



**Committee:** PLANNING REGULATORY COMMITTEE

**Date:** MONDAY, 15 DECEMBER 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 24<sup>th</sup> November 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.

- |   |   |  |  |                        |
|---|---|--|--|------------------------|
| 5 | <b>A5 <a href="#"><u>23/01327/OUT</u></a></b> | <b>Land South Of Low Road, Halton, Lancashire</b>  | <b>Halton-with-Aughton and Kellet Ward</b> | <b>(Pages 6 - 43)</b>  |
|   |   | Outline application for the erection of up to 80 dwellings with associated access.   |  |                        |
| 6 | <b>A6 <a href="#"><u>25/00593/OUT</u></a></b> | <b>Land To The West Of, Health Innovation One, Sir John Fisher Drive</b>   | <b>University Ward</b>                     | <b>(Pages 44 - 57)</b> |
|   |   | Outline application for development of a knowledge and research Innovation Campus comprising Use Class E(g) with associated car parking and primary access with all other matters reserved.                                    |  |                        |
| 7 | <b>A7 <a href="#"><u>25/01140/FUL</u></a></b> | <b>Ashton Memorial And Butterfly House, Williamson Park, Quernmore Road</b>  | <b>John O'Gaunt Ward</b>                   | <b>(Pages 58 - 66)</b> |
|   |   | Installation of Air Source Heat Pumps and associated enclosure, removal of redundant plant, construction of new enclosure to house packaged plant and new air handling unit, installation of a new heat pump gantry enclosure, |  |                        |

installation of new radiators, emitters, replacement of the existing pipework distributions, upgrades to the Building Energy Management Systems and associated development.

- |    |  |   |                          |                        |
|----|--|---|--------------------------|------------------------|
| 8  | A8 <a href="#"><u>25/01141/LB</u></a>  | <b>Ashton Memorial And Butterfly House, Williamson Park, Quernmore Road</b>   | <b>John O'Gaunt Ward</b> | <b>(Pages 67 - 71)</b> |
|    |  | Listed building application for the installation of Air Source Heat Pumps and associated enclosure, removal of redundant plant, construction of new enclosure to house packaged plant and new air handling unit, installation of a new heat pump gantry enclosure, installation of new radiators, emitters, replacement of the existing pipework distributions, upgrades to the Building Energy Management Systems. |                          |                        |
| 9  | A9 <a href="#"><u>25/01004/FUL</u></a> | <b>The Storey, Meeting House Lane, Lancaster</b>  | <b>Castle Ward</b>       | <b>(Pages 72 - 80)</b> |
|    |  | Installation of air source heat pumps with plant enclosure and construction of canopy.  |                          |                        |
| 10 | A10 <a href="#"><u>25/10005/LB</u></a> | <b>The Storey, Meeting House Lane, Lancaster</b>  | <b>Castle Ward</b>       | <b>(Pages 81 - 86)</b> |
|    |  | Listed building application for air source heat pumps with plant enclosure, canopy, internal works including replacement radiators and secondary window glazing.  |                          |                        |
| 11 | A11 <a href="#"><u>21/0157/FUL</u></a> | <b>45A Chester Place, Lancaster, Lancashire</b>   | <b>Castle Ward</b>       | <b>(Pages 87 - 91)</b> |
|    |  | Retrospective application for the change of use of bowling pavilion (use class F2) to radio station (sui generis), change of use of veterans club building to changing/social facility (use class F2) installation of replacement roof covering on  |                          |                        |

pavilion building, and replacement of 4 timber windows with UPVC windows with detachable window security screens to the front elevation, replacement of timber door and side screen, replacement of roof coverings, soffit boards, rainwater gutters and downpipes and replacement cladding to veterans club building.

- |    |  |   |                    |                        |
|----|--|---|--------------------|------------------------|
| 12 | A12 <a href="#"><u>25/01136/LB</u></a> | <b>Lancaster City Museum , Market Street, Lancaster</b> | <b>Castle Ward</b> | <b>(Pages 92 - 94)</b> |
|----|--|---|--------------------|------------------------|

Listed building application for the repair and upgrade of existing rainwater goods to include removal of PVC outlet pipe and reinstatement of lead lining to masonry outlet, inclusion of additional lead flashing to gulley and repair of water damaged plaster to internals of building.

**13 Delegated List (Pages 95 - 99)**

**14 Updates**

Updates relevant to any application due to be considered at this meeting will be published on 11<sup>th</sup> December 2025 as an additional document to this agenda.

**ADMINISTRATIVE ARRANGEMENTS**

**(i) Membership**

Councillors Sandra Thornberry (Chair), Dave Brookes (Vice-Chair), Louise Belcher, Martin Bottoms, Keith Budden, Tom Fish, Alan Greenwell, John Hanson, Jack Lenox, John Livermore, Andrew Otway, Catherine Potter, Robert Redfern, Sue Tyldesley and Paul Tynan

**(ii) Substitute Membership**

Councillors Wilson Colley (Substitute), Maria Deery (Substitute), Roger Dennison (Substitute), Martin Gawith (Substitute), Colin Hartley (Substitute), Paul Newton (Substitute), Joyce Pritchard and James Somerville (Substitute)

**(iii) Queries regarding this Agenda**

Please contact Eric Marsden - Democratic Support: email [emarsden@lancaster.gov.uk](mailto:emarsden@lancaster.gov.uk).

**(iv) Changes to Membership, substitutions or apologies**

Please contact Democratic Support, telephone 582000, or alternatively email [democracy@lancaster.gov.uk](mailto:democracy@lancaster.gov.uk).

MARK DAVIES,  
CHIEF EXECUTIVE,  
TOWN HALL,  
DALTON SQUARE,  
LANCASTER, LA1 1PJ

Published on 3<sup>rd</sup> December 2025.

<b>Agenda Item</b>	A5
<b>Application Number</b>	23/01327/OUT
<b>Proposal</b>	Outline application for the erection of up to 80 dwellings with associated access
<b>Application site</b>	Land South of Low Road Halton Lancashire
<b>Applicant</b>	Applethwaite Homes Ltd
<b>Agent</b>	Mr Matthew Wyatt
<b>Case Officer</b>	Mr Robert Clarke
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Approval subject to conditions and completion of Section 106 Agreement. Delegate back to Chief Planning Officer to finalise legal agreement.

## 1.0 Application Site and Setting

- 1.1 The site forming the subject of this application is located on the eastern edge of the village of Halton, east of the M6 motorway and adjacent to the northern bank of the River Lune. The site comprises an area of 6.5 hectares of open fields with existing gated access points from Low Road to the north. The site is separated into two fields split by an area of woodland and hedgerow which extends through the centre of the site. The site is undeveloped and contains numerous trees and hedgerows. The topography of the site is undulating and predominantly slopes northwards towards Low Road though the eastern area slopes southwards towards the River Lune.
- 1.2 The northern boundary of the site is formed by a hedgerow and trees, a grassed verge and Low Road. The eastern boundary is also formed by trees and hedgerows, a residential dwelling lies just beyond the eastern site boundary. The southern boundary is formed by the steep wooded embankment which drops down to the River Lune. Along the western boundary and within the development site is a National Grid electricity pylon and overhead powerlines. Residential development known as Forest Heights is situated beyond this.
- 1.3 The site is located within the designated Open Countryside which defines the rural areas of the district. The eastern half of the site is also located within the Forest of Bowland National Landscape, the boundary of which passes north-south through the centre of the site. A below ground Ethylene gas pipeline passes through the eastern half of the site, the development site is located within the associated inner, middle and outer consultation zones. Trees within the site are protected by Tree Preservation Order Number 321(2001). The site is within an identified Environmentally Important Area and forms part of a Mineral Safeguarding Area.
- 1.4 The site is located within flood zone 1, as identified within the Environment Agency Flood Map for Planning. The EA Surface water map identifies areas of medium and high chance of surface water flooding at the front of the site adjacent to Low Road and within the south-western area of the site.

The extent of this surface water flood risk increases slightly when incorporating the effects of climate change. Furthermore, the Councils Strategic Flood Risk Assessment (SFRA) identifies the northwestern corner of the site as being at risk of groundwater flooding.

1.5 Low Road to the north of the site is a 'C' class road with a 60mph limit dropping to a 30mph limit in front of the site. Public Right of Way FP0115001 passes through the woodland to the south of the site, towards the bottom of the river bank. Public Right of Way FP0115010a passes through the field to the north of Low Road. Regional Cycle Route 90 passes along Low Road. The site is outside of but adjoins the boundary of Forgebank Walk Significant Green Infrastructure open space typology, which encompasses the riverbank to the south. The River Lune and its northern embankment form part of the Halton Gorge and Quernmore Valley Regionally Important Geological Site. The River Lune is designated as a Biological Heritage Site, whilst Gutterflat Wood, which is located approximately 55 metres from the eastern boundary of the site, is identified as an Ancient & Semi-Natural Woodland. The site is not within a Conservation Area or affected by/within the setting of other designated or non-designated heritage assets. Halton Conservation Area is located 450 metres to the west, Green Beck House located 230 metres to the east is the nearest designated heritage asset (Grade II), opposite this is Halton Green Cottage which is identified as a non-designated heritage asset, all are separated by intervening development and landscape features such as woodland. The site is located approximately 4.7km to the east of the important designations (SSSI, SPA, SAC, RAMSAR) associated with Morecambe Bay and the Lune Estuary.

1.6 The site is located within the Halton with Aughton Neighbourhood Development Plan (NDP) boundary. The Examination of this NDP has been concluded, and the Independent Examiner concluded that, subject to recommended modifications being made, the NDP should proceed to Referendum. Until such time that the Referendum has been undertaken and the NDP has been Made, the NDP attracts no weight in the determination of planning applications within the NDP boundary.

## 2.0 Proposal

2.1 This application seeks outline planning permission for the erection of up to 80 dwellings, which has reduced from the original proposal of up to 90 dwellings. Full planning permission is sought for the access arrangements required to serve the development site. Matters pertaining to appearance, landscaping, layout and scale are reserved for subsequent approval, herein "the reserved matters".

2.2 A new vehicular access is proposed off Low Road on the northern boundary of the site. This takes the form of a priority-controlled junction and includes off-site highway improvements works along Low Road to facilitate the access. This comprises the relocation of the existing 30mph/national speed limit change and the associated road markings and signage to the east, provision of new uncontrolled pedestrian crossings across the site access and across Low Road, and a new pedestrian pavement along the southern side of Low Road to tie in with that located at the access road to Forest Heights. The site access road will extend southwards into the site before entering the western field to provide access into the proposed development area. The access road will feature a width of 5.5 metres with 2 metre wide pedestrian pavements to each side. In addition to this main access, opportunity to secure a secondary pedestrian access to the neighbouring residential estate road exists.

2.3 A Parameters Plan has been submitted for approval to fix the location of the proposed development area within the site. The development area equates to 2.4 hectares or approximately 37% of the whole site area. This will include all the residential development and associated internal roads. This plan shows that the residential development would be located within the western field and would remain outside of the National Landscape boundary. Only the residential access road would be located within the eastern field along with drainage and other service infrastructure as well as open space, landscaping and ecological enhancement areas. In addition to the Parameters Plan, the application is also supported by an Indicative Framework Plan which seeks to build upon the Parameters Plan and detail the way in which the site could be developed. The Indicative Framework Plan is not for approval.

2.4 The proposal includes the provision of affordable housing and on-site public open space, along with associated infrastructure, such as internal estate roads, servicing and the provision of a sustainable

drainage scheme. Earthworks are anticipated to form the proposed SuDS features and development platforms.

### 3.0 Site History

- 3.1 There is limited planning history to report in relation to the site itself. There have been some historic approvals and refusals for housing on land adjoining the site to the west, this commenced with the approval of 14/01344/OUT and associated 17/01423/REM for the erection of 60 dwellings, this formed the initial Forest Heights development. Subsequent to this, application 20/00277/FUL granted permission for a further 9 dwellings which substituted 2 plots from the initial permission and provided a further 7 dwellings. As such, across these permissions, the total number of dwellings within the Forest Heights development is 67. Finally, application 21/00290/FUL sought permission for a further 7 dwellings at the frontage of the Forest Heights development site, however, this was refused and dismissed at appeal.

Application Number	Proposal	Decision
23/01372/EIR	Screening opinion for the erection of up to 90 dwellings with access	Not ES development

### 4.0 Consultation Responses

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

Consultee	Response
<b>United Utilities</b>	No objection – subject to conditions to secure the final drainage details and associated management/maintenance.
<b>NHS</b>	No objection – subject to a financial contribution of £59,228 (90 units) towards extension and reconfiguration at Ash Trees Surgery Carnforth (Halton) for additional clinical capacity.
<b>Halton with Aughton Parish Council</b>	<p>Objection – A number of consultation responses have been provided by Halton with Aughton Parish Council raising the following concerns:</p> <ul style="list-style-type: none"> <li>- The site is not allocated for development in the approved Local Plan. There are alternative undeveloped allocated sites that could be utilised.</li> <li>- Proposal would extend the village boundary.</li> <li>- The site falls within the countryside area and Forest of Bowland National Landscape, exceptional circumstances required to justify 'major development' are not shown.</li> <li>- The views from Forest of Bowland National Landscape would be adversely affected.</li> <li>- The development would not preserve or enhance the quality of the Environmentally Important Areas designation.</li> <li>- The development is not sustainable.</li> <li>- The developer has not engaged with the community, and the proposal does not address the housing needs of the village, including affordable housing.</li> <li>- A number of accidents have occurred along Low Road including fatalities and serious injuries.</li> <li>- No pedestrian path is proposed from the site to the neighbouring site on the west which would enable pedestrians to access off-road paths and provide a short-cut.</li> <li>- Water supply issues.</li> <li>- Increased pressure on local infrastructure.</li> <li>- The submitted Flood Risk Assessment and Drainage Strategy is inadequate.</li> <li>- Impacts upon ecology including the River Lune BHS and birds.</li> </ul>



<b>Local Highway Authority (LHA)</b>	<p>No objection – Previous concerns regarding the off-site highway works, access design, Transport Assessment and Travel Plan have been resolved through the latest amendments. The LHA has no objection to the development subject to the following conditions/obligations:</p> <ul style="list-style-type: none"> <li>- Construction Management Plan</li> <li>- Wheel washing facilities</li> <li>- Full construction details of the proposed access</li> <li>- Precise scheme for off-site highway works based on access details including pedestrian crossing, uncontrolled crossing, relocation of 30mph speed limit signage, markings and VAS sign.</li> <li>- Provision of visibility splays</li> <li>- Pedestrian link to Forest Heights</li> <li>- Construction of estate road to base course level before wider development</li> <li>- Details of road management and maintenance</li> <li>- Implementation of Interim Travel Plan</li> </ul> <p>The LHA has also provided additional design advice relating to the reserved matters, including parking provision, garage dimensions and all internal estate roads to be designed to adoptable standards.</p> <p>The LHA has also requested a financial contribution of £2,271.79 per unit towards selected Lancaster Travel and Transport Infrastructure Strategy initiatives.</p>
<b>Environmental Health</b>	Requests that an Air Quality Assessment be undertaken. States that acceptable noise levels will need to be secured. Requests conditions to secure Air Quality Assessment, dust control scheme, electric vehicle charging, and contamination investigation.
<b>Lead Local Flood Authority (LLFA)</b>	No objection – subject to conditions securing final drainage strategy details, construction phase surface water details, drainage Operation and Maintenance Manual, drainage verification report. Site specific advice relating to drainage requirements is also provided.
<b>Planning Policy</b>	Provide comments on relevant Local Plan Policy requirements. Expresses some concern with the outline nature of this scheme and the ability to fully consider the impacts of development upon the National Landscape including its setting. Further comments are made regarding flood risk and drainage requirements, Strategic Housing and Employment Land Assessment (SHELAA) outcomes, open space needs, active travel requirements, climate change/sustainable design requirements, ecological and geological matters, housing need and affordable housing requirements and design matters.
<b>Strategic Housing</b>	No response
<b>Lancashire Police</b>	Provides recommendations as to the design of dwellings/development including layout, design, boundaries, access routes, security systems, window security, landscaping, parking and lighting. The recommendations are more relevant to the details at reserved matters stage.
<b>Engineering Team</b>	No response
<b>Active Travel England</b>	Standing advice is provided.
<b>County Active Travel</b>	No response
<b>Canal and River Trust</b>	Does not wish to provide comment on this application.
<b>Biodiversity Officer</b>	No response

<b>Arboricultural Officer</b>	Expresses concerns at the proposed location of the sub-station and objects to the loss of G76 which could constitute an important hedgerow. Potential conflicts could arise between residential development and retained trees/woodland. Appropriate buffer environments should be provided between development and these existing features. Advice is provided regarding the appropriate landscaping of the site as part of the development.
<b>Forest of Bowland NL Officer</b>	No response
<b>Mineral Safe Policy Team</b>	No response
<b>Electricity North West</b>	No response
<b>Natural England</b>	No objection – Subject to mitigation, as detailed within the Councils Habitat Regulations Assessment being secured by planning condition and s106 agreement: <ul style="list-style-type: none"> <li>- Construction phase surface water management</li> <li>- Operational phase surface water and foul drainage details</li> <li>- Homeowner Information Packs</li> <li>- On-site open space provision</li> </ul>
<b>Shell UK</b>	No comments to make.
<b>Waste and Recycling Team</b>	Provides comments on bin and collection point requirements.
<b>County Archaeology</b>	No objection – subject to a condition to secure a programme of archaeological investigation.
<b>Public Realm Team</b>	No objection subject to the following requirements based on 90 x 3 bedroom dwellings: <ul style="list-style-type: none"> <li>- On-site Amenity Greenspace 1,404.00m<sup>2</sup></li> <li>- Off-site contributions as follows: <ul style="list-style-type: none"> <li>• Outdoor Sports – Facility improvements at Halton Community Recreation Fields</li> <li>• Parks and Recreation Ground - £98,506.80 Improvements to Halton Recreation Ground.</li> <li>• Allotments - £15,195.60 to go to improvements to Halton Allotments.</li> </ul> </li> </ul>
<b>Health and Safety Executive</b>	Does not advise against development subject to stipulated restrictions on dwelling density and open space provision within the inner and middle consultation zones.
<b>National Grid</b>	No objection – subject to statutory clearances and easements being adhered to. Development is required to be in accordance with National Grid Technical Guidance Note 287.
<b>County Education</b>	No objection – subject to financial contribution to secure 18 primary school places.
<b>Sustainable Growth</b>	No objection – subject to Employment and Skills Plan being secured by planning condition.

4.2 The following responses have been received from members of the public to the initial and amended consultations:

**138 letters of objection.** A summary of the main reasons is as follows:

Principle matters including:

- The site is not allocated for housing
- Development here is contrary to the Neighbourhood Development Plan

- Development here would constitute inappropriate countryside development
- Development would constitute major development within the National Landscape and exceptional circumstances have not been demonstrated
- No need for additional housing
- No evidence that this proposal meets local housing needs
- Application is not supported by an Affordable Housing Statement
- Development should provide policy compliant affordable housing
- Proposal should provide bungalows within the housing mix
- No consultation with the community by the developer has been undertaken
- Development is not sustainable and will not support economic growth, community health or enhance the environment
- Loss of agricultural land
- Recent housing developments are struggling to sell homes
- Proposal for 7 houses on land adjacent was refused and appeal dismissed
- Proposal should provide bungalows within the housing mix
- Development should be directed to brownfield sites

## Design and landscape matters including:

- Harm to the rural character and identity of the village
- Development would extend beyond the existing village boundary
- The scale and density of this proposal are wholly out of keeping with the area
- The site lies within the Forest of Bowland National Landscape, the development would result in harm to this landscape
- Further ribbon development along Low Road
- Development would be visually intrusive
- Loss of greenspace is damaging to rural sense of place
- Harm from light pollution

## Traffic and highway concerns including:

- Low Road is dangerous and the proposed access is unsafe and unsuitable, resulting in increased risk for drivers and pedestrians
- Existing traffic volume and speed within the village including along Low Road is dangerous
- Existing condition of road surfaces is unacceptable
- Lack of pedestrian crossing points and access to community facilities
- Poor visibility at the access
- Traffic calming measures should be installed
- Increased demand for car parking
- Poor highway drainage and flood risk

## Residential amenity concerns including:

- Increases in criminal and antisocial behaviour
- Public open space must be appropriately designed, managed and maintained
- Housing should be design to be thermally efficient and net carbon zero
- Increased litter and dog fouling
- Loss of village community feel

## Environmental concerns including:

- Development would harm and be contrary to the identified Environmentally Important Area and Open Countryside
- Impacts on river bank and river Lune BHS
- Surface water flood risk and drainage concerns
- Impacts upon the environment and wildlife including the wider ecological network
- Loss of trees and hedgerows
- Increased air pollution
- It is essential that site drainage prevents/reduces water flows towards Low Road
- Safety hazards associated with drainage basins
- Harm to Gutterflat Wood ancient woodland and Monkley Gill Beck woodland
- Proposed landscaping is unlikely to materialise
- Gas pipeline hazard is located within the development site
- Existing public right of ways are dangerous and poorly maintained

Infrastructure concerns including:

- Impacts on water supply and drainage systems
- Condition of road surfaces
- Impacts of increased pressure on local infrastructure including schools, doctors and shops
- Slow internet speeds
- Lack of public transport options

## 5.0 Analysis

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

- Principle of development
- Access, traffic impacts, sustainable travel, and parking
- Landscape character and visual effects
- Biodiversity and trees
- Flood risk and drainage
- Residential amenity and pollution
- Open space
- Housing needs, housing mix, affordable housing and housing standards
- Heritage matters
- Infrastructure
- Sustainable design
- Employment and Skills

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, EN2: Areas of Outstanding Natural Beauty, EN3: Countryside Area; Development Management DPD Policies DM1: New Residential Development and Meeting Housing Needs, DM4: Residential Development Outside Main Urban Areas, DM6: Housing Provision in the Forest of Bowland AONB and DM44: The Protection and Enhancement of Biodiversity; Joint Lancashire Minerals and Waste Local Plan Policies M1 Managing Mineral Production, M2 Safeguarding Minerals and Guidance Note December 2014.

### 5.2.1 Principle of housing growth

The Strategic Policies and Land Allocations DPD (SPLA DPD) sets out the district's strategic development strategy, advocating an urban-focussed approach to future growth (policy SP3). This is reflected in Policy SP2 which sets out the district's settlement hierarchy. Policy SP2 aims to direct significant growth to the main urban areas of the district but also identifies a number of sustainable rural settlements that will provide the focus for rural growth outside the main urban areas. The application site is located on the periphery of the settlement of Halton, adjacent to a recently constructed residential development site. Halton is identified as a sustainable rural settlement and as such is a location in which the provision of housing would be supported; subject to the constraints of the Open Countryside and National Landscape credentials set out below.

5.2.2 The application site is not allocated for housing, or any other specific land use. The whole of the site lies within the designated Countryside Area defined by the Lancaster District Local Plan, which defines the rural context of the district. Policy EN3 states that any development proposals located within this designation should have due regard to all relevant policies contained within the Local Plan, in particular policies within the Development Management (DM) DPD relating to development in the rural areas.

5.2.3 A number of public comments received by the Local Planning Authority indicate that the whole of the development site is located within the National Landscape, based on the map provided on the Forest of Bowland National Landscape (NL) website. The interactive map provided on this website does show the boundary of the NL extending up to the electricity pylons along the western boundary

of the site. For the avoidance of doubt, this boundary is incorrect. The correct boundary is that provided by Natural England on its Areas of Outstanding Natural Beauty (England) map, which is incorporated into the Councils Local Plan interactive map. On this basis, only the easternmost areas of the development site are located within the Forest of Bowland NL, the boundary of which passes through the approximate centre of the site. Policy EN2 sets out that the landscape character and visual amenity of these protected National Landscapes and their settings will be conserved and enhanced, and that all development within these landscapes should be consistent with the primary purpose of National Landscape.

5.2.4 The support offered to residential development outside the main urban areas by policy SP2 is further reflected through policy DM1 and DM4. Policy DM1 states proposals for new residential development will be supported where land is used efficiently, taking account of the characteristics and specific circumstances of individual sites and proposals are located where the natural environment, services and infrastructure can accommodate growth. Policy DM4 clarifies that the Council will support proposals for rural housing provided that they are well related to existing built form, that they remain proportionate to the character and scale of the existing settlement, and that they do not demonstrably undermine the prevailing landscape. In addition to the overarching support offered by policies SP2, DM1 and DM4 of the DM DPD, policy DM6 of the DM DPD supports the principle of residential development within the Forest of Bowland NL provided that the local housing needs are being closely addressed/met by the proposal and the development is not unjustified 'major development' in the context of National Landscape policy.

5.2.5 As detailed on the submitted Parameters Plan, the proposed development area which would include the proposed residential development and the proposed access road leading from Low Road, would be located wholly outside of the National Landscape boundary. Securing development in accordance with this Parameters Plan would mean subsequent reserved matters proposals would need to accord with this site wide layout requirement. Whilst not located within the National Landscape, this part of the development site would be within the setting of the National Landscape. Moreover, the application red edge extends into the National Landscape, and this eastern area of land could include on-site open space facilities and other associated infrastructure such as drainage. As such development could take place within the National Landscape as part of this application, albeit not housing, nor the proposed access road.

5.2.6 On this basis, it is necessary to address the requirement of paragraph 190 (and footnote 67) of the NPPF. This paragraph sets out that when considering applications for development within National Landscapes, permission should be refused for 'major development', unless exceptional circumstances exist and where it can be demonstrated that the development is in the public interest. Associated footnote 67 confirms that, for the purposes of paragraph 190, whether a proposal constitutes 'major development' is a matter for the decision maker. The definition of 'major development' in this context is not the same as the definition of 'major development' pursuant to the Development Management Procedure Order 2015. To establish whether or not a proposal constitutes 'major development' in the context of paragraph 190, it is necessary to take into account nature, scale and setting, and whether a proposal could have a significant adverse impact on the purposes for which the area has been designated or defined. This, ultimately, is a matter of judgement for the decision maker.

5.2.7 In this case, the residential development and associated access road from Low Road would be wholly located outside of the protected landscape. Only minor associated infrastructure such as open space, landscaping, ecological enhancement, and drainage infrastructure could be located within the National Landscape boundary. The proposed development parcel would extend up to the boundary with the National Landscape and would be within its setting. However, in this instance, the location of the development site is immediately adjacent to the existing built-up area of Halton, including large scale electricity infrastructure and other residential development. Furthermore, the proposed scale with respect to housing numbers and the extent of the development as defined within the Parameters Plan, is considered proportionate to the size and nature of the village. In addition, the retention of the central woodland and hedgerow belt which presently forms the central boundary between the two fields, would form a natural boundary to the development and revised village edge. The access road would lie beyond this central woodland, but this would be a low impact intervention which can be comfortably accommodated in visual terms into this landscape. Care must be taken at the reserved matters stage to ensure that the eastern frontage of the development is appropriate in terms of layout, scale, and design. This is particularly important because it faces the National

Landscape. With careful consideration, the natural beauty, special qualities, and other key characteristics of the protected landscape setting can be conserved. In this instance, based on the submitted information and the site-specific factors, the scheme is not considered to constitute 'major development' within or in the setting of the National Landscape, pursuant to Paragraph 190 of the Framework.

5.2.8 Whilst this conclusion does mean that the policy criteria for exceptional circumstances set out within the NPPF and DM6 are not engaged, this does not preclude the need for or prejudice the ability of the Local Planning Authority to carefully and stringently assess all material planning considerations, which importantly includes landscape matters. However, based on this conclusion, the principle of housing can be supported in this location.

5.2.9 Paragraph 61 of the National Planning Policy Framework (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 2.8 years, which is a significant shortfall against the required 5-year supply set out in the NPPF. Paragraph 11 of the NPPF also requires that, where a Local Planning Authority cannot demonstrate a 5-year supply of deliverable housing sites, permission should be granted unless the application of policies in the NPPF that protect areas or assets of importance (such as protected landscape, areas at risk of flooding, designated heritage assets or statutory habitat sites) provide a strong reason for refusing permission; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole, having particular regard to key policies. These include directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination. These matters, along with all other pertinent planning considerations will be addressed in the following sections of this report and considered in the planning balance at the conclusion of this recommendation.

#### 5.2.10 Loss of Agricultural Land

The loss of the agricultural land is a material planning consideration and a matter of principle. Policy DM44 states development proposals '*should avoid the use of the best and most versatile agricultural land and should, as far as possible, use the lowest grade of land suitable*'. The NPPF equally reinforces the need to protect the highest quality agricultural land. Paragraphs 187, 188 and associated footnote 65 state '*planning policy and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils*'. The best and most versatile (BMV) land is Grades 1, 2 and 3a. The application is supported by an Agricultural Land Classification assessment, which concludes that the whole site constitutes Grade 3b which is not defined as BMV. Accordingly, the loss of agricultural land is not a constraint to the proposed development and would not conflict with policy DM44 or the Framework in this regard.

#### 5.2.11 Mineral safeguarding

The site is located within a Mineral Safeguarding Area (MSA) as identified by Lancashire County Council within the Joint Lancashire Minerals and Waste Local Plan. Policy M2 of this Plan sets out that planning permission will not be supported for any form of development that is incompatible with working the minerals, unless the applicant can demonstrate that:

- The mineral concerned is no longer of any value or has been fully extracted.
- The full extent of the mineral can be extracted satisfactorily prior to the incompatible development taking place.
- The incompatible development is of a temporary nature and can be completed and the site returned to its original condition prior to the minerals being worked.
- There is an overarching need for the incompatible development that outweighs the need to avoid the sterilisation of the mineral resource.
- That prior extraction of minerals is not feasible due to the depth of the deposit.
- Extraction would lead to land stability problems.

5.2.12 A Mineral Resource Assessment has been submitted in support of the application. This concludes that the site is likely underlain by glaciofluvial deposits comprising sand and gravel overlying gritstone/sandstone. Whilst there is sufficient supply of gritstone/sandstone, there is an identified shortfall of sand and gravel. The proposed development would result in the minerals within this area being sterilised, however, it has been shown that the tonnage being sterilised, particularly of sand

and gravel, is small compared to the overall resources available within Lancashire and as such would not adversely impact the overall reserves within the County. Furthermore, extraction activities could impact upon the electricity and gas infrastructure within the site, meaning extraction is likely unfeasible. The site is also situated adjacent to existing residential development, which would be unacceptably impacted by extraction activities. Whilst prior extraction may be temporary, the impacts on neighbouring residential amenity could be profound. Furthermore, given the small size of the site/minerals and the fact it is adjacent to existing development and sensitive infrastructure, it is not an unreasonable assertion that prior extraction would also be unviable. Accordingly, the development would not conflict with the policy M2 of the Joint Lancashire Minerals and Waste Local Plan.

5.3 **Access, traffic impacts, sustainable travel, and parking** NPPF Chapter 9 Promoting Sustainable Transport and Chapter 12 Achieving Well-designed and Beautiful Places; Strategic Policies and Land Allocations (SPLA) DPD policies: SP10: Improving Transport Connectivity, T2: Cycling and Walking Network; Development Management (DM) DPD policies DM29: Key Design Principles, DM57: Health and Well-being, DM58: Infrastructure Delivery and Funding, DM60: Enhancing Accessibility and Transport Linkages, DM61: Walking and Cycling, DM62: Vehicle Parking Provision and DM63: Transport Efficiency and Travel Plans, and DM64: Lancaster District Highways and Transport Masterplan.

5.3.1 The district's development strategy (policies SP2 and SP3) aims to manage growth in the most sustainable way possible by directing growth to the main urban areas and to the identified rural sustainable settlements, of which Halton is one. Opportunities to maximise sustainable transport solutions varies between the main urban areas of the district and those areas which are more rural in nature. This variation must be taken into account when assessing existing and proposed transport infrastructure opportunities, which is likely to lead to changes in transport technology and usage (paragraph 109, NPPF).

5.3.2 Fundamentally, development proposals must ensure that the criteria set out within paragraph 115 of the Framework, which are summarised below, are met:

- a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users;
- c) the design of streets, parking areas and other transport elements meet standards that reflect national guidance; and
- d) any significant impacts from the development on the transport network, or highway safety, can be cost effectively mitigated to an acceptable degree.

These essential criteria are reflected and expanded upon within the Councils Local Plan at policies DM60 to DM63 of the DM DPD. Policies DM4 and DM29 also require development, especially those in the rural areas, to be located where the environment and infrastructure can accommodate the impacts of expansion and new development is well connected to existing settlements and services.

5.3.3 Access

The application is seeking approval of the proposed site access onto Low Road as part of the outline application. The proposal includes the approval of the point of access/junction itself, as well as the internal access road leading into the site and up to the proposed development area, as indicated on the Parameters Plan. This is a road length of approximately 130 metres. The junction detail and internal access road detail are illustrated on the Proposed Site Access Plan drawing, which also includes topographical and tree detail to indicate the way in which the access road would navigate between existing woodland copse and through the central hedgerow.

5.3.4 Full details of the remaining residential road layouts within the proposed development area shall be controlled by planning conditions attached to the outline application, if approved. These details would need to be submitted concurrent with any reserved matters given the interdependency with the layout of the development. This should also include details of the proposed arrangements for the future management and maintenance of the proposed streets within the development.

5.3.5 The main point of access is proposed to be taken from Low Road to the north of the site, located between two existing tree groups and in the location where the speed limit reduces from 60mph to

30mph at the entry to the village. At present, there is a relatively large, grassed verge on the southern side of Low Road, the only pedestrian pavement provision is on the northern side of the road in this location. The recently installed access to Forest Heights, which features a pedestrian pavement, is located approximately 60 metres to the west.

5.3.6 The proposed access takes the form of a priority-controlled junction with a carriageway width of 5.5 metres with 2 metre footways either side, leading up to the proposed development area. As detailed within the supporting Transport Assessment, visibility splays of 2.4m by 43m can be provided at the junction along Low Road. These splays, which are detailed on the Proposed Site Access Plan, utilise land within the control of the applicant or are on the adopted highway. The splays are commensurate with roads which are subject to a 30mph speed limit. In conjunction with the proposed access, it is also proposed to relocate the existing 30mph speed limit zone further to the east. This is indicatively shown on the Proposed Site Access Plan, although the precise location will need to be agreed with the Highways Authority (HA). A forward visibility of 115 metres to the relocated 30mph sign can be achieved therefore complying with the requirements for a 30mph road. These works will also include the relocation of the associated speed limit signage, road markings and Vehicle Activated Sign (VAS). Appropriate street lighting will be required, details of which would need to be agreed by the HA.

5.3.7 The access design includes an uncontrolled crossing with dropped kerbs and tactile paving to link to the existing pedestrian pavement along the northern side of Low Road. A further pedestrian crossing is proposed across the site access itself. A new pedestrian pavement is also to be provided along the southern side of Low Road. This will extend westwards from the access and will connect with the existing pavement provision at the Forest Heights junction.

5.3.8 The proposed access design has developed over the course of the determination of this application following design discussions with the HA. Despite concerns from residents relating to the access design and highway safety, the proposal is now considered to represent a safe and suitable access, to the satisfaction of the HA. A condition to secure the final details and the implementation of this access design, along with the pedestrian pavement to link with Forest Heights, pedestrian drop crossing across the site access, the uncontrolled crossing across Low Road and the relocation of the 30mph speed limit and associated works, is to be secured and controlled by planning condition. A second condition is proposed to secure the appropriate visibility splays of 2.4m by 43m in both directions.

5.3.9 A further condition has also been requested by the HA to require the site access road to be constructed in accordance with Lancashire County Council Specification for Construction of Estate Roads to at least base course level, up to the entrance of the site compound before any development takes place within the remainder of the site. In light of the nature and scale of the proposal, including the length of the access road, this is recommended. For the same reason, the additional conditions to secure a Construction Management Plan, to include details of wheel washing, is also recommended.

#### 5.3.10 Traffic Impacts

The application is supported by a detailed Transport Assessment (TA) which considers the effects of development including additional traffic on the network. The TA has been updated during the determination process to address comments made by the HA, including trip distribution from the site access. To establish suitable trip generation for the proposed residential use, the TRICS database has been analysed. The trip rates and vehicle trip generation for the proposed development (up to 80 dwellings) for the AM and PM peak hours are included in the table below:

Period	Trip Rate		Trips	
	Arr	Dep	Arr	Dep
AM Peak Hour	0.126	0.329	11	30
PM Peak Hour	0.297	0.156	27	14

Table 6.1 Summary of Proposed Residential Dwellings Trip Generation (80 Dwellings)



As can be seen from the table, the TA anticipates that the development would generate approximately 41 new two-way trips in the AM peak and the PM peak hours. Areas of concern on the existing highway network have been raised by interested parties, including the Low Road pinch point close to the junction and Quarry Road/Station Road, and the roundabout junction with Low Road/Church Brow/High Road/Foundry Lane. These areas do present constraints on the network which need to be carefully considered in the context of the development proposed.

5.3.11 As can be seen, from the Development Flow calculations, the potential impact at the Low Road/Church Brow/High Road/Foundry Lane junction, which would include traffic passing through the Low Road pinch point, is 27 two-way trips in the AM peak and PM peak hours. This is a relatively small increase in local traffic arising from the development, which can be accommodated within the normal variation of daily traffic flows. Given this, it is concluded that the traffic generated from the proposal will not result in a material change to traffic conditions. Within its latest consultation response, the HA has confirmed that it is now satisfied with the assessment and conclusions set out within the TA, including with respect to highway capacity and road safety.

5.3.12 The HA has ultimately raised no objection to the proposed development, subject to mitigation in the form of a financial contribution towards improvements to wider highway infrastructure, as set out in the Lancaster Travel and Transport Infrastructure Strategy (LTTIS). The assessment of the development in isolation is agreed to be acceptable in highway impact terms. However, when considering this proposal in combination with wider development within the district, future growth ambitions as detailed within the Local Plan, and wider strategic highway infrastructure constraints, the level of effect could arguably be greater. For this reason, the HA has requested a financial contribution calculated using a gravity model which assesses the development's impact on various parts of the network based on the scale, type, and location of the development in the context of the adopted Local Plan. This model also incorporates the estimated costs of the associated infrastructure works set out in the LTTIS. The contribution requested will support the delivery of strategic improvements aimed at increasing network capacity and promoting sustainable travel.

5.3.13 The requested contribution equates to £2,271.79 per dwelling, which based on a development of 80 dwellings, would total £181,743.20. The final total figure would be confirmed at the reserved matters stage once the total number of dwellings is determined, and would be apportioned across the relevant initiatives identified within the LTTIS. These initiatives would be:

- Pointer Roundabout
- City Centre Gyratory
- A683 Caton Road
- A6 Slyne Road
- Local highway network around M6 junction 34
- Lancaster Area Wide local road management changes

Given the likely distribution of trips generated by the development, these initiatives are considered directly related to its impacts.

5.3.14 Without contributions to mitigate the impacts of the development and support the delivery of strategic highway infrastructure, it is anticipated there would be severe impacts in terms of both safety and congestion around Lancaster and Morecambe's highway network. Policy DM58 and DM64 also support contributions to mitigate impacts to highway infrastructure. For this reason, the HA's contribution request is supported, both by the Local Planning Authority and the applicant, and is additional to the off-site highway improvement works, with the contribution being secured through a Section 106 agreement. In light of this, the proposed development is considered compliant with the Local Plan policies and the NPPF in relation to traffic impacts. In conclusion, the HA has raised no objection to the development and is satisfied the development traffic can be accommodated on the network without resulting in highway safety impacts or in residual cumulative impacts on the road network that would be severe. In this regard the development does not conflict with the Framework or the DM DPD.

## 5.3.15 Sustainable travel

Planning policy seeks to ensure development maximises opportunities to travel by sustainable transport modes. This includes the promotion of walking and cycling and access to public transport. The Chartered Institution for Highways and Transportation (CIHT) sets out suggested walking

distances between sites and key services based on desirable, acceptable and preferred maximum distances. This are set out below:

	Town Centres (m)	Commuting/School/ Sightseeing (m)	Elsewhere/Local Services (m)
<b>Desirable</b>	200	500	400
<b>Acceptable</b>	400	1,000	800
<b>Preferred Maximum</b>	800	2,000	1,200

The WYG Report entitled ‘Accessibility – How Far Do People Walk and Cycle’, states that 1,950 metres is the 85th percentile distance for walking as the main mode of travel.

- 5.3.16 The development site is located on the edge of the existing village, adjacent to existing residential development. The main services, including the closest primary school, within the village are mostly located on High Road, with access being made through the residential roads to the north, or through the grounds of ‘The Centre’. Table 4.5 below, shows the walking distance from the access point of the site on Low Road to several of the local key amenities in the immediate vicinity of the site. The table also confirms whether or not the particular amenity is within the 85th percentile distance for walking.

Local Amenity	Distance	Guidance Criteria	Meets with Guidance?
Playground at The Centre	600m	1,950m	YES
Premier Convenience Store	615m	1,950m	YES
Halton Pharmacy	615m	1,950m	YES
St. Wilfrid's C of E Primary School	895m	1,950m	YES
Halton Village Butchers	930m	1,950m	YES
The Greyhound	945m	1,950m	YES
The Red Door Cafe	1,305m	1,950m	YES
Playground St. Wilfrid's Park	1,410m	1,950m	YES
Furnace Barn Day Nursery	1,450m	1,950m	YES
Cote Beck Forest	1,545m	1,950m	YES

Table 4.4 Distance from Site to Local Facilities

- 5.3.17 The TA demonstrates that the local centre and village amenities lie within the 1950 metre preferred distance (from the site access). Local pedestrian infrastructure within the village is considered adequate, with lit footways provided along residential streets and the pedestrian route up to High Road. The topography of the village, which is split across two distinct topographical levels, is noted, however, level access is provided through the residential streets, albeit on an incline in places. For those on foot heading in a westerly direction, the lack of pedestrian facilities through the pinch point on Low Road is noted, though an alternative westerly route is provided along Mill Lane leading to Station Road. Mill Lane also does not feature pedestrian pavements, but it is a quieter less trafficked route.
- 5.3.18 Further pedestrian links exist within the village to the network of public rights of way, including those along the banks of the River Lune. To aid in improving pedestrian connectivity, the applicant is amenable to providing a pedestrian link from the development site leading to the site boundary with Forest Heights. This would avoid the need to walk the length of the access road to reach Low Road and would reduce distances both into the village and enable improved connections with the footpaths which lead down to the river via Foundry Close. This linkage relies on third party land and so cannot be delivered in full by the applicant. However, a condition can be imposed to facilitate this pedestrian connection up to the development site boundary to Forest Heights.
- 5.3.19 In relation to walking, development proposals must not impact the pedestrian environment and should maintain, and where possible, improve the existing pedestrian infrastructure in accordance with policy T2 of the SPLA DPD. When considered alongside the proposed off-site improvements to

Low Road, which are designed to enhance access for all users, and the opportunity to secure in part a new active travel connection to the west of the site, the development is located in an accessible location. It would provide future residents with a genuine opportunity to make regular, everyday journeys on foot.

- 5.3.20 In relation to cycling, the site is located on Regional Cycle Route 90, which is largely an on-road cycle network which travels along Low Road, however, there is no dedicated cycle lane along the road network. Easy access for cycles to the Millenium Greenway, which is located along the southern river bank, is available, which provides direct access into Lancaster to the west and the Lune Valley to the east. Cycling would be a realistic mode of travel for future residents of this development. Cycle parking within each dwelling will be required in accordance with DM62, details of cycle parking infrastructure would be secured by later reserved matter approvals. In instances where cycle parking is provided within a shed-type garden structure, as opposed to a garage, these should be designed to Secured By Design Status.
- 5.3.21 In terms of public transport, the area is served by existing bus services which pass along Low Road and provide access to Lancaster and the wider Lune Valley. The closest bus stops are located on Low Road, close to the junction with Forgewood Drive. The CIHT recommends a 400m walking distance between new residential development and bus stop/services. When including the length of the site access road leading to Low Road, the nearest bus stop would be just over 400 metres. This would be further still for those properties which are located further into the proposed development area. The delivery of a pedestrian link into Forest Heights would shorten this considerably, but this relies on third party land, so cannot be delivered in full by this development alone. Whilst bus stops are situated over the recommended walking distance for most of the development, given the good level of rural bus services operating in the area, travelling by bus is also a genuine option for future residents. Access to rail services are poor in the Lune Valley as no infrastructure exists. For rail services, residents would be required to commute into Lancaster via other means of transportation in the first instance. From there, Lancaster railway station offers regular rail connections regionally and nationally.
- 5.3.22 Active Travel England (ATE) are a statutory consultee for developments over 150 housing units, whilst this proposal falls below that threshold, ATE has provided comment indicating that development should include consideration of the National Model Design Code, Inclusive Mobility and LTN 1/20. The layout of the development is not a consideration at this stage. However, as already set out, a condition is recommended to secure the details of internal estate roads, private drives, footways and other active travel routes to be designed to adoptable standards and LTN 1/20.
- 5.3.23 A Travel Plan will be required for the development, in order to encourage and incentivise active travel. An Interim Travel Plan has been provided with the application, which is reasonable and proportionate given the outline nature of the scheme. The Travel Plan has been reviewed by the HA which considers this to be a suitable document and recommends a condition to secure the implementation of the travel plan for a minimum period of 5 years.
- 5.3.24 Overall, the development is considered to be sustainably located to support and encourage the use of alternative sustainable modes of transport and therefore accords with planning policy in this regard. There are no significant adverse effects arising from the development on the pedestrian and cycle environment. In fact, betterment will be provided through the proposed off-site improvements works and the opportunity to secure pedestrian linkages.
- 5.3.25 Parking  
Policy DM62 sets out the Council's maximum parking standards for new development. The submission indicates the development will be designed to meet the requirements of policy DM62 with the details provided as part of the layout considerations through reserved matters. Parking is not explicitly a reserved matter; therefore a condition is recommended to control the provision of the parking prior to occupation of respective dwellings, together with access and turning provision via the internal estate roads. There is an expectation for all roads (subject to the street hierarchy and design at reserved matter stage) to be designed to adoptable highway standards.
- 5.3.26 In conclusion, the proposal has robustly demonstrated that safe and suitable access can be provided for all modes of transport and that the additional traffic generated by the development can be safely accommodated on the local highway network without resulting in significant adverse impacts. There

are no highway safety objections from the statutory consultees. Therefore, despite concerns raised by the local community to the contrary, there are no technical highway grounds on which to withhold planning permission.

- 5.4 **Landscape character and visual effects** NPPF Chapter 8 Promoting Healthy and Safe Communities, Chapter 12 Achieving Well-Designed Places, Chapter 15 Conserving and Enhancing the Natural Environment; Strategic Policies and Land Allocations (SPLA) DPD policies SP8: Protecting the Natural Environment, EN2: Areas of Outstanding Natural Beauty, EN3: The Open Countryside; Development Management (DM) DPD policies: DM4: Residential Development outside Main Urban Areas, DM6: Housing Provision in the Forest of Bowland AONB, DM29: Key Design Principles, DM43: Green and Blue Infrastructure, and DM46: Development and Landscape Impact.
- 5.4.1 Paragraph 187 of the Framework states that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside. In preparing the Local Plan, the Council recognised that the district contains a range of important landscapes that are valued features of the natural environment and are worthy of protection to varying degrees. The Plan appropriately distinguishes between landscapes of national significance, such as National Landscapes (formerly AONBs), and those of local significance.
- 5.4.2 This application site straddles the boundary of the Forest of Bowland National Landscape, the boundary of which follows the southern edge of Low Road and then passes through the approximate centre of the site in a north-south direction, parallel with but some distance from the electricity pylons/cables. As previously described, the submitted Parameters Plan details the way in which the site will be developed to ensure that all residential development and the associated access road from Low Road remain outside of the National Landscape Boundary. Whilst not submitted for formal approval, the Indicative Framework Plan builds on this, and shows additional detail such as internal layouts, landscaping and public infrastructure, and also includes a design narrative as to the principles that any reserved matters proposal is likely to accord. Clearly, land within the National Landscape (NL) boundary is to be developed, though this is to provide ancillary infrastructure such as drainage systems, open space, landscaping and ecological enhancement. Whilst the proposed development area and associated access road remain outside of the NL boundary, they are located in close proximity to the NL, and in some parts immediately adjacent to it, and so are within the setting of the NL.
- 5.4.3 Paragraph 189 states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes, which have the highest status of protection in relation to these issues. Similarly, Policy EN2 of the Local Plan states that the landscape character and visual amenity of the district's AONBs (now National Landscapes) and their settings will be conserved and enhanced and requires that all development within these landscapes be consistent with this primary purpose of the designation. In pursuing the primary purpose of designation, account should be taken of the needs of agriculture, forestry, and other rural industries and of the economic and social needs of local communities within and around it. Regard should be paid to promoting sustainable forms of social and economic development that in themselves conserve and enhance the environment. Policy DM46 requires proposals within National Landscapes to be sustainable, consistent with the primary purpose of the designation, and to support the special qualities of the National Landscape. The policy goes on to state that development proposals should, through their siting, scale, massing, materials, landscaping, vernacular style and design, seek to contribute positively to the conservation and enhancement of the protected landscape and its setting.
- 5.4.4 Additionally, the Levelling-up and Regeneration Act 2023 has strengthened the Council's statutory duty in relation to National Landscapes. The Council must now "seek to further" the statutory purposes of protected landscapes (i.e. conserving and enhancing the natural beauty, wildlife and cultural heritage therein), rather than the previous duty to "have regard to" such purposes. This duty also applies to proposals undertaken outside of the designation boundary when these have the potential to affect land within the National Landscape.
- 5.4.5 The Forest of Bowland NL Landscape Character Assessment (July 2025) provides a comprehensive assessment of landscape character across the whole of the Forest of Bowland, to inform land use planning and land management decisions. Within this assessment, the part of the development site which lies within the boundary, falls within the Lune Valley Flood Plain Landscape Character Type

(LCT). The Lune Valley Flood Plain LCT is primarily characterised by the Lune floodplain which is then surrounded by rolling drumlins, woodland, agricultural fields and moorland. In the case of Halton, it is the undulating topography, the steep wooded northern bank of the River Lune and the highly recognisable landscapes leading eastwards up the Lune Valley which provide a strong contribution to the villages sense of place.

- 5.4.6 The main landscape sensitivity of the wider Lune Valley Flood Plain LCT is the highly valued open landscape views that lead eastwards towards the higher ground of the Yorkshire Dales and southwards towards the Bowland Fells. The loss of, or changes to, these open landscape views is identified as a potential risk to the key identified characteristic of this LCT. To mitigate this, the Landscape Character Assessment stresses the importance of ensuring that, where they are achieved, these open views along the valley are conserved and that any development within their vicinity includes the use of local materials and vernacular styles both in new development and in the repair of existing built form, in order to strengthen local character. It also identifies the benefits associated with promoting footpath and cycle routes as a means of enjoying the character of the landscape.
- 5.4.7 The whole site also falls within the *Low Coastal Drumlins* Landscape Character Type (LCT), sub-type *Carnforth–Galgate–Cockerham (12a)*, as defined in the Lancashire County Council's Landscape Strategy for Lancashire (December 2000). This landscape type is characterised by low lying hills—typically around 40 metres in height—with broad, rounded tops, particularly prevalent toward the northwest coast of the study area. Compared to the more densely packed drumlin fields elsewhere, this sub-type features a gentler, lower-lying topography with more isolated drumlins. The alignment of the drumlins imparts a distinctive grain to the landform for this LCT.
- 5.4.8 The development site sits upon the periphery of the village and is adjacent to a recently constructed residential development and electricity pylons/cables, which lie to the west. The site comprises two arable field parcels, separated by woodland and hedgerows. It is encompassed to the east and south by further mature woodland, parts of which are designated as Ancient Woodland. To the immediate south of the site is the steep and wooded northern bank of the River Lune. Low Road is situated to the north, with further undulating agricultural land beyond that.
- 5.4.9 The submitted Landscape and Visual Impact Assessment (LVIA) which supports this application also provides a description of the site and of the wider study area, to establish the landscape baseline conditions in which the development would be located. The LVIA also establishes a visual baseline to identify the locations from which the development would be visible. This includes identification of visual receptors including from the immediate local landscape and from locations slightly further afield, including from within the Forest of Bowland National Landscape.
- 5.4.10 Local topography is varied in light of the drumlin landscape within which the site and village is located. The site surroundings are well vegetated, with hedgerow field and road boundaries and numerous blocks of woodland, both lining the riverbanks and interspersed with the surrounding fields. Combined, the undulating topography and the presence of matured woodland block and field boundary hedgerows result in a constrained viewing envelope for this particular site. From lower elevations, such as from Low Road, views of the southwestern field (the area in which most of the development is focussed) are largely restricted and filtered by existing topography and woodland. Views of larger swathes of the site are achieved from longer distance viewpoints at higher elevations. A total of 10 viewpoints have been assessed within the LVIA from different locations including distances and elevations.
- 5.4.11 Following detailed site assessment by Officers, it is clear that the site is one of two halves, with the southwestern field being somewhat more restricted with respect to visibility. It is also influenced by the residential development of the village and by the large-scale electricity infrastructure which forms the western boundary of the site. This field is more visually attached and closely related to the developed edge of the village and as a result of this, this part of the site is of a lower sensitivity to development and change overall.
- 5.4.12 Conversely, the eastern field is more distant from this village edge setting and is visually separated by the central woodland belt, field boundary hedgerow and the undulating topography of the site itself. There are no public rights of way through the site, but even so, this field is more visually appreciable within closer views, such as from Low Road, and from the surrounding network of public

footpaths which enable wider landscape views across the site towards open landscape located on the southern side of the River Lune. Relative to the southwestern field, the eastern field of the site begins to have a greater rural feel and character, whereby the field is considered to have a closer visual relationship to the wider rural landscape surrounding it, rather than being influenced by the existing village development.

- 5.4.13 The LVIA assesses the potential landscape and visual effects arising from the development during its construction, operational and post development (year 15) stages. The assessment concludes that the potential effect on the landscape character of the site and immediate area would, depending on the viewpoint assessed and the development phase, range from minor adverse to moderate adverse effects, the latter being considered as significant. This is a consequence of a permanent change from the current agricultural land with its replacement of up to 80 dwellings with associated infrastructure. The LVIA therefore concludes that embedded design measures are required so as to mitigate this harm and to provide opportunities for furthering the landscape character in the longer term. These include locating the proposed housing development outside of the National Landscape boundary, providing a suitably designed and landscaped access road, and providing significant amounts of new landscaping throughout the whole site area. Accordingly, the proposal includes the limited removal of vegetation, combined with the retention, bolstering and enhancement of existing landscape features, and the provision of extensive areas of landscaping and open space for public use and ecological enhancement. At present the village edge ends abruptly in the form of large white rendered dwellings, boundary treatments including some close boarded fencing, and large-scale electricity pylons and cables. The aim of this proposals design approach is to create a softer transition from the village edge into the more open rural landscape, including the protected National Landscape, beyond.
- 5.4.14 When taking account of the proposed mitigation which has been incorporated into both the Parameters Plan and the Indicative Framework Plan, the LVIA concludes that the residual effects of the development at year 15 would reduce to moderate-minor adverse, and importantly would no longer be significant. Beyond Year 15, the existing and newly planted vegetation will continue to mature, further filtering and visually assimilating the residential development within views and integrating it into the landscape. Therefore, overtime, and as landscaping develops further, the effects would further reduce the development effects to neutral.
- 5.4.15 To a certain extent, Officers were satisfied that the LVIA provided an accurate, reliable and robust assessment of the landscape impacts of the scheme. However, it is important to note that this assessment was based upon the initial masterplan design, which included a second residential development parcel within the eastern field, accessed from the proposed internal access road. Officers raised significant concern with this element of the proposal, as it was felt that the extension of buildings beyond the existing central woodland and hedgerow belt and into the more visually open eastern field would materially harm the character and visual appearance of the landscape, including the setting of the protected landscape, by blocking or interrupting key wider landscape views which lead into the wider National Landscape beyond.
- 5.4.16 In accordance with the statutory function to 'seek to further' the statutory purposes of Protected Landscapes, including through development within their setting, Officers concluded that this development proposal could not be supported given the harm in which it would result. Following negotiations with the Applicant, this smaller housing development parcel has been removed from the scheme, and the overall number of dwellings being proposed subsequently reduced to 80 from the initially proposed 90. In effect this means that, other than for the proposed access road, the existing central woodland and hedgerow would form the village edge, with the land beyond that remaining open and landscaped to provide the gentler transition from residential form to a softer and more organic environment. It would also incorporate facilities for use by residents and the general public to promote active lifestyles and to enjoy the special character of the wider landscape, particularly when compared to the sites current agricultural use.
- 5.4.17 Taking into account this amended approach, and the aforementioned mitigation measures, Officers conclude that, over time, the development can be successfully integrated into the village periphery and wider landscape setting, without resulting in unacceptable harm to landscape character and importantly the setting of the protected landscape. The opportunity to secure high quality landscaped greenspace within the eastern field along with recreational facilities to enable new and existing village residents to enjoy the protected landscape setting to the village is significant. The

landscaping of this area and introduction of improved habitat features would be significantly more appropriate both in visual terms and by creating ecological connectivity with wider habitat located to the south and east. Subject to appropriate design at the reserved matters stage, this would be consistent with the statutory purpose of the National Landscape, that is to conserve and enhance the natural beauty of the area.

- 5.4.18 To ensure the effects of the development reduce overtime to secure a neutral overall impact, it is therefore imperative that the identified mitigation (retention, bolstering and enhancement of high-quality landscaping and provision of extensive areas of open space and new recreational routes through the site) is appropriately secured. Accordingly, the reserved matters will need to be prepared in accordance with the proposed Parameters Plan, which will form an approved plan, and which has been prepared to fix development as advised by the landscape capacity led approach and assessment. In addition to this, a further condition will be required to ensure that forthcoming reserved matters applications are guided by the broad principles outlined in the Indicative Framework Plan, which promotes a strong landscape-led approach to the design of the development. To minimise adverse effects during construction, adherence to a suitable Construction Environment Management Plan will be required.
- 5.4.19 A further key element of the proposal, as identified on the Parameters Plan, is to only feature single storey development within the southern extent of the proposed development area. This is due to the topography of this part of the site being slightly higher and its resultant visibility in the landscape. Development within this zone should also primarily face southwards to present and interact positively with the landscape whilst increased landscaping/planting along this southern boundary will both buffer the existing wooded embankment and assimilate dwellings into the landscape. Due to the wider undulating topography of the site and its visibility from more elevated and distant viewpoints, it is also considered reasonable to also impose a restriction on building heights for the remainder of the site to be a maximum of two storeys in height (not including roof/attic space).
- 5.4.20 Dark skies are also an important component of the National Landscape. The Dark Skies assessment contained within the Forest of Bowland NL Landscape Character Assessment (July 2025) indicates that the development site sits within a transition area for lighting/dark skies, leading from the village into the darker skies situated in the intervening space between Halton and Caton. The proposal would lead to further development producing light from dwellings and external lighting infrastructure. To a certain extent, this is unavoidable given the nature of the development, however, appropriate design measures to minimise impacts such as through layouts of the dwellings and design of external lighting within the site can all minimise impacts. For this reason, a condition is recommended to secure details of external lighting design for the estate roads and open space areas. The layout of any reserved matters proposal should also bear this in mind when considering dwelling layouts and landscaping, which could minimise impacts further still.
- 5.4.21 The application is also supported by a Design Code document which provides indicative details of house designs, materials, site sections and landscaping. With respect to the house design, a traditional design is proposed with simple plan forms and features such as chimneys, overhanging eaves, and window heads and cills. Indicative materials include rough cast render and artificial stone. The use of artificial stone may be supported subject to details and material samples being agreed at the appropriate stage. No details on roofing materials are provided, however, in this location, the use of appropriate natural slate would be required. The indicative street scene/cross sections appear suitable, though a greater level of detail of site levels including site sections would be expected at reserved matters stage. The indicative landscaping approach to both the eastern field, the proposed access road and the western buffer adjacent to the electricity pylons/cables is appropriate. Any reserved matters applications would be expected to take account of this initial Design Code when developing the scheme further. If approved, Officers would encourage the developer to utilise the Councils pre-application advice service to inform the reserved matters design, prior to submitting any application.
- 5.4.22 Overall, the proposal would expand the eastern edge of the village, however, the scale and siting of the development would not be incongruous with the existing pattern of development in this area of Halton. In fact, through subsequent amendments sought by Officers, the proposal has sought to conserve the setting of the protected landscape, by siting the dwellings wholly within the western field and only siting the proposed access road, drainage features, landscaping and open greenspace space within the eastern field and within the NL boundary. The proposal has sought to enhance the

NL by providing significant areas of landscaping and recreational opportunities and by utilising existing topography and woodland along with additional landscaping to form a softer transition from the village boundary into the wider landscape.

- 5.4.23 It is apparent that the mitigation and enhancement measures have been carefully designed into the scheme following a landscape capacity assessment, to ensure that the proposal assimilates well into the receiving landscape. Clearly, the scale, layout, landscaping, and design of development will be critical considerations to determine whether the development conforms to relevant policies at the reserved matters stage. However, based on the details provided including the Indicative Framework Plan and the Design Code, Officers are satisfied that development here could be brought forward in a manner that would both be well-related to the existing settlement and proportionate in scale and character. Overtime, it is concluded that the overall effects of the development in landscape terms would reduce to neutral over time, with some positive elements including the enhanced public access and enjoyment of the landscape. This would accord with both the landscape requirements set out in national and local planning policy and, importantly, the recently updated legislative requirement to 'seek to further' the statutory purposes of Protected Landscapes, including through development within their setting.
- 5.5 **Biodiversity and trees** NPPF Chapter 15 Conserving and enhancing the natural environment; Strategic Policies and Land Allocations (SPLA) DPD policies SP8: Protecting the Natural Environment and EN7: Environmentally Important Areas; Development Management (DM) DPD policies DM29: Key Design Principles, DM43: Green and Blue Infrastructure, DM44: Protection and Enhancement of Biodiversity and DM45: Protection of Trees, Hedgerows and Woodland.
- 5.5.1 Strategic policies SP8 and EN7 both recognise the importance and value of biodiversity within the district and expects development proposals to protect, maintain and enhance biodiversity. This policy position is reflected in the Development Management DPD policies. Policy DM44 states development proposals should protect and enhance biodiversity and, as a principle, there should be net gain of biodiversity assets wherever possible. The policy goes on to state that where harm cannot be avoided, it should be mitigated and as a last resort compensated for, and where a proposal leads to significant harm, planning permission should be refused. Policy DM45 identifies the importance of retaining trees, woodland and hedgerows where they positively contribute to visual amenity, landscape character and/or the environmental value of an area. This policy expects new development to positively incorporate existing trees and hedgerows and where this cannot be achieved, the losses must be justified and mitigated. Policy DM45 seeks to maximise and encourage new tree and hedgerow planting of native species to mitigate the wider impacts of climate change and to enhance the character and appearance of the district.
- 5.5.2 Impact on Designated Sites  
The site is located approximately 4.6km 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 associated Special Scientific Interest (SSSI). Given the proximity of the site to the designated areas, and the proximity of the site to the River Lune which forms an ecological and hydrological pathway to Morecambe Bay, there is the potential for the development to have an adverse impact on their integrity both during construction and operational phases of the development. This application is supported by a Baseline Ecological Appraisal and Wintering Birds Survey. This information has informed the Councils Habitats Regulations Assessment which has been produced to fulfil the Councils duty as the Competent Authority.
- 5.5.3 In relation to potential effects the application has sufficiently demonstrated, to the satisfaction of Natural England, that the development would not directly impact the designated sites and is not considered to be functionally linked land. This is in the knowledge of low numbers of some qualifying species and species of Conservation Concern (pink footed goose and redwing) being recorded passing over and, in the case of redwing, utilising hedgerow on the site boundary. The potential for likely significant effects on the integrity of the designated sites therefore arises from indirect effects arising from the development. This includes pollution pathways and recreational disturbance.
- 5.5.4 The Appropriate Assessment concludes that the proposal will not result in adverse effects on the integrity of any of the designated areas subject to appropriate mitigation being secured by condition. For potential impacts during construction, mitigation in the form of good pollution control is required to be embedded into the scheme. This can be achieved through the submission and agreement of



a Construction Phase Surface Water Management Plan, which is also a requirement of the Lead Local Flood Authority. This would need to provide details of the measures to protect existing drainage infrastructure and measures to ensure pollution does not enter the watercourse, including the build-up of silt, to help mitigate against any residual risk to the designated sites.

- 5.5.5 Once operational, it is possible to mitigate the risks of pollution entering the watercourse by ensuring precise details of the final drainage scheme are agreed with the local planning authority (and relevant consultees) before the construction of the dwellings. The submission provides a detailed drainage scheme which incorporates above ground sustainable drainage features including infiltration basins and swales. The imposition of a condition to secure an acceptable Surface Water Sustainable Drainage Scheme would ensure adequate measures are put in place to protect the water quality (and discharge rates). The foul drainage is proposed to connect to the public sewer which would be dealt with by planning condition. Subsequently, mitigation in the form of both surface water and foul water drainage conditions would ensure there is no adverse impact on the integrity of the designated sites.
- 5.5.6 In relation to recreational disturbance, the development will lead to a small increase in the local population which could lead to additional recreational pressure, which has the potential to impact upon foraging and roosting/wintering birds. However, the proposed site is not directly connected to the coastal designated sites and is separated by urban infrastructure including the large built-up areas of Lancaster, Morecambe and the neighbouring villages to the west. Given the distance between the site and the designated sites, it is unlikely access to the designations would be taken by foot. It is anticipated and accepted access can be undertaken by cycle and car, though it is highly unlikely future residents would travel to the coastal areas by car for their everyday recreational activities, such as dog walking, thus the effects are likely to be reduced. To mitigate against residual risk, Homeowner Information Packs will be required. The purpose of such is to highlight the importance of the designated sites, set out relevant codes of conduct and share details of alternative areas for recreation away from the designated sites. The provision of Homeowner Information Packs can be secured by planning condition.
- 5.5.7 Additional mitigation will be achieved through the provision of on-site public open space. The development includes extensive retained open greenspace. This will offer opportunities for informal recreation, walking, and dog exercise, which is the primary concern with respect to recreational disturbance. Furthermore, the development would be within easy access of a broader network of footpaths beyond the site, supporting accessible and convenient circular routes for regular recreational use. Provisions will be made within the s106 legal agreement to ensure the proposed open space is provided, safeguarded and managed and maintained to provide long term mitigation against recreational disturbance.
- 5.5.8 Without mitigation, the proposed development could have detrimental impacts upon Morecambe Bay SAC, Morecambe Bay and Duddon Estuary SPA and Morecambe Bay Ramsar site. However, with the implementation of the mitigation outlined above, it is considered that the proposed development will have no significant adverse effects (negligible) 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 planning condition and legal agreement attached to any planning consent. Natural England concurs with the conclusions of the HRA and the need to secure the mitigation identified. In this regard, the development, with mitigation, would accord with the requirements of the Habitat Regulations, strategy policy SP8 and policy DM44 of the DM DPD.
- 5.5.9 Ecological Impacts  
The application is supported by a Baseline Ecological Appraisal. This sets out that the site predominantly comprises of arable land, which is of negligible ecological importance as a habitat. The most ecologically valuable habitat within the site are the two woodland copses, scattered trees and hedgerows. On site surveys found no evidence of protected or notable fauna within the site. Further targeted surveys for badger, bats, breeding/wintering birds, and otter both within and surrounding the site were undertaken and found no evidence of habitat, such as setts or holts, for these species. Officers are satisfied that the development will not cause harm to protected species.

- 5.5.10 This development represents an opportunity to secure ecological and targeted habitat enhancements, such as (but not limited to) bird nesting and bat roosting habitat. A scheme of habitat creation measures to be suitably located throughout the site can be secured by condition.
- 5.5.11 Overall, it is concluded that the development would not conflict with policy DM44 and mitigation and enhancement opportunities can be secured to ensure there is no significant adverse effect to protected species. The landscaping scheme, which will form part of the reserved matters application, must be well considered, provide appropriate buffers and connections with wider ecosystem networks and secure targeted habitat creation.
- 5.5.12 Trees and Hedgerows  
The application is supported by an Arboricultural Impact Assessment (AIA) and Tree Survey. Trees within the site are subject to Tree Preservation Order No. 321, which covers multiple tree groups in the north/along the site frontage, within the centre of the site, and along the southern embankment. The AIA sets out that, to deliver the development as identified on the Parameters Plan, a 14.5 metre length of hedgerow H95, which is the boundary hedgerow adjacent to Low Road, will require removal in order to facilitate the proposed access. In addition to this, to facilitate the internal access road, a small section of hedgerow H62 and Tree T63, both of which are located within the central field boundary, will be removed. H95, H62 and T63 are all C category trees, as such their removal should not present a constraint to development. The AIA also discusses the need to remove Trees T51, T57 and T93, which are sycamore located within the main woodland block and along the site frontage, due to their poor condition, which is acceptable. There is ample opportunity to mitigate the loss of these hedges/trees within the wider development site.
- 5.5.13 As part of the proposed access works, a new pedestrian pavement is to be constructed along the site frontage, to link with the pavement at the existing Forest Heights access. This pavement will pass through the root protection area of trees T1 to T6, which are a series of A2 and B2 category sycamore and beech trees. The existing hedgerow H5 will also need pruning back to provide sufficient space for the pavement. To establish the impact and appropriate working methodologies for the delivery of the access and pavement, an Arboricultural Method Statement (AMS) has been produced. The Council's Arboricultural Officer has reviewed this document and is satisfied with the working methods and tree protection measures it sets out. A condition to ensure that the access is undertaken in accordance with this AMS is recommended.
- 5.5.14 The AIA also identifies the likelihood for the removal of group G76, which consists of 10 small hawthorn trees positioned cohesively as a linear hedgerow group, in addition to 5 small low-quality trees from tree group G77, which is located on the southern boundary of the site. These removals are anticipated to be needed to facilitate the layout of development. This is a matter to be considered at reserved matters stage, once the precise layout of development has been established.
- 5.5.15 The Council's Arboricultural Officer has raised an objection to the removal of group G76, on the basis that it may be 'important' as defined by the Hedgerow Regulations 1997 due to its age. However, the applicant's ecologist has reviewed G76 and confirms it is a species-poor hawthorn hedgerow which does not qualify as 'Important' under the Hedgerow Regulations 1997. As such, whilst efforts should be made to retain this feature within the detailed layout of the development at reserved matters stage, its removal should not be a constraint to development and mitigation in the form of replacement hedgerow and tree planting would off-set this loss.
- 5.5.16 With respect to G77, Officers consider that trees along the southern boundary should be retained along with new additional tree planting to ensure that an appropriate landscape/habitat buffer to the southern periphery of the development, and to the important woodland ecosystem along the riverbank, is provided. Any reserved matters proposal would need to consider the layout of the development carefully, to ensure sufficient separation distance is provided, existing vegetation is retained and new landscaping can be accommodated for in this area.
- 5.5.17 The AIA also describes the location of a proposed substation in close proximity to and an incurring into the root protection area of tree T92 and T94, which are high quality A2 and B2 category sycamore trees located adjacent to Low Road. There would be no justification for locating a substation in this position, nor its incursion into the root protection areas of visually important

landscape trees. Any substation should be located in a position which is more closely related to the proposed development area, this would need to be clarified at reserved matters stage.

- 5.5.18 The Arboricultural Officer has also indicated concern with the layout of the proposed development parcels, which in places are adjacent to woodland areas. This is particularly the case for woodland groups W75 and W78, which form part of the woodland along the riverbank, as well as trees located within the central woodland block. The proposed development area shown within the Parameters Plan does extend up to these woodlands, however, the exact layout of development within this is not yet known and is a matter reserved for later consideration. It would be expected that any reserved matters proposal considers the relationship of development with these trees, such as through siting and orientation of the dwellings, layout of roads and space to provided new buffer landscaping. This would be essential to ensure appropriate standards of amenity for residents, and importantly to ensure existing woodland groups can be retained in the longer term.
- 5.5.19 Given the outline nature of the proposal, an updated AIA will be required by planning condition to set out clearly all tree/hedgerow removals and all associated tree protection measures in addition to any necessary additional method statements for works within close proximity to trees and hedgerow planned for retention.
- 5.5.20 Environmentally Important Areas  
Woodland along the riverbank to the south of the site and within Gutterflat Wood to the east are deciduous woodland and constitute Priority Habitat. Parts of Gutterflat Wood are also designated as Ancient & Semi-Natural Woodland. In addition to this, these woodland areas form part of the River Lune and Lambclose Wood and Gutterflat Wood Biological Heritage Sites and the Halton Gorge and Quernmore Valley Regionally Important Geological Site (RIGS). The site is located in close proximity to these environmental designations but importantly remains outside of them.
- 5.5.21 The site is identified as falling within an Environmentally Important Area as identified on the Councils Local Plan Adopted Policies Plan through Policy EN7. Policy EN7 is an overarching strategic policy which identifies a hierarchy of international, national and regional level ecological sites that have been identified for their environmental importance. This policy states that these sites will be protected from development proposals that have a detrimental impact on their designation. However, the inclusion of the whole development site, and much of the existing residential development located on the southern side of Low Road, within this designation on the Councils Local Plan Adopted Policies Plan is incorrect.
- 5.5.22 The Adopted Policies Plan states that the Site is included within the EN7 - Environmentally Important Area designation as it forms part of the Halton Gorge and Quernmore Valley RIGS designation. However, the Halton Gorge and Quernmore Valley RIGS designation itself lies only along the northern bank of the River Lune and does not include land within the development site. The correct boundary for this designation can be found on Lancashire County Council Mario Map dataset. As such, the development site is situated outside of the Halton Gorge and Quernmore Valley RIGS and the River Lune BHS designations, and therefore outside of the EN7 - Environmentally Important Area designation.
- 5.5.23 Ancient Woodland  
There is an undesignated, though still ecologically important, woodland buffer between the development site and the Gutterflat Wood Ancient & Semi-Natural Woodland and the Lambclose Wood and Gutterflat Wood BHS. Ancient woodland is an irreplaceable habitat that has been established for a significant length of time. The Framework defines Ancient Woodland as 'an area that has been wooded continuously since at least 1600 AD.' Such ecosystems are a direct result of site-specific characteristics including local geology, soil chemistry, nutrient processes, and climactic and biological functions. These habitats are exceptionally important for their ecological value including their soils and the flora and fauna which the environment supports and well as their cultural, historical, landscape and recreational values. They are also exceptionally susceptible to direct and indirect harm including development within them and on their periphery which results in increase pressure upon their vitality and longevity.
- 5.5.24 The effect of development proposals upon ancient woodland can be categorised into direct and indirect impacts. Direct impacts can include direct damage or destruction including to the soil/ground conditions including compaction, damage or destruction of roots and understorey, ground pollution,

changes to the water tables and alterations to pre-existing woodland drainage conditions. In addition, indirect impacts arising from development outside the designated habitat can include breaking up of connections to the wider ecological network, reduction in semi-natural habitats next to ancient woodland, increasing pollution (for example dust, light or air pollution) including during construction phases, disturbance to wildlife and impacts of domestic uses for example domestic pets or introduction of inappropriate species from domestic gardens.

5.5.25 The retention of a buffer zone between the residential development and this irreplaceable habitat is of the utmost importance. The standing advice from Natural England and Forestry Commission discusses the value of and requirement for a buffer zone and states that a minimum of 15 metres should be provided, though this should be increased as appropriate. The Planners' Manual for Ancient Woodland and Veteran Trees' from The Woodland Trust provides further information, including guidance on where and why larger buffer zones should be utilised. In this instance, a separation distance of at least 55 metres is present between the edge of the Ancient Woodland designation and the site boundary, with the intervening land forming a woodland buffer. A separation distance of 200 metres is retained between the Ancient Woodland and nearest point of the proposed development area. In light of this, sufficient separation distance is retained between the development and these sensitive environments. It is also important to note that there is no public access from the development site into the surrounding sensitive sites. Any landscaping should include appropriate native species that do not pose a future threat to the surrounding ecosystems.

5.5.26 Regionally Important Geological Site (RIGS) & Biological Heritage Sites (BHS)  
The ecosystems adjacent to the eastern and southern boundaries of the site are clearly environmentally sensitive. RIGS, which are also known as Local Geodiversity Sites (LGS), are non-statutory sites identified by the GeoLancashire partnership and are the most important places for geology and geomorphology outside of statutorily protected land such as Sites of Special Scientific Interest (SSSI). LGS do not have the same protection in law as Sites of Special Scientific Interest but, within Lancashire, all LGS meet the more stringent requirement of 'regional' importance. BHS are non-statutory wildlife sites identified for their nature conservation importance, these have the same level of protection as LGS. Whilst the development site is located outside of these ecological designations, development within the site still holds the potential to result in environmental impacts. Accordingly, it is important that development includes within its layout appropriate separation distances and landscaping buffers, particularly along the southern edge of the proposed development area. This would be a matter to be considered further at reserved matters stage to ensure the layout of dwellings, roads and landscaping along these boundaries are appropriate. In addition to this, as part of the Construction Environmental Management Plan (CEMP), specific measures must be included to ensure impacts upon this environment, such as through pollution pathways, are minimised.

5.5.27 Biodiversity Net Gain (BNG)  
The submitted application is not subject to mandatory BNG and is exempt because of when the application was received by the Local Planning Authority. However, both the NPPF and Local Plan policies still encourage new development to make positive contributions towards ecology and habitat. Whilst not being subject to mandatory BNG, the application is accompanied by a high level BNG assessment, though this was based on the original proposed development of up to 90 dwellings. The aim of this assessment was to establish whether the development framework is capable of achieving a net gain in biodiversity. Linear or hedgerow units were not included as part of this assessment as further detail with respect to proposed planting would be required at the reserved matters stage to inform the BNG assessment. With respect to the baseline condition of the site, the BNG assessment identifies a total of 13.84 habitat units and that when adopting general assumptions as to the type of post-development habitats that could be provided, a total of 15.91 habitat units could be provided which represents a net gain of 14.98%.

5.5.28 The BNG metric will be subject to change and refinement as greater development detail is established at reserved matters stage. The submission and agreement of an updated BNG baseline matrix, to include detail of area and linear habitat units will be secured through the s106 legal agreement. Subsequently, there is an expectation that any forthcoming reserved matters proposal includes a landscaping/ecological enhancement design which firstly aims to retain as much habitat as possible and adequately mitigates the losses. Overall, given the expansive areas of open space which are retained within this site, Officers are satisfied that there is scope within the development boundary to ensure that a minimum of 10% net gains in biodiversity (across all unit types) can be

secured. The level of on-site BNG would be considered significant and therefore will be secured via planning obligation, alongside a habitat management and monitoring plan.

5.5.29 Given the scale of the proposed BNG on-site enhancements, particularly by reason on the site area, this is considered significant on-site enhancement requiring a habitat management and monitoring plan (HMMP), and for biodiversity net gain to be controlled through legal agreement. Furthermore, given the likely extent of monitoring for such on-site biodiversity areas, the costs of the authority's obligation to monitor this should be secured through legal agreement.

5.5.30 Invasive species

Himalayan balsam was recorded within the site along the southern boundary. Intervention to remove and eradicate this species and to prevent its spread will be required, this can be secured through planning condition to require the submission and implementation of an Invasive Non-Native Species Biosecurity Management Plan.

5.6 **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 Wastewater and DM36: Protecting Water Resources, Water Quality and Infrastructure.

5.6.1 Flood Risk

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

5.6.2 The site lies within flood zone 1. However, the Environment Agency (EA) identifies two areas of high and medium chance of surface water flooding, the first along the northern boundary of the site close to Low Road and second in the centre of the proposed development area. These areas coincide with existing low points within the site topography. These areas have a greater probability of surface water flooding due to being low lying where ponding is most likely to occur during extreme and prolonged rainfall events. The extent of this surface water flood chance increases slightly when incorporating climate change allowances. Finally, the Councils Strategic Flood Risk Assessment (SFRA) identifies areas of groundwater flood risk within the northern areas of the site. The SFRA states that this risk relates to subsurface assets and that surface manifestation is unlikely.

5.6.3 The application is accompanied by a detailed site-specific flood risk assessment which has included assessment of all flood risk sources and identifies necessary mitigation. With respect to surface water flooding, the site-specific flood risk assessment identifies that the proposed access arrangement and a small part of the proposed development area would be in an area identified as being at high and medium chance from surface water flooding, as identified on EA mapping.

5.6.4 To assess surface water flooding in a greater level of detail, the site-specific flood risk assessment has undertaken site-specific direct rainfall modelling. The purpose of this modelling is to more accurately define predicted flood depth, velocity and hazard for a range of return periods, including appropriate climate change allowances. The results of this modelling exercise have been used to inform the development framework. For a range of return periods (including consideration for climate change), this modelling has identified only very shallow flow routes through the site, and surface water ponding in similar locations as those identified on the EA mapping. The results of this site-specific modelling define medium and high flood chance areas with a greater degree of accuracy than those detailed on the EA mapping, given its site-specific nature.

5.6.5 Flood Risk is defined as the combination of likelihood or chance of an event happening and the consequences or impact if that event occurred. For the purposes of steering development to 'low' risk areas, these low-risk areas are defined as either:

- 1 in 100 year event or lesser chance of flooding (<1% AEP)
- Very low hazard classification in events up to and including the 1 in 100 year event

- 5.6.6 The modelling exercise has enabled the production of a flood hazard plan for the 1% AEP plus 50% allowance for climate change event, in accordance with Defra / Environment Agency guidance. This shows that the majority of predicted surface water flooding within the site is classified as 'very low hazard'. There is a small area of 'danger for most' close to Low Road, however, the proposed access remains outside of this.
- 5.6.7 There is also a small, isolated area of 'danger to some' within the proposed development area. The latest revision of the Parameters Plan and Indicative Framework Plan do not account for this, although previous revisions of the Indicative Framework Plan did. As layout is a reserved matter, it would be expected that the layout of development within this area avoids built form or other vulnerable infrastructure being proposed in this small, isolated area. The requirement for development to avoid this area is stipulated at paragraph 4.4.10 of the site-specific flood risk assessment. A condition to secure this layout requirement, in accordance with the Flood Risk Assessment, can be imposed. In addition to this avoidance requirement, mitigation measures for the site wide development includes raising finished floor levels relative to the external levels (150mm where practical), as this is best practice to help to create a safe overland flood flow route externally.
- 5.6.8 The additional proposed impermeable areas within development could have the potential to cause an increase in flood risk to others if not managed appropriately. As such, to minimise the flood risk to neighbouring properties, surface water run-off generated by the proposals will need to be managed effectively with the peak rates of run-off being restricted to the equivalent of the pre-development situation as a minimum. In effect, this relates to the detailed drainage design strategy for the proposed development which is discussed further within this report.
- 5.6.9 It is necessary to highlight the recent changes to guidance set out within the Planning Practice Guidance (PPG) relating to the application of the sequential test when considering surface water flood risk. These changes to the PPG came into effect on the 17<sup>th</sup> of September 2025 and state that if a site-specific flood risk assessment demonstrates clearly that the proposed layout, design, and mitigation measures ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development and would not increase flood risk elsewhere, the sequential test need not be applied. In light of the findings of the submitted site specific flood risk assessment with respect to surface water, it is now considered the flood risk sequential test is not engaged by surface water risk, as this can be appropriately avoided and mitigated.
- 5.6.10 With respect to groundwater flooding, to more accurately understand the risk from this flood source, above and beyond that indicated within the Councils SFRA, site-specific groundwater monitoring has been undertaken. Groundwater monitoring wells were installed in 5 locations, referred to as WS101-105. Boreholes were installed in February 2025 and groundwater monitoring was completed from February – October 2025. When compared to the proposed development layout, no development is proposed in the locations of WS101 and WS103. WS105 remained dry at every inspection. WS102 remained wet at every inspection, with a water level varying from 3.89mBGL (metres below ground level) up to 3.27mBGL. WS104 was identified to be dry from installation until May, some water was then present on most visits but the highest water level at any time in any inspection was 2.18mBGL. Based on this monitoring exercise, groundwater depths have been determined to be at greater than 2 metres below ground level, it is considered that this would represent a relatively low risk to development infrastructure.
- 5.6.11 For this reason, despite the findings of the Councils SFRA with respect to groundwater, given the site-specific assessment shows that development would be in areas where groundwater levels are situated at more than 2 metres below ground level, it is considered that the development would be at low risk of flooding from this source. On this basis, the risk from groundwater flooding does not trigger the need for the flood risk sequential test.
- 5.6.12 Drainage Strategy  
Paragraph 182 of the Framework requires that applications with potential impacts on drainage should incorporate SuDS to control flow rates and reduce runoff volumes. These systems should be proportionate to the scale and nature of the development and, wherever possible, deliver multiple benefits. For major developments, SuDS should:
- Take into account advice from the Lead Local Flood Authority (LLFA);
  - Have appropriate minimum operational standards;

- Include maintenance arrangements to ensure effective operation for the lifetime of the development.

- 5.6.13 Policy DM34 of the Development Management DPD sets out that surface water must be managed sustainably in all new development. The Council expects proposals to utilise SuDS as a priority, particularly naturalistic solutions integrated into the site's soft landscaping, delivering multifunctional benefits as part of a high-quality green and blue environment.
- 5.6.14 The impacts of flood risk from local flood sources, namely surface water flooding and fluvial flooding, is a matter raised by residents and Halton has experienced a number of flood events from these sources in recent years. This is a matter which has been investigated within the Jacobs Flood Risk Management Study (February 2020), which was produced on behalf of Lancashire County Council. This study established that in extreme rainfall, peak run-off already exceeds the capacity of key elements of the existing drainage infrastructure and culverts within the village. The study identified three distinct flood risk areas within the village, within one of those areas being East Halton. The area includes the area around Forgewood Drive and along Low Road.
- 5.6.15 In this area, surface water runoff originates from the land to the north and south of Low Road, and then flows down Low Road. The Jacobs report identifies that the majority of this runoff originates from the catchment to the north side of Low Road. Exceedance flows which are not captured by the drainage network then pool in a localised depression at Forgewood Drive, with depths potentially reaching up to 0.9 metres.
- 5.6.16 The development site lies on the southern side of Low Road, and at present, exceedance flows are directed towards Low Road due to the topography of the site. The proposed drainage strategy has been informed by the baseline flood risk conditions and a catchment analysis. The proposed surface water drainage strategy looks to direct surface water from impermeable areas to a series of infiltration features including basins. The proposed drainage plan shows that the proposed development discharges via gravity sewers into two infiltration basins, located towards the northern boundary. Testing to BRE 365 standards is still required to confirm the viability of infiltration systems at this site, but available data indicates that the general area contains freely draining soils, furthermore, initial site investigation suggests site conditions are suitable for infiltration.
- 5.6.17 With reference to the issue of surface water flows emanating from the land to the south of Low Road, the proposed drainage strategy seeks to address the recommendations of the Jacobs report. As such, in addition to the use of detention basins to drain the development, the drainage strategy also includes cut-off swales along the northern boundary of the site, to the east of the proposed access road. These swale features would serve to alleviate residual runoff from the majority of the wider site, and therefore the contribution that surface water from this land currently makes to the surface water pooling in extreme events further to the west near Forgewood Drive. The captured surface water flows will be collected during extreme events, and conveyed to the proposed attenuation basin, where it will infiltrate over time.
- 5.6.18 The strategy outlines a series of swale and infiltration basins across the site which positively contribute to the delivery of a genuine sustainable drainage system with multifunctional benefits (design, biodiversity, flood risk and open space). The precise details of any SuDS features will be a matter secured by condition (associated with the final drainage scheme) and the layout determined at reserved matters stage.
- 5.6.19 Despite local concerns over the increase in potential flooding arising from the development, the applicant has provided technical evidence to demonstrate that the development can be drained without increasing the risk of flooding on or off site. Furthermore, the proposal seeks to address the recommendations set out within the Jacobs report, in so far as these relate to the development site. The Lead Local Flood Authority has no objection to the development subject to the imposition of conditions to secure the final drainage scheme based on the principles of the drainage strategy, a construction surface water management plan, a detailed management and maintenance plan for the approved scheme and a verification condition to demonstrate the approved drainage scheme has been installed.
- 5.6.20 Foul drainage will connect to the public sewer within Low Road, United Utilities have raised no objection to the development.

- 5.6.21 Considering the above, and with the imposition of suitable flood risk and drainage planning conditions, it has been demonstrated that the development can be safe from flood risk and that the development would not result in a flood risk elsewhere over the lifetime of the development. It is concluded that there are no flood risk or drainage grounds to resist the proposal and that the development accords with the NPPF and local planning policies in this regard.
- 5.7 **Residential Amenity and pollution** NPPF Chapter 8 Promoting healthy and safe communities, Chapter 12 Achieving well-designed places, Chapter 15 Conserving and enhancing the natural environment; Development Management (DM) DPD policies DM29: Key Design Principles, DM31: Air Quality Management and Pollution, DM32: Contaminated Land and DM57: Health and Well-Being.
- 5.7.1 Paragraph 198 of the NPPF requires planning policy and decisions to ensure new development is appropriate for its location taking into account the likely effects of development on pollution, health, living conditions and the environment. To achieve this, it is necessary to avoid noise impacts giving rise to significant adverse effects and to mitigate and reduce potential adverse effects resulting from noise from new development. Policy DM29 of the DM DPD and paragraph 135 of the NPPF is also relevant in the context of assessing the effects of development on residential amenity. Both strongly advocate the need for new development to be of a high standard of design ensuring high standards of amenity are maintained and secured for existing and future users. Policy DM29 specifically states that new development must ensure there is no significant detrimental impact to amenity in relation to overshadowing, visual amenity, privacy, overlooking, massing and pollution.
- 5.7.2 There are two main factors to consider in the assessment of amenity in this case. The first is the effect of the development on the amenity of existing residents. The second relates to the standard of amenity for future occupants of the development.
- 5.7.3 Effects on existing residents  
The application site is located on the eastern edge of Halton, adjacent to existing residential development, with dwellings located on Forest Heights being located in closest proximity to the proposed development area, and therefore potentially the most directly affected. There is a single dwelling located adjacent to the eastern boundary of the site, which would be located near to the large area of retained open space. A notable proportion of the objections received have come from neighbouring residents.
- 5.7.4 As the application is submitted in outline, matters relating to the scale, appearance, and layout of the proposed residential development are not for determination at this stage. Consequently, specific impacts on individual properties cannot yet be fully assessed. These details will be considered at the reserved matters stage. However, the submitted Parameters Plan and Indicative Framework Plan establish a framework that allows for an initial assessment of the potential effects on nearby residents.
- 5.7.5 Furthermore, the submitted Design Code document indicates that the proposed dwellings would be no more than 2-storey in height. This scale of development would reflect the typical character of surrounding residential development and does not pose a significant concern. To comply with housing need policy, there is also a requirement to provide lower bungalow housing. Relative to the properties within Forest Heights, an appropriate separation distance, which is in part necessitated by the electricity pylons/cables, is retained between the neighbouring dwellings and the proposed development area. A large separation distance will be provided between the proposed development area and the dwelling to the east, with large expanses of open space located within the intervening land. This will ensure acceptable standards of amenity are retained for this property. The design of the open space with respect to layout and lighting etc. will need to have due regard to this dwelling at reserved matters stage.
- 5.7.6 Ultimately, any reserved matters application will be required to demonstrate that an appropriate level of separation is maintained between new and existing dwellings in this location to ensure acceptable standards of privacy and amenity are achieved, in accordance with Policy DM29. Officers are satisfied the site can accommodate the proposed development and adhere to these standards.



5.7.7 The potential impact on residential amenity extends beyond the physical impacts of new dwellings, such as through overlooking and loss of privacy. Other key issues include perceived impacts on matters such as security, safety, lighting and noise. Any future detailed design would need to ensure that these matters are considered and that existing standards of amenity are not compromised. To this end, the development should incorporate appropriate levels of natural surveillance across areas of open space, consistent with principles of good design. Furthermore, the design of lighting not only needs to ensure there is no adverse effect on existing and future residential property, but also needs to ensure retained landscape features and habitats are protected from excessive light pollution. Precise details of external lighting will be a matter controlled by planning condition, though at this outline stage, Officers are satisfied that light pollution can be appropriately designed so as to minimise its impacts and not lead to significant adverse effects on the environment or the amenity of residents. Whilst these matters will need to be carefully addressed at the detailed design stage, they are not considered to be grounds to withhold outline planning permission on residential amenity grounds.

#### 5.7.8 Noise

The application is supported by a Noise Assessment. Measurements have been taken to determine the ambient noise levels affecting the site, and this measured data has been used to predict the impact of existing noise sources on future users of the accommodation. It concludes that, when considering the potential for pylon/overhead electricity line noise and localised noise from Low Road, external noise levels along the western and northern boundaries of the site are predicted to be above appropriate threshold levels, below which internal noise levels remain achievable with the use of open windows for ventilation. It is important to note that this assessment relates to the development as originally proposed, which included an additional development parcel located within the eastern field and close to Low Road. This development parcel was removed from the proposal when the development was reduced from 90 to 80 dwellings. For this reason, it is only necessary to focus on the noise impacts predicted for the western most properties, which would be located close to the pylon/overhead electricity lines. For those dwellings, the mitigation measures set out in 'Option 2' are required to reduce the noise impact to the dwellings and to provide an appropriate means of ventilation in place of reliance on open windows. This would be achieved by using standard double glazing and trickle ventilators.

5.7.9 With respect to external noise levels within garden areas, the assessment indicates that gardens closest to Low Road would be below the 55 dB upper guideline level set by the World Health Organisation (WHO), but above the 50 dB lower guideline level. However, as above, the dwellings located close to Low Road have now been removed from this proposal. With respect to all other dwellings within the proposed development area, garden amenity is predicted to be below the 50 dB lower guideline level set by the WHO. Higher noise levels due to the overhead lines would only occur during unfavourable weather conditions, particularly rain. However, during these times, gardens are less likely to be used. Furthermore, during periods of rain, it is probable that all plots within the western area of the proposed development area would have some or all of their garden areas achieving noise levels below the WHO 55 dB upper guideline level, and the majority would remain below the 50 dB lower guideline level. Additional mitigation would also be provided through the layout of the development itself, by orientating private gardens away from the pylons/electricity lines, and providing an internal estate road along the western frontage. This would introduce greater separation from the noise source and the dwellings themselves would act as a barrier to noise. Such an approach to layout, which is a reserved matter, would also be expected in the interests of good design and placemaking.

5.7.10 The Council's Environmental Health Officer has reviewed the Noise Assessment and concurs with its methodology and baseline conditions. Comments are made regarding the need for careful consideration of mitigation measures to reduce the noise impact of existing external noise levels on internal conditions within the dwellings, and to inform an appropriate means of ventilation to avoid reliance on open windows. The Environmental Health Officer (EHO) indicates that sealed acoustic glazing with mechanical ventilation for properties located a measurement position MP2, which is in the southwestern corner of the site, may be required. However, the EHO does not expand upon this request nor state that the mitigation measures set out within the report, including those at 'Option 2' are not acceptable. For this reason, it is concluded that the assessment and recommendation set out within the Noise Assessment are appropriate, as such, a condition to ensure that the development is undertaken in accordance with the mitigation measures is recommended.

- 5.7.11 It is acknowledged that the construction phase will result in a degree of disruption and harm to the amenity of existing residential properties. This is primarily due to increased noise levels from construction traffic and on-site construction activities. While some exceedances of acceptable noise thresholds are anticipated, these would be short-term and temporary in nature. Such impacts could also be mitigated through considerate working practices, such as controlling working hours and the use of silencers on plant and equipment. Specific measures can be secured as part of the Construction Method Statement (CMS) condition.
- 5.7.12 Contaminated land  
Paragraph 196 of the NPPF states the planning decisions should ensure sites are suitable for the proposed use taking account of ground conditions and any risks arising from land instability and contamination. Paragraph 197 goes on to state that where a site is affected by contamination, responsibility for securing a safe development rests with the developer and/or landowner.
- 5.7.13 This application is supported by a Phase 1 desk top survey, which has not highlighted significant areas of concern. For this reason, the site is deemed to be Class 4 – Very Low Risk. Given the agricultural use of the land, there is the potential for contamination to be present, such as in the form of pesticides or other sources of contamination associated with agricultural activity. For this reason, a precautionary approach should be adopted. As such, a condition to secure appropriate assessment in the form of a Phase II Ground Investigation and any required contamination remediation is recommended, to mitigate any impacts during the construction and operational phases.
- 5.7.14 Air quality  
The Councils EHO has requested that an Air Quality Assessment be undertaken *to determine the impacts of existing and post-development air quality*. The development is not in a location or is of such a scale that would necessitate the submission of an Air Quality Assessment. Previous developments within the area, including the Forest Heights and Foundry Close schemes were also not required to undertake an assessment. As such, an Air Quality Assessment is not required to support this proposal. However, policy DM31 requires all development proposals to demonstrate that they have sought to minimise the levels of air polluting emissions generated and adequately protect their new users, and existing users from the effects of poor air quality.
- 5.7.15 To this end, to mitigate the effects of the development during the construction phase, in particular from fugitive dust emissions, the Construction Method Statement should include measures to minimise associated risks. During the operational phase, through Building Regulation requirements, dwellings within the site will be supplied with electric vehicle charging infrastructure, which would encourage a switch to electric vehicles, thereby minimising associated impacts arising from traffic generated from this proposal. As this infrastructure is required through Building Regulation legislation, it does not need to be secured through this planning permission.
- 5.7.16 The proposal is therefore considered to be compliant with the National Planning Policy Framework (NPPF) and Policies DM29, DM31, DM32 and DM57 of the Development Management Development Plan Document (DM DPD).
- 5.8 **Open Space** NPPF Chapter 8 Promoting Healthy and Safe Communities, Chapter 12 Achieving Well-Designed Places; Development Management (DM) DPD policies: DM27: Open Space, Sports and Recreational Facilities, DM29: Key Design Principles and DM57: Health and Well-Being.
- 5.8.1 The provision of open space forms an important aspect in place-making and securing high quality design. It also contributes to the health and well-being of communities. It is strongly advocated within the NPPF, in particular sections 8 and 12. Given the scale of the proposed development and the application site, the inclusion of areas of open space is essential to ensure the scheme is policy-compliant and to support the delivery of a well-designed, inclusive, and attractive residential environment.
- 5.8.2 Overall, Officers are satisfied that the site can deliver policy-compliant on-site open space which will include areas of amenity greenspace and equipped play area. While detailed matters such as layout and appearance will be addressed at the reserved matters stage, the on-site open space provision will be secured through a legal agreement linked to the outline permission.

- 5.8.3 The on-site open space provision will be publicly accessible, thereby enhancing the recreational offer for the wider community in the immediate vicinity of the site. When considered alongside the proposed off-site improvements set out below, these elements are regarded as a positive benefit of the scheme.
- 5.8.4 In terms of off-site provision, policy DM27 sets out the planning policy position in relation to 'Open Space, Sports and Recreation Facilities' stating that 'development proposals located in areas of recognised open space, sports and recreational facility deficiency will be required to provide appropriate contributions toward open space, sports and recreational facility provision, either through provision on-site or a financial contribution toward the creation of new or the enhancement of existing open spaces, sports and recreational facilities off-site'.
- 5.8.5 There is a recognised need for enhancements to existing Outdoor Sports, Parks and Recreation Ground and Allotment facilities. Accordingly, a financial contribution towards improvements to these facilities will be required as part of the proposed development. As this is an outline application, the final contribution will be calculated at the reserved matters stage, once the number, type, and size of dwellings are confirmed.
- 5.8.6 The Council's Public Realm team has been consulted and raises no objection to the development, subject to securing appropriate on-site and off-site contributions to public open space. Specifically, contributions will be sought towards improvements toward the existing facilities at The Centre. These contributions will be secured through a legal agreement with the final figure calculated at reserved matter stage.
- 5.9 **Housing needs, housing mix, affordable housing, and housing standards NPPF Chapter 5 Delivering a sufficient supply of homes; Development Management (DM) DPD policies DM1: New Residential Development and Meeting Housing Needs, DM2: Space and Accessibility Standards and DM3: The Delivery of Affordable Housing.**
- 5.9.1 **Housing needs**  
As described at paragraph 5.2.9, the NPPF sets out the government's objective of significantly boosting the supply of homes. To facilitate this, it is important that a sufficient supply of sites come forward. The Council's most recent Housing Land Supply Statement (September 2025) identifies a housing land supply of only 2.8 years. Whilst this has increased slightly relative to the previous position, it still represents significant shortfall against the required 5-year supply requirement. Given the acute under supply of deliverable housing against identified housing requirements, the provision of new residential development (in this case up to 80 dwellings) is a significant benefit of the proposal that must be given significant weight in the overall planning balance.
- 5.9.2 **Housing mix**  
Policy DM1 requires new residential development to meet identified housing needs. Paragraph 4.13 of the DM DPD sets out that the Council recognises that there may be evidence available on housing needs in addition to the Councils Strategic Housing Market Assessment (SHMA). This could include local surveys carried out by parish councils that focus on the needs of households within a defined area such as a rural settlement or parish. These surveys are a valuable source of information on local need, provided that they are carried out in accordance with a robust methodology and the results are statistically valid.
- 5.9.3 In this instance, the development site is located within the Halton with Aughton Neighbourhood Development Plan (NDP) boundary. To support this NDP, a Housing Needs Survey (HNS) was undertaken in 2019 for the parishes of Halton-with-Aughton, Caton, Slyne, Quernmore and Skerton. This HNS provides more up to date and localised evidence base to support the NDP planning policy on house types and tenures in the neighbourhood plan area. Relative to the Councils district wide SHMA, the NDP HNS identifies a need for smaller scale properties of 3 bedrooms and less, as well as the need for bungalows, and smaller 1-2 bedroom flats/other housing types.
- 5.9.4 The Halton with Aughton NDP has progressed through Examination, with the recommendation from the Independent Examiner that it proceed to Referendum subject to the recommended modifications being made. With respect to Policy HA-7 Meeting Local Housing Needs, the City Council has confirmed in its representations on the NDP that *'the policy supports housing development in accordance with the development strategy and hierarchy in the Local Plan and policies which aim*

*to meet an identified need.’ The Independent Examiner confirms within their report that ‘having regard to the Framework and Guidance the policy (HA-7) is appropriate to be included in a ‘made’ neighbourhood plan. This policy meets the Basic Conditions.’*

- 5.9.5 With reference to paragraph 4.13 of the DM DPD, whilst Policy HA-7 is not yet to be afforded weight in determining planning applications, its associated evidence base, in this case the Housing Needs Survey (HNS) is the most appropriate evidence base on local housing needs matters. Moreover, at the time that any subsequent reserved matters applications come forward, it is entirely possible that the NDP itself will have been through Referendum and been Made. For this reason, it should be the contents of the NDP HNS which informs the housing mix for any development on this site. To ensure compliance with policy DM1, it is necessary to impose a planning condition to require the precise details of the housing mix, types, and sizes to be agreed concurrent with the reserved matters application.
- 5.9.6 Affordable Housing  
Policies DM3 and DM6 set out the target requirements for affordable housing for all new residential development in Lancaster District. In this case, whilst the development boundary extends into the Forest of Bowland National Landscape, all of the residential development remains outside of this designation. For this reason, the affordable housing requirement for development at this site is set through policy DM3, as opposed to the 50% requirement set out within policy DM6. For development at this site, policy DM3 requires a target of 40% of all homes to be affordable homes. The final details and the number of affordable homes can be determined at reserved matters stage when the layout and housing mix is understood. The applicant is committed to providing policy-compliant affordable housing across the site and accepts this shall be secured by s106 legal agreement. Given the acute need for affordable housing in the district, the provision of policy-compliant affordable housing also weighs significantly in favour of the proposal.
- 5.9.7 Housing Standards  
Policy DM2 relates to housing standards, requiring all new dwellings to meet the Nationally Described Space standards and at least 20% of new affordable housing and market housing to meet building regulations M4(2) Category (accessible and adaptable dwellings). To secure these standards at the detailed design stage (reserved matters), planning conditions are proposed as part of this recommendation.
- 5.10 Heritage matters NPPF Chapter 16 Conserving and Enhancing the Historic Environment; Strategic Policies and Land Allocations (SPLA) DPD policies SP7: Maintaining Lancaster District’s Unique Heritage; Development Management (DM) DPD policies DM37: Development affecting Listed Buildings, DM38: Development affecting Conservation Areas, DM39: The Setting of Designated Heritage Assets, DM41: Development Affecting Non-Designated Heritage Assets or their Settings and DM42: Archaeology.
- 5.10.1 As described in paragraph 1.5, site is not within a Conservation Area or affected by/within the setting of other designated or non-designated heritage assets. This is particularly the case following the removal of the small development parcel within the eastern field. Halton Conservation Area is located 450 metres to the west, Green Beck House located 230 metres to the east is the nearest designated heritage asset (Grade II). Opposite this is Halton Green Cottage which is identified as a non-designated heritage asset. Relative to the proposed development layout, all of these assets are some distance from the proposal and are separated by intervening development and landscape features such as woodland and undulating topography. As such, the proposed development would not fall within the setting of these assets and would not result in harm to the significance of these assets through development within their setting.
- 5.10.2 In relation to archaeology, the supporting Archaeological Desk-Based Assessment has characterised the site having low-medium potential to encounter previously unknown archaeological deposits. On the basis of the evidence presented, the Historic Environment Team at Lancashire County Council agree with this characterisation of the site's potential. However, it considers that any surviving archaeological deposits associated with the prehistoric, Roman or Medieval periods would likely be of local and/or regional significance. Whilst archaeological finds of this level of significance would not be considered a constraint to development, it would be reasonable and necessary in this case to secure a programme of archaeological investigation, secured by means of planning condition. In this regard there is no conflict with policy DM42 and the NPPF.

- 5.11 **Infrastructure** NPPF Chapter 8 Promoting healthy and safe communities: Development Management (DM) DPD policies DM57: Health and Wellbeing and DM58: Infrastructure Delivery and Funding.
- 5.11.1 Education  
Paragraph 100 of the NPPF requires local planning authorities to take a proactive, positive and collaborative approach to ensuring there is sufficient choice of education places available and great weight should be given when there is a need to create, expand or alter educational facilities in plan-making and decision-taking. Accordingly, the local planning authority has consulted Lancashire County Council Schools Planning Team who have confirmed that there is a requirement to secure a financial contribution to facilitate the provision of 18 primary school places. The Schools Planning Team have not at this time provided details as to the specific project that this contribution would be directed towards, though it is envisaged that this would be through the expansion of existing school facilities. The Schools Planning Team have been asked to clarify the project details, and this will be reported to Members in written updates ahead of the Planning Committee meeting. Based on a development consisting of 80 dwellings, for an expansion project, a contribution of £368,100.00 is requested. For a new build projected, a contribution of £439,488.00 is requested. The financial contribution would need to be re-calculated at reserved matters stage once the final number of dwellings is known.
- 5.11.2 Health  
The NHS Integrated Care Board has made representations on the application and seeks a contribution towards local health care infrastructure. This consultation response was provided in the context of the originally proposed scheme for up to 90 dwellings, and sets out that this scale of development would generate approximately 216 new patient registrations based on an average household size of 2.4. This generates a contribution request of £59,228.00.
- 5.11.3 The development site falls within the catchment area of Ash Trees Surgery which includes Halton Surgery. The response sets out that this contribution would be directed towards the extension and reconfiguration at Ash Trees Surgery Carnforth (Halton) for additional clinical capacity. However, during further discussions on this matter, the NHS indicated that it would instead seek to direct the contribution towards another planned project at the main Carnforth surgery, and not the Halton Surgery. This surgery falls under the same Ash Trees Surgery umbrella as the Halton Surgery, and as such would be appropriate in terms of location, however, the NHS states that the Carnforth project is likely to be completed by April 2026. This project would be completed long before any financial contribution secured through this development would be made available, particularly as the trigger for payment of the requested contribution is likely to be prior to first occupation of the development. This would mean that, in effect, the NHS request would be securing retrospective financial contributions to a project that appears to have already been funded and will have been delivered, which isn't appropriate and would not meet the tests set out in paragraph 58 of the NPPF.
- 5.11.4 The NHS were asked to reconsider the project towards which the requested financial contribution would be directed, however, no further response has been provided by the NHS. As such, regrettably, the Local Planning Authority is not seeking to secure a financial contribution to health infrastructure in this instance.
- 5.11.5 Gas pipeline  
A below ground Ethylene gas pipeline passes through the eastern half of the site, the development site is located within the associated inner, middle and outer consultation zones. Consultation with the Health and Safety Executive (HSE) has taken place. HSE has confirmed that it would not advise against a footpath or cycle path within any of the HSE consultation zones, including the inner zone, provided that there are no associated facilities within the inner zone that encouraged people to congregate. HSE has confirmed that it would consider single benches within the inner zone appropriate, but facilities such as larger picnic areas with picnic benches would not. As such, at reserved matters stage, and as part of the open space layout within the site, it would be important that only the currently indicative active travel route, along with appropriately located single benches, be provided within the inner zone. Other areas within the inner zone should just be landscaped natural-semi natural greenspace and form ecological enhancement areas, rather than forming part of the formal on-site open space provision. There would be a requirement within the associated legal agreement to only locate formal on-site open space facilities, including the amenity greenspace and

equipped play area, within the middle or outer consultation zones and not within the inner consultation zone, as indicated on the Parameters Plan.

- 5.11.6 Within the middle consultation zone, HSE has confirmed that open space facilities that could accommodate up to 100 people would be acceptable. As such, on-site open space facilities, such as play area and amenity greenspace could be located within the middle zone, subject to the capacity requirements. Given the scale of the development is only for up to 80 dwellings, combined with the availability of alternative facilities within the village, it is unlikely that any open space facilities located within the middle zone would attract more than 100 people at any one time. HSE has also required that any housing provided within the middle consultation zone be at a density of less than 40 units per hectare. When comparing the extent of the proposed development area indicated on the Parameters Plan and Indicative Framework Plan with the extent of the middle consultation zone it is clear that it would only be approximately 4 or 5 dwellings, which would be at a density below the requirement set by the HSE. There are no development requirements such as for density or layout for development within the outer consultation zone.
- 5.11.7 With respect to the electricity infrastructure which passes along the western boundary of the site, National Grid as the operator of this infrastructure has confirmed that it raises no objection to the development subject to statutory clearances and easements being adhered to, and that relevant guidance set out within National Grid Technical Guidance Note 287 is abided by. The development will need to ensure that at reserved matters stage, the development adheres to all necessary easements required by National Grid.
- 5.11.8 Accordingly, subject to the detailed design of the development abiding by the requirements of the infrastructural operators/HSE, it is considered development can be brought forward here in a manner that would reduce vulnerability, increase resilience and ensure public safety and security.
- 5.12 **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, DM30c: Sustainable Design and Construction – Materials, Waste and Construction and DM53: Renewable and Low Carbon Energy Generation.
- 5.12.1 In the context of the climate change emergency that was declared by Lancaster City Council in January 2019, the impacts of new development in the District and possible necessary mitigation measures to minimise such impacts, will be a significant consideration in the assessment of development proposals.
- 5.12.2 The Council is committed to reducing its own carbon emissions to net zero by 2030 while supporting the district in reaching net zero within the same time frame. Buildings delivered today must not only contribute to mitigating emissions, but they must also be adaptable to the impacts of the climate crisis and support resilient communities.
- 5.12.3 The Climate Emergency Review of the Local Plan (CERLP) was adopted in January 2025 and provided a partial review of the DM DPD and the SPLA DPD. This introduced policies DM30a, DM30b and DM30c which provide specific requirements in relation to sustainable design and construction and also made changes to some other policies, to bolster their requirements with respect to climate mitigation.
- 5.12.4 The application was submitted prior to the adoption of the CERLP, as such the initially submitted Energy Statement was provided prior to the updated policies being adopted. However, to address the change in policy requirements, the Applicant has provided a Sustainable Design Statement as stipulated by policy. This document, combined with the initially submitted Energy Statement, show that the development is capable of delivering notable percentage improvements with respect to thermal efficiencies over 2021 Part L Building Regulation Requirements. In conjunction with Air Source Heat Pumps, this will reduce the predicted carbon emissions of the development. These statements do not provide full SAP calculations to demonstrate compliance with the requirements of policy DM30a, nevertheless, the proposed energy strategy provides a clear commitment to exceed Building Regulation standards, in accordance with the energy hierarchy.

- 5.12.5 Policy DM30a requires a fabric first approach to be used in new development, reaching a minimum of 75% reduction in carbon emissions against Part L of the Building Regulations 2013 (not 2021) expressed as a % uplift of the dwellings Target Emission Rate (TER). It is also important to note that, given the possible timescales for the implementation of this development, any dwelling commenced after 1 January 2028 would need to deliver a 100% reduction, as opposed to 75%.
- 5.12.6 The submitted statements support the approach set out in DM30a to adopt a fabric first approach and proposes to meet the policy requirements through well insulated buildings with high degree of air tightness and the provision of decentralised/low carbon heating systems. This sufficiently demonstrates compliance with policy DM30a is possible. The statements also address the requirements of Policy DM30b (water efficiency) and states that water efficient measures would be incorporated into the development and that the Applicant is committed to aiming to restrict water usage to less than 100 litres per person per day. Given the outline nature of the application, Officers consider that these requirements can be appropriately secured by condition. This would require the submission and approval of an updated Sustainable Design Statement including an Energy and Carbon Statement, prior to the commencement of development.
- 5.13 **Employment & Skills Plan** NPPF Chapter 6 Building a strong, competitive economy; Development Management (DM) DPD policy DM28:Employment and Skills Plans.
- 5.13.1 Policy DM28 requires that proposals of 20 or more new dwellings provide an 'Employment and Skills Plan' that will set out opportunities for, and enable access to, employment and the up-skilling of local people through the construction phase of the development proposal. Whilst an Employment and Skills Plan (ESP) document has been provided in support of this current application, which provides a positive commitment to the policy objective, the Councils Sustainable Growth team has confirmed that this does not meet in full the formal policy requirements, particularly relating to relevant benchmarks and Key Performance Indicators. A fully detailed ESP to include these details can be secured by pre-commencement condition.

## **6.0 Conclusion and Planning Balance**

- 6.1 The Local Plan sets out the district's housing requirement at policy SP6. This sets a requirement of 10,440 new homes over the plan period (2011-2031) based on an incremental approach rising from 400 dwellings per annum, up to a total of 695 dwellings per annum (2029/30-2030/31). At present, based on this incremental approach, the Council should be facilitating the delivery of 685 dwellings per annum until 2028/2029. However, the Council's Housing Land Monitoring Report (HLMR) (July 2025) confirms a continued fall in completions, with only 196 new dwellings completed for the period 2024/2025, which includes 12 dwellings which were a result of new student housing. This represents just 29% of the annual dwelling requirement (685) for that period, and this follows a similarly low level of completions in 2023/24. The HLMR concludes that as of the 1 April 2025 the outstanding commitment for the district stood at 2,179 dwellings (including student accommodation and older persons accommodation). This demonstrates a significant shortfall in housing delivery in the district, which is reflected in the latest Housing Land Supply Statement (September 2025) which confirms that the Council cannot demonstrate a five-years supply of housing sites and in fact is only able to demonstrate a 2.8 years' worth of supply of housing. Planning Inspectors have described within recent appeal decisions the Councils previous supply position (2 years) as 'acute' and 'woeful'.
- 6.2 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. Footnote 8 of the NPPF which relates to paragraph 11(d) confirms that the lack of a five-year supply renders the policies most important for determining applications out-of-date. Paragraph 11(d) states that where policies are out-of-date, planning permission should be granted unless the application of policies in NPPF that protect areas or assets of particular importance provide a strong reason for refusing the proposed development; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination. The assessment set out within this report has concluded that there are no policies relating to areas or assets of particular importance which would provide a strong reason for refusing the development, nor would any adverse impacts significantly and demonstrably

outweigh the benefits that the proposal brings forward, therefore presumption in favour must be engaged.

- 6.3 In accordance with the strategic development strategy for the district as set out within policy SP3, the application site is located on the periphery of, and is well related to, the settlement of Halton. Halton is a sustainable rural settlement where housing growth is supported in principle. The provision of up to 80 dwellings to meet locally identified needs at a time when the Council cannot demonstrate an adequate supply of housing, weighs substantially in favour of the development. In addition, the proposal will provide 40% on-site affordable dwellings. The provision of both market and affordable housing attracts significant weight. Other benefits arising from the development include traffic calming measures, and footway and pedestrian crossing provision all of which will enhance the pedestrian environment along Low Road. The proposal also secures financial contributions towards the Lancaster Travel and Transport Infrastructure Strategy to facilitate improvements to the local highway network. The proposal also includes contributions to make off-site improvements to public open space facilities, along with the provision of new public open space infrastructure within the site itself, all of which benefits the wider community as well as future residents of the development. The proposal also secures a contribution towards the enhancement of education facilities, as well as providing notable landscaping, ecological and drainage schemes all of which can deliver enhancement to the site's visual appearance, ecological value and its role with respect to improved flood risk mitigation. These facets of the proposal should each be afforded moderate weight. There are also social and economic benefits from the provision of employment and upskilling through the construction phases and the knock-on effect to the supply chain (securing short-term economic benefits), though these benefits are relatively small overall and therefore afforded limited weight in favour of the development.
- 6.4 The applicant has demonstrated a safe and suitable access can be provided and the impacts of development traffic would not lead to safety concerns or have residual cumulative impacts that would be severe on the network. Subject to pre-commencement conditions, it has been demonstrated that there are options available to ensure the development can be drained sustainably and without causing a flood risk elsewhere. With mitigation, the impacts of the development on adjacent sensitive environments and protected species are considered acceptable. The application also demonstrates that there is sufficient scope to secure net gains in biodiversity at the reserved matters stage. It has also satisfactorily demonstrated that the development would secure acceptable standards of amenity for existing and future residents. In relation to these matters, the proposals conform to the aims and objectives of the relevant local plan policies and the NPPF.
- 6.5 The main issues weighing against the proposal relate to the localised landscape impacts, which would be most prevalent during the construction and initial operational phases. The loss of countryside and replacement with housing development cannot be mitigated, however, the siting of development as indicated on the Parameters Plan represents an appropriately located and scaled proposal that would appear as a comfortable addition to the village periphery. Furthermore, it is concluded that harm to the landscape, including the protected National Landscape, is capable of being addressed through embedded design measures. As such, overtime and once the development has become established, the proposal would result in a neutral impact to the character and appearance of the surrounding landscape. Therefore, the weight to be afforded to the initial landscape harm arising from its early phases is mitigated and is outweighed by the public benefits of the scheme within the planning balance, in particular the provision of both market and affordable housing in the context of a significant undersupply of housing land.
- 6.6 In the context of the presumption in favour of sustainable development, the assessment of this proposal against the NPPF taken as a whole, concludes that there are no clear strong reasons for refusing the application which would effectively disengage the tilted balance. Therefore, in applying the tilted balance, the test is whether any adverse impacts arising from the development would significantly and demonstrably outweigh the benefits of the proposal. This is a matter of planning judgement.
- 6.7 In light of the assessment set out within this report, it is considered that the benefits of the proposal do outweigh the identified harm and for that reason, outline planning permission ought to be granted.



## Recommendation

That Outline Planning Permission **BE GRANTED** following the satisfactory completion of a Legal Agreement within 3 months of the date of this Committee meeting, and subject to the conditions listed below. If a satisfactory Section 106 Agreement is not concluded within the timescale above, or other agreed extension of time, to delegate authority to the Chief Officer – Planning and Climate Change to refuse planning permission on the grounds that the obligations which make the development acceptable have not been legally secured:

The legal agreement shall secure:

- Provision of policy-compliant (DM3 of the DM DPD) Affordable Housing (to be provided on site) in accordance with an Affordable Housing Scheme to be submitted with Reserved Matters and approved by the Council before the commencement of development.
- Provision of on-site of Amenity Greenspace and Equipped Play Area
- Submission of an updated BNG Baseline matrix and provision of on-site Biodiversity Net Gain in accordance with an approved BNG Plan and Landscape and Ecological Creation and Management Plan.
- BNG monitoring costs.
- Education contribution towards 18 primary school places, to be re-calculated at reserved matters stage.
- Highways contribution of £2,271.79 per dwelling towards Lancaster Travel and Transport Infrastructure Strategy initiatives (specified at paragraph 5.3.13).
- Off-site open space contributions towards facilities at Halton The Centre and Allotments
- Setting up of a Management Company; and
- Management and Maintenance of all landscaping, unadopted roads, lighting and drainage infrastructure and on-site open space.

## List of conditions:

Condition number	Description	Type (indicative)
1	Timescale for submission of reserved matters application (2YRS)	Standard
2	Development in accordance with Approved Plans (Location plan, Parameters Plan and Access Plan)	Standard
3	Reserved Matters to be based on the broad principles set out in the submitted Indicative Framework Plan	Control
4	Final Surface Water Sustainable Drainage Strategy	Pre-Commencement
5	Construction Surface Water Management Plan	Pre Commencement
6	Construction Environment Management Plan - Ecology	Pre Commencement
7	Construction Management Plan - Highways	Pre Commencement
8	Construction Method Statement including dust control, noise management and construction working hours - Amenity	Pre Commencement
9	Precise construction details of main vehicular site access and specified off site highway improvements including timetable for implementation and requirement for the construction of site access to compound and development parcels to base course level	Pre Commencement
10	Precise design and construction details of active travel/pedestrian route up to site western boundary and provision and maintenance	Pre Commencement

11	Contaminated land investigation	Pre Commencement
12	Archaeology investigation	Pre Commencement
13	Foul drainage strategy	Pre Commencement
14	Submission of a Sustainable Design Statement including Energy and Carbon Statement	Pre Commencement
15	Invasive Non-Native Species Biosecurity Management Plan	Pre Commencement
16	Employment and Skills Plan	Pre Commencement
17	Construction details of the internal estate roads, private drives, footways and other active travel routes within the site to be designed to adoptable standards and LTN 1/20 and their management/maintenance.	Pre Commencement and concurrent with first reserved matters
18	Updated Arboricultural Impact Assessment/Tree Protection Plan/Arboricultural Method Statement	Pre Commencement and concurrent with first reserved matters
19	Habitat Creation Plan – Species	Pre Commencement and concurrent with first reserved matters
20	Scheme for M4(2) accessible and adaptable dwellings – to be minimum 20% of all dwellings	Pre Commencement and concurrent with first reserved matters
21	Details of housing mix to accord with policy DM1 – Halton with Aughton NDP HNS	Pre Commencement and concurrent with first reserved matters
22	Scheme for external lighting (street lighting and lighting of open space areas)	Prior to above ground works
23	Precise details of all play equipment, public realm furniture, and signposting	Before the installation of play equipment/street furniture/sign posting
24	Sustainable drainage system operation and maintenance manual	Prior to occupation
25	Verification report of constructed sustainable drainage system.	Prior to occupation
26	Details of Homeowner Information Packs	Prior to occupation
27	Provide and protect visibility splays	Prior to occupation
28	All dwellings to achieve Building Regulations Requirement G2: Water Efficiency	Control
29	All dwellings to achieve NDSS	Control
30	Provision of turning and parking	Control

31	Development in accordance with access design Arboricultural Method Statement	Control
32	Limit building heights to maximum 1 storey as detailed on the Parameters Plan and maximum of 2 storey elsewhere	Control
33	Implement travel plan	Control
34	Development in accordance with the specified mitigation set out in the approved Flood Risk Assessment.	Control
35	Development in accordance with the specified mitigation set out in the approved Noise Impact Assessment.	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

<b>Agenda Item</b>	A6
<b>Application Number</b>	25/00593/OUT
<b>Proposal</b>	Outline application for development of a knowledge and research Innovation Campus comprising Use Class E(g) with associated car parking and primary access with all other matters reserved.
<b>Application site</b>	Land to the West of Health Innovation One Sir John Fisher Drive Lancaster University
<b>Applicant</b>	Lancaster University
<b>Agent</b>	Hannah Blunstone
<b>Case Officer</b>	Mr Andrew Clement
<b>Departure</b>	None
<b>Summary of Recommendation</b>	Approve subject to conditions and completion of Section 106 Agreement. Delegate back to Chief Planning Officer to finalise legal agreement.

## 1.0 Application Site and Setting

- 1.1 The application site is located between the southern periphery of Lancaster city (Collingham Park) and the northern boundaries of Lancaster University, immediately south of Bailrigg Lane. There is an existing (9,313sq.m floorspace) office/research building constructed circa 2020 through earlier consents at the site for the wider health innovation campus. This building sits just beyond the development area of this application. A small electricity sub-station towards the corner of Bailrigg Lane and the A6 is just beyond the site, with the red edge development area drawn around this building. There is a significant private access road (Sir John Fisher Drive) onto the A6, already serving the existing 'Phase One' Health Innovation Building, with an existing circa 156 space parking area serving the existing building within the development area.
- 1.2 Bailrigg Lane to the north is bordered by a mix of hedgerows and trees. It is narrow and has a rural character. No motor vehicular access to the site would be provided from this road. However, pedestrian and cycle trips through the site already cross Bailrigg Lane at an existing junction point, continuing beyond and linking to the wider Lancaster University Campus. The A6 is a well-served bus corridor and has regular services linking the University with the city's bus and railway stations. Services also operate at least once an hour to Galgate, Garstang, Preston and Blackpool.
- 1.3 The eastern boundary is now defined by recently planted trees and vegetation, providing a divide to an existing agricultural field, and Bailrigg hamlet beyond. The southern boundary of the site consists of a mature landscaping belt, which forms an effective visual screen to the University's sporting pitches and broader University Campus. The site has been regraded and is gently undulating, sloping upwards towards the south-east, with the land draining to a small stream known as Ou Beck. The Grade II Listed Building of Bailrigg House overlooks the site, located on elevated land circa 250 metres east of the site.
- 1.4 The site is an allocated Strategic Employment Site and is located within the wider Lancaster South Broad Location for Growth designation. The employment allocation, titled 'Lancaster University

Health Innovation Campus', provides policy support for development of a campus delivering a range of knowledge-based and research businesses at the site, given the proximity and position in relation to Lancaster University. This is similarly incorporated into the Broad Location for Growth allocation, which established high-quality design, open space, health impact assessment, transport and infrastructure delivery for development in this broader area.

- 1.5 There are protected trees within the site. These are primarily located along the northern boundary to Bailrigg Lane, and a couple of trees adjacent to the existing 'Phase One' Health Innovation Building'. The site is within a smoke control area. Ou Beck is designated as Flood Zone 3b, with pockets of 1 in 30 to 1 in 1000 surface water flood risk areas within the site, and Flood Zones 2 and 3 in similar areas to surface water risks. Flood risk is projected to be slightly extended and exacerbated within the site when factoring in climate change. There is no identified groundwater risk at the site.

## 2.0 Proposal

- 2.1 The application seeks outline planning permission for the development of a knowledge and research Innovation Campus comprising Use Class E(g) buildings, associated car parking and primary access. The proposal seeks to deliver up to 25,000 square metres of floorspace to be used for research and development and similar uses, with a maximum of 384 car parking spaces. A landscape buffer area at least 30 metres within the site along the western boundary to the A6 is proposed. All other matters (appearance, landscaping, scale, layout and access) are reserved.

## 3.0 Site History

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

Application Number	Proposal	Decision
24/00628/PRFORU	Pre application advice for proposed Innovation Campus	Advice provided
19/00942/FUL	Partially retrospective application for the re-grading and re-profiling of land to facilitate the retention of spoil within the site excavated in association with the Health Innovation Park	Permitted
16/01308/REM	Reserved Matters application for the erection of a 5 storey research and development building (B1) with ancillary facilities, new internal road, car parking and landscaping	Permitted
16/00117/VCN	Renewal of application 09/00330/DPA for the outline application for a science park (approx 34,000 sq.m of B1 use floorspace) and full application for a new access off the A6, construction of an internal spine road and provision of landscaping (pursuant to the variation and removal of conditions 3, 4, 5, 6, 7, 8, 9, 11, 12, 15, 16, 17, 18, 19, 21, 22, 23, 24 and 27 on the full planning permission 12/00626/RENU to enable phased implementation and remove duplicated requirements)	Permitted
09/00330/DPA	Outline application for a Science Park (approx 34,000 sq m of B1 use floorspace) and full application for a new access off the A6, construction of an internal spine road and provision of landscaping	Permitted

## 4.0 Consultation Responses

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

Consultee	Response
<b>Scotforth Parish Council</b>	<b>Objection.</b> Requests to plant semi-mature trees and hedges along Bailrigg Lane and eastern boundary and around existing parking to provide early screening, keeping the site free of invasive species, development use for research, teaching and health-related activity only, enhancement to Bailrigg Lane cycleway junction, maximum development heights and scale, with green walls/roof designed to blend into rural landscape, avoid light pollution and any adverse drainage/flooding impacts.
<b>Bailrigg Village Residents Association</b>	<b>Objection.</b> Overdevelopment and visual impact are key concerns. Requests to plant semi-mature trees and hedges along Bailrigg Lane and eastern boundary and around existing parking to provide early screening, keeping the site free of invasive species, development use for research, teaching and health-related activity only, enhancement to Bailrigg Lane cycleway junction, maximum development heights and scale, with green walls/roof designed to blend into rural landscape, and avoid light pollution.
<b>County Highways</b>	<b>Comments</b> - The impacts of this development, with developer funded and supported change, can be accommodated within the highway and transport network both locally and strategically, with support of the Gravity Model approach, with payments (20.99/sq.m GIA) made prior to any construction (above ground) of that phase. These funds will be used to deliver highway changes that mitigate against this development's impacts. Car parking provision must satisfy demand managed at each phase, having regard to the demands of the previous phase, with the initial phase over-providing.
<b>National Highways</b>	<b>No objection.</b> It is acknowledged that the information set out within the Transport Assessment (TA) is in line with that agreed with National Highways. The development, with the included bus stop relocation mitigation scheme within Galgate village, is predicted to operate without detrimental impact to the strategic road network.
<b>Environmental Health</b>	No observation received
<b>Lead Local Flood Authority</b>	<b>No objection</b> to the revised Flood Risk Assessment (FRA), subject to the following conditions: <ul style="list-style-type: none"> <li>• a final surface water sustainable drainage scheme.</li> <li>• construction surface water management plan.</li> <li>• an operation and maintenance manual for the approved drainage scheme.</li> <li>• verification report of constructed and approved sustainable drainage scheme.</li> </ul> An informative relating to ordinary watercourse consent is also required.
<b>Engineering Team</b>	No observation received
<b>County Archaeology</b>	<b>No adverse comment</b> , low potential for the site to contain significant remains, no requirement for further survey works on-site.
<b>Environment Agency</b>	<b>No objection</b> to the revised Flood Risk Assessment (FRA), subject to a condition for a scheme for compensatory flood water storage on-site.
<b>Natural England</b>	<b>No adverse comment</b>
<b>Planning Policy</b>	<b>No adverse comment</b> , subject to commitment to deliver active travel projects (£13.86/sq.m GIA) and improved pedestrian/cycling permeability and placemaking through the site.
<b>Biodiversity Officer</b>	<b>Comments</b> – indicates a 10% gain or more is likely, due to the area available for habitat creation and enhancement on site. Some concerns raised in relation to the baseline but acknowledged disturbance from previous development may explain habitat types claimed. Acknowledges the extent of hedgerow removal and impacts on the watercourses is unclear at this stage and notes hedgerow on Bailrigg Lane is likely an Important hedgerow.
<b>Active Travel England</b>	<b>No objection</b> - ATE recommends approval of the application, subject to the agreement and implementation of planning conditions and/or obligations, including infrastructure improvements identified in the Pedestrian and Cycling Audit, strategic infrastructure and on-site facilities, including cycle storage.

<b>United Utilities</b>	<b>Comments</b> - Request detailed drainage plan prior to determination, recommend planning condition for sustainable surface water drainage, and scheme for protection of a water main within the site.
<b>Electricity North West</b>	No observations received
<b>Arboricultural Officer</b>	<b>Comments</b> - the submitted Arboricultural Impact Assessment identifies the felling of 5 trees, including 2 mature (Category B) oak trees, and paths within the root protection area of a Category A tree. These Category A and B trees should be considered a constraint to development, and influence the design/layout of development. Landscape masterplan is extensive, but only indicative at this stage.
<b>Lancaster Civic Vision</b>	<b>Comments</b> - Welcomes outline proposal, and the employment opportunities which this development could create. The draft illustrations look acceptable, which will help the local economy. Would seek 'state of the art' innovative design and high-quality building in prominent location from the A6 (in-keeping with existing building on-site), and ensure scale does not dwarf Bailrigg, at later reserved matters. Planning conditions should seek to minimise traffic impact on A6, ensure high quality innovative and sustainable design and activities, with assurances over local construction employment.
<b>Policy Group Mineral</b>	No observation received
<b>County Active Travel</b>	No observation received
<b>Waste And Recycling</b>	No observation received
<b>Sustainable Growth</b>	<b>No adverse comment</b> , subject to high-level indication that affirms their commitment to deliver an Employment Skills Plan (ESP), and full details controlled through planning condition

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

- Two objections, due to adverse impact upon local employment, lack of demand, and omission of some existing drainage infrastructure from submitted plans.

## 5.0 Analysis

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

- Principle of employment development.
- Landscape and heritage impacts.
- Sustainable transport, highways impacts, parking and air quality.
- Flooding, drainage and infrastructure.
- Biodiversity, landscaping and trees.
- Sustainable design, contamination and mineral safeguarding; and
- Residential amenity, light and noise.

5.2 **Principle of employment development** Development Management (DM) DPD policies DM14 (Proposals involving Employment Land and Premises), DM28 (Employment and Skills Plans), Strategic Policies and Land Allocations (SPLA) DPD policies SO1 (Strategic Objectives for the Local Plan – Delivery of a thriving local economic), SP1 (Presumption in Favour of Sustainable Development), SP3 (Development Strategy for Lancaster District), SP4 (Priorities for Sustainable Economic Prosperity), SP5 (The Delivery of New Jobs), SG1 (Lancaster South Broad Location for Growth (Including Bailrigg Garden Village)), SG2 (Lancaster University Health Innovation Campus), SG3 (Infrastructure Delivery for Growth in South Lancaster); EC2 (Future Employment Growth), Employment and Skills SPD and National Planning Policy Framework (NPPF) Section 2 (Achieving sustainable development), Section 4 (Decision-making), Section 6 (Building a strong, competitive economy) and Section 11 (Making effective use of land).

5.2.1 The application site relates to the future employment growth area EC2, and South Lancaster Broad Location for Growth allocation SG2, for the allocation titled 'Lancaster University Health Innovation

Campus'. These allocations seek to deliver opportunities for technology research-based industries. This allocation is a key element of employment growth as part of the South Lancaster Broad Location for Growth SPLA policy SG1. In September 2023, the Council resolved to cease work on the Lancaster South Area Action Plan (AAP) and to commence a full review of the Local Plan in accordance with SPLA DPD policy LPRM1. The reasons for doing so related to the June 2023 announcement by Lancashire County Council for its decision to suspend further work on the proposed South Lancaster to M6 transport project, and to return the Housing Infrastructure Funding (HIF) to central government due to rising costs. However, the site still forms part of this wider designation and should be assessed against the Key Growth Principles and infrastructure requirements of these policies, despite the fact that the delivery of the broader Bailrigg Garden Village (BGV) no longer forms a commitment of the currently adopted Local Plan. Notwithstanding the continued applicability of these broader area policies, the proposed development does not prejudice these wider allocations, and the site benefits from the narrower future employment growth area allocation specifically to deliver opportunities for technology- and research-based industries within this site area.

- 5.2.2 The allocation of this site is envisaged to deliver regionally important employment development to generate in the region of 2,000 jobs within the knowledge-based industries, with the close links and proximity to Lancaster University being a key driver for the location of this allocation. This is identified as a key driver of the strategic objectives of the Local Plan in SPLA policy SO1, and within the priorities for sustainable economic prosperity and delivery of new jobs as part of policies SP4 and SP5. Delivery of the Innovation Campus has been a long-standing aspiration of the Council, not just within the South Lancaster Broad Location for Growth, but the knowledge/research-based employment aspirations for sustainable economic development of the district.
- 5.2.3 Planning permissions have been granted and implemented for the existing site access (Sir John Fisher Drive), the existing 'Phase One' Health Innovation Building, and regarding the land levels of the site. Unfortunately, previous permissions of a similar scale and use to those sought through this application have since lapsed, resulting in this current application for outline permission for development of a knowledge and research Innovation Campus comprising Use Class E(g), with the key parameters seeking a maximum gross internal area (enclosed floorspace) of 25,000sq.m across the whole development.
- 5.2.4 Whilst in outline form, it is noteworthy that the proposal is largely aligned with the previous permission, and current Local Plan allocations and aspirations for this site. Use Class E(g) is a subset of Class E, but remains quite broad, incorporating offices and administration functions within E(g)(i), and any industrial process which can be carried out within a residential area within E(g)(iii), which may be inappropriate uses within the specific allocation. Further subset Use Class E(g)(ii) for the research and development of products or processes would more comfortably deliver the allocation requirements of this site, however other uses within Class E(g), or outside of a Use Class (Sui Generis), would need closer control. To ensure development aligns with the policy aspirations, a suitably worded planning condition can be imposed to control the uses of development (Use Class E(g)(ii)). and requiring specific details of intended uses that fall outside of (ii) of Use Class E(g).
- 5.2.5 The outline nature of the proposal, combined with the regional scale of this employment allocation and proposal, is considered to justify flexibility regarding the commencement of development. Historically, similar permissions at this site have been for 5 years for commencement or first reserved matters, and before expiration of 2 years from reserved matters approval. This extended 5 year duration (ordinarily 3 years), remains within the plan period for the Local Plan. Given the scale and history of this site, a longer commencement timeframe is justified in this instance. Given that reserved matters may progress as phases of development, the submission and agreement of phasing, either before or alongside the first reserved matters application, could be controlled through discharge of conditions though a suitably worded planning condition to include the option for phasing. At this point, there will hopefully be greater detail regarding how the development will likely come forward.
- 5.2.6 This proposed development meets the threshold for requiring production of an Employment and Skills Plan (ESP). The ESP details how opportunities for, access to and up-skilling local people through the construction phase of the development proposal will be provided. As such and given



mitigation would likely be met during construction phase of the development itself, this should be controlled through pre-commencement planning condition, incorporating potential phasing of development, to ensure any consents granted delivers the full ESP requirements, in accordance with policy requirements to employ and up-skill local workforces.

5.2.7 Subject to planning conditions, the proposal is considered an important step towards realisation of the 'Lancaster University Health Innovation Campus', as planned development providing an opportunity to deliver economic, social and employment aspirations from across the Local Plan. These benefits are attributed substantial weight in favour of development, in accordance with allocations SO1, EC2, SG2, SP4, SP5 of the SPLA DPD, DM DPD policies DM14 and DM28, and Section 6 of the NPPF, all seeking to deliver a strong and competitive local economy through development to facilitate knowledge/research employment at this key strategic site.

5.3 **Landscape and heritage impact** Development Management (DM) DPD policies DM29 (Key Design Principles), DM39 (The Setting of Designated Heritage Assets), DM42 (Archaeology), DM46 (Development and Landscape Impact), Strategic Policies and Land Allocations (SPLA) DPD policies SP7 (Maintaining Lancaster District's Unique Heritage), SP8 (Protecting the Natural Environment), SG1 (Lancaster South Broad Location for Growth (Including Bailrigg Garden Village)), SG2 (Lancaster University Health Innovation Campus) and National Planning Policy Framework (NPPF) Section 11 (Making effective use of land), Section 12 (Achieving well-designed places), Section 15 (Conserving and enhancing the natural environment) and Section 16 (Conserving and enhancing the historic environment) and Listed Building and Conservation Areas Act 1990

5.3.1 Matters relating to appearance, landscaping, scale, and layout of the development are reserved under this application and will therefore be considered in subsequent applications if outline permission is granted. However, the key parameters that can be controlled at this stage are the floor space (maximum of 25,000sq.m GIA), the landscape buffer (no proposed buildings within 30 metres of the western boundary to the site along the A6), and a maximum parking threshold (no more than 384 parking spaces). These measures can be controlled as precise parameters through planning condition. Indicative plans on maximum heights, sections, design codes and plot areas have been suggested; however, these are indicative only to inform future reserved matters (if approved) and not controlled through this outline application.

5.3.2 Whilst there is limited control over precise details and impacts at this stage, this scale of development will undoubtedly result in some adverse visual/landscape harm. In place of the current grassland (albeit separated by significant highway/access through the site) and views of boundary trees would become less prominent should large scale employment buildings be developed on this site, which is elevated above the A6. The submitted Landscape Visual Impact Assessment (LVIA) identifies moderate adverse impacts from surrounding perpetual viewpoints of footpaths and Burrow Heights opposite to the west, and from the existing Health Innovation One building. More transient moderate adverse impacts are also reported from Bailrigg Lane, given the rural nature of this road, whilst other transient viewpoints around the site result in minor adverse impact. There are no national or local landscape designations at the site, and therefore such impacts are not amplified by such designations or sensitivity of the site.

5.3.3 At reserved matters stage, minimising impacts upon Bailrigg Lane and perpetual viewpoints in particular will be key considerations of layout, scale, appearance and landscaping, seeking to achieve high-quality, proportionately scaled development. The 30 metres minimum setback of proposed buildings from the A6 can be controlled through planning condition and will provide some softening of the development on the southern gateway into the city. It will be necessary to assess appropriate setbacks and building heights along the northern section of the site at reserved matters stage.

5.3.4 The nearest Listed Building, Bailrigg House, is a Grade II Listed Building circa 325 metres east of the site. Due to the elevated position of this national heritage asset, the development would be visible from Bailrigg House and its grounds. However, the setting of Bailrigg House is already now formed by Lancaster University, and the intervening existing Health Innovation Campus Phase One building. Given this visual context and the separation distance, the proposed development is considered to have no undue adverse impact on the setting of Listed Buildings at this outline stage, with the potential to provide mitigation through embedded design measures at the reserved matters

stage. There is low potential for the site to contain significant archaeological remains, with no requirement for further survey works on-site, as concluded by the consultation response from County Archaeology.

- 5.3.5 Within the above parameters, with appearance, scale, layout and landscaping (and access) matters being reserved, the outline proposal is considered appropriate in quantum and location in this area allocated for such development. These matters would be assessed in full at reserved matters stage (if outline permission is granted). In terms of elements that are not reserved, and therefore must be controlled at outline stage, external lighting of such development can have profound landscape/visual impact, and ecological impacts given trees and waterways in and around the site. External lighting should be controlled through a pre-installation and pre-occupation planning condition. Similar to other recommended planning conditions, these will allow for phased development for development parcels coming forwards through subsequent reserved matters applications, if granted.
- 5.3.6 The moderate adverse impacts, from northern viewpoints in particular, should be minimised and mitigated by sympathetic scale, layout, appearance and landscaping in this location parallel to Bailrigg Lane. However, given that these reserved matters cannot be considered at this outline stage, the overall moderate visual and landscape impact of development is considered to form an anticipated degree of impact from such a development allocation, albeit one that will need to be weighed in planning balance. Subject to the proposal progressing in a congruent form, compatible with its surroundings, though sympathetic reserved matters to mitigate harm to the visual setting and the setting of the listed building, on the whole the scheme is considered acceptable with these regards. At this stage, and subject to well-designed reserved matters, it is considered that the proposal is capable of according with the allocation for the site, and relevant policies controlling design, visual and heritage impact.
- 5.4 **Sustainable transport, highways impacts, parking and air quality Development Management (DM) DPD policies DM31 (Air Quality Management and Pollution), DM57 (Health and Wellbeing), DM60 (Enhancing Accessibility and Transport Linkages), DM61 (Prioritising Walking and Cycling), DM62 (Vehicle Parking Provision and Electric Vehicle Charging Points), DM63 (Transport Efficiency and Travel Plans), DM64 (Lancaster District Transport and Highways Masterplan), Appendix E (Vehicle Parking Standards), Strategic Policies and Land Allocations (SPLA) DPD policies SG1 (Lancaster South Broad Location for Growth (Including Bailrigg Garden Village)), SG2 (Lancaster University Health Innovation Campus), SG3 (Infrastructure Delivery for Growth in South Lancaster), SP10 (Improving Transport Connectivity), T2 (Developing the Cycling and Walking Network), T4 (Public Transport Corridors) and National Planning Policy Framework (NPPF) Section 9 (Promoting sustainable transport)**
- 5.4.1 The site is located beyond the southern edge of the existing built-up area of Lancaster, benefitting from good access to sustainable transport, including walking, cycling and the use of public transport. The A6 forms a key transport corridor and public transport route, and serves as the primary route between the city centre and the Lancaster University campus. The closest bus stops to the application site is along Sir John Fisher Drive, and at the junction of this road to the A6. The application site sits between the foot- and cycle-way linking Collingham Park to Bailrigg Lane north of the site, with existing cycle facilities within the site linking to routes beyond up to Lancaster University.
- 5.4.2 The district's development strategy, which is set out within policies SP2 and SP3, aim to manage growth in a sustainable manner. To achieve this, policy directs development to the main urban areas, therefore maximising opportunities for existing centres and sustainable travel options to be utilised. Sustainable transport modes should be prioritised, along with safe access and mitigating transport network and highway safety to an acceptable degree.
- 5.4.3 Following initial concerns regarding active travel and highway impact, additional information, modelling, junction analysis and proposed s106 mitigation measures have followed extensive discussions with stakeholders and the applicant. In line with national policy requirements and the allocations for the site, sustainable travel projects have been identified to encourage a modal shift in transportation, from private car use to accessible active travel and sustainable transport.

- 5.4.4 Proportionate contributions have been agreed to secure funding for active travel improvements along Ashford Road, Cinder Lane, Uggle Lane, Collingham Park, and through to Bailrigg Lane, forming a key commuter route for future employees. These measures, detailed in the Planning Obligations section of this report, will be secured through a legal agreement. Contributions will be proportionate to each future reserved matters application (based on GIA floorspace) and will mitigate the development's active travel impacts while promoting walking and cycling as the primary mode of transport from South Lancaster. Sustainable links to Lancaster University are considered appropriate. The existing cycle-friendly route via Chapel Lane and provision on Chapel Street are deemed suitable, given the anticipated level of movements from this direction, in the absence of immediately deliverable cycle improvements along the A6.
- 5.4.5 In addition to the off-site contributions, active travel must be prioritised within the site itself to encourage modal shift. Active travel through the site itself, and prioritising cycle and pedestrian movements across roads and parking areas through crossings, surfacing and level changes, should all be controlled through planning condition. This should control the delivery of footways and cycle routes following desire lines to entry points around and through the site, and to bus stops. For such employment use, showering, changing and secure bicycle storage should be provided to make cycling a viable option for future employees at the site. These facilities within the site should be controlled through planning condition.
- 5.4.6 Whilst finer details of accesses within the site is a reserved matter, the primary access from the A6 via Sir John Fisher Drive already exists and is considered suitable to serve the development proposals. Beyond this access, there are clearly greater constraints and challenges with the highway network, with existing capacity issues and several junctions above capacity both in the AM and PM peaks. The development of a significant employment area, particularly in south Lancaster, would undoubtedly exacerbate these existing highway issues through greater demand at peak times. Even small increases in traffic could have significant adverse effects, given that parts of the network are already saturated, and that the effect of additional traffic would exponentially add onto the existing delays experienced. The cumulative impacts of detrimental effects on movement around the city includes adverse consequences on economic development and health relating to air quality.
- 5.4.7 The National Planning Policy Framework (NPPF) seeks transport solutions that deliver well designed, sustainable and popular places, and development that creates places that are safe, secure and attractive. Whilst some concern has been raised regarding the analysis of junctions submitted as part of this application, further information has been provided and aided further discussions and mitigation. An agreeable position has been reached regarding contributions through the gravity model approach, to determine the level of contributions to Lancaster Travel and Transport Infrastructure Strategy (LTTIS) projects to mitigate the impacts of the development. These contributions are considered sufficient and proportionate (again tied to GIA floorspace at reserved matters stage) to enable County Highways to fund and deliver essential mitigation projects along Lancaster city centre gyratory, Pointer Roundabout, Galgate signalised junction, and the A6 corridor. These are detailed within the Planning Obligations section of this report, and would be secured through legal agreement. In light of this, both County Highways and National Highways have no objection to the proposal. Whilst the development will unavoidably generate additional vehicle movements, the mitigation measures to be delivered through the agreed contributions will, in time, ensure peak traffic impacts are minimised and spread, mitigating transport network and highway safety to an acceptable degree.
- 5.4.8 Finally, in terms of car parking demand, this has been calculated on the basis of existing demand at the existing Health Innovation Campus Phase One building. This has calculated a maximum of 384 parking spaces to be considered as part of this proposal, which can be controlled through planning conditions as a maximum figure. The control over parking as part of this development will need to be multifaceted, to address competing pressures to encourage active travel as a primary means of accessing the site, whilst also ensuring sufficient provision of car parking to avoid on-street parking pressures. The existing parking area within the site is part of the red edge development area, and this quantum of existing parking will need to be protected from development to ensure suitable provision for the existing Health Innovation Campus Phase One building.
- 5.4.9 Any new parking will need to be proportionate to the level of floorspace brought forward at reserved matters stage, and should be secured for the uses delivered on-site only (no public or University

use of this parking). There will need to be a suitable proportion and location of disabled parking and EV charging spaces. Finally, delivery of earlier development of the site should inform subsequent phases of development through updated Travel Plan information, demonstrating the proportion of parking spaces to floor spaces is appropriate for the development coming forward, to inform whether either the parking or floorspace limits require reduction to avoid adverse impacts. Subject to such details being controlled through planning condition, and informed position can be made ensuring the proportionate delivery of a maximum of 25,000sq.m and/or 384 parking spaces, with reductions from these maximum figures if either provides a limiting factor.

5.5 **Flooding, drainage and infrastructure** Development Management (DM) DPD policies DM33 (Development and Flood Risk), DM34 (Surface Water Runoff and Sustainable Drainage), DM35 (Water Supply and Wastewater), DM36 (Protecting Water Resources, Water Quality and Infrastructure), DM43 (Green and Blue Infrastructure), Strategic Policies and Land Allocations (SPLA) DPD policies SG2 (Lancaster University Health Innovation Campus), SP8 (Protecting the Natural Environment), EN7 (Environmentally Important Areas) and National Planning Policy Framework (NPPF) Section 14 (Meeting the challenge of climate change, flooding and coastal change)

5.5.1 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 aims to reduce flood risk overall. The site contains areas of functional floodplain from Ou Beck, with broader areas of Flood Zones 2 and 3 from this source, and similar areas of surface water flooding along the eastern and western edges of the site, and the route of Ou Beck. There is no known groundwater flood risk at the site, a position derived from the latest Strategic Flood Risk Assessment (SFRA).

5.5.2 This omission of groundwater flood risk is important at this allocated site, as NPPF paragraph 180 clarifies that *‘where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again.’* The 2017 Local Plan Sites Assessment considered flood zones and surface water flooding in the sequential test, but did not consider groundwater flooding or future risk due to climate change. Nevertheless, Planning Practice Guidance on flood risk and coastal change advises: *“avoiding, so far as possible, development in current and future medium and high flood risk areas”* (para. 023) (emphasis added). Given there is no risk identified through groundwater, and other sources were assessed through the local plan allocation, it is considered that the need for a sequential test as part of this development proposal is not triggered. The submitted Flood Risk Assessment (FRA) does include a sequential test, as the site presented a groundwater flood risk prior to the publication of the SFRA.

5.5.3 An updated site-specific FRA was submitted to reflect the current calculated existing and future flood risks, addressing concerns from both the Lead Local Flood Authority and the Environment Agency, both of whom now return no objection, subject to planning conditions. The mitigation within the submitted FRA includes specified finished floor levels and the provision of flood storage, which can be controlled through planning condition. Accordingly, the proposal can provide suitable mitigation for future users of the site to minimise the risks and impacts of flooding upon the proposed development, whilst ensuring flood risk is not exacerbated beyond the site. In this regard the development is considered to accord with the requirements of DM DPD policies DM33, DM34, DM36, DM43, SPLA policies SP8, EN7 and the requirements of the allocation SG2, and NPPF policy within Section 14.

5.5.4 With regard to the proposed drainage strategy, the submitted FRA provides indicative information based on the extent of impermeable areas across the site and the intention to support sustainable surface water drainage systems. The FRA sets an intention which aligns with the SuDS hierarchy of prioritising infiltration, swales, detention basins and blue/green roofs. Whilst these are positive indications, a full sustainable surface water drainage strategy, and arrangements for foul drainage, will need to be provided, alongside maintenance/verification details of SuDS and construction drainage details. This can all be controlled through planning conditions. Subject to such planning conditions, given there is potential for infiltration at this site (based on reports submitted as part of previously applications at the site) with a watercourse outfall, and sufficient space within the site for attenuation, it is considered that an acceptable drainage scheme is capable of being provided on site.

- 5.5.5 From the Utilities Statement submitted and consultation responses received, there appear to be subterranean drainage and water supply infrastructure across the site, primarily along Sir John Fisher Drive and adjacent to the A6 within the site, but other infrastructure crosses the site. With layout being reserved, and not for consideration at this stage, it is unclear what impact there would be upon such infrastructure. The layout of the development would need to ensure any necessary easements are protected at reserved matters stage. In addition, a planning condition is recommended for a scheme for the protection of existing infrastructure prior to commencement of development, as suggested within the United Utilities consultation response. Subject to such a planning condition, the development of the site can adequately protect existing drainage infrastructure and provide adequate drainage facilities and flood mitigation to serve the development and is considered acceptable with these regards.
- 5.6 **Biodiversity, landscaping and trees** Development Management (DM) DPD policies DM44 (The Protection and Enhancement of Biodiversity), DM45 (Protection of Trees, Hedgerows and Woodland), DM46 (Development and Landscape Impact), Strategic Policies and Land Allocations (SPLA) DPD policies SG2 (Lancaster University Health Innovation Campus), SP8 (Protecting the Natural Environment), EN7 (Environmentally Important Areas) and National Planning Policy Framework (NPPF) Section 15 (Conserving and enhancing the natural environment)
- 5.6.1 The proposal includes a pre-development biodiversity metric, identifying the majority of the site as modified grassland, albeit from winter surveys only. Given the vast majority of the site has been regraded and reprofiled circa 8 years ago, this recent upheaval undoubtedly impacts the ecological value of the site, corroborating the conclusions of the pre-development biodiversity metric, in the absence of summer survey works. Additional updated summer surveys should form part of submission of phasing biodiversity gain plans, which should establish how each phase will contribute to Biodiversity Net Gain (BNG), and maintain progress towards BNG overall across the development. Subject to such details through legal agreement, the submission is considered to meet the pre-determination requirements with regards to BNG.
- 5.6.2 Post-development information has been submitted, and whilst this falls short of a fully evidenced and maintainable scheme, the indicative layouts and landscaping suggest that ample provision (and 68.8% gain) should be achievable on-site, notwithstanding the requirement for gain to hedgerow and watercourse units, which should be included in addition for an acceptable proposed BNG plan, or recompensed through the purchase of relevant BNG credits. The submitted information shows positive intention to deliver net gain on-site, the full details of which can be sought post-determination, but prior to commencement.
- 5.6.3 Given the scale of the proposed BNG enhancements on-site and medium distinctiveness features, this is considered significant on-site enhancement requiring a habitat management and monitoring plan (HMMP), and for biodiversity net gain to be controlled through legal agreement. Furthermore, given the likely extent of monitoring for such on-site biodiversity area, the costs of the authority's obligation to monitor this should be controlled through legal agreement. Subject to such obligations, the proposal is considered to meet the pre-determination requirements for BNG, with the phasing, delivery, 30-year maintenance and monitoring of required net gain to be fully detailed and controlled through such obligations.
- 5.6.4 The Ecological Impact Assessment has been submitted as part of this application, concluding that the effect of the development on protected species will be minimised through the retention and enhancement of the high value habitats, in addition to construction management measures controlling timing/checks during construction, with dust and lighting restrictions. These mitigation measures can be controlled through planning conditions. A scheme for species specific enhancements, including native planting watercourse enhancements and provision of bat/bird boxes, will similar be controlled through planning condition to ensure adequate mitigation proportionate to the impacts of development. Natural England have returned no adverse comment, or substantive assessment, of the proposal. A separate Habitats Regulation Assessment screens out adverse impacts upon designated sites due to separation distances involved regarding construction pollution, and given that previous survey works for the allocation of Bailrigg Garden village concluded low priority of the site to be functionally linked land based on wintering bird surveys 2021/22.

5.6.5 The majority of trees on-site are to be retained as part of the development of the site. The submitted Arboricultural Impact Assessment (AIA) details the removal of a Category B tree, although justification for this is based on indicative layout only. Several small recently planted Category C trees are also sought for removal, and incursion/impact upon a protected Category A tree root protection area is suggested from the submitted AIA, again based on indicative layouts. Whilst it is anticipated that the reserved matter of landscaping will provide ample compensation for losses, the submitted AIA does not make the higher category trees a constraint to development, and the loss of Category B trees and incursion into the root protection area of a protected Category A tree in particular weight moderately against this proposal. A condition requiring an arboricultural method statement and tree protection plan will need to detail and justify reasonable avoidance of root protection areas of trees within the site. Whilst the precise details of landscaping remain indicative and reserved, the legal agreement for the development should include a Landscape and Ecological Management Plan, to ensure the longevity and mitigation of landscaping and ecology delivered at the site. This is particularly necessary given the development will likely involve multiple owners/tenants of knowledge/research buildings, therefore the responsibilities and ongoing maintenance of the broader landscaping and ecological areas will need to be adequately controlled.

5.7 **Sustainable design, contamination and mineral safeguarding** Development Management (DM) DPD policies DM30a (Sustainable Design and Construction), DM30b (Sustainable Design and Construction – Water Efficiency), DM30c (Sustainable Design and Construction – Materials, Waste and Construction), DM32 (Contaminated Land), DM53 (Renewable and Low Carbon Energy Generation) Strategic Policies and Land Allocations (SPLA) DPD policies CC1 (Responding To Climate Change and Creating Environmental Sustainability), SG2 (Lancaster University Health Innovation Campus), and National Planning Policy Framework (NPPF) Section 15 (Conserving and enhancing the natural environment) and Section 17 (Facilitating the sustainable use of minerals), and Joint Lancashire Minerals and Waste Local Plan Policy M2 (Safeguarding Minerals) and Guidance Note December 2014

5.7.1 Sustainable Design  
Similar to some other documentation submitted as part of this proposal, the Energy & Sustainability Statement outlines intentions and recognition of requirements, but given the outline nature of the proposal, this lacks details of built form at this stage. This outlines policy position that BREEAM 'Excellent' should be targeted, with appropriate evidence and certification of this through planning conditions, in addition to sustainable construction practices and water efficiency. At this stage, the information submitted is considered to be sufficient for an outline proposal. However, full details should be controlled through planning condition for a Sustainable Design Statement before or alongside reserved matters applications, when precise mitigation and achievement of standards should be designed and submitted for assessment. No details have been submitted, nor consultation response provided, regarding waste and recycling arrangement for the proposed development during operational phase. Such details can be controlled through planning condition.

5.7.2 Land Contamination  
This application is supported by a Phase 1 Contaminated Land Assessment, which identifies potential on-site sources of contamination, including Made Ground and former agricultural use, with off-site sources of contamination from the railway, A6 road and substation to the west of the site. The survey ultimately concludes moderate risk classification, recommending intrusive investigation to be undertaken to establish geotechnical parameters for the design of the development, an assessment of groundwater and ground gas to confirm whether there are any potential risks requiring site specific mitigation. A condition to secure appropriate assessment and contamination remediation is recommended. There is no information at this stage that indicates that the site is unsuitable for the proposed development with respect to land contamination, with suitable investigation and mitigation to be controlled through planning condition to ensure that contamination (if present) can be adequately dealt with.

5.7.3 Mineral Safeguarding  
A Minerals Assessment has been submitted, demonstrating that mineral interest is only a small slither of the western edge of the site, parallel to the A6. No buildings are proposed within this location (mineral interest entirely within the 30 metres buffer proposed), and as such the proposal is unlikely to prejudice extraction. However, the conclusion of the submitted assessment indicates that is not economically nor environmentally viable to extract the sand and gravel minerals prior to or during the proposed development works. Officers concur with the assessment and are satisfied

the development would not conflict with Policy M2 of the Joint Lancashire Minerals and Waste Local Plan.

5.8 **Residential amenity, light and noise** Development Management (DM) DPD policies DM29 (Key Design Principles), DM57 (Health and Wellbeing), Strategic Policies and Land Allocations (SPLA) DPD policies SG2 (Lancaster University Health Innovation Campus) and National Planning Policy Framework (NPPF) Section 8 (Promoting healthy and safe communities) and Section 12 (Achieving well-designed places)

5.8.1 The northern edge of the application site is located between Bailrigg Student Living (former Filter House) to the northwest, and the residential hamlet of Bailrigg to the northeast. The proposal for Use Class E(g) development is considered appropriate in a residential setting, and such uses should be able to coexist without harming residential amenity standards. As detailed within the submitted Health Impact Assessment, the provision of additional open space and active travel connections may benefit nearby residents. Given this proximity to residential receptors, construction management details protecting neighbouring residential amenity during this phase should be controlled through planning condition, such as working hours.

5.8.2 Daylight survey based on indicative layout and scale demonstrates that the development should comfortably avoid undue adverse impacts with regard to overshadowing, largely through separation distance of suggested built form to the nearby residential receptors. Whilst no further information or mitigation is required, this will be a consideration of layout and scale at reserved matters stage. However, the submitted information provides comfort that development is capable of being delivered on the site, whilst being capable of maintaining acceptable standards of amenity for existing residents. With regard to noise following construction, subject to controls/limits of plant noise on proposed buildings, controllable through planning condition, no adverse impacts of noise are anticipated. External artificial lighting can also be controlled through planning condition. Subject to such conditions and careful consideration of layout and scale at reserved matter stage, the effects of the development on residential amenity are capable of being minimised through mitigation and made acceptable as part of the detailed design stage. At this stage, the development is considered to accord with DM DPD policies DM29, DM57 and the allocation for the site, and NPPF Sections 8 and 12 to achieve well-designed places and promote healthy communities.

## 6.0 **Planning Obligations**

6.1 In order for the development to be considered acceptable, the following contributions are required:

- £13.86/sq.m of GIA floorspace to active travel projects detailed in section 5.4.4 of this report.
- £20.99/sq.m of GIA floorspace to Lancaster Travel and Transport Infrastructure Strategy (LTTIS) projects details in section 5.4.7 of this report
- Biodiversity Net Gain Plan and Phasing Plan
- Biodiversity Net Gain monitoring report assessment fee of £6,078
- Landscape and Ecological Management Plan

With Committee's support, Officers seek delegation to secure a Section 106 Agreement to secure these requirements.

## 7.0 **Conclusion and Planning Balance**

7.1 The principle of the development is established through the plan-making process, subject to controls over maximum floorspace and tight controls over use of the site, to ensure this delivers the knowledge/research development justifying the allocation of the site. The proposal has the potential to deliver regionally important employment development, working symbiotically with the adjacent Lancaster University to deliver substantial economic and social benefits of such employment provision.

7.2 It is expected that the appearance, landscaping and layout will be befitting of such a knowledge/research development, although such matters are reserved for consideration at this outline stage. The submission includes positive intentions with these regards, and on matters relating to sustainable design and sustainable surface water drainage, the details of which should be controlled through planning condition before or alongside reserved matters applications.

- 7.3 It is anticipated that the development will be delivered in phases. This should be reflected in the recommended planning conditions to ensure proportionate delivery of mitigation measures for travel and biodiversity net gain (BNG), linked to the floorspace delivered at each stage. Subject to the details secured through the legal agreement, the development is considered compliant with policy in terms of promoting sustainable travel and mitigating impacts on the transport network and highway safety.
- 7.4 Parking provision within the site will need to be carefully managed and phased appropriately to ensure compliance with agreed standards. Significant on-site BNG has been indicated and will need to be secured and implemented through the legal mechanism.
- 7.5 Matters relating to sustainable travel within the site, local employment, construction impacts, lighting, noise, flood mitigation and contamination can all be addressed through planning conditions. These measures will mitigate potential impacts and ensure they remain neutral in the overall planning balance.
- 7.6 As with any development of this scale on a site predominantly characterised by grassland and tree boundaries, the construction of large employment buildings will inevitably result in adverse visual impacts. These are assessed as moderate adverse from certain viewpoints around the site, with additional moderate harm arising from tree loss. It is therefore essential that this prominent gateway into Lancaster delivers the high-quality design, layout and landscaping intentions at the reserved matters stage in order to minimise the localised landscape impacts.
- 7.7 On the basis of the outline submission and information available at this stage, the moderate visual and tree impacts are considered to be outweighed by the substantial economic and social benefits the development will deliver. Overall, subject to mitigation, the proposal is considered to accord with the Development Plan and will help realise a long-standing aspiration of the Council.

## Recommendation

That Outline Planning Permission **BE GRANTED** following the satisfactory completion of a Legal Agreement within 3 months of the date of this Committee meeting, securing the requirements set out in paragraph 6.1 above. In the event that a satisfactory Section 106 Agreement is not concluded within the timescale above, or other agreed extension of time, delegate authority to the Chief Officer – Planning and Climate Change to refuse planning permission on the grounds that the obligations which make the development acceptable have not been legally secured. The approval is also to be subject to the following planning conditions:

Condition no.	Description	Type
1	5yr timescale and phasing	Control
2	Phasing plan	Concurrent with Reserved Matters Stage (REM)
3	Tree protection plan and arboricultural method statement	Concurrent with REM
4	Protection scheme for existing infrastructure	Concurrent with REM
5	Ecological protection/enhance scheme	Concurrent with REM
6	Compensatory flood water storage scheme	Concurrent with REM
7	Flood mitigation and floor levels	Before or alongside REM
8	Sustainable surface water drainage scheme (SuDS)	Concurrent with REM
9	Full Sustainable Design Statement based on Energy & Sustainability Statement principals	Concurrent with REM
10	Scheme for walking/cycle provision within the site	Concurrent with REM
11	Scheme for parking quantum proportion and limit, disabled and EV spaces for each phase	Concurrent with REM
12	Contamination investigation and gas assessment	Pre-commencement
13	Employment Skills Plan (ESP)	Pre-commencement
14	Construction surface water drainage scheme	Pre-commencement



15	Construction Management Plan, including no external illumination, dust management plan and air quality mitigation measures and delivery/working hours	Pre-commencement
16	Highway conditions and defects surveys	Pre-commencement
17	External artificial lighting	Pre-installation and pre-occupation/use
18	Cycle storage, changing and showering provision for each phase	Pre-installation and pre-occupation/use
19	Use Eg(ii), or broader E(g) subject to agreement of use criteria	Pre-occupation/use
20	Scheme for refuse/waste/bins provision for each phase	Pre-occupation/use
21	Operation and maintenance of SuDS for each phase	Pre-occupation/use
22	Verification of implemented SuDS for each phase	Pre-occupation/use
23	Car Park Management Strategy (CPMS)	Pre-occupation/use
24	Travel Plan for site and each phase, including monitoring	Pre-occupation/use
25	Travel plan reporting and floorspace	Before or alongside subsequent REM
26	Maximum 25,000sq.m GIA	Control
27	Ecology mitigation	Control
28	Noise limits and mitigation	Control
29	30m landscape buffer	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

<b>Agenda Item</b>	A7
<b>Application Number</b>	25/01140/FUL
<b>Proposal</b>	Installation of Air Source Heat Pumps and associated enclosure, removal of redundant plant, construction of new enclosure to house packaged plant and new air handling unit, installation of a new heat pump gantry enclosure and upgrades to the Building Energy Management Systems and associated development.
<b>Application site</b>	Ashton Memorial and Butterfly House Williamson Park Quernmore Road Lancaster Lancashire LA1 1UX
<b>Applicant</b>	Lancaster City Council (Property)
<b>Agent</b>	Cleo Jefferies
<b>Case Officer</b>	Mr Anthony Foster
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Approve with conditions

**(i) Procedural Matters**

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

**1.0 Application Site and Setting**

- 1.1 Williamson Park is a Grade II listed park and garden (List Entry Number: 1000942) located to the east of Lancaster city centre on steeply sloping landscape, overlooking Lancaster and Morecambe Bay. It is a formal park established in the late 19th century, which originated from a sandstone quarry. Today, the Park is one of the top attractions in Lancaster and stretches across 54 acres of parkland with woodland walks, play areas and views to the Fylde Coast, Morecambe Bay and the Lake District fells and mountains.
- 1.2 The Ashton Memorial is a Grade I listed structure (List Entry Number: 1288429) built between 1906-09 in memory of Lord Ashton's former wife and it was designed to emphasize Lord Ashton's wealth and importance at the time. The Memorial is a popular visitor attraction and event space housing community events, concerts, and educational programs, as well as weddings and private events, and offering extensive views of the surrounding area.
- 1.3 The Butterfly House (former Palm House), which is adjacent to the Memorial, is a Grade II listed building (List Entry Number: 1195061) built early 20th century as part of further improvement works in the park funded by Lord Ashton. Over the years, it has served as an educational facility, helping

to engage visitors with the natural world. The building currently serves as an indoor exhibit featuring a variety of butterfly species, Koi carp, tortoises etc in a tropical environment and is a popular attraction for family visits, school trips, and events.

1.4 The site is located within the Williamson Park Conservation Area. The site is designated (by the Local Plan) under the Williamson Park Local Landscape Designation and an area of designated Open Space, Recreation and Leisure.

1.5 The site is located within the defined Urban Area boundary.

## 2.0 Proposal

2.1 The application is for the construction of a compound housing seven air source heat pumps (ASHPs). The installation would be sited in an area with existing heavy planting and adjacent hedgerow on land which is slightly lower than an existing nearby footpath. A trench linking pipework would be dug to a new Air Handling Unit (AHU) enclosure above an existing stone wall and faced in fretted Corten steel constructed on the east side of the Butterfly House. This would replace existing poor quality annexes structures used for staff and plant. The installation would link to the Ashton Memorial using existing pipework, where proposed new radiators are replacing existing. The slab floor of the Butterfly House would be lifted and re-laid following repair of replacement of ducting for the hot-air blowers which heat the building.

2.2 The proposed works are as follows:

- Removal of an existing small lean to extension and redundant plant on the rear of the Butterfly House.
- A new enclosure to the rear of the Butterfly House to host a packaged plant system and new air handling unit.
- A new heat pump gantry enclosure positioned behind the existing hedge opposite the Butterfly House.
- Replacement of the below ground pipework connecting the two buildings.

## 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
25/01441/LB	Listed building application for the installation of Air Source Heat Pumps and associated enclosure, removal of redundant plant, construction of new enclosure to house packaged plant and new air handling unit, installation of a new heat pump gantry enclosure, installation of new radiators, emitters, replacement of the existing pipework distributions, upgrades to the Building Energy Management Systems.	Pending consideration
25/01181/LB	Listed building application for a replacement platform lift and replacement of lift railing with glazed balustrade.	Pending consideration
24/01046/PRENG2	Pre application advice on decarbonisation works to include removal of boilers, installation of air source heat pumps.	Advice Given

## 4.0 Consultation Responses

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

Consultee	Response
-----------	----------

<b>Conservation Team</b>	<b>No objection</b> - Conclude that there would be minor harm to the setting of the listed buildings and to the Registered Park and Garden caused by the new enclosure. This harm would be mitigated by the location within existing planting and behind a mature hedge. The new AHU enclosure is more impactful and would cause minor harm to the Grade II Butterfly House, but this is lessened as it is sensitively designed and replaces poor quality existing buildings. The new radiators are considered to be appropriate and would cause no harm to the Grade I Ashton Memorial. This harm is likely to be justified by the public benefits of providing a more sustainable, low energy heating system for these listed buildings, which are for the use and enjoyment of the wider community.
<b>Environmental Health</b>	No response at the time of compiling this report.
<b>Property Services</b>	No response at the time of compiling this report.
<b>Climate Change Team</b>	No response at the time of compiling this report.
<b>The Gardens Trust</b>	<b>Objection</b> - We have concerns about the siting and buildability of the Air Source Heat Pump (ASHP) gantry and enclosure in the proposed position near the summit and in the setting of the Ashton Memorial and Butterfly House. However we support the Council's overall objective in securing more sustainable energy solutions
<b>Historic England</b>	<b>No objection</b>
<b>County Archaeology</b>	<b>No objection</b> - Recommend that a planning condition requiring all ground disturbance works are accompanied by an appropriate scheme of archaeological monitoring and recording, with a contingency plan in place in case of the unexpected discovery of significant remains.
<b>Tree Protection Officer</b>	<b>No objection</b> - if the trees are to be felled there would be a duty to replant. If works are to take place within the root protection areas, this must be carried out in line with the latest NJUG guidelines.

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

- No responses received

## 5.0 Analysis

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

- Principle of development
- Design and impact on designated heritage assets
- Noise and Residential Amenity
- Open Space
- Trees

5.2 **Principle of Development** National Planning Policy Framework section 2 (Achieving sustainable development) Strategic Policies and Land Allocations DPD Policy SP1 (Presumption in favour of sustainable development); Development Management DPD Policies DM14 (Proposals involving employment land and premises); DM30a (Sustainable Design and Construction), DMCCH1 (Retrofit of buildings of traditional construction for energy efficiency), DMCCH2 (Micro-renewables in the setting of heritage assets) and DM53 (Renewable and Low Carbon Energy Generation).

5.2.1 In seeking to address climate change and the promotion of renewable and low carbon energy the National Planning Policy Framework (NPPF) states at paragraph 161 that the planning system should support the transition to a low carbon future in a changing climate. Paragraph 167 of the NPPF requires local planning authorities to give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps where these do not already benefit from permitted development rights). Where the proposals would affect conservation areas, listed buildings or other relevant designated heritage assets, local planning authorities should also apply the policies set out in section 16 of the NPPF.

- 5.2.2 Lancaster City Council declared a climate change emergency in January 2019 and is committed to reducing its own carbon emissions to net zero by 2030, while supporting the district in reaching net zero by 2050. The Council Plan for 2024-2027 sets out the council's priorities and ambitions and a strategic vision for its services with the climate change emergency being one of four key themes. Lancaster City Council has been recognised as the best performing district council in the country for climate action. As part of the overarching Council ambition to reach net zero targets a partial review of the Local Plan was undertaken and adopted 22 January 2025. The new climate emergency policies in the updated local plan put an emphasis on development both mitigating and adapting to reduce greenhouse gas emissions.
- 5.2.3 As set out in policies DM30a and DM53, the Council is committed to supporting the transition to a lower carbon future and will seek to maximise the renewable and low carbon energy generated in the district where this energy generation is compatible with other sustainability objectives. Accordingly, the Council (as local planning authority) will support proposals for renewable and low carbon energy schemes, including ancillary development, where the direct, indirect, individual and cumulative impacts are, or will be made, acceptable with particular reference to the criteria I. – IV. (scale, siting, design, biodiversity, heritage and noise matters) set out in Policy DM53. Policy DMCCCH1 refers specifically to the retrofit of buildings of traditional construction for energy efficiency and policy DMCCCH2 refers to micro-renewables in the setting of heritage assets and advocates that harm should be avoided to the significance of the asset via its setting, through sensitive design.
- 5.2.4 Emissions are released as a direct result of the Council's activities, which includes the use combustible fuel for heating and electricity. The Council has secured external funding for major corporate decarbonisation and renewable energy projects. In 2022 the Council developed a Building Energy Decarbonisation Plan (BEDP) detailing what appropriate measures would be needed to decarbonise each of its buildings. The Council's Plan and the BEDP are material planning considerations in the determination of this application despite holding no planning policy weight. The BEDP analysed 18 buildings within the Council stock, with one being The Storey which is assessed as being the third most polluting council building regarding carbon emissions. The local planning authority has supported a number of the Council's climate adaptation and emission reduction projects where planning permission has been required, including Salt Ayre Leisure Centre (SALC), CityLab and Burrow Beck Solar Farm.
- 5.2.5 The submission sets out that the Council secured £1.89M from the Public Sector Decarbonisation Scheme (PSDS) following a successful bid in 2024. The funding will contribute towards the costs of decarbonising the heating systems at Williamson Park and two other sites (City Lab and The Storey), with completion required by March 2026. The gas boilers have reached end of life.
- 5.2.6 The proposed ASHPs which are part of a package of measures proposed for Williamson Park, will contribute to the decarbonisation of the building and to both local and national climate mitigation targets and clearly supports the Council's climate change agenda. The principle of the development is therefore considered to be acceptable. However, there are a number of specific matters that also need to be taken into consideration. These are discussed in the sections below.
- 5.3 **Design and impact on designated heritage assets** National Planning Policy Framework Chapter 2 (Achieving sustainable development), Chapter 16 (Conserving and enhancing the historic environment); Strategic Policies and Land Allocations DPD Policy SP7 (Maintaining Lancaster District's Unique Heritage), Development Management DPD Policies DM29 (Key Design Principles), DM30a (Sustainable Design and Construction), DM37 (Development affecting Listed Buildings), DM38 (Development affecting Conservation Areas), DM39 (The Setting of Designated Heritage Assets) DM53 (Renewable and Low Carbon Energy Generation), DMCCCH1 (Retrofit of buildings of traditional construction for energy efficiency) and DMCCCH2 (Micro-renewables in the setting of heritage assets)
- 5.3.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed Building, a Conservation Area or their setting, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the heritage asset or its setting. This is reiterated by the heritage policies of the Local Plan and the Framework.

At a local level policy SP7 seek to protect and enhance Lancaster's Listed Buildings and historic environment. Policy DM37 sets out that proposals affecting Listed Buildings should conserve and, where appropriate enhance those elements which contribute to its significance. Policy DM37 also advises that the Council will support proposals that seek to reduce the carbon footprint of a Listed Building provided that it does not harm elements that contribute towards the significance of the Listed Building. Policy DM38 sets out that development within Conservation Areas will only be permitted where it has been demonstrated that proposals respect the character of the surrounding built form and its wider setting in terms of design, siting, scale, massing, height and the materials used. Policy DM38 also seeks to ensure that proposals will not result in the loss or alteration of features which contribute to the special character of the building and area. Policy DM39 expects new development to preserve or enhance the setting of heritage assets.

5.3.2 Policy DMCCCH2 gives consideration to micro-renewables in the setting of heritage assets and offers support where such proposals demonstrate they are consistent with the energy hierarchy by firstly reducing energy demand in the building, secondly increasing energy efficiency, and finally looking to generate renewable energy. Such proposals should avoid harm to the significance of the asset via its setting, through sensitive design including appropriate mitigation and enhancement measures.

5.3.3 Policy DM37 states that the Council will support proposals that seek to reduce the carbon footprint of a Listed Building provided that it does not harm elements that contribute towards the significance of the Listed building. Proposals involving the installation of renewable energy equipment on a Listed Building will be permitted where it conserves those elements which contribute to its significance and that all of the following criteria have been addressed as part of the design and access statement / heritage statement:

- V. The energy efficiency of the Listed Building itself has first been appraised and suitable measures, which will not affect its significance, have already been undertaken;
- VI. Locations other than on a Listed building have been considered and dismissed as being impracticable;
- VII. There is no irreversible damage to the historic fabric;
- VIII. The locations of the equipment on the Listed building would not detract from elements that contribute towards its significance, either when viewed in close proximity or from a distance; and
- IX. The impact is minimised through design, choice of material and colours.

5.3.4 Taking each of the criterion in turn:

V. Both Ashton Memorial and Butterfly House have been appraised as part of the Building Energy Decarbonisation Plan, and a series of measures are recommended for the buildings including variable speed pumps, increasing the size of radiators to accommodate lower flow temperatures and replacing the boiler with either air source heat pumps. Overall, the Building Energy Decarbonisation Plan provides a comprehensive package of measures to reduce energy use at Williamson Park which is in line with the guidance from Historic England.

VI. As the proposed decarbonisation relates directly to Listed Buildings the location of the measures proposed has been carefully considered. The ASHPs will be located away from both the Butterfly House and the Ashton Memorial and screened by hedging in line with pre-application discussions. While the new AHU plant enclosures would be larger than existing structures, the scale is still lower than the listed building's masonry east wall and the fretted Corten panels would provide a simple yet welcome decorative element.

There would be minor harm to the setting of the listed buildings and to the Registered Park and Garden cause by the new enclosure. This harm would be mitigated by the location within existing planting and behind a mature hedge.

VII. The external plant room has been designed to use existing openings, where possible. The submission states that the ASHPs could be removed when no longer required. However, whilst they may be time limited by the longevity of their technology, no indication as to the likely lifespan of the units or possible timescale for their removal is given. In practical terms, it is likely that the ASHPs would be in place for a number of years.

A condition is recommended which requires the removal of the ASHPs when they cease to be operational. This helps limit any potential long term harm to the existing historic fabric of the identified heritage assets.

VIII. The siting of the proposed equipment has been carefully considered to ensure that the potential impact upon the more significant elements of the heritage asset are not compromised. For example locating the ASHPs away from the listed structures and the provision of suitable screening to elements which are located directly adjacent to the listed structures.

IX. The application proposes to remove the existing unsympathetic lean-to structures to the Butterfly House and its replacement with a new AHU enclosure all ductwork connecting into the existing openings on the back-of-house elevation of the Butterfly House. The outer skin of the screening enclosure outer is proposed to be made of Corten metal panels with a fretted pattern. The pattern is inspired by the Park's benefactor Lord Ashton's association with linoleum and linoleum patterns and draws inspiration from the Memorial and Butterfly House plan layout.

It is also proposed for the stone wall section to match the height of the adjacent wall, to provide visual consistency. The existing stone coping is to be removed and replaced at the new level. The enclosure height is designed to conceal the existing high level building aperture utilised for Extract. Although the height of the proposed enclosure is greater than the existing lean-tos to be replaced, making use of the existing aperture and therefore negating the need for additional penetrations into the historic fabric will overall have a lesser negative impact on the heritage asset.

5.3.5 Policy DM38 states that any development proposals and / or alterations to buildings, features and open spaces in Conservation Areas should preserve or enhance the character and appearance of the Conservation Areas. Strengthening the criteria detailed above in policy DM37.

5.3.6 Overall, it is considered that there would be minor harm to the setting of the listed buildings and to the Registered Park and Garden caused by the new enclosure. This harm would be mitigated by the location within existing planting and behind a mature hedge. The new AHU enclosure is more impactful and would cause minor harm to the Grade II Butterfly House, but this is lessened as it is sensitively designed and replaces poor quality existing buildings. The identified harm is likely to be justified by the public benefits of providing a more sustainable, low energy heating system for these listed buildings, which are for the use and enjoyment of the wider community.

5.3.7 With regard to impacts on buried archaeology, the potential for the ASHP compound to impact upon buried remains has been mitigated through the use of screw piling. The erection of a security fence around the compound, the excavation of a service trench from the compound to the rear of the Butterfly House, and the excavation of a service trench from the new GMT to the Ashton Memorial all have potential to disturb archaeological remains (dependent upon their depth). Conversely, the new works to the rear of the Butterfly House are in an area which has already been disturbed by existing structures so do not have the same potential for early remains.

5.3.8 A planning condition is recommended requiring all ground disturbance works to be accompanied by an appropriate scheme of archaeological monitoring and recording, with a contingency plan in place in case of the unexpected discovery of significant remains.

5.3.9 Given the above the scheme is considered to be in accordance with the wider aspirations of Policies SP7, DM37, DM38 and DMCCH2.

5.4 **Noise and residential amenity** National Planning Policy Framework Section 8 (Promoting healthy and safe communities); Development Management DPD Policy DM29 (Key Design Principles)

5.4.1 Paragraph 200 of the NPPF sets out that planning decisions should ensure that new development can be integrated effectively with existing surrounding businesses to ensure that appropriate standards of amenity can be achieved for surrounding uses and occupants. Likewise, existing

businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. This is known as the 'agent of change' principle.

- 5.4.2 The proposed ASHPs will produce noise whilst in operation. The ASHPs are to be located sufficiently enough away from any adjoining occupiers to ensure that any potential impact upon neighbouring amenity is minimised.
- 5.4.3 A noise assessment has been undertaken which has established existing background noise levels and has assessed the resultant perceived impact of the ASHPs. The submitted assessment concludes that there is no requirement for noise attenuation measures. There is no evidence before officers to disagree with the conclusions of the assessment. Accordingly, the proposal is considered to comply with the Framework and local planning policies in this regard.
- 5.5 **Open Space** National Planning Policy Framework Section 2 (Achieving sustainable development) and Section 8 (Promoting healthy and safe communities); Strategic Policies and Land Allocations DPD Policies SP1 (Presumption in favour of sustainable development) and SC3 (Open Space, Recreation and Leisure); Development Management DPD Policies DM27 (Open Spaces, Sports and Recreational Facilities) and DM29 (Key Design Principles).
- 5.5.1 The site is located within an area of Open Space (Parks and Recreation typology), which policies SC3 and DM27 seek to protect. The site is open to the public and is also used to host outdoor events and wedding ceremonies.
- 5.5.2 Policy SC3 states that existing open space identified for recreation, environmental and/or amenity value will be protected from inappropriate development. Policy DM27 resists the loss of Open Space unless:
- I. An assessment has been undertaken to demonstrate that it is surplus to requirements;
  - II. An assessment has been undertaken to demonstrate that it no longer has an economic, environmental or community value, which shall be evidenced based and include consultation with key stakeholders and the local community;
  - III. An assessment of the environmental, climate mitigation and climate adaptation value has taken place;
  - IV. The loss resulting from development would be replaced by equivalent or better, high quality provision in a suitable location;
  - V. The development is for alternative open space, sports and recreation provision, the benefits of which clear outweigh the loss.
- Policy DM27 goes on to say that '*development proposals that are adjacent to designated open spaces, sports and recreational facilities will be required to incorporate design measures that ensure that there are no negative impacts on amenity, landscape value, ecological value and functionality of the space. The Council will only permit development that has identified negative impacts on open space, sports and recreational facilities where appropriate mitigation measures or compensation measures have been provided*'.
- 5.5.3 The submission includes an Open Space Assessment which acknowledges that the proposal would result in the reduction of the area of gardens to accommodate the ASHP's. The Assessment also acknowledges that the local value of the site will be reduced and that the lost Open Space would not be replaced. This does amount to a conflict with policies SC3 and DM27.
- 5.5.4 However, it is considered that the installation and planting (for mitigation) would impact only a very small portion of the open space when taken in context with the wider open space allocation. Nor would the replacement hedgerow planting detract from the character and appearance of the designated Open Space. Given the installation will support the operation and function of facilities within the park itself, the loss of a very small part of the park would not outweigh the benefits arising from the proposal or give rise to significant harm.
- 5.6 **Trees** (National Planning Policy Framework Section 15 (Conserving and enhancing the natural environment); Strategic Policies and Land Allocations DPD SP8 (Protecting the Natural



- 5.6.1 The effect to trees and hedgerows within a development site is considered principally under DM DPD Policy 45. The Council will support the protection and incorporation of existing of trees and hedgerows which includes other natural features and encourage new planting of new trees, hedgerows and woodlands. The protection of existing trees, woodland and hedgerows will be where they positively contribute either as individual specimens or as part of a wider group to the visual amenity, landscape character and / or environmental value of the location. It is stated that new development should positively incorporate existing trees and hedgerows which is further echoed throughout the SPLA and DM DPDs.
- 5.6.2 No ancient woodlands or priority habitats were identified within the site. The submitted Arboricultural Impact Assessment (AIA) identifies 2no. trees and a small run of hedgerow to be removed to facilitate part of the development. The AIA also provides details for the protection of existing trees which are adjacent to the proposed scheme.
- 5.6.3 There are opportunities to provide replacement tree planting for a minimum of 6no. trees within the vicinity of the site and the wider Williamson Park. This is to be controlled by an appropriate condition.
- 5.6.4 While the proposed location of the substation and cable routing does not form part of the description of the development, the site location plan outlines the proposed location of these features. The submitted AIA does not consider the routing of these cables therefore is considered prudent to condition that an updated AIA is provided prior to any works relating to the connection of the units to the wider grid/substation, to be completed under permitted development.
- 5.6.5 Subject to the suggested conditions above, the Arboricultural Officer raises no objection to the scheme. As such, it is considered that the scheme is in accordance with policies SP8, DM44 and DM45 of the Local Plan.

## **6.0 Conclusion and Planning Balance**

- 6.1 The proposed development will result in a low level of less than substantial harm to the character and significance of Ashton Memorial & The Butterfly House, Williamson Park. However, it is considered subject to conditions as outlined below that this identified harm is outweighed by the public benefits that the scheme entails.

## **Recommendation**

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Time limit	Control
2	Approved plans	Control
3	Samples of Materials to be submitted	Prior to Installation
4	Development in accordance with ASHP details set out within Noise Assessment	Control
5	Development in accordance with AIA	Control
6	Addendum AIA for proposed cabling to Sub-station	Prior to Breaking Ground
7	Archaeological Watching Brief	Prior to Breaking Ground
8	Scheme for 6no Replacement Trees	Prior to first Use
9	Removal of Units upon cessation of use.	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

<b>Agenda Item</b>	A8
<b>Application Number</b>	25/01141/LB
<b>Proposal</b>	Installation of Air Source Heat Pumps and associated enclosure, removal of redundant plant, construction of new enclosure to house packaged plant and new air handling unit, installation of a new heat pump gantry enclosure, installation of new radiators, emitters, replacement of the existing pipework distributions, upgrades to the Building Energy Management Systems and associated development
<b>Application site</b>	Ashton Memorial And Butterfly House Williamson Park Quernmore Road Lancaster Lancashire LA1 1UX
<b>Applicant</b>	Lancaster City Council (Property)
<b>Agent</b>	Cleo Jefferies
<b>Case Officer</b>	Mr Anthony Foster
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Approve with conditions

(i) **Procedural Matters**

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

**1.0 Application Site and Setting**

- 1.1 Williamson Park is a Grade II listed park and garden (List Entry Number: 1000942) located to the east of Lancaster city centre on steeply sloping landscape, overlooking Lancaster and Morecambe Bay. It is a formal park established in the late 19th century, which originated from a sandstone quarry. Today, the Park is one of the top attractions in Lancaster and stretches across 54 acres of parkland with woodland walks, play areas and views to the Fylde Coast, Morecambe Bay and the Lake District fells and mountains.
- 1.2 The Ashton Memorial is a Grade I listed structure (List Entry Number: 1288429), built between 1906 and 1909 in memory of Lord Ashton's late wife. It was designed to showcase Lord Ashton's wealth and prominence at the time. Today, the Memorial is a popular visitor attraction and event venue, hosting community events, concerts, educational programmes, weddings, and private functions, while offering extensive views of the surrounding area.
- 1.3 The Butterfly House (former Palm House), which is adjacent to the Memorial, is a Grade II listed building (List Entry Number: 1195061) built in the early 20th century as part of further improvement

works in the park funded by Lord Ashton. Over the years, it has served as an educational facility, helping to engage visitors with the natural world. The building currently serves as an indoor exhibit featuring a variety of butterfly species, Koi carp, tortoises etc in a tropical environment and is a popular attraction for family visits, school trips, and events.

1.4 The site is located within the Williamson Park Conservation Area. The site is designated (by the Local Plan) under the Williamson Park Local Landscape Designation and an area of designated Open Space, Recreation and Leisure.

1.5 The site is located within the defined Urban Area boundary.

## 2.0 Proposal

2.1 The application is for the construction of a compound housing seven air source heat pumps (ASHPs). The installation would be sited in an area with existing heavy planting and adjacent hedgerow on land which is slightly lower than an existing nearby footpath. A trench linking pipework would be dug to a new Air Handling Unit (AHU) enclosure above an existing stone wall and faced in fretted Corten steel constructed on the east side of the Butterfly House. This would replace existing poor quality annexes structures used for staff and plant. The installation would link to the Ashton Memorial using existing pipework, where proposed new radiators are replacing existing. The slab floor of the Butterfly House would be lifted and re-laid following repair of replacement of ducting for the hot-air blowers which heat the building.

2.2 The proposed works are as follows:

- Removal of an existing small lean to extension and redundant plant on the rear of the Butterfly House.
- A new enclosure to the rear of the Butterfly House to host a packaged plant system and new air handling unit.
- A new heat pump gantry enclosure positioned behind the existing hedge opposite the Butterfly House.
- Replacement of the below ground pipework connecting the two buildings.

## 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
25/01440/FUL	Listed building application for the installation of Air Source Heat Pumps and associated enclosure, removal of redundant plant, construction of new enclosure to house packaged plant and new air handling unit, installation of a new heat pump gantry enclosure, installation of new radiators, emitters, replacement of the existing pipework distributions, upgrades to the Building Energy Management Systems.	Pending consideration
25/01181/LB	Listed building application for a replacement platform lift and replacement of lift railing with glazed balustrade.	Pending consideration
24/01046/PRENG2	Pre application advice on decarbonisation works to include removal of boilers, installation of air source heat pumps.	Advice Given

## 4.0 Consultation Responses

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

Consultee	Response
<b>Conservation Team</b>	<b>No objection</b> - Conclude that there would be minor harm to the setting of the listed buildings and to the Registered Park and Garden caused by the new enclosure. This harm would be mitigated by the location within existing planting and behind a mature hedge. The new AHU enclosure is more impactful and would cause minor harm to the Grade II Butterfly House, but this is lessened as it is sensitively designed and replaces poor quality existing buildings. The new radiators are considered to be appropriate and would cause no harm to the Grade I Ashton Memorial. This harm is likely to be justified by the public benefits of providing a more sustainable, low energy heating system for these listed buildings, which are for the use and enjoyment of the wider community.
<b>Environmental Health</b>	No response at the time of compiling this report.
<b>Property Services</b>	No response at the time of compiling this report.
<b>Climate Change Team</b>	No response at the time of compiling this report.
<b>The Gardens Trust</b>	<b>Objection</b> - We have concerns about the siting and buildability of the Air Source Heat Pump (ASHP) gantry and enclosure in the proposed position near the summit and in the setting of the Ashton Memorial and Butterfly House. However, the Garden Trust support the Council's overall objective in securing more sustainable energy solutions.
<b>Historic England</b>	<b>No objection</b>
<b>County Archaeology</b>	<b>No objection</b> - Recommend a planning condition requiring all ground disturbance works be accompanied by an appropriate scheme of archaeological monitoring and recording, with a contingency plan in place in case of the unexpected discovery of significant remains.
<b>Tree Protection Officer</b>	<b>No objection</b> - if the trees are to be felled there would be a duty to replant. If works are to take place within the root protection areas, this must be carried out in line with the latest NJUG guidelines.

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

- No responses received

## 5.0 Analysis

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

- Design and heritage

5.2 **Design and heritage** National Planning Policy Framework Chapter 2 (Achieving sustainable development), Chapter 16 (Conserving and enhancing the historic environment); Strategic Policies and Land Allocations DPD Policy SP7 (Maintaining Lancaster District's Unique Heritage), Development Management DPD Policies DM29 (Key Design Principles), DM30a (Sustainable Design and Construction), DM37 (Development affecting Listed Buildings), DM38 (Development affecting Conservation Areas), DM39 (The Setting of Designated Heritage Assets) DM53 (Renewable and Low Carbon Energy Generation), DMCC1 (Retrofit of buildings of traditional construction for energy efficiency) and DMCC2 (Micro-renewables in the setting of heritage assets)

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

5.2.2 Policy DM37 states that the Council will support proposals that seek to reduce the carbon footprint of a Listed Building provided that it does not harm elements that contribute towards the significance of the Listed building. Proposals involving the installation of renewable energy equipment on a Listed Building will be permitted where it conserves those elements which contribute to its significance and that all of the following criteria have been addressed as part of the design and access statement / heritage statement:

- V. The energy efficiency of the Listed Building itself has first been appraised and suitable measures, which will not affect its significance, have already been undertaken;
- VI. Locations other than on a Listed building have been considered and dismissed as being impracticable;
- VII. There is no irreversible damage to the historic fabric;
- VIII. The locations of the equipment on the Listed building would not detract from elements that contribute towards its significance, either when viewed in close proximity or from a distance; and
- IX. The impact is minimised through design, choice of material and colours.

5.2.3 Taking each of the criterion in turn:

V. Both Ashton Memorial and Butterfly House have been appraised as part of the Building Energy Decarbonisation Plan, and a series of measures are recommended for the buildings including variable speed pumps, increasing the size of radiators to accommodate lower flow temperatures and replacing the boiler with either air source heat pumps. Overall, the Building Energy Decarbonisation Plan provides a comprehensive package of measures to reduce energy use at Williamson Park which is in line with the guidance from Historic England.

VI. As the proposed decarbonisation relates directly to Listed Buildings the location of the measures proposed has been carefully considered. The ASHPs will be located away from both the Butterfly House and the Ashton Memorial and screened by hedging in line with pre-application discussions. While the new AHU plant enclosures would be larger than existing structures, the scale is still lower than the listed building's masonry east wall and the fretted Corten panels would provide a simple yet welcome decorative element.

There would be minor harm to the setting of the listed buildings and to the Registered Park and Garden caused by the new enclosure. This harm would be mitigated by the location within existing planting and behind a mature hedge

VII. The external plant room has been designed to use existing openings, where possible. The submission states that the ASHPs could be removed when no longer required. However, whilst they may be time limited by the longevity of their technology, no indication as to the likely lifespan of the units or possible timescale for their removal is given. In practical terms, it is likely that the ASHPs would be in place for a number of years.

A condition is recommended which requires the removal of the ASHPs when they cease to be operational. This helps limit any potential long term harm to the existing historic fabric of the identified heritage assets.

VIII. The siting of the proposed equipment has been carefully considered to ensure that the potential impact upon the more significant elements of the heritage asset are not compromised. For example locating the ASHPs away from the listed structures and the provision of suitable screening to elements which are located directly adjacent to the listed structures.

IX. The application proposes to remove the existing unsympathetic lean-to structures to the Butterfly House and its replacement with a new AHU enclosure all ductwork connecting into the existing openings on the back-of-house elevation of the Butterfly House. The outer skin of the screening enclosure outer is proposed to be made of Corten metal panels with a fretted pattern. The pattern is inspired by the Park's benefactor Lord Ashton's association with linoleum and linoleum patterns and draws inspiration from the Memorial and Butterfly House plan layout.

It is also proposed for the stone wall section to match the height of the adjacent wall, to provide visual consistency. The existing stone coping is to be removed and replaced at the new level. The enclosure height is designed to conceal the existing high level building aperture utilised for Extract. Although the height of the proposed enclosure is greater than the existing lean-to to be replaced, making use of the existing aperture and therefore negating the need for additional penetrations into the historic fabric will overall have a lesser negative impact on the heritage asset.

- 5.2.4 Policy DM38 states that any development proposals and / or alterations to buildings, features and open spaces in Conservation Areas should preserve or enhance the character and appearance of the Conservation Areas. Strengthening the criteria detailed above in policy DM37.
- 5.2.5 Overall, it is considered that there would be minor harm to the setting of the listed buildings and to the Registered Park and Garden caused by the new enclosure. This harm would be mitigated by the location within existing planting and behind a mature hedge. The new AHU enclosure is more impactful and would cause minor harm to the Grade II Butterfly House, but this is lessened as it is sensitively designed and replaces poor quality existing buildings. The new radiators are considered to be appropriate and would cause no harm to the Grade I Ashton Memorial. This harm is likely to be justified by the public benefits of providing a more sustainable, low energy heating system for these listed buildings, which are for the use and enjoyment of the wider community.
- 5.2.6 Given the above the scheme is considered to be in accordance with the wider aspirations of Policies SP7, DM37, and DM38.

## **6.0 Conclusion and Planning Balance**

- 6.1 The proposed development will result in a low level of less than substantial harm to the character and significance of Ashton Memorial & The Butterfly House, Williamson Park. However, it is considered subject to conditions as outlined below that this identified harm is outweighed by the public benefits that the scheme entails. On this basis, members are recommended to approved listed building consent for the works proposed by this application.

## **Recommendation**

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

Condition no.	Description	Type
1	Time limit	Control
2	Approved plans	Control
3	Samples of Materials to be submitted	Prior to Installation
4	Details of any new radiator pipe runs within the Ashton Memorial	Prior to Installation

## **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

<b>Agenda Item</b>	A9
<b>Application Number</b>	25/01004/FUL
<b>Proposal</b>	Installation of air source heat pumps with plant enclosure and construction of canopy
<b>Application site</b>	The Storey Meeting House Lane Lancaster Lancashire
<b>Applicant</b>	Lancaster City Council (Property)
<b>Agent</b>	Mrs Emma Wilsdon
<b>Case Officer</b>	Mrs Petra Williams
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Refuse

**(i) Procedural Matters**

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

**1.0 Application Site and Setting**

- 1.1 The site which forms the subject of this planning application is The Storey (Storey Institute) and associated Storey Gardens located to the west of the main building. The building, which is of significant architectural and historic merit, is Grade II listed and occupies a prominent position at the junction of Castle Hill and Meeting House Lane. The building dominates the approach to the Castle Hill Precinct and contributes significantly to the city's townscape. The building is constructed in sandstone ashlar with a slate roof and is in Jacobean Revival style. It has façades on two fronts, with a turret on the corner, with a lead dome surmounted by a spirelet. The southern boundary wall and steps up from Meeting House Lane are also Grade II listed in addition to the wall which runs perpendicular with the boundary wall and dissects the Storey Gardens into two parts. The site is also located within the Lancaster Conservation Area.
- 1.2 The Storey Gardens were historically associated with Nos. 18-22 Castle Park which are Grade II\* listed buildings. The historic gardens, which can be seen on the 1849 OS maps, extended the full width of these buildings and used to step down from north to south towards Meeting House Lane, with short staircases between each level, culminating in the staircase which drops down to Meeting House Lane. All the other properties to the north of the gardens on Castle Park are also Grade II listed, forming part of the Castle Precinct and are also of high architectural significance. To the west of the site is the Friends Meeting House which dates from 1708 and is a Grade II\* listed building. Properties to the south of the site along Meeting House Lane are Non-Designated Heritage Assets and are predominantly commercial units at ground floor.



- 1.3 The Storey is a centre for creative industries and also contains a café. The building is used by a number of businesses and hosts a variety of events including conferences, seminars and networking, film, music and theatrical recitals, literacy performances, workshops, art exhibitions and weddings.
- 1.4 The gardens are also designated as Open Space within the local plan. There are a number of trees located close to the southern boundary wall of the gardens. These trees are afforded protection due to their siting within a Conservation Area.

## 2.0 Proposal

- 2.1 This application is for the installation of 13 Air Source Heat Pumps (ASHPs) to service The Storey. The proposed ASHPs would be installed on the southern boundary of the Storey Gardens, approximately 8 metres from the listed wall fronting Meeting House Lane and just above the second tier of listed steps. The ASHPs would be 1.7m high and housed within two 2.1m high hit-and-miss timber compounds which, together, would span the full width of gardens, with a gap for the stairs in between. The footprint of the ASHPs and enclosures would be 3.2 metres by 13.1 metres (western bank) and 15.3 metres (eastern bank).
- 2.2 A canopy for housing cabling and pipework connecting to the ASHPs is proposed along the west elevation of The Storey. The structure is to be clad with a lead mono-pitched roof and painted timber cladding, to replicate the existing roof materiality found elsewhere on the site. The rainwater drainage will connect into the existing network.

## 3.0 Site History

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

Application Number	Proposal	Decision
25/01005/LB	Listed building application for air source heat pumps with plant enclosure, canopy, internal works including replacement radiators and secondary window glazing	Pending consideration
24/01076/PRENG2	Pre application advice on decarbonisation works to include removal of boilers, installation of air source heat pumps, insulation and secondary glazing	Advice issued
24/00831/FUL	Creation of path, hardstanding and shelter and installation of gate and freestanding sign	Permitted
17/01151/FUL	Replacement of a timber door with a powder coated automated aluminium door to the rear elevation	Permitted
17/01207/LB	Listed Building application for the replacement of a timber door with a powder coated automated aluminium door to the rear elevation	Permitted
15/01168/FUL	Installation of 3 replacement gates	Permitted
15/01169/LB	Listed building application for the fitting of 3 replacement gates	Permitted

## 4.0 Consultation Responses

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

Consultee	Response
<b>Conservation</b>	<b>Objection</b> - The installation of ASHPs would result in a high level of harm to the significance of the Storey Gardens and their association with the Grade II* listed 18-22 Castle Park, to the Grade II listed walls, steps and gates within the gardens and to the Grade II listed Storey Institute through its intrusive effect on the setting and

	understanding of these heritage assets. It would cause harm to the significance, character and appearance of the Lancaster Conservation Area and the significance of nearby NDHAs through its impact on setting. The Conservation Officer fully supports the need to de-carbonise buildings throughout the city but notes this needs to be carried out without causing unjustified harm to heritage assets, as required by the 1990 Act and national and local policies.
<b>Historic England</b>	<b>Concerns</b> regarding the location chosen for the proposed ASHPs in the gardens and their impacts on the setting of the nearby listed assets. They would form an inappropriate addition to the gardens that is at odds with the informal nature of the space, and a distraction from the highly graded listed assets nearby.
<b>County Archaeology</b>	The probability of the works encountering significant early remains is quite low and as such a scheme of formal archaeological monitoring is not justified.
<b>Environmental Health</b>	<b>No objections</b>
<b>Property Services</b>	<b>No comments received</b>
<b>Public Realm</b>	<b>No objections</b>
<b>Commercial Marketing &amp; Tourism Manager - People &amp; Policy Service</b>	<b>Concerns</b> around the longer-term usage of the gardens from a commercialisation/income generation perspective.
<b>Tree Protection Officer</b>	<b>No objections</b> a technical solution has been developed to mitigate the direct/indirect impacts of the development on trees.
4.2	<p>Two representations from the public have been received. Both raise objections on the following grounds:</p> <ul style="list-style-type: none"> <li>Concerns regarding the impact of scheme on the aesthetics of the stairways were originally laid out in the 1730s for giving access to the terraced gardens of houses on Castle Park, as described in the listing.</li> <li>Concern regarding the potential noise which may be generated by the pumps given that we bedrooms which look out over the Storey Gardens.</li> <li>Could some of the pumps be located adjacent to the building itself rather than in the Gardens.</li> </ul>

## 5.0 Analysis

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

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

5.2 **Principle of Development** National Planning Policy Framework section 2 (Achieving sustainable development) Strategic Policies and Land Allocations DPD Policy SP1 (Presumption in favour of sustainable development); Development Management DPD Policies DM14 (Proposals involving employment land and premises); DM30a (Sustainable Design and Construction), DMCCH1 (Retrofit of buildings of traditional construction for energy efficiency), DMCCH2 (Micro-renewables in the setting of heritage assets) and DM53 (Renewable and Low Carbon Energy Generation)

5.2.1 In seeking to address climate change and the promotion of renewable and low carbon energy the National Planning Policy Framework (NPPF) states at paragraph 161 that the planning system should support the transition to a low carbon future in a changing climate. Paragraph 167 of the NPPF requires local planning authorities to give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps where these do not already benefit from permitted development rights). Where the proposals would affect conservation areas, listed buildings or other relevant designated heritage assets, local planning authorities should also apply the policies set out in section 16 of the NPPF.

- 5.2.2 Lancaster City Council declared a climate change emergency in January 2019 and is committed to reducing its own carbon emissions to net zero by 2030, while supporting the district in reaching net zero by 2050. The Council Plan for 2024-2027 sets out the council's priorities and ambitions and a strategic vision for its services with the climate change emergency being one of four key themes. Lancaster City Council has been recognised as the best performing district council in the country for climate action. As part of the overarching Council ambition to reach net zero targets a partial review of the Local Plan was undertaken and adopted 22 January 2025. The new climate emergency policies in the updated local plan put an emphasis on development both mitigating and adapting to reduce greenhouse gas emissions.
- 5.2.3 As set out in policies DM30a and DM53, the Council is committed to supporting the transition to a lower carbon future and will seek to maximise the renewable and low carbon energy generated in the district where this energy generation is compatible with other sustainability objectives. Accordingly, the Council (as local planning authority) will support proposals for renewable and low carbon energy schemes, including ancillary development, where the direct, indirect, individual and cumulative impacts are, or will be made, acceptable with particular reference to the criteria I. – IV. (scale, siting, design, biodiversity, heritage and noise matters) set out in Policy DM53. Policy DMCCCH1 refers specifically to the retrofit of buildings of traditional construction for energy efficiency and policy DMCCCH2 refers to micro-renewables in the setting of heritage assets and advocates that harm should be avoided to the significance of the asset via its setting, through sensitive design.
- 5.2.4 Emissions are released as a direct result of the Council's activities, which includes the use combustible fuel for heating and electricity. The Council has secured external funding for major corporate decarbonisation and renewable energy projects. In 2022 the Council developed a Building Energy Decarbonisation Plan (BEDP) detailing what appropriate measures would be needed to decarbonise each of its buildings. The Council's Plan and the BEDP are material planning considerations in the determination of this application despite holding no planning policy weight. The BEDP analysed 18 buildings within the Council stock, with one being The Storey which is assessed as being the third most polluting council building regarding carbon emissions. The local planning authority has supported a number of the Council's climate adaptation and emission reduction projects where planning permission has been required, including Salt Ayre Leisure Centre (SALC), CityLab and Burrow Beck Solar Farm.
- 5.2.5 The submission sets out that the council secured £1.89M from the Public Sector Decarbonisation Scheme (PSDS) following a successful bid in 2024. The submission states that this funding will contribute towards the costs of decarbonising the heating systems at The Storey and two other sites (City Lab and Williamson Park), with completion required by March 2026. The submission clearly sets out the gas boilers at The Storey have reached end of life. The proposal is the applicant's solution to this.
- 5.2.6 The proposed ASHPs which are part of a package of measures proposed for The Storey, will contribute to the decarbonisation of the building and to both local and national climate mitigation targets and clearly supports the Council's climate change agenda. The principle of the development is therefore considered to be acceptable. However, there are a number of specific matters that also need to be taken into consideration, that are discussed in the sections below. The proposal clearly supports the Council's climate change agenda; however, it also needs to be considered alongside other relevant national and local policies.
- 5.3 **Design and impact on designated heritage assets** National Planning Policy Framework section 2 (Achieving sustainable development), Section 16 (Conserving and enhancing the historic environment); Strategic Policies and Land Allocations Policy DPD SP7 (Maintaining Lancaster District's Unique Heritage), Development Management DPD Policies DM29 (Key Design Principles), DM30a (Sustainable Design and Construction), DM37 (Development affecting Listed Buildings), DM38 (Development affecting Conservation Areas), DM39: The Setting of Designated Heritage Assets), DM42 (Archaeology), DMCCCH1 (Retrofit of buildings of traditional construction for energy efficiency), DMCCCH2 (Micro-renewables in the setting of heritage assets) and DM53 (Renewable and Low Carbon Energy Generation)

- 5.3.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed Building, a Conservation Area or their setting, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the heritage asset or its setting. Section 16 of the NPPF seeks to conserve and enhance the historic environment; with Paragraph 212 affording 'great weight' to a designated heritage asset's conservation; Paragraph 213 requiring clear and convincing justification for any harm to the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting); and Paragraph 215 requiring decision makers to weigh 'less than substantial' harm against the public benefits of the proposal.
- 5.3.2 At a local level policy SP7 seek to protect and enhance Lancaster's Listed Buildings and historic environment. Policy DM37 sets out that proposals affecting Listed Buildings should conserve and, where appropriate enhance those elements which contribute to its significance. Policy DM37 also advises that the Council will support proposals that seek to reduce the carbon footprint of a Listed Building provided that it does not harm elements that contribute towards the significance of the Listed Building. Policy DM38 sets out that development within Conservation Areas will only be permitted where it has been demonstrated that proposals respect the character of the surrounding built form and its wider setting in terms of design, siting, scale, massing, height and the materials used. Policy DM38 also seeks to ensure that proposals will not result in the loss or alteration of features which contribute to the special character of the building and area. Policy DM39 expects new development to preserve or enhance the setting of heritage assets.
- 5.3.3 Policy DMCCCH2 gives consideration to micro-renewables in the setting of heritage assets and offers support where such proposals demonstrate they are consistent with the energy hierarchy by firstly reducing energy demand in the building, secondly increasing energy efficiency, and finally looking to generate renewable energy. Such proposals should avoid harm to the significance of the asset via its setting, through sensitive design including appropriate mitigation and enhancement measures.
- 5.3.4 The submitted Heritage Statement states that the gardens "have been assessed to not hold any specific heritage values in itself". However, the local planning authority strongly refutes this view and considers the site to be of considerable architectural interest and evidential value. As set out in paragraph 1.2 of this report, the Storey Gardens, as they are now known, were historically the extensive rear gardens belonging to numbers 18-22 Castle Park; a row of three buildings dating to the early-mid 18th century. The gardens extended from the rear of 18-22 Castle Park southwards to Meeting House Lane, stepping down in terraces with sets of steps. The southern half of the gardens were partitioned off in the 1930s and sold to the council and now form part of the publicly accessible Storey Gardens. Although the gardens are now associated with the Grade II listed The Storey to the east, they remain part of the setting of the Grade II\* 18-22 Castle Park. The gardens have high heritage significance in themselves, and they contribute to the significance and understanding of the surrounding Grade II\* listed buildings. The spaces and features around these Grade II\* listed buildings is consistently of high quality; demonstrated by the Grade II listed pebble pavement forecourt to the north, Grade II listed garden boundary walls, and Grade II listed 18th century steps and gate piers at the southern end of the gardens.
- 5.3.5 Contrary to the assertion made within the submitted Heritage Statement the ASHPs and plant enclosure would be highly visible from Meeting House Lane. The existing hedge is currently visible, particularly from Dallas Road, and the hit and miss fenced compounds are proposed to be at least 600mm higher. The ASHPs and compounds would also be visible from all locations within the garden, particularly the northern side where land levels are higher. The visible connection to Meeting House Lane, the gateway and stepped entrance would be harmed, with the attractive, elegant entrance being framed by the dominant hit and miss fenced compounds. The industrial nature of the installation would be highly intrusive and incongruous in this historic setting. Although the steps from Meeting House Lane have, unfortunately, been closed for some years (presumably because of their steepness) they still contribute greatly to the historic understanding of the former gardens and the character of the former entrance and wider streetscene. The Heritage Statement fails to consider this impact. The proposed mitigation of screening, consisting of hedgerows, would take many years to grow to the necessary height and require considerable maintenance. Furthermore, a high formal hedge would be an intrusive landscape feature within the gardens and its informal landscape setting.

- 5.3.6 In heritage terms the impact of the proposed ASHP installation would cause a high level of less than substantial harm to the significance of the Storey Gardens and their association with the Grade II\* listed 18-22 Castle Park, to the Grade II listed walls, steps and gates within the gardens and to the Grade II listed Storey building through its intrusive effect on the setting and understanding of these heritage assets. Unlike listed buildings, the significance of a Conservation Area is dependent upon how it is experienced. Case law has established that proposals must be judged according to their effect on a Conservation Area as a whole and must therefore have at least a moderate degree of prominence. It is considered that the ASHP development would also cause harm to the significance, character and appearance of the Lancaster Conservation Area due to its impact on setting as a consequence of inappropriate design, prominence, size and scale.
- 5.3.7 The proposal includes the installation of a canopy to the western elevation of the building to provide a housing for cabling and pipework connecting to the ASHPs. The structure would be finished with a lead mono-pitched roof and painted timber cladding, to reflect the existing materials which are evident to the rear of the building. Although this element could in itself be acceptable, it is necessary to facilitate the ASHP installation, which as outlined above, would cause a high level of heritage harm.
- 5.3.8 The submission sets out that following an extensive review of the possible locations and considering the heritage significance of the space, the Storey Gardens represents the only viable location for the ASHPs to be located. Although the submission includes alternative options considered for the siting of the ASHPs within the gardens, the application is not supported by appropriate justification assessing the various options of different types of micro-renewables that may have been considered along with an examination of the constraints and the relative impacts of various different proposals. For example, during the pre-application site meeting the case officer suggested the option of ground source heat pumps. However, there is no evidence that this option has been explored within the application. However, even if such evidence was available, in your officers' opinion, it is unlikely to justify the proposals given the level of harm identified to the identified heritage assets.
- 5.3.9 The LPA is fully supportive of the need to de-carbonise buildings which is evident by the successful planning applications referred to in paragraph 5.2.4. However, such schemes must be undertaken without causing unjustified harm to heritage assets, as required by the 1990 Act and national and local policies. It must be demonstrated that the harm that would be caused is necessary and cannot be avoided in order to deliver other public benefits. Historic England Advice Note 18 "Adapting Historic Buildings for Energy and Carbon Efficiency" advocates a whole building approach when considering adapting historic buildings. This explores a building's context to find a range of effective solutions that save energy and carbon, sustain heritage significance, and provide a safe and comfortable indoor environment. The LPA would like to work with the applicants to explore other solutions in this case, such as smaller installations elsewhere within The Storey complex, or less intrusive schemes (e.g. ground source heat pumps), or a mix of different equipment in order to find a less harmful solution. Such a solution which demonstrates good practice in relation to decarbonisation within the historic environment, could create an exemplar precedent for other similar proposals elsewhere in the district. While the LPA fully appreciates that decarbonisation inevitably has cost implications, this, and the availability of grant funding, are not material planning considerations or justification for the high level of less than substantial harm identified. The submission states that the ASHPs could be removed when no longer required. However, whilst they may be time limited by the longevity of their technology, no indication as to the likely lifespan of the units or possible timescale for their removal is given. In practical terms, it is likely that the ASHPs would be in place for a number of years. As such, the harm that would be caused, even over a temporary period, would still be significant.
- 5.3.10 While the LPA recognises the threat of climate change and commends the applicant's ambitions to reduce their own carbon footprint, the contribution is considered to be comparatively limited and would not outweigh the high level of harm that has been identified. Designated heritage assets are finite structures and as such great weight should be given to their preservation. It is noted that the LPA has successfully defended refusals at appeal in respect of Full and Listed Building applications for micro renewable proposals. (e.g. linked appeals APP/A2335/W/23/3331144 and APP/A2335/Y/23/3331141 and linked appeals APP/A2335/W/23/3324540, APP/A2335/Y/23/3324545) with one Inspector citing them as "highly distracting and incongruous modern additions".

5.3.11 Overall, it is considered that the proposed ASHPs would cause a high level of less than substantial harm to the setting of listed buildings and structures as well as the Conservation Area. This harm has not been sufficiently justified and is not outweighed by public benefits. Furthermore, it is considered that even if robust justification were to be provided, on balance, the harm identified to heritage assets in this case is simply too great. This view is consistent with the advice provided at pre-application stage and the current submission provides no changes which would address the significant concerns raised at that time. Consequently, the proposal is contrary to policy SP7 of the SPLA DPD, policies DM29, DM37, DM38, DM39 and DMCC2 of the DM DPD and Section 16 of the National Planning Policy Framework.

5.4 **Open Space** National Planning Policy Framework Section 2 (Achieving sustainable development) and Section 8 (Promoting healthy and safe communities); Strategic Policies and Land Allocations DPD Policies SP1 (Presumption in favour of sustainable development) and SC3 (Open Space, Recreation and Leisure); Development Management DPD Policies DM27 (Open Spaces, Sports and Recreational Facilities) and DM29 (Key Design Principles).

5.4.1 The site is located within an area of Open Space (Parks and Recreation typology), which policies SC3 and DM27 seek to protect. Open Space is at a premium within the City Centre, and the Storey Gardens provide a unique, enclosed, outdoor space within a tranquil setting. The site is open to the public and is also used to host outdoor events and wedding ceremonies linked to The Storey building.

5.4.2 Policy SC3 states that existing open space identified for recreation, environmental and/or amenity value will be protected from inappropriate development. Policy DM27 resists the loss of Open Space unless:

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

Policy DM27 goes on to say that *'development proposals that are adjacent to designated open spaces, sports and recreational facilities will be required to incorporate design measures that ensure that there are no negative impacts on amenity, landscape value, ecological value and functionality of the space. The Council will only permit development that has identified negative impacts on open space, sports and recreational facilities where appropriate mitigation measures or compensation measures have been provided'*.

5.4.3 The submission includes an Open Space Assessment which acknowledges that the proposal would result in the reduction of the area of gardens to accommodate the ASHP's. The Assessment also acknowledges that the local value of the site will be reduced and that the lost Open Space would not be replaced.

5.4.4 It is considered that the installation and planting (for mitigation) would impact a substantial area within the gardens and would significantly detract from the character and appearance of the designated Open Space. The visual intrusion and noise pollution resulting from 13 industrial sized ASHPs would form an inappropriate addition to the gardens that is at odds with the informal nature of the space and would undermine and diminish the existing function and value of the gardens. As such, it is considered that the scheme also conflicts with the objectives of policies SC3 and DM27.

5.5 **Noise and residential amenity** National Planning Policy Framework Section 8 (Promoting healthy and safe communities); Development Management DPD Policy DM29 (Key Design Principles)

- 5.5.1 Paragraph 200 of the NPPF sets out that planning decisions should ensure that new development can be integrated effectively with existing surrounding businesses to ensure that appropriate standards of amenity can be achieved for surrounding occupants. This is known as the agent of change principle.
- 5.5.2 In light of the proximity of residential properties to the north and south of the site a Noise Assessment accompanies the application, which has confirmed that the rated noise level from the proposed ASHPs falls below the measured background sound level at the closest residential receptors (24 Castle Park and 1 Meeting House Lane). As such, the Environmental Health Officer is satisfied that there is no requirement for noise mitigation in order to preserve nearby residential amenity. However, no evaluation has been provided with regard to the level of noise which would be experienced by users of the gardens. The Noise Assessment refers to manufacturer noise level data of 72 decibels at 1m for each ASHP. For context, 70 decibels is as loud as a washing machine and extended exposure to levels above 55-60 decibels can be considered disturbing
- 5.6 **Ecology, Trees and BNG** (National Planning Policy Framework Section 15 (Conserving and enhancing the natural environment); Strategic Policies and Land Allocations DPD SP8 (Protecting the Natural Environment); Development Management DPD DM44 (The Protection and Enhancement of Biodiversity) and DM45 (Trees and Woodland))
- 5.6.1 The submission is accompanied by an Ecological Appraisal which found a low level of nature conservation interest on the site, with the most ecologically valuable habitats on site being the existing trees. There is no suitable roosting habitat within the site boundary, and the other habitats are only suitable for commuting bats. It is considered that the development would not impact this commuting capacity. The trees on site could potentially provide some nesting opportunities for bird species but the area of the site which is being developed is exclusively grassland and pre-existing hard standing with no vegetation clearance planned.
- 5.6.2 The ASHPs will be located entirely within the Root Protection Area (RPA) of the trees to the south of the site. An Arboricultural Impact Assessment (AIA) accompanies the proposal and the ASHPs are to be sited on a floating mesh raft built on piles, thus limiting their impact on the RPA and allowing water/gaseous exchange. The AIA includes tree protection measures to ensure no harm to the trees during development, with ground protection across the lower lawn and Heras fencing to prevent access to the upper lawn and T8. All trenching to connect the two banks of pumps and to connect the pumps to the building is to be completed by hand. It is proposed that one tree (Elder) is to be felled in order to allow relocation of the footpath through the garden. This tree has been felled previously and grows from the base of the wall; the removal of this tree is acceptable. Tree protection measures could be secured by condition in event of an approval and as such, the proposal accords with policy DM45. Given the proximity of the proposal to trees and their canopies, it is reasonably likely that leaf fall will occur. However, this would be an operational management issue.
- 5.6.3 The proposed development will result in a loss of -0.02 habitat units. For the required statutory requirement of 10% net gain, 0.11 habitat units will need to be created either by the creation of new habitat or the enhancement of existing habitat. In order to meet the required trading rules the habitat units created will need to be of low distinctiveness or higher. Given the context of the proposal it is considered that BNG obligations can be achieved on site.

## **6.0 Conclusion and Planning Balance**

- 6.1 The National Planning Policy Framework (NPPF) provides clear support for decarbonisation schemes in order to transition to a low carbon future and requires local planning authorities to give significant weight for the need to support energy efficiency and low carbon heating improvements to existing buildings. Notwithstanding this the NPPF also requires the application of section 16 when such proposals would affect listed buildings and conservation areas. Whilst the local planning authority is supportive of proposals for renewable and low carbon energy generation, this is subject to compliance with all other material considerations. In this case while it is acknowledged that the ASHPs are proposed in the context of the climate emergency, which the Council declared in January 2019, the site is within the setting of a high number of designated heritage assets including Grade II\* and Grade II listed buildings and structures within Lancaster Conservation Area. As outlined within this report, the proposal would result in a high level of unjustified less than substantial harm within

this historic setting and this harm would not be outweighed by public benefits. As such the proposal conflicts with policies SP7, DM29, DM37, DM38 and DM39 of the DM DPD and section 16 of the NPPF in relation to conserving and enhancing the historic environment.

- 6.2 It is also considered that the proposal amounts to the loss of an established area of designated open space. Although this loss relates to only part of the gardens it is considered that the proposal would result in unjustified harm to the character of this space through the introduction of the ASHPs, which through their industrial appearance and associated noise would undermine the function of this tranquil garden area. As such the proposal is considered to also conflict with policies SC3, DM27 and DM29.
- 6.3 The identified conflicts with national and local planning policies are each afforded significant weight within the overall planning balance. Consequently, the proposal is considered contrary to the development plan when read as a whole and as such, is recommended for refusal.

## Recommendation

That Planning Permission BE REFUSED for the following reasons:

1. By reason of the inappropriate scale, design, appearance and siting, the proposed Air Source Heat Pumps and associated enclosures, would result in an incongruous, industrial and utilitarian form of development in a highly sensitive location. It is considered that such development would cause a high level of less than substantial harm to the significance and special interest of the surrounding Grade II and II\* Listed Buildings, Grade II Listed walls and steps and the character and appearance of the Conservation Area. The identified harm is not outweighed by public benefits nor is it clearly and convincingly justified. Consequently, the proposal would fail to conserve and enhance the historic environment and is contrary to the aims and requirements of Policy SP7 of the Strategic Policies and Land Allocations Development Plan Document, Policies DM29, DM37, DM38, DM39 and DMCCH2 of the Development Management Development Plan Document and Section 16 of the National Planning Policy Framework.
2. The proposed development would result in the loss of, and adverse impacts to, designated open space. Policy DM27 of the Development Management DPD expects development proposals that are adjacent to designated open spaces, to incorporate design measures that ensure that there are no negative impacts on the amenity and functionality of the space. Policy DM27 also sets out that the Council will not permit the loss of designated open space, unless it is assessed as being surplus to requirements and demonstrated that it no longer has an environmental or community value. No such mitigation or justification as required by this policy has been provided and it is the view of the LPA that the impacts of the proposal on this important area of open space represents a significant and unacceptable conflict with policy SC3 of the Strategic Policies and Land Allocations DPD and policies DM27 and DM29 of the Development Management DPD and Section 8 of the National Planning Policy Framework.

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

Lancaster City Council takes a positive and proactive approach to development proposals, in the interests of delivering sustainable development. As part of this approach the Council offers a pre-application service, aimed at positively influencing development proposals. Whilst the applicant had originally taken advantage of this service prior to submission of their application, the resulting proposal is unacceptable for the reasons prescribed in the Notice. Unfortunately, some of the problems associated with the scheme are so fundamental that they are incapable of being resolved as part of the current submission.

## Background Papers

None



<b>Agenda Item</b>	A10
<b>Application Number</b>	25/01005/LB
<b>Proposal</b>	Listed building application for air source heat pumps with plant enclosure, canopy, internal works including replacement radiators and secondary window glazing.
<b>Application site</b>	The Storey Meeting House Lane Lancaster Lancashire
<b>Applicant</b>	Lancaster City Council (Property)
<b>Agent</b>	Mrs Emma Wilsdon
<b>Case Officer</b>	Mrs Petra Williams
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Refusal

(i) **Procedural Matters**

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

**1.0 Application Site and Setting**

- 1.1 The site which forms the subject of this planning application is The Storey (Storey Institute) and associated Storey Gardens located to the west of the main building. The Storey was developed as school of art, technical school, library and art gallery in the 1887-91 with funding from Sir Thomas Storey. Designed by Sharpe, Paley and Austin, and later extended. The building which is of significant architectural and historic merit is Grade II listed and occupies a prominent position at the junction of Castle Hill and Meeting House Lane. The building dominates the approach to the Castle Hill Precinct and contributes significantly to the city's townscape. The building is constructed in sandstone ashlar with a slate roof and is in Jacobean Revival style. It has façades on two fronts, with a turret on the corner, with a lead dome surmounted by a spirelet. The Storey contains many fine rooms and within the first-floor corridor there is a curved bay window which is one of the finest architectural features of the building. The southern boundary wall and steps up from Meeting House Lane are also Grade II listed in addition to the wall which runs perpendicular with the boundary wall and dissects the Storey Gardens into two parts. The site is also located within the Lancaster Conservation Area.
- 1.2 The Storey Gardens were historically associated with Nos. 18-22 Castle Park which are Grade II\* listed buildings. The historic gardens, which can be seen on the 1849 OS maps, extended the full width of these buildings and used to step down from north to south towards Meeting House Lane, with short staircases between each level, culminating in the staircase which drops down to Meeting House Lane where there is a gated access. All the other properties to the north of the gardens on

Castle Park are Grade II listed, forming part of the Castle precinct and are also of high architectural significance. To the west of the site is the Friends Meeting House which dates from 1708 and is a Grade II\* listed building. Properties to the south of the site along Meeting House Lane are Non-Designated Heritage Assets and are predominantly commercial units at ground floor.

- 1.3 The Storey is a centre for creative industries and also contains a café. The building is used by a number of businesses and hosts a variety of events including business conferences, seminars and networking, film, music and theatrical recitals, literacy performances, workshops, art exhibitions and weddings.
- 1.4 The gardens are designated as Open Space within the local plan. There are a number of trees sited close to the southern boundary wall of the garden and these trees are afforded protection due to their siting within a Conservation Area.

## 2.0 Proposal

- 2.1 This application is for Listed Building Consent for the installation of 13 Air Source Heat Pumps (ASHPs) to service The Storey. The proposed ASHPs would be installed on the southern boundary of the Storey Gardens, approximately 8 metres from the listed wall fronting Meeting House Lane and just above the second tier of listed steps. The ASHPs would be 1.7m high and housed within two 2.1m high hit-and-miss timber compounds which, together, would span the full width of garden, with a gap for the stairs in between. The footprint of the ASHPs and enclosures would be 3.2 metres by 13.1 metres (western bank) and 15.3 metres (eastern bank).
- 2.2 A canopy for housing cabling and pipework connecting to the ASHPs is proposed along the west elevation of The Storey. The structure is to be clad with a lead mono-pitched roof and painted timber cladding, to replicate the existing roof materiality found elsewhere on the site. The rainwater drainage will connect into the existing network. Secondary window glazing, new radiators and associated pipework is proposed within The Storey building.
- 2.3 The submission sets out that the council secured £1.89M from the Public Sector Decarbonisation Scheme (PSDS) following a successful bid in 2024. The submission states that this funding will contribute towards the costs of decarbonising the heating systems at The Storey and two other sites (City Lab and Williamson Park), with completion required by March 2026. The gas boilers at The Storey have reached end of life.

## 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
25/01004/FUL	Installation of air source heat pumps with plant enclosure and construction of canopy	Pending consideration
24/01076/PRENG2	Pre application advice on decarbonisation works to include removal of boilers, installation of air source heat pumps, insulation and secondary glazing	Advice issued
24/00831/FUL	Creation of path, hardstanding and shelter and installation of gate and freestanding sign	Permitted
17/01151/FUL	Replacement of a timber door with a powder coated automated aluminium door to the rear elevation	Permitted
17/01207/LB	Listed Building application for the replacement of a timber door with a powder coated automated aluminium door to the rear elevation	Permitted
15/01168/FUL	Installation of 3 replacement gates	Permitted

15/01169/LB	Listed building application for the fitting of 3 replacement gates	Permitted
-------------	--	-----------

## 4.0 Consultation Responses

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

Consultee	Response
<b>Conservation</b>	<b>Objection</b> The installation of ASHPs would result in a high level of harm to the significance of the Storey Gardens and their association with the grade II* listed 18-22 Castle Park, to the grade II listed walls, steps and gates within the gardens and to the grade II listed Storey Institute through its intrusive effect on the setting and understanding of these heritage assets. It would cause harm to the significance, character and appearance of the Lancaster Conservation Area and the significance of nearby NDHAs through its impact on setting. We fully support the need to de-carbonise buildings throughout the city and this needs to be carried out without causing unjustified harm to heritage assets, as required by the 1990 Act and national and local policies. Although there is no objection to the majority of proposed secondary glazing, the proposed secondary glazing to the stained glass, curved bay corridor window would cause a high level of harm.
<b>Historic England</b>	<b>Concerns</b> regarding the location chosen for the proposed ASHPs in the gardens and their impacts on the setting of the nearby listed assets. They would form an inappropriate addition to the gardens that is at odds with the informal nature of the space, and a distraction from the highly graded listed assets nearby. At the time of compiling this report, HE has raised no concerns regarding the impacts of the internal works to The Storey.
<b>Property Services</b>	<b>No comments received</b>
<b>County Archaeology</b>	<b>Comments</b> - The probability of the works encountering significant early remains is quite low and as such a scheme of formal archaeological monitoring is not justified.

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

## 5.0 Analysis

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

- Design and impact on designated heritage assets

5.2 **Design and impact on designated heritage assets** National Planning Policy Framework section 2 (Achieving sustainable development), Section 16 (Conserving and enhancing the historic environment); Strategic Policies and Land Allocations DPD Policy SP7 (Maintaining Lancaster District's Unique Heritage), Development Management DPD Policies DM29 (Key Design Principles), DM30a (Sustainable Design and Construction), DM37 (Development affecting Listed Buildings), DM38 (Development affecting Conservation Areas), DM39: The Setting of Designated Heritage Assets), DM42 (Archaeology), DMCCCH1 (Retrofit of buildings of traditional construction for energy efficiency), DMCCCH2 (Micro-renewables in the setting of heritage assets) and DM53 (Renewable and Low Carbon Energy Generation).

5.2.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed Building, a Conservation Area or their setting, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the heritage asset or its setting. Section 16 of the NPPF seeks to conserve and enhance the historic environment; with Paragraph 212 affording 'great weight' to a designated heritage asset's conservation; Paragraph 213 requiring clear and convincing justification for any harm to the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting); and Paragraph 215 requiring decision makers to weigh 'less than substantial' harm against the public benefits of the proposal.

- 5.2.2 At a local level policy SP7 seek to protect and enhance Lancaster's Listed Buildings and historic environment. Policy DM37 sets out that proposals affecting Listed Buildings should conserve and, where appropriate, enhance those elements which contribute to its significance. Policy DM37 also advises that the Council will support proposals that seek to reduce the carbon footprint of a Listed Building provided that it does not harm elements that contribute towards the significance of the Listed building. Policy DM39 expects new development to preserve or enhance the setting of heritage assets.
- 5.2.3 Policy DMCCH1 refers specifically to the retrofit of buildings of traditional construction for energy efficiency and advises that Responsible Retrofit is a holistic risk- based approach to retrofit endorsed by the Sustainable Traditional Buildings Alliance (STBA). In a Responsible Retrofit scheme, all interacting factors across the whole building are considered, and negative impacts, risks and benefits are balanced. In practice, this means considering how fabric measures such as insulation, draught proofing, glazing and rainwater protection; services such as ventilation, heating and renewable energy; and occupant behaviours interact with one another, and what effect they have both individually and cumulatively on the character and appearance of the building. For example, where one change to the building might have benefits in terms of energy usage, this might also be outweighed by risks to significance, building fabric, or environment.
- 5.2.4 Policy DMCCH2 gives consideration to micro-renewables in the setting of heritage assets and offers support where such proposals demonstrate they are consistent with the energy hierarchy by firstly reducing energy demand in the building, secondly increasing energy efficiency, and finally looking to generate renewable energy. Such proposals should avoid harm to the significance of the asset via its setting, through sensitive design including appropriate mitigation and enhancement measures.
- 5.2.5 The submitted Heritage Statement states that the gardens "have been assessed to not hold any specific heritage values in itself". However, the local planning authority strongly refutes this view and considers the site to be of considerable architectural interest and evidential value. As set out in paragraph 1.2 of this report, the Storey Gardens, as they are now known, were historically the extensive rear gardens belonging to numbers 18-22 Castle Park; a row of three buildings dating to the early-mid 18th century. The gardens extended from the rear of 18-22 Castle Park southwards to Meeting House Lane, stepping down in terraces with sets of steps. The southern half of the gardens were partitioned off in the 1930s and sold to the council and now form part of the publicly accessible Storey Gardens. Although the gardens are now associated with the Grade II listed The Storey to the east, they remain part of the setting of the Grade II\* 18-22 Castle Park. The gardens have high heritage significance in themselves, and they contribute to the significance and understanding of the Grade II\* listed buildings. The spaces and features around these Grade II\* listed buildings is consistently of high quality; demonstrated by the Grade II listed pebble pavement forecourt to the north, Grade II listed garden boundary walls, and Grade II listed 18th century steps and gate piers at the southern end of the gardens.
- 5.2.6 Contrary to the assertion made within the submitted Heritage Statement the ASHPs and plant enclosure would be clearly visible from Meeting House Lane and viewed in the context of the listed wall and stepped entrance. The existing hedge is currently visible, particularly from Dallas Road, and the proposed hit and miss fenced compounds are proposed to be at least 600mm higher. The ASHPs and compounds would also be visible from all locations within the garden, particularly the northern side where land levels are higher. The visible connection to Meeting House Lane, the gateway and stepped entrance would be harmed, with the attractive, elegant entrance being framed by the dominant compounds. The industrial nature of the installation would be highly intrusive and incongruous in the setting of the listed building, wall and steps. Although the steps from Meeting House Lane have, unfortunately, been closed for some years (presumably because of their steepness) they still contribute greatly to the historic understanding of the former gardens and the character of the former entrance. The Heritage Statement fails to consider this impact. The proposed mitigation of screening, consisting of hedgerows, would take many years to grow to the necessary height and require considerable maintenance. Furthermore, a high formal hedge would be an intrusive landscape feature within this informal landscape garden setting.
- 5.2.7 In heritage terms the impact of the proposed ASHP installation would cause a high level of less than substantial harm to the significance of setting of the Grade II listed walls, steps and gates within the

gardens and to the Grade II listed Storey building through its intrusive effect on the setting and understanding of these heritage assets.

- 5.2.8 The submission sets out that following an extensive review of the possible locations and considering the heritage significance of the space, the Storey Gardens represents the only viable location for the ASHPs to be located. Although the submission includes alternative options considered for the siting of the ASHPs within the gardens, the application is not supported by appropriate justification assessing the various options of different types of micro-renewables that may have been considered along with an examination of the constraints and the relative impacts of various different proposals. Significant concerns regarding the siting of the ASHPs within the Storey Gardens were raised by the case officer during the pre-application site meeting and consequently the case officer suggested the option of ground source heat pumps. However, there is no evidence that this option has been explored. The current submission provides no changes which would address the significant concerns raised by the local planning authority at the pre-application stage.
- 5.2.9 The proposal includes the installation of a canopy to the western elevation of the building to provide a housing for cabling and pipework connecting to the ASHPs. The structure would be finished with a lead mono-pitched roof and painted timber cladding, to reflect the existing materials which are evident to the rear of the building. Although this element could in itself be acceptable, it is necessary to facilitate the ASHP installation, which as outlined above, would cause a high level of heritage harm. The replacement of radiators and new pipework is considered to have a low level of less than substantial harm. Pipework would enter the building through a hole created in the existing retaining wall into the existing plant room with a canopy. There is a requirement for some penetrations to be made through the existing fabric to allow for flow and return pipework to reach the Plantroom at high level.
- 5.2.10 The majority of windows within the building are traditional timber sashes, many of which are currently in poor condition and require significant external maintenance, particularly repairs to joinery and re-painting. The secondary glazing is proposed to improve energy efficiency and prevent heat loss through the existing single glazed windows. The submission sets out that number of ground floor windows already have secondary glazing installed but as the performance of these units is unknown, it is proposed that they are removed and replaced with new secondary glazing as part of the proposed scheme. It is proposed that new aluminium framed secondary glazing is installed to each opening. The frames are to be installed onto a timber sub frame as per the manufacturer's details. It is considered that the majority of the proposed secondary glazing is sensitively detailed and will have minimal impact on the character of the building. However, of significant concern is the proposed installation of secondary glazing to one of the first floor windows (WF – 61 to WF – 66) which would result in a high level of less than substantial harm to the listed building as it would diminish its aesthetic and illustrative historical value. This window is a highly decorative curved bay and is one of the finest architectural features of the listed building, showing allegories of the Arts in stained glass carried out by Jewitt of Shrigley and Hunt. Secondary glazing to this window would diminish the appreciation of this highly significant feature by forming faceted frames, which would partly conceal the stained glass windows and would diminish the appearance of the beautiful, curved bay. This element of the proposal is unacceptable and would conflict with policy.
- 5.2.11 The local planning authority (LPA) is fully supportive of the need to de-carbonise historic buildings which is evident by the successful planning applications in respect of City Lab and Palatine Hall. However, such schemes must be undertaken without causing unjustified harm to heritage assets, as required by the 1990 Act and national and local policies. It must be demonstrated that the harm that would be caused is necessary and cannot be avoided in order to deliver other public benefits. Historic England Advice Note 18 "Adapting Historic Buildings for Energy and Carbon Efficiency" advocates a whole building approach when considering adapting historic buildings. This explores a building's context to find a range of effective solutions that save energy and carbon, sustain heritage significance, and provide a safe and comfortable indoor environment. The LPA would like to work with the applicants to explore other solutions in this case, such as smaller installations elsewhere within The Storey complex, or less intrusive schemes (e.g. ground source heat pumps), or a mix of different equipment in order to find a less harmful solution. Such a solution which demonstrated good practice in relation to decarbonisation within the historic environment, could create an exemplar precedent for other similar proposals elsewhere in the District. The submission states that the ASHPs could be removed when no longer required as could the secondary glazing. However, whilst they may be time limited by the longevity of their technology, no indication as to the likely

lifespan of the units or possible timescale for their removal is given. In practical terms, it is likely that the ASHPs and secondary glazing would be in place for a number of years. As such, the harm that would be caused, even over a temporary period, would still be significant.

- 5.2.12 Overall, it is considered that the proposed ASHPs and installation of secondary glazing to the curved bay corridor window (WF – 61 to WF – 66) would cause a high level of less than substantial harm to the listed building and associated structures (walls and steps). This harm has not been sufficiently justified and is not outweighed by the wider public benefits arising from the decarbonisation project.

## **6.0 Conclusion and Planning Balance**

- 6.1 Whilst the Local Planning Authority is supportive of proposals for renewable and low carbon energy generation in respect of listed buildings, this is subject to compliance with all relevant heritage policies. In this case the site relates to a Grade II listed building, walls and steps. As outlined within this report, the proposal would result in a high level of unjustified less than substantial harm within this historic setting and this harm would not be outweighed by public benefits. As such the proposal conflicts with policies SP7, DM29, DM37, DM39, DMCCH1 and DMCCH2 of the DM DPD and section 16 of the NPPF in relation to conserving and enhancing the historic environment.

---

## **Recommendation**

That Listed Building Consent BE REFUSED for the following reason:

1. By reason of the inappropriate scale, design, appearance and siting, the proposed Air Source Heat Pumps and associated enclosures would appear as an industrial and utilitarian form of development which would cause a high level of less than substantial harm to the significance and special interest of the Grade II Listed Building and Grade II Listed walls. Furthermore, the proposed secondary glazing to the first floor stained glass window would also cause a high level of less than substantial harm. The identified harm is not outweighed by public benefits nor is it clearly and convincingly justified. Consequently, the proposal would fail to conserve and enhance the historic environment and is contrary to the aims and requirements of Policy SP7 of the Strategic Policies and Land Allocations Development Plan Document, Policies DM29, DM37, DM39, DMCCH1 and DMCCH2 of the Development Management Development Plan Document and Section 16 of the National Planning Policy Framework.

## **Background Papers**

None

<b>Agenda Item</b>	A11
<b>Application Number</b>	21/01577/FUL
<b>Proposal</b>	Retrospective application for the change of use of bowling pavilion (use class F2) to radio station (sui generis), change of use of veterans club building to changing/social facility (use class F2) installation of replacement roof covering on pavilion building, and replacement of 4 timber windows with UPVC windows with detachable window security screens to the front elevation, replacement of timber door and side screen, replacement of roof coverings, soffit boards, rainwater gutters and downpipes and replacement cladding to veterans club building
<b>Application site</b>	45A Chester Place Lancaster Lancashire LA1 4HA
<b>Applicant</b>	Lancaster City Council (Property Services)
<b>Agent</b>	Mr James Gill
<b>Case Officer</b>	Mr Sam Robinson
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Approve

**(i) Procedural Matters**

This form of development would normally be determined under the Council's Scheme of Delegation. However, the site is under the ownership of Lancaster City Council, and therefore, the application is referred to the Planning Regulatory Committee for determination. The application has been with the Local Planning Authority (LPA) for an extended period of time, but this was to allow for further marketing information to be provided which was received in November 2025. The LPA is now in a position to make a recommendation on the application.

**1.0 Application Site and Setting**

- 1.1 The application site is Palatine Recreation Ground, which is located at the junction of Palatine Avenue, Durham Avenue and Rutland Avenue in the urban area of Lancaster. To the south of the site is a play area and tennis courts and to the north are a number of bowling greens, a football pitch and a recreation area. To the east of the site is the previous bowling pavilion building and the veterans' club building.
- 1.2 The bowling pavilion building was designed to service the park facilities of bowling and tennis when the park was in its prime. The building is split into four rooms, which were independent of each other and were only accessed via external doors. The four rooms consisted of a maintenance room (for the use of the City Council's maintenance staff and equipment), a female changing room, a male changing room and a central room (for the use of the park keeper to store and hire out equipment). There is a toilet and small kitchen facility in this area. Aesthetically the building has rendered walls,

under red clay roof tiles with timber doors and timber boarded-up windows.

- 1.3 The veterans' club building is to the south of the bowling pavilion building. It was used as a social club for ex-servicemen and women. Internally there is a kitchen and toilet facilities and seating within.

## 2.0 Proposal

- 2.1 The application has two distinct elements all of which is retrospective. Firstly, it seeks to retrospectively change the use of the bowling pavilion to a radio station. The radio station has been operating from the building since April 2016 and internally provides two studios, a reception area, toilets, kitchen, workshop and storage with some internal door installed. The roof covering has been replaced with metal tiles, ridge tiles and hip caps (with the appearance of a conventional clay roof tile).
- 2.2 Secondly, the application seeks to retrospectively change the use of the veterans' club building into a clubhouse used in association with the bowling green. To facilitate the change of use, the works to the building have included the installation of 4 replacement windows to the front elevation, replacement cladding to the front and side elevations (fibre cement Cedral lap weatherboard finished in black). Replacement timber to the door and screen to the front elevation, replacement of roof covering, soffit boards, rainwater gutters and downpipes.

## 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
89/3022	Develop toddlers play area	Permitted

## 4.0 Consultation Responses

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

Consultee	Response
Public Realm Officer	<b>No objection</b>
Sports England	<b>No comment</b>
County Highways	<b>No objection</b> (Subject to conditions relating to a construction management plan and construction deliveries to be outside of peak traffic)
Fire Safety Officer	<b>No objection</b>

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

## 5.0 Analysis

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

- Principle of development
- Design
- Residential amenity
- Highways

- 5.2 **Principle of development** (NPPF Section 8; Strategic Policies and Land Allocations Development Plan Climate Emergency Review (SPLA DPD) policy SC3; and Review of the Development Management Development Plan Document Climate Emergency Review (DM DPD) policies DM27 & DM56)

- 5.2.1 The bowling pavilion has been underused and empty for a number of years. The final tenants of the



building were the women's bowling club, whose last use was established to be in 2014. There was some interest from Regent Bowling Tuition Centre to use the building as a satellite tuition centre in 2015/2016, with the aim of re-forming a park bowling club, but this only lasted one season.

- 5.2.2 The veterans club building has been empty since 2013. The club who occupied the building decided that it would end operations due to lack of members and interest from new members. Since 2013 the building has been empty and underused.
- 5.2.3 Lancaster City Council advertised on their website an opportunity to let the veterans' club building for commercial and/or community usage in 2015/2016. This generated some interest and property enquiries. At the time the community radio station (Beyond Radio) showed an interest in the veterans' club building, but due to a specific date stated in the broadcasting license, it was unlikely the process for letting the veterans' club building would be completed in time. Therefore, the Council offered the pavilion bowling club to the radio station as an alternative. This was accepted and since occupation in May 2016, the radio station has invested in the building by inserting doors to the internal walls to create studios and provide a use for the building.
- 5.2.4 The veterans club building had a further three groups that showed interest in leasing the building and through the City Council's Public Realm Departments tender process, the tender submitted by the Palatine Projects group was accepted. Palatine Projects is a local community group, that will use the building to develop a bowling club, provide a community meeting space and store community resources to be used within the park and in association with the bowling green. In addition, a license has been granted to Palatine Projects to allow the building to be used by the wider community. Palatine Projects now occupy the veterans club.
- 5.2.5 Policy DM27 of the DM DPD is relevant as it seeks to retain open space, sports and recreational facilities. In particular if a development proposal involves the loss of an asset or facility, it must be demonstrated that the facilities are proposed to be replaced with equal or better provision than currently exists. In addition, policy DM56 of the DM DPD seeks to retain existing local services. Where there is a loss of a local service, the following points must be evidenced:
- Ensure that a robust and transparent marketing exercise has taken place demonstrating that the retention of the existing use is no longer economically viable or feasible. This should include a realistic advertising period of at least 12 months at a realistic price, making use of local media sources and maintaining a log of all enquiries received;
  - Ensure that alternative provision of the key services exists nearby; and
  - Ensure that the current/previous use no longer retains an economic and social value for the community it serves.
- 5.2.6 With regards to this application, the bowling pavilion club would have been identified as a recreational facility/building that was used in connection with Palatine Recreation Ground, as well as a building that provided a community service. As such, both policies DM27 and DM56 are applicable to this element. With regards to the veteran's club building, which served a wider community and offered a local service, only policy DM56 is applicable.
- 5.2.7 As outlined above, the supporting statement confirms that the bowling pavilion club was not formally advertised by the Council, but Beyond Radio showed interest in the property and moved in 2016. As such, the loss was not replaced by equivalent or better, high quality provision (as required by policy DM27) nor was a robust marketing exercise advertising for a 12-month period undertaken (as required by policy DM56) prior to Beyond Radio moving into the property or when the application was first submitted to the local planning authority.
- 5.2.8 To address these concerns, a further marketing exercise was undertaken by the Council in February 2023 asking for expressions of interest from a local community organisation to provide a local service and/or support for the existing recreational use. No interest was received within a 12-month period. In addition to this, the occupation of the veteran's club by Palatine Projects has occurred and this now provides an equivalent provision for the recreational facility and local community service that would have otherwise been lost from the conversion of the bowling pavilion to a radio station.
- 5.2.9 The veterans' club was previously a meeting place for ex-service personnel, but as outlined in the supporting statement, it has not been used for this purpose since 2013 and has suffered vandalism.

Its change of use results in the loss of this local service in its original form; however, it has been replaced by another community use through Palatine Projects. The Local Planning Authority has also identified alternative provision via the Bay Veterans Association, located in the Arndale Centre, Morecambe. Although outside Lancaster, this facility is well connected and in a highly sustainable location. The applicant confirms that the veterans' club was advertised for five months, attracting several interested groups, though none were for the veterans' community it once served. Alternative provision does exist, albeit within the wider district.

- 5.2.10 Both properties have been identified as providing a local service and whilst a replacement local service and a replacement recreational provision have been provided, the veterans club has not met the full 12-month marketing exercise required by DM56. However, as outlined in the supporting statement, both buildings within the site were vacant for extended periods of time and suffered from acts of vandalism. The marketing undertaken at the time, suggests no interest that would have provided the same local service. The change of use of the buildings continues to provide a local service and recreational provision within the site. As a result, the buildings have been refurbished, and the bowling club has been re-established with bowling competitions being undertaken within the park increasing footfall to the area. The occupation of the building by Palatine Projects has also seen refurbishment of the tennis courts and the creation of a small 'woodland walk'. These refurbishments of the site provide significant benefits in terms of the regeneration of the site, public realm and wider area as well as improving the health and wellbeing of the nearby residents.

5.3 **Design (NPPF Section 12; Review of the Development Management Development Plan Document Climate Emergency Review (DM DPD) policy DM29.**

- 5.3.1 The physical works that have been undertaken, including the proposed materials to the bowling pavilion club and the veterans' club building are deemed to be an improvement to the appearance of both structures which had fallen into disrepair. Whilst the proposed materials are different from those existing, they would not be out of character and will be an enhancement when viewed from within the streetscene. Accordingly, the development would not conflict with policy DM29 and Section 12 of the Framework.

5.4 **Residential amenity (NPPF Section 12; Review of the Development Management Development Plan Document Climate Emergency Review (DM DPD) policy DM29.**

- 5.4.1 The retrospective change of use of the bowling pavilion building to a radio station and the veterans' club building to a changing/social facility are considered to have a minimal impact upon the surrounding residential amenity. The radio station will use the building more intensely than the previous use of the bowling club, but it is considered not to have an adverse impact on the neighbouring residents' amenity as it will be akin to a low scale office use and would not give rise to significant amounts of noise. It is contended that the proposed use provides a positive image and presence for the park, which has contributed to reduced vandalism since the building has been in use. Accordingly, the development would not conflict with policy DM29 of the DM DPD and Section 12 of the Framework.

5.5 **Highways (NPPF Section 9 and 12; Review of the Development Management Development Plan Document Climate Emergency Review (DM DPD) policies DM29 and DM60)**

- 5.5.1 No off-street parking is proposed or can be provided, due to the topography of the site. There is ample on-street parking provided on Palatine Avenue, Rutland Avenue and Durham Avenue. County Highways have raised no objections to the scheme, suggesting the use of two conditions relating to a construction management plan and construction deliveries to be outside of peak traffic. Given the small scale nature of the works and that the proposed development is retrospective, the recommended conditions are not necessary. Accordingly, the development would not conflict with policy DM29 and DM60 of the DM DPD and Sections 9 and 12 of the Framework.

**6.0 Conclusion and Planning Balance**

- 6.1 As outlined above, whilst the full 12-month marketing of the veteran's club has not been undertaken, the site will continue to provide for a recreational facility and a local service. This provides significant benefits to the local population and has aided regeneration of the wider site. The replacement

materials proposed to both the buildings are considered an improvement to the appearance of buildings that had previously fallen into disrepair. The re-occupation and reuse of the buildings has also had a positive impact, particularly through the social and economic contributions it makes to the Lancaster District and the active reuse of part of the site. As such, the application is considered to comply with the development plan when read as a whole and is therefore recommended for approval.

## Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

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

## **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

<b>Agenda Item</b>	A12
<b>Application Number</b>	25/01136/LB
<b>Proposal</b>	Listed building application for the repair and upgrade of existing rainwater goods to include removal of PVC outlet pipe and reinstatement of lead lining to masonry outlet, inclusion of additional lead flashing to gulley and repair of water damaged plaster to internals of building.
<b>Application site</b>	Lancaster City Museum Market Street Lancaster Lancashire
<b>Applicant</b>	Carolyn Dalton
<b>Agent</b>	HPA Architects
<b>Case Officer</b>	Mr Sam Robinson
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Approve, subject to conditions.

(i) **Procedural Matters**

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

**1.0 Application Site and Setting**

- 1.1 Lancaster City Museum is a Grade II\* listed building located on Market Street in the centre of Lancaster's pedestrianised city centre and located within the Lancaster Conservation Area. The building occupies a prominent position and is within the setting of other various listed buildings and non-designated heritage assets (NDHA).

**2.0 Proposal**

- 2.1 This application seeks listed building consent for the repair and upgrade of existing rainwater goods to include removal of PVC outlet pipe and reinstatement of lead lining to masonry outlet, inclusion of additional lead flashing to gulley and repair of water damaged plaster to internals of building.

**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
25/01039/LB	Listed building application for the installation of boarding on the stairwell walls and repainting of stairwell walls	Permitted
25/00252/LB	Listed building application for a replacement stair lift	Permitted

#### 4.0 Consultation Responses

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

Consultee	Response
Conservation Officer	<b>No objection</b> (Conditions requesting method statements for internal and external works)
Historic England	<b>No comment</b>

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:

- Design and impact of the proposed works on the special interests of the listed building itself and the Conservation Area.

5.2 **Design and impact on the listed building and Conservation Area** (NPPF Sections 12 & 16; Strategic Policies and Land Allocations Development Plan Climate Emergency Review (SPLA DPD) policy SP7; and Review of the Development Management Development Plan Document Climate Emergency Review (DM DPD) policies DM29, DM37 and DM38).

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

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

5.2.3 Both national and local policy are clear inasmuch that any harm to the significance of a listed building or Conservation Area must be clearly justified and needs to be outweighed by the public benefits of the proposal. If no harm has been identified, this test is not engaged.

5.2.4 Lancaster Museum is an imposing structure constructed c.1781. The building's significance is derived from its substantial design value as an imposing neoclassical building with a designed presence in its surroundings. The building also projects an image of civic pride and has an illustrative historical value as a former civic building of the Georgian period and its associative historic value derived from connections with various locally prominent figures. Finally, the evidential value of its historic fabric, including remains of an earlier building at basement level.

5.2.5 The building is located within the Lancaster Conservation Area which is comprised of 11 different character areas. This building sits within the "City Centre" character area and the impressive architecture of the building provides a positive contribution to the significance of the Conservation Area.

- 5.2.6 As outlined in the opening paragraphs, the proposed works will provide repairs to the existing rainwater goods which are failing on the building. The works are to the rear of the building facing New Street. The works proposed include the removal of a PVC pipe, which has failed and is causing water ingress, and replacement with traditional lead lining. This is considered a more suitable arrangement and is regarded a material improvement. Additional lead flashing to the roof gullies is proposed to improve water capacity, thereby reducing the risk of water ingress. There will also be some minor repointing works to the coping to the parapet wall to further protect the building. These external repairs will be undertaken in sympathetic materials and will help to secure the future of the building and improve the building's significance. Accordingly, this element will not result in any harm to the significance of the listed building or Conservation Area. Even though there is no policy requirement to weigh up the public benefits, as outlined above, these alterations will provide clear benefits to the listed building in the form of improved drainage which will help secure the future of the building. This weighs in favour of the scheme.
- 5.2.7 The internal works are comprised of partial replastering of a section of wall and ceiling on a ground floor room and first floor room. The works to the ceiling will include replacement laths where these have rotted. These surfaces have deteriorated due to the water ingress, and the repairs will be undertaken once the external works have been completed. A lime plaster will be used to match the existing materials within the affected rooms. Similar, to the external works, these repairs will be done sympathetically and will enhance the significance of the listed building and therefore raise no concerns.
- 5.2.8 Both the internal and external works are considered necessary and will help preserve and enhance the special architectural interest of the listed building. The scheme has been assessed by the Council's Conservation Officer who has raised no objection, subject to the imposition of a condition to secure final details of the mortar for repointing and the method of internal plaster repairs.

## **6.0 Conclusion and Planning Balance**

- 6.1 The proposed works will assist in the restoration and repair of this Grade II listed building and will be carried out using sympathetic materials that match and complement its historic character. These works will enhance the significance of both the listed building and the Conservation Area. Accordingly, the proposal is considered to accord with the development plan as a whole and is recommended for approval.

### **Recommendation**

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

Condition no.	Description	Type
1	Timescales	Standard
2	Works to accord with plans	Standard
3	Precise details of mortar for repointing and method for internal plaster repairs.	Pre-commencement

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

### **Background Papers**

None

## LIST OF DELEGATED PLANNING DECISIONS

## LANCASTER CITY COUNCIL

APPLICATION NO	DETAILS	DECISION
23/01372/EIR	Land At Grid Reference E351227 N464937, Low Road, Halton Screening opinion for the erection of up to 80 dwellings with associated access for Applethwaite Homes Ltd (Halton-with-Aughton And Kellet Ward)	ES Not Required
24/00009/DIS	Land North Of Bulk Road And East Of Parliament Street, Lancaster, Lancashire, Discharge of condition 12 on approved application 22/00332/FUL for PPG Lancaster (Bulk)	Application Permitted
24/00922/NMA	Land North Of Bulk Road And East Of Parliament Street, Lancaster, Lancashire, Non-material amendment to planning permission 22/00332/FUL to vary materials from GRC panels to GRC effect aluminium, Wetcast or recessed brickwork, to increase smoke shaft heights, alter window frames sizes and correct openings for PPG Lancaster (Bulk)	Application Permitted
24/01276/FUL	43 Caton Green Road, Brookhouse, Lancaster Demolition of existing dwelling, erection of new self-build dwelling and creation of new additional vehicular access for Mr & Mrs Kyle (Lower Lune Valley Ward)	Application Permitted
24/01336/FUL	Smith Green Depot , Stoney Lane, Ellel Demolition of existing buildings and erection of 2 industrial buildings comprised of 5 units (B2/B8) with associated parking for Mr Mark Armer (Ellel Ward)	Application Permitted
25/00113/DIS	Land West Of Hunting Hill Lodge, Hunting Hill Road, Carnforth Discharge of conditions 3,4,5 and 6 on approved application 25/00305/VCN for Sharples (Carnforth And Millhead Ward)	Split Decision
25/00131/DIS	Land North Of Bulk Road And East Of Parliament Street, Lancaster, Lancashire, Discharge of condition 14 on approved application 22/00332/FUL for PPG Lancaster (Bulk)	Application Permitted
25/00156/DIS	Land North Of Bulk Road And East Of Parliament Street, Lancaster, Lancashire, Discharge of condition 21 on approved application 22/00332/FUL for PPG Lancaster (Bulk)	Application Permitted
25/00166/DIS	Belmount Farm, Hasty Brow Road, Slyne Discharge of conditions 3 and 4 on approved application 25/00679/FUL for Mr Jonathan Hoggarth (Bolton And Slyne Ward)	Application Permitted
25/00168/DIS	Moss House Farm, Gulf Lane, Cockerham Discharge of part of condition 5 on planning permission 02/00665/CU for Samantha Phillips (Ellel Ward)	Application Permitted
25/00171/DIS	Land To The North Of Porsche Centre South Lakes, Electric Drive, Carnforth Discharge of condition 12 on approved application 23/01400/FUL for Mr Jonathan Lincoln (Halton-with-Aughton And Kellet Ward)	Split Decision

## LIST OF DELEGATED PLANNING DECISIONS

25/00174/DIS	Land And Buildings South Of Number 52, Low Road, Middleton Discharge of condition 3,4,5,9,10 and 11 on approved application 23/00375/FUL for Mr Lee Norman (Overton Ward)	Split Decision
25/00176/DIS	Green Close, Back Lane, Priest Hutton Discharge of condition 3 on approved application 25/00065/FUL for Mr & Mrs Cohen (Warton Ward)	Application Permitted
25/00177/DIS	Higher Lee, Rakehouse Brow, Abbeystead Discharge of part of condition 3 on approved application 24/00879/LB for Mr Gareth Fleming (Ellel Ward)	Application Permitted
25/00181/DIS	Butler Works, Wyresdale Road, Lancaster Discharge of conditions 4,5,6,and 7 on approved application 24/01260/FUL for Tower Pension Trustees Ltd (Bowerham Ward)	Split Decision
25/00183/DIS	Land North Of Bulk Road And East Of Parliament Street, Lancaster, Lancashire, Discharge of condition 30 on approved application 22/00332/FUL for PPG Lancaster (Bulk)	Application Permitted
25/00185/DIS	Butler Works, Wyresdale Road, Lancaster Submission of Biodiversity Gain Plan on approved application 24/01260/FUL for Tower Pension Trustees Ltd (Bowerham Ward)	Application Refused
25/00263/VCN	Morecambe FC, Mazuma Stadium, Christie Way Development of a football stadium and related accommodation, outdoor multi-sports area for club and community use and associated parking (pursuant to variation of condition 34 on planning permission 22/01593/VCN to allow for up to 4 outdoor music events per calendar year) for Mr Toby Greenwood (Westgate Ward)	Application Refused
25/00381/FUL	8 Shore Cottages, Shore Road, Silverdale Erection of a two storey extension to the rear, installation of air source heat pump,and skylights to the rear for Mr. & Mrs. Nick & Amanda Webster (Silverdale Ward)	Application Permitted
25/00541/FUL	24 Mayfield Drive, Morecambe, Lancashire Erection of a first floor rear extension and detached outbuilding for Mr & Mrs D Weiler (Bare Ward)	Application Permitted
25/00559/FUL	8 Shore Cottages, Shore Road, Silverdale Excavation works, maintenance, and the erection of a structure to the front for Mr & Mrs Nick & Amanda Webster (Silverdale Ward)	Application Permitted
25/00626/FUL	16 High Road, Halton, Lancashire Change of use of former church to a children's day nursery for Infinity Pre-School (Halton-with-Aughton And Kellet Ward)	Application Permitted
25/00822/FUL	9 St Annes Close, Brookhouse, Lancaster Construction of a dormer extension to the rear elevation for Mr Nathan Dixon (Lower Lune Valley Ward)	Application Permitted
25/00869/FUL	Cragg Hall, Cragg Road, Wray Erection of a single storey extension to link it to main dwelling involving some alterations to windows and doors and glazed screen for Mrs Verena Bowyer (Lower Lune Valley Ward)	Application Permitted



## LIST OF DELEGATED PLANNING DECISIONS

25/00870/LB	Cragg Hall, Cragg Road, Wray Listed building application for conversion of one barn into habitable rooms and erection of single storey extension to link it to main dwelling involving some alterations to windows and doors and glazed screen for Mrs Verena Bowyer (Lower Lune Valley Ward)	Application Permitted
25/00877/LB	Cross House, Main Street, Arkholme Listed building application for replacement lime render to front, side and rear elevations for Ms Leonie Punter (Halton-with-Aughton And Kellet Ward)	Application Permitted
25/00983/LB	14 Castle Park, Lancaster, Lancashire Listed building application for the installation of a replacement window for Mrs Janet McRae-Taylor (Castle Ward)	Application Permitted
25/00986/FUL	Land At Grid Reference N472572 E363505, Cantsfield Road, Cantsfield Change of use of land for the siting of a mobile home to be used as an agricultural worker dwelling for Mr Michael Brown (Upper Lune Valley Ward)	Application Refused
25/00993/FUL	21 Lynden Avenue, Morecambe, Lancashire Construction of hip to gable extension and dormer extension to the rear elevation for Mr and Mrs Lee Carter (Bare Ward)	Application Permitted
25/01000/CU	28 Lindeth Road, Silverdale, Carnforth Change of use of property to short term holiday let for Mr Brendan McIlroy (Silverdale Ward)	Application Permitted
25/01008/FUL	2 Lonsdale Place, Lancaster, Lancashire Erection of front porch and reconfiguration of steps to the front for Mrs E Oindex (Bowerham Ward)	Application Permitted
25/01016/FUL	1,2,3 And 9 Low Mill, Mill Lane, Caton Replacement balustrade to existing terraces for Mr Sellers, Mr & Mrs Grenhalgh, Mr & Mrs Duggleby And Mr & M (Lower Lune Valley Ward)	Application Permitted
25/01028/PLDC	1,2,3,4,5,6,7,8,10,12 Turnpike Fold And Beaumont Gate Farmhouse, Slyne, Lancashire Proposed lawful development certificate for the decommissioning of existing septic tank system and connection to the main sewer system at Green Lane Lancaster, incorporating the installation of underground collection chamber and pump station and laying of 100mm main pipeline for James Edmonds (Skerton Ward)	Lawful Development Certificate Refused
25/01035/FUL	14C Northgate, White Lund Industrial Estate, Morecambe Change of use from motor vehicle workshop to a filming studio for MST Systems (Westgate Ward)	Application Refused
25/01040/NMA	Land North Of Bulk Road And East Of Parliament Street, Parliament Street, Lancaster Non-material amendment to planning permission 22/00332/FUL to vary brick overrun heights, louvres locations above curtain wall and external generator location for PPG Lancaster (Bulk)	Application Permitted
25/01042/ELDC	2 Longtons Cottages, Kirkby Lonsdale Road, Over Kellet Existing lawful development certificate for the lawful commencement of planning permission 22/00742/FUL for Mr Ian Barlow (Halton-with-Aughton And Kellet Ward)	Lawful Development Certificate Refused

## LIST OF DELEGATED PLANNING DECISIONS

25/01048/FUL	3 Moorlands Grove, Heysham, Morecambe Construction of a pergola attached to the rear elevation for Mr D Socha (Heysham North Ward)	Application Permitted
25/01054/FUL	21 Jackson Close, Lancaster, Lancashire Erection of a single storey rear extension for Mr & Mrs Bob Mudd (Marsh Ward)	Application Permitted
25/01056/FUL	Perry Moor, Old Moor Road, Wennington Erection of an extension to the side of existing agricultural livestock building for Mr James McKinstry (Lower Lune Valley Ward)	Application Permitted
25/01064/PLDC	195 Westminster Road, Heysham, Morecambe Proposed lawful development certificate for the construction of a dormer extension to the rear elevation for Mr Muhib Rahman (Heysham North Ward)	Lawful Development Certificate Granted
25/01065/FUL	Silverdale St Johns Church Of England Primary School, Emesgate Lane, Silverdale Erection of a timber playground shelter for The Governors Of St John's C Of E Primary School (Silverdale Ward)	Application Permitted
25/01073/ELDC	Buildings And Land Adjacent Latham House, Abbeystead Lane, Dolphinhholme Existing lawful development certificate for the use of land and buildings in association with a civil engineering business for Mr Mark Armer (Ellel Ward)	Lawful Development Certificate Granted
25/01085/FUL	1 Beechfield , Westbourne Road, Lancaster Installation of an oriel window to the side elevation, alterations to the windows and doors, re-roof including installation of rooflights to the front and rear elevations and installation of solar panels to the rear elevation and re-rendering of property for Mr and Mrs Marshall (Marsh Ward)	Application Permitted
25/01090/FUL	Parklands House, Parklands Drive, Caton Erection of an outbuilding for Mr Michael Stainton (Lower Lune Valley Ward)	Application Permitted
25/01096/PAC	2 Norfolk Street, Lancaster, Lancashire Prior approval application for the change of use of commercial premises into 2 flats for Mr H Tekin (Skerton Ward)	Prior Approval Refused
25/01097/VCN	Addington Lodge, Addington Road, Nether Kellet Demolition of one existing stable building and erection of one single storey ancillary building for office with store and plant room and associated parking (pursuant to the variation of condition 2 on planning permission 21/01547/FUL to amend previously approved plans) for Mr A Gott (Halton-with-Aughton And Kellet Ward)	Application Permitted
25/01098/VCN	Addington Lodge, Addington Road, Nether Kellet Erection of a block of five stables and farm office block (pursuant to the variation of condition 1 on approved application 21/00116/VCN to amend the approved plans) for Mr Adrian Gott (Halton-with-Aughton And Kellet Ward)	Application Permitted
25/01101/PAH	70 West Drive, Lancaster, Lancashire Erection of a 3.5 metre deep single storey rear extension with a maximum roof height of 3.8 metres and a maximum eaves height of 2.5 metres for Mrs Deborah Fellows (Scale Hall Ward)	Prior Approval Not Required

## LIST OF DELEGATED PLANNING DECISIONS

25/01107/ADV	Genix Healthcare Ltd, 338 - 342 Lancaster Road, Morecambe Advertisement application for the display of an non-illuminated fascia sign for Mr Basharat Hussein (Torrisholme Ward)	Application Permitted
25/01129/FUL	Meadow Hill, Stanmore Drive, Lancaster Erection of garden room for Mr Sufyaan Munshi (Scotforth West Ward)	Application Permitted
25/01156/FUL	36 Hala Road, Lancaster, Lancashire Conversion of existing garage to habitable room, including removal of garage door and installation of window for Mr and Mrs Ross Fernie (Scotforth East Ward)	Application Permitted
25/01163/AD	Crook Farm, Slack Lane, Thurnham Agricultural determination for the erection of hay and straw storage building for Mr John Gerrard (Ellel Ward)	Prior Approval Granted
25/01206/NMA	11 Broadlands Drive, Bolton Le Sands, Carnforth Non-material amendment to planning permission 25/00182/FUL for removal of stone slips, side window, rooflight and increase overhang to rear single storey extension for Mr and Mrs Rory Turner (Bolton And Slyne Ward)	Application Permitted
25/01210/EIR	Croftlands, Caton Green Road, Caton Green Screening request for the removal of condition 2 on planning permission 2/5/2796 relating to occupancy by an agricultural worker for Mrs Karen Labrum (Lower Lune Valley Ward)	ES Not Required