LANCASTER CITY COUNCIL

*Promoting City, Coast & Countryside*

***Committee:*** **PLANNING REGULATORY COMMITTEE**

***Date:*** **MONDAY, 10 MARCH 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 10th February 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** | **A5 24/01364/VCN** | **Land To The South Of Middleton Clean Energy Plant, Middleton Road, Middleton**<br><br>Installation of a 99.95MW battery storage facility including 2m security fence, battery units, cabling and creation of attenuation ponds (pursuant to the variation of condition 2 on planning permission 24/00203/VCN to alter the layout and equipment detail). | **Overton Ward** | **(Pages 5 - 10)** |
| **6** | **A6 24/01365/VCN** | **Land To The South Of Middleton Clean Energy Plant, Middleton Road, Middleton**<br><br>Construction of 100 MWh energy storage facility with associated boundary fencing, access road and column mounted CCTV cameras (pursuant to the variation of condition 2 on planning permission 22/00839/FUL to alter the layout and equipment detail). | **Overton Ward** | **(Pages 11 - 16)** |
| **7** | **A7 23/01412/FUL** | **YMCA, Fleet Square, New Road, Lancaster**<br><br>Change of use of former YMCA building to 17 studios for student | **Castle Ward** | **(Pages 17 - 31)** |

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|---|---|---|---|---|
| | | accommodation (C3) with ancillary storage areas; installation of glazing in existing door opening to front elevation; replacement door to north-west side elevation; replacement ground floor window to rear elevation; reinstatement of first floor window to rear elevation. | | |
| **8** | **A8 24/00087/LB** | **YMCA, Fleet Square, New Road, Lancaster**<br><br>Listed building application to facilitate the conversion of building into residential studios, including installation of glazing in existing door opening to front elevation; replacement door to north-west side elevation; replacement ground floor window to rear elevation; reinstatement of first floor window to rear elevation; and removal of signage / extract grilles and reconfiguration of the internal layout. | **Castle Ward** | **(Pages 32 - 35)** |
| **9** | **A9 24/01166/FUL** | **45 Victoria Street, Morecambe, LA4 4AF**<br><br>Part retrospective application for the change of use and conversion of five-storey property comprising of offices (E(c)(ii)) to one 1-bed flat and two 2-bed maisonettes (C3), installation of replacement windows and infill panels to the rear, replacement front door, installation of new windows and formation of new lightwell to the front and installation of boundary wall and metal railings. | **Poulton Ward** | **(Pages 36 - 41)** |
| **10** | **A10 24/01282/FUL** | **Hastings Road Garage, Hastings Road, Lancaster**<br><br>Demolition of existing garages and erection of two 2-storey buildings comprising of two dwellings and two 1-bed flats (C3). | **Scotforth West Ward** | **(Pages 42 - 50)** |
| **11** | **A11 25/00136/PAS** | **1 Southgate, White Lund Industrial Estate**<br><br>Prior approval for the installation of roof mounted solar photovoltaic panels. | **Westgate Ward** | **(Pages 51 - 54)** |

**12 Delegated List (Pages 55 - 62)**

**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 26th February 2025.

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|---|---|
| **Agenda Item** | A5 |
| **Application Number** | 24/01364/VCN |
| **Proposal** | Installation of a 99.95MW battery storage facility including 2m security fence, battery units, cabling and creation of attenuation ponds (pursuant to the variation of condition 2 on planning permission 24/00203/VCN to alter the layout and equipment detail) |
| **Application site** | Middleton Clean Energy Plant<br>Middleton Road<br>Heysham<br>Lancashire |
| **Applicant** | Mr Robert Sanders |
| **Agent** | Mr Daniel Grierson |
| **Case Officer** | Mr Robert Clarke |
| **Departure** | Yes |
| **Summary of Recommendation** | Approval, subject to conditions |

## 1.0 Application Site and Setting

1.1 This site relates to an area of land which is part of the former Middleton Oil Refinery and is known locally as Middleton Wood. It comprises approximately 0.48 hectares of mainly rough ground with areas of tipped material, upon which some natural regenerated vegetation has occurred. There are areas of hardstanding forming an original portion of the road network within the refinery site. The site is accessed via a road through an existing industrial state, off Middleton Road.

1.2 The site lies within the zone of influence of a Control of Major Accident Hazard (COMAH) site at Tradebe Solvent Recycling Ltd which is located immediately to the northwest, within the established industrial area. It is also within the Health and Safety Executive middle consultation zone in relation to Heysham Power Station. The site falls within the established employment area Major Industrial Estate (EC1.9). It also falls within the Heysham Gateway Regeneration Priority Area. The site is also identified as forming part of a larger historic landfill site.

1.3 Adjacent to the eastern boundary of the site is the Middleton Former Refinery Biological Heritage Site (BHS). This extends over a large area to the east, south and west of the site and forms Middleton Nature Reserve. Located approximately 800 metres to the south west is the Lune Estuary Site of Special Scientific Interest (SSSI) which is also covered by the Morecambe Bay Special Protection Area (SPA), Special Area of Conservation (SAC), Ramsar Site and Marine Conservation Area.

## 2.0 Proposal

2.1 Planning permission was granted in January 2020 for the installation of a battery storage facility through planning application 18/01203/FUL. Subsequent to this original planning permission,

Section 73 variation of condition applications references 22/00358/VCN and 24/00203/VCN sought amendments to the layout and design specifications of the original development.

2.2 This current application is a further Section 73 variation of condition application which seeks to vary condition 2 (approved drawings) attached to permission 24/00203/VCN, in order to vary the site layout and design specifications further. These proposals include a reduction in the number of battery storage units, changes to the type and design of the battery storage units and the layout of infrastructure within the site. The extent of the site remains the same, as does the height and positioning of the boundary fencing.

2.3 The applicant has confirmed that the reason for the proposed changes are due to developments in the large scale energy storage market, with more advanced and higher capacity equipment becoming available. The changes to the site layout also secure betterment with respect to separation distances between the battery storage units.

2.4 As this application is a Section 73 Variation of Condition which seeks to vary condition 2 relating to the approved plans, 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.

## 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 |
|---|---|---|
| 18/01203/FUL | Installation of a 49.9MW battery storage facility including 2m security fence, battery units, cabling and creation of attenuation ponds | Approved |
| 21/00735/NMA | Non material amendment to planning permission 18/01203/FUL to change the maximum output from 49.9MW to 99.95MW | Approved |
| 21/01534/NMA | Non material amendment to planning permission 18/01203/FUL for rearrangement of battery storage containers | Withdrawn |
| 22/00358/VCN | Installation of 99.95MW battery storage facility including 2m security fence, battery units, cabling and creation of attenuation ponds (pursuant to the variation of condition 2 on approved application 18/01203/FUL to amend the layout and container specifications) | Approved |
| 23/01313/NMA | Non material amendment to planning permission 18/01203/FUL to change the arrangement of equipment and relocation of balancing pond | Refused |
| 24/00203/VCN | Installation of a 99.95MW battery storage facility including 2m security fence, battery units, cabling and creation of attenuation ponds (pursuant to the variation of condition 2 on planning permission 22/00358/VCN to amend layout and details of equipment) | Approved |

3.2 Furthermore, the Local Planning Authority have previously recevied the below applications which relate to further linked energy related development on adjacent land:

| Application Number | Proposal | Decision |
|---|---|---|
| 22/00668/FUL | Erection of a substation compound comprising of a transformer, HV equipment, switchgear control room, welfare cabin and DNO substation building with associated boundary fencing, access road and column mounted CCTV cameras | Permitted |

| | | |
|---|---|---|
| 22/00839/FUL | Construction of 100 MWh energy storage facility with associated boundary fencing, access road and column mounted CCTV cameras | Permitted |
| 23/01314/NMA | Non material amendment to planning permission 22/00668/FUL for reorientation of equipment | Refused |
| 23/01316/NMA | Non material amendment to planning permission 22/00839/FUL to change the arrangement of equipment and relocation of balancing pond | Refused |
| 24/00214/VCN | Erection of a substation compound comprising of a transformer, HV equipment, switchgear control room, welfare cabin and DNO substation building with associated boundary fencing, access road and column mounted CCTV cameras (pursuant to the variation of condition 2 on planning permission 22/00668/FUL to amend layout and details of equipment) | Pending legal agreement (resolved to be approved by planning committee May 2024) |
| 24/00215/VCN | Construction of 100 MWh energy storage facility with associated boundary fencing, access road and column mounted CCTV cameras (pursuant to the variation of condition 2 on planning permission 22/00839/FUL to amend layout and details of equipment) | Withdrawn (resolved to be approved by planning committee May 2024) |
| 24/01365/VCN | Construction of 100 MWh energy storage facility with associated boundary fencing, access road and column mounted CCTV cameras (pursuant to the variation of condition 2 on planning permission 22/00839/FUL to alter the layout and equipment detail) | Pending consideration |

**4.0 Consultation Responses**

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

| Consultee | Response |
|---|---|
| Parish Council | No response |
| County Highways | No objection |
| Environmental Protection | No response |
| Fire Safety Officer | Requests that the development address the requirements of the identified guidance set out within their response, and that additional details be provided to address their concerns. |
| Lancashire County Council Emergency Planning | Concerns include site access to Tradebe Heysham Ltd, fire safety, and traffic management implications. |
| EDF | No response |
| Officer of Nuclear Regulation | No response |
| Natural England | No response |
| The Wildlife Trust | No response |
| Planning Policy Team | No response |
| Property Services | No response |
| Engineering Team | No response |
| | |

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

1 letter has been received by the Local Planning Authority raising the following matters:

- Highlights an inaccuracy in Drawing ref BH 2018.003 REV A which shows the Biological Heritage site designation over industrial and residential development.

**5.0 Analysis**

5.1 The principle of the development has already been established through the granting of the previous planning permissions. This application just seeks to vary condition 2 of permission 24/00203/VCN, which relates to the approved plans. As such the key considerations in the assessment of this application are:

- Design, landscape and visual impact
- Fire Safety
- Ecology
- Highway Implications

5.2 **Design, landscape and visual impact** (National Planning Policy Framework Section 12 Achieving well-designed and beautiful places, Section 15 Conserving and enhancing the natural environment and Development Management DPD policies DM29 (Key Design Principles) and DM46 (Development and Landscape Impact).

5.2.1 The proposed changes in the design and layout of the development are a result of changes in the specification of the energy storage units to be utilised within the site. Advances in battery storage technology means that fewer storage units are now required within the site to achieve the development capacity, this has resulted in a reduction from 40 individual units to 19 units. The battery containers and associated infrastructure will predominantly occupy the eastern half of the site enabling the western area of the site to remain largely open. The battery storage units now proposed remain relatively low with a maximum height of approximately 2.95 metres. Other associated infrastructure such as transformers and inverters are to be sited adjacent to each row of battery storage units. Given the height and design of the structures and the proximity to the existing industrial development, it is considered that the proposal will not have a detrimental impact on the landscape or the amenity of the area in general.

5.3 **Fire Safety** (National Planning Policy Framework Section 8 Promoting health and safe communities, Section 12 Achieving well-designed and beautiful places and Development Management DPD policies DM29 (Key Design Principles), DM53 (Renewable and Low Carbon Energy Generation)

5.3.1 The recent NPPG guidance relating to battery energy storage systems encourages early engagement between developers and relevant fire and rescue services. It also advocates the guidance produced by the National Fire Chiefs Council when developing such a scheme.

5.3.2 Consultation between the developer and the Lancashire Fire and Rescue Service (LFRS) has been undertaken. The LFRS has provided a consultation response to this latest Section 73 application which now raises a number of comments with respect to site access, design and layout, operation and decommissioning. As this is a Section 73 Variation of Condition application, it is not possible for the Local Planning Authority to consider the proposal as whole, it must focus solely on the matters to which this application relates. Firstly, the access to the site has previously been deemed acceptable and is established through the previous permission, it is not possible for this to be reconsidered or altered as part of this Section 73 Variation of Condition application.

5.3.3 The revised site layout and separation distances now sought must be considered in the context of the planning permission already granted at this site. In the context of the most recent previous planning permission granted through planning permission 24/00203/VCN, the overall number of the battery storage units has reduced from 40 individual units to 19 units. Moreover, the separation distance between each pair of battery storage units has been increased to provide greater space to help prevent spread of fire and to enable firefighting equipment more efficient access. This reduction in the overall quantum of development has been enabled through improvements in energy storage technology which means fewer units are required on site to deliver the same capacity of development approved through 24/00203/VCN. Whilst concerns have been raised by the LFRS regarding site layout, it is in the context of the previously approved development that this application must now be considered and, relative to the already approved development, the alterations

proposed result in notable improvements by virtue of the reduction in storage units and increased separation distances between them.

It is considered reasonable and necessary to incorporate a new planning condition within the planning permission to require the preparation of a final risk reduction strategy which can be undertaken in consultation with the LFRS, this has been agreed with the developer. The strategy must address the remaining details/measures set out within the LFRS consultation response to this application. This is also consistent with the approach taken by the Planning Inspectorate in respect of a recent planning appeal decision.

5.4 **Ecology** (National Planning Policy Framework Section 15 Conserving and enhancing the natural environment and Strategic Policies and Land Allocations (SPLA) DPD policies SP8 (Protecting the Natural Environment) and EN7 (Environmentally Important Areas); Development Management (DM) DPD policies DM43 (Green and Blue Infrastructure) and DM44 (Protection and Enhancement of Biodiversity).

5.4.1 The site is located approximately 800 metres to the northeast of the Lune Estuary Site of Special Scientific Interest (SSSI) which is also covered by the Morecambe Bay Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar Site. Natural England previously advised that the development would not have significant impacts on these protected sites. Given that the proposed infrastructure will be located in a similar position to the previous approval, it is considered that the development would continue to not have significant impacts on the designated sites.

5.4.2 The development site lies adjacent to the Middleton Former Refinery Biological Heritage Site (BHS), this is a nature reserve which is managed by the Lancashire Wildlife Trust (LWT). Both the application site and the BHS are known to support Great Crested Newts, which are a European Protected Species. To mitigate the loss of habitat, the original permission (18/01203/FUL) included a condition requiring the developer to enter into an obligation to provide a financial contribution to improve habitat for newts within the nature reserve. The financial contribution has now been provided by the developer, for that reason, this condition can be removed. Furthermore, the Construction Environmental Management Plan condition and invasive species methodology condition have also been satisfied, therefore the relevant conditions can be updated to reflect the already approved details. Consequently, it is considered that the proposed changes to the scheme would not have a greater impact on ecology than was previously determined. When assessing the original application, it was considered that the proposal would not have a significant impact on biodiversity, subject to appropriate mitigation as detailed above, and should ensure that the favourable conservation status of newts would be maintained.

5.5 **Highway Implications** (National Planning Policy Framework Section 9 Promoting sustainable transport and Development Management DPD policy DM29 (Key Design Principles) and DM60 (Enhancing Accessibility and Transport Linkages).

5.5.1 The proposed development will utilise an existing access road through the adjacent industrial estate, off Middleton Road. Adjacent to the site there is an existing road, which served the former refinery site, and this will provide access to the development. Whilst both the LFRS and the Lancashire County Council Emergency Planning raise concerns regarding access arrangements, there are no changes proposed to the access arrangement to the site included as part of this Section 73 application. It is important to note that the Lancashire County Council Emergency Planning confirmed that they had no objections to the previous Section 73 application 24/00203/VCN. The consultation response provided by both the LFRS and the Lancashire County Council Emergency Planning have been provided to the applicant, who has confirmed that they are engaging with these interested parties separate to the consideration of this Section 73 application to ensure that their concerns are alleviated during the construction and operational phases of the development. Overall, it is considered that the internal site alterations proposed as part of this Section 73 application would not be detrimental to highway safety and County Highways have raised no objection in this regard.

## 6.0 Conclusion and Planning Balance

6.1 The application proposes some alterations to the previously approved plans, comprising the change of specification and layout of the battery storage units and associated infrastructure. As set out

above, the proposed changes would not result in a detrimental impact on highway safety, biodiversity or the character and appearance of the locality and are therefore acceptable and comply with local and national planning policy.

**Recommendation**

That Planning Permission Listed Building BE GRANTED subject to the following conditions:

| Condition no. | Description | Type |
|---|---|---|
| 1 | Approved plans | Control |
| 2 | Contamination | Pre-commencement |
| 3 | Surface water drainage details | Pre-commencement |
| 4 | Pond details | Pre-commencement |
| 5 | Details of materials | Prior to development above ground |
| 6 | External lighting details | Prior to development above ground |
| 7 | Landscaping scheme | Prior to development above ground |
| 8 | Risk reduction strategy | Prior to installation of battery units |
| 9 | CEMP | Control |
| 10 | Invasive species | Control |

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

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

**Background Papers**
None

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|---|---|
| **Agenda Item** | A6 |
| **Application Number** | 24/01365/VCN |
| **Proposal** | Construction of 100 MWh energy storage facility with associated boundary fencing, access road and column mounted CCTV cameras (pursuant to the variation of condition 2 on planning permission 22/00839/FUL to alter the layout and equipment detail) |
| **Application site** | Land To The South Of Middleton Clean Energy Plant<br>Middleton Road<br>Middleton<br>Lancashire |
| **Applicant** | Mr Robert Sanders |
| **Agent** | Mr Daniel Grierson |
| **Case Officer** | Mr Robert Clarke |
| **Departure** | Yes |
| **Summary of Recommendation** | Approval – Delegate back to Head of Service for finalisation of planning obligation. |

## 1.0 Application Site and Setting

1.1 This site relates to an area of land which is part of the former Middleton Oil Refinery and is known locally as Middleton Wood. It comprises approximately 0.47 hectares of mainly rough ground with areas of tipped/piled material. In parts some natural regenerated vegetation has occurred. There are areas of hardstanding forming an original portion of the road network within the refinery site. The site is accessed via a road through an existing industrial state, off Middleton Road.

1.2 The site lies within the zone of influence of a Control of Major Accident Hazard (COMAH) site at Tradebe Solvent Recycling Ltd which is located immediately to the northwest within the established industrial area. It is also within the Health and Safety Executive middle consultation zone in relation to Heysham Power Station. The site falls within the established employment area Major Industrial Estate (EC1.9). It also falls within the Heysham Gateway Regeneration Priority Area. The site is also identified as forming part of a larger historic landfill site.

1.3 Adjacent to the eastern boundary of the site is the Middleton Former Refinery Biological Heritage Site (BHS). This extends over a large area to the east, south and west of the site and forms Middleton Nature Reserve. Located approximately 800 metres to the south west is the Lune Estuary Site of Special Scientific Interest (SSSI) which is also covered by the Morecambe Bay Special Protection Area (SPA), Special Area of Conservation (SAC), Ramsar Site and Marine Conservation Area.

## 2.0 Proposal

2.1 Planning permission was granted in May 2023 for the installation of a battery storage facility through planning application 22/00839/FUL. Following this, a Section 73 variation of condition application sought to vary condition 2 (approved drawings) attached to permission 22/00839/FUL to vary the site layout and design. This initial Section 73 variation of condition application was resolved to be approved by Planning Committee in May 2024, however, it was subsequently withdrawn by the applicant. This current application is a further Section 73 variation of condition application which seeks to vary condition 2 (approved drawings) attached to permission 22/00839/FUL to vary the site layout and design. These proposals relate to the type and design of the battery storage units, the layout of infrastructure within the site, alterations to the internal road layout to reflect the revised site layout and alterations to the drainage basin. The extent of the site remains the same. As 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 battery energy storage facility at this has already been found to be acceptable.

## 3.0 Site History

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

| Application Number | Proposal | Decision |
|---|---|---|
| 22/00839/FUL | Construction of 100 MWh energy storage facility with associated boundary fencing, access road and column mounted CCTV cameras | Permitted |
| 24/00215/VCN | Construction of 100 MWh energy storage facility with associated boundary fencing, access road and column mounted CCTV cameras (pursuant to the variation of condition 2 on planning permission 22/00839/FUL to amend layout and details of equipment) | Withdrawn (resolved to be approved by planning committee May 2024) |

3.2 Furthermore, the Local Planning Authority have previously recevied the below applications which relate to further linked energy related development on adjacent land:

| Application Number | Proposal | Decision |
|---|---|---|
| 18/01203/FUL | Installation of a 49.9MW battery storage facility including 2m security fence, battery units, cabling and creation of attenuation ponds | Permitted |
| 21/00735/NMA | Non material amendment to planning permission 18/01203/FUL to change the maximum output from 49.9MW to 99.95MW | Permitted |
| 21/01534/NMA | Non material amendment to planning permission 18/01203/FUL for rearrangement of battery storage containers | Withdrawn |
| 22/00358/VCN | Installation of 99.95MW battery storage facility including 2m security fence, battery units, cabling and creation of attenuation ponds (pursuant to the variation of condition 2 on approved application 18/01203/FUL to amend the layout and container specifications) | Permitted |
| 22/00668/FUL | Erection of a substation compound comprising of a transformer, HV equipment, switchgear control room, welfare cabin and DNO substation building with associated boundary fencing, access road and column mounted CCTV cameras | Permitted |

| | | |
|---|---|---|
| 23/01313/NMA | Non material amendment to planning permission 18/01203/FUL to change the arrangement of equipment and relocation of balancing pond | Refused |
| 23/01314/NMA | Non material amendment to planning permission 22/00668/FUL for reorientation of equipment | Refused |
| 23/01316/NMA | Non material amendment to planning permission 22/00839/FUL to change the arrangement of equipment and relocation of balancing pond | Refused |
| 24/00203/VCN | Installation of a 99.95MW battery storage facility including 2m security fence, battery units, cabling and creation of attenuation ponds (pursuant to the variation of condition 2 on planning permission 22/00358/VCN to amend layout and details of equipment) | Permitted |
| 24/00214/VCN | Erection of a substation compound comprising of a transformer, HV equipment, switchgear control room, welfare cabin and DNO substation building with associated boundary fencing, access road and column mounted CCTV cameras (pursuant to the variation of condition 2 on planning permission 22/00668/FUL to amend layout and details of equipment) | Pending legal agreement (resolved to be approved by planning committee May 2024) |
| 24/01364/VCN | Installation of a 99.95MW battery storage facility including 2m security fence, battery units, cabling and creation of attenuation ponds (pursuant to the variation of condition 2 on planning permission 24/00203/VCN to alter the layout and equipment detail) | Pending consideration |

## 4.0 Consultation Responses

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

| Consultee | Response |
|---|---|
| Parish Council | No response received |
| Planning Policy Team | No response received |
| The Wildlife Trust for Lancashire | No response received |
| EDF | No response received |
| County Highways | No objection |
| Property Services | No response received |
| Lancashire County Council Emergency Planning | No response received |
| Office Of Nuclear Regulation | No response received |
| Natural England | No response received |
| Fire Safety Officer | Requests that the development address the requirements of the identified guidance set out within their response, and that additional details be provided to address their concerns. |

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

- No response received.

**5.0 Analysis**

5.1 The principle of the development has already been established through the granting of the previous planning permissions. This application just seeks to vary condition 2 of permission 22/00839/FUL, which relates to the approved plans. As such the key considerations in the assessment of this application are:

- Design, landscape and visual impact
- Fire Safety
- Ecology
- Highway Implications

5.2 **Design, landscape and visual impact** (National Planning Policy Framework Section 12 Achieving well-designed and beautiful places, Section 15 Conserving and enhancing the natural environment and Development Management DPD policies DM29 (Key Design Principles) and DM46 (Development and Landscape Impact).

5.2.1 The proposed changes in the design and layout of the development are a result of changes in the specification of the energy storage units to be utilised within the site, and which has also enabled a reduction in their number. Advances in battery storage technology means that fewer storage units are now required within the site to achieve the development capacity. The battery containers and associated infrastructure will predominantly occupy the eastern half of the site enabling the western area of the site to remain open. The battery storage units now proposed remain relatively low with a maximum height of approximately 2.95 metres. Other associated infrastructure such as transformers and inverters are to be sited adjacent to each row of battery storage units. Given the height and design of the structures and the proximity to the existing industrial development, it is considered that the proposal will not have a detrimental impact on the landscape or the amenity of the area in general.

5.3 **Fire Safety** (National Planning Policy Framework Section 8 Promoting health and safe communities, Section 12 Achieving well-designed and beautiful places and Development Management DPD policies DM29 (Key Design Principles), DM53 (Renewable and Low Carbon Energy Generation)

5.3.1 The recent NPPG guidance relating to battery energy storage systems encourages early engagement between developers and relevant fire and rescue services. It also advocates the guidance produced by the National Fire Chiefs Council when developing such a scheme.

5.3.2 Consultation between the developer and the Lancashire Fire and Rescue Service (LFRS) has been undertaken. The LFRS has provided a consultation response to this latest Section 73 application which now raises a number of comments with respect to site access, design and layout, operation and decommissioning. As this is a Section 73 Variation of Condition application, it is not possible for the Local Planning Authority to consider the proposal as whole, it must focus solely on the matters to which this application relates. Firstly, the access to the site has previously been deemed acceptable and is established through the previous permission, it is not possible for this to be reconsidered or altered as part of this Section 73 Variation of Condition application.

5.3.3 The revised site layout and separation distances now sought must be considered in the context of the planning permission already granted at this site. In the context of the planning permission granted through planning permission 22/00839/FUL, the overall number of the battery storage units has reduced from 84 units to 24 units. Moreover, the separation distance between each pair of battery storage units has been increased to provide greater space to help prevent spread of fire and to enable firefighting equipment more efficient access. This reduction in the overall quantum of development has been enabled through improvements in energy storage technology which means fewer units are required on site to deliver the same capacity of development approved through 22/00839/FUL. Whilst concerns have been raised by the LFRS regarding site layout, it is in the context of the previously approved development that this application must now be considered and, relative to the already approved development, the alterations proposed result in notable improvements by virtue of the reduction in storage units and increased separation distances between them.

5.3.4 It is considered reasonable and necessary to incorporate a new planning condition within the planning permission to require the preparation of a final risk reduction strategy which can be undertaken in consultation with the LFRS, this has been agreed with the developer. The strategy must address the remaining details/measures set out within the LFRS consultation response to this application. This is also consistent with the approach taken by the Planning Inspectorate in respect of a recent planning appeal decision.

5.4 **Ecology** (National Planning Policy Framework Section 15 Conserving and enhancing the natural environment and Strategic Policies and Land Allocations (SPLA) DPD policies SP8 (Protecting the Natural Environment) and EN7 (Environmentally Important Areas); Development Management (DM) DPD policies DM43 (Green and Blue Infrastructure) and DM44 (Protection and Enhancement of Biodiversity).

5.4.1 The site is located approximately 800 metres to the northeast of the Lune Estuary Site of Special Scientific Interest (SSSI) which is also covered by the Morecambe Bay Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar Site. Natural England previously advised that the development would not have significant impacts on these protected sites. Given that the proposed infrastructure will be located in a similar position to the previous approval, it is considered that the development would continue to not have significant impacts on the designated sites.

5.4.2 The development site lies adjacent to the Middleton Former Refinery Biological Heritage Site (BHS), this is a nature reserve which is managed by the Lancashire Wildlife Trust (LWT). Both the application site and the BHS are known to support Great Crested Newts, which are a European Protected Species. To mitigate the loss of habitat, the original permission included an obligation to secure a financial contribution towards off-site habitat enhancement. This contribution has not yet been secured as development has not commenced on site at this time. For this reason, the obligation will require a variation so as to reflect this latest planning application. In addition to this, a further condition also required the developer to secure a Great Crested Newt Licence from Natural England, this has now been secured and therefore this condition can be removed.

5.4.3 The original permission also included a condition requiring agreement of a Construction and Environmental Management Plan (CEMP). This too has now been agreed and therefore this condition can be removed. A further condition requiring agreement of an invasive species management plan has also now been satisfied. The relevant conditions can be updated to reflect the approved details accordingly.

5.4.4 The adjustment of the pond drainage basin is acceptable in principle, however, relative to that approved through 22/00839/FUL, the currently proposed pond is now smaller and appears much more engineered in form. This will have implications with respect to the ecological value of the pond over the long term. Whilst the pond is to form a functioning part of the sites drainage system, its design also needs to be guided by the ecological details set out in the Preliminary Ecological Appraisal by Landscape Ecology Limited and submitted as part of 22/00839/FUL. The developer has stated that they are committed to delivering a drainage basin which both serves the drainage needs of the development but provides ecological enhancement. The detailed drainage strategy for the site is yet to be finalised, for that reason the developer has requested that the final details of the pond also be conditioned. This is considered a reasonable approach and therefore a new condition requiring approval of final details of the pond, particularly its ecological composition, is recommended.

5.4.5 Overall, it is considered that the proposed changes to the scheme would not have a greater impact on ecology than was previously determined. When assessing the original application, it was considered that the proposal would not have a significant impact on biodiversity, subject to appropriate mitigation as detailed above, and should ensure that the favourable conservation status of newts would be maintained.

5.5 **Highway Implications** (National Planning Policy Framework Section 9 Promoting sustainable transport and Development Management DPD policy DM29 (Key Design Principles) and DM60 (Enhancing Accessibility and Transport Linkages).

5.5.1 The proposed development will utilise an existing access road through the adjacent industrial estate, off Middleton Road. Adjacent to the site there is an existing road, which served the former refinery

site, and this will provide access to the development. There are no changes proposed to the access to the site, it is considered that there would not be a detrimental impact to highway safety and County Highways have raised no objection in this regard.

## 6.0 Conclusion and Planning Balance

6.1 The application proposes some alterations to the previously approved plans, comprising the change of specification and layout of the battery storage units and associated infrastructure, and the position of internal access tracks. As set out above, the proposed changes would not result in a detrimental impact on highway safety, biodiversity or the character and appearance of the locality and are therefore acceptable and comply with local and national planning policy.

**Recommendation**

That Planning Permission BE GRANTED subject to the following conditions:

| Condition no. | Description | Type |
|---|---|---|
| 1 | Timescale | Control |
| 2 | Approved plans | Control |
| 3 | Temporary consent and decommissioning | Control |
| 4 | CEMP | Control |
| 5 | Construction Traffic Management Plan | Pre-commencement |
| 6 | Surface water drainage strategy | Pre-commencement |
| 7 | Standard contaminated land condition | Pre-commencement |
| 8 | Control of invasive species | Control |
| 9 | Details of materials: colour and finish to containers; details of fencing; details of surfacing; details of green roof; details of building colours | Prior to development above ground |
| 10 | Details of external lighting | Prior to development above ground |
| 11 | Soft landscaping scheme | Prior to development above ground |
| 12 | Details and installation of road upgrades | Prior to development above ground/prior to first operation |
| 13 | Ecological Impact Assessment mitigation strategy | Control |
| 14 | Risk reduction strategy | Prior to installation of battery units |

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

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

**Background Papers**
None

| | |
|---|---|
| **Agenda Item** | A7 |
| **Application Number** | 23/01412/FUL |
| **Proposal** | Change of use of former YMCA building to 17 studios for student accommodation (C3) with ancillary storage areas; installation of glazing in existing door opening to front elevation; replacement door to north-west side elevation; replacement ground floor window to rear elevation; reinstatement of first floor window to rear elevation |
| **Application site** | YMCA<br>Fleet Square<br>New Road<br>Lancaster |
| **Applicant** | MHO Mayar Ltd |
| **Agent** | Mr Michael Harrison |
| **Case Officer** | Ms Kate Henry |
| **Departure** | No |
| **Summary of Recommendation** | Approval, subject to delegation back to Head of Service to finalise Section 106 legal agreement and conditions. |

**(i) Procedural Matters**

**1.0 Application Site and Setting**

1.1 The application site is the former YMCA building at the northern end of New Road in Lancaster, close to the junction with Damside Street and Cable Street; and the lower ground floor of 10 New Road, which is the adjoining property to the south.

1.2 The main building is a 5 storey (plus basement), roughly square-shaped, former warehouse building dating from c. 1881, constructed of sandstone with a slate roof. The main entrance, with a modern addition glazed canopy feature, is on the north-east elevation (facing towards Bridge Lane / Cable Street) and there is a secondary entrance on the south-east elevation (on to New Road). The building is grade II listed and the listing description refers to it as “Pye’s Building”.

1.3 No. 10 New Road is a 2-storey (plus basement), stone-faced terraced building attached to the former warehouse building and also to terraced properties stepping up New Road to the south.

1.4 The application site is within the defined Lancaster City Centre area and is within a Regeneration Priority Area. It is also within the Lancaster Conservation Area.

1.5 The application site is partly within Flood Zone 2. It is also partly at low to medium risk of surface water flooding.

1.6 The application site is within Zone 1 of the Air Quality Management Area.

1.7 A Regulation 7 direction relating to 'To Let' boards covers the application site.

1.8 The application site is within the Morecambe Bay and Duddon Estuary Special Protection Area Buffer Zone (3.5km).

## 2.0 Proposal

2.1 Planning permission is sought for a change of use of the building to student accommodation comprising 17x self-contained units, laid out as follows:

| | |
|---|---|
| Basement | Storage |
| Ground floor | 1x studio, 1x apartment, bin store, bike store |
| 1st floor | 4x studios |
| 2nd floor | 4x studios |
| 3rd floor | 4x studios |
| 4th floor | 2x studios + 1x apartment |

2.2 Permission is also sought to install glazing in the existing door opening on the front (north-east) elevation; to replace an existing door on the side (north-west) elevation, which opens into the rear alleyway; to replace an existing ground floor window on the rear (south-west) elevation, which faces towards the rear alleyway; and to reinstate a first floor window on the rear (south-west) elevation, which also faces towards the rear alleyway.

2.3 The proposal also includes the removal of redundant signage on the building, albeit this does not require planning permission.

Revisions

2.4 The following revisions have been made during the course of the application:

- Main entrance on north-east elevation to be retained (rather than closing this entrance and creating main entrance on New Road side);
- Number of units reduced from 19 to 17;
- Relocation of bin and bike stores to ground floor (from basement);
- Alterations to 4th floor plan;
- Basement dedicated fully to landlord / servicing.

## 3.0 Site History

3.1 A number of applications relating to this site have previously been received by the Local Planning Authority. The following are of relevance:

| Application Number | Proposal | Decision |
|---|---|---|
| **24/00087/LB** | Listed building application to facilitate the conversion of building into residential studios, including installation of glazing in existing door opening to front elevation; replacement door to north-west side elevation; replacement ground floor window to rear elevation; reinstatement of first floor window to rear elevation; and removal of signage / extract grilles and reconfiguration of the internal layout | **Pending determination** |
| **08/01127/FUL** | Internal refurbishment including replacement windows. | **Permitted 13.11.2008** |
| **08/01128/LB** | Listed building application for internal refurbishment including replacement windows. | **Permitted 13.11.2008** |

| | | |
|---|---|---|
| **02/01253/CU** | Change of use from garages and offices in attached buildings to muti-purpose hall, changing rooms and fitness suite and refurbishment of existing office accommodation in former mill building. | **Permitted 13.01.2003** |
| **02/01254/LB** | Listed Building Application for the change of use from garages and offices in attached buildings to multi-purpose hall, changing rooms and fitness suite and refurbishment of existing office accommodation in former mill building. | **Permitted 13.01.2003** |

## 4.0 Consultation Responses

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

| Consultee | Response |
|---|---|
| **Conservation Team** | Removed objection following submission of revised plans (subject to conditions). |
| **Environmental Health** | No objection subject to conditions relating to noise, air pollution, hours of construction, contamination). |
| **Lancashire County Council Highways** | No objection subject to condition (Construction Management Plan) and planning obligations (financial contribution to wider infrastructure improvements). |
| **NHS** | Request financial contribution towards new infrastructure at Lancaster Medical Practice (£5,814 based on 19 persons). |
| **Waste Management Officer** | No objection. |
| **Lancaster Civic Vision** | (Comments on original plans)<br>Will continue to oppose, in principle, proposals for new-build and/or significant conversions into student accommodation until convincing evidence is forthcoming that there is not already an over-supply of such provision. Grade II listed building makes positive contribution to the Lancaster Conservation Area. Welcome the fact it will be kept in use, but would rather supported living or low cost housing. Internally, lack of communal spaces or facilities (e.g. laundry). Lack of privacy for occupiers of unit with new window to replace door. Ground floor accommodation should be avoided given flood risk. |
| **Lancaster University** | (Comments on original plans)<br>Welcomes provision of additional student accommodation in the city. Would prefer mixed accommodation to studio units due to rent levels. Recommend LU Homes scheme. Would like all studios to adhere to fire service requirements in terms of escape, to provide natural light, adequate noise insulation, and adequate air quality. Lack of social space is of concern. Lift must meet current standards for disabled access. Number of concerns as follows: poor outlook, natural light; waste and recycling storage looks inadequate; lack of laundry facilities; irregular-shaped rooms may make furniture placement difficult; security and privacy concerns at ground floor; bike store only accessible via lift or stairs; noise transfer from lift; Studio 4 has door to alleyway. Use of gas boilers is not sustainable. |
| **Natural England** | No objection. |

4.2 2 objections and 1 comment (neither objecting or supporting the application) have been received, summarised as follows:

- Concerns about bin storage and removal. Already issues with existing student lets in vicinity.
- Insufficient bin and bike storage.
- Already above threshold for concentration of HMOs in the area.
- Area is overrun with student accommodation.

- Bats / swifts potentially nesting at the building.
- Ground floor flats are not suitable as living accommodation due to flood risk.
- Insufficient light and outlook / overlooking from street.

**5.0 Analysis**

5.1 The key considerations material to the determination of this application are as follows:

- Principle of development;
- Standard of accommodation for future occupiers;
- Flood risk;
- Heritage and design;
- Sustainability / climate change;
- Impact on neighbours;
- Highways considerations;
- Ecology;
- Public open space;
- Contamination.

5.2 **Consideration 1 – Principle of development** – NPPF Chapter 2 (Achieving sustainable development); Chapter 6 (Building a strong, competitive economy); Chapter 7 (Ensuring the vitality of town centres); Chapter 8 (Promoting healthy and safe communities); Chapter 11 (Making effective use of land); Local Plan Part One: Strategic Policies and Land Allocations DPD (Climate Emergency Review) Policies SP1 (Presumption in favour of sustainable development); SP2 (Lancaster district settlement hierarchy); SP3 (Development strategy for Lancaster district); SP4 (Priorities for sustainable economic growth); SP6 (The delivery of new homes); EC5 (Regeneration Priority Areas); Local Plan Part Two: Development Management DPD (Climate Emergency Review) Policies DM1 (New residential development and meeting housing needs); DM7 (Purpose built accommodation for students); DM14 (Proposals involving employment land and premises); DM16 (Town centre development)

*Loss of employment space*

5.2.1 Policy DM14 of the Local Plan resists the loss of employment land / buildings that are in active employment use, have a previous recent history of employment use, or still have an economic value worthy of retention. The policy states that proposals that involve the use of employment land for alternative uses, such as residential, will only be permitted if one of the following criteria are met:

> *VI. It has been demonstrated, through satisfactory and robust marketing which has taken place over a reasonable period of time (at least 12 months) that an ongoing employment use of the site / premises is no longer appropriate and viable. The marketing should include information on all offers made, together with copies of the sales particulars to demonstrate that the site / premises has been marketed using appropriate media sources at a realistic price for both the existing use and for redevelopment (if appropriate) for other employment uses; or*
>
> *VII. The location has such exceptionally severe site restrictions, due to very poor access or servicing arrangements, or surrounding land uses make a continuing employment use inappropriate; or*
>
> *VIII. The re-use of the employment land meets the wider regeneration objectives set out in the Local Plan in relation to Policy EC5 of the Strategic Policies and Land Allocations DPD and where it is clearly demonstrated that the benefits of the proposal outweighs the loss of the site for employment purposes.*

5.2.2 The Design & Access Statement states that the building was purchased by the YMCA in 2001 for their own occupation. They occupied the building until June 2023 when the building was offered for sale on the open market.

5.2.3 In terms of criteria VI (evidence to suggest that an ongoing employment use is no longer appropriate and viable), information from the planning agent suggests the following:

- Fisher Wrathall Commercial (FWC) were instructed by the YMCA to dispose of their Lancaster premises (the application building) because the number of office lets were dwindling and it was no longer viable to retain the building for letting.
- FWC were instructed to put the premises up for sale and in the meantime, if there were any active enquiries for office space to rent, they were to notify the YMCA.
- The premises were actively marketed for sale by FWC from 23/03/2023 until completion of the sale on 29/08/2023.
- Prior to completion of the sale, the possibility of letting the office space was discussed with the buyer and marketing was started accordingly after completion.
- There was interest from IFCA to let one floor but, ultimately, they decided against it due to lack of parking and being tied to a lease elsewhere.
- There was interest from GMC Supplies Ltd to let the whole building as they needed extra breakout space and easier catering facilities in relation to housing refugees at the IBIS hotel, but they decided against it due to logistical reasons.
- The building has been continually marketed on Rightmove Commercial and FWC's own website.
- There have been no other enquiries.
- FWC are also struggling to let other buildings in Lancaster (some of which include parking).

5.2.4 Policy DM14 requires satisfactory and robust marketing to take place over a reasonable period of time (at least 12 months) and the marketing should include information on all offers made, together with copies of the sales particulars to demonstrate that the site / premises has been marketed using appropriate media sources at a realistic price for both the existing use and for redevelopment (if appropriate) for other employment uses.

5.2.5 At the time of the application submission (December 2023), the applicant could not demonstrate 12 months of marketing evidence as the building had only been marketed since March of the same year. However, it is accepted that the building has now been marketed for more than 12 months and that a tenant has not been secured for ongoing employment use at the building. The Council has no evidence to suggest that the marketing has not been adequately undertaken.

5.2.6 With regards to criterion VII, no evidence has been provided to suggest that the building's location makes continued employment use inappropriate.

5.2.7 With regards to criterion VIII, whilst the application site is within a Regeneration Priority Area (EC5.2 – Central Lancaster), Policy EC5 does not mention housing in relation to Central Lancaster, instead stating that Lancaster City Centre will be strengthened as a sub-regional centre with improved retailing opportunities, enhancing the City's role as a visitor destination for its cultural heritage and historic environment via regeneration of Lancaster Canal Quarter, enhancements to Lancaster Castle and wider improvements to the public realm. Nonetheless, the building is listed and forms a key part of Lancaster's historic environment. The proposed change of use would allow for its continued use as opposed to it remaining vacant indefinitely. In this regard, the proposal would support the wider regeneration aims outlined in the Local Plan. It would also accord with the aims of the NPPF, which requires that, in determining applications, account should be taken of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation (paragraph 203). The continued occupation / use of the listed building weighs in favour of the development.

5.2.8 To conclude this section, the loss of the employment floorspace is considered to be acceptable.

*Conversion to residential use*

5.2.9 Policy SP1 of the Local Plan reflects the presumption in favour of sustainable development contained within the NPPF. The policy states that the Council will work proactively with applicants to jointly find solutions, which means that proposals can be approved wherever possible, and secure development that improves the economic, social and environmental conditions in the area. As detailed above, the loss of the employment space is considered to be acceptable, which means there is no reason, in principle, to refuse permission for a change of use.

5.2.10 Policies SP2 and SP3 of the Local Plan both support future growth in Lancaster city centre (as the Regional Centre in the district) and Policy SP6 sets out the Council's housing targets, which the Council is currently failing to meet. On this basis, the principle of a change of use of the building to residential use is considered to be acceptable.

5.2.11 Policy DM7 of the Local Plan relates specifically to purpose-built student accommodation. Proposals for new purpose-built student accommodation will be supported where relevant criteria is met (see later sections of this report).

5.2.12 Policy DM16 relates to town centre development and states that proposals for residential development within city or town centre locations will be considered favourably provided that they are above ground floor level and do not restrict the maintenance of an active street frontage, particularly within a designated retail frontage. Whilst the application site is within the defined city centre, it does not form part of a designated retail frontage and there would be no loss of an active frontage as a result of the proposed works because the building does not currently provide an active frontage. As such, the proposal is considered to be acceptable in this regard.

5.2.13 The principle of development is considered to be acceptable, subject to the detailed considerations below.

5.3 **Consideration 2 - Standard of accommodation for future occupiers** – NPPF Chapter 8 (Promoting healthy and safe communities); Chapter 12 (Achieving well-designed places); Local Plan Part One: Strategic Policies and Land Allocations DPD (Climate Emergency Review) Policies SP7 (Maintaining Lancaster District's Unique Heritage); Local Plan Part Two: Development Management DPD (Climate Emergency Review) Policies DM2 (Space and accessibility standards); DM7 (Purpose built accommodation for students); DM14 (Proposals involving employment land and premises)

5.3.1 Policy DM2 of the Local Plan requires all new dwellings to meet the Nationally Described Space Standards (NDSS), whereas Policy DM7, which relates to purpose-built student accommodation, sets lower floorspace standards (Appendix G). The proposed unit measurements are as follows:

| Location | Unit | Sqm |
|---|---|---|
| Ground floor | Studio 1 | 34 |
| | Apartment 2 | 40 |
| 1st floor | Studio 3 | 22.5 |
| | Studio 4 | 25.5 |
| | Studio 5 | 26.5 |
| | Studio 6 | 30 |
| 2nd floor | Studio 7 | 22.5 |
| | Studio 8 | 25.5 |
| | Studio 9 | 26.5 |
| | Studio 10 | 30 |
| 3rd floor | Studio 11 | 22.5 |
| | Studio 12 | 25.5 |
| | Studio 13 | 26.5 |
| | Studio 14 | 30 |
| 4th floor | Studio 15 | 22.5 |
| | Studio 16 | 19 |
| | Apartment 17 | 66 |

5.3.2 The studio units would fail to meet the NDSS as a studio unit (1-bed-1-person) should measure at least 39 sqm (37 sqm if a shower room is provided instead of a bathroom); however, they would all meet or exceed the student accommodation standards set out in Appendix G of Part Two of the Local Plan, which requires student studio accommodation to measure a minimum of 19 sqm with an en-suite (for single person occupancy).

5.3.3 Two of the units are labelled as apartments, although these are essentially studios too as there is no physical separation between eating and sleeping areas. Nevertheless, these units would meet the NDSS, as they exceed 37 sqm.

5.3.4 On the basis that the proposed accommodation is intended for occupation by students (which can be secured through a planning condition), it is considered to be appropriate to apply the standards set out in Policy DM7 and Appendix G, rather than Policy DM2. The size of the individual units is therefore considered to be acceptable.

5.3.5 Policy DM7 and Appendix G of the Local Plan set out criteria for student accommodation. Appendix G requires that all studio units demonstrate on a plan that the following can be accommodated:

- Bed (minimum size of 2m by 0.9m);
- Desk and chair;
- Wardrobe;
- Chest of drawers (minimum of 0.8m wide);
- Kitchenette, incorporating an oven, hob, sink, 2 cupboards (or equivalent) and adequate work surface space;
- Dining surface with seat / stall;
- Adequate circulation space;
- En-suite with a toilet, adequately sized wash basin, shower, circulation space for changing and hanging space for clothes, towels etc.

5.3.6 Appendix G also requires that studios should be set out to allow for separate “zones”, to prevent living and sleeping arrangements being inappropriately combined to the detriment of the occupier (for example beds should not be placed in close proximity to kitchenettes). The applicant has shown an indicative furniture layout on the revised proposed plans. Each unit would accommodate a bed, desk and chair, wardrobe, chest of drawers, kitchenette and en-suite bathroom. A dedicated eating area is not indicated in all of the units; however, each unit does appear to benefit from adequate circulation space, and in each of the units the living and cooking facilities would be separated. The proposal is therefore considered to be acceptable in this respect.

5.3.7 Appendix G requires that all living spaces have an adequate level of natural light and adequate outlook. In terms of natural light, all of the units would have windows to outside, albeit the windows to Units 6, 10 and 14 face into the rear alleyway and Units 3, 7, 11 and 15 would be single-aspect and north-facing. Nevertheless, the windows facing into the alleyway are south-facing, and the north-facing windows are not overshadowed by other buildings as they enjoy uninterrupted views over Bridge Lane / Cable Street. As such, the proposal is considered to be acceptable with regards to natural light provision.

5.3.8 In terms of outlook, Units 6, 10 and 14 at the rear of the building would have limited outlook as their windows face into the rear alleyway. Furthermore, due to the land level rise along New Road, the windows to serve units 1 and 2 (at ground level) are located close to the pavement level when viewed externally, but are high-level windows internally, which means the outlook from these windows would also be constrained. However, on balance, the outlook from all of these windows is considered to be acceptable, on the basis that there is a communal area in the building (ground floor level foyer) with good outlook which residents could utilise, and the proposal relates to student accommodation rather than permanent living accommodation, thereby naturally limiting the length of time that an individual would be affected by poor outlook.

5.3.9 The outlook from the remaining units (namely numbers 3, 4, 5, 7, 8, 9, 11, 12, 13, 15, 16 and 17) is considered to be acceptable as these units would enjoy long-range views out towards the public sides of the building.

5.3.10 Appendix G requires that cycle storage is easily accessible from the street and there should be one cycle space per resident. The plans have been amended during the course of the application to relocate the cycle storage room from the basement to ground floor level. The route from the street to the cycle store involves internal stairs, 90-degree bends and internal doors, meaning it isn’t easily accessible for someone carrying a bike. However, the constraints of the listed building are noted in this regard and the proposal is considered to be acceptable, on balance. The plans indicate dedicated cycle storage within Unit 1, which is considered to be acceptable as it is likely that the occupier of this unit would be able to use the communal store too, if desired.

5.3.11 Appendix G requires that provision is made for refuse storage. Where no external space is available within the building’s curtilage, provision should be made internally, with easy access to the street for

collection. The plans have been revised to relocate the bin store from the basement to ground floor level, adjacent to the main entrance, with access to the foyer and also direct access to outside, which is welcomed. It is not clear what the refuse storage and collection arrangements are for Unit 1, but it is likely that this unit could have access to the communal refuse store, if desired.

5.3.12 Criterion VII of Policy DM7 requires that proposals be designed to be safe and secure for their occupants and Appendix G states that future residents should feel safe accessing the building and residing within it. It states that access to each self-contained unit should be via a single front door into a common area (i.e. a corridor or hall), and all main access points from the street must be secured with appropriate levels of security including lighting, natural surveillance, locks and potentially CCTV. All of the units except Unit 1 would be accessed via the main entrance to the building on the north-east (Bridge Street / Cable Street) side, which benefits from good natural surveillance. Unit 1 would have its own entrance directly onto New Road and the door would open straight into the living space. It would be preferable for all the units to be accessed from the same main entrance; however, the constraints of the listed building are noted in this regard and the occupier of Unit 1 would still be able to access the main building and the communal facilities therein. Furthermore, the entrance to Unit 1 would also benefit from good natural surveillance. On balance, the proposal is considered to be acceptable in this respect.

5.3.13 An Acoustic Survey and Assessment was submitted with the application. In terms of sound insulation between floors, it states that improvements will need to be made in order to meet Building Regulations. With regards to external noise, it states that the existing arrangement (single glazed windows with secondary glazing) should be sufficient to protect the internal environment. The Acoustic report also states that, in order to be able to keep windows closed, additional ventilation will be required, and it recommends a ventilation system with trickle ventilators in all windows to habitable rooms. A planning condition is suggested to ensure that a scheme for the control of environmental noise is submitted to and approved in writing prior to the commencement of development.

5.3.14 An Air Quality Impact Assessment (AQIA) was submitted with the application. In terms of the construction period, the AQIA states that it is unlikely to impact harmfully on local air quality and neither is the operational phase, insofar as there are no car-parking spaces associated with the building and so the development would not contribute to traffic in the city centre. With regards to the impact of poor air quality on future occupiers, monitoring results obtained for the area indicate no exceedances of any of the national objective limits for either nitrogen dioxide or particulate matter. A positive input ventilation (PIV) system is recommended. A planning condition is suggested to ensure that a scheme for ventilation is submitted to and approved in writing prior to the commencement of development.

5.3.15 Lancaster University have commented on the application. In response to the original plans, they raised concerns about natural light levels in some of the units, sound insulation, air quality, the lack of social space, disabled access, insufficient waste and recycling facilities, lack of laundry facilities, furniture placement, privacy and security, bike storage accessibility, and issues with Unit 4. The plans have since been amended to address concerns that were raised (see paragraph 2.3). The number of units has been reduced so that (former) Unit 4 (which had direct access into the rear alleyway) has been omitted; (former) Unit 1 has been omitted which allows for the retention of the main entrance into the building and for a communal space to be provided in the foyer; a laundry is provided; and the bin and bike stores are at ground level instead of being in the basement. In terms of disabled access, there is lift access to all floors, albeit it is not clear whether all the individual studios would be suitable for wheelchair users. Lancaster University have not commented on the revised plans.

5.3.16 In conclusion, it is considered that the proposed studio units would provide an acceptable form of living accommodation for future occupiers, subject to the suggested conditions to restrict their use to students and to ensure satisfactory schemes for noise and air quality mitigation.

5.4 **Consideration 3 – Flood risk** – NPPF Chapter 14 (Meeting the challenge of climate change, flooding and coastal change); Local Plan Part One: Strategic Policies and Land Allocations DPD (Climate Emergency Review) Policies SO3 (Protect and enhance the natural, historic and built environment of the district); CC1 (Responding to climate change and creating environmental sustainability); Local Plan Part Two: Development Management DPD (Climate Emergency Review) Policies DM29 (Key design principles), DM33 (Development and flood risk); DM34 (Surface water run-off and sustainable drainage); DM35 (Water supply and waste water); DM36 (Protecting water resources and infrastructure)

5.4.1 The application site is partly within Flood Zone 2. The Council's Strategic Flood Risk Assessment (SFRA) map indicates that it is also partly at low to medium risk of surface water flooding (now and in the future) and at medium risk of groundwater flooding.

5.4.2 Policy DM33 of the Local Plan seeks to minimise the risk of flooding to people and property by taking a sequential approach which directs development to the areas at lowest risk of flooding. A sequential test is not required, in line with footnote 62 of the NPPF which clarifies that changes of use should not be subject to the sequential or exception tests.

5.4.3 Policy DM33 requires the submission of a site-specific Flood Risk Assessment (FRA) in certain circumstances, including where the site is at risk of surface water flooding now or in the future, or if the development involves a change of use to a higher vulnerability classification (which is the case). The policy also requires that safe, suitable and appropriate flood prevention, resilience, adaptation, mitigation and emergency plan measures are agreed, implemented and maintained, including through design and layout, taking climate change into account, to ensure that development is appropriately flood resilient and resistant for its lifetime.

5.4.4 A site-specific FRA has been provided with the application. It notes that the building footprint extends to the site boundaries and the proposed works would not result in any loss or gain of impermeable surfaces. The site was subject to flooding due to Storm Desmond in December 2015. Remedial works have been undertaken to address the building's resilience (e.g. raising electrical switchgear, installation of removable flood barriers on Damside entrance). Furthermore, the property is within an area that benefits from new public flood defences completed in 2018 and flood alerts from the Environment Agency.

5.4.5 The original plans submitted with the application included a ground floor studio unit on the northern side of the building, and the FRA notes that the unit had been designed to have its sleeping accommodation above the recorded flood level (the unit was split-level). Nevertheless, the plans have been amended during the course of the application such that the unit in question has been omitted and the lower area will instead house the communal bin store and building foyer, which is preferable in terms of the safety of future occupants.

5.4.6 The application is considered to be acceptable in this respect.

5.5 **Consideration 4 – Heritage and design** – NPPF Chapter 12 (Achieving well-designed places); Chapter 16 (Conserving and enhancing the historic environment); Local Plan Part One: Strategic Policies and Land Allocations DPD (Climate Emergency Review) Policy SP7 (Maintaining Lancaster district's unique Heritage); Local Plan Part Two: Development Management DPD (Climate Emergency Review) Policies DM29 (Key design principles); DM37 (Development affecting listed buildings); DM38 (Development affecting conservation areas)

5.5.1 The application building is grade II listed. The Council has a statutory duty to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Furthermore, the application site is in the Lancaster Conservation Area, wherein the Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

5.5.2 Policy DM37 of the Local Plan states that proposals affecting listed buildings should conserve and, where appropriate, enhance those elements which contribute to their significance. Any harm (substantial or less than substantial) to such elements will only be permitted where this is clearly justified and outweighed by the public benefits of the proposal. Policy DM38 states that proposals affecting conservation areas should preserve or enhance the character and appearance of the conservation area. It requires that proposed uses are sympathetic and appropriate to the character of the existing building and will not result in any detrimental impact on the visual amenity and wider setting of the conservation area. Policy DMCCH1 of the Local Plan relates to the retrofitting of buildings of traditional construction for energy efficiency.

5.5.3 Policy DM29 of the Local Plan sets out key design principles for new development. New development should contribute positively to the identity and character of the area through good design, having regard to local distinctiveness, appropriate siting, layout, palate of materials, separation distances, orientation and scale. Policy DM7 also requires that proposals for student accommodation should be appropriate to the character of the local area in terms of design, layout and materials used.

5.5.4 The significance of the application building derives from its aesthetic and illustrative value, as a well-preserved mill with a functional north-east elevation with distinctive loading bays and a more formal elevation to New Road with pedimented entrance; and the evidential value of its functional form and means of construction. The building also makes a positive contribution to the character and appearance of the Lancaster Conservation Area as a result of its position, well-preserved character and imposing scale.

5.5.5 With regards to external changes to the building, permission is sought to install glazing in the existing door opening on the front elevation; to replace a door on the north-west elevation; to replace a ground floor window on the rear elevation and to reinstate a first-floor window on the rear elevation. None of these proposed changes are considered to detract from the character and appearance of the application building or the wider area.

5.5.6 With regards to internal changes, the plans have been amended during the course of the application to address concerns raised by the Council's Conservation Officer. For example, a large, undivided space has been retained at the fourth floor to allow a sense of the scale of the original building to be appreciated.

5.5.7 Overall, it is considered that the proposals would result in "less than substantial harm" to the application building, in the context of paragraph 215 of the NPPF. The harm is outweighed by the public benefits of the proposals, namely the re-use of the building and the provision of residential accommodation. The proposal is therefore considered to be acceptable in this respect.

5.6 **Consideration 5 – Sustainability / climate change** – NPPF Chapter 14 (Meeting the challenge of climate change, flooding and coastal change); Local Plan Part One: Strategic Policies and Land Allocations DPD (Climate Emergency Review) Policies CC1 (Responding to climate change and creating environmental sustainability); Local Plan Part Two: Development Management DPD (Climate Emergency Review) Policies DM30a (Sustainable design and construction); DM30b (Sustainable design and construction – water efficiency); DM30c (Sustainable design and construction – materials, waste and construction); DMCCH1 (Retrofit of buildings of traditional construction for energy efficiency)

5.6.1 The Climate Emergency Review of the Local Plan (CERLP) was adopted on 22nd January 2025. Newly introduced strategic policy CC1 requires all development to integrate the principles of sustainable design and construction into the design of proposals. Within the Development Management Policies DPD, Policy DM30a requires details of measures to address energy demand in line with the energy hierarchy; Policy DM30b relates to water efficiency measures; and Policy DM30c relates to the construction phase. Such details should be outlined in a Sustainable Design Statement and Energy and Carbon Statement, which can be secured by planning condition in this case. The listed status of the building may limit the measures that can be utilised and therefore full regard will be had to the listed status of the building and the associated limitations with regards to installing energy efficiency measures when assessing the details that are submitted to discharge the condition.

5.6.2 Policy DMCCH1 of the Local Plan relates to retrofitting energy efficiency measures to buildings of traditional construction. The policy notes that the Councill will generally be supportive of responsible retrofitting of energy efficiency measures and appropriate use of micro-renewables in heritage assets which are buildings of traditional solid-walled construction, provided that it is demonstrated that the energy hierarchy has been followed; that proposals avoid compromising permeability, ventilation and structural stability; and that proposals avoid harm to historic fabric and significance of the building. As noted above, additional ventilation will be required and a condition is suggested to require the submission and approval of details prior to commencement of development.

5.7 **Consideration 6 – Impact on neighbours** – NPPF Chapter 12 (Achieving well-designed places); Local Plan Part Two: Development Management DPD (Climate Emergency Review) Policies DM7 (Purpose-built accommodation for students); DM29 (Key design principles)

5.7.1 Policy DM7 of the Local Plan requires that proposals for student accommodation should demonstrate that there will be no unacceptable impact upon residential amenity in the surrounding area through issues such as increased noise and disturbance. Appendix G requires that the conversion of any property must be designed to minimise loss of privacy and amenity for neighbouring residents. Similarly, Policy DM29 requires that there is no significant detrimental impact to amenity in relation to overshadowing, visual amenity, privacy, overlooking, massing and pollution as a result of development.

5.7.2 Concerns have been raised about the over-concentration of HMO's / student accommodation in the area. However, as noted above, the principle of development is considered to be acceptable. Indeed, the supporting text to Policy DM7 of the Local Plan states: "*The city centre is considered to be an acceptable location for new student accommodation. Most parts of the city centre are within reasonable walking distance of the University of Cumbria and have good public transport and cycling connections to Lancaster University. A specific policy approach to concentrate new student accommodation within the city centre will ensure that the district benefits from concentrating activity and spend in this central location*." (N.B. Policy DM13 places a restriction on the number of Houses of Multiple Occupation within a certain radius but the policy is not relevant to student accommodation).

5.7.3 Concerns have also been raised about bin storage and collection, based on bad experiences relating to other student accommodation in the vicinity of the application site. Each case must be assessed on its merits. In this case, a bin store would be provided at ground level inside the building with easy access to the street, which should limit issues relating to the storage of waste outside. The Council's Waste Management Officer raises no objection to the proposals. Any future problems relating to waste at the property could be dealt with through Environmental Health legislation.

5.7.4 Taking into consideration the application site's city centre location and the nature of the proposed works (i.e. conversion without extension), it is not considered that there would be any undue harmful impacts to neighbouring properties as a result of the proposals, for example by reason of overshadowing, visual amenity or loss of privacy. The application is therefore considered to be acceptable in this respect.

5.8 **Consideration 7 – Highways and transport** – NPPF Chapter 9 (Promoting sustainable transport); Local Plan Part One: Strategic Policies and Land Allocations DPD (Climate Emergency Review) Policies SP10 (Improving transport connectivity); Local Plan Part Two: Development Management DPD (Climate Emergency Review) Policies DM60 (Enhancing accessibility and transport linkages); DM61 (Prioritising walking and cycling); DM62 (Vehicle parking provision and electric vehicle charging points)

5.8.1 Policy DM60 of the Local Plan seeks to direct new development to sustainable locations where sustainable travel patterns can be achieved. Proposals should minimise the need to travel, particularly by private car, and maximise the opportunities for the use of walking, cycling and public transport. Policy DM61 relates to walking and cycling and seeks to prioritise pedestrians and cyclists. The application site is in a sustainable location in the city centre, adjacent to the bus station. The dedicated bike store would encourage cycling. Furthermore, there would be no impact on the pedestrian environment surrounding the building. The proposal therefore complies with Policies DM60 and DM61 in this respect.

5.8.2 Policy DM62 relates to vehicle parking provision. The policy notes that car-free development will only be considered acceptable in appropriate locations, taking into account availability of alternative transport modes, highway safety, servicing requirements, the need of potential users and the amenity of occupiers of nearby properties and other parking facilities. The lack of dedicated car parking is considered to be acceptable on the basis of the sustainable location and easy access to public transport.

5.8.3 Policy DM60 also seeks to ensure that there is no harmful impact during the construction period. To this end, Lancashire County Council Highways team raises no objection to the proposals, subject to a planning condition to secure a Construction Management Plan to mitigate the impact during the construction period.

5.8.4 Policy DM64 of the Local Plan relates to Lancashire County Council's Highways and Transport Masterplan for Lancaster District, which sets out a range of strategic transport interventions to address existing transport issues within the district. The policy states that, where appropriate, the Council will require contributions towards the delivery of new infrastructure to achieve the aims and objectives set out in the Highways and Transport Masterplan where such contributions are reasonable and directly related to the development proposed, in line with national planning policy. To this end, Lancashire County Council has sought a financial contribution towards highway works initiatives across the district. They seek £2,995.07 per studio (total £50,916.21) towards Initiative 8 (Lancaster City Centre Gyratory in The Lancaster Travel and Transport Infrastructure Strategy.

5.8.5 The applicant has provided a response to the County Council's request, stating that their request does not meet the statutory tests for an obligation. They highlight that there is no committed scheme to which the money would go; they claim that the County has not evidenced any unacceptable impact on the road network that would prevent the development on highways grounds; and they suggest that the proposed

change of use to student accommodation would have a lesser impact on the local highway network than the former office use, and that any impact would not be severe.

5.8.6 Para 116 of NPPF states that: "*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios*." It is agreed that

5.8.7 Regulation 122 (2) of The Community Infrastructure Levy Regulations 2010 (as amended) states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

*(a) necessary to make the development acceptable in planning terms;*

*(b) directly related to the development; and*

*(c) fairly and reasonably related in scale and kind to the development.*

5.8.8 In this particular case, it is agreed that the proposed financial contribution requested by the County Council would not meet the CIL Regs tests as the impact of the proposed change of use on the local highway network is likely to be less than the existing office use, and therefore the lack of a financial contribution would not represent a reason to refuse permission.

5.8.9 Overall, the application is considered to be acceptable in this respect.

5.9 **Consideration 8 – Ecology** – NPPF Chapter 15 (Conserving and enhancing the natural environment); Local Plan Part One: Strategic Policies and Land Allocations DPD (Climate Emergency Review) Policies CC1 (Responding to climate change and creating environmental sustainability); SP8 (Protecting the natural environment); EN7 (Environmentally Important Areas); Local Plan Part Two: Development Management DPD (Climate Emergency Review) Policies DM44 (The protection and enhancement of biodiversity)

5.9.1 The application site is within the Morecambe Bay and Duddon Estuary Special Protection Area Buffer Zone (3.5km). The Council has a duty under the Conservation of Habitats and Species Regulations 2017 (as amended) to consider the potential impacts on Morecambe Bay as a designated site. Morecambe Bay is very important for many species of birds. As such, there is the potential for development and recreational use close to the designated sites to have impacts on birds associated with the SPA and Ramsar designations. In addition, there is potential for pollution through runoff. It is considered that these impacts could be avoided, but only through mitigation.

5.9.2 In light of the People Over Wind ruling by the Court of Justice of the European Union, likely significant effects cannot be ruled out without mitigation and therefore an Appropriate Assessment (AA) is required. The AA (separate document) concludes that, with the implementation of mitigation the development would have no adverse effects on the integrity of the designated sites, their designation features or their conservation objectives, through either direct or indirect impacts either alone or in-combination with other plans and projects. Natural England has reviewed the application and AA and raises no objection to the application.

5.9.3 The applicant has provided 'Morecambe Bay Information Packs' which include details of the nearby designated sites (and the wider Morecambe Bay coastline), their sensitivities to recreational pressure and to promote the use of alternative areas for recreation; and it is proposed that the information packs be provided to new occupants and form part of the lease packs. A planning condition is suggested to ensure that copies of the information pack are provided within the individual units and form part of the lease packs.

5.9.4 Subject to the suggested condition, the proposals are considered to be acceptable in this respect.

5.10 **Consideration 9 – Public open space** – NPPF Chapter 4 (Decision-making); Chapter 2 (Achieving sustainable development); Chapter 8 (Promoting healthy and safe communities); Local Plan Part One: Strategic Policies and Land Allocations DPD (Climate Emergency Review) Policy SC3 (Open space,

recreation and leisure); Local Plan Part Two: Development Management DPD (Climate Emergency Review) Policies DM27 (Open space, sports and recreational facilities)

5.10.1 The NPPF states that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Similarly, Policy DM27 of the Local Plan recognises the value of, and seeks to protect, existing designated open spaces, sports and recreational facilities in the district, particularly given that a deficiency exists across most of the urban areas of the district.

5.10.2 The application site does not benefit from outdoor amenity space to serve the occupiers and it is not possible to provide any on site or nearby. As such, in order to mitigate against the impacts of additional residents, a contribution towards new / improved public open space in the vicinity is required. Using the Council's accepted methodology, the Public Realm team have calculated a contribution of £12,033.45, which they suggest should go towards funding improvements to Green Ayre Skate Park in Lancaster. This can be secured by legal agreement.

5.10.3 Subject to the suggested planning obligation, the application is considered to be acceptable in this respect.

5.11 **Consideration 10 – Contamination** – NPPF Chapter 11 (Making effective use of land); Chapter 15 (Conserving and enhancing the natural environment); Local Plan Part Two: Development Management DPD (Climate Emergency Review) Policy DM32 (Contaminated land)

5.11.1 The NPPF requires that a site is suitable for its proposed use taking into account ground conditions and any risk arising from land contamination. Similarly, Policy DM32 of the Local Plan requires that, if there is a possibility that land may be affected by contamination, all works of investigation should be able to be undertaken without causing unacceptable risk to health or the environment; suitable methods of mitigation must be proposed; and there should be no risk to people, buildings, services or the environment as a result of the proposed development.

5.11.2 Whilst the likelihood of contamination risk is considered to be low, a planning condition to secure a watching brief is suggested. Subject to the suggested condition, the proposals are considered to be acceptable in this respect.

## 6.0 Planning obligations

6.1 A section 106 legal agreement is sought to secure the following:

- Public open space contribution - £12,033.45.

6.2 The NHS has sought a contribution towards new infrastructure at Lancaster Medical Practice; however, the request is not considered to be CIL compliant on the basis that there are healthcare services available for students on campus, meaning Lancaster Medical Practice would not necessarily be unduly impacted by the proposed development.

## 7.0 Conclusion and planning balance

7.1 Planning permission is sought for a change of use of the building to student accommodation comprising 17x self-contained units.

7.2 The loss of employment space is considered to be acceptable, on the basis that the applicant has marketed the property for over 12 months without being able to find an office tenant, and also on the basis that the continued active use of the listed building, as opposed to it remaining vacant indefinitely, contributes to wider regeneration aims in Lancaster City Centre.

7.3 The conversion of the building to residential use is considered to be acceptable on the basis that the Council is currently failing to meet its housing targets, the application site is in a sustainable location where residential development is encouraged, and the proposal would not result in the loss of an active retail frontage.

7.4 The standard of accommodation for future occupiers is considered to be acceptable, on balance, subject to a condition to ensure that the units are occupied by students, thereby limiting the amount of time individuals would occupy the units, and also conditions relating noise and air quality.

7.5 The proposal is considered to be acceptable in terms of flood risk, both to future occupiers and the wider area.

7.6 The application building is listed and special regard must be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Furthermore, the application site is in the Lancaster Conservation Area, wherein special attention must be paid to the desirability of preserving or enhancing the character or appearance of that area. The proposals would result in "less than substantial harm" to the application building, in the context of paragraph 215 of the NPPF. The harm is outweighed by the public benefits of the proposals, namely the re-use of the building and the provision of residential accommodation.

7.7 The proposal is considered to be acceptable in terms of the impact on nearby and neighbouring properties, particularly given its city centre location.

7.8 The proposal is considered to be acceptable in terms of highways and transport considerations, on the basis that the application site is in a sustainable location and a planning condition will secure a Construction Management Plan to minimise any impacts during the construction period.

7.9 The proposal is considered to be acceptable in terms of ecology impacts, subject to a planning condition to secure the provision of the information packs to highlight the nearby designated sites (and the wider Morecambe Bay coastline), their sensitivities to recreational pressure and to promote the use of alternative areas for recreation.

7.10 The proposal is also considered to be acceptable in terms of the impact on public open space provision, subject to a financial contribution towards funding improvements to Green Ayre Skate Park in Lancaster.

7.11 The proposal is also considered to be acceptable in terms of contamination risk, subject to a condition to secure a watching brief.

7.12 Overall, subject to the suggested planning conditions, it is considered that planning permission should be granted for the conversion of the building into student accommodation.

**Recommendation**

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

- Public open space contribution - £12,033.45.

And the following conditions:

| Condition no. | Description | Type |
|---|---|---|
| 1 | **Time limit (3 years)** | **Control** |
| 2 | **Approved plans** | **Control** |
| 3 | **Student occupation** | **Control** |
| 4 | **Homeowner packs (HRA mitigation)** | **Control** |
| 5 | **Hours of construction** | **Control** |
| 6 | **Noise mitigation measures** | **Pre-commencement** |
| 7 | **Air quality mitigation measures** | **Pre-commencement** |
| 8 | **Construction Management Plan** | **Pre-commencement** |
| 9 | **Contamination watching brief** | **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** | A8 |
| **Application Number** | 24/00087/LB |
| **Proposal** | Listed building application to facilitate the conversion of building into residential studios, including installation of glazing in existing door opening to front elevation; replacement door to north-west side elevation; replacement ground floor window to rear elevation; reinstatement of first floor window to rear elevation; and removal of signage / extract grilles and reconfiguration of the internal layout |
| **Application site** | YMCA<br>Fleet Square<br>New Road<br>Lancaster |
| **Applicant** | MHO Mayar Ltd |
| **Agent** | Mr Michael Harrison |
| **Case Officer** | Ms Kate Henry |
| **Departure** | No |
| **Summary of Recommendation** | Approval, subject to conditions |

**(i) Procedural Matters**

**1.0 Application Site and Setting**

1.1 The application site is the former YMCA building at the northern end of New Road in Lancaster, close to the junction with Damside Street and Cable Street; and the lower ground floor of 10 New Road, which is the adjoining property to the south.

1.2 The main building is a 5 storey (plus basement), roughly square-shaped, former warehouse building dating from c. 1881, constructed of sandstone with a slate roof. The main entrance, with a modern addition glazed canopy feature, is on the north-east elevation (facing towards Bridge Lane / Cable Street) and there is a secondary entrance on the south-east elevation (on to New Road). The building is grade II listed and the listing description refers to it as “Pye’s Building”.

1.3 No. 10 New Road is a 2-storey (plus basement), stone-faced terraced building attached to the former warehouse building and also to terraced properties stepping up New Road to the south.

**2.0 Proposal**

2.1 Listed building consent is sought to install glazing in the existing door opening on the front (north-east) elevation; to replace an existing door on the side (north-west) elevation, which opens into the rear alleyway; to replace an existing ground floor window on the rear (south-west) elevation, which faces towards the rear alleyway; to reinstate a first floor window on the rear (south-west) elevation, which

also faces towards the rear alleyway; to remove signage and extract grilles; and to reconfigure the internal layout.

2.2 The works are in association with a change of use of the building to student accommodation, comprising 17 units.

Revisions

2.3 The following revisions have been made during the course of the application:

- Main entrance on north-east elevation to be retained (rather than closing this entrance and creating main entrance on New Road side);
- Number of units reduced from 19 to 17;
- Relocation of bin and bike stores to ground floor (from basement);
- Alterations to 4th floor plan;
- Basement dedicated fully to landlord / servicing;
- Alterations to internal layout.

## 3.0 Site History

3.1 A number of applications relating to this site have previously been received by the Local Planning Authority. The following are of relevance:

| Application Number | Proposal | Decision |
|---|---|---|
| **23/01412/FUL** | Change of use of former YMCA building to 17 studios for student accommodation (C3) with ancillary storage areas; installation of glazing in existing door opening to front elevation; replacement door to north-west side elevation; replacement ground floor window to rear elevation; reinstatement of first floor window to rear elevation | **Pending determination** |
| **08/01128/LB** | Listed building application for internal refurbishment including replacement windows. | **Permitted 13.11.2008** |
| **02/01253/CU** | Change of use from garages and offices in attached buildings to muti-purpose hall, changing rooms and fitness suite and refurbishment of existing office accommodation in former mill building. | **Permitted 13.01.2003** |
| **02/01254/LB** | Listed Building Application for the change of use from garages and offices in attached buildings to multi-purpose hall, changing rooms and fitness suite and refurbishment of existing office accommodation in former mill building. | **Permitted 13.01.2003** |

## 4.0 Consultation Responses

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

| Consultee | Response |
|---|---|
| **Conservation Team** | Removed objection following submission of revised plans (subject to conditions). |

**5.0 Analysis**

5.1 The key considerations material to the determination of this application are as follows:

- Impact on the listed building

5.2 **Consideration 1 – Impact on the listed building** – NPPF Chapter 16 (Conserving and enhancing the historic environment); Local Plan Part One: Strategic Policies and Land Allocations DPD (Climate Emergency Review) Policy SP7 (Maintaining Lancaster district's unique Heritage); Local Plan Part Two: Development Management DPD (Climate Emergency Review) Policy DM37 (Development affecting listed buildings)

5.2.1 The application building is grade II listed. The Council has a statutory duty to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

5.2.2 Policy DM37 of the Local Plan states that proposals affecting listed buildings should conserve and, where appropriate, enhance those elements which contribute to their significance. Any harm (substantial or less than substantial) to such elements will only be permitted where this is clearly justified and outweighed by the public benefits of the proposal.

5.2.3 The significance of the application building derives from its aesthetic and illustrative value, as a well-preserved mill with a functional north-east elevation with distinctive loading bays and a more formal elevation to New Road with pedimented entrance; and the evidential value of its functional form and means of construction.

5.2.4 Listed building consent is sought to install glazing in the existing door opening on the front (north-east) elevation; to replace an existing door on the side (north-west) elevation, which opens into the rear alleyway; to replace an existing ground floor window on the rear (south-west) elevation, which faces towards the rear alleyway; to reinstate a first floor window on the rear (south-west) elevation, which also faces towards the rear alleyway; to remove signage and extract grilles; and to reconfigure the internal layout.

5.2.5 The plans have been amended during the course of the application to address concerns raised by the Council's Conservation Officer. For example, a large, undivided space has been retained at the fourth floor to allow a sense of the scale of the original building to be appreciated. Further detail about the retention of the ground floor fireplace was also provided.

5.2.6 Overall, it is considered that the proposals would result in "less than substantial harm" to the application building, in the context of paragraph 215 of the NPPF. The harm is outweighed by the public benefits of the proposals, namely the re-use of the building and the provision of residential accommodation. The proposal is therefore considered to be acceptable in this respect.

5.2.7 A condition is recommended to require detailed drawings and specification of the proposed dry lining, to ensure that there is no harmful impact to the fabric of the building.

**6.0 Conclusion and Planning Balance**

6.1 Listed building consent is sought for various internal and external works, in association with the conversion of the building to student accommodation comprising 17 self-contained units.

6.1.1 The application building is listed and special regard must be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. The proposals would result in "less than substantial harm" to the application building, in the context of paragraph 215 of the NPPF. The harm is outweighed by the public benefits of the proposals, namely the re-use of the building and the provision of residential accommodation.

**Recommendation**

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

| Condition no. | Description | Type |
|---|---|---|
| 1 | Time limit (3 years) | Control |
| 2 | Approved plans | Control |
| 3 | Details of dry lining / windows and doors | Pre-commencement |

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

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

**Background Papers**
None

| | |
|---|---|
| **Agenda Item** | A9 |
| **Application Number** | 24/01166/FUL |
| **Proposal** | Part retrospective application for the change of use and conversion of five-storey property comprising of offices (E(c)(ii)) to one 1-bed flat and two 2-bed maisonettes (C3), installation of replacement windows and infill panels to the rear, replacement front door, installation of new windows and formation of new lightwell to the front and installation of boundary wall and metal railings |
| **Application site** | 45 Victoria Street<br>Morecambe<br>Lancashire<br>LA4 4AF |
| **Applicant** | Kate Knight |
| **Agent** | Mr Steve Donnelly |
| **Case Officer** | Mrs Petra Williams |
| **Departure** | No |
| **Summary of Recommendation** | Approval subject to conditions |

**(i)** **Procedural Matters**

This application would normally be dealt with under delegated powers but as the applicant is a ward councillor it is necessary for the submission to come before the Planning Committee.

## 1.0 Application Site and Setting

1.1 The site that forms the subject of this application is a mid-terraced property on Victoria Street in Morecambe which was last in use as a solicitor's office over the ground, first, second and third floors with associated storage and staff room within the lower ground floor. The rear of the site backs on to a public car park and there is also a car park opposite the front of the site. The adjoining properties appear to be in domestic use with commercial uses increasing along Victoria Street to the east. The domestic properties within the terrace have bay windows to the ground, first and second floors with a number having dormer windows to the third floor. The subject property has been altered historically to create a shop frontage in place of the traditional bay window.

1.2 The site is within the Morecambe Conservation Area and within the Morecambe Area Action Plan designation. The site lies within Flood Zone 1 and based on the Strategic Flood Risk Assessment (SFRA) 2024 the building is not at risk of groundwater flooding. The site is located 144 metres from Morecambe Bay and the ecological designations which protect this environment including: Ramsar, Special Area of Conservation, Special Protection Area, SSSI. The site also falls within the Central Morecambe Regeneration Priority Area, on the periphery of the Arndale and Area development opportunity designation and is within an identified Key Pedestrian Route.

1.3 Victoria Street is subject to vehicle parking restrictions but the site is within walking distance of shops and services as well as sustainable public transport routes. The site is also in close proximity to public car parks.

## 2.0 Proposal

2.1 The application proposes the change of use of the building to create one 1-bed flat and two 2-bed maisonettes. Proposed alterations include the installation of replacement windows and infill panels to the rear, replacement front door, installation of new windows and formation of new lightwell to the front and installation of front boundary wall and metal railings. Internal works to facilitate the conversion have already commenced.

## 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 |
|---|---|---|
| 90/01309/HST | Erection of a new shop front | Permitted |
| 90/01310/HST | Erection of illuminated projecting sign | Permitted |

## 4.0 Consultation Responses

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

| Consultee | Response |
|---|---|
| Housing Strategy Officer | **No objection** but queries the room sizes of flat 1 and states that 1-bed flats in this location are generally discouraged. |
| Conservation | **No objection** following receipt of amended plans |
| Natural England | Habitats Regulations Assessment (HRA) required |
| Waste and Recycling Team | All the flats should have access to wheelie bins which would be 4x180ltr bin for each flat and 3x3 240 wheelie bins for the separation of recycling to be used communally. In a shared property a minimum 140ltr communal bin is suggested. |
| County Highways | **No objection** and suggests the imposition of a condition relating to a Construction Management Plan |
| Parish Council | No comments received |
| Fire Safety Officer | No comments received |

4.2 No comments have been received from members of the public in response to neighbour notifications and site notice.

## 5.0 Analysis

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

- Principle
- Design and heritage
- Sustainable design/climate change
- Residential amenity
- Highways
- Biodiversity

5.2 **Principle** (NPPF Chapter 2 (Achieving sustainable development); Chapter 6 (Building a strong, competitive economy); Chapter 7 (Ensuring the vitality of town centres); Chapter 8 (Promoting healthy and safe communities); Local Plan Part One: Strategic Policies and Land Allocations DPD (Climate Emergency Review) Policies SP1 (Presumption in favour of sustainable development); SP2 (Lancaster district settlement hierarchy); SP3 (Development strategy for Lancaster district); SP6 (The delivery of new homes); EC5 (Regeneration Priority Areas); Local Plan Part Two: Development Management DPD (Climate Emergency Review) Policies DM1 (New residential development and meeting housing needs);

5.2.1 The strategic policies within the Development Plan promotes an urban-focused approach to new development, recognising Morecambe as a Key Service Centre within the district wide settlement hierarchy. Development growth in Morecambe, where it is proportionate in nature and scale and meets the strategic needs and functional role of the town, can be supported in principle. 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.

5.2.2 The property is in a sustainable location proximity to residential properties within the centre of the Morecambe and within the boundary of the Morecambe Area Action Plan (MAAP). The MAAP does not have any specific policies/allocations specific to this site or area, however the general principle of improving the condition and external appearance of building stock is contained within Action Set AS2. The site is located within the area designated by Policy EC5.1: Regeneration Priority Areas, where proposals for the renewal and regeneration of residential properties are supported in principle, subject to proposals being in accordance with other relevant policies in the Local Plan. The area, along with nearby areas, have been subject to interventions to improve the area and regenerate homes to enhance amenity.

5.2.3 The proposal seeks to create three residential units, one of which would be a 1-bed flat and two 2-bed units. As this application relates to the conversion of a large 3 storey mid-terrace dwelling, the development is confined by the form of the existing building. It is understood that it is not possible to provide another form of accommodation other than conversion to 1 large dwelling, or more flats of varying substandard sizes. Whilst larger flats or a single dwellinghouse would perhaps be preferred to smaller 1 and 2 beds units it is considered that the provision of 1 and 2 bed flats could not be refused and defended successfully at appeal. This is particularly the case when development would secure investment to a large building within the Conservation Area and contribute to the wider regeneration objectives of the Council for this area. Furthermore, although aimed at development in the West End, paragraph 18.75 of the SPLA DPD does state that as part of a mix of unit sizes a limited number of 1-bed units may sometimes be provided.

5.2.4 In view of this, such an accommodation offer could be supported in principle. However, the accommodation provided must be of a very high quality, providing apartments which are of high standard and with suitable layouts. This is discussed further in this report.

5.3 **Design and heritage** (NPPF Chapter 12 (Achieving well-designed places); Chapter 16 (Conserving and enhancing the historic environment); Local Plan Part One: Strategic Policies and Land Allocations DPD (Climate Emergency Review) Policy SP7 (Maintaining Lancaster district's unique Heritage); Local Plan Part Two: Development Management DPD (Climate Emergency Review) Policies DM29 (Key design principles); DM30a (Sustainable Desing and Construction); DM38 (Development affecting conservation areas)

5.3.1 The development site sits in a prominent position within the Morecambe conservation area. The Local Planning Authority has a statutory duty under the Act to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. These requirements are reflected within Section 16 of the NPPF which states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It goes on to state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Policies DM38 and DM39 also states that proposals should conserve and where appropriate enhance heritage assets.

5.3.2 The change of use is an opportunity for enhancements to the property and although it would be desirable for the ground floor bay window to be reinstated at ground floor the applicant has resisted the Conservation Officers request for this. While this is disappointing it would not forma valid grounds for the refusal of the application. The modern brick bay and fascia to the front of the property be retained but will be improved by the application of a grey render finish and the timber signage board above the bay will be painted grey to match.

5.3.3 The scheme will also provide enhancements such as the installation of a more traditional front door in place of the modern existing one. Precise details will be conditioned. The scheme includes the provision of a low stone wall with railings above to define the front curtilage of the property and this is considered to be a welcome enhancement. Precise details could be conditioned.

5.3.4 Due to the location of the basement window to the rear, and the fact that the other windows on the rear elevation are upvc, there are no concerns regarding the replacement of an existing upvc lower ground floor window with a new upvc window. An existing infill panel will also be replaced with a upvc window at lower ground floor to improve light and outlook.

5.3.5 While the amended plans do not incorporate all of suggestions made by the Conservation Officer, the character and appearance of the surrounding Conservation Area is preserved as required by paragraphs 203a and 219 of the National Planning Policy Framework and DM38 of the Local Plan, and the introduction of a new, traditional door and low wall with railing to the front elevation enhances the appearance of the conservation area. As such the scheme is considered to be acceptable in terms of design and heritage impacts.

5.4 **Sustainable design/climate change** NPPF Chapter 14 (Meeting the challenge of climate change, flooding and coastal change); Local Plan Part One: Strategic Policies and Land Allocations DPD (Climate Emergency Review) Policy CC1 (Responding to climate change and creating environmental sustainability); Local Plan Part Two: Development Management DPD (Climate Emergency Review) Policies DM30a (Sustainable design and construction); DM30b (Sustainable design and construction – water efficiency); DMCCH1 (Retrofit of buildings of traditional construction for energy efficiency)

5.4.1 Lancaster City Council declared a climate change emergency in January 2019 and set a target date of 2030 to make the Council's activities net-zero carbon. Relevant policies to climate change formed part of the recently adopted Climate Change Review of the Local Plan, and as such, these policies are now given full weight. Policy CC1 of the Strategic Policies and Land Allocations DPD (Climate Emergency Review) sets out that Lancaster District will become a low carbon and water sensitive district and to achieve this, appropriate mitigation for the environmental and climatic impacts of development should be embedded within all development proposals from the outset. Policy CC1 goes on to state that all development should integrate the principles of sustainable design and construction into the design of proposals.

5.4.2 Policy DM30a relates to Sustainable Design and Construction and sets out that where existing structures are being converted to new uses, which will also result in a change in the energy status of the building, the submission must demonstrate that energy demand has been addressed in line with the energy hierarchy, reduced to the lowest practical level using energy efficiency measures, heating/cooling systems have been selected sustainably, and that on-site renewable energy will be installed unless evidenced to be unfeasible. Policy DM30a requires these issues and requirements to be evidenced in a Sustainable Design Statement which shall include an Energy and Carbon Statement.

5.4.3 Policy DM30b relates to Water Efficiency and sets out that all new residential developments must achieve, as a minimum, the optional requirement set through the Building Regulations Requirement G2: Water Efficiency. The policy goes on to advise that the design of new developments should optimise the inclusion of water efficiency and consumption measures, such as low flow taps and showers, low flush toilets. These issues and requirements are to be evidenced in a Sustainable Design Statement.

5.4.4 Internal conversion works to facilitate the proposal have already commenced and it is considered that the change of use to three residential units will result in an increased energy demand. The application was validated on 21st January and following the adoption of the new DPD the agent was

requested to provide a Sustainable Design Statement (and Energy and Carbon Statement) in accordance with the requirements of the sustainable design policies. Although the agent acknowledged the requirements of the above policies he advised that he had not been appointed to undertake the work in relation to the additional information required and that he would need to agree such work with the applicant. It is regrettable that at the time of compiling this report the requested Statements have not been provided and as such the application conflicts with the requirements of the recently adopted policies.

5.5 **Residential amenity** NPPF Chapter 8 (Promoting healthy and safe communities); Chapter 12 (Achieving well-designed places); Local Plan Part Two: Development Management DPD (Climate Emergency Review) Policies DM2 (Space and accessibility standards) and DM29: Key Design Principles).

5.5.1 Policy DM2 requires that all new dwellings (this includes any dwellings resulting from conversions) to meet the Nationally Described Space Standards (NDSS). The application as amended proposes three flats as follows:

Flat 1 – 2-bed maisonette over the lower ground and ground floor
Flat 2 – 1-bed flat at first floor
Flat 3 – 2-bed maisonette over the second and third floors

5.5.2 Flat 1 as originally submitted was proposed as a one bed self-contained flat within the lower ground floor. Due to concerns regarding poor outlook from this unit amended plans were provided indicating that this flat will be a 2 bed maisonette over the lower ground and first floor. This unit will be accessed from the existing rear lower ground floor entrance and ground floor entrance. Existing windows and infill panels to the rear will be replaced with white UPVC double glazed units and a new lightwell will be formed to front to allow for a new window to serve the study at lower ground floor.

5.5.2 Bedroom one of Flat 1 will have a floor area of 10.9sqm (excluding staircase) and bedroom two will have a floor area of 8.5sqm and the total floor area of this unit accords with the provisions of the NDSS. Flat 2 at first floor will comprise one bedroom and a living/kitchen/dining area as well as a shower room. This unit meets the NDSS.

5.5.3 The maisonette (flat 3) over the second and third floors as originally submitted was a 3 bed unit but this arrangement was more akin to an HMO rather than as a single dwelling and there were concerns regarding room sizes. Amended plans now propose this as a 2 bed unit with a living/kitchen/dining area and shower room. This unit meets the NDSS.

5.5.4 The Waste and Recycling Officer has made suggestions with regard to bin and recycling storage. These details could be conditioned.

5.5.5 Overall, it is considered that the proposal will provide an acceptable level of residential amenity in terms of light, outlook and room sizes.

5.6 **Highways** NPPF Chapter 9 (Promoting sustainable transport); Local Plan Part One: Strategic Policies and Land Allocations DPD (Climate Emergency Review) Policies SP10 (Improving transport connectivity); Local Plan Part Two: Development Management DPD (Climate Emergency Review) Policies DM60 (Enhancing accessibility and transport linkages); DM61 (Prioritising walking and cycling)

5.6.1 The site does not provide any off-highway parking however it is located within a sustainable location with good access to public transport and local amenities. There are also parking restrictions on the surrounding roads to control on-street parking. County Highways has no objections to the proposal stating that whilst there is no off street parking associated with the development, the same can be said if the existing use remains. Therefore, on balance the proposal is considered acceptable in terms of highways impacts.

5.6.2 The County Highways request for a condition relation to the submission of a Construction Management Plan is considered unreasonable in this instance given the small scale nature of the development proposed.

5.7 **Biodiversity** NPPF Chapter 15 (Conserving and enhancing the natural environment); Local Plan Part One: Strategic Policies and Land Allocations DPD (Climate Emergency Review) Policies CC1 (Responding to climate change and creating environmental sustainability); SP8 (Protecting the natural environment); Local Plan Part Two: Development Management DPD (Climate Emergency Review) Policies DM44 (The protection and enhancement of biodiversity)

5.7.1 The site falls within the 3.5km buffer for Morecambe Bay designated sites. Any new residential units within this buffer have the potential to increase recreational pressure on the coastal designated sites. A Habitats Regulations Assessment has been undertaken, and mitigation in the form of homeowner packs would be required. This could be secured by condition.

## 6.0 Conclusion and Planning Balance

6.1 As discussed above, the principle of residential conversion in this sustainable location can be supported. The proposal will provide three residential units which meet the Nationally Described Space Standards ensuring a satisfactory level of amenity for the occupiers. Furthermore, the proposal will provide some minor enhancements to the surrounding Conservation Area.

6.2 As highlighted within section 5.4 of this report the submission has failed to demonstrate that energy demand has been addressed in line with the energy hierarchy and has failed to give consideration to water efficiency and consumption measures. As such the application is contrary to policy CC1 of the Strategic Policies and Land Allocations DPD (Climate Emergency Review) policies DM30a and DM30b of the Development Management DPD (Climate Emergency Review).

**Recommendation**

That Planning Permission BE REFUSED for the following reasons:

1. The proposal relates to a change of use of the subject property from an office to three residential units and as such would result in a change in the energy status of the building. Proposals for the conversion and material change of use of existing buildings must demonstrate that energy demand has been addressed in line with the energy hierarchy and the design of new developments should optimise the inclusion of water efficiency and consumption measures. The submission fails to consider these requirements through the provision of a Sustainable Design Statement (including an Energy and Carbon Statement). As such the application is contrary to policy CC1 of the Strategic Policies and Land Allocations DPD (Climate Emergency Review), policies DM30a and DM30b of the Development Management DPD (Climate Emergency Review) and section 14 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**
None

| | |
|---|---|
| **Agenda Item** | A10 |
| **Application Number** | 24/01282/FUL |
| **Proposal** | Demolition of existing garages and erection of two 2-storey buildings comprising of two dwellings and two 1-bed flats (C3) |
| **Application site** | Hastings Road Garage<br>Hastings Road<br>Lancaster<br>Lancashire |
| **Applicant** | Lancaster City Council |
| **Agent** | Mr Stuart Booth |
| **Case Officer** | Mr Robert Clarke |
| **Departure** | No |
| **Summary of Recommendation** | Approval, subject to conditions |

**(i) Procedural Matters**

This proposal constitutes a minor development which would normally be determined under the Scheme of Delegation. However, in this case, the development site is owned and this proposal submitted by Lancaster City Council, and as such the application must be determined by the Planning Committee.

## 1.0 Application Site and Setting

1.1 The site which forms to subject of this planning application is formed by two parcels of land located to the north and south of Hastings Road and adjacent to the junction with Dorrington Road. Two parcels of land both contain garages along with associated hardstanding. The wider area is residential in character consisting of terraced dwellings and flats within Arcon House, which is located to the east of the site.

1.2 The site is located within the Houses in Multiple Occupation Article 4 Direction area and within the Regulation 7 area controlling the display of 'To Let' signs. There is below ground drainage and telecommunications infrastructure immediately adjacent to the northern parcel of land.

## 2.0 Proposal

2.1 This application seeks planning permission for the demolition of the existing garages located in both the northern and southern parcels. Within the northern parcel it is proposed to construct two 1-bedroom flats located towards the western end of the site and fronting both Hastings Road and Dorrington Road, along with associated gardens extending to the east enclosed by boundary walls and fencing. The building will feature a footprint of 9 metres x 8.7 metres and would have a curved frontage to the junction of Hastings Road and Dorrington Road. It will feature a curved hipped roof

with a gable to the northern elevation, the ridge height will measure 7.9 metres measured on the northern elevation.

2.2 The building located within the southern parcel of land will form a pair of 2-bed semi-detached dwellings located towards the western end of the site and fronting both Hastings Road and Dorrington Road, along with associated gardens extending to the east enclosed by boundary walls and fencing. This building will be slightly larger with a footprint of 10.7 metres x 10.5 metres, it would also have a curved frontage to the junction of Hastings Road and Dorrington Road. It will feature a curved hipped roof with a gable to the northern elevation, the ridge height will measure 8.6 metres measured on the southern elevation.

2.3 Both buildings will adopt a fabric first approach to construction which externally would be finished with brick cladding and standing seam zinc roofing incorporating solar panels to both buildings.

## 3.0 Site History

3.1 Relevant applications relating to this site include:

| Application Number | Proposal | Decision |
|---|---|---|
| 22/01450/PRENG2 | Pre application advice for the redevelopment of existing garage site to affordable housing | Advice provided |

## 4.0 Consultation Responses

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

| Consultee | Response |
|---|---|
| United Utilities | Drainage strategy is supported in principle, however, further detailed design is required and which can be secured by condition. Advice provided regarding management and maintenance of SuDS, United Utilities infrastructure and water efficiency. |
| County Highways | No objection, conditions requested regarding construction management plan, and to secure the reinstatement of full height kerbs on site frontage and the installation of pedestrian drop crossings with tactile paving. |
| Environmental Protection | No response received. |
| Natural England | No objection. |
| Engineers | No response received. |
| Strategic Housing | No response received. |
| Property Services | No response received. |
| Fire Safety Officer | No response received. |
| Lancaster Civic Vision | Lancaster Civic Vision welcomes the proposal. |

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

## 5.0 Analysis

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

- Principle of development
- Housing
- Flood risk and drainage

- Design
- Residential Amenity
- Biodiversity
- Highways
- Sustainable Design

5.2 **Principle of Development** NPPF Chapter 2 (Achieving Sustainable Development), Chapter 5 (Delivering a Sufficient Supply of Homes), Chapter 11 (Making Effective Use of Land); Strategic Policies and Land Allocations (SPLA) DPD policies SP1 (Presumption in Favour of Sustainable Development), SP2 (Lancaster District Settlement Hierarchy), SP3 (Development Strategy for Lancaster District); Development Management DPD policies DM1: New Residential Development and Meeting Housing Needs

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

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

5.3.1 Paragraph 61 of the NPPF sets out that to support the government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed. The Council's most recent Housing Land Supply Statement identifies a housing land supply of 2 years, which is a significant shortfall against the required 5-year supply requirement. With regards to affordable housing, from adoption of the local plan in 2020, the evidence indicates that there have been 364 affordable completions. On that basis since the adoption of the local plan there is an accrued shortfall of 1140, against an affordable need of 376 dwellings per annum.

5.3.2 Given the acute under supply of deliverable housing against identified housing requirements, the provision of new residential development, carries significant benefit that must be given significant weight in the overall planning balance. 100% the residential units proposed as part of this development are for affordable occupation, described as being social rent tenure, to form part of the Council's affordable dwelling stock. This far exceeds the requirements set out in policy DM3 which on brownfield sites in Lancaster only requires 20% provision on development proposals of more than 10 units. The contribution to the delivery of affordable homes in the district, against the backdrop of a significant shortfall also weighs substantially in favour of the development. A condition to ensure that the accommodation provided remains as affordable housing in perpetuity is recommended.

5.3.3 Policy DM1 supports proposals for new residential development that uses land effectively, taking account of characteristics of different locations, where the natural environment, services and infrastructure can or could be made to accommodate the impacts of development and where the proposal meets evidenced housing needs. The proposal consists of 2 1-bed flats and 2 2-bed semi-detached units. The proposed housing mix is driven by the demand included on the council's Housing Register and compliments the overall mix of council housing stock. The development is considered to accord with policy DM1 as it would clearly meet an evidenced housing need for Lancaster.

5.3.4 Policy DM2 relates to housing standards, requiring all new dwellings to meet the Nationally Described Space standards and, for schemes of more than 10 units, requiring at least 20% of new affordable housing and market housing to meet building regulations M4(2) Category (Accessible

and Adaptable dwellings). In this case, all of the units satisfy the requirements of the Nationally Described Space Standards. As this proposal is for four units only, it is not required to address criteria II. however, these units have been designed with enhanced accessibility in mind, including accessible shower and WC facilities.

5.3.5 The development will make a positive contribution to the district's supply of affordable housing. The proposed residential units are designed to exceed the required housing standards set out in the Local Plan. The development is considered to fully accord with the Council's housing policies set out in the Development Plan.

5.4 **Flood Risk and Drainage** NPPF Chapter 14 (Meeting the challenge of climate change, flooding and coastal change); Strategic Policies and Land Allocations (SPLA) DPD policy SP8 (Protecting the Natural Environment); Development Management (DM) DPD policies DM33 (Development and Flood Risk), DM34 (Surface Water Run-off and Sustainable Drainage), DM35 (Water Supply and Waste Water) and DM36 (Protecting Water Resources and Infrastructure).

5.4.1 Strategic policy seeks to ensure new growth within the district is directed to areas at least risk of flooding, does not create new or exacerbate existing flooding issues and should aim to reduce flood risk overall. This approach is consistent with the NPPF which states that development should not be permitted in areas at medium and high flood risk if there are reasonably available sites appropriate for the proposed development in areas at a lower risk of flooding. This sequential approach is embedded in the Development Plan at policy DM33.

5.4.2 This planning application is accompanied by a Flood Risk Sequential Assessment as, at the time of submission of the application, the site was identified within the Councils Strategic Flood Risk Assessment (SFRA) as being at medium risk of groundwater flooding. Due to this medium flood risk, the application was required to address the flood risk sequential test. However, in early January 2025 the Council adopted a new SFRA which has removed all medium and high flood risk from within the site boundary, including current and future flood risk. On this basis, the flood risk at this site is now considered to be low and the requirement to address the flood risk sequential test has fallen away.

5.4.3 In accordance with policy DM34, development proposals should ensure surface water is managed in a sustainable way accounting for climate change and that flood risk is not increased elsewhere. The submitted SuDS statement and accompanying drainage plan sets out that, relative to the current site condition, the development proposal will provide a total of 180m$^2$ of permeable surfacing. With respect to the 186m$^2$ roof area, it has been calculated that 116m$^2$ can be discharged into soakaways located within the proposed rear gardens. It is set out that the remaining roof area would be drained via a connection to the existing combined mains drainage system. The strategy also details the use of water butts to enable rainwater harvesting for each of the dwellings. The application is also accompanied by a Preliminary Drainage Strategy in which it states that drainage via infiltration (soakaways) could be a feasible solution, however, it would be necessary to undertake percolation testing in order to confirm suitable ground conditions within the site. No details of such percolation testing have been provided as part of the application. In principle, the proposal to drain the development via soakaways either in full, or if suitably justified in part, is acceptable and would accord with the requirements of policy DM34. However, a fully detailed drainage assessment including evidence of ground condition testing and full details of the drainage system layouts would be necessary. Only if ground conditions are found not to be suitable of infiltration, would an attenuated connection to the main combined sewer system be accepted. It is considered that this can be appropriately secured via a pre-commencement condition.

5.4.4 Foul drainage is proposed to connect to the existing public sewer in accordance with the drainage hierarchy. United Utilities have reviewed the proposal and raised no objection to the drainage proposals, subject to final details of both the surface water and foul drainage systems secured by condition.

5.4.5 Subject to the imposition of pre-commencement conditions to secure the final drainage schemes, the application has sufficiently demonstrated that the site is safe from flood risk for its lifetime and is capable of being drained without causing a flood risk off site in compliance with national and local planning policy. Future development within the site, such as extensions, has the potential to impact drainage infrastructure such as soakaways. Therefore, in order to ensure future development is

appropriately considered in the context of the drainage layout and capacity of the site, a condition to remove permitted development rights for extensions and outbuildings is recommended.

5.5 **Design** NPPF Chapter 8 (Promoting healthy and safe communities), Chapter 11 (Making effective use of land), Chapter 12 (Achieving well-designed and beautiful places); Development Management (DM) DPD policies DM1 (New residential development and meeting housing needs), DM29 (Key Design Principles) and DM46 (Development and Landscape Impact) and the National Design Guide.

5.5.1 The NPPF places an increasing emphasis on the need to deliver high-quality, inclusive, beautiful and sustainable places. This is reflected in the Local Plan through a number of different policies. Policy DM29 and DM46 seek to achieve this overriding ambition by ensuring new development contributes positively to the identity and character of an area though good design that has regard to local distinctiveness, siting, layout, materials, orientation and scale. Policy DM29 expects development proposals to make a positive contribution to their surrounding through good design, the creation of positive, space and attractive streetscapes and good accessibility and connectivity building buildings and urban spaces.

5.5.2 The layout and form of the built development is carefully thought out make best use of the location of the development at the junction of Hastings Road and Dorrington Road. The use of a curved frontage ensures the proposal presents active and interesting frontages to both roadsides. These features positively contribute to the creation of an active street scene and contribute to a positive sense of place. The layout also safeguards existing residents, secures access to private amenity space to all the proposed dwellings and provides good natural surveillance around the whole development.

5.5.3 With respect to scale, both structures are larger with respect to height and massing than the immediately adjacent dwellings. This is most apparent when comparing the northern building to the neighbouring dwelling to the north, however, this height difference is mostly a result of the sloping topography of this part of Dorrington Road, and the fact that No. 19 Dorrington Road is located at a lower topographical level than the northern development site, rather than the northern building being disproportionately tall. Stepped roof heights is commonplace in this area and particularly along those roads which extend downhill from the A6, and along Dorrington Road. Therefore, the stepped roof height between the northern building and No. 19 Dorrington Road does not raise concern in design terms. The southern building is slightly larger in footprint than the northern building, however, it maintains an overall roof height similar to the adjacent dwelling. Consequently, in the context of the undulating topography and stepped building profiles within the area, as well as the presence of larger scale development in the form of Arcon House, the scale of each of the proposed buildings is acceptable.

5.5.4 With respect to materials, within the local area there is a range of material finishes to dwellings including brick, pebble dash, render and stone. Roofs are mostly finished with slate, however, some roofs feature concrete tiles. The proposed development is to be finished externally with brick cladding, currently proposed to be yellow buff colour with buff coloured mortar. In principle, this is acceptable given the mixture of external finishing materials including brick within the locality. The use of a yellow buff colour would also be appropriate as it would reflect the sandstone of the older properties located along Dorrington Road. It is considered reasonable to impose a condition to secure final details and of the brick cladding prior to works above ground level, so that this material can be fully assessed on site and in the context of surrounding stone and brick colours. The use of zinc standing seam roofing is considered to be acceptable, the colour would be akin to the colour of the slate roofscape. Again, final details of the materials to be used can be secured by planning condition, along with other design details such as the window finishes.

5.6 **Residential Amenity** NPPF Chapter 8 (Promoting Healthy and Safe Communities), Chapter 11 (Making effective use of land), Chapter 12 (Achieving Well-Designed Places); Development Management DM) DPD DM29 (Key Design Principles) and DM57 (Health and Well-Being).

5.6.1 Policy DM29 of the DM DPD and paragraph 135 of the NPPF is also relevant in the context of assessing the effects of development on residential amenity. Both strongly advocate the need for new development to be if high standard of design ensuring high standards of amenity are maintained and secured for existing and future users. Policy DM29 specifically state that new development must

ensure there is no significant detrimental impact to amenity in relation to overshadowing, visual amenity, privacy, overlooking, massing, and pollution.

5.6.2 The proposed development has the potential to impact existing residential development, particularly those residents of the dwellings immediately to the north (No.19) and south (No. 31) of the development site. At present, the existing single storey garages on both sides of the road extend the full length of each of the shared boundaries with the adjacent dwellings. This creates a long length of built form which extends for the full length of the neighbouring gardens. This is particularly harmful for the garden of No. 19, as the garage building is located immediately to the south of this garden and will therefore impede direct sunlight. The garage is also located at a higher topographical level and appears rather overbearing. The removal of the garages would remove this length of built form. Whilst the proposed replacement buildings are larger than the garages with respect to height, they are in line with both No. 19 and No. 31, with only a minor projection beyond the line of their rear elevations. This layout would serve to create a greater sense of openness within the neighbouring garden spaces and enable greater amounts of daylight for the garden of No. 19.

5.6.3 There are no windows within the side elevations of No. 19 and No. 31 which would be impacted by the construction of the proposed buildings. Overlooking of neighbouring gardens would be experienced from the upper floor windows of the proposed buildings, however, this would be a shared experience, which is not uncommon in more densely constructed urban environments such as this. In the context of this more densely constructed environment, it is considered that appropriate separation distances have been retained between opposing windows and windows which face opposing blank elevations.

5.6.4 The proposed dwellings accord with the Nationally Described Space Standards and all rooms have acceptable outlook and daylight. The gardens of the proposed dwellings are of an acceptable size, and subject to the installation of the boundary walls and fencing detailed on the proposal plans benefit from acceptable privacy levels.

5.7 **Biodiversity** NPPF: Chapter 15 (Habitats and Biodiversity); Strategic Policies and Land Allocations (SPLA) DPD Policies SP8 (Protecting the Natural Environment); Development Management (DM) DPD policies DM43 (Green and Blue Infrastructure), DM44 (Protection and Enhancement of Biodiversity) and DM45 (Protection of Trees, Hedgerows and Woodland).

5.7.1 The site at present is of low ecological value. There are to be pockets of hedge/shrub planting located at the western end of both parcels of land, however, these fall outside of the development site and will be retained in the context of the development. With respect to biodiversity net gain, the application benefits from the de minimis exemption, meaning biodiversity net gain is not a mandatory requirement for this application. However, planning policy still requires enhancement of biodiversity through development proposals. In this case, such an enhancement could be provided through the appropriate landscaping of the residential gardens. Details of the landscaping of the site can be secured by planning condition.

5.7.2 The site is located approximately 1.8km from Morecambe Bay and Duddon Estuary Special Area of Protection (SPA), Morecambe Bay Special Area of Conservation (SAC) and Morecambe Bay Ramsar site, in addition to the Morecambe Bay Site of Special Scientific Intertest (SSSI). Given the proximity of the site to the designated areas, there is the potential for the development to have an adverse impact on their integrity. No direct impacts will arise from the development. The identified impacts are indirect, relating to the effect of potential increased recreational disturbance. Accordingly, the Local Planning Authority has undertaken its own Habitat Regulations Assessment (and Appropriate Assessment) to fulfil the duty as the competent authority.

5.7.3 The Appropriate Assessment concludes that the proposal will not result in adverse effects on the integrity of any of the designated areas subject to appropriate mitigation being secured by condition. For impacts during the operational phase, this requires the provision of homeowner packs, which explain the sensitives of the nearby designated sites, include a ‘responsible user code’ and promotes the use of alterative areas for recreation, in particular dog walking.

5.7.4 With the implementation of the mitigation outlined above, it is considered that the proposed development will have no adverse effects on the integrity of the designated sites, their designation features or their conservation objectives, through either direct or indirect impacts either alone or in-

combination with other plans and projects. The mitigation measures can be adequately covered by a condition attached to any planning consent. The development is considered to accord with strategic policy SP8, EN7 of the SPLA DPD and policy DM44 of the DM DPD.

5.8 **Highways** NPPF Chapter 9 (Promoting Sustainable Transport) and Chapter 12 (Achieving Well-designed and Beautiful Places); Development Management (DM) DPD policies DM29 (Key Design Principles), DM57 (Health and Well-being), DM61 (Walking and Cycling), DM62 (Vehicle Parking Provision)

5.8.1 The existing garages are deemed to be under-utilised by the Council. Whilst the garages are or were previously rented as 'garages', the applicant has indicated that a large proportion of the garage stock are not used for storing cars. The County Highways Officer has reviewed the proposal and has confirmed that they have no objection to the development proposed. The development does not provide any off-highway parking; however, it is located within a sustainable location with good access to public transport and local amenities. Conditions have been requested to secure the submission and agreement of a construction method statement, and to secure off-site highway works in the form of the reinstatement of full height kerbs along the site frontages and the installation of pedestrian drop crossings with tactile paving. Given the constrained nature of the surrounding highway network, which is subject to a relatively high level of on-street parking, the submission and agreement of a construction method statement via a planning condition is deemed to be reasonable in this case, to ensure the construction phase of the development does not impede the safe operation of the already constrained highway.

5.8.2 With respect to the requested off-site highway works, these too are reasonable to request as part of this development. At present, the site frontage features low level drop kerbs to enable access to the garages. Following the demolition of the garages, vehicular crossing points will not be required. Therefore, to prevent or discourage on-street parking from impeding the pedestrian pavement, full height kerb lines should be installed along the length of the Hastings Road frontages of the site. Within this, provision of pedestrian drop crossings with tactile paving should be incorporated. The provision of these off-site highway works can be secured by planning condition.

5.9 **Sustainable Design** NPPF Chapter 12 (Achieving Well-Designed Places) and Chapter 14 (Meeting the challenge of climate change, flooding, and coastal change); Development Management (DM) DPD policies: DM29 (Key Design Principles), DM30a (Sustainable Design and Construction), DM30b: Sustainable Design and Construction – Water Efficiency and DM53 (Renewable and Low Carbon Energy Generation)

5.9.1 Newly adopted policies contained within the Climate Emergency Review of the Local Plan require development proposals to contribute to both mitigating and adapting to climate change to reduce greenhouse gas emissions. Policy DM30a requires this development to achieve a fabric first approach to construction that, with respect to dwellings commenced before 01/01/2028, will reach a minimum 75% reduction in carbon emissions against Part L of the Building Regulations 2013, expressed as a % uplift of the dwelling's Target Emissions Rate (TER). Development commenced after the 01/01/2028 will be required to achieve a 100% reduction (Net Zero) in carbon emissions.

5.9.2 The way in which an application intends to address the requirements of this policy is set out within the supporting Sustainable Design Statement incorporating and Energy and Carbon Statement. The statement confirms that the development will look to use a fabric first system, such as the Etopia EiSIP panel system (or similar). Such a construction system can exceed the Future Homes Standard, and when designed in conjunction with other high performance construction details, this can enable carbon emission reduction requirements. The proposal also includes the installation of solar panels upon the roof of each building to enable on site energy generation and to facilitate improved energy sustainability. The current Sustainable Design Statement incorporating and Energy and Carbon Statement does not quantify the developments final TER value in kgCO2e/m2 /yr. A condition to secure a full and final Sustainable Design Statement incorporating and Energy and Carbon Statement to include this information can be imposed. It is important to note that the full and final Sustainable Design Statement incorporating and Energy and Carbon Statement would need to address the required carbon emission reduction targets depending upon when commencement of the dwellings is to begin.

5.9.3 Policy DM30b requires all new residential developments to achieve, as a minimum, the optional requirement set through the Building Regulations Requirement G2: Water Efficiency. The design of new developments should optimise the inclusion of water efficiency and consumption measures including rainwater harvesting, and water reduction measures such as low flow taps, showers and toilets. As already highlighted, the draft drainage strategy includes provision for water butts to form part of the surface water drainage of the site, the provision of such items can be secured as part of the detailed drainage strategy condition. Furthermore, a condition can be imposed to ensure that the development meets the requirements of the optional requirement set through the Building Regulations Requirement G2: Water Efficiency.

## 6.0 Conclusion and Planning Balance

6.1 The principle of housing development in a sustainable location such as the application site fully conforms with the district's strategic development strategy. It will also result in the redevelopment of an existing brownfield site. These matters way in favour of the proposal and should be given moderate weight.

6.2 In the context of the national housing crisis and in the failure to deliver sufficient housing within the district to meet local needs, even the small-scale provision of 4 additional dwellings is a significant benefit and is afforded significant weight. Moreover, the provision of a 100% social rented affordable dwelling scheme also weighs substantially in favour of the development. The assessment above concludes technical matters such as transport impacts, flood risk, drainage, biodiversity, design matters, and amenity have all been satisfactorily addressed. Through the use of conditions, the development will be acceptable and will conform to the relevant national and local planning policies in relation to these matters. On this basis, the Planning Committee are recommended to support this application.

**Recommendation**

That Planning BE GRANTED subject to the following conditions:

| Condition no. | Description | Type |
|---|---|---|
| 1 | Timescale | Control |
| 2 | Approved plans | Control |
| 3 | Surface water drainage strategy | Pre-commencement |
| 4 | Foul drainage strategy | Pre-commencement |
| 5 | Sustainable design and energy and carbon statement | Pre-commencement |
| 6 | Construction management plan | Pre-commencement |
| 7 | Details/samples of materials | Prior to works above ground |
| 8 | Landscaping details | Prior to works above ground |
| 9 | Off-site highway works | Prior to occupation |
| 10 | Installation of solar panels | Prior to occupation |
| 11 | Water efficiency requirements | Prior to occupation |
| 12 | Homeowner packs | Prior to occupation |
| 13 | Affordable housing tenure | Prior to occupation |
| 14 | Remove PD rights – Part 1 of the GPDO | 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** | A11 |
| **Application Number** | 25/00136/PAS |
| **Proposal** | Prior approval for the installation of roof mounted solar photovoltaic panels |
| **Application site** | 1 Southgate<br>White Lund Industrial Estate<br>Morecambe<br>Lancashire |
| **Applicant** | Mr Elliott Grimshaw |
| **Agent** | N/A |
| **Case Officer** | Mr Robert Clarke |
| **Departure** | No |
| **Summary of Recommendation** | Prior approval is required and is granted. |

**(i) Procedural Matters**

This form of development and application type would normally be dealt with under the Scheme of Delegation. This is because of the short timescales in which prior approval applications should be determined and the fact the development, subject to the prior approval process, is considered permitted development by virtue of The Town and County Planning (General Permitted Development) Order 2015 (as amended) Schedule 2 Part 14 Class J, hereafter referred to as the 'Order'. However, in this case the applicant is Lancaster City Council and as such the application must be determined by the Planning Committee.

## 1.0 Application Site and Setting

1.1 The building which forms the subject of this application is a large industrial unit located on the White Lund Industrial Estate which lies in between Southgate and the Bay Gateway. The building comprises two roof heights, the taller pitched roof is located along the eastern side of the building, lower-level pitched roofs are located to the south, west and north of this. The wider setting to the application site comprises industrial and retail development.

## 2.0 Proposal

2.1 This application seeks prior approval from the Local Planning Authority as to the installation of solar panel arrays to be located on the lower-level dual pitched roof structures.

## 3.0 Site History

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

| Application Number | Proposal | Decision |
|---|---|---|
| 22/01291/FUL | Siting of 5 portable buildings to provide temporary office space and creation of associated car parking | Permitted |

## 4.0 Consultation Responses

4.1 As this proposal relates to an application for prior approval submitted under the Order, there is no requirement for the Local Planning Authority to undertake consultation other than the display of a site notice. At the time of drafting this report, the Local Planning Authority has received no consultation responses.

## 5.0 Analysis

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

- Permitted development and procedural matters
- Design or external appearance of the development
- Impact of glare on occupiers of neighbouring land
- Protected species

5.2 **Permitted development and procedural matters**

5.2.1 Part 14 Class J of the Order permits the installation or alteration etc of solar equipment on non-domestic premises, in particular, para. J. (c) sets out that the installation, alteration or replacement of other solar PV equipment on the roof of a building, other than a dwellinghouse or a block of flats. In this case, the subject building is an industrial non-domestic premises and so would benefit from permitted development rights granted by virtue of Part 14 Class J of the Order.

5.2.2 Para. J.1 sets out requirements that any development proposed under Part 14 Class J of the Order must satisfy to constitute permitted development. These requirements are set out below along with the Councils assessment as to each matter:

*(a) the solar PV equipment or solar thermal equipment would be installed on a pitched roof and would protrude more than 0.2 metres beyond the plane of the roof slope when measured from the perpendicular with the external surface of the roof slope;*

As detailed on submitted drawing LAN-2024-02-P-Gateway-Elevation-Rooftop-A, which is an illustrative drawing of the buildings roof section including the solar panel development, the solar panels would have an upstand above the roof plane of 0.19 metres. Therefore, the proposal satisfies this requirement.

*(b) the solar PV equipment or solar thermal equipment would be installed on a flat roof, where the highest part of the solar PV equipment would be higher than 1 metre above the highest part of the roof (excluding any chimney);*

None of the proposal panels would be located upon a flat roof, therefore the proposal satisfies this requirement.

*(c) the solar PV equipment or solar thermal equipment would be installed **[F1**on a roof and**]** within 1 metre of the external edge of that roof;*

As detailed on drawing LAN-2024-01-P-Basic_Design-Rooftop-A, which is a layout drawing indicating the position of the solar panels upon the buildings roof structure, none of the proposed

solar panels would be within 1 metre of the external edge of the building's roof structure. Therefore, the proposal satisfies this requirement.

*(d) *deleted**

*(e) the solar PV equipment or solar thermal equipment would be installed on a site designated as a scheduled monument; or*

The site is not designated as a scheduled monument. Therefore, the proposal satisfies this requirement.

*(f) the solar PV equipment or solar thermal equipment would be installed on a listed building or on a building within the curtilage of a listed building.*

The site is not a listed building, nor is the development located on a building that is located within the curtilage of a listed building. Therefore, the proposal satisfies this requirement.

5.2.3 Furthermore, development under Part 14 Class J of the Order is subject to conditions set out under paragraph J.4 (1) that:

*(a) the solar PV equipment or solar thermal equipment must, so far as practicable, be sited so as to minimise its effect on the external appearance of the building and the amenity of the area; and*
*(b) the solar PV equipment or solar thermal equipment is removed as soon as reasonably practicable when no longer needed.*

With respect to paragraph (a), the proposed solar panels are to be located on the lower-level pitched roof of the building. The lower height of this part of the building will ensure that the effect of the solar panel installation upon the external appearance of the building and the amenity of the area is minimised. Therefore, it is considered that the proposal satisfies this condition.

With respect to paragraph (b), this requires any developer to remove infrastructure permitted through Part 14 Class J of the Order once that infrastructure is no longer needed. This is in effect a control condition imposed by the order that the developer would need to comply with in time.

5.2.3 In addition to the conditions set out under J.4 (1), para. J.4 (2) requires that any development permitted by para. J. (c) be subject to the condition that before beginning the development the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the design or external appearance of the development, in particular the impact of glare on occupiers of neighbouring land. These matters are discussed further below.

5.3 **Design or external appearance of the development**

5.3.1 The presence of solar panels is considered acceptable in visual terms, the subject building is large scale industrial building with metal clad elevations whilst surrounding buildings are similar in their nature. The installation of panels upon the lower-level roof structure would mean that they would be visible, particularly those which are to be installed along the western length of the building adjacent to Southgate, however, within this industrial context, the presence of solar panel is considered not to be at odds with the character of the surrounding locality.

5.4 **Impact of glare on occupiers of neighbouring land**

5.4.1 Given the sites position within the wider employment/industrial estate, the distance to neighbouring land uses and the orientation of the roofs where the PV panels will be installed, the risk of glare is considered to be negligible.

5.5 **Protected species**

5.5.1 Although protected species are not specifically referred to in Part 14 Class J of the Order, Regulation 9 of 'The Conservation of Habitats and Species Regulations 2017' still applies. This states that the

"competent authority must exercise their functions which are relevant to nature conservation… so as to secure compliance with the requirements of the [Habitats] Directives". Accordingly, competent authorities must consider the Directives in making decisions relating to any of their planning functions. Article 3 of the Order provides a reminder of this duty insofar as it relates to development permitted by virtue of the Order.

5.5.2 Given the nature of the construction of this building and the nature of its use and that of the surrounding land, it is considered that the subject building would be wholly unsuitable for use by protected species, in particular bats and nesting birds.

## 6.0 Conclusion and Planning Balance

6.1 In accordance with Section J.4 of Part 14, Schedule 2 of the Order, the applicant has applied to the LPA to for a determination as to whether prior approval will be required as to the design or external appearance of the development, in particular the impact of glare on occupies of neighbouring land. Having regard to the criteria and conditions of the Order relevant to this development proposal, it is concluded that prior approval is required but can be granted in accordance with para. J.4 (9) (b) of Part 14 Class J of the Order.

**Recommendation**

That Prior Approval is required and be GRANTED**.**

**LANCASTER CITY COUNCIL**

| APPLICATION NO | DETAILS | DECISION |
|---|---|---|
| 23/01385/FUL | Throstle Croft, Main Road, Thurnham Part retrospective application for the erection of a general purpose live stock building and cattle/pig shed for Ronson / Dickson (Ellel Ward) | Application Refused |
| 23/01386/FUL | Throstle Croft, Main Road, Thurnham Retrospective application for the erection of an agricultural isolation building and chicken shed for Ronson / Dickson (Ellel Ward) | Application Refused |
| 24/00120/ELDC | 38 Cavendish Street, Lancaster, Lancashire Existing Lawful Development Certificate for use of property as House in Multiple Occupation (C4) for Wakmoor (Assets) Limited (Marsh Ward) | Lawful Development Certificate Refused |
| 24/00189/DIS | Lancaster University , Bigforth Drive, Bailrigg Discharge of conditions 7, 8, 9 and 10 and part of condition 5 on approved application 24/00171/FUL for Lancaster University (University Ward) | Application Permitted |
| 24/00195/DIS | Sellet Mill, Mill Lane, Whittington Discharge of condition 3 on approved application 21/01071/FUL for Mr C Tomlinson (Upper Lune Valley Ward) | Application Permitted |
| 24/00196/DIS | Sellet Mill, Mill Lane, Whittington Discharge of condition 3 on approved application 21/01072/LB for Mr C Tomlinson (Upper Lune Valley Ward) | Application Permitted |
| 24/00217/DIS | Old School Brewery, The Barn, Holly Bank Discharge of condition 2 on approved application 23/01290/FUL for Mr Ren Wallbank (Warton Ward) | Application Permitted |
| 24/00228/DIS | Land North Of A683 And Heysham Substation, Lancaster Morecambe Bypass, Morecambe Discharge of condition 13 on approved application 21//01069/FUL for Mr Brynmor Hughes (Heysham South Ward) | Application Permitted |
| 24/00231/DIS | Tufton Warren , Brettargh Drive, Lancaster Discharge of condition 4 and 7 on approved application 24/00441/FUL for Mr Phill Rowland (Scotforth West Ward) | Application Refused |
| 24/00249/ELDC | 31 Gladstone Terrace, Lancaster, Lancashire Existing Lawful Development Certificate for use of property as House in Multiple Occupation (C4) for Wakmoor (Assets) Limited (Bulk Ward) | Lawful Development Certificate Refused |
| 24/00580/ELDC | Uptown Farm, Willey Lane, Cockerham Existing Lawful Development Certificate for the use of 5 dwellings restricted to holiday occupation to be used as unfettered residential dwellings for Mr Hewitt (Ellel Ward) | Lawful Development Certificate Granted |

LIST OF DELEGATED PLANNING DECISIONS

| | | |
|---|---|---|
| 24/00620/VCN | Old Hall Farm, Kirkby Lonsdale Road, Over Kellet Relevant demolition of existing outriggers and agricultural buildings and change of use of agricultural buildings to 4 dwellings (C3) including the erection of single storey rear extensions, installation of windows, doors, rooflights, flues, erection of garages with associated parking, creation of internal access road and turning head and erection of boundary treatments (pursuant to the variation of condition 2 on planning permission 21/00363/FUL to amend elevations and floorplans) for Mr Mark Drinkall (Halton-with-Aughton And Kellet Ward) | Application Refused |
| 24/00626/VCN | Old Hall Farm, Kirkby Lonsdale Road, Over Kellet Listed building application for the demolition of rear outriggers, erection of single storey rear extensions, removal of internal walls and installation of partition walls and wall linings, installation of insulated concrete floors, installation of insulated timber floor to roadside barn, re-instatement of internal cart store wall with stonework within attached barn, removal of timber first floor and installation of steel and timber replacement floor within attached barn, installation of heating and drainage services and insulation, repairs to damaged roof structure in roadside barn, treatment of existing timber beams and trusses, removal of external staircase, alterations to and installation of window and door openings and installation of new windows, doors, cills, rooflights and flues, repointing of elevations, replacement roof slates and stone flags, installation of cast iron rainwater goods, erection of boundary walls and gates (pursuant to the variation of condition 2 on listed building consent 21/00358/LB to amend the approved plans to include alterations to fenestration and amendments to floor plans and the addition of first floor (roadside barn) and second floor (central barn) levels). for Mr Mark Drinkall (Halton-with-Aughton And Kellet Ward) | Application Refused |
| 24/00670/LB | 1 Deansgate, Morecambe, Lancashire Listed building application for the replacement of 2 uPVC windows with timber windows for Ms Debbie Jenkins (Poulton Ward) | Application Permitted |
| 24/00737/FUL | Silver Sapling Camp Site, Park Road, Silverdale Erection of a side extension to existing amenity block for Elaine Clare (Silverdale Ward) | Application Withdrawn |
| 24/00864/LB | The Tower, Thurland Castle, Tunstall Road Listed building application for the installation of internal secondary glazing for Mr Paul Day (Upper Lune Valley Ward) | Application Permitted |
| 24/01033/RCN | Animal Care, Blea Tarn Road, Scotforth Erection of a 2-storey veterinary building (sui generis) in association with existing animal rescue centre with associated parking and drainage infrastructure and construction of a retaining wall (pursuant to the removal of condition 4 on planning permission 23/00485/FUL to remove the requirement for providing an Employment and Skills plan) for Mr Steve Hinde (Ellel Ward) | Application Refused |
| 24/01051/FUL | Forest Hills, Hazelrigg Lane, Scotforth Installation of infrastructure for a concessionary path including footbridge, steps, waymarker posts, fence, hard surface, bridle gates and field gate for Mr Ian Sturzaker (Ellel Ward) | Application Permitted |

LIST OF DELEGATED PLANNING DECISIONS

| | | |
|---|---|---|
| 24/01060/FUL | 6 Claughton Drive, Lancaster, Lancashire Erection of a first floor side extension and replacement of existing flat roof to the front elevation with lean to roof for Mr & Mrs Armistead (Scotforth East Ward) | Application Permitted |
| 24/01144/FUL | Ireby Green Caravan Park, Woodman Lane, Ireby Change of use of agricultural land to form 12 seasonal touring caravan pitches and associated ground works for Mr John Welbank (Upper Lune Valley Ward) | Application Refused |
| 24/01176/FUL | 4 Hawthorn Avenue, Brookhouse, Lancaster Demolition of existing garage, erection of single storey side extension including covered area, erection of a porch to the front elevation, rerendering and recladding, associated landscaping and boundary fencing for Ms H Knight (Lower Lune Valley Ward) | Application Permitted |
| 24/01192/LB | Bolton Lodge , 107 Main Road, Bolton Le Sands Listed building application for replacement windows at Bolton Lodge for Mr Drew Campion (Bolton And Slyne Ward) | Application Withdrawn |
| 24/01203/FUL | 17 Westover Avenue, Warton, Carnforth Construction of dormer extension to the front elevation and installation of rooflights to the rear elevation for Mr Dean Hoggarth (Warton Ward) | Application Permitted |
| 24/01210/FUL | St Bernadettes Parish House , 120 Bowerham Road, Lancaster 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 for Mr Mark Atkinson (Scotforth East Ward) | Application Permitted |
| 24/01236/FUL | 7 Colwyn Avenue, Morecambe, Lancashire Erection of a first floor rear extension for Mr And Mrs S Jones (Bare Ward) | Application Permitted |
| 24/01252/FUL | Aspley Barn, Main Road, Thurnham Change of use of existing outbuilding to create a self contained holiday unit for Mr & Mrs Walmsley (Ellel Ward) | Application Permitted |
| 24/01254/PLDC | 12 Barton Road, Lancaster, Lancashire Proposed lawful development certificate for a loft conversion including hip to gable extension and dormer extension to the rear for Mr and Mrs Jeffrey Fair (Scotforth East Ward) | Lawful Development Certificate Granted |
| 24/01256/FUL | 2 The Paddocks, Hest Bank, Lancaster Conversion of approved outbuilding to provide ancillary living accommodation for Mr Lee Grant (Bolton And Slyne Ward) | Application Permitted |
| 24/01259/FUL | 9 Guidem Park, Lancaster, Lancashire Erection of a single storey rear extension for Mr and Mrs David Hackett (Bulk Ward) | Application Permitted |
| 24/01263/FUL | Silverdale Cricket Club, Cove Road, Silverdale Erection of single story side extension to Club Pavilion for Silverdale Cricket Club (Silverdale Ward) | Application Permitted |
| 24/01267/FUL | 9 Low Mill, Mill Lane, Caton Installation of air source heat pump for Emma Sutcliffe (Lower Lune Valley Ward) | Application Permitted |

LIST OF DELEGATED PLANNING DECISIONS

| | | |
|---|---|---|
| 24/01272/FUL | Lancaster Castle, Castle Park, Lancaster Replacement of existing cobblestones with stone flags to create 2 pathways to the front, associated improvements to drainage, provision of handrail with integrated lighting to the main length of the path, provision of traditional handrail to Gatehouse, provision of a seat for Mr Adam Brooks (Castle Ward) | Application Permitted |
| 24/01273/LB | Lancaster Castle, Castle Park, Lancaster Listed building application for the replacement of existing cobblestones with stone flags to create 2 pathways to the front, associated improvements to drainage, provision of handrail with integrated lighting to the main length of the path, provision of traditional handrail to Gatehouse, provision of a seat for Mr Adam Brooks (Castle Ward) | Application Permitted |
| 24/01274/FUL | 3 Guidem Park, Lancaster, Lancashire Installation of an air source heat pump to the rear, installation of solar panels to the front and rear elevations and associated landscaping for Dr Chaturvedi Vare (Bulk Ward) | Application Permitted |
| 24/01279/FUL | 124 Main Street, Warton, Carnforth Erection of single story rear extension for Mr Mark Davies (Warton Ward) | Application Permitted |
| 24/01290/FUL | 48 And 50 King Street, Lancaster, Lancashire Erection of a boundary fence to facilitate the separation of communal garden into two separate gardens for Mr Shun Tang (Castle Ward) | Application Permitted |
| 24/01291/LB | 48 And 50 King Street, Lancaster, Lancashire Listed building application for the erection of a boundary fence for Mr Shun Tang (Castle Ward) | Application Permitted |
| 24/01293/FUL | 22 Whalley Road, Lancaster, Lancashire Change of use of dwelling (C3) to 5-bed house in multiple occupation (C4) for Mr O Korede (Skerton Ward) | Application Permitted |
| 24/01309/FUL | 16C Middlegate, White Lund Industrial Estate, Morecambe Conversion of one industrial unit (B2) into two industrial units (B2), installation of roller shutter and door for Mr Matthew Feather (Westgate Ward) | Application Permitted |
| 24/01320/PLDC | 75 South Road, Morecambe, Lancashire Proposed lawful development certificate for the construction of hip to gable extension and construction of dormer extension to the rear elevation for Mr & Mrs M Leslie (Bare Ward) | Lawful Development Certificate Granted |
| 24/01324/PLDC | 39 Hamilton Road, Morecambe, Lancashire Proposed lawful development certificate for the erection of a single storey rear extension, construction of dormer extension to the rear and hip to gable extension for Mr & Mrs J Silverwood (Torrisholme Ward) | Lawful Development Certificate Granted |
| 24/01326/PLDC | 7 Leamington Road, Morecambe, Lancashire Proposed lawful development certificate for the erection of a single storey rear extension for Mr Michael Jackson (Westgate Ward) | Lawful Development Certificate Granted |
| 24/01333/FUL | 35 Low Road, Halton, Lancaster Construction of a new single storey lean-to extension to the west gable end of the property for Ms Chrissie Hunt (Halton-with-Aughton And Kellet Ward) | Application Permitted |

LIST OF DELEGATED PLANNING DECISIONS

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| 24/01337/FUL | 31 Chatsworth Road, Morecambe, Lancashire Conversion of basement into self contained flat (C3) for Mr Mark Lambert (West End Ward) | Application Refused |
| 24/01347/FUL | Silverdale Parish Council, Public Conveniences, Emesgate Lane Erection of an infill extension to the side/rear, construction of a pitched roof and re-rendering of external walls to create accessible toilet facilities with store room for Mr J Bennett (Silverdale Ward) | Application Permitted |
| 24/01350/FUL | GREGGS, 23 Glentworth Road West, Morecambe Installation of a service hatch to existing shopfront for Mrs Sara Humphries (Westgate Ward) | Application Permitted |
| 24/01354/OUT | Land At , Forge Lane/Low Road, Halton Outline application for the development of 5 residential dwellings and access for Norman Developments (Halton-with-Aughton And Kellet Ward) | Application Refused |
| 24/01355/PLDC | Upper Ashleys, Millhouses Road, Tatham Proposed lawful development certificate for the erection of a garden room for Mr Phil Hannis (Lower Lune Valley Ward) | Application Refused |
| 24/01357/FUL | Fields View, Back Lane, Wrayton Installation of solar panels to the roof for Cooper (Upper Lune Valley Ward) | Application Withdrawn |
| 24/01360/LB | 6 First Terrace, Sunderland Point, Morecambe Listed building application for replacement of front roof using photovoltaic slate and repairs to rear roof elevation for Mr Peter Brennan (Overton Ward) | Application Refused |
| 24/01363/FUL | 3 Morecambe Road, Morecambe, Lancashire Erection of a single storey rear extension incorporating conversion of existing conservatory for Ms Karolin Ramesh Masilanany (Torrisholme Ward) | Application Permitted |
| 24/01366/PLDC | 7 Toll Bar Crescent, Lancaster, Lancashire Proposed lawful development certificate for the demolition of existing rear garage and erection of a single storey side extension to form garage for Mrs Kirsty Cleminson (Scotforth West Ward) | Lawful Development Certificate Granted |
| 24/01368/FUL | 2 Penrhyn Road, Lancaster, Lancashire Erection of a single storey outbuilding to rear garden for Mr Marc Squirrell (Scale Hall Ward) | Application Permitted |
| 24/01373/PLDC | 33 Colwyn Avenue, Morecambe, Lancashire Proposed lawful development certificate for the erection of a single storey lean-to rear extension for Mrs S Wood (Bare Ward) | Lawful Development Certificate Granted |
| 24/01376/FUL | 41 Earl Street, Lancaster, Lancashire Change of use of dwelling (C3) to house of multi occupation (C4) for Mr Stuart Randall (Skerton Ward) | Application Refused |
| 24/01383/PAC | Barn Located South Of The A6070 & Greenlands Farm And North Of The Junction Of Kellet Lane, Lancashire, Prior approval for the change of use of agricultural building into flexible business use for Mr F Brakewell (Warton Ward) | Prior Approval Refused |

LIST OF DELEGATED PLANNING DECISIONS

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| 24/01384/FUL | 23 Corless Cottages, Dolphinholme, Lancaster Installation of roof mounted solar panels for Sarah Walkley (Ellel Ward) | Application Permitted |
| 24/01385/LB | 23 Corless Cottages, Dolphinholme, Lancaster Listed building application for installation of roof mounted solar panels for Sarah Walkley (Ellel Ward) | Application Permitted |
| 24/01400/FUL | 1 Laurel Bank, Lancaster, Lancashire Erection of single storey extension to rear of existing detached garage for Mr Charles Forsberg (Marsh Ward) | Application Permitted |
| 24/01401/PLDC | 13 Greaves Drive, Lancaster, Lancashire Proposed lawful development certificate for the erection of a single storey rear extension for Mr M. Tso (Scotforth West Ward) | Lawful Development Certificate Granted |
| 24/01402/LB | Music Room, Sun Street, Lancaster Listed building application for the installation of lead weathering and cover flashing to parapet wall for Mr Stuart Leavy (Castle Ward) | Application Permitted |
| 24/01413/FUL | High Barn, Aughton Brow, Aughton Erection of replacement front porch for Mr & Mrs Harrison (Halton-with-Aughton And Kellet Ward) | Application Permitted |
| 24/01416/VCN | Land At Grid Reference E346580 N452460, Lancaster Road, Cockerham Raising and filling of land using excess spoil and topsoil (pursuant to the variation of condition 5 on planning permission 22/00145/FUL to extend the timeframe from commencement to completion and agree details) for Mr Wilson (Ellel Ward) | Application Refused |
| 24/01420/PLDC | Land Alongside The Highway , From Lancaster Sub Station To Proposed Solar Farm On Grimeshaw Lane, Quernmore, Proposed lawful development certificate for the installation of an underground electricity cable for Opdenergy UK 6 Limited (Lower Lune Valley Ward) | Lawful Development Certificate Granted |
| 24/01422/ADV | Toll House Inn , 120 Penny Street, Lancaster Advertising application for the display of 2 fascia signs with 3D rear illuminated lettering, 2 hanging signs with 3D internal illuminated lettering and 2 vinyl replacements to entrances for Mr Jonny Firth (Castle Ward) | Application Permitted |
| 25/00007/EIR | Redfields, Wyresdale Road, Quernmore Screening request for the demolition of existing dwelling and erection of replacement dwelling with associated landscaping for Mr Anthony Gardner (Lower Lune Valley Ward) | ES Not Required |
| 25/00008/DIS | Gabriel Cottage, Coneygarth Lane, Tunstall Discharge of condition 4 on approved application 24/00562/FUL for Mr Phil Jones (Upper Lune Valley Ward) | Application Permitted |
| 25/00020/LB | Toll House Inn , 120 Penny Street, Lancaster Listed building application for the fitting of 2 fascia signs with 3D rear illuminated lettering, 2 hanging signs with 3D internal illuminated lettering and 2 vinyl replacements to entrances for Mr Jonny Firth (Castle Ward) | Application Permitted |

LIST OF DELEGATED PLANNING DECISIONS

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| 25/00032/PLDC | 71 Oxcliffe Road, Heysham, Morecambe Proposed lawful development certificate for erection of single storey rear extension for Mr And Mrs. D. Sanders (Heysham Central Ward) | Lawful Development Certificate Granted |
| 25/00037/PLDC | 6 Hayfell Crescent, Hest Bank, Lancaster Proposed lawful development certificate for erection of single storey rear/side extension for Ms J Clough (Bolton And Slyne Ward) | Lawful Development Certificate Granted |
| 25/00038/PLDC | 18 Shireshead Crescent, Lancaster, Lancashire Proposed lawful development certificate for conversion of garage into utility, shower room and new porch for Mr A Morris (Scotforth East Ward) | Lawful Development Certificate Granted |
| 25/00048/PLDC | 20 Coastal Road, Hest Bank, Lancaster Proposed lawful development certificate for the change of use of an outbuilding to a self-contained studio for Mr Jack Clear (Bolton And Slyne Ward) | Lawful Development Certificate Refused |
| 25/00049/NMA | Whittington Farm, Main Street, Whittington Non material amendment to planning permission 23/01488/VCN to amend the approved site layout, elevations and floor plans of plot 6, 19 & Shop / Tea Room for Mr Keith Southernwood (Upper Lune Valley Ward) | Application Refused |
| 25/00056/AD | Blackwood End, Bay Horse Road, Ellel Agricultural determination for the extension to an existing silage clamp building for Mr John Fox (Lower Lune Valley Ward) | Prior Approval Not Required |
| 25/00057/AD | Whittington Farm, Main Street, Whittington Agricultural determination for construction of an agricultural access track for Mr E Mackereth (Upper Lune Valley Ward) | Prior Approval Is Required |
| 25/00059/EIR | Blackwood End, Bay Horse Road, Ellel Screening request for extension to an existing silage clamp building for Mr John Fox (Lower Lune Valley Ward) | ES Not Required |
| 25/00067/NMA | Woodmuir, Westbourne Road, Lancaster Non material amendment to planning permission 23/01275/FUL to remove extension from garage and install new garage door, changes to outbuilding roof covering and arrangement of windows and doors for Mr & Mrs Diamond (Marsh Ward) | Application Permitted |
| 25/00076/NMA | 120 Newlands Road, Lancaster, Lancashire Non material amendment application to planning permission 24/00603/FUL to amend the front entrance screen for Mr & Mrs Morgan (Bowerham Ward) | Application Permitted |
| 25/00093/AD | Helks Farm, Main Road, Over Kellet Agricultural determination for the erection of extension to existing building for livestock and machinery for Mr John Mason (Halton-with-Aughton And Kellet Ward) | Prior Approval Refused |
| 25/00125/AD | Ouzel Thorne, Flintron Brow, Over Wyresdale Agricultural determination for the erection of steel framed building to provide storage and to cover existing yard for Mr Robert Ayrton (Ellel Ward) | Prior Approval Is Required |

LIST OF DELEGATED PLANNING DECISIONS

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| 25/00132/EIR | Ouzel Thorne, Flintron Brow, Over Wyresdale Screening request for the erection of steel framed building to provide storage and to cover existing yard for Mr Robert Ayrton (Ellel Ward) | ES Not Required |