearing

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

2.3.3 Public Inquiry

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

2.3.4 The following planning and enforcement appeal decisions were issued between 1 October to 31 December 2024. A separate list is appended to this report detailing the schemes that have been subject of the appeal and the outcomes.

Planning/Enforcement Appeals Determined	Number	Allowed	Dismissed
Written Representations	9	1	8
Hearings	2	0	2

Inquiry	2	0	2
Total	13	1	12

The percentage of allowed appeals is 7.6% and therefore below the quality indicator of Major and Non-Major Development which stands at 10%. This demonstrates that whilst appeals have been lodged the quality of decision making is sound.

4.0 Planning Enforcement

4.0.1 The Planning Enforcement Team (which consists of 1 Senior Planning Enforcement Officer, 3 Planning Enforcement Officers and 1 Graduate Planning Enforcement Officer (role currently vacant and we are currently advertising) are responsible for investigating alleged breaches of planning control and taking action to remedy breaches of planning control and harm arising.

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

4.1 Historic Case Review and Management of the Backlog

4.1.1 Over the past 18 months one of the key priorities has been to work on the review and clearance of historic enforcement cases. Some of these cases date back to 2010. A large number of these cases have been reviewed, and a large number of those cases have been closed, either that it is not proportionate to take action, action has been taken, the breach is de minimis or that through the passage of time the breach is immune from enforcement action. The table below shows the progress in terms of clearing historic cases. The team have worked hard to resolve and close active files. In January 2023 we had 342 active cases from the past decade still active, the figure in January 2025 is 140, this is down from 147 the previous quarter. The work has been undertaken in addition to ongoing investigations.

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Live Cases January 2025	1	1	0	2	3	2	7	20	24	30	49
Live Cases January 2023	1	1	2	6	5	7	22	53	61	64	120

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

	2021	2022	2023	2024
Overall number of cases received	384	355	310	399
Closed Cases	299	176	439	420
Open Cases January 2025	94	88	112	223
Review of ongoing enforcement cases – The review shows figures for the years 2021-2024. The table illustrates the change in the number of live cases received.				

- 4.1. For 2024 (January to the end of December 2024) a total of 399 cases have been received, and 420 cases have been closed. This is illustrated below. 223 cases are currently active for the year of 2024. We expected to receive 355 complaints for 2024 however a very busy quarter 3 meant that for the year we recorded the most number of complaints for the last decade at 399. A significant increase on the previous year's figures of more than 20%.

	2024
Open Cases	203
Closed Cases	176
Cases received January 2024-December 2024	399

- 4.1. The Local Authority currently have 621 live planning enforcement cases. Between 1 January to 31 December we received 399 new complaints. The Local Planning Enforcement Plan sets out a case management system as set out below. The local planning authority have committed to monitoring the performance against the action targets. The new plan adopted by the Planning and Regulatory Committee in 2024 set out a new expediency test aimed at assessing the breach, remedying breach, resolving the breach and formal action to resolve the breach if this is indeed required. The new system is designed to be more focussed and allow time for others to pursue the breaches of planning control that require action to be taken.

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

- 4.1. It can be seen from the figures below (April-December 2024) that whilst red cases have been visited broadly within the timescales committed to in the plan the amber cases are taking more time. Since the new monitoring came into place in April, we have faced recruitment issues with one of our officers leaving for another role within the authority. This is why the number is lower than expected. We would hope if fully resourced to visit 90% of amber sites within the 15 working days.

	Received	Initial visit within target	Percentage in time
Red Case	16	14	88%
Amber	243	190	78%
Green	34	NA	NA

- 4.1. In terms of enforcement action taken in Quarter 3, there have been 8 notices served in the last quarter. These are noted below.

Action	Number of Actions
Breach of condition notice	0
Enforcement injunctions	0
Enforcement Notice	1
Injunctive Applications refused	0

Planning Contravention Notice	6
Listed Building Temporary Stop Notice	1

5.0 Conclusion

- 5.1 The Development Management team are working above expected government targets in terms of timescales. Quality of decision making is under the 10% endorsed by government and there are no concerns on the quality of decision making. The Planning Enforcement Team are reducing the significant backlog that was peaked in December 2022 when 797 open cases were held on 1st January 2023 whereas the figure now is 621 (20% reduction). It would be hoped once the Graduate Planning Enforcement Officer role is filled that numbers would drop further.

A10 – Q3 Appeals (Planning and Enforcement)

Appeal Reference	Application Reference	Application Site	Proposal	Appeal Decision
23/00036/ENF		12 The Shore Bolton Le Sands Carnforth Lancashire LA5 8JR	Appeal against enforcement notice for the raising in height of the front boundary wall	DISMISSED
24/00005/ENF		20 Oakville Road Heysham Morecambe Lancashire LA3 2TB	Appeal against enforcement notice for the erection of a boundary wall and gate over 1m in height adjacent to the highway	DISMISSED
24/00006/REF	23/01189/FUL	Land At Back Lane Borwick Lancashire	Appeal for part retrospective application for the erection of agricultural livestock building and construction of an access track	DISMISSED
24/00010/ENF		14 Priorsgate Morecambe Lancashire LA3 3RN	Appeal against enforcement notice for the siting of a static caravan and the creation of an access onto a classified road	DISMISSED
24/00012/REFLB	24/00167/LB	The Old Post House 28 - 30 Yealand Road Yealand Conyers Carnforth Lancashire LA5 9SH	Listed building application for the installation of replacement roof tiles to the east elevation and replacement of gutters/waste water pipes	DISMISSED
24/00018/REF	23/01011/FUL	Land And Buildings West Of Pheasantfield Farm Borwick Road Borwick Lancashire	Demolition of agricultural building conversion of barn into two dwellings (C3) conversion of outbuilding into two associated storage buildings and erection of one dwelling (C3)	DISMISSED
24/00019/REF	19/01135/OUT	Land North East Of Bailrigg Lane Lancaster Lancashire	Outline planning application for the demolition of Low Hill House and the erection of up to 644 dwellings (Use Class C3) a local centre (Use Class E) of no more than 280sq m internal floorspace a community hall (Use Class F2) of no more than 150sq m internal floorspace public open spaces including equipped children's play areas land re-grading recreational routes landscaping and sustainable urban drainage systems and creation of vehicular access from Bailrigg Lane and Hala Hill to the North	DISMISSED
24/00020/REF	19/01137/FUL	Land North East Of Bailrigg Lane Lancaster Lancashire	Construction of an access link road between Bailrigg Lane and the Health Innovation Campus Road	DISMISSED
24/00022/ENF		Agricultural Land Moor Lane Roeburndale Lancashire	Appeal against enforcement notice issued for change of use from agricultural land to a mixed use comprising agricultural and recreational use	DISMISSED
24/00023/REF	PP-12197635	Gibraltar Farm Campsite Lindeth Road Silverdale Carnforth Lancashire LA5 0UA	Erection of an agricultural workers dwelling (C3) with associated access parking and landscaping alterations to land levels and installation of a package treatment plant	DISMISSED

A10 – Q3 Appeals (Planning and Enforcement)

24/00024/REF	24/00153/VC N	5 Ousby Avenue Morecambe Lancashire LA3 3DN	Change of use of dwelling (C3) to a residential care home for children (C2) (pursuant to the variation of condition 4 on planning permission 23/00479/CU to amend the wording of the occupation condition)	ALLOWED
24/00025/CAS	24/00004/ADV	25 Euston Road Morecambe Lancashire LA4 5DF	Advertising application for the display of an internally illuminated fascia sign an internally illuminated projecting sign and ATM surround	DISMISSED
24/00026/REF	24/00275/FUL	Land At Grid Reference E352250 N470040 Kirkby Lonsdale Road Over Kellet Lancashire	Erection of a single storey dwelling and two storey garage/store building (C3) with associated access and landscaping	DISMISSED

LIST OF DELEGATED PLANNING DECISIONS

LANCASTER CITY COUNCIL

APPLICATION NO	DETAILS	DECISION
23/00922/FUL	12 Middlegate, White Lund Industrial Estate, Morecambe Demolition of existing workshop building, erection of single storey extension to existing showroom to provide a replacement vehicle workshop facility, erection of bodyshop and valet buildings, construction of wash bay and new parking/vehicle display area, installation of two EV charging bays and erection of bin store for Mrs Rebecca Nisbett (Westgate Ward)	Application Permitted
23/01217/FUL	Land To The Rear Of, Greta View, Back Lane Installation of a waste treatment plant and outfall for Michael Roberts (Upper Lune Valley Ward)	Application Permitted
24/00035/DIS	Land Adjacent To, 18 Crag Bank Road, Carnforth Discharge of conditions 9 and 10 on approved application 21/00239/FUL for Mrs Lucy Williams (Carnforth And Millhead Ward)	Application Permitted
24/00077/DIS	Part Of Former St Georges Works, Abram Close, Lancaster Discharge of condition 5 and 8 on approved application 23/00571/FUL for Mr Nick Langford (Marsh Ward)	Split Decision
24/00212/DIS	Central Lancaster High School, Crag Road, Lancaster Discharge of condition 3 on approved planning application 24/00598/FUL for Central Lancaster High School (Bulk Ward)	Application Permitted
24/00215/DIS	87 Balmoral Road, Morecambe, Lancashire Discharge of condition 4 on approved application 22/01609/CU for Ms Sarah Siggs (West End Ward)	Application Permitted
24/00220/DIS	28 Moorside Road, Brookhouse, Lancaster Discharge of condition 5 on approved application 24/01091/VCN for Mr Brian Pinington (Lower Lune Valley Ward)	Split Decision
24/00221/DIS	Hawthorne House, Bye-pass Road, Bolton Le Sands Discharge of conditions 4,7 and 11 on approved application 22/01221/FUL for Mr Chris Ashby (Bolton And Slyne Ward)	Application Permitted
24/00222/DIS	Wilson House , Ashton Road, Lancaster Discharge of condition 3 on approved application 24/00761/FUL for Mrs Faye Higgin Ayrton (Scotforth West Ward)	Application Permitted
24/00223/DIS	Land At Grid Reference E346580 N452460, Lancaster Road, Cockerham Part discharge of condition 3 on approved application 22/00147/FUL for Mr Wilson (Ellel Ward)	Application Permitted
24/00229/DIS	Land South Of, Curwen Avenue, Heysham Discharge of conditions 8 and 9 on approved application 20/00455/FUL for Mr Brown (Heysham South Ward)	Application Refused

LIST OF DELEGATED PLANNING DECISIONS

24/00230/DIS	Land At Grid Reference E346580 N452460, Lancaster Road, Cockerham Part discharge of conditions 3 and 4 and discharge of condition 8 on approved application 22/00144/REM for Mr Wilson (Ellel Ward)	Application Permitted
24/00235/DIS	4 Arna Wood Barn, Arna Wood Lane, Aldcliffe Discharge of condition 3 on approved application 24/00819/FUL for Mr Michael Smith (Scotforth West Ward)	Application Permitted
24/00298/FUL	Land Between 31 And 33, Emesgate Lane, Silverdale Erection of a dwelling (C3) and associated access for Mr Jim Sharp (Silverdale Ward)	Application Refused
24/00352/FUL	Methodist Church, Long Level, Cowan Bridge Change of use of former chapel to dwelling (C3) and installation of rooflights for Mr Steve Goldie (Upper Lune Valley Ward)	Application Permitted
24/00362/FUL	Field At Grid Reference E341995 N458560, Carr Lane, Middleton Change of use of grassland for equine use, erection of single storey stable block with associated hardstanding and access track for Mr Myles McCarthy (Overton Ward)	Application Refused
24/00463/VCN	Ward Field Farm, Main Road, Galgate Reserved matters application for the demolition of existing agricultural buildings, retention and residential conversion of stone barn for up to 2 dwellings and erection of up to 67 dwellings with associated access (pursuant to the variation of condition 1 on 23/00602/VCN to alter the proposed materials) for . (Ellel Ward)	Application Permitted
24/00570/FUL	Home Farm, Docker Lane, Arkholme Erection of an agricultural workers dwelling for Kevin Harrison (Halton-with-Aughton And Kellet Ward)	Application Permitted
24/00733/FUL	The Bungalow, Green Lane, Heaton With Oxcliffe Demolition of existing bungalow and stable buildings and erection of a replacement 2 storey dwelling for Mr S Lee Jr (Westgate Ward)	Application Permitted
24/00823/FUL	81 Oxcliffe Road, Heysham, Morecambe Conversion of a garage/workshop into a dwelling with installation of rooflights, replacement windows and doors, construction of a canopy to west elevation, associated parking and landscaping for Terry Lewis (Heysham Central Ward)	Application Permitted
24/00866/FUL	Walker In The Field, Scriffen Lane, Ellel Erection of an agricultural livestock building for Martin Park (Ellel Ward)	Application Permitted
24/00900/FUL	Downlands Farm, Moss Road, Heaton With Oxcliffe Erection of cattle building for Mr Grant Thornton (Overton Ward)	Application Refused
24/00913/FUL	10 Somerby Road, Morecambe, Lancashire Retrospective application for the conversion of existing detached garage into ancillary living accommodation, removal of garage door, installation of doors/windows/rooflight and erection of a conservatory for Fiona Baird (Westgate Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

24/00916/FUL	Green Bank House, Abbeystead Road, Abbeystead Retrospective application for the change of use of outbuilding to two 1-bed holiday lets for Mr Kevin Bedford (Ellel Ward)	Application Permitted
24/00930/FUL	The Bungalow, Oxcliffe New Farm, Oxcliffe Road Demolition of existing garage, erection of two storey side extension and erection of first floor extension for Mrs J Hanley (Heysham Central Ward)	Application Refused
24/00966/FUL	Bare Hall, 20 Bare Lane, Morecambe Change of conservatory roof from glass to slate and installation of columns for Mr M Wainwright (Bare Ward)	Application Permitted
24/00967/FUL	46 Hestham Avenue, Morecambe, Lancashire Construction of a pitched roof to replace existing flat roof and raise height of chimney stack for Mrs H Turner (West End Ward)	Application Permitted
24/00983/FUL	11 Knowlys Drive, Heysham, Morecambe Erection of two storey side extension, erection of single storey rear extension, construction of basement beneath proposed single storey rear extension and associated landscaping works for Mr And Mrs D Jermy (Heysham Central Ward)	Application Permitted
24/00993/FUL	24 Moorside Road, Brookhouse, Lancaster Demolition of existing single storey rear extension and conservatory, erection of single storey rear extension, creation of raised terrace and staircases to the rear, removal of chimney and installation of flue, rendering of existing dwelling, erection of single storey detached outbuilding, landscaping and excavation of land to create additional vehicular access and car parking area to the front for Mr Callum Benson (Lower Lune Valley Ward)	Application Permitted
24/01008/LB	Bare Hall, 20 Bare Lane, Morecambe Listed building consent to change conservatory roof from glass to slate and installation of columns for Mr M Wainwright (Bare Ward)	Application Permitted
24/01022/FUL	Hill Top Farm, Hill Lane, Nether Kellet Re-concreting of existing hard standing yard for Mrs Mary Cornthwaite (Halton-with-Aughton And Kellet Ward)	Application Permitted
24/01023/FUL	Walker In The Field, Scriffen Lane, Ellel Excavation of land to create slurry lagoon with floating cover and construction of fence for Martin Park (Ellel Ward)	Application Permitted
24/01044/FUL	Butler Works, Wyresdale Road, Lancaster Change of use from stage building to general fabrication and welding (B2) for Mr Steven Pattinson (Bowerham Ward)	Application Permitted
24/01045/FUL	55 - 57 Alexandra Road, Morecambe, Lancashire Change of use and subdivision of dwelling into two self-contained apartments, installation of replacement windows, raising of door to the rear and addition of steps for Mr Peter Young (West End Ward)	Application Permitted
24/01084/PLDC	31 Scotforth Road, Lancaster, Lancashire Proposed lawful development certificate for the installation of replacement windows for Mrs Jill Anderson (Scotforth West Ward)	Lawful Development Certificate Granted

LIST OF DELEGATED PLANNING DECISIONS

24/01087/FUL	10 Field Road, Heysham, Morecambe Erection of 2 single storey extensions to side and rear elevations to existing industrial building (B2) for Mr Bill Forsyth (Heysham South Ward)	Application Permitted
24/01095/FUL	Batty Hill Farm, Lancaster Road, Cockerham Erection of extension to existing agricultural storage building for Mr Peter Hewitt (Ellel Ward)	Application Withdrawn
24/01098/OUT	Land South Of , 23 Lancaster Road, Overton Outline application for the erection of dwelling (C3) with associated access for Mr Ian Taylor (Overton Ward)	Application Permitted
24/01109/FUL	McDonalds Restaurant, Morecambe Road, Morecambe Installation of replacement entrance lobby, with new doors, access door, glazing and reinstatement of window and alterations to existing car park including reconfiguration of parking bays and installation of swing barrier to car park for McDonald's Restaurants Limited (Torrisholme Ward)	Application Permitted
24/01110/ADV	McDonalds Restaurant, Morecambe Road, Morecambe Advertisement application for the display of one non-illuminated banner sign for McDonald's Restaurants Limited (Torrisholme Ward)	Application Permitted
24/01120/FUL	Heron House, 67 Queen Street, Morecambe Erection of accessible entrance lobby with hard landscaping to facilitate accessible ground level for Mr Colin Harris (Poulton Ward)	Application Permitted
24/01127/FUL	Unit 5, Keer Park, Warton Road Change of use and subdivision of one unit (B8) into two units (B8 storage and distribution) and two (B2 general industry) units and installation of ground floor windows and doors for Mrs C Crabtree (Carnforth And Millhead Ward)	Application Permitted
24/01147/FUL	Furnace Barn, Foundry Lane, Halton Retrospective application for the demolition of a lean-to and erection of a conservatory to the rear elevation for Mrs Louise Morris (Halton-with-Aughton And Kellet Ward)	Application Permitted
24/01158/CU	27 Bold Street, Heysham, Morecambe Change of use of dwelling (C3) into office (use class Eg) for Miss J Ive (Heysham North Ward)	Application Refused
24/01161/PLDC	1 And 2 Cross Hill Court, Bolton Le Sands, Carnforth Proposed lawful Development Certificate for the change of use of two semi-detached properties into one 4 bedroom dwelling, erection of a single storey rear extension and installation of an external flue to the rear elevation for Mr & Mrs J. Myers (Bolton And Slyne Ward)	Application Withdrawn
24/01165/FUL	6 Lindow Street, Lancaster, Lancashire Conversion of one ground floor flat and one flat over first and second floors (C3) into three flats (C3) for Mr Dola (Castle Ward)	Application Refused
24/01167/FUL	306 Marine Road Central, Morecambe, Lancashire Change of use of a dwelling house (C3) to three self-contained flats and installation of windows for Mr Phil Ward (Poulton Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

24/01170/LB	32 Parliament Street, Lancaster, Lancashire Listed building application for the relevant part demolition of single storey rear extension, change of use of restaurant into four 1-bed flats , erection of a single storey rear extension, installation of windows and doors, removal of internal stairs, installation of internal stairs and construction of internal walls for Mr Wiggins (Bulk Ward)	Application Permitted
24/01175/FUL	19 Hazelmount Drive, Warton, Carnforth Retrospective application for the erection of a single storey outbuilding for Mr Peter Singleton (Carnforth And Millhead Ward)	Application Permitted
24/01183/FUL	33 Sulby Drive, Lancaster, Lancashire Erection of first floor side extension for Alison Theobold (Scotforth West Ward)	Application Permitted
24/01184/PLDC	88 Vale Road, Lancaster, Lancashire Proposed lawful development certificate for the erection of a single storey rear extension for Mr C Reynolds (Skerton Ward)	Lawful Development Certificate Granted
24/01185/PLDC	24 Vale Road, Lancaster, Lancashire Proposed lawful development certificate for erection of a single storey rear extension for Mr & Mrs S Walmsley (Skerton Ward)	Lawful Development Certificate Granted
24/01187/FUL	108A High Road, Halton, Lancaster Change of use of office building to dwelling (C3) including alterations to fenestration and installation of electric car charging point for Mr A Wishart (Halton-with-Aughton And Kellet Ward)	Application Permitted
24/01188/PLDC	21 Thorpe Avenue, Morecambe, Lancashire Proposed lawful development certificate for a loft conversion, construction of dormer extension to the rear elevation and installation of two rooflights to the front elevation for Mr Steven Pitch (Torrisholme Ward)	Lawful Development Certificate Granted
24/01189/FUL	115 Hornby Road, Caton, Lancaster Erection of first floor rear extension and construction of verandah and raised patio to the rear for Mr Mike Batty (Lower Lune Valley Ward)	Application Permitted
24/01197/ADV	17 New Street, Lancaster, Lancashire Advertisement application for the display of two non-illuminated fascia signs and one non-illuminated hanging sign for JD Outdoors Ltd (Castle Ward)	Application Permitted
24/01198/LB	17 New Street, Lancaster, Lancashire Listed building application to repair and paint the existing front elevation and for the fixing of two fascia signs and a hanging sign to the front/side elevations for JD Outdoor Ltd (Castle Ward)	Application Permitted
24/01200/PAA	Greenways, Bay Horse Road, Ellel Prior approval for the change of use of agricultural building to 2 dwellings (C3) for Mr R Mitchell (Ellel Ward)	Prior Approval Refused
24/01207/FUL	43 Meadow Park, Galgate, Lancaster Erection of a replacement raised decking balcony and steps to the rear for Dr Neil Rogers (Ellel Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

24/01208/FUL	17 Lawnswood Avenue, Lancaster, Lancashire Demolition of rear conservatory, construction of a single storey rear extension for Mr and Mrs Hall (Scotforth East Ward)	Application Permitted
24/01211/LB	Thurland Castle, Tunstall Road, Tunstall Listed building consent for roof and rainwater goods repair and improvement of details for The Thurland Management Company Ltd. (Upper Lune Valley Ward)	Application Permitted
24/01213/FUL	Rose Cottage, Long Level, Cowan Bridge Installation of an air source heat pump at the rear for Lindsey Hall (Upper Lune Valley Ward)	Application Permitted
24/01214/PAH	16 Bateman Road, Morecambe, Lancashire Erection of a 4.8 metre deep, single storey rear extension with a maximum roof height of 3.8 metres and a maximum eaves heights of 2.8 metres for Mr Halliwell (Poulton Ward)	Prior Approval Not Required
24/01217/FUL	36 Lancaster Road, Carnforth, Lancashire Change of use of part of existing ground floor shop and associated storeroom above (Class E) to dwelling (Class C3) and installation of extract terminals to the front/rear and new first floor window to the rear for Mrs Jane Ruscoe (Carnforth And Millhead Ward)	Application Permitted
24/01218/FUL	Field Off, Keer Holme Lane, Priest Hutton Retrospective application for the erection of a polytunnel for horticultural use for Mr Tim Nikrooz (Warton Ward)	Application Permitted
24/01223/ELDC	Redfields, Wyresdale Road, Quernmore Existing lawful development certificate for the use of a building as a dwelling house for Mr A Gardner (Lower Lune Valley Ward)	Lawful Development Certificate Granted
24/01224/PLDC	4 James Street, Morecambe, Lancashire Proposed Lawful Development Certificate for the partial demolition of detached garage to the rear and erection of a single storey rear extension for Mrs Victoria Taylor Lewis (Poulton Ward)	Lawful Development Certificate Granted
24/01228/FUL	6 Sulyard Street, Lancaster, Lancashire Installation of solar panels to the rear roof for Mr Simon Brinson (Castle Ward)	Application Permitted
24/01229/LB	6 Sulyard Street, Lancaster, Lancashire Listed Building consent for installation of solar panels to the rear roof for Mr Simon Brinson (Castle Ward)	Application Permitted
24/01231/FUL	89 Albert Road, Morecambe, Lancashire Installation of air source heat pump to rear for Mr Stoker John (West End Ward)	Application Withdrawn
24/01233/FUL	67 Regent Street, Lancaster, Lancashire Re-location of pedestrian access gate for Mrs V Fenwick (Castle Ward)	Application Permitted
24/01237/FUL	39 Abbeystead Drive, Lancaster, Lancashire Change of use from dwelling house to (C3) to a house of multiple occupation (C4) for Ms Mei Wah Twiggy (Scotforth East Ward)	Application Withdrawn
24/01240/FUL	9 Ardengate, Lancaster, Lancashire Erection of single storey rear extension and demolition of shed for Dee Hennessy (Scotforth West Ward)	Application Refused

LIST OF DELEGATED PLANNING DECISIONS

24/01242/FUL	Starkers, Hornby Road, Wray Erection of a single storey rear extension, demolition of existing garage and erection of replacement garage, raising of existing southern boundary walls, installation of rooflights, solar panels and flue for Mr And Mrs Stafford (Lower Lune Valley Ward)	Application Permitted
24/01243/PAA	Fanny House Farm, Oxcliffe Road, Heaton With Oxcliffe Prior approval for the change of use and conversion of agricultural building into 7 dwellings (C3) for Mr W Mason (Heysham Central Ward)	Prior Approval Refused
24/01244/FUL	The Orchard, Bye-pass Road, Bolton Le Sands Demolition of existing conservatory and erection of a replacement single storey side extension for Mr and Mrs Swindell (Bolton And Slyne Ward)	Application Permitted
24/01247/PLDC	18 Kendal Drive, Morecambe, Lancashire Proposed lawful development certificate for the erection of a single storey rear extension for Mr Gary Houghton (Torrisholme Ward)	Lawful Development Certificate Granted
24/01250/VCN	19 Sharpes Avenue, Lancaster, Lancashire Erection of a first floor front extension and installation of replacement windows to the front and side elevation (pursuant to the variation of condition 2 on approved application 24/00926/FUL to amend the design by removing the green wall and removal of condition 3 which would no longer be applicable) for Mr and Mrs Armer (Bowerham Ward)	Application Permitted
24/01253/FUL	2B Bay View Crescent, Slyne, Lancaster Demolition of existing front extension and erection of replacement single storey front extension, construction of raised decking and installation of external stairs for Helen Lund (Bolton And Slyne Ward)	Application Permitted
24/01255/PAC	11 Alder Grove, Lancaster, Lancashire Prior approval application for the change of use of existing community building (Class E) to 1 dwelling (C3) for Mr T Greenwood (Marsh Ward)	Prior Approval Refused
24/01258/CU	20 Warley Avenue, Morecambe, Lancashire Change of use from residential care home (C2) to dwellinghouse (C3) for Aspris Children's Services Limited (Torrisholme Ward)	Application Permitted
24/01266/PLDC	Orchards, 24 Crag Bank Road, Carnforth Proposed lawful development certificate for the construction of hip to gable extension, construction of dormer extension to the rear elevation and installation of rooflights to the front elevation for Mrs A Martin (Carnforth And Millhead Ward)	Lawful Development Certificate Granted
24/01268/FUL	37 Canterbury Avenue, Lancaster, Lancashire Erection of a single storey side extension for Mr and Mrs Rainford (Bowerham Ward)	Application Permitted
24/01269/FUL	Cowdber Farm, Woodman Lane, Cowan Bridge Demolition of dwelling, erection of replacement dwelling, re-roofing of outbuilding, construction of a log store, sewage treatment plant, associated parking and landscaping, ground-mounted photovoltaic panels in adjacent field for Forbes Family Investments (Upper Lune Valley Ward)	Application Refused

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24/01270/PAA	Building North Of Croftlands, Blea Tarn Road, Scotforth Prior approval for the change of use of agricultural building to 1 dwelling (C3) for Lynda Swan (Ellel Ward)	Prior Approval Refused
24/01271/PAH	130 Broadway, Morecambe, Lancashire Erection of a 3.5 metre deep, single storey rear extension with a maximum roof and eaves height of 2.99 metres for Mr And Mrs Joe Riley (Bare Ward)	Prior Approval Not Required
24/01280/FUL	7 The Sheiling, Arkholme, Carnforth Erection of single storey rear extension for Mr Jonathan Halsey (Halton-with-Aughton And Kellet Ward)	Application Permitted
24/01289/PAH	12 Ullswater Avenue, Morecambe, Lancashire Erection of a 6 metre deep, single storey rear extension and a maximum roof height of 3 meters for Mr Tom Greenwood (Westgate Ward)	Prior Approval Refused
24/01298/FUL	25 Roosevelt Avenue, Lancaster, Lancashire Erection of two storey rear extension, conversion of existing garage to living accommodation and erection of a first floord side extension for Mr Amro Jayousi (Marsh Ward)	Application Permitted
24/01300/FUL	Unit 5, Whitegate, White Lund Industrial Estate Change of use of scrap/end of life vehicle storage and breakers yard (Sui Generis) to container storage (B8) (retrospective) for Mr James Varley (Westgate Ward)	Application Permitted
24/01302/HRA	6 - 10 Kensington Road, Morecambe, Lancashire Regulation 77 application for prior approval application 23/01191/PAC for Mr & Mrs Ian Millar (Poulton Ward)	Application Permitted
24/01307/PLDC	3 Shelley Close, Bolton Le Sands, Carnforth Proposed lawful development certificate for erection of single storey rear extension for Mr & Mrs Danson (Bolton And Slyne Ward)	Lawful Development Certificate Granted
24/01310/FUL	3 Littledale Road, Brookhouse, Lancaster Installation of external wall insulation to front elevations for Mr Harry Hope (Lower Lune Valley Ward)	Application Permitted
24/01316/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 Not Required
24/01318/FUL	1A Pringle Bank, Warton, Carnforth Erection of single storey rear extension, construction of a canopy to the front elevation and conversion of garage into habitable room for Mitchell Harrison (Warton Ward)	Application Permitted
24/01319/ELDC	62 Barton Road, Lancaster, Lancashire Existing lawful development certificate for use of property as 6-bed house in multiple occupation (C4) for Miss Rebekah Yeung (Scotforth East Ward)	Lawful Development Certificate Granted
24/01323/FUL	19 Longlands Lane, Heysham, Morecambe Demolition of existing garage and erection of a single storey side and rear extension for Mr & Mrs S Brown (Heysham Central Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

24/01327/FUL	36 Michaelson Avenue, Morecambe, Lancashire Erection of a single storey rear extension for Mr & Mrs C Shaw (Torrisholme Ward)	Application Permitted
24/01328/PLDC	6 Willacy Parade, Heysham, Morecambe Proposed lawful development certificate for a loft conversion, installation of rooflight to the front elevation and construction of dormer extension to the rear elevation for Mr David Reynolds (Heysham Central Ward)	Lawful Development Certificate Granted
24/01341/FUL	448 Heysham Road, Heysham, Lancashire Erection of rear extension and reduction in width of rear bedroom window for Mrs A Mather (Heysham South Ward)	Application Permitted
24/01342/PLDC	6 Lentworth House, Lentworth Drive, Lancaster Proposed lawful development certificate for use of the building as a dog grooming salon (Class E) for Lune Dog Grooming (Scotforth East Ward)	Lawful Development Certificate Refused
24/01345/NMA	Trinity United Reformed Church, Bowerham Road, Lancaster Non-material amendment to planning permission 23/00307/FUL for alterations to roofline for Miss Lynne Cadzow (Bowerham Ward)	Application Permitted
24/01346/AD	Scale House Farm, Scale House Lane, Wray Agricultural determination for the erection of a building over an existing silage clamp for Mr Daniel Towers (Upper Lune Valley Ward)	Prior Approval Not Required
24/01352/PAH	Folly Farm, Folly Lane, Slyne Erection of a 6.15 metre deep, single storey rear extension with a maximum roof height of 3.3 metres and a maximum eaves height of 2.9 metres for Mr David Hughes (Bolton And Slyne Ward)	Prior Approval Granted
24/01356/EIR	Rear Of, 34 Wennington Road, Wray Screening request for the erection of a self-build dwelling (C3), with associated landscaping, access, parking and creation of pond for Mr & Mrs Garrod (Lower Lune Valley Ward)	ES Not Required
24/01379/EIR	Silverdale Cricket Club, Cove Road, Silverdale Screening opinion for erection of single storey side extension to Club Pavilion for Silverdale Cricket Club (Silverdale Ward)	ES Not Required
24/01380/NMA	8 Roman Crescent, Caton, Lancaster Non-material amendment to planning permission 23/01397/FUL to remove raised decking area and screening and to reduce the footprint of extension for Glenda Garry (Lower Lune Valley Ward)	Application Permitted
24/01392/EIR	Scale House Farm, Scale House Lane, Wray Screening request for the erection of a building over an existing silage clamp for Mr Daniel Towers (Upper Lune Valley Ward)	ES Not Required
24/01397/NMA	Anchor Building, 1 Penrod Way, Heysham Non-material amendment to planning permission 23/01305/FUL to amend the plans to alter design and specifications of the Battery Box for Miss Philippa Rees (Heysham South Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

25/00014/EIR	Downlands Farm, Moss Road, Heaton With Oxcliffe Screening opinion for the erection of cattle building for Mr Grant Thornton (Overton Ward)	ES Not Required
25/00024/NMA	33 Coastal Road, Hest Bank, Lancaster Non-material amendment on approved application 24/00126/FUL to change from K Render to pebble dash for Mr and Mrs Crabtree (Bolton And Slyne Ward)	Application Permitted
25/00050/NMA	Stauvins Barn, Littledale Road, Brookhouse Non-material amendment to planning permission 24/01047/FUL to change window colour and alter window heights on proposed extension for Mr and Mrs Philip Worrall (Lower Lune Valley Ward)	Application Permitted
25/00052/EIR	Forest Hills Solar Farm, Hazelrigg Lane, Scotforth Screening opinion for construction of a solar farm with associated access and infrastructure for Mr Paul Morris (Ellel Ward)	ES Not Required
25/00066/EIR	12 Middlegate, White Lund Industrial Estate, Morecambe Screening opinion for demolition of existing workshop building, erection of single storey extension to existing showroom to provide a replacement vehicle workshop facility, erection of bodyshop and valet buildings, construction of wash bay and new parking/vehicle display area, installation of two EV charging bays and erection of bin store for Mrs Rebecca Nisbett (Westgate Ward)	ES Not Required