



Committee: PLANNING REGULATORY COMMITTEE

Date: MONDAY, 16 FEBRUARY 2026

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 12th January 2026 (previously circulated).

3 Items of Urgent Business authorised by the Chair

4 Declarations of Interest

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

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

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

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

Planning Applications for Decision

Community Safety Implications

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

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

Local Finance Considerations

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

Human Rights Act

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

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|---|--|---|----------------------------------|----------------------------|
| 5 | A5 25/00805/OUT | Land to the west of Slyne Road
Bolton Le Sands Lancashire | Bolton and
Slyne Ward | (Pages 5 -
57) |
| | | Outline application for the erection of up to 200 dwellings, including affordable housing, public open space, landscaping, and sustainable urban drainage system (SUDS) and associated works. All matters reserved except for means of access. | | |
| 6 | A6 25/01118/VCN | Central Promenade Regeneration
Site Marine Road Central
Morecambe Lancashire | Poulton
Ward | (Pages 58 -
89) |
| | | Demolition of existing buildings and proposed construction of major mixed leisure development in association with Eden Project (including use classes E, F1 and F2), outdoor arena (including live music performances), public realm, landscaping works, cycle parking, detached shelter and energy pods, and associated infrastructure and engineering operations (pursuant to the variation of condition 2 on planning permission 21/01113/FUL to amend the design and layout of the approved development). | | |

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|----|---|---|--------------------------|------------------------------|
| 7 | A7 <u>26/00023/FUL</u> | Land East of Central Promenade
Regeneration Site Marine Road
Central Morecambe Lancashire | Poulton
Ward | (Pages 88 -
96) |
| | | Erection of flood defence wall, flood barrier and associated works. | | |
| 8 | A8 <u>25/00512/FUL</u> | Land North West Of Sand Lane
Warton Lancashire | Warton
Ward | (Pages 95 -
114) |
| | | Erection of thirteen dwellings and associated access. | | |
| 9 | A9 <u>24/01417/FUL</u> | Land Off Newlands Road
Lancaster Lancashire | Bowerham
Ward | (Pages 115 -
132) |
| | | Erection of 31 affordable dwellings with associated access and landscaping. | | |
| 10 | A10 <u>25/01361/LB</u> | Ryelands House Owen Road
Lancaster Lancashire | Skerton
Ward | (Pages 133 -
135) |
| | | Listed building application for proposed demountable internal linings to some ground floor rooms, repairs to existing lean-to toilet, repair of windows and temporary covering. | | |
| 11 | A11 <u>25/01313/FUL</u> | Boundary Wall and Footway to
Moor Mills Car Park Off Nelson
Street Lancaster Lancashire | Castle
Ward | (Pages 136 -
139) |
| | | Creation of a new opening in an existing wall and construction of a new pedestrian ramped access. | | |
| 12 | A12 <u>25/01318/LB</u> | Boundary Wall to Moor Mills Car
Park Off Nelson Street Lancaster
Lancashire | Castle
Ward | (Pages 140 -
142) |
| | | Listed building application for the creation of a new opening in an existing wall. | | |
| 13 | Delegated List (Pages 143 - 151) | | | |
| 14 | Updates Pages (Pages 152 - 159) | | | |

Update reports published 12th February 2026.

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) and Joyce Pritchard (Substitute)

(iii) Queries regarding this Agenda

Please contact Eric Marsden - Democratic Support: email emarsden@lancaster.gov.uk.

(iv) Changes to Membership, substitutions or apologies

Please contact Democratic Support, telephone 582000, or alternatively email democracy@lancaster.gov.uk.

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

Published on 3rd February 2026.

Re-published with updates on 12th February 2026.

Agenda Item	A5
Application Number	25/00805/OUT
Proposal	Outline application for the erection of up to 200 dwellings, including affordable housing, public open space, landscaping, and sustainable urban drainage system (SUDS) and associated works. All matters reserved except for means of access.
Application site	Land to the west of Slyne Road Bolton Le Sands Lancashire
Applicant	Mr Warren Cadman, Wrenman Strategic Land Ltd.
Agent	Mr Laurie Lane
Case Officer	Mr Robert Clarke
Departure	Yes
Summary of Recommendation	Approval subject to conditions and completion of Section 106 Agreement. Delegate back to Chief Officer – Planning and Climate Change to finalise legal agreement.

(i) **Procedural Matters**

The Planning Regulatory Committee visited the site and its surroundings on 8 December 2025.

1.0 Application Site and Setting

- 1.1 The site forming the subject of this application is formed by four agricultural fields located on the southern edge of the village of Bolton-le-Sands, within the Bolton-le-Sands Parish area. The southern boundary of the site is also close to the northern periphery of the village of Slyne, separated from the nearest residential development situated along Main Road/Slyne Road (A6) and Manor Lane by further agricultural fields. The western boundary of the site is adjacent to the eastern edge of Hest Bank.
- 1.2 The application site area measures 11.31 hectares. The northern boundary of the site lies adjacent to existing residential development located along Greenwood Drive, Greenwood Avenue, Pinewood Avenue and Ashworth Drive. The eastern boundary of the site is formed by a field boundary hedgerow which runs parallel with Slyne Road (A6). Slyne Road (A6) is an 'A' class road subject to a 40mph speed limit past the majority of the site. Further agricultural fields lie beyond this to the east of the A6. The southern boundary of the site is formed by a field boundary hedgerow which separates the site from the adjacent field to the south. The western boundary of the site is situated adjacent to existing residential development located along Kirklands, Hatlex Hill and Bryn Grove.
- 1.3 The site comprises four individual fields of varying sizes, separated by established hedgerows containing intermittent trees. The site exhibits an undulating landform, with ground levels rising

towards the centre and lower-lying areas along the eastern and western boundaries. Overall, the site takes the form of a low, gently sloping drumlin, with the highest point located approximately at the centre of the site at around 43m AOD. From this crest, land levels fall eastwards towards Slyne Road, which lies at just over 36m AOD. Ground levels along the western boundary reduce more markedly, falling to approximately 28m AOD. While the site is predominantly characterised by gentle gradients, more pronounced changes in elevation are evident within the northernmost field, adjacent to the rear gardens of properties on Pinewood Avenue, where a small, tree-covered embankment is present.

- 1.4 The site is located within the designated Open Countryside which defines the rural areas of the district. The site is also located within the North Lancashire Green Belt. Trees along the western boundary of the site, around Bryn Grove and Hatlex Hill, are subject to Tree Preservation Orders 4(1973) and 608(2017). The site is also located within a Mineral Safeguarding Area. There is a small open and part culverted watercourse located within the site, adjacent to the boundary with Greenwood Drive and Pinewood Avenue. This flows northwards and enters Lancaster Canal. The Council's Strategic Flood Risk Assessment (SFRA) identifies an area of flood zone 3b extending into the site from the east before heading northwards. There is also a small pocket of flood zone 2 located close to the sites access onto Greenwood Drive, in addition to areas of both high and medium risk of surface water flooding within the eastern areas of the site, close to the A6. The extent of the surface water flooding increases when incorporating climate change allowances. The Council's SFRA identifies the site as being within the High Risk Urban Catchment - Coastal Catchment area.
- 1.5 Close to the southeast corner of the site, and close to the existing field gate, is a Grade II listed milestone/boundary marker. The Grade II listed Slyne Hall is located approximately 100 metres to the southeast of the site on the eastern side of Slyne Road. The Slyne Conservation Area is located approximately 250 metres to the south of the site and contains additional designated and non-designated heritage assets, including the Grade II* listed Manor House Farm.
- 1.6 Lancaster Canal is located to the north and west of the site, separated from the proposed fields by intervening development. The canal is identified as a Non-Designated Heritage Asset (NDHA), it is also a Biological Heritage Site (BHS) and an identified Green/Blue Corridor within the Council's Local Plan. The canal towpath also forms a designated cycle/active travel route within the Local Plan. The site is located approximately 730 metres from Morecambe Bay and its associated ecological designations including Special Protection Area (SPA), Special area of Conservation (SAC), Ramsar Site and Site of Special Scientific Interest (SSSI).
- 1.7 The development site is adjacent to, but not within, the boundary of the Slyne-with-Hest Neighbourhood Plan. Whilst the proposal includes a proposed active travel link to Hatlex Hill, which is within the boundary, the development itself remains adjacent to the Neighbourhood Plan boundary. As such, whilst the relationship of the development with the Neighbourhood Plan area is a material consideration, its policies are not applicable to the determination of this application.

2.0 Proposal

- 2.1 This application seeks outline planning permission for the erection of up to 200 dwellings with full details of the access arrangements provided at this stage. Matters pertaining to the appearance, landscaping, layout and scale of the proposed development are reserved for subsequent approval, herein "the reserved matters".
- 2.2 Access is a matter to be considered in full. A new vehicular access is proposed off Slyne Road on the eastern boundary of the site. The detailed access design extends 21.5 metres into the site. It features a carriageway width of 5.5 metres along with 2 metre wide pavements to each side. The junction with Slyne Road takes the form of a priority-controlled junction and includes off-site highway works to facilitate the junction design. This comprises the formation of a ghost island right turn lane which would prevent vehicles that are waiting to turn right into the site from blocking southbound traffic. The junction has been designed to a 30mph speed limit, as such, it is also necessary to extend the existing 30mph speed limit southwards to include the area around the proposed junction. Visibility splays of 43 metres at the access point are provided in both directions along Slyne Road. Pedestrian pavements already feature along the west side of Slyne Road, these will be adjusted to

suit the increased road width/alignment and junction design. In addition to this, an active travel route will be located internally within the site running north to south and parallel with the sites eastern boundary. This will include two pedestrian/cycle connections to Slyne Road at the northern and southern ends of the site.

- 2.3 An emergency access and active travel link is also proposed onto Greenwood Drive. The road width will initially form a continuation of Greenwood Drive, but will then narrow leading into the site from 6 metres to a width of 4 metres. The access will include droppable bollards to prevent misuse. A further active travel access link is also provided on the western boundary, to connect with Hatlex Hill. This will also include droppable bollards, again to prevent misuse. The submission indicates these links will be upgraded by improved surfacing, lighting and access restrictions.
- 2.4 Alongside the provision of up to 200 dwellings, the proposal shall include the provision of affordable housing, on-site public open space and associated infrastructure, such as the provision of a sustainable drainage scheme.
- 2.5 Illustrative plans including a Development Framework Plan, Masterplan, Green/Blue Infrastructure Strategy Plan and a Design and Access Statement have been submitted in support of the application. Whilst these have not been submitted for approval, combined they detail the way in which the site could be developed to provide housing, associated roads, active travel infrastructure, amenity open space, ecology mitigation and enhancement (BNG) and drainage infrastructure (SuDS). Earthworks are anticipated as part of the development to form the proposed drainage basins, development platforms and to mitigate against flood risk.

3.0 Site History

- 3.1 The site has a very limited planning history. The only relevant case relates to the screening opinion for the proposed development earlier in 2025, which is detailed below:

Application Number	Proposal	Decision
25/00138/EIR	Screening Opinion for proposed residential development	Not EIA development
25/00106/PRENG2	Pre application advice request for the erection of up to 250 dwellings	Advise Issued

4.0 Consultation Responses

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

Consultee	Response
Bolton le Sands Parish Council	<p>Objects to the proposal for the following reasons:</p> <ul style="list-style-type: none"> - Development of this site conflicts with the Local Plan development strategy settlement hierarchy set out in Policy SP2. - Large scale development within the Parish is not justified, and no evidence is provided to indicate the proposal would be targeted to meet local needs whilst being proportionate to the village. - The proposal would hinder the ability of the City Council to direct growth to allocated development sites, including the North Lancaster Strategic Site (Policy SG9). - The proposal is fragmented and not part of a co-ordinated plan-led approach to development. - This development combined with future potential development to the south would result in harm to the function, role and character of the village. - The proposal undermines the ability to secure infrastructure investment. - The development constitutes Environmental Impact Assessment development.

	<ul style="list-style-type: none"> - Stakeholder engagement has been insufficient. - The Transport Assessment only considers the development in isolation and does not consider cumulative impacts. - The site access visibility splays have not been included within the development red edge boundary. - Proposed pedestrian and cycle infrastructure is not safe or well considered. - Proposal does not include speed reduction or other off-site safety interventions, or model peak traffic flows. - Local highway network surrounding village school is at capacity. - Village school cannot accommodate population growth. - The proposal is within the Green Belt, the proposal does not represent development of Grey Belt land, and no very special circumstances exist to justify the proposal. - Proposal would result in the coalescence of Bolton le Sands and Slyne with Hest. - The surface water drainage strategy is inadequate, the development would result in increased off-site flood risk. - The Biodiversity Net Gain/Ecological assessments are inadequate. - Proposal would impact the historic character and identity of the villages, it would erode the open land between these settlements and does not represent good spatial planning.
<p>Slyne with Hest Parish Council</p>	<p>Objects to the proposal for the following reasons:</p> <ul style="list-style-type: none"> - The proposal represents inappropriate development within the Green Belt. - The proposal would result in the merging of villages. - The location of the site within the Open Countryside and Green Belt designations mean the proposal represents a departure from the Local Plan. - Highway safety concerns relating to the means of access onto Slyne Road through increased traffic, reduced access for emergency vehicles, increased vehicle related pollution, and poor sustainability credentials. - Local infrastructure does not have the capacity to facilitate the development. - The development has the potential to result in increased off-site flood risk, including at the Recreation Field.
<p>CPRE</p>	<p>Objects to the proposal for the following reasons:</p> <ul style="list-style-type: none"> - The proposal represents inappropriate development within the Green Belt. - The proposal would result in the coalescence of Bolton le Sands and Slyne with Hest. - The proposal would lead to the loss of openness within the Green Belt, encroachment into the countryside as well as harm to the landscape, agricultural land and wildlife. - The site does not constitute Grey Belt land, and there are no very special circumstances to justify development within the Green Belt. - The proposal does not satisfy the requirements of National Planning Policy Framework paragraphs 110 and 115 relating to achieving sustainable development. - Raises concerns regarding sustainable transport opportunities/active travel and highway safety matters. - The site is at risk of flooding and the development could exacerbate matters.
<p>Lancaster Civic Vision</p>	<p>Objects to the proposal for the following reasons:</p> <ul style="list-style-type: none"> - Development would have a significant negative impact on the local area and the local community. - The proposal contradicts Local Plan requirement and is not supported by essential wider infrastructure including transport, retail, schools and medical facilities. - Proposal undermines the Slyne with Hest Neighbourhood Development Plan. - The site is within the Green Belt, and the development would merge villages and result in harm to their identity. - The loss of open space would negatively impact local residents' quality of life.

	<ul style="list-style-type: none"> - Development would lead to the destruction of valuable wildlife habitats and cause long-term environmental damage. - The site is at risk of flooding and the development could exacerbate matters. - Raises concerns regarding highway safety including the impact of the development upon existing local network capacity issues. - Development and associated increased traffic would detract from the tranquillity of this area, impacting the enjoyment of the countryside. - Impact upon archaeological remains. - Proposal does not address local views.
<p>Dynamo Cycle Campaign</p>	<p>Objects to the proposal for the following reasons:</p> <ul style="list-style-type: none"> - The site is very large and will impact traffic volumes. - Existing cycle infrastructure provided along the canal is poorly maintained. - Proposed development does not align with the NPPF paragraphs 115-118, as it provides no safe active travel links to existing infrastructure outside the development itself. - The Design and Access Statement seems to only refer to cycle movements within the site boundary. The Travel Plan does not explicitly discuss infrastructure to encourage cycling. - It is encouraged that a cycle route be provided from Hatlex Lane to connect with the Canal and to link with the promenade in Morecambe. - It is also requested that the canal towpath to Lancaster/Carnforth be properly maintained to encourage the use of this route. - Such measures could completely change the travel impact of this large and important development.
<p>County Highways Authority (LHA)</p>	<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"> - Construction Management Plan (CMP) - Wheel washing facilities - Full construction details and implementation of the proposed access and associated works. - Precise scheme for off-site highway works including emergency and active travel access from Greenwood Drive, active travel access onto Hatlex Hill, upgrading of two bus stops. - Construction of estate road to base course level before wider development. - Details of road management and maintenance. - Implementation of Interim Travel Plan and submission of full travel plan. <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 £1,099.85 per unit towards selected Lancaster Travel and Transport Infrastructure Strategy initiatives, and a further contribution of £12,000 to enable Travel Plan monitoring.</p>
<p>Natural England</p>	<p>A series of consultation responses have been provided setting out various requests for additional survey efforts and assessment. Natural England’s latest response dated 26 January 2026 confirms that Natural England raises no objection to the proposal subject to mitigation being secured through planning condition and obligation.</p>
<p>Lead Local Flood Authority</p>	<p>No objection – subject to the following conditions:</p> <ul style="list-style-type: none"> - Final details of surface water drainage scheme - Construction phase surface water details - Drainage Operation and Maintenance Manual - Drainage verification report.

	Site specific advice relating to drainage requirements and ordinary watercourse consent is also provided.
Biodiversity Officer	<p>Comments - The Shadow Habitat Regulations Assessment is appropriate for adoption by the Competent Authority, including the assessment of overwintering birds.</p> <p>The habitat survey is accepted as a baseline for ecological assessment and biodiversity net gain metric.</p> <p>No bat roosts would be affected and the surveys in April/May showed that bat activity was only low.</p> <p>Amphibian surveys did not detect the presence of Great Crested Newt. The habitat is suboptimal for any breeding population of Great Crested Newt.</p> <p>Evidence of breeding lapwing nesting within the site. The proposal would result in the loss of lapwing territory, as conditions would not be suitable for this species within the proposed development. Other species likely breeding on site and in low numbers are blackbird, dunnock, goldfinch and wren. Indicative layout and habitat provision makes it likely that breeding and foraging opportunities for these birds would be maintained or possibly enhanced. Habitat enhancement opportunities should be secured within the development.</p>
Arboricultural Officer	No objection in principle – comments are made regarding the requirement to remove 188 metres of the existing roadside hedgerow along the A6 boundary. Further comments are provided regarding landscaping requirements for the development.
Waste and Recycling Officer	Comments - commentary relating to bin provision, road layout and collection point requirements.
Conservation Officer	No objection – Proposal is unlikely to result in harm to the setting of Lancaster Canal and to Slyne Hall. The development of this site would not have an adverse impact upon the Slyne Conservation Area. The preservation of the Grade II listed milestone is necessary, which can be achieved through detailed layout considerations, particularly of the active travel link. A scheme for the protection of this asset is essential. Provides general advice relating to matters of design, including appearance, of the proposal.
Lancashire Police	<p>Comments - Provides a Crime Impact Statement and provides recommendations relating to crime prevention strategies including matters relating to the design of dwellings/development including layout, design, boundaries, access routes, security systems, window security, landscaping, parking and lighting.</p> <p><i>NB: The recommendations are more relevant to the details at reserved matters stage.</i></p>
Public Realm Team	<p>No objection, subject to securing the following:</p> <ul style="list-style-type: none"> - On-site Amenity Greenspace - On-site play equipment (Children’s and Young Persons provision) - Off-site contribution towards allotments (Slyne community orchard or Halton village) - Off-site contribution towards Parks and Recreation enhancements (Slyne Recreation ground) - Off-site contribution towards outdoor sports provision (Slyne Recreation ground) <p>For all off-site contribution requests, the final sum is to be calculated at reserved matters stage.</p>

Lancaster Canal Trust	Comments - Supports the comments made by the Canal & River Trust in relation to the need for further details of surface water drainage and contributions to sustainable transport infrastructure.
Canal and River Trust (CRT)	Comments - Provides commentary on the need to fully assess drainage impacts on existing canal infrastructure and requests a condition to secure details of the drainage design. A further request was also made to secure a financial contribution towards the enhancement of the canal towpath. However, in further correspondence provided by the CRT (received 06/01/2026), it has been confirmed that the financial contribution request is no longer being made. A further informative advice note regarding CRT contact details is also requested.
Historic England	Does not wish to provide comments, recommends that views of the Conservation Team are sought.
Active Travel England	Standing advice is provided.
Environment Agency	Does not wish to provide comment. With respect to the presence of a foot and mouth burial pit in the field to the south of the application site, the EA confirms they have no additional comments to make.
Environmental Protection Officer	Comments - Provides commentary on the need to secure mitigation to achieve appropriate noise standards, Construction Environment Management Plan (CEMP) and contamination remediation by planning condition. Additional commentary is provided regarding the presence of a foot and mouth burial pit which identifies limited residual risk due to the passage of time, distance and lack of pollution pathways.
Fire Safety Officer	Comments - Provides advice relating to Building Regulation requirements relating to vehicle manoeuvrability and water provision.
County Education	No objection , the County Council will not be seeking a contribution for primary or secondary school places.
County Historic Environment Team (Archaeology)	Comments - The Historic Environment Team agrees with the characterisation of the site as one as having a low potential. In this instance, further archaeological investigation is not warranted.
United Utilities	Comments - Proposal is acceptable in principle, conditions requested relating to detailed surface water and foul drainage design, further advice regarding water efficiency and infrastructure requirements is provided.
NHS	No objection – subject to a financial contribution of £131,616 (200 units) towards extension and reconfiguration at the Brookfield Surgery Bolton le Sands. In the event that this request is not secured, this would result in an objection .
Engineers	No response received.
Sustainable Growth	Comments - The proposal will be required to provide an Employment and Skills Plan.
Mineral Safe Policy Team	No response received.
County Active Travel	No response received.

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

669 letters of objection, including some duplicated comments. A summary of the main reasons is as follows:

Principle matters including:

- The development would be unsustainable development and would result in the overdevelopment of village(s).
- The proposal would result in urban sprawl within the Green Belt and the over population of the local area.
- The development site is located within the North Lancashire Green Belt and the development conflicts with green belt planning policies.
- The development would erode the openness of the Green Belt.
- The development would result in the merging of the settlements.
- The development represents inappropriate development within the Green Belt and inadequate justification has been provided to demonstrate the existence of very special circumstances.
- The land does not constitute grey belt land.
- The development site contributes to the green belt purposes.
- Development such as this should be directed towards brownfield sites, rather than developing open countryside.
- The development does not accord with policies relating to design, accessibility, transport requirements, landscape and visual impacts and conservation and heritage matters.
- There is a lack of justification for this development of additional housing.
- Concerns are raised that there are already numerous existing empty homes and existing homes for sale, including homes within recently proposed nearby housing developments.
- There is no need for additional housing in this area, and existing allocations have already been made for housing in other areas.
- The loss of agricultural land will affect food security and sustainability.
- Concerns are raised that the proposed housing would not be true affordable housing.
- Lack of consultation with the community.
- Insufficient time has been given to assess and comment on the application.
- Increases in population will impact employment and the local economy.
- Attempts to allocate the site for housing have previously been considered and refused.
- Supporting statements, some of which include desk based assessment, do not enable informed assessments and concerns area raised that they contain errors and omissions.
- Inadequate archaeological surveys have been undertaken to assess the archaeological status of the land.

Design and landscape matters including:

- Development of the site would result in the loss of green belt land and openness and the loss of 'Lapwing Fields'.
- The development conflicts with policies within the NPPF and the Local Plan, including policies EN3 and EN4, regarding development and landscape considerations.
- Approving development here would set a precedent for future development of green belt land.
- The development would result in cumulative impacts to the landscape and would constitute ribbon development.
- The development would harm the nature and character of the area.
- The development would damage the landscape, result in the loss of attractive views and the drumlin topography.
- The development would result in the merging of villages and this would result in the loss of village identity.
- The development would result in harm to heritage assets including Slyne Conservation Area and Grade II listed Slyne Hall and impact on historic character of the village.
- The development would not accord with the adopted Slyne Conservation Plan.
- The Addendum and revised design statement does not address concerns raised.
- The revised design layout does not reduce impact on surrounding area and does not address scale, character, and amenity concerns.

- Part of boundary hedgerow included in application does not belong to developer and owners have not been consulted.

Traffic and highway concerns including:

- There are already road safety issues, including danger along the A6 due to speeding.
- There is inadequate emergency access.
- There is already limited parking and traffic congestion within the area.
- The proposed emergency access onto Greenwood Drive and the A6 will increase the risk of accidents.
- The development will increase safety concerns, particularly around the proposed pedestrian and cycle links.
- There is a lack of lighting existing and proposed.
- The development will contribute to existing traffic issues, increased car usage and congestion.
- There are narrow roads in the area which lack pavements.
- There are roads and access points which have poor sightlines.
- Greenwood Drive and Haltex Hill are already congested and the development will make this worse.
- Concerns are raised over the future maintenance of public areas, cycle paths, pathways and pavements.
- The proposal has a lack of parking areas proposed.
- Revised information does not reference impacts on Bryn Grove which will be affected, and concerns this information has been omitted.
- Pressure on existing roads and transport infrastructure.
- Concerns that vehicle movement/access and pedestrian access is dangerous in and out of Hatlex Hill with lack of pavements, which poses danger to public/cyclists/drivers.

Residential amenity concerns including:

- The development will result in the loss of privacy and overlooking for neighbouring properties.
- Light pollution will be harmful to residential amenity.
- There are concerns that there will be a rise in anti-social behaviour and crime.
- Concerns over the proposed play areas, picnic areas, dog walking areas along with potential associated poor maintenance and antisocial behaviour concerns.
- The development would lead to a decline in community feeling and identity and quality of life as a result, as the development is not in keeping with the character of village.
- There is a lack of open space proposed within the development.

Environmental concerns including:

- Walking and cycling routes in the area are already dangerous.
- The development will result in the loss of mature trees and hedgerows.
- The development will harm wildlife including protected species and red listed species including lapwings.
- The site is a valuable habitat for various species of birds, including species in decline. The development will result in the loss of habitat for these species.
- Bird survey evidence provided by local residents suggests the site is ecologically important and potentially functionally linked land associated with the Morecambe Bay ecological designated sites. Bird survey evidence indicates that the site is territory for Lapwing.
- There is a lack of informed assessment of the impacts to wildlife.
- There are concerns that the Shadow Habitat Regulations Assessment and the Ecological Assessment baseline is not representative and that the assessment of wildlife, including of qualifying species such as Curlew, is not robust and not properly addressed in accordance with policy.

- The development will not accord with the Lancashire Local Nature Recovery Strategy, particularly for wading bird habitat.
- The development will cause construction noise and dust pollution.
- The development will cause air pollution.
- The development will cause light pollution and associated impacts on dark sky area.
- The proposal will increase pressure on existing drainage infrastructure.
- The development will increase flood risk, one objection contained video evidence of a flood event.
- There are concerns regarding land and water contamination including in relation to asbestos, and a nearby burial pit for foot and mouth livestock.
- There are concerns that the geo-environmental assessment is not adequate.
- Existing surface water runoff via the culvert could result in pollution of the wider watercourse/environment.
- The development and its construction phase will increase carbon emissions and increase energy use.
- There are concerns that the proposed detention basins would not mitigate flood risk.

Infrastructure concerns including:

- The development will lead to increased pressure on existing local infrastructure and services which are already at capacity. This includes roads/drains/digital Infrastructure/electricity and water supply as well as healthcare/education and childcare/public transport/refuse services.
- There is no additional infrastructure proposed, and the site is not within easy access of existing facilities.
- The revised information does not provide clarity on the drainage strategy, including whose responsibility it will be to maintain the infrastructure including the pumping station(s).
- The local primary schools state that they have no capacity to accommodate the likely number of children that would result from the development.
- Access to the Bolton-le-Sands school site is already a safety concern due to the constrained road network.

3 letters of support. A summary of the main reason is as follows:

- Support for building on land to encourage people to move back to village.

5.0 Analysis

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

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

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, EN3: Countryside Area; Development Management DPD Policies DM1: New Residential Development and Meeting Housing Needs, DM4: Residential Development Outside Main Urban Areas, 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. 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 range sustainable rural settlements that will provide the focus for rural growth outside the main urban areas. The application site is located on the southern edge of Bolton-le-Sands and is also adjacent to the northern and eastern edges Slyne-with-Hest. The development site is immediately adjacent to existing residential development within both settlements. Bolton-le-Sands, Slyne-with-Hest and Hest Bank are all identified as sustainable rural settlements and as such, the development site is in a location in which the provision of housing would be supported in principle; subject to the constraints of the Open Countryside and Green Belt matters set out below.

5.2.2 The site and the whole of the villages of Bolton-le-Sands, Slyne-with-Hest and Hest Bank lie within the designated Countryside Area as defined by the Lancaster District Local Plan, which defines the rural context of the district. Policy EN3 does not seek to preclude development in these areas, but 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 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 that 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, which are matters discussed further within this report.

5.2.4 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 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.

5.2.5 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.

5.2.6 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.

5.2.7 A Mineral Resource Assessment has been submitted in support of the application. This concludes that the site is within an area containing sandstone (Carboniferous Millstone Grit) in addition to Coal Measures deposits relating to the underlying Pendle Grit Member. In the first instance, Policy M1 of the Joint Lancashire Mineral and Waste Development Framework Core Strategy states that *'development will not be supported for any new extraction of sand and gravel, limestone, gritstone or brick shale'*. This would be inclusive of the sandstone gritstone within this area, as such the minerals underlying this site does not pose a restriction to the proposed development. Furthermore, the site is 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 significant. Finally, given the relatively small size of the site/minerals and the fact it is adjacent to existing development and important transport infrastructure (A6), it is not an unreasonable assertion that prior extraction would also be unviable. Accordingly, it is considered that the development would not conflict with the policy M2 of the Joint Lancashire Minerals and Waste Local Plan.

5.2.8 Statement of Community Involvement

Undertaking prior engagement with both the Local Planning Authority and the local community is advocated within the National Planning Policy Framework and within the Councils own Statement of Community Involvement (SCI). In developing this submission, the applicant has undertaken prior engagement with the Local Planning Authority, Lancashire County Council (relating to highways and flood risk/drainage matters) and a consultation exercise with the local community, and this has resulted in the submission of a Statement of Community Involvement. The community engagement involved different methods of communication including leaflets to residents and ward/parish councillors and the creation of a consultation website. Interested parties could respond through both a postal address and an email address. A feedback form was also provided on the consultation website. In total, 291 submissions were received during the public consultation. Responses raised concerns and comments relating to various topics relevant to the development, these are detailed and summarised within the supporting SCI itself, along with the applicant's own responses to each of the matters raised. The SCI then also sets out the way in which the applicant has sought to take account of the community concerns and comments, which has resulted in amendments to the proposal being adopted prior to the submission of this planning application.

5.3 Development within the Green Belt NPPF Chapter 2 Achieving Sustainable Development, Chapter 13 Protecting Green Belt land; Strategic Policies and Land Allocations DPD (SPLA DPD) Policy EN4: The North Lancashire Green Belt; Development Management DPD (DM DPD) policy DM50: Development in the Green Belt.

5.3.1 The development site is located entirely within the North Lancashire Greenbelt, as such the requirements of policy DM50 are relevant to this proposal. Policy DM50 does provide guidance for

development within the Green Belt, however, this only relates to the reuse of existing buildings, extensions to existing dwellings, and replacement dwellings. None of these scenarios apply to this proposal, as such, this policy simply defers to national planning policy requirements and clarifies that inappropriate development in the Green Belt will be resisted. For this reason, it is necessary to refer to the requirements set out within the National Planning Policy Framework (NPPF) and the associated guidance set out within the Planning Practice Guidance (PPG), in determining this proposal.

5.3.2 The NPPF confirms that the Government attaches great importance to Green Belt land, and that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. Green Belts serve 5 purposes, which are set out in paragraph 143 of the NPPF. These are:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

5.3.3 The NPPF requires that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is harmful to the Green Belt and should not be approved except in 'very special circumstances', which will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. However, footnote 55 of the NPPF clarifies that development proposed on land which constitutes either previously developed land or grey belt land, is not inappropriate.

5.3.4 Paragraph 154 sets out a number of development types which are deemed to be exceptions and do not constitute inappropriate development within the Green Belt. This proposal, which seeks outline permission for up to 200 dwellings, does not accord with any of the specified exceptions, and would therefore be deemed inappropriate development under the requirements of this paragraph.

5.3.5 However, paragraph 155 introduces the concept of 'grey belt' land along with paragraph 156 which introduces 'Golden Rules'. Paragraph 155 states that the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following criteria apply:

- a) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
- b) There is a demonstrable unmet need for the type of development proposed;
- c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and
- d) Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below.

5.3.6 Paragraph 156 states that major development involving the provision of housing on sites in the Green Belt proposed through a planning application should provide specified contributions. These are termed the 'Golden Rules', and they include:

- a) affordable housing which reflects either: (i) development plan policies produced in accordance with paragraphs 67-68 of this Framework; or (ii) until such policies are in place, the policy set out in paragraph 157;
- b) necessary improvements to local or national infrastructure; and
- c) the provision of new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces.

5.3.7 With reference to the requirements of paragraph 156a), which requires the provision of affordable housing, paragraph 157 explains that the affordable housing that development is required to provide should be 15% above the current local plan requirement, capped at 50%. The current local plan requirement for development in this area is 30%, as specified in Policy DM3. As such, when

incorporating the requirements of 156a) and 157, the development of this site would be required to provide 45% on site affordable housing to comply with this element of the Golden Rules. As advised within the recently updated PPG, where development takes place on land situated in, or released from, the Green Belt and is subject to the 'Golden Rules', site specific viability assessment should not be undertaken for the purpose of reducing developer contributions, including affordable housing.

5.3.8 With reference to the requirements of paragraph 156c), which requires the provision of new, or improvements to existing, green spaces that are accessible to the public, paragraph 159 clarifies that improvements to green spaces required as part of the Golden Rules should contribute positively to the landscape setting of the development, support nature recovery and meet local standards for green space provision where these exist in the development plan. This paragraph goes on to state that where land has been identified as having potential for habitat creation or nature recovery within Local Nature Recovery Strategies, proposals should contribute towards these outcomes.

5.3.9 Following assessment against the requirements of paragraphs 155-159, the NPPF states at paragraph 158 that, where development proposals are able to comply with the Golden Rules, significant weight in favour of granting permission should be given. As such, paragraphs 155-159 provide an alternative route through which development of land for housing may not constitute inappropriate development within the Green Belt. To achieve this, any proposal must be on land that can be defined as grey belt land, and it must satisfactorily address the Golden Rules.

5.3.10 Grey belt land

Grey belt land is defined within the NPPF as follows:

For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.

5.3.11 The site does not constitute previously developed land (as defined within the NPPF). As such, it is necessary to consider the contribution that this site makes to Green Belt purposes a), b) and d) as set out in paragraph 143. For ease of reference, these are repeated below:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- d) to preserve the setting and special character of historic towns;

Assessment as to whether the application of policies relating to areas or assets of particular importance (as specified in footnote 7 (other than Green Belt)) would provide a strong reason for refusing or restricting development is set out further within this report.

5.3.12 The Planning Practice Guidance (PPG) was updated in February 2025 and provides further guidance on making judgements as to whether land is grey belt, including considerations to be taken into account when assessing a proposal against Green Belt purposes a), b) and d). This application is supported by both a Planning Statement and a Green Belt Assessment. In addition to this, the Council had undertaken the North Lancashire Green Belt Review in 2016, which assessed the performance of sites and groups of sites within the Green Belt against the Green Belt purposes. Within this review, the development site is formed by two separate parcels of land identified as SWH23 and SWH24, together these form the northern part of strategic parcel SP34. Whilst the North Lancashire Green Belt Review 2016 is of some age, it is accepted that very little has changed both in this local area, or within the wider Green Belt since the review was undertaken. Furthermore, the 5 purposes of the Green Belt remain the same. For this reason, the assessment set out within the North Lancashire Green Belt Review 2016 is considered to be highly relevant and is a material consideration.

5.3.13 In relation to the contents of paragraph 155a) and the definition of Grey Belt within the NPPF, the test involves an assessment as to whether the proposed site **strongly** contributes to Green Belt purposes a), b) or d), as set out in NPPF paragraph 143. For each purpose a), b) and d), the PPG is clear (paragraph: 005 [Reference ID: 64-005-20250225]) that the assessment of these purposes

relates to large built up areas and towns. Importantly, it clarifies that villages should not be considered as large built-up areas or towns.

- 5.3.14 Whilst these settlements are contiguous with each other, with Slyne adjoining Hest Bank and Hest Bank adjoining Bolton-le-Sands along Coastal Road, within the Council Local Plan at policy SP2, all three settlements are identified individually as Sustainable Rural Settlements, they do not represent a single settlement and should not be aggregated as such. Comments received by the Local Planning Authority, including those submitted by Kingsley Smith Solicitors on behalf of the Association of Friends of Lapwing Fields Green Space, seek to aggregate these individual settlements. This includes reference to the Bolton-le-Sands Conservation Area Appraisal which in its introduction refers to Bolton-le-Sands as a small town. However, this Conservation Area Appraisal was produced for the specific reason of defining what is important about the historic character and appearance of the Conservation Area and to identify its special characteristics, rather than determining the village or town status of this settlement or to provide specific guidance as to Green Belt policy matters. Conversely, the Bolton-le-Sands Parish Council website consistently refers to Bolton-le-Sands as a village, moreover, the Slyne-with-Hest Neighbourhood Plan Document also refers to Slyne-with-Hest as a village, with figure 3 defining the footprint of the village.
- 5.3.15 Neither the NPPF nor the PPG provide a definition of “large built up area” or “village.” The question of whether all three settlements are villages, and not a large built-up area, is a matter of planning judgement. In doing so, the appropriate starting point would be to have regard to the Development Plan. Policy SP2 sets out the Lancaster district settlement hierarchy. This starts with Lancaster identified as a ‘Regional Centre’, with Morecambe and Heysham then identified as ‘Key Service Centre’, Carnforth sits below this and is identified as a ‘Market Town’. All three of the subject settlements sit below Carnforth, and are identified as ‘Sustainable Rural Settlements’. The final tier within the hierarchy, which sits below ‘Sustainable Rural Settlements’ are ‘Rural Villages’. It is acknowledged that the three subject settlements each sit within the ‘Sustainable Rural Settlements’ tier, as opposed to the ‘Rural Villages’ tier. However, their designation as ‘Sustainable Rural Settlements’ and not the ‘Rural Villages’ tier, does not prohibit them from being defined as villages for the purposes of paragraph 155 of the NPPF. It instead indicates that these settlements include, or are within easy reach of the necessary services required to be considered as sustainable settlements. With reference to the ‘Rural Villages’ tier, paragraph 7.9 of the SPLA DPD also states that *‘the remaining villages are not considered to be sustainable locations for future development and should only support small-scale development where there is an evidenced local need to do so’*.
- 5.3.16 As such, the ‘Sustainable Rural Settlements’ set out within policy SP2, can also constitute villages for the purposes of paragraph 155 of the NPPF. To define the settlement hierarchy, the Council has undertaken a Sustainable Settlement Review (2018), which sets out the justification for the three subject settlements being defined as ‘Sustainable Rural Settlements’. Importantly, within the Review’s discussion regarding each of the three settlements, each of the settlements are consistently referred to as villages.
- 5.3.17 In addition to this, it has also been established within a recent planning appeal decision relating to land at Sea View Drive in Hest Bank, which is also within the North Lancashire Green Belt (APP/A2335/W/24/3350855) that all three settlements constitute villages. Paragraph 14 of this appeal decision states:
- ‘Hest Bank is a large village that is contiguous with both Slyne and Bolton-le-Sands. All three villages are identified and defined as separate Sustainable Rural Settlements by Policy SP2 of the Lancaster Local Plan Part 1: Strategic Policies and Land Allocations Development Plan Document 2025...’*
- 5.3.18 For these reasons, Officers conclude that all three of the subject settlements represent individual villages, these settlements do not constitute large built up area(s), nor are they towns. It is on this basis that the assessment as to whether the site *strongly* contributes to Green Belt purposes a), b) and c) has been undertaken.
- 5.3.19 Contribution of site to purpose a), b) and d)
In relation to purpose a), whilst the site is located on the edge of existing villages, it is not situated adjacent to or near a large built up area. The development site therefore does not contribute strongly to the checking of the unrestricted sprawl of large built up areas. Similarly, with respect to purpose b), given the location of the site adjacent to and within a pocket of land surrounded by existing

villages, the development of this site would not lead to the merging of towns. Furthermore, in light of the separation between the site and the nearest towns (Lancaster, Morecambe and Carnforth), and the presence of existing residential development to the north (Bolton-le-Sands) and to the south (Slyne), the development site does not strongly contribute to the separation between the nearest towns. Likewise, given the separation distances of the site to the nearest historic town(s), and the presence of intervening development between the site and the nearest historic town(s), the development site has no visual, physical or experiential connection to any historical aspects of the nearest towns and therefore makes no contribution to purpose d).

5.3.20 Footnote 7 areas or assets

The definition of grey belt as set out within the NPPF, confirms that: *'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.* In this case, there are areas or assets of particular importance (as specified in footnote 7 (other than Green Belt)) which are applicable and require careful consideration. These relate to habitats sites, designated heritage assets, and areas at risk of flooding. However, as described in greater detail in the following sections of this report, whilst these areas or assets of particular importance are of relevance to the determination of this development, this planning application either satisfactorily addresses the requirements of planning policies relevant to these matters, or the application of planning policies relevant to these matters are considered not to provide a strong reason for refusing or restricting the development proposed.

5.3.21 Conclusion on grey belt

In accordance with national Green Belt policy set out in the NPPF, and based on the assessment contained within paragraph 5.3.19, it has been established that the site does not make a strong contribution to purposes (a), (b) or (d) of the Green Belt. Furthermore, for the reasons set out in paragraph 5.3.20, and expanded upon in the subsequent sections of this report, the effects of the proposal on the identified footnote 7 areas or assets of particular importance would not be of such significance as to provide a strong reason for refusing or restricting development. Notwithstanding objections to the contrary, it is therefore concluded that the site meets the definition of grey belt land.

5.3.22 Whether inappropriate development

Paragraph 155 of the NPPF sets out that the development of homes within the Green Belt should not be regarded as inappropriate where all of the specified criteria set out in sub-paragraphs a. to d. as assessed below, apply. The criteria of paragraph 155 are provided at paragraph 5.3.5 of this report.

5.3.23 155 a. Remaining Green Belt across the area of the Plan

As identified in paragraph 5.3.21, the development would utilise grey belt land, as such the proposal satisfactorily addresses the first element of criteria a. of paragraph 155, which requires the use of grey belt land. The second element of criteria a. of paragraph 155 requires development to ensure that it does not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.

5.3.24 As identified within the North Lancashire Green Belt Review 2016, the development site is formed by land parcels SWH23 and SWH24. Along with parcels SWH25 and SWH26, which are located immediately to the south, these four parcels form Strategic Parcel SP34 (or SG34 as identified within the associated Green Belt Parcelling Map). Relative to the remaining areas of the North Lancashire Green Belt, both the development site and the strategic parcel SP34 represent a relatively small pocket of land that is located between existing residential development to the north, south and west. At paragraph 8.19 of the North Lancashire Green Belt Review 2016, it is identified that this Strategic Parcel, and the smaller General Parcels within, have a strong relationship with the surrounding existing residential settlement areas. Furthermore, the A6 transport corridor acts as a hard boundary which separates this pocket of land from the wider areas of countryside and remaining areas of Green Belt to the east. In addition to this, the significantly rising topography of the land to the east of the A6 transport corridor serves to obscure open views and largely prevent a visual connection or relationship with the wider expanse of Green Belt landscape to the east. Overall, it is concluded within the Green Belt Review that parcel SWH23 provides a weak contribution and that SWH24 provides a moderate contribution to the five purposes of the Green Belt. In addition to this, the neighbouring parcels to the south of the development site, which area SWH25 and SWH26, provide a moderate contribution and weak contribution respectively to the five purposes of the Green Belt.

Taken together, the wider Strategic Parcel SP34 is concluded overall to make a moderate contribution to two Green Belt purposes (purposes b) and c)) and no contribution to the remaining three Green Belt purposes (purposes a), d) and e)). As such, none of the smaller parcels nor the larger Strategic Parcel are identified within the North Lancashire Green Belt Review 2016 as strongly contributing to any of the purposes of the Green Belt.

5.3.25 Very little has changed both in this local area, or within the wider Green Belt since the North Lancashire Green Belt Review was undertaken, as such the assessment and conclusions of this review are deemed to be accurate, up to date and relevant. It is the opinion of Officers that, as the proposal would be situated between/surrounded by both existing residential development and the A6 transport corridor, the development would be visually contained relative to the wider open setting which extends to the east of the A6. As a result of the segregated nature of the development site from the wider North Lancashire Green Belt, the fact that the Strategic Parcel is surrounded by existing developed settlement areas, it is concluded that the development of the site would not affect the ability of the remaining North Lancashire Green Belt from serving all five of the Green Belt purposes in an effective and meaningful way. For this reason, it is concluded that the proposal satisfactorily addresses the second element of paragraph 155 a.

5.3.26 155 b. Demonstrable unmet need

As described in paragraph 5.2.4 of this report, 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. Footnote 56 of the NPPF clarifies that, in the case of development proposals involving the provision of housing, an unmet need means the lack of a five-year supply of deliverable housing sites. Accordingly, in light of the Council's significant shortfall against the required 5-year supply, a demonstrable unmet need for this type of development is established. As such, the proposal satisfactorily addresses the requirements of paragraph 155 b.

5.3.27 155 c. Location of development

Paragraph 155 c. of the NPPF requires development to be in a sustainable location, with particular reference to paragraphs 110 and 115 of the NPPF. Whilst this is discussed in greater detail within the following section of this report, it is accepted that the development site is in a sustainable location. The application site is located on the southern edge of Bolton-le-Sands and is also adjacent to the northern and eastern edges of Slyne-with-Hest and Hest Bank. The development site is immediately adjacent and is well related to existing residential development within these settlements. Bolton-le-Sands, Slyne and Hest Bank are identified as sustainable rural settlements and as such, the development site is in a location in which the provision of housing would be supported in principle by Policy SP2. As summarised within Section 4 of the supporting Transport Assessment which accompanies this application, the site is also accessible by foot, cycle and public transport to a range of amenities and facilities within the surrounding village centres, the local area and the wider District including Carnforth, Morecambe and Lancaster. Finally, it is concluded that the proposal would be in a sustainable location, with particular reference to NPPF paragraphs 110 and 115 concerning sustainable transport modes, highway design, safety and suitable access. Overall, it is concluded that the proposal demonstrates compliance with the requirements of paragraph 155 c.

5.3.28 155 d. Golden Rules

This paragraph requires the development to meet the 'Golden Rules' set out in paragraphs 156 and 157. These are set out and assessed in turn below:

5.3.29 a. **Affordable housing:** As described within the Affordable Housing Needs Statement which accompanies this planning application, the proposal will deliver 45% affordable housing on-site. This complies with paragraph 157, and therefore 156 a. as described within paragraph 5.3.7 of this report.

5.3.30 b. **Improvements to National and Local Infrastructure:** To support improvements to infrastructure, the proposal is able to provide within the site a range of public open space facilities as well as safe active travel routes linking the development site and existing residential development together. Outside the site, the proposal is able to secure contributions towards local infrastructure including nearby open space facilities and highway infrastructure. For these reasons, it is determined that the proposal satisfies 156 b.

- 5.3.31 c. **The provision of new, or improvements to, existing green spaces:** Whilst the proposal is in outline, it would successfully address this requirement through the delivery within the site of high quality accessible green space, as indicated within the supporting Green and Blue Infrastructure Plan and described within the Design and Access Statement. These green spaces would both be accessible to residents of the development, but also to the wider community. These new green space areas will both contribute positively to the landscape setting of the development and help to support nature recovery by contributing towards achieving significant levels of Biodiversity Net Gain. In turn this will facilitate habitat creation and nature recovery as identified under the potential measures for the Urban U1.2 – ID 15,692 designation set out within the Lancashire Local Nature Recovery Strategy. The proposed development would not be suitable for incorporating habitat conditions or environments to support wading birds, including lapwing, as associated with the Grassland G1.1 – ID 4694 designation. This is a result of the relatively high sensitivity of these species to this type of development including the associated residential disturbances. Despite this, overall, the proposal will secure new areas of green space which will be accessible to the public. Furthermore, these green spaces will contribute towards several of the priorities for nature recovery set out within the Lancashire Local Nature Recovery Strategy. This will provide greater benefit to nature overall and will contribute positively towards the delivery of wider environmental outcomes.

5.3.32 **Conclusion**

For the above reasons, it is concluded that the proposal satisfactorily addresses the requirements of paragraphs 155 – 157 and 159 of the NPPF. The proposal does not constitute inappropriate development in the Green Belt as defined by paragraph 153 and associated footnote 55 of the NPPF, as the development site constitutes Grey Belt land. It is therefore not necessary to undertake an assessment of the effect of development upon Green Belt openness, or for the proposal to demonstrate the existence of very special circumstances which would outweigh the potential harm to the Green Belt by reason of inappropriateness. In successfully addressing the requirements of paragraph 155 and, importantly, the Golden Rules set out in paragraph 156, paragraph 158 of the NPPF requires the decision maker to afford significant weight in favour of the grant of permission. As the site is determined as Grey Belt land and the proposal is not inappropriate development in the Green Belt, the proposal complies with Policy EN4 and Policy DM50 of the Local Plan and Section 13 of the NPPF.

5.4 **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: SP1: Presumption in Favour of Sustainable Development, SP2: Lancaster District Settlement Hierarchy, SP3: Development Strategy for Lancaster District, SP10: Improving Transport Connectivity, T2: Cycling and Walking Network, T3: Lancaster Canal: 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; and Lancaster Travel and Transport Infrastructure Strategy (LTTIS).**

- 5.4.1 The district's development strategy (policies SP2 and SP3) aims to manage growth in the most sustainable way possible by directing growth to the main urban areas and to the identified rural sustainable settlements. All three villages of Bolton-le-Sands, Hest Bank and Slyne with Hest are each identified as such. 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.

- 5.4.2 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.

5.4.3 Access

The application is seeking approval of the main vehicular site access and two separate active travel links onto Slyne Road as part of the outline application. These access points and the associated junction with Slyne Road, as well as a short length of the internal access road leading into the site, are indicated on the latest revision of the Access Arrangement drawing. This also includes topographical and hedgerow detail to indicate the way in which the access road would relate to the existing site layout.

- 5.4.4 In addition to the main vehicular site access, the proposal also seeks approval of an emergency access route from Greenwood Drive, which will also serve as an active travel connection, as well as a second active travel connection to Hatlex Hill on the western boundary of the site.

- 5.4.5 The surrounding highway network comprises Slyne Road (A6), which in the vicinity of the site comprises a single carriageway road. It also features a pedestrian pavement along its western side which extends from Bolton-le-Sands in the north to Slyne in the south. There is presently no street-lighting along the length of road between these two villages and leading past the application site. At present, the section of road which passes most of the application site is subject to a 40mph speed limit. This drops to 30mph at the entrance points into Bolton-le-Sands and Slyne. Slyne Road (A6) is the main transport corridor which links the sustainable villages of Bolton-le-Sands and Slyne to Carnforth in the north and Lancaster in the south. Other roads which surround the development site include Greenwood Drive, Greenwood Avenue, Bryn Grove and Hatlex Hill. These are minor roads which serve the residential development which encompasses the site to the north and west.

- 5.4.6 The proposed main vehicular access will include a new priority-controlled junction providing access to Slyne Road. The proposal will include areas of carriageway widening/re-alignment to facilitate appropriate carriageway widths and junction geometry. This also enables the inclusion of a ghost island right turn lane, which will enable vehicles approaching the site from the north, and which are turning right to enter the site, to exit the main southbound carriageway to prevent waiting vehicles from blocking southbound traffic. The junction will also include the extension and improvement of the existing pedestrian pavement which will then extend into the development site itself. Visibility splays of 43 metres in both directions are proposed and can be provided within the extent of the adopted highway. These splays are commensurate with roads which are subject to a 30mph speed limit. As such, in conjunction with the proposed access, it is also proposed to relocate the existing 30mph speed limit zone further to the south to incorporate the new access.

- 5.4.7 An emergency access is also proposed from Greenwood Drive, located to the northeast of the development site. The detail of this emergency access, which will also act as an active travel link, is included within the aforementioned Access Arrangement drawing. It will include an initial extension of the Greenwood Drive carriageway before reducing in width. To prevent misuse of this access, the design will also incorporate droppable bollards.

- 5.4.8 Swept path drawings have been provided which indicate the way in which larger vehicles including refuse collection lorries and fire engines are able to successfully utilise the main site access onto Slyne Road. A further drawing has been provided which confirms that a fire engine is also able to successfully utilise the emergency access leading from Greenwood Drive.

- 5.4.9 The proposed access design has developed through initial pre-application discussions with the Local Highways Authority (LHA) and over the course of the determination of this application. The LHA has now confirmed within its latest consultation response that the details provided on these drawings are acceptable, subject to the detailed design to be secured by planning condition and at the Section 278 stage (which is a separate highway agreement). Accordingly, on the basis of the LHA confirming its agreement to the proposed access strategy, a condition is recommended to secure the final details and the implementation of this primary access design, along with the associated off-site

highway works including carriageway/footway improvements and appropriate surfacing, appropriate visibility splays, and the extension of the 30mph speed limit to the south to incorporate the proposed site access. A second condition is also recommended to secure the precise design and specification of the emergency access arrangement from Greenwood Drive.

- 5.4.10 A further condition has also been requested by the LHA 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, this is recommended. For the same reason, the additional conditions requested by the LHA to secure a Construction Management Plan, to include details of wheel washing, is also recommended. These latter conditions are required to ensure the highway is not adversely affected during the construction phase of development.
- 5.4.11 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. This is a matter capable of being secured by planning condition should the proposal be permitted.
- 5.4.12 The development also incorporates new active travel connections. In addition to that already discussed leading from Greenwood Drive, further active travel connections are also to be included within the development. Firstly, this will include two pedestrian and cycle access points leading from Slyne Road, which are to be located at the southern and northern ends of the development site's Slyne Road frontage. The points where this active route interfaces with the adopted highway along the A6 has been shown within the Access Arrangement drawing. The southern access point is intended to be a pedestrian only access connection, on the basis that cyclists approaching the development site along the A6 from the south are more likely to remain on the A6 instead of diverting into the development site to negotiate further access/junction infrastructure. Cyclists approaching the site from the south would more likely use the main vehicular access to enter the development site or remain on the A6 if continuing northwards. The northern access has been designed as a shared active travel route and would provide access for both pedestrians and cyclists onto the A6. Whilst a matter for further consideration at the reserved matters stage, within the development site, an indicative internal active travel route would link both the northern and southern access points with the main internal access road. This is shown as being located behind and running parallel with the existing roadside hedgerow, it also includes provision for the potential extension of this active travel route southwards. It is then intended that a shared pedestrian/cycle travel route would be provided along the northern side of the access road leading further into the development site.
- 5.4.13 A further active travel connection is also proposed on the western boundary of the site, to provide access onto Hatlex Hill. The inclusion of an active travel connection on this side of the development site will facilitate much improved pedestrian and cycle connectivity by enabling east to west travel and providing a much-needed pedestrian link from Bolton-le-Sands to Hest Bank and Lancaster Canal to the west. At present, the only links between these settlements and the canal are located either 0.5 miles to the north close to the junction with Coastal Road, or via travelling an extended route through Slyne to the south.
- 5.4.14 The merits of linking the development site to the road network to the west, which includes Hatlex Hill and Hatlex Lane, for active travel purposes has been carefully considered in light of the nature of these roads. Both Hatlex Hill and Hatlex Lane are relatively narrow roads and provide limited segregated pedestrian facilities such as pavements. However, the constrained nature of these roads, such as the single carriageway width and presence of bends, themselves encourage lower speeds and engenders a further degree of care from road users. As such, the road network in this area has a sense of being a shared highway environment and wouldn't discourage pedestrians or represent an unsafe pedestrian environment. The supporting Transport Assessment includes a Personal Injury Accident (PIA) review for the highway network adjacent to the site for the most recent five-year period. However, to provide confidence over the appropriateness of incorporating this active travel route, this PIA review has been extended to capture 25 years' worth of data. This extended review has indicated that no incidents have been recorded along Hatlex Hill/Hatlex Lane during this time. Therefore, it is concluded that there are no existing highway safety issues along Hatlex Hill or Hatlex Lane that are likely to be exacerbated by the proposed active travel link, or which would preclude the provision of this link.

5.4.15 The provision of the active travel link to Hatlex Hill and Hatlex Lane will also facilitate improved access to Lancaster Canal for both residents of the development and existing residents within the southern areas of Bolton-le-Sands. This would both not only facilitate improved active travel access to services within Hest Bank, such as those located along Coastal Road, it would also enable improved access for residents to the tranquil and verdant setting provided along the Lancaster Canal, to the benefit of the health and well-being of the local community and the areas sense of place. The final details of all of the active travel access arrangements will be subject to approval through planning condition and would be expected to accord with appropriate standards, such as LTN1/20.

5.4.16 Overall, and despite the strong opposition to the proposed access arrangements raised by interested parties and the wider community, the proposed access strategy is considered acceptable to the Local Highway Authority and would not conflict with requirements of planning policy in respect of providing a safe and suitable access for all users.

5.4.17 Traffic Impacts

The proposed development will result in increased traffic both during the construction phase and once the site is operational. During the consideration of the application, the Local Planning Authority has received numerous representations from interested parties raising significant concerns about highway safety. The application is accompanied by a Transport Assessment (TA), along with a subsequent technical note submitted in response to the Local Highway Authority’s comments and requests for clarification.

5.4.18 The submitted TA and subsequent post submission technical note robustly assess the impacts of additional traffic having regard to the existing and future baseline scenarios, existing highway constraints and accident data. To establish potential trip generation for the proposed residential development, the TRICS database has been analysed. The trip rates and vehicle trip generation for the proposed development (up to 200 dwellings) for the AM and PM peak hours are included in the table below:

Multi Modal Trip Generation	AM Peak (08:00 – 09:00)			PM Peak (17:00 – 18:00)		
	Arrivals	Departures	2-Way	Arrivals	Departures	2-Way
Total Vehicles	26	73	98	67	28	95
Cyclists	1	2	3	2	1	3
Pedestrians	6	13	19	8	6	14
Public Transport Users	0	7	7	2	0	3
Total People	40	149	189	119	48	168

Table 5.5 – Methodology 1: Traditional TA Approach – Trip Generation

As can be seen from the table, the TA anticipates that the development would generate approximately 98 new two-way vehicular trips in the AM peak and 95 two-way vehicular trips in the PM peak hours.

5.4.19 However, the National Planning Policy Framework now states that transport issues should be considered using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places. In this regard, the applicant has confirmed they are committed to promote sustainable travel to and from the site. To enable this, the application commits to providing a series of sustainable travel measures and enhancements. First and foremost, this includes the active travel measures associated with the development’s access strategy. It also includes additional enhancements to existing public transport facilities, a contribution towards the Lancaster Travel and Transport Infrastructure Strategy (LTTIS) and the establishment of a Travel Plan (including a contribution to enable associated monitoring). The initial Travel Plan which has been submitted in support of this proposal seeks to promote sustainable modes of travel via a series of measures and initiatives. It seeks to reduce single occupancy car use by 10%.

5.4.20 When considering all sustainable travel enhancements outlined above, and the objectives of the Travel Plan to reduce single occupancy car use, the vision-led approach would serve to reduce the additional two-way vehicular trips in the AM and PM peaks identified through the TRICS database

analysis by approximately 10 trips. A comparison of the trip generation is provided within the table below:

Total Vehicles	AM Peak (08:00 – 09:00)			PM Peak (17:00 – 18:00)		
	Arrivals	Departures	2-Way	Arrivals	Departures	2-Way
Baseline (Methodology 1)	26	73	98	67	28	95
Vision-led (Methodology 2)	23	66	89	60	25	85

Table 5.6 – Methodology 2: Vision-led Approach – Trip Rates and Trip Generation

5.4.21 In addition to trip generation, the highway impacts of traffic arising from the development have been fully assessed at key junctions within the local road network, as set out in the submitted Transport Assessment. The results show that all assessed junctions would continue to operate within acceptable limits and would not impact the operational capacity of the highway network. Accordingly, and having regard to paragraph 116 of the NPPF—which requires refusal only where the residual cumulative impacts on the road network would be severe—the evidence demonstrates that the proposed development would not give rise to impacts of that scale.

5.4.22 The methodology and outcomes of the TA and post submission technical note are not disputed by the Local Highway Authority (LHA) and are therefore considered robust in assessing the significance of the effects arising from the development. Whilst the assessment of the development in isolation is agreed to result in a negligible adverse effect upon the highway network, when combined with the wider district growth ambitions set out within the Local Plan and wider strategic highway infrastructure constraints, the level of effect arising from the development could arguably be greater.

5.4.23 For this reason, the LHA 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.

5.4.24 The requested contribution equates to £1099.85 per dwelling, which based on a development of 200 dwellings, would total £219,970. 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:

- A6 Slyne Road
- Local highway network around M6 junction 34

Given the likely distribution of trips generated by the development, these initiatives are considered directly related to its impacts and would meet the requirements of the Community Infrastructure Levy (CIL) regulations.

5.4.25 In addition, mitigation is proposed in the form of upgrades the two nearest bus stops along the A6 to meet LCC’s quality bus stop standards, and the provision of a fully detailed Travel Plan and associated financial contribution of £12,000 to support its on-going monitoring. With this mitigation in place, the effects arising from the development upon the wider highway network would be negligible overall. On this basis, the LHA has raised no objection to the proposed development.

5.4.26 Without the identified contributions/conditions 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. Policy DM58 and DM64 both support contributions to mitigate impacts to highway infrastructure. For this reason, the LHA’s contribution request is supported, both by the Local Planning Authority and the applicant. The upgrading of the bus stops and the provision of a fully detailed Travel Plan can be secured by planning condition, whilst the identified financial contributions will be secured by s106 agreement. In light of this, the proposed development is considered to be compliant with the Local Plan policies and the NPPF in relation to traffic impacts. In conclusion, the LHA 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.

5.4.27 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)
Desirable	200	500	400
Acceptable	400	1,000	800
Preferred Maximum	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.

5.4.28 The development site is located on the edge of the existing village of Bolton-le-Sands, adjacent to existing residential development. Services within the village, including the primary school, are mostly located on Main Road, with access being made through the residential roads to the north. When measured from the proposed Greenwood Drive active travel access, the village primary school is approximately 1,800 metres from the site. The Co-op shop located on Bye Pass Road is also 1,800 metres from the site. Brookfield Surgery is slightly further away at approximately 2,000 metres. However, as a result of the second active travel access route leading onto Hatlex Hill, the services provided within Hest Bank, most of which are located along Coastal Road, are approximately 800 metres away. Within Slyne, the pharmacy and village store are approximately 850 metres, whilst the village school is approximately 900 metres. The supporting TA includes pedestrian and cycle catchment plans which indicate walking and cycling accessibility from the development site, and this shows that the local key amenities provided within the surrounding villages are within close proximity and easy reach for pedestrians and cyclists.

5.4.29 It is concluded that the TA demonstrates that village amenities lie within the 1950 metre preferred distance. Furthermore, local pedestrian infrastructure is considered adequate, with street lighting and, with the exception of sections of Hatlex Lane and a short section of Hanging Green Lane, footways are provided.

5.4.30 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 Slyne Road, which are designed to enhance access for all users, and the opportunity to secure multiple new active travel connections which would enable existing and new residents to travel from east to west, the development site is located in an accessible location. It would also provide residents with a genuine opportunity to make regular, everyday journeys on foot.

5.4.31 In relation to cycling, the site is located in close proximity to the Lancaster Canal, which forms part of National Cycle Network Route 6. Ramped access onto the towpath is available at St Michaels Lane to the north and Hest Bank Lane to the west. The towpath then provides direct access to Carnforth to the north and Lancaster to the south. Comments have been provided regarding the quality of the cycling environment provided along the towpath. The Canal and River Trust within its initial consultation response had requested a financial contribution towards the enhancement and ongoing maintenance of the canal towpath. However, within subsequent correspondence, the Trust confirmed that this request is no longer being made as alternative funding is in the process of being secured to upgrade the towpath in this area. It is considered that the towpath provides a genuine route for cyclists to reach surrounding amenities and towns. In addition to the canal, the surrounding road network also provides a viable route for cyclists. For this reason, cycling would be a realistic mode of travel for future residents of this development.

- 5.4.32 In terms of public transport, the area is served by existing bus services which pass along the Slyne Road (A6) corridor. The nearest bus stops are located near to the junction of Greenwood Avenue with the A6. Depending on where the measurement is taken from, residents, particularly those within the western areas of the site, would be just outside of the 400 metres walking distance recommended by the CIHT, with some dwellings potentially being located around 550 metres walking distance. However, the LHA has accepted that the existing bus stop locations are reasonable to serve the development and have not indicated the need to relocate existing or provide new bus stops. Bus 55 and 555 provide frequent services from these bus stops to places such as Carnforth, Lancaster or Kendal. For this reason, travelling by bus represents a realistic and convenient option for future residents. Furthermore, the development will secure financial contributions towards upgrading the nearest bus stops to Lancashire County Council's quality bus stop standards. Consequently, the proposal will deliver enhancements to existing public transport infrastructure, thereby supporting increased patronage of the established bus services.
- 5.4.33 Access to rail services is poor in the villages as no infrastructure exists. For rail services, residents would be required to commute into Lancaster or Carnforth via other means of transportation in the first instance. From there, these stations offer regular rail connections regionally and nationally.
- 5.4.34 Active Travel England (ATE) are a statutory consultee for developments over 150 housing units, which this development exceeds. 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, 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.
- 5.4.35 The Development Framework Plan also includes details of potential future access linkages along the length of the southern boundary of the site to provide access to the land to the south of the site. These linkages could be brought forward should any development on land to the south of this site be brought forward in the future. This would deliver tangible benefits through creating further accessible routes which could subsequently provide access to Manor Lane in the south and potentially the recreation ground to the west. For clarity, at present there are no development proposals for this neighbouring land before the Council, as such these access point would not be deemed necessary or reasonable as things stand. However, should any future development come forward – recognising that this would be subject to a separate planning application and assessed on its own merits – the provision of linkages between the sites would offer clear benefits. As such, a separate condition is recommended that would require the submission of details and subsequent provision of active travel routes along the southern boundary of the site. However, this would only be triggered in the event of planning permission being granted for a complementary land use on land to the south. If no development comes forward on this land, then the requirements of this condition would not be engaged. Any active travel link here should also be designed to LTN 1/20 standard.
- 5.4.36 In order to encourage and incentivise active travel and the various means of public transportation as outlined, a Travel Plan will be required for the development. This has already been discussed within paragraph 5.4.19 of this report. An interim Travel Plan has already been provided, and the provision of a fully detailed Travel Plan and associated financial contribution of £12,000 to enable its associated on-going monitoring is also agreed.
- 5.4.37 Overall, the development is considered to be sustainability located and is able 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 multiple active travel pedestrian linkages.
- 5.4.38 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. 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.

5.4.39 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. The scheme also delivers enhancements in the form of improved highway and pedestrian infrastructure and active travel linkages. Therefore, despite concerns raised by the local community to the contrary, there are no technical highway grounds on which to withhold planning permission. Finally, for the reasons the proposal satisfies the requirements of Paragraphs 110 and 115 of the NPPF, and as such, it also accords with the requirements of Paragraph 155 c with respect to Green Belt matters.

5.5 **Landscape character and visual effects** NPPF Chapter 8 Promoting Healthy and Safe Communities, Chapter 12 Achieving Well-Designed Places, and Chapter 15 Conserving and Enhancing the Natural Environment; Strategic Policies and Land Allocations (SPLA) DPD policies SP8: Protecting the Natural Environment, EN3: The Open Countryside, SC4: Green and Blue Corridors and Chains and T3: Lancaster Canal; Development Management (DM) DPD policies: DM4: Residential Development outside Main Urban Areas, DM29: Key Design Principles, DM43: Green and Blue Infrastructure, and DM46: Development and Landscape Impact.

5.5.1 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 and those of local significance.

5.5.2 The site is not located within a National Landscape, nor is it located within a landscape that has been identified as being within a local landscape designation, which are identified through policy EN5. Moreover, the application site is not considered to be, or form part of, a Valued Landscape. The site and surroundings do not contain attributes which would elevate it above other more everyday landscapes, as defined by the Landscape Institute. However, that is not to say that the landscape in which the development site is located is not valued or attractive. Policy DM46 explicitly addresses landscapes which do not fall within identified landscape designations, but which still are still valued, unique and provide a distinct sense of place. This policy sets out that the Council will seek to protect and enhance such landscapes and will require development to be in scale and keeping with the landscape character and to be appropriate to its surroundings in terms of siting, scale, massing, design, materials, external appearance and landscaping. Consideration will be given to both the individual and cumulative impacts of a proposal. Furthermore, Policy DM29 requires all development to contribute positively to the identity and character of the area, thereby promoting high-quality and context-sensitive design across the district.

5.5.3 The site is formed by four agricultural fields of varying sizes, each enclosed by boundary hedgerows. Slyne Road borders the site to the east. To the north and west existing residential development within Bolton-le-Sands and Hest Bank is adjacent to the development site. Further residential development extends northwards and westwards from this. To the south, a further agricultural field(s) separate the development site from Slyne. Additional residential development extends southwards. Such is the layout of the surrounding development that the development effectively forms the northern half of a pocket of open agricultural land that is enclosed by existing residential development and the A6 corridor. Open countryside lies to the east of the A6, and this provides a rural boundary to the eastern edge of the identified settlements.

5.5.4 Topographically, the site is undulating, as described within paragraph 1.2 of this report, and this is reflective of the prevailing drumlin landscape. The site features a central drumlin, the crest of which sites at a level of around 43m AOD. To the east and west of this, levels drop to around 36m AOD close to the A6, and 28m AOD on the western boundary. This undulating topography continues to

the east of the A6, and this includes Inglebrick hill, a larger drumlin which rises to approximately 81m AOD and which forms a sense of enclosure to the eastern side of the A6. The northern end of Inglebrick hill includes two communications masts disguised as trees. This drumlin is a large and locally distinct landform feature which largely restricts open landscape views towards or from the east.

- 5.5.5 With respect to landscape characterisations, the site is located within the National Landscape Character area NCA31: Morecambe Coast and Lune Estuary. The key characteristics of which include, amongst other features, a dramatically undulating landscape leading to the coastal strip with substantial drumlin features.
- 5.5.6 The site also lies 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. This LCT is also influenced by strategic current and historic transport infrastructure including the West Coast Mainline, A6/M6 corridor and the Lancaster Canal. Both the development site and the wider locality is reflective of the LCT, demonstrating many of the landscape characteristics, such as drumlin/undulating topography, whilst it is also influenced by the A6 corridor and its associated development. The site does not impact any statutory landscapes (directly or indirectly) owing to the distance from the closest National Landscapes and the intervening development and surrounding countryside.
- 5.5.7 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 within the immediate local landscape and from locations slightly further afield. Locations assessed include from public vantage points, Public Rights of Way (PRoW) and public highways. Officers concur with the established baseline and consider the identified viewpoints to provide an appropriate basis upon which to assess the development proposal.
- 5.5.8 Due to the undulating topography within the development site, and the presence of existing residential development which encompasses the sites northern and western sides, visibility of different parts of the site varies depending on topography and the presence of existing built form. Generally speaking, the upper parts of the drumlin towards the centre of the site, as well as the lower lying eastern field are the most visible. Views of other parts of the site are more restricted due to the layout of surrounding development.
- 5.5.9 Viewpoints assessed within the supporting LVIA include from various points along the A6 and Lancaster Canal, from surrounding publicly accessible spaces including Slyne with Hest Cemetery and football club (Bottomdale Road) and the tennis club/recreation ground (Hanging Green Lane), and from various Public Rights of Way within the surrounding countryside. The sensitivity of the visual receptor from these various viewpoints varies from medium-low to medium-high depending on factors such as proximity, topography and presence of screening. Residential receptors include the residential dwellings located on the various residential roads which encompass the development site, the sensitivity of these receptors is high. A total of 16 viewpoints outside of the development site have been assessed within the LVIA, from different locations including distances and elevations.
- 5.5.10 Having visited the site and its surroundings, Officers conclude that the site is influenced by the existing developed edge of the settlements which immediately abut, or are located in close proximity to, the development site boundaries, as well as the A6 transport corridor which encloses the eastern boundary. There are no public rights of way through the site, however, as identified within the LVIA, near and distant views are achieved. The near views include from various points along the A6 as well as from surrounding residential roads and the canal towpath. These viewpoints enable views into the site, including an appreciation of its undulating topography. However, it is also apparent that these views are achieved from already developed residential areas, as such existing residential development and transport infrastructure already form a fundamental component part of these existing views, and this heavily defines the visual surrounding context to the development site. Furthermore, traffic noise from the A6 corridor is also apparent, particularly from viewpoints located

along the eastern and southern edges of the site. Disturbance arising from surrounding development and transport infrastructure reduces the tranquillity and to a certain extent the rural sense of place which is more apparent in areas to the east.

- 5.5.11 It is noted that the location of viewpoint 10, as indicated on the aerial photograph drawing contained within the LVIA and which details the location of the near distance viewpoints, is not correct and that this view is taken from slightly further along to the canal towpath to the northeast, closer to No. 7 Ashworth Drive. Despite this minor discrepancy, it is considered that the assessment set out within the LVIA with respect to this viewpoint is still appropriate.
- 5.5.12 With respect to the more distant views of the site, due to the topography of the land to the east of the A6, views of the development site from the east, including from the cemetery/football ground and the various public rights of way present in this area, are largely restricted. Other longer distance views of the site are also achieved, such as from Pasture Lane to the north. From this location, the crest of the drumlin within the development site is visible upon the horizon line along with the central hedgerow. However, views of the existing residential development, including that located along Ashworth Drive, are also achieved, and this again forms a developed residential foreground, and it is in this context that any development within the application site would be viewed.
- 5.5.13 In light of this assessment, the conclusions within the LVIA for landscape quality (medium), value (medium), susceptibility to change (medium) and, taking into account the landscape value and susceptibility, the overall landscape sensitivity (medium), are not contested.
- 5.5.14 The LVIA assesses the potential landscape and visual effects arising from the development during its construction, year 1 and post development (year 15) stages. The assessment concludes that the potential year 1 effect of the development upon the landscape character of the site and surrounding area would range from moderate-substantial adverse (for the site itself) to moderate adverse (immediate surroundings) and slight adverse (for the surrounding townscape and wider landscape).
- 5.5.15 With respect to visual effects at year 1, for those views achieved from the A6, this ranges from substantial-moderate adverse (for the length of the site adjoining the A6) to neutral effect (for the sections of the site beyond). The effects from other identified views (as highlighted in paragraph 5.5.9) range from slight adverse, negligible adverse and neutral. Finally, for adjacent residential receptors, the effect at year 1 is defined as substantial adverse. The substantial effect is significant and is a consequence of the permanent change of the site from the current agricultural land with its replacement of up to 200 dwellings with associated infrastructure.
- 5.5.16 The LVIA therefore concludes that embedded design measures are required to mitigate this harm and to provide opportunities for furthering the landscape character in the longer term. First and foremost, these measures include the adoption of a number of layout principles to guide the development of the site. This includes the protection of the top of the drumlin, keeping it free from development and forming a green corridor extending from the northern to the southern boundary of the site. Topographical low points within the site will also remain free from residential development, and these areas would accommodate above ground SuDS features such as drainage basins. In turn, these will form multi-functional spaces which will enhance the visual appearance of the site and contribute to the sites sense of place and character. Other on-site amenity features will include the provision of a notable quantity of on-site open space areas, including suitable provision for dog walking, as well as a considered layout to retain access to attractive key views of the surrounding landscape, again to reinforce the sites sense of place. The layout will also take account of the sites sloping topography to ensure that appropriate development platforms are identified and to ensure that transport routes within the site feature appropriate gradients. East to west travel connections are also to be incorporated into the design.
- 5.5.17 The supporting Design and Access Statement also provides details as to intended building heights and densities. This sets out that new homes would predominantly be 2-storey in height in order to reflect the scale of surrounding residential development. However, it also sets out that the proposal intends to incorporate the careful use of some 2½ storey homes within the lower parts of the development site, as this will assist in creating a varied and interesting roofscape. In principle, this approach is acceptable, subject to the exact details of this approach being thoroughly considered at reserved matters stage.

- 5.5.18 Importantly, the Design and Access Statement also acknowledges the need to consider the topography of the site, and the subsequent impact that the scale of the dwellings will have. The associated Building Heights Plan provides a layout indicating building heights for different parts of the site. This indicates the inclusion of 4 bungalow properties within the central area of the site, in an area close to the drumlin crest. Due to the topographical difference between this central area of the site and the surrounding existing residential development, and the visibility of the higher central part of the site in near and longer distance views, it is considered that the use of single storey properties, particularly within the areas which line the central green corridor, is paramount. However, it is considered that there should be a greater use of single storey properties, particularly focussed in the central and northern areas along both sides of the central green corridor, than what is currently shown on the indicative details provided. This part of the site is more steeply sloping than areas towards the southern end of the site, as such the topographical change relative to the surrounding existing residential development is more distinct and visible in longer distance views from the north, such as that from Pasture Lane. The use of lower single storey properties in these areas would help the residential development assimilate into the sloping topography, and this would limit the impact that larger scale/height properties would otherwise have upon the horizon line. Clearer details would also be needed of retaining structures, including that indicatively shown on the Development Framework Plan. At this stage, the information provided is only illustrative and is not for formal approval as part of this outline application. However, as Officers do hold some reservation with the current indicative details, 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.
- 5.5.19 Whilst this is not a matter for determination as part of this outline application, the illustrative proposal indicates that the site could deliver a density of up to 35 dwellings per hectare on average. This is higher than the density of surrounding development, however, it is considered that an increase in density may be able to be accommodated, particularly within the topographically lower eastern area of the site, given its much lower prominence topographically speaking and resultant lower visibility in longer distance views. The delivery of attractive and well vegetated frontages to both the eastern and southern boundaries, along with a pleasant and spacious tree lined main avenue leading into the site, would help assimilate the increased density of built form within this part of the site. Importantly, due to the topographical complexity and resultant visibility of the upper areas of the site, development on each side of the drumlin should be of a lower density. The appropriate use of increased densities could represent a more efficient use of land and would contribute towards alleviating the district's housing crisis. Any reserved matters proposal would need to detail the way in which an increased density could be accommodated within the design of the site and wider surroundings.
- 5.5.20 To a certain extent, Officers were satisfied that the LVIA provides an accurate, reliable and robust assessment of the landscape impacts of the scheme. However, it is important to note that this initial LVIA was based upon the initial masterplan design and Development Framework Plan, which included a residential development parcel within the northernmost field. Officers raised significant amenity and landscape concerns with this element of the proposal, due to the steeply sloping northeastern flank of the drumlin and the height difference relative to properties on Pinewood Avenue. It was considered any development in this location would be materially harmful to the character and visual appearance of the locality and the amenity of existing residents in this area.
- 5.5.21 To alleviate these concerns, the applicant has reviewed the masterplan design and Development Framework Plan and has subsequently relocated development to the southern part of the site, in the area where the off-lead dog walking area was initially proposed. This in turn has been relocated to the northern field, which will, according to the revised Development Framework Plan, now remain free from residential development. This alteration satisfactorily addresses Officer concerns, it also means that the whole of the northern field, which is an attractive part of the site and affords expansive views over Morecambe Bay and to the Lakeland fells beyond, will be retained as publicly accessible open space.
- 5.5.22 An addendum to the LVIA has been produced to reflect the changes which confirms that the removal of built form from the northern field and its replacement to the south is a positive design change and will enable a better appreciation of the drumlin landform, particularly in viewpoints from the north, including Pinewood Avenue, the Canal towpath and from further afield on Pasture Lane.

- 5.5.23 Taking into account the amended Development Framework approach (described in paragraph 5.5.20 – 5.5.22) as well as the embedded design mitigation measures including the delivery of a comprehensive Green and Blue Infrastructure Strategy, the LVIA concludes that from all vantage points assessed, the residual visual effects (year 15) arising from the development are expected to reduce. The assessment has followed established guidance and standard methodology, considering the likely impacts on a range of visual receptors. As is typical, the greatest level of visual effect is experienced by receptors located closest to the site. In this case, once the development becomes operational, visual effects are predicted to range from moderate adverse (for the A6 eastern frontage) to negligible adverse and neutral for the remaining receptors. With respect to residential receptors, this would reduce to moderate adverse for dwellings along Greenwood Drive, Pinewood Avenue, Greenwood Crescent, Ashworth Drive and negligible adverse for properties located along Manor Lane to the south. The residual effect upon properties located on Hatlex Hill, Bryn Grove and Kirklands would be greater, as this would reduce to substantial-moderate adverse at year 15. The severity of these effects is principally due to the direct intervisibility between the site and the receptors mentioned. The degree of visual harm is heightened for those receptors due to their high sensitivity and proximity. However, most properties will overlook open space and retained and bolstered landscaping, which will over time serve to provide filtering of views of the development.
- 5.5.24 Given the overall scale of the site and its varied topography, the development will affect the wider landscape to differing degrees. These impacts are assessed to range from moderate adverse in views along the A6, reducing to negligible adverse and neutral for the remaining receptors. While the development would expand the periphery of the neighbouring villages, its scale and siting would not appear incongruous within the existing pattern of development in this area. This is particularly the case as the proposal would be perceived as the partial infilling of pocket of land already enclosed by existing development and transport infrastructure.
- 5.5.25 It is apparent that the mitigation measures have been carefully designed into the scheme following a landscape capacity assessment, to ensure that the proposal assimilates as best as possible 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 as part of this outline proposal, 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.
- 5.5.26 Overtime, it is concluded that the overall effects of the development in landscape terms would reduce, though residual moderate adverse effects would still persist for lengths of the A6 corridor. As such, in light of the landscape implications arising from the development of this site, and the need to incorporate design measures to mitigate the impacts of the development overtime as much as possible, it is considered that a condition is necessary to ensure any subsequent reserved matters proposals are brought forward in substantial accordance with the design principles and environmental objectives set out within the Illustrative Development Framework Plan and Illustrative Green/Blue Infrastructure Strategy Plan, and the principles set out within the latest Design and Access Statement. This is reasonable as these documents present a positive, landscape-led approach to the design of subsequent development, which is particularly important given the visibility and topography of the site. To minimise adverse effects during construction, adherence to a suitable CEMP will be required, also secured by condition.
- 5.5.27 In conclusion, the proposal would result in conflict with the landscape-related policies of the Local Plan. However, these landscape impacts are expected to be localised to lengths of the A6 and sections of the residential roads which enclose the site to the north and west. On balance, this conflict is not considered significant with the harm being contained to the immediate site and its surroundings.
- 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 and Strategic Flood Risk Assessment.

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 majority of the site lies within flood zone 1. However, the Environment Agency (EA) Flood Map for Planning (FMFP) identifies a small pocket of flood zone 2 close to the access to Greenwood Drive, close to the location of an existing small partly open/partly culverted watercourse, which presently provides field drainage for approximately 6 hectares of land. The watercourse runs to the west of the Greenwood Drive/Pinewood Avenue dwellings and enters Lancaster Canal to the north. In addition to this, the Council Strategic Flood Risk Assessment (SFRA) mapping shows an area of flood zone 3b which passes through the site from the east and then to the north. However, there is no watercourse within the site in the flood zone 3b location detailed on the SFRA map. The site-specific flood risk assessment which accompanies this application has shown that the location of the flood zone 3b as detailed within the Councils SFRA is incorrect. This has included a CCTV survey of the culverted section, and a topographical survey of the open channel section. This has also determined that the existing culvert provides sufficient capacity for the current catchment run-off and any future run-off from development. It considers that that a blockage of the culvert could result in overland flow, however, due to the size and condition of the existing culvert, this is deemed to have a very low chance of occurring. In such an event, the flow path in this location (where the emergency access connects with Greenwood Drive) is not identified as being deeper than 200mm (with climate change incorporated). For this reason, when compared to the DEFRA Flood Risks to People flood hazard classification, this event would pose a negligible risk. With respect to the extent of flood zone 3b, the site-specific assessment concludes that the Councils SFRA should be updated to only show the watercourse as forming the flood zone 3b extent.
- 5.6.3 With respect to surface water flooding, there are areas of both high and medium risk of surface water flooding within the eastern areas of the site, close to the A6. The site-specific flood risk assessment identifies that the surface water flood risk to the site, without mitigation, is medium. The proposed site access point from Slyne Road would be located outside of the areas at risk of surface water flooding. However, a proposed residential development parcel would be located within the area identified as being at risk of surface water flooding. The medium risk classification is due to the impermeability of the ground and the inability for run-off from the onsite catchment to soakaway. The risk is contained within localised pockets and the available mapping shows that depths are unlikely to exceed 300mm. To mitigate the risk posed by locating dwellings within these areas of medium risk of surface water flooding, the site-specific flood risk assessment identifies that all dwellings can be located at least 150mm higher than the current level of surface water flood risk. This means that flood avoidance for these more vulnerable uses is achieved, and that by implementing this mitigation, the risk of surface water flooding is low.
- 5.6.4 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 17th 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 considered the flood risk sequential test is not engaged by surface water risk, as this can be appropriately avoided and mitigated. A condition to ensure that the development is undertaken in accordance with the mitigation contained within the site-specific flood risk assessment is recommended.
- 5.6.5 With respect to the areas of flood zone 2 and 3b associated with the watercourse which is located to the east of the Greenwood Drive/Pinewood Avenue dwellings, the proposed emergency access/active travel route which extends from Greenwood Drive into the development site would pass through these areas of flood risk. The merits of identifying the culverted section of the watercourse, over which the access would pass, as flood zone 3b is questioned given the watercourse is below ground at this point and that there is no natural storage function provided in this area. Furthermore, it has been shown that the risk to people resulting from any overland flow which may occur in this area has been assessed as negligible. Emergency vehicles could readily

cross given the relatively low depth (not identified as being deeper than 200mm (with climate change)), whilst people and cycles would not be obliged to cross this area and would be able to use the main access onto Slyne Road or the western access onto Hatlex Hill, both of which would be unaffected during a flood event. However, the EA FMFP now indicates the area through which the access would pass as being within flood zone 2. The EA FMFP indicates that flood zones 2 and 3 have been updated to include local detailed models, and a new improved national model.

- 5.6.6 Given the approach of the SFRA to designate watercourses, including culverted sections, as flood zone 3b, and the identification of an area of flood zone 2 within the EA FMFP, it is considered that a precautionary approach to the adoption of the flood risk sequential test (FRST) is both reasonable and necessary in this instance. As the Greenwood Drive access arrangement passes through these identified flood zones, the flood risk sequential test (FRST) is deemed to be engaged. For this reason, a FRST accompanies the application.
- 5.6.7 In accordance with the Planning Practice Guidance (PPG), the scope of the FRST assessment was discussed and agreed with the Local Planning Authority before submission. Given the scale of the development and the nature of the proposal (housing to meet a district need), it was agreed that the area of search to review alternative sites should be the main urban areas, sites on the edge of the urban areas and sustainable rural settlements, also including land adjacent to them.
- 5.6.8 The purpose of the sequential test is to consider whether there are any reasonably available sites suitable to accommodate the proposed development that are at a lower risk of flooding than the application site. The PPG states *'Sites should be considered 'reasonably available' for the purposes of the sequential test if their location is suitable for the type of development proposed, they are able to meet the same development needs and they have a reasonable prospect of being developed at the same time as the proposal.'* The PPG also states, *'In considering whether alternative lower-risk sites (which could, where relevant, be a series of two or more smaller sites) would be capable of accommodating the proposed development, such alternative sites do not need to be owned by the applicant to be considered 'reasonably available'.*
- 5.6.9 The applicant has undertaken a robust FRST looking extensively at the suitability and potential availability of other sites. The FRST also draws a reasonable comparison in relation to the respective flood risks of the identified sites, relative to the site forming the subject of this proposal. Of all of the sites assessed within the FRST, no sites were identified that would genuinely be considered sequentially preferable in flood risk terms, including sites at Lundsfield Quarry, Brewers Barn and Grab Lane amongst others. Furthermore, the FRST also provides evidence demonstrating that the identified sites are also unavailable to the applicant. Officers are therefore satisfied the FRST is passed in accordance with policy DM33 and the NPPF.
- 5.6.10 Having passed the FRST, it is necessary to consider whether or not it is necessary to satisfy the exception test as set out at paragraphs 177-179. The need for the exception test will depend on the vulnerability of the development, which is proposed within the at-risk areas, in line with the Flood Risk Vulnerability Classification set out in Annex 3. The part of the development which passes through the identified flood zone is the emergency access, as well as an active travel route. Within the Flood Risk Vulnerability Classification set out in Annex 3 of the NPPF, essential transport infrastructure (including mass evacuation routes) is defined as essential infrastructure. A case is made that the emergency access onto Greenwood Drive constitutes essential transport infrastructure, particularly as it is an element of the scheme which has been requested by the Local Highways Authority to facilitate an acceptable access strategy. Officers consider this to be a reasonable assessment. Table 2: Flood risk vulnerability and flood zone 'incompatibility' indicates that essential infrastructure within flood zone 3b areas must be subject to the exception test. The location of essential infrastructure within flood zone 2 areas does not trigger the sequential test. Whilst a case is made by the applicant that the culverted section of the watercourse should not be designated as an area of flood zone 3b, the application of the FRST and the exception test must be undertaken in a consistent manner. Accordingly, as the emergency access passes through the identified flood zone 3b area (over the culverted section of the watercourse) it is considered that the exception test is engaged in this instance.
- 5.6.11 The application is supported by an exception test assessment. First and foremost, this addresses the requirements of paragraph 178 of the NPPF, which states that to pass the exception test it should be demonstrated that:

- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

In respect of requirement a), Officers concur with the findings of the exception test assessment provided by the applicant, which sets out succinctly a range of wider sustainability benefits (to the community) that this development is capable of delivering. It is considered that these benefits outweigh the flood risk, particularly as the element of the scheme which triggers the application of the exception test is deemed to be essential infrastructure that has been required by the Highways Authority. With respect to requirement b), the development as a whole has demonstrated the way in which the development will be safe for its lifetime and will not result in flood risk elsewhere. In addition to this, the proposal has demonstrated that it will reduce surface water flows significantly from current rates towards the watercourse. In turn, this will also reduce the risk of any flooding occurring at the inlet of the culvert in the location where the proposed Emergency Access is to be located. The development will also provide a betterment to existing properties to the west of the site, along Byn Grove and Hatlex Hill, by capturing and appropriately disposing of existing overland flows which presently run-off the site in this direction. On this basis, Officers are satisfied that the development satisfies the requirements of paragraph 178 of the NPPF.

5.6.12 In addition to this, the exception test assessment also addresses the requirements of the PPG which state that, within flood zone 3b, essential infrastructure that has passed the exception test should be designed and constructed to:

- a) remain operational and safe for users in times of flood;
- b) result in no net loss of floodplain storage;
- c) not impede water flows and not increase flood risk elsewhere.

With respect to a), as set out previously, the depth of any overland surface water flooding in the area of the access would not be above 200mm. This is sufficient to ensure that the use of the access by emergency vehicles remains possible. With respect to b), the development in this area would not affect the existing capacity of the culvert, which has been shown to be sufficient, nor would it include any form of development that would displace flood water. With respect to c), the access can be designed in manner so as not to impede any overland flow, such as the use of appropriate surfacing and kerb lines. The exact details of the construction of this point of access are to be secured by condition. As such, in addition to providing an appropriately designed access in highway terms, the access design must adopt measures to ensure existing water flows are not impeded or redirected to prevent the development from increasing flood risk elsewhere.

5.6.13 Overall, it is considered that the inclusion of the emergency access arrangement onto Greenwood Drive would provide wider sustainability benefits to the community that outweigh flood risk that this element of the development could be subject to. Furthermore, the development will be safe for its lifetime and will result in betterment in flood risk terms to specified areas of the site. Finally, the proposed emergency access arrangement can remain operational and safe for users in times of flood, will not result in a net loss of floodplain storage and can be designed in a manner that does not impede water flows and will not increase flood risk elsewhere. Accordingly, Officers conclude that the exception test is passed. For this reason, it is concluded that the application of national and local policies relating to flood risk, do not provide a strong reason for refusing this proposal, and with regards to the application of the definition of grey belt land, flood risk (a footnote 7 areas of particular importance), would not preclude the development site from constituting grey belt land.

5.6.14 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.

- 5.6.15 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.
- 5.6.16 This application is accompanied by an Outline Drainage Strategy, which has been informed by the identified baseline flood risk conditions and a catchment analysis. The Outline Drainage Strategy has also been informed by prior pre-application engagement with the Lead Local Flood Authority. The proposed surface water drainage strategy seeks to positively drain the impermeable areas of the development site (the precise details of which are to be controlled by condition when the layout of the development is known) at a controlled greenfield discharge rate of 18l/s into the existing watercourse at the northern end of the site. This watercourse flows into Lancaster Canal to the north, and a maximum discharge rate of 18l/s represents a potential 74% betterment on the current discharge rate currently drained by the watercourse. Should the extent of the impermeable areas within the development increase as part of any reserved matters application, then the associated QBAR and Qmax rates would be expected to be remeasured to reflect this, to ensure that the flow rates leading into Lancaster Canal are appropriate.
- 5.6.17 Infiltration testing has been carried out on site, and this has proven that infiltration is not viable as the sole method of disposing of surface water. Subsequently, it is proposed that surface water be attenuated within a series of attenuation basins located within the topographical low points within the site before being discharged to the watercourse. The proposal also includes a dry basin, which has the capacity to provide a further 1,000m³ of attenuation above the identified design requirements. This would be located in the eastern area of the site, in the approximate location of the existing surface water flood risk. This dry basin would only be utilised in extreme rainfall events which are above the design parameters, or if there is a failure within the drainage system. The supporting Illustrative Development Framework Plan indicatively shows these features accommodated within the site layout.
- 5.6.18 Due to the topography of the site, the drainage strategy splits the site into three distinct drainage catchments, the eastern, middle and western catchments. Both the eastern and middle catchments would be drained via a gravity feed to the watercourse. As the western catchment is located on the opposite side of the drumlin, surface water drainage from this area of the site would need to be pumped. 24 hour emergency storage capacity will need to be provided within this catchment area in the event of a pump blockage or failure, this has been calculated and incorporated into the volume of the detention basins proposed in this part of the site. At present, the current site catchment allows notable volumes of greenfield runoff from the site to flow towards the properties to the west, including Hatlex Hill. The inclusion of attenuation basins within this part of the site will serve to intercept this overland flow, which would then be stored and pumped to the eastern side as per the drainage design, this will provide betterment to these neighbouring properties.
- 5.6.19 Within its comments, the Lead Local Flood Authority (LLFA) provides site specific advice which, in this case, includes commentary on the proposed pumping solution. The LLFA states that pumped solutions should only ever be used as a last resort, once gravity discharge via all other options within the drainage hierarchy, have been thoroughly assessed and discounted. The LLFA considers that the proposal is acceptable and in principle, as it has been demonstrated that surface water from the proposed site can be drained. However, the LLFA will require the applicant to demonstrate as part of any future detailed drainage strategy that the currently proposed pumped solution is fully justified and designed to ensure that any residual risk can be managed. To facilitate the pumped drainage arrangement, a surface water pumping station is proposed within the western area of the site.
- 5.6.20 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 and can deliver betterment with respect to reducing existing overland flows and flow rates. Importantly, the strategy includes numerous above ground drainage features which positively contribute to the delivery of a genuine sustainable drainage system with multifunctional benefits including for design, placemaking, biodiversity, flood risk and open space. This also contributes towards the proposal according with the requirements of the NPPF paragraph 159 regarding the Golden Rules. 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. 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. Informative notes relating to other consenting regimes and legal requirements which will be necessary to deliver this drainage strategy are also requested. The Canal and River Trust (CRT) has also reviewed the proposal, given the discharge ultimately enters Lancaster Canal. The CRT has confirmed that it would need to review a fully detailed drainage strategy and recommends a condition be attached to any approval to secure this detail. This can be appropriately combined with the condition already requested by the LLFA. These conditions would also address the requirements set out within the consultation response provided by United Utilities with respect to surface water.

- 5.6.21 Foul drainage will connect to the public sewer within Slyne Road. The foul drainage system would also need to be pumped due to the topography of the site, as such two pumping stations are indicated within the Outline Drainage Strategy drawing and within the supporting Illustrative Development Framework Plan. United Utilities have raised no concerns with this approach.
- 5.6.22 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 **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.
- 5.7.1 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.
- 5.7.2 Impact on Designated Sites
The site is located approximately 700 metres from the 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 Intertest (SSSI). Given the proximity of the site to the designated areas, there is the potential for the development to have an adverse impact on their integrity both during construction and operational phases of the development. This application is supported by an Ecological Impact Assessment and a Shadow Habitat Regulations Assessment (sHRA), which the Council has adopted to fulfil the Councils duty as the Competent Authority.
- 5.7.3 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 that the site does not provide habitat of sufficient quality or extent to function as Functionally Linked Land (FLL) for qualifying species of the Morecambe Bay SPA and Ramsar site. For this reason, the development site itself is not considered to be functionally linked land. This is despite the findings of previous recent surveying efforts undertaken by GMEU concluding that the development site formed

part of a pocket of land to the west of the A6 which has moderate potential as functionally linked land.

- 5.7.4 Land to the east of the A6 corridor was deemed to contain habitat of greater quality and extent to function as FLL. Based on its previous recent surveying efforts, GMEU concluded that this area of land has a high potential as FLL. The sHRA has assessed the impacts of the proposal upon this area of land and has concluded, again to the satisfaction of Natural England as the statutory consultee for such matters, that the proposed development would not generate adverse disturbance effects on SPA/Ramsar qualifying features utilising land to the east of the A6. This is principally a result of topography and the fact that SPA/Ramsar birds principally utilise land further to the east (closer to Ancliffe Lane) which is substantially screened by landform and is not subject to significant levels of visual or acoustic disturbance pathways from uses to the west, including the development site and the A6. The sHRA does set out that this is also achieved in part as no impulsive or piling works are proposed, and working hours will be restricted to daytime periods only. These working practices in effect form mitigation to ensure no effects upon this nearby habitat, as such this will need to be secured as part of the CEMP condition, to ensure that there are no likely significant effects on Morecambe Bay SPA qualifying features through acoustic disturbance.
- 5.7.5 It is established within the sHRA that there are no hydrological or airborne pathways between the development site and the designated sites, as such potential impacts through these means can be ruled out. With respect to recreational disturbance, the sHRA 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. 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, including dog walking, away from the designated sites. The provision of Homeowner Information Packs can be secured by planning condition. In addition to this, as recommended by Natural England, educational information boards/signage within the development to complement the information contained within Homeowner Information Packs, and to guide member of the public to alternative recreational provision are also to be secured. The provision of on-site signage can be secured by planning condition.
- 5.7.6 More notable mitigation will be achieved through the provision of substantial quantities of on-site public open space. The development includes extensive retained open greenspace as well as a designated designed area of off-lead dog walking. 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. Open space requirements would be secured by legal agreement ensuring it is safeguarded and subsequently managed and maintained to provide long term mitigation against recreational disturbance (along with providing open space for the development and wider community). The detail of the Homeowner Information Packs, on-site signage and the design of the sites on-site open space will come forward as part of meeting the legal agreement obligations or satisfying planning conditions. Natural England would be consulted as part of these processes.
- 5.7.7 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 are capable of being secured by planning condition and legal agreement should planning permission be approved. There have been a number of public representations raising concerns about the effect of the development on qualifying species and the robustness of the sHRA. While Officers have considered these representations, Natural England, as the statutory consultee responsible for designated sites, concurs with the conclusions of the sHRA and the need to secure the mitigation identified, now raising no objection to the development. For this reason, it is concluded that the application of national and local policies relating to these designated habitat sites, do not provide a strong reason for refusing this proposal, and with regards to the application of the definition of grey belt land, habitat sites (a footnote 7 areas of particular importance), would not preclude the development site from constituting grey belt land. 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.

5.7.8 Ecological Impacts

The application is supported by an Ecological Impact Assessment. 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 lengths of hedgerow and ephemeral waterbodies. On site surveys found no evidence of amphibians, including great crested newts, badger, brown hare, or hedgehog. A low number of common and soprano pipistrelle bats were detected foraging along the lengths of hedgerow, but no roosts sites were detected within the site, or within the large off-site ash tree located close to the site boundary. A bat detector was deployed for 26 nights, with no bat activity being detected between 16th April and 7th May 2025. As such the risk to bats is deemed to be low.

5.7.9 With respect to birds, 16 species of birds were recorded on site, this included confirmation that a breeding pair of lapwings were present as well as house sparrow, both of which are red listed species. Nesting by four other species (blackbird, dunnock, goldfinch and wren) is also considered likely. Lapwing is a wading bird species which is identified as a species in decline (evidenced by its listing on the UK Red List for Birds of Conservation Concern - BoCC) but is not a qualifying species associated with the Morecambe Bay designated sites. The presence of lapwing, as well as other bird species, within the development site is a matter highlighted within numerous comments received by the Local Planning Authority. This includes detailed and robust bird survey evidence provided by interested parties. Clearly, the development site provides habitat for a range of species, including species identified as red and amber status (BoCC).

5.7.10 The presence of lapwing within the development site is intrinsically linked to the current use of one of the fields for maize production. Lapwing are ground nesting birds which require open, sparsely vegetated ground, such as that found within maize fields. This is reinforced by the survey data contained within the supporting Ecological Impact Assessment detailed in Figures 9, 9a, 9b, 9c and 9d. These figures detail the distribution of bird species identified within the site during the survey dates. With respect to lapwing, this shows that, with the exception of one survey effort (shown in figure 9d), all instances of lapwing were identified as being within the larger field currently used for maize production.

5.7.11 However, due to the demands of maize production upon soils, maize production cannot be sustained for long periods of time. As such, it is common practice to return maize fields to grass following a number of years of maize production. The field within the development site which is used for maize production has been in this use since at least 2020, though Google Streetview images suggest perhaps as early as 2015. For this reason, this field will be nearing the end of its maize production cycle and is highly likely to be returned to grassland in the near future. This would as a result remove the suitability of this field as lapwing habitat, including for nesting. This conclusion is disputed by interested parties, as well as Natural England. Natural England considers that this simply highlights the dynamic nature of land management in this area. However, regardless of development proceeding, it is not unreasonable to conclude that the subject field is expected to cease being used for maize production in the short term, and as result its suitability as lapwing territory is highly likely to decline or be lost in the near future due to standard agricultural practices.

5.7.12 Despite this, the development of the site in the manner proposed will also result in the direct loss of lapwing territory. The development will also prevent the land from ever being used for agricultural purposes in a manner that would be compatible with lapwing habitat again, such as future maize production. As identified within paragraph 5.3.31, the site is identified within the Lancashire Local Nature Recovery Strategy (LNRS) as providing opportunities for facilitating habitat conditions or environments to support wading birds, including lapwing, as associated with the Grassland G1.1 – ID 4694 designation. However, in light of the high sensitivity of these species to disturbance such as that which is expected with the type of development proposed, it is not feasible to provide suitable habitat for wading birds within the development site. As such, the loss of lapwing habitat (and other wading bird habitat) because of the development cannot be mitigated.

5.7.13 Nevertheless, the development does incorporate significant opportunities to deliver Green and Blue Infrastructure which would support nature recovery by contributing towards achieving significant levels of Biodiversity Net Gain. This would also accord with the habitat creation opportunities

identified as part of the potential measures for the Urban U1.2 – ID 15,692 designation set out within the LNRS which has the capacity to provide greater benefit to nature overall and which will contribute positively towards the delivery of wider environmental outcomes set out within the LNRS.

- 5.7.14 This development represents an opportunity to secure ecological and targeted habitat enhancements, such as (but not limited to) physical infrastructure, such as those for bird nesting and bat roosting habitat. A scheme of habitat creation measures to be suitably located throughout the site can be secured by condition. This would be expected to deliver suitable habitat for a range of bird species. The indicative Green and Blue Infrastructure design also shows that most of the hedges would be retained and there would be new wildflower grassland, trees and SUDs basins in zones around the periphery of the site and in a zone through the middle. The Council's Biodiversity Officer considers that this makes it likely that breeding and foraging opportunities for these birds would be maintained or possibly enhanced.
- 5.7.15 Lancaster Canal is identified as a Biological Heritage Site (BHS). The development site has a direct connection to the canal via the existing watercourse, and it is proposed that the development be connected to the watercourse for drainage purposes, therefore a potential pollution pathway exists. BHS are non-statutory wildlife sites identified for their nature conservation importance, and these are deemed to be of regional importance. In light of the potential for impacts to this environment to arise through both the construction and operational phases, it is important that measures are put in place to secure appropriate construction phase and operational phase drainage systems to manage and prevent the risk of pollutants entering the canal. This can form part of the aforementioned drainage conditions.
- 5.7.16 Trees and Hedgerows
The application is supported by an Arboricultural Impacts Assessment (AIA) and Tree Survey. Within the development site and forming boundaries to the site, there are numerous trees and tree groups of a variety of species and ranging in retention/quality category from A to C. There is also a total of 17 lengths of hedgerow, all of which fall within the B category, which denotes a hedgerow of moderate quality, the retention of which is desirable. There are no protected trees within the development site. However, trees within the gardens of dwellings on Hatlex Hill and Bryn Grove are subject to a Tree Preservation Order, which border the site.
- 5.7.17 With respect to the proposed access arrangement on to Slyne Road, which is a matter being approved at outline stage, the AIA (October 2025) indicates that a 188-metre-long section of the existing hedgerow H1, which forms the boundary to Slyne Road, would require removal. However, following concerns raised by Officers regarding the extent of this removal, and subsequent ecological and landscape impacts, the impact of the access design upon the roadside hedgerow has been reviewed. An updated Tree Retention & Removal Plan, which focusses solely on the impacts of the proposed access arrangement upon this hedgerow, has subsequently been provided. This indicates that the total hedge that would require removal to facilitate both the main vehicular site access and the proposed northern active travel access would be 117 metres. This is required to facilitate the access points and the associated visibility splays. Whilst a loss of 117 metres of prominent field boundary hedgerow is notable, this is an improved position from the original submission and is deemed necessary to secure the access into the development site. This loss is capable of being mitigated through replacement planting along the development site frontage, which would be secured at reserved matters stage.
- 5.7.18 A short section of hedgerow H4, which is located adjacent to Hatlex Hill, would also be removed to widen the existing field gate access to form the proposed active travel route access and maintenance access to the western drainage system. This loss can also be mitigated.
- 5.7.19 Based on the development indicated within the Development Framework Plan, the AIA also identifies a requirement for the removal of a further 8 sections of hedgerow ranging between 4 metres and 12 metres in length. These would be required to enable the construction of streets and recreational routes within the site. Furthermore, an approximately 100 metre length of hedgerow H3 would also require removal to enable the delivery of housing within the central development parcel. Finally, a further three potential active travel routes, the potential future delivery of which are to be secured by condition, are indicated along the southern boundary of the site. The delivery of these active travel routes would require the removal of corresponding sections of hedgerow H2. With respect to trees, the proposal indicates that it would be necessary to removal an early-mature willow

(T16), a semi-mature hawthorn (T17), both of which are B1 category trees, as well as mature elder group G5 (C2 category).

- 5.7.20 Hedgerows are a prominent feature of the site and wider landscape. Furthermore, hedgerows within this site appear to form part of a pre-1850 field system, with field boundaries clearly shown on the OS map surveyed in 1845 and published in 1848. By virtue of their age, hedgerows within the site could be 'important' as defined by The Hedgerow Regulations 1997. The AIA does not explicitly determine whether or not hedgerows within the site could constitute 'important' under the Hedgerow Regulations, however, it does state that *'some of the hedgerows contain elder with large stems, which may point to a significant age'*, which indicates the potential for hedgerows to be 'important'. However, the Ecological Impact Assessment has considered this further, and confirms that hedgerow 2 and 5 (as identified within the Ecological Impact Assessment) had bluebell along their western extents. For this reason, it concludes that hedgerows 2 and 5 are classified as 'important' under the Hedgerow Regulations. None of the other hedgerows within the site are considered as 'important' hedgerow. Compared to the AIA, hedgerow 2 corresponds with the southern boundary hedgerow of the site, identified as H2 within the AIA. Hedgerow H5 corresponds with the western extent of hedgerow H3, up to the intersection with H12. As such, the proposal would require the removal of small sections of hedgerow which has been identified as 'important' under the Hedgerow Regulations, to deliver street and recreational access connections.
- 5.7.21 The Councils Arboricultural Officer raises no objection to the principle of the development. It is considered that the proposal satisfactorily incorporates arboricultural features both within and bordering the site, with most hedgerows and trees to be retained, buffered and enhanced. Clarification has been provided regarding the impact of the development upon the roadside hedgerow, with the impact of delivering the access being reduced from 188 metres to 117 metres. Whilst losses are inevitable as part of any development to facilitate streets, residential development and infrastructure, with the exception of access impacts, this is a matter to be considered at reserved matters stage, once the precise layout of development has been established.
- 5.7.22 However, at this stage, it is considered that there are significant opportunities to retain large sections of hedgerows as well as providing new replacement planting to mitigate unavoidable and justified losses. Given the outline nature of the proposal, an updated AIA will be required prior to the commencement of development and concurrent with the submission of reserved matters, to ensure tree and hedgerow protection measures are in place having regard to a specific layout and the detailed access design. With respect to hedgerows, this updated AIA should, in the first instance, explore opportunities for the translocation of impacted hedgerows given their identification as BAP habitat, before seeking approval for their removal. This can be secured by planning condition should the development be permitted.
- 5.7.23 Biodiversity Net Gain (BNG)
The submitted application is subject to mandatory BNG. Furthermore, both the NPPF and Local Plan policies encourage new development to make positive contributions towards ecology and habitat. This application is accompanied by a BNG assessment which sets out that the baseline condition of the site comprises 23.09 habitat units, 5.59 hedgerow units, and 0.38 watercourse units. The aim of this assessment was to establish whether the Development Framework is capable of achieving a net gain in biodiversity. When assessed in the context of the Development Framework Plan, the BNG assessment concludes that development could provide increases of 12.54 habitat units, 3.06 hedgerow units, and 0.06 watercourse units. This represents a net gain in percentage terms of 54.31% habitat units, 54.77% hedgerow units, and 15.24% watercourse units.
- 5.7.24 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 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. Furthermore, the Council's Biodiversity Officer has raised no objection to the BNG assessment and has confirmed that the habitat survey is accepted as a baseline for ecological assessment and the BNG metric. 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. Furthermore, the costs of the authority's obligation to monitor this (£6,778.00) should also be secured through legal agreement.

- 5.7.25 Subject to conditions securing appropriate mitigation, with exception of the unavoidable loss of Lapwing territory, it is concluded that the development would not conflict with policy DM44. The implementation of a programme of mitigation measures will ensure that there are no significant adverse effects in the longer term to protected species or priority habitat.
- 5.8 **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.
- 5.8.1 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.
- 5.8.2 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 itself.
- 5.8.3 Effects on existing residents
The application site is located on the edge of existing residential development, with dwellings located on Greenwood Avenue, Greenwood Drive, Pinewood Avenue, Ashworth Drive, Bryn Grove, Hatlex Hill and Kirklands being located in closest proximity to the proposed development area, and therefore potentially the most directly affected. A notable proportion of the objections received have come from neighbouring residents.
- 5.8.4 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 Development Framework Plan and Section 4.6 of the Design and Access Statement establish a framework that allows for an initial assessment of the potential effects on nearby residents.
- 5.8.5 Furthermore, as already set out within this report, the Design and Access Statement indicates that the proposed dwellings would predominantly be 2-storey in height, with some 2½ storey homes in carefully selected locations. 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, and to alleviate landscape concerns, there is also a requirement to provide lower height bungalow housing. Relative to the properties to the west of the development site, an appropriate separation distance is retained between the neighbouring dwellings located on Bryn Grove, Hatlex Hill and Kirklands and the proposed western development area. An acceptable separation distance is also incorporated between the central development area and the dwellings located on Greenwood Drive/Pinewood Avenue. It is acknowledged that the eastern development area extends up to the site boundary and is adjacent to the rear gardens of the Greenwood Drive dwellings. As detailed within Section 4.6 of the Design and Access Statement, it would be expected that the required separation distance of at least 21 metres can be achieved along with suitable boundary treatments within this development parcel. Figure 4.10 within the Design and Access Statement indicates how this can be achieved.
- 5.8.6 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. At this stage, Officers are satisfied the site is capable of accommodating the proposed development whilst adhering to these standards and ensuring existing residents maintain acceptable living conditions.

5.8.7 The potential impact on residential amenity extends beyond the physical impacts of new dwellings, such as through outlook, 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.

5.8.8 Noise

The application is supported by a Noise Constraints Assessment. A 3D noise model has been constructed which has enabled a site risk assessment to be undertaken in accordance with relevant guidance. This has enabled an assessment of noise, for day and night, for potential rear garden areas and internal habitable rooms. This also included a Road Traffic Noise Survey to measure the level of noise along Slyne Road. The assessment concludes that the majority of the development site would be at negligible to low risk of impacts from noise, and that no mitigation would be required for development in these areas. However, there is an area of “medium risk” and a section of “high risk” located along the boundary with Slyne Road. In these areas, mitigation measures will need to be adopted in order to minimise the adverse effect of increased noise upon the dwellings located in this area. The Noise Constraints Assessment sets out that this can be achieved through the adoption of various measures including appropriate external and internal layouts, the adoption of whole dwelling ventilation systems, the installation of noise barriers to enclose gardens where necessary, or the installation of higher specification glazing standards. As this application is in outline, and the precise layout and design of the development is not known, the mitigation measures cannot be any more precise than the adoption of good acoustic design measures to minimise adverse effects and the need for mitigation. Clearly there is a need for further consideration of the design of plots at the detailed design stage, however, Officers are satisfied that this matter is capable of being resolved at the detailed design stage and that the site can accommodate the proposed development and adhere to appropriate standards with respect to noise. A condition is recommended to secure an updated Noise Assessment to assess the proposal and to inform specific and appropriate mitigation once the detailed design of the development is known.

5.8.9 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.

5.8.10 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.

5.8.11 This application is supported by a Phase I desk top survey and a Phase II intrusive assessment. The Phase II intrusive assessment identified asbestos fibres on the surface of the site. As such, remediation is required to ensure that this is safely removed, along with validation testing being undertaken to ensure no asbestos remains. This is to be secured by planning condition. With respect to ground gas, the assessment demonstrates a Characteristic Situation 1, indicating a very low

ground gas risk, and therefore no protection measures required. It also indicates that no radon protection is required.

5.8.12 Foot and Mouth Burial Pit

The Council has received correspondence from interested parties indicating that a foot and mouth burial pit exists within the field to the south of the site. It has also been alleged that animal remains have been uncovered within the development site during agricultural activities. The Council's Environmental Protection Manager has reviewed these concerns and has confirmed that the presence of a foot and mouth burial pit within the neighbouring field would not present a risk to the development of this site. First of all, the burial pit is located outside of the development site, approximately 90-100 metres from the site boundary. Secondly, no pollution pathways have been identified such as through overland surface water flows, evidenced by the surface water catchment plan contained within the drainage strategy. The site is not located within a groundwater source protection zone and there are no groundwater/potable abstractions within 1 km of the site. There are also no known private water supplies in this locality. Finally, the supporting intrusive Phase II survey included leachate analysis, which identified only marginally elevated levels of copper, and this was considered low risk to sensitive receptors. No other more concerning chemical leachate, that may be associated with a burial pit was identified.

5.8.13 The Environment Agency (EA) have also reviewed this matter, and in the first instance has confirmed that it holds no recorded information confirming the presence of a burial pit at this location. Notwithstanding this, the EA has also confirmed that the off-site burial pit does not give rise to a controlled waters issue for the development site. As such, the presence of a suspected off-site foot and mouth burial pit would not change the EA's original position and does not introduce any additional requirements for the protection of controlled waters. The EA confirms that it does not have any additional comments to make regarding this matter.

5.8.14 To clarify, the NPPF makes it clear that, where a site is affected by contamination, the responsibility for securing a safe development rests with the developer and/or landowner. In this case, overall, Officers are satisfied that sufficient information has been provided to enable a determination to be made on this application, and that the risk from the nearby off site burial pit remains low. However, it is reasonable to adopt a precautionary approach to this matter. In addition to the recommended condition regarding the remediation of asbestos fibres as set out within the Phase II intrusive survey, a further condition to require remediation of any other unforeseen contamination, which would include remediation (within the development site) of any unforeseen contamination associated with the off-site burial pit, if this is later determined to be necessary, is recommended.

5.8.15 Air Quality

Policy DM31 requires all development proposals to demonstrate that they have sought to minimise the levels of air polluting emissions generated and adequately protected their new users, and existing users from the effects of poor air quality. The closest Air Quality Management Area relates to Lancaster City Centre, which is approximately 2.5 miles from the application site. An Air Quality Assessment supports the application, and this has been undertaken in accordance with best practice guidance and regulations. The Assessment concludes that the construction phase of the development has the potential for air quality impacts resulting from fugitive dust emissions from the site. This was subsequently assessed and a site-specific dust control scheme produced, which aims to reduce such emissions, as well as associated impacts. Subject to the implementation of this scheme, the air quality impacts from dust generated by earthworks, construction and trackout activities would not be significant. A planning condition to secure the implementation of this scheme is recommended.

5.8.16 The operational phase of the development also has the potential to result in air quality impacts, such as through traffic exhaust emissions. For this reason, dispersion modelling was undertaken to predict pollutant concentrations at sensitive locations, as a result of emissions from the highway network. This indicated that impacts on annual mean Nitrogen Dioxide and Particulate Matter (PM10 and P2.5) concentrations as a result of traffic generated by the development were predicted to be negligible. As such, the proposed development is not expected to have a significant effect on existing local air quality conditions. Potential mitigation in form of electrical vehicle charging infrastructure is now a matter that is addressed by Building Regulation requirements, as such this does not need to be repeated. Overall, subject to the identified mitigation for dust emissions during the construction phase, the proposal satisfactorily addresses Policy DM31.

- 5.8.17 The Air Quality Assessment has regard to the Councils' planning advisory note in relation to the requirements for an Emissions Assessment. The Emissions Assessment seeks to quantify a monetary value of the predicted emissions from the proposal, which in this case have been found to be not significant. This has determined that the development should include mitigation measures equal to £28,463.00. A planning condition to require a scheme to secure a scheme of measures to demonstrate compliance with this Emissions Assessment is recommended. Typical forms of mitigation would include the provision of EV charging points (now a matter dealt with by building regulations) and initiatives embedded into the schemes Travel Plan, such as the provision of bus passes or cycle vouchers.
- 5.8.17 The Councils Environmental Protection Officer has reviewed the submitted noise, contamination and air quality surveys, and has concluded that, subject to the identified conditions, they are satisfied with the assessments provided.
- 5.9 **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.**
- 5.9.1 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.
- 5.9.2 Although the application is in outline form, the Development Framework Plan and the Illustrative Green and Blue Infrastructure Strategy Plan identify notable areas of open space. These indicate that the proposal is capable of delivering a total of 5.45 hectares (including SuDS features) of green infrastructure across a range of open space typologies. Together, this would exceed the quantity standards set out within the Local Plan. The Open Space Strategy for these spaces is outlined within the aforementioned plans, but also within the Design and Access Statement. These documents present a positive, landscape-led approach to design, which is particularly important given the site's countryside location and topographical constraints, where embedded landscape mitigation is necessary in order to assimilate development into the wider landscape setting.
- 5.9.3 Overall, the submission demonstrates that the site can deliver policy-compliant on-site open space areas as a minimum. However, as set out within the submission itself, the proposal has the capacity to exceed policy requirements for certain typologies to deliver greater benefits to the community and ecological value of the locality. This would include the provision of Amenity Greenspace and Natural and Semi Natural Green Space, as well as equipped play facilities for children and young persons. While detailed matters such as layout and appearance of these areas will be addressed at the reserved matters stage, the open space provision, including full details of associated equipment, enclosures and surfacing etc. will be secured through a legal agreement linked to the outline permission. 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.
- 5.9.4 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'*.
- 5.9.5 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. The Council's Public Realm team has been consulted and raises no

objection to the development, subject to securing appropriate on-site open space and off-site contributions to public open space. Specifically, contributions will be sought towards improvements toward the existing facilities at Slyne Recreation ground and the Slyne community orchard or Halton village allotments. These contributions will be secured through a legal agreement with the final figure calculated at reserved matter stage.

5.10 **Housing needs, affordable housing, housing standards and mix** 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.

5.10.1 **Housing needs**

As described at paragraph 5.2.4 of this report, the NPPF sets out the government's objective of significantly boosting the supply of homes. To facilitate this, it is important that a sufficient amount and variety of land comes forward where it is needed. 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 statement, 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 200 dwellings) is a significant benefit of the proposal that must be given significant weight in the overall planning balance. The supporting Planning Statement sets out that, subject to market conditions, on average around 40 market dwellings could be completed per annum. Whilst this is not fixed and could potentially change, delivery of housing could be provided relatively promptly should permission be granted. Taking into account associated infrastructure requirements and preliminary works that would be required to facilitate development, it is anticipated that the development of the site would take around 5.5 years to complete.

5.10.2 **Affordable Housing**

Policies DM3 sets out the target requirements for affordable housing for all new residential development in Lancaster District. In this case, the development boundary is located within the Rural West sub-area and constitutes a greenfield site, therefore, normally, affordable housing provision would be expected to be 30% on site provision. However, the site is also located within the North Lancashire Green Belt, and as described in paragraph 5.3.7, in order to meet the Golden Rules set out in paragraph 156 a) of the NPPF, the proposal is required to provide affordable housing that must be 15% above the current local plan requirement, capped at 50%. Therefore, as the current local plan requirement for development in this area is 30%, as specified in Policy DM3, development of this site is required to provide 45% on site affordable housing to comply with this element of the Golden Rules. Furthermore, as advised within the PPG, site specific viability assessment should not be undertaken for the purpose of reducing developer contributions, including affordable housing in these circumstances. The applicant has confirmed that the proposal will meet the requirement to provide 45% on site affordable housing which, based on a total housing provision of 200 dwellings, would result in up to 90 affordable homes being provided within the development site. The final details and the number of affordable homes would be determined at reserved matters stage when the layout and housing mix is understood in detail. 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.

5.10.3 **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.

5.10.4 **Housing mix**

Policy DM1 requires new residential development to meet identified housing needs that accords with the Council's latest Strategic Housing Market Assessment (SHMA). The required housing mix will be based on the district wide housing needs set out in the SHMA and the indicative mix within table 4.1 of the Development Management DPD. At this stage, the application is in outline with no specific details provided as to the housing mix and sizes. Therefore, 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.

- 5.11 **Heritage and archaeology** 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.
- 5.11.1 Close to the southeast corner of the site, and close to the existing field gate which provides access onto Slyne Road, there is a Grade II listed milestone/boundary stone marker. Slyne Hall, which is located approximately 100 metres to the southeast of the site, on the eastern side of Slyne Road. The Slyne Conservation Area is located approximately 250 metres to the south of the site and contains additional designated and non-designated heritage assets, including the Grade II* listed Manor House Farm, located at the junction with Manor Lane. The Lancaster Canal which passes to the north and west of the site, with intervening residential development, is identified as a Non-Designated Heritage Asset. A number of the bridges over the canal, including Hatlex Bridge, are Grade II listed.
- 5.11.2 The Local Planning Authority has a statutory duty to consider the impact of these proposals on the Slyne Conservation Area under section 72 of the Planning (Listed Buildings and Conservations Areas) Act (1990) and to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. This is supported by Section 16 of the National Planning Policy Framework, and by policy DM38 of the DM DPD. Policy DM38 requires that proposals preserve or enhance the character and appearance of the Conservation Area, and in particular that they do not *'have an unacceptable impact on historic street patterns/boundaries, open spaces, roofscape, skyline and setting including important views into and out of the area'*.
- 5.11.3 There are also statutory duties under sections 16 and 66 of the Planning (Listed Buildings and Conservations Areas) Act 1990 to consider the impact of the proposals on the identified Listed Buildings and to ensure that their setting is preserved. This duty is also similarly echoed within Section 16 of the NPPF paragraphs, and by policies DM37 and DM39 of the DM DPD. Policy DM37 states that *'The significance of a Listed Building can be harmed or lost... through development within its setting. Any harm (substantial or less than substantial) ...will only be permitted where this is clearly justified and outweighed by the public benefits of the proposal.'*
- 5.11.4 The impact of the proposed development on Non-Designated Heritage Assets (NDHAs) must also be considered in light of NPPF paragraph 216, and a balanced judgement reached with regard to the scale of harm or loss and the significance of the asset. Policy DM41 supports this obligation and further requires that *'Proposals affecting the setting of a Non-Designated Heritage Asset will be required to give due consideration to its significance and ensure that this is protected or enhanced where possible.'*
- 5.11.5 The site is located within the setting of heritage assets. With respect to the Grade II listed milestone/boundary stone marker, this is located close to the existing field gate. It is presently somewhat subsumed by the roadside hedgerow and is not particularly apparent. The supporting Heritage Assessment concludes that this asset may be regarded as one of high significance in historical terms. It represents a well-preserved example of an early 19th century parish marker, the primary setting of which is formed by its relationship and visibility from the road, which in this case identifies the parish boundary between Bolton-le-Sands and Slyne. Its position within wider agricultural land is also of importance, as it marks the agricultural fringes of the two parishes.
- 5.11.6 Due to the position and small scale of the boundary stone, and the proposal to provide an active travel access in the location of the current field gate, there is the potential for the development of this site to result in direct harm or damage to the structure. For this reason, it is essential that a scheme for the protection of this heritage asset in situ during the construction phase is secured. This can be secured by way of planning condition. With respect to visual impact of the proposed development upon the setting of the boundary stone, the development would result in the partial loss of setting through the loss of agricultural land and the introduction of residential built form. However, the assets primary setting, which is formed by its relationship with the road and marking

the location on the parish boundary will be maintained. This development also represents an opportunity to mitigate the visual impact upon this asset through the use of sensitive hard and soft landscaping around the active travel point, which may serve to better reveal the asset, making it a more prominent feature, whilst also helping to filter views of residential development located to the rear. Details of landscaping around the asset would need to be secured at the reserved matters stage, and through the condition securing the details of the construction of the active travel link. Any works that are required directly to the asset which impact its significance would require a separate listed building consent application. Overall, the impact of the development to this asset, bearing in mind its high significance, is deemed to be slight when incorporating potential mitigation and enhancement opportunities which this proposed development could secure.

- 5.11.7 Slyne Hall is a Grade II listed late 18th century house, constructed of sandstone rubble with slate roof. It is located to the southeast of the site, and on the opposite site of Slyne Road. It is located upon a raised position which increases its prominence within the landscape. The setting of this asset is formed by its prominent position overlooking the open agricultural land to the west, along with the group of other buildings which surround it. This asset is also one of high significance in architectural and historical terms. It is a well-preseved late 18th century rural house which retains its association with its attached historic farmstead. Its location within a wider agricultural landscape and its views over surrounding fields, contribute a significant amount to its significance.
- 5.11.8 With respect to the visual impact of the proposed development upon the setting of Slyne Hall, the location, scale and nature of the development is such that it will impact views of the wider agrarian landscape that are currently achieved from Slyne Hall, which in turn will remove part of the rural setting of the heritage asset. However, this is to a small extent mitigated by the fact that the proposal would not result in the loss of the open field that is located directly in front of the asset itself, but is off-set slightly to the north. Overall, the impact of the development to this asset, bearing in mind its high significance, is deemed to be slight when incorporating potential mitigation opportunities such as appropriate site layouts and landscaping which would be considered at reserved matters stage.
- 5.11.9 The Slyne Road Conservation Area is located approximately 250 metres to the south of the site and contains additional designated and non-designated heritage assets, including the Grade II* listed Manor House Farm, located at the junction with Manor Lane. The Conservation Area, along with its associated Listed Buildings and NDHAs, are deemed to be of high significance, as it reflects the historic core of the village of Slyne, which is in turn within a setting of agricultural fields. This is typical of the character of small rural historic villages in the area. There is limited intervisibility between the development site and the Conservation Area, with the development site only being visible at some distance from the northern fringe of the Conservation Area and from a short section of Bottomdale Road. The view from the north of the Conservation Area is identified as a significant view within the associated Conservation Area Appraisal. However, a notable undeveloped gap between the development site and the Conservation Area would be retained. As such, the visual impact of the development upon these assets is deemed to be slight as the retained gap will minimise the erosion of the rural setting present to the north. Impacts can be further mitigated through careful layouts and landscaping, particularly along the southern boundary of the development site, along with the use of appropriate design and materials for the dwellings that would reflect the local vernacular, as informed by the Slyne Conservation Area Appraisal. On this basis, it is concluded that the proposal has the potential to mitigate the impacts of development such that the scheme would result in negligible impacts to Slyne Conservation Area and the various assets it contains.
- 5.11.10 Lancaster Canal passes the site at a distance to the north and west as it winds through the villages of Bolton-le-Sands and Hest Bank. The canal is identified by the Council as a Non-Designated Heritage Asset (NDHA) due to its architectural and historical interests. Within this area, the setting of the canal is formed by the modern residential development which lines both sides of the canal, along with its verdant setting apparent along the towpath as well as the historic stone canal bridges which cross it in various locations, most of which are listed (Grade II) themselves. The canal is deemed to be of medium significance. Views of the development site from the canal are largely obscured by existing topography and modern residential development. For this reason, the extent of change experienced along the canal would be minimal, given the lack of visibility of the development site in views either from the Canal towpath or Hatlex Bridge (Grade II). This results in a neutral impact to this asset.

- 5.11.11 The Council's Conservation Team has reviewed the proposal and has stated that the greatest impact arising from the proposal would be to the Grade II listed boundary stone marker. As such, care will need to be taken to ensure no direct harm is caused and that any development and landscaping around this area is suitable in design terms. With respect to Slyne Hall, Conservation Officers conclude that, the distance of the asset from the development site and retention of an undeveloped intervening field and road mean there is unlikely to be a harmful impact on this listed building. Conservation Officers also conclude that, with respect to the Slyne Conservation Area and the various assets it contains, the site is too distant to have any adverse impact. To ensure the development is appropriate, Officers again advise that the detailed proposal take account of the locally distinctive character in the design of buildings and spaces and does not propose housing types that may constitute an overly repetitive and standardised design. To achieve this, use of contextually appropriate materials and high-quality landscaping and boundary treatments are highly important to the quality of the scheme. For the Canal, Conservation Officers conclude that the development would be unlikely to have any greater impact than existing development, most of which is in closer proximity to the canal. Overall, the Conservation Team conclude that there is potential for this proposal to avoid harm to heritage assets and to comply with relevant policy regarding heritage matters, it therefore raises no objection in principle to this development. Historic England were consulted on this proposal, however, it chose not to provide comment and instead advised that the advice of the Council's own specialist conservation advisors be sought.
- 5.11.12 Paragraph 212 of the NPPF makes clear that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to its conservation. Paragraph 213 adds that any harm to a heritage asset's significance, including through development within its setting, should be clearly and convincingly justified. Where a proposal results in less than substantial harm, Paragraph 215 requires that this harm be weighed against the public benefits of the development. In this instance, the level of harm arising from the development to the identified assets is deemed to be a low level of less than substantial harm, by reason of development within their setting. It is considered that this harm is in this case outweighed by the public benefits associated with the proposal, including the delivery of housing, including affordable housing, areas of public open space, greater accessibility and highway improvements. The proposal therefore accords with the legislative framework and relevant planning policies set out above.
- 5.11.13 Archaeology
In relation to archaeology, the supporting Archaeology & Heritage Assessment has concluded that the site has a low potential for archaeology of all periods to be encountered by the proposed development. On the basis of the evidence presented, the Historic Environment Team at Lancashire County Council agree with this characterisation of the site's potential. For this reason, it does not consider the site to be one that merits any further archaeological investigation. In this regard there is no conflict with policy DM42 and the NPPF.
- 5.11.14 It is concluded that the application of national and local policies relating to these heritage assets do not provide a strong reason for refusing this proposal, and with regards to the application of the definition of grey belt land, designated heritage and archaeological assets (a footnote 7 areas of particular importance), would not preclude the development site from constituting grey belt land.
- 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 is supported by an Energy and Carbon Statement. This sets out that the development will seek to demonstrate a commitment to reducing energy consumption under occupancy through the adoption of a 'Fabric First' principle. This will be achieved through the adoption of enhanced insulation standards, together with improved heating, ventilation and lighting efficiencies. Further improvements will also be secured through the use of Air Source Heat Pumps as a means of providing a decentralised source of low carbon heating and hot water.
- 5.12.5 As the application is submitted in outline, it is not possible at this stage to undertake the necessary energy calculations that would be required to quantify the improvements in carbon reductions that the proposed strategy would achieve, relative to the requirements of Policy DM30a. However, once these are available with the detailed design at a Reserved Matters Stage, it is stated that the development would minimise carbon dioxide (CO₂) emissions by a minimum of 75% in comparison to Part L1A of the Building Regulations 2013. It is also expected that the minimum EPC rating for each individual dwelling would be Band B. This would be compliant with the requirements of Policy DM30a for any dwelling that is commenced before the 1st of January 2028. However, any dwellings the construction of which is commenced after the 1st of January 2028, would be required to meet the higher net zero requirements set out within this policy. Nevertheless, at this outline stage, the submitted Energy and Carbon Statement provides a clear commitment to exceed Building Regulation standards, in accordance with the energy hierarchy.
- 5.12.6 At this stage, Officers consider that the requirements of planning policy 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, and will include the requirement to meet the enhanced net zero requirements for any dwellings commenced after the 1st of January 2028. It should also address the requirements for enhanced water efficiency, whilst a separate planning condition is recommended to require all dwellings to meet the optional requirements of the Building Regulations Requirement G2: Water Efficiency, as required by policy DM30b.
- 5.13 **Infrastructure** NPPF Chapter 8 Promoting healthy and safe communities; Development Management (DM) DPD policies DM57: Health and Wellbeing and DM58: Infrastructure Delivery and Funding.
- 5.13.1 **Health**
The NHS Integrated Care Board has made representations on the application and seeks a contribution towards local health care infrastructure. This consultation response sets out that a development of this scale could result in an additional 480 new patient registrations. Accordingly, this generates a contribution request of £131,616.00, which was initially identified as being directed towards reconfiguration at the Brookfield Surgery in Bolton-le-Sands.
- 5.13.2 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 Bolton-le-Sands Surgery. This surgery falls under the same Ash Trees Surgery umbrella, and as such would be appropriate in terms of location, however, the NHS has confirmed that the Carnforth project is likely to be completed by April 2026. Therefore, this alternative 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 a retrospective financial contribution towards 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.
- 5.13.3 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 towards health infrastructure in this instance.

5.13.4 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 planning and decision-taking. Accordingly, the local planning authority has consulted Lancashire County Council Schools Planning Team who, upon being initially being consulted, indicated a request for a financial contribution to facilitate the provision of primary school places. However, within its final position statement compiled ahead of this proposal being reported to the Planning Committee, the Schools Planning Team has subsequently confirmed that it is no longer seeking to secure this contribution as it is concluded that sufficient capacity exists within the surrounding local primary and secondary schools within the next 5-year period. As such, there is no requirement for an education contribution as part of this proposal.

5.14 Employment & Skills Plan NPPF Chapter 6 Building a strong, competitive economy; Development Management (DM) DPD policy DM28: Employment and Skills Plans.

5.14.1 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. An Employment and Skills Plan (ESP) document has not been provided in support of this current application at this stage, given the outline nature of this proposal and uncertainties surrounding the future developer and phasing requirements. For this reason, it is reasonable to impose a planning condition to secure a fully detailed ESP prior to the commencement of development.

5.15 Other Matters

5.15.1 Health Impact Assessment

The application is supported by a Health Impact Assessment (HIA), which has considered potential health impacts of the proposed development against the Healthy Urban Development Unit (HUDU) Rapid HIA Tool. This considers a wide range of health determinants, including housing quality and affordability, access to services and infrastructure, active travel, environmental quality, social cohesion, and climate resilience. This concludes that the proposed development has the ability to deliver a wide range of health benefits for both future occupants and the existing surrounding community, as summarised within this report. The development incorporates a high standard of inclusive design, seeks to promote and improve walking and cycling linkages, encourages social interaction, and includes sustainable construction to improve environmental and health standards. Where potential risks or conflicts have been identified, such as construction phase impacts of infrastructure limitations, the development has sought to incorporate mitigation measures to minimise or alleviate this harm. Overall, it is concluded that the proposal does not conflict with health-related objectives of national and local planning policy.

5.15.2 Socio-Economic Benefits Statement

This application is supported by a Socio-Economic Benefits Statement, which seeks to identify the social and economic benefits that could be realised through the delivery of this development. This includes the delivery of benefits through all phases of development including the construction phase, such as construction spending and job creation, which is estimated to be 125 FTE jobs on the site every year for the 5.5 years of the build, or 687 FTE jobs over the entirety of the project. Furthermore, the proposal will facilitate increases within the local population encouraging new residents to live and contribute to the area including through both social and economic means.

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. Within recent appeal decisions relating to the delivery of housing, Planning Inspectors have described the Councils poor housing land supply position as 'acute' and 'woeful'. Whilst these statements were made in the context of a 2 year's worth of supply of housing, the recent slight increase to 2.8 year's worth of supply of housing is not a significant improvement.

- 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.
- 6.3 The development site has been determined as grey belt land, in accordance with the NPPF. Therefore, the proposal is not considered to represent a departure to the Development Plan. Furthermore, all of the associated criteria set out in paragraphs 155 and 156 are met. As a result, the proposal is therefore not inappropriate development in the Green Belt. In addition to this, 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. In accordance with paragraph 158 of the National Planning Policy Framework, significant weight must be afforded in favour of the grant of planning permission.
- 6.4 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 settlements of Bolton-le-Sands, Hest Bank and Slyne. Each of these is identified as a sustainable rural settlement where housing growth is supported in principle. The provision of up to 200 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 45% on-site affordable dwellings, up to a total of 90 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 provision all of which will enhance the pedestrian environment along Slyne Road. In addition to this, active travel routes through the site will serve to enhance accessibility for the wider community to new and existing services within the development site and wider area. The proposal also secures financial contributions towards the Lancaster Travel and Transport Infrastructure Strategy to facilitate improvements to the local highway network and improvements to the local bus stops. 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 provides 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.

- 6.5 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 sustainability and without causing a flood risk elsewhere. With mitigation, the impacts of the development upon nearby designated ecological sites, upon the ecological value of the site itself and its immediate surroundings and upon most of the identified species, are acceptable. The application also demonstrates that there is sufficient scope to secure notable 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.
- 6.6 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 and when in close proximity to the site itself. The loss of countryside and replacement with housing development cannot be mitigated, however, the siting of development as indicated on the Development Framework Plan combined with the design and environmental principles and narrative set out within the Masterplan, Green/Blue Infrastructure Strategy Plan and Design and Access Statement provide a clear commitment to delivering a landscape-led development that appropriately balances the need to deliver housing alongside important environmental, social and landscape considerations. The layout indicated on the Development Framework Plan represents an appropriately located and scaled proposal that would appear as a comfortable addition to the village peripheries. Furthermore, it is concluded that harm to the landscape, is capable of being minimised to an acceptable level through embedded design measures. As such, overtime and once the development has become established, the proposal would result in a lessened impact to the character and appearance of the surrounding landscape. The residual landscape harm remaining following development completion is afforded limited to moderate weight.
- 6.7 The proposal would also result in the loss of territory utilised by Lapwing, a bird species which is in decline and which features on the UK Red List for Birds of Conservation Concern. This loss cannot be mitigated, such as through replacement habitat within the development site. This is a harmful impact resulting from the development which weighs negatively against the proposal, even though this habitat may be inadvertently lost in any event through standard agricultural practices. However, the development also has the capability of providing significant enhancements for a variety of other bird species and biodiversity in general. As a result, the weight to be afforded to the ecological harm resulting from the loss of Lapwing territory is afforded limited weight overall, particularly in light of the implications of agricultural practices in the near future upon this habitat and is outweighed by the variety of other biodiversity gains that this proposal can secure.
- 6.8 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 titled balanced, 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. Overall, it is concluded that the identified harm set out in this report, including cumulative harm, do not to significantly and demonstrably outweigh the significant benefits associated with the provision of housing, including affordable housing together with the other specified public benefits of this proposal.
- 6.9 In light of the assessment set out within this report, it is considered that the benefits of the proposal do outweigh the identified harms and for that reason, officers recommend that 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 Affordable Housing – 45% of total number of homes to be provided as affordable housing units (on site), based on tenure split of 60% (social/affordable rented) : 40% (shared ownership/affordable homes for sale) or alternative tenure proposals to be agreed in an 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, Accessible Natural Greenspace, Equipped Play Area (children's) and Young Persons Provision.
- Provision of on-site Biodiversity Net Gain in accordance with an approved BNG Plan and Landscape and Ecological Creation and Management Plan.
- Provision of a BNG monitoring contribution - £6,778.00.
- Highways contribution of £1,099.85 per dwelling towards Lancaster Travel and Transport Infrastructure Strategy initiatives, as detailed in paragraph 5.4.24.
- Travel Plan Contribution - £12,000.00.
- Setting up of a Management Company.
- Management and Maintenance of all landscaping, unadopted roads, lighting and drainage infrastructure and on-site open space.
- Off-site open space contributions (to be calculated at Reserved Matters Stage) towards allotments (Slyne community orchard or Halton village), Parks and Recreation enhancements (Slyne Recreation ground) and outdoor sports provision (Slyne Recreation ground).

Condition no.	Description	Type
1	Timescale for submission of reserved matters application (2YRS)	Standard
2	Development in accordance with Approved Plans (Location plan, Access Plan)	Standard
3	Reserved Matters to be based on the broad principles set out in the submitted Design and Access Statement and Illustrative Development Framework Plan and Illustrative Green/Blue Infrastructure Strategy Plan	Control
4	Phasing condition	Prior to commencement
5	Final surface water sustainable drainage strategy, incorporating LLFA and Canal and River Trust requirements	Prior to commencement
6	Construction Surface Water Management Plan	Prior to commencement
7	Construction Environmental Management Plan, including working hours and other matters to reduce impacts upon residential amenity and confirmation of no impulsive or piling works	Prior to commencement
8	Construction Management Plan – Highways	Prior to commencement
9	Precise construction details of main vehicular site access to Slyne Road and associated off site highway improvements including carriageway/footway improvements and tactile	Prior to commencement

	Paving, speed limit change, upgrading of bus stops, and timetable for implementation, and site access road to base course level to site compound.	
10	Precise design and construction details of all other site access points (except main vehicular access pursuant to condition 9) including active travel routes and emergency access points to Greenwood Drive, Hatlex Hill and Slyne Road.	Prior to commencement
11	Asbestos remediation in accordance with Phase II survey	Prior to commencement
12	Scheme for the protection of the Grade II listed boundary/milestone marker	Prior to commencement
13	Submission of a Sustainable Design Statement including Energy and Carbon Statement	Prior to commencement
14	Employment and Skills Plan	Prior to commencement
15	Air Quality Mitigation Scheme in accordance with the Emissions Statement	Prior to Commencement and concurrent with first reserved matters
16	Updated Noise Assessment setting out precise scheme for noise mitigation based on the recommendations of the Noise Assessment	Prior to Commencement and concurrent with first reserved matters
17	Updated Arboricultural Impact Assessment/Tree Protection Plan/Arboricultural Method Statement	Prior to Commencement and concurrent with first reserved matters
18	Details of active travel connection points along the southern site boundary	Prior to Commencement and concurrent with first reserved matters
19	Habitat Creation Plan – species physical infrastructure	Prior to Commencement and concurrent with first reserved matters
20	Scheme for M4(2) accessible and adaptable dwellings – to be minimum 20% of all dwellings	Prior to Commencement and concurrent with first reserved matters
21	Details of housing mix to accord with policy DM1	Prior to Commencement and concurrent with first reserved matters
22	Construction details of the internal estate roads, private drives, footways and other active travel	Prior to commencement of estate roads

	routes to be designed to the adoptable standards and LTN 1/20	
23	Detailed scheme for external lighting (street lighting and lighting of open space)	Prior to above ground works
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 and on-site information boards and signage	Prior to occupation
27	Travel Plan	Prior to occupation
28	Provide and protect visibility splays	Prior to occupation
29	Development in accordance with the specified mitigation set out in the approved Flood Risk Assessment	Control
30	Development in accordance with the fugitive dust emissions mitigation strategy	Control
31	Provision of turning and parking	Control
32	Unforeseen contamination	Control
33	Development to accord with the Nationally Described Space Standards	Control
34	All dwellings to achieve Building Regulations Requirement G2: Water Efficiency	Control
35	Limit to maximum of 2.5 storey building height	Control

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

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

Background Papers

None

Agenda Item	A6
Application Number	25/01118/VCN
Proposal	Demolition of existing buildings and proposed construction of major mixed leisure development in association with Eden Project (including use classes E, F1 and F2), outdoor arena (including live music performances), public realm, landscaping works, cycle parking, detached shelter and energy pods, and associated infrastructure and engineering operations (pursuant to the variation of condition 2 on planning permission 21/01113/FUL to amend the design and layout of the approved development)
Application site	Central Promenade Regeneration Site Marine Road Central Morecambe Lancashire
Applicant	Eden Project Morecambe Limited
Agent	Mr Daniel Jackson
Case Officer	Mr Andrew Clement
Departure	No
Summary of Recommendation	Approve, subject to conditions and completion of Section 106 Agreement. Delegate back to Chief Officer – Planning and Climate Change to finalise legal agreement.

(i) Procedural Matters

The submitted development proposals have been the subject of two years of pre-application engagement with the local planning authority, including a Councillor Engagement Forum (14 July 2021). On the advice of the Planning & Place Service, the applicant has also undertaken pre-application engagement with statutory consultees particularly in relation to ecology, cultural heritage, and transportation matters. A committee site visit is scheduled for the 9 February 2026.

1.0 Application Site and Setting

1.1 The application site covers approximately 4.6 hectares of predominately previously developed land on the central promenade site in Morecambe, situated to the north and west of Morecambe Town Centre. It is located around 300 metres from Morecambe Railway Station, and slightly closer to the bus station, both on Central Drive. The site itself comprises the former Bubbles Leisure Complex and Super Dome attraction site, and the adjoining and southern sections of existing promenade. The site also includes the Promenade Gardens (excluding the War Memorial Garden), the access route between the site and the Midland Hotel (to the west), open space in the north-western part of the site (location of the former bandstand) and the Bay Arena car park to the east. The open space study as part of the emerging local plan review identifies the entire site (including carpark) as amenity green space, however this site is clearly allocated for leisure investment opportunity allocation of the

Morecambe Area Action Plan (MAAP) many years prior to this.

- 1.2 The main development is bound to the north, east, and north-west by the foreshore of Morecambe Bay and its existing flood defences. The site includes the promenade itself but not the outer wall/boundary of the promenade. The Midland Hotel is located beyond the southwestern boundary, with Marine Road Central located along the southern boundary of the site. The RNLI station lies immediately north of the site adjoining the promenade. The Stone Jetty extends out from the promenade to the northwest of the site. There are no formal Public Rights of Way within or around the development site. The promenade is, however, a well-pedestrianised and traffic-free corridor, extending from Hest Bank to Heysham. At the eastern end of the site, the promenade splits into two sections as it diverges around the former Bubbles site, resulting in a northern and southern promenade around and through the development site. These two sections of promenade support existing cycle routes - Sustrans Route 69 (Way of the Roses) to the south, and route 700 to the north.
- 1.3 The site is situated immediately north and northwest of Morecambe Town Centre, separated only by Marine Road Central. The site is located within Morecambe's Conservation Area, with several significant designated heritage assets surrounding the site. These include the Grade II* listed Midland Hotel to the west (and its separately listed Grade II walls/pillars), the Grade II* Winter Gardens, and multiple Grade II listed buildings including the War Memorial immediately south of the site, The Platform to the south-west, and the Stone Jetty building to the north-west. Surrounding uses include retail and leisure uses, entertainment venues such as the Winter Gardens and The Platform, visitor accommodation (Midland Hotel), the Festival Market, public realm and car parks serving the wider town.
- 1.4 The natural environment in and around Morecambe Bay is internationally significant, and the views across Morecambe Bay are amongst the finest in the country. The adjacent Morecambe Bay is a designated Special Protection Area (SPA), Site of Special Scientific Interest (SSSI) and Ramsar designations, forming part of a series of coastal estuaries of outstanding importance. The Bay supports numerous species of wader, wildfowl and seabird species, in particular over-wintering birds. The Special Area of Conservation (SAC) is designated for a range of intertidal habitats, as well as its great crested newt population. While there are other designated sites nearby, these are the principal sites relevant to assessing impacts on ecology against the project. The site itself is not designated for any nature conservation interest.

2.0 Proposal

- 2.1 Eden Project Morecambe Limited, the applicant, is a wholly-owned subsidiary of the Eden Trust, a UK-registered charity. It is an educational charity and social enterprise with a global mission to create and build relationships between people and the natural world, to demonstrate the power of working together for the benefit of all living things. The Eden Project was founded over twenty years ago when Eden Project (Cornwall) was realised. Its success, together with a global mission to raise awareness of the natural world, has educated and empowered communities to explore the interconnectedness of all living things, and to demonstrate the power of what people can do when they come together to protect the planet. Amid a global climate crisis, their mission and projects provide huge opportunities to deliver transformational behavioural change, to promote the value and importance of regenerative sustainability. Several projects are now developing nationally and internationally, including that originally granted planning permission at this site through permission 21/01113/FUL.
- 2.2 This variation of condition (Section 73 of the Town & Country Planning Act) application seeks a revised design to reflect changes to the visitor experience concept and ensures that the project can be delivered within the confirmed budget and timeframe. The proposal continues to comprise a major new mixed-use attraction in Morecambe. It will combine a range of indoor and outdoor experiences, all based on connecting people with Morecambe Bay. The first phase of development is the 1.5 acre (0.6ha) Bring Me Sunshine community space, inspired by the landscapes and culture of Morecambe Bay, which will be permanently relocated to the site following exhibition at this year's RHS Flower Shows. This first phase (between the War Memorial and Midland Hotel) will form the Community Garden aspect of the proposal for public realm improvements, delivered within the next planting season. This will be followed by later phases (public realm beyond, and ticketed aspects of

the development) in later phases to be controlled through planning condition, with an anticipated opening year for the ticketed attraction in 2028. In accordance with the original permission, commencement of development must take place before 19th May 2027, through the original consent or any variation of this permission.

- 2.3 There are a number of changes proposed to the scheme following a strategic recalibration of the project, to ensure it remains ambitious, deliverable, and aligned with the current economic landscape. This will still deliver a landmark, once in a generation attraction for Morecambe. The proposal will continue to combine a range of indoor and outdoor experiences, all based on connecting people with Morecambe Bay. The vision remains focussed on natural rhythms, such as tidal rhythms and lunar rhythms, and how they underpin the health and wellbeing of people and the natural environment. Whilst the original permission included four shell pavilions (Bay Hall, Rhythm Machine, Natural Observatory and Bay Glade), the proposal rationalises these spaces into the 'Realm of the Sun' and the 'Realm of the Moon', linked by a metronome entrance. This variation will provide greater areas of external landscaping (Rhythm Gardens), both within and beyond ticketed areas, with an unchanged outdoor events space and approach to active travel omitting on-site parking. This varied proposal has evolved to improve flood resilience, through inclusion of a wrap-around landscaped sea defence bund and connecting flood walls. The ticketed attraction would have more focussed opening hours (9:30am to 6:30pm), but continues to seek up to eight late evening events (6pm to midnight) in summer months (April to September inclusive).
- 2.4 Eden Project North (EPN) will be a ticketed visitor attraction, including a mix of entertainment and educational facilities provided within two buildings, the Realm of the Sun and the Realm of the Moon, linked by a Metronome for arrivals and ticketing, under a coastal green roof. The Realm of the Sun is the largest element, constructed in a column free gridshell. This bespoke design creates an efficient long span and transparent enclosure to maximise daylight to the horticultural experiences housed within. This external material (ETFE cladding) and appearance is unchanged from the original permission. The Realm of the Moon creates a 'black-box' experience under an integrated Solar PV roof, containing a tidal theatre and ancillary retail and restaurant areas. This element is inspired by local mussel shells, offering contrast in shape, colour and scale to the 'Realm of the Sun', whilst continuing the 'colony of shells' theme of the original permission. The proposal seeks enhanced areas of high-quality open space and landscaping, both within the ticketed site and the open accessible space beyond. The development will include exhibits, performance space, learning, play and immersive experiences within the development, alongside a café/restaurant, a visitor centre and ancillary retail.
- 2.5 Within these venues, there will be a range of uses that fall within a combination of Use Class E (commercial, business and service use), Class F1 (learning and on-residential institutions) and Class F2 (local community uses). The outdoor arena does not fall within any specific use class of its own (in the Town and Country Planning (Use Classes) Order 1987 (as amended)). Collectively, the planning unit as a whole, would constitute a mixed-use scheme (therefore Sui-Generis). The uses proposed as part of this variation application remain the same as the original planning permission.
- 2.6 The maximum number of visitors that the proposal could accommodate remains one million per annum, although the estimated average annual visitors and hourly peak number of visitors are approximately two-thirds of the original scheme (at 525,000/annum and 480/hr peak visitors respectively). The public opening hours to the ticketed attraction have been reduced to 9:30am to 6:30pm and continues to seek up to eight late evening events (6pm to midnight) each summer within the 6000-person capacity outdoor arena within the Rhythm Gardens area. Whilst the projected levels of direct employment is reduced through this varied proposal, it would remain a significant employer of circa 150 full-time employment (FTE) jobs, to facilitate the operation of a major leisure attraction of circa 8,500sq.m internal floor area and substantial external areas.
- 2.7 This Section 73 application is accompanied by an Environmental Statement Addendum as the development is considered EIA development. This assessment of the varied scheme has been carried out through screening opinion 25/00682/EIO under the Town and Country Planning (EIA) Regulations 2011 (as amended). This has been assessed within the Environmental Statement (ES) Addendum, and the cumulative scheme (including 26/00023/FUL) is considered EIA development. The ES Addendum reports that there are no material changes through the variations sought. This ES Addendum is aligned to the 2021 ES, finding that the scheme will have overall positive impacts on health and wellbeing, including new employment, education, public realm improvements, and

support for active travel. Temporary adverse impacts during construction can be mitigated through a Construction Traffic Management Plan (TMP) and Construction Environmental Management Plan (CEMP), retaining these planning condition from the original planning permission.

3.0 Site History

- 3.1 The site has a long and colourful history. In the 1840’s Morecambe Harbour was constructed by the Little North Western Railway Company. This included the existing stone jetty and several railway lines and sidings. The building at the end of the Stone Jetty was the railway terminus station, built in 1853, with the adjacent lighthouse added shortly afterwards.
- 3.2 The original Midland Hotel was built in 1847, known as the North Western Hotel and designed by Edmund Sharpe and EG Paley of Lancaster. Following construction of the Heysham Harbour, which opened in 1904, Morecambe Harbour closed and all railway infrastructure with the exception of one rail siding was removed from the site. The land was then leased by the Midland Railway to the Wards of Sheffield as a ship-breaking yard, and the site witnessed the dismantling of transatlantic liners. This lease ran until 1931. Ten years earlier the War Memorial Gardens had been officially opened on the site.
- 3.3 A scheme to ‘Brighten the Promenade’ commenced in 1931 and the new Midland Hotel and the Harbour Band Arena opened two years later. The ‘Super Swimming Stadium’ followed in 1935 and operated for 40 years until its closure in 1975. The decline of the British seaside resort, predominantly due to the increased availability and popularity of package holidays elsewhere in Europe, contributed to a decline in fortunes for Morecambe, and the length of the Promenade in particular. Attempts to maintain vitality in the resort, and a continued focus on tourism and leisure uses, included developing the outdoor swimming pool, the ‘Bubbles’ Complex and the Superdome. This complex was cleared in 2001.
- 3.4 Around 2004, Urban Splash acquired the Midland Hotel, which was successfully renovated to a high standard, and opened in 2008. In 2007, Urban Splash had further ambitious proposals and submitted an outline planning application for comprehensive redevelopment of the Central Promenade site, along with a full application for phase 1. Whilst the proposals as a whole were welcomed, and would have provided wider rejuvenation of the town, the viability of the scheme demonstrated the whole scheme was not deliverable. This was largely a consequence of the economic downturn at the time. Delivering the proposals over phases, or part delivery, would not have delivered the wider public benefits to justify harm against the designated heritage assets affected. A second reason for refusal related to the insufficient evidence to demonstrate the proposal would avoid unacceptable highway impacts, notably traffic congestion/queue lengths on Marine Road Central. Consequently, the outline application was refused and the full application withdrawn.
- 3.5 The applicant commenced discussions with the local planning authority in 2019. Since then, there has been extensive pre-planning application discussions with officers, consultees and the wider local community. This has included a Councillor Engagement Forum, as well as formal Scoping Opinions pursuant to the EIA Regulations. Pre-application engagement has continued with the LPA and other consultees since the original permission, which has informed the amendments to the development proposed as part of this Section 73 application. The table below provides a summary of the key planning applications relevant to this site, including development for a flood defence wall sought concurrently to mitigate the flood risk to this development.

Application Number	Proposal	Decision
26/00023/FUL	Erection of flood defence wall, flood barrier and associated works	Pending consideration
25/00682/EIO	EIA Scoping Opinion request relating to proposed changes to the approved development which comprises the demolition of existing buildings and the proposed construction of major mixed leisure development in association with Eden Project, outdoor arena, public realm, landscaping works, cycle parking, detached shelter and	Completed

	energy pods, and associated infrastructure and engineering operations	
21/01113/FUL	Demolition of existing buildings and proposed construction of major mixed leisure development in association with Eden Project (including use classes E, F1 and F2), outdoor arena (including live music performances), public realm, landscaping works, cycle parking, detached shelter and energy pods, and associated infrastructure and engineering operations	Granted
07/01810/OUT	Outline application for the redevelopment of Morecambe central promenade including retail, leisure, restaurants, cafes, commercial and creche use (A1, A2, A3, A4, A5, B1, D1, D2) at ground floor level with residential and hotel accommodation (C1, C3) above. Extensive public realm works include a new setting for the midland hotel, seaside square, a boardwalk and market square	Refused
07/01811/FUL	First phase of development for Morecambe Central Promenade including retail, leisure, restaurants, cafes, commercial and creche use (A1, A2, A3, A4, A5, B1, D1) at ground floor level with residential accommodation (C3) above. Landscaped courtyards over parking. Public realm works including seaside square and landscaping works to adjacent to the Midland Hotel	Withdrawn
19/00758/EIO	EIA Scoping request for the demolition of existing buildings/structures and proposed construction of major mixed use leisure development in association with Eden Project (including use classes A1, A3, A4, B1, D1, D2 and Sui Generis) including public realm, landscaping, car parking and associated engineering works	Completed
21/00988/EIO	Addendum Report - EIA Scoping Opinion request for the demolition of existing buildings/structures and proposed construction of major mixed use leisure development in association with Eden Project (including use classes E, F1, F2 and Sui-Generis) including public realm, landscaping, car parking and associated infrastructure and engineering works	Completed

4.0 Consultation Responses

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

Consultee	Response
Morecambe Town Council	No observation received
Morecambe BID	Support
Lancaster Civic Vision	Support. As the overall design has been modified and scaled down, it has become better aligned to the practicalities of creating a large visitor attraction. We are strongly of the view that the economic impact of the proposals could have a transformational effect on Morecambe and the entire Bay area. It will be vital to ensure that transport infrastructure is delivered and that the scheme harmonises with plans for the regeneration of Morecambe.
Morecambe BID	Support
Lancaster BID	No observation received
Morecambe Bay Partnership	No observation received
Chamber Of Commerce Lancaster	No observation received
Wyre Borough	No adverse comment

Council	
Arnsdale Silverdale NL Unit	No observation received
Westmorland And Furness Council	No observation received
Winter Gardens	No observation received
Planning Policy - Climate Change	Comments - Overall, the development proposal demonstrates a positive approach to climate mitigation, climate adaptation and sustainable design. The proposed variation has excellent climate mitigation targets in terms of BREEAM and EPC standards. The use of ASHPs, MHVR, and solar PV are also well received and will help to minimise the development's carbon emissions. The predicted reduction in energy demand of 91% and reduction in carbon emissions of 81% are both impressive figures which go beyond statutory requirements, despite the lack of fabric first approach (inapplicable to Realm of Sun due to unique internal environment).
Public Realm Officers	No observation received
Property Services - Lancaster City	No observation received
Sustainable Growth	Comments - ESP required for development of this scale. The ESP can be addressed as a pre-commencement condition, subject to an outline commitment to delivering a suitably scaled ESP for the development prior to determination.
Lead Local Flood Authority	No objection to variation of condition 2 subject to the following matters being addressed by the applicant as part of their obligations to satisfy condition 8. Condition 8 must also be updated to reflect the revised drainage strategy. <ol style="list-style-type: none"> 1. Drainage strategy should include up-to-date climate change allowances 2. New National Standards for SuDS should be incorporated 3. Confirmation of run-off rates 4. CCTV survey will be required as part of the final drainage strategy 5. Drainage must account for tidal locking in the hydraulic modelling, required as part of the final drainage strategy
Environment Agency	No objection , subject to planning conditions for hydraulic modelling and the detailed design resolution of the scheme with regard to tidal flood risks and mitigation, including sensitivity testing. This should be reflected in the updated hydraulic model that will be based on the final proposed Flood Risk Mitigation Strategy
Engineering Team	No observation received
Natural England	No objection , concur with the assessment conclusions within the shadow HRA, provided that all mitigation measures are appropriately secured, namely a CEMP, outdoor events April to Sept only, limits to light spill and bird collision risk monitoring for first 5yrs of operation.
Environmental Health	No observation received
Tree Officer	No formal comments received.
The National Trust	No observation received
Marine Management Organisation	No adverse comment, informative that works within the Marine area require a licence.
RSPB	No observation received
The Wildlife Trust Lancashire	No observation received
Historic England	Support on heritage grounds. The impact on the views to the Midland Hotel are affected, with the proposed 'Realm of the Sun' dome becoming the backdrop when seen from the seafront. The building would also lose some of its prominence as a relatively 'standalone' building. The impact on the Winter Gardens is considered less harmful, partly due to the lower height of the 'Realm of the Moon' structure. The proposed new structures will dominate the area in terms of their scale and massing; however, the materials and design will lessen this impact. Historic England is supportive of well-designed and integrated schemes that would assist in revitalising the town's economy and appreciation of its historic environment. The use of the site is wholly in-keeping with the history of this part of the promenade, and the proposed new structures could be considered to reflect the principle of a seaside winter garden.
National Amenity Societies	No observation received

Ancient Monuments Society	No observation received
Conservation Section	<p>No objection in principle, the scheme has potential to enhance the character and appearance of the conservation area and result in wider public benefits to Morecambe's historic environment as a whole. In visual terms, the new development would still be a striking (albeit smaller) addition to the visual character of the area and consistent with the tradition of seaside recreation and would undoubtedly greatly enhance the local visual character.</p> <p>The development would result in minor harm to the setting of the Midland Hotel. More verified views of the development would confirm this impact. Detailed approval of materials and specifications would be required via planning conditions. Encourage improvement to hard surface treatments, entrance and terrace orientation. Mitigation required to screen back-of-house area from public view.</p>
County Archaeology	Comments - No archaeological work is considered necessary.
County Strategic Planning	No observation received
County Highways	<p>No objection, the information presented demonstrates highway impacts and parking arrangements can be mitigated (as with original permission), as follows:</p> <ul style="list-style-type: none"> • Marine Road Central provisions – Off-site mitigation along Marine Rd Central must be implemented as proposed • Accident avoidance – as above • Pedestrian/cycle crossing facilities – as above • Visitor numbers and large events – Travel plans for visitors, employees and large events/visitors must be agreed, implemented, details of funding and monitoring, including £10k contribution for travel plan development/monitoring • Ticketing – Time-controlled booking system must be detailed, agreed and implemented • Modal shift – Ticket pricing to incorporate sustainable travel costs. Detail and implement cycle parking (at least 138 for visitors and 50 for employees) • Parking provision – required legal agreements with car park operators, to secure sufficient spaces available and monitoring of parking requirements • Coaches – drop-off and pick-up area part of off-site mitigation along Marine Rd Central. Coaches to park at existing provision beyond the immediate area after drop-off. • Waymarking – Suitable routing signage around and to the site. • Construction – Comprehensive Construct Traffic Management Plan • Servicing – implementation of appropriate internal layout and swept paths • Off-site traffic mitigation – Implement mitigation scheme at Shrimp Roundabout and M6 j34 traffic light signal timings.
National Highways (NH)	<p>Recommends planning permission is not granted under further information has been sought to justify revised visitor numbers, including impact of hours of operation, evening trips, levels of employment including their arrival/departure times and modes, parking occupancy and operation, mitigation of modelled impact upon J34 of the M6.</p> <p>A revised TA and additional supporting information has been provided as part of this application, which NH have been re-consulted upon. The applicant and LPA have held discussions with NH, which indicates the further information submitted is likely to be satisfactory. However, a formal response is still outstanding but anticipated ahead of the Planning Committee.</p> <p>A written consultation response will be reported as a written update prior to planning committee.</p>
Dynamo Cycling	Comments - Good cycle access from Railway Station to the site is needed
Sustrans	No observation received
Public Rights of Way Lancashire	No objection
Ramblers Association	No observation received

Network Rail	Comments - Require an interface with Network Rail due to the proximity of works to the existing operational railway boundary. Only Network Rail Asset Protection can accept or agree the proposal works. Agreement to the proposal works must be undertaken via a formal interface with Network Rail Asset Protection.
Cadent Gas	No observation received
Electricity NW	No observation received
United Utilities	No adverse comment , subject to planning conditions for sustainable surface water drainage (SuDS) exploring the hierarchy of drainage options, including management and maintenance of SuDS, and informative regarding UU assets and infrastructure.
Fire Safety Officer	No adverse comment , informative regarding water provision and emergency vehicle access.
Lancashire Constabulary	Comments that Secure by Design planning condition should remain, and counter terrorism planning condition attached. Advice provided that boundary treatments should clearly demark private and public realms, with secure boundaries to ticketed areas, with restricted vehicle accesses and clearly signed and limited pedestrian access points. Suitable secure cycle parking and public landscaping that promotes natural surveillance should be provided, with an external lighting scheme to support surveillance, in addition to CCTV, secure openings standards, preventing climbing aids. Positive improvements preventing roof access.
Office of Nuclear Regulation	Does not advise against . Application provides adequate assurance that the proposed development can be accommodated within their off-site emergency plan arrangements. The proposed development does not present a significant external hazard to the safety of the nuclear site.
Emergency Planning	No observation received
Marine Management	No adverse comment , any works within the Marine area require a licence from the Marine Management Organisation.
Waste and Recycling	No observation received

4.2 Two letters of support have been received from members of the public for the following reasons:

- Appreciate constructive engagement with applications representatives throughout
- Re-imagining of public realm and pedestrianisation would complement the overall scheme
- Development should celebrate and educate on the international importance of Morecambe Bay to unique tidal, bird and wildlife characteristics specific to this location

5.0 Analysis

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

- Principle of development
- Traffic, Transport, Parking and Accessibility
- Townscape effects and Open Space
- Cultural Heritage
- Natural Environment
- Flood Risk and Drainage
- Amenity and Pollution
- Climate Change
- Socio-economic and Health

5.2 **Principle of development** NPPF Section 2. (Achieving sustainable development) and Section 6. (Building a strong, competitive economy); Policy SP2 (Lancaster District Settlement Hierarchy), Policy SP3 (Development Strategy for Lancaster District), Policy EC5 (Regeneration Priority Area) of the SPLA DPD; Policy DM22 (Leisure Facilities and Attractions) of the DM DPD, and Policy SP3 (Morecambe Seafront and Promenade) and DO2 (Strategic Leisure – Seafront Headland and Central Promenade) of the Morecambe Area Action Plan (MAAP)

5.2.1 A Section 73 application seeks permission to carry out development without complying with planning conditions imposed on a previous planning permission, but to vary the details controlled through

planning conditions, and comply with such varied details and conditions. Permission granted under Section 73 takes effect as a new, independent permission to carry out the same development as previously permitted, subject to new or amended conditions, and a new or varied legal agreement where relevant. The new permission sits alongside the original planning permission, which remains intact and unamended. It is ultimately open to the applicant to decide whether to implement the new permission (if granted) or the one originally granted. Section 73 provides a mechanism to consider and assess material amendments to an earlier planning permission.

- 5.2.2 A Section 73 application does not provide an opportunity to re-examine the principal considerations associated with the approved development, which were considered to be acceptable at the Planning Regulatory Committee in 2022. This variation seeks to amend approved plans, which through the altered design, scale and submission of additional documentation for consideration, this does implicate the majority of material planning considerations of the original proposal. Furthermore, the phased nature of construction through this amended proposal implicates the triggers for conditions attached to the original permission, which would need to be altered to reflect the amended scheme and information submitted as part of this application, to ensure these are relevant to the varied proposal.
- 5.2.3 The acceptability of the principle of development has already been established through the original grant of planning permission, which remains unaltered by this proposed variation. The proposal cannot, and does not, seek to vary the use classes of the development described in paragraph 2.4 and that set out in the description of development. The refined proposal will continue to provide a regionally important tourist attraction comprising predominately leisure and education/exhibition-based uses, utilising previously developed land. This proposal will comprehensively redevelop the whole of the allocated site (DO2), delivering significant regeneration benefits in accordance with the leisure, education and tourism objectives set out in policy DO2.
- 5.2.4 This project remains a unique and truly exciting venture to provide a once in a generation opportunity for the revival of Morecambe as a seaside resort, to the benefit of its local community, the wider district, the Bay area and the North-West region. The proposal remains an ambitious opportunity to realise the planned regeneration of this site for leisure investment, seeking to improve the deliverability of a scheme that is an innovative and exemplar form of sustainable development. The proposed development and layout would prioritise the most compelling visitor experiences, and showcases the importance of climate change, regenerative sustainability, and our integration with (and protection of) the natural environment. Whilst the principle of the development is supported in land-use terms, there are a number of key material considerations that need to be assessed to ensure the development continues to constitute a sustainable form of development in its amended form. Whilst the varied design and built form of the development is smaller, it will continue to deliver significant economic and social benefits that weigh in favour of the scheme.
- 5.3 **Traffic, Transport, Parking and Accessibility** Strategic Policies and Land Allocations (SPLA) DPD policies SP10: Improving Transport Connectivity, T1 : Lancaster Park and Ride, T2: Cycling and Walking Network and T4: Public Transport Corridors; Development Management (DM) DPD policies DM29: Key Design Principles, DM60: Enhancing Accessibility and Transport Linkages, DM61: Walking and Cycling, DM62: Vehicle Parking Provision, DM63: Transport Efficiency and Travel Plans; DM64: Lancaster District Highways and Transport Masterplan and Morecambe Area Action Plan Policies SP1: Key Pedestrian Routes and Spaces, SP3: Morecambe Main Seafront and Promenade and DO2: Strategic Leisure – Seafront Headland and Central Promenade
- 5.3.1 Planning policy and decision making should strive to deliver sustainable development. The above policies seek to ensure major development is located in sustainable locations in the first instance. Policy expects priority to be given to sustainable transport modes, through the protection and enhancement of pedestrian and cycle infrastructure, to encourage uptake in sustainable travel. Development must be accessible to all modes in a safe and confident way, with any residual traffic impact capable of being accommodated without severe impacts on the safe and efficient operation of the highway network. In relation to the MAAP, it seeks to ensure key pedestrian routes around the site are protected, and the public realm enhanced, with improved connections across Marine Road Central towards the landward side of the town.
- 5.3.2 The site lies within one of the districts main urban areas. Consequently, access to and from the site can be provided by public transport, with both the bus network and the railway station within a short

and easy walking distance from the site. It is equally well-connected for pedestrians and cyclists via the promenade and cycle path to Lancaster and beyond, which forms part of the Lancashire Coastal Way and National Cycle Network Routes 6, 69 and 700.

5.3.3 The Bay Gateway now provides a more direct route to the town from the Strategic Road Network (SRN) for those travelling by car, and off-road cycle provision. The site is considered an accessible and sustainable location to support major development, as it provides opportunity to encourage more sustainable modes of travel. The location of the site conforms with the strategic transport policies in the Development Plan and the NPPF in terms of locational sustainability.

5.3.4 Active Travel and Sustainable Transport

Given the sites' central location, it is anticipated that employees and local visitors to the attraction will use sustainable modes of transport to access the development and will be incentivised through the ticketing to do so. This is already controlled through the original legal agreement, which requires a Visitor Access and Parking Strategy (VAPS) to be provided, approved and secured prior to the commencement of development. Frequent bus services already operate along Marine Road Central and Central Drive. There is no requirement of the development to contribute to additional services. Whilst the site is served by the promenade, which offers a safe and attractive route to the development for pedestrians and cyclists, many visitors will be arriving in the town centre and will need to cross Marine Road Central. Currently this is a barrier, and as such highway improvements are proposed to enhance crossing facilities, to create a safer and more legible pedestrian environment. As part of the original planning permission, a planning condition secured a highway improvement scheme, designed to enhance connectivity between the site and the town centre.

5.3.5 Since the grant of the original planning permission, the highway improvement scheme has evolved. In consultation with the highway authority and officers, this scheme is considered to satisfactorily address policy requirements to enhance the pedestrian environment, and in particular links across to the town centre. This scheme shall form the basis for an off-site highway proposal to be delivered and implemented before the main attraction of the development is operational. This will be a requirement of a planning condition, and is supported by council parking colleagues and the local highway authority, who return no objection subject to the conditional requirement to implement this mitigation. As well as delivering improved crossing facilities (2 No. Zebra crossing and 1 No. Toucan crossing), this scheme proposes changes to Marine Road Central, from the roundabout near the Platform to Northumberland Street. This stretch of road will be narrowed to single lane, with double yellow line parking restrictions, narrowing the Central Drive roundabout exits/entrance to single lane, with a raised table and reduce 20mph speed from the roundabout to Northumberland Street. At the Northumberland Street end of the road, the road will remain similar width to existing to provide dedicated lay-bys for buses. These alterations will effectively remove the unrestricted on-street parking that currently exists outside the site frontage. However, existing loading bays and on-street disabled parking along the southern edge of Marine Road will be retained.

5.3.6 In terms of cycle provision and the promotion of cycling, the site is situated between two recognised cycle routes, which shall be protected and retained as part of the development. Improved wayfinding will be delivered, with signage focusing on the promotion of sustainable modes of travel. In terms of direct improvements to the cycle network, it is accepted that the section of Route 69 between the promenade and Greenway is poor. The off-site highway works condition will ensure improvements are submitted and provided to enhance this section of the route. The applicant intends to deliver 188 (including 50 for employees) secured and sheltered cycle parking spaces. This is an increase in provision from the original approval, despite fewer employees and visitors anticipated through this varied scheme. The Active Travel Strategy (part of the parent consent, not altered through this submission) provides measures to support and encourage walking and cycling, including additional facilities on-site such as changing rooms, drying facilities, locker facilities and free e-bike battery charging. Full details and locations of such facilities and secure and covered cycle parking across the site can be controlled through planning condition.

5.3.7 The Travel Plan shall provide targets to increase cycle use and therefore provide increased parking facilities as and when demand requires this. In addition, an early Transport Vision provides an ambitious long-term plan. The objectives within the Transport Vision align with the ethos and sustainability aspirations of the project and applicant themselves. However, acknowledging a range of interventions are anticipated to be brought forward by external parties (such as the rail industry), a realistic Travel Plan and addendum Transport Assessments have been developed for the opening

year scenario, which supports this planning application and Environmental Statement.

- 5.3.8 The key principle of the Eden Transport Strategy is to encourage people to arrive by non-car modes, particularly for the last mile of the journey. Key aspects of the Transport Strategy include the utilisation of existing infrastructure to serve the needs of the development (particularly parking), together with a time-controlled and advanced dynamic booking system. The booking system will allocate visitors a specific time slot to arrive and enter the site, similar to that developed and refined for the Eden Cornwall site since 2019. This provides operational benefits and should also enhance the visitor experience, as well as controlling the number of generated trips and subsequent parking to the site/area. This will function in the same fashion as that previous approved, including ticketing incentivised to encourage active travel and sustainable travel options, tailored to the visitor's origin of trip and duration of stay. Each method of travel tickets will be accompanied by a sustainability accreditation, showcasing the environmental impact generation by the purchased method of travel. The successful implementation of the booking system is integral to the delivery of the Transport Strategy and the impacts on the local highway network and parking requirements, and controls on this from the original permission should remain (via the legal agreement).
- 5.3.9 Trip Generation and Distribution
The application has been supported by a Transport Assessment (TA), Travel Plan and a TA Addendum that form appendices to the main Environmental Statement. The number of visits per day will be limited to 480 per hour, with a maximum of 3,326 visitors per day at 48 days of peak periods (namely school and bank holidays). It is projected that for two thirds of the year, the maximum number of visits will be less than a third of this peak (1,104 visitors/day) during medium and low seasons. Whilst the maximum visits per day at peak times is just over 400 fewer than previously projected, the other figures are roughly two thirds of those previously projected, which reflects the rationalisation of floorspace within the proposed variation. Due to this reduction, and similar average scenario of visitor trips anticipated by car (72%), the number of projected trips (346) by private car during peak period hour is over 100 fewer per hour than even the optimistic car proportion scenario (68%) for the original approved scheme.
- 5.3.10 It is anticipated that the development will directly create 150 full time employment (FTE) roles for the operation of the development itself in Morecambe. On a peak weekday, up to 99 employees will be on-site, reduced to 86 on peak Saturdays, and fewer still outside of peak season. The number of direct FTE posts (150 overall) is significantly fewer than the original scheme anticipated (389 FTE in Morecambe). The information presented in the submission indicates that the vast majority of employees will live in the local urban area, and therefore can travel by sustainable modes of transport. That said, based on work census data, it can be seen that the working populations with residence in the region usually commute to Morecambe by car (64%), 21% on foot, 9% by public transport, 4% by cycling and 1% by rail. The targets within the submission are very ambitious, and the Travel Plan will need to incentivise employees to travel sustainably to work in order to reach such aspirations for the development. Very detailed survey works of employee travel patterns, mode and parking locations will be essential to achieving the Travel Plan targets, but these measures can be controlled through legal mechanisms. A series of objectives and measures will be required within the Travel Plan over the coming years. The requirement for a Travel Plan, Travel Plan contribution (£10,000) and its ongoing implementation shall remain unchanged and will continue to be secured by legal agreement as part of this amended proposal.
- 5.3.11 Parking
Similar to the original approval, this variation seeks to utilise parking at the junction 34 Park and Ride (P&R) site off the M6, as well as town centre parking in Morecambe. This strategy has been the subject of extensive pre-application discussion with the City Council and County Council (acting in their respective landowner capacities) as well as the LPA. The P&R site has a capacity for 633 vehicles. The scheme intends to utilise a maximum of 389 spaces at this site on Peak and High season days, with a further 100 parking spaces reserved on Peak Saturdays (when there is reduced existing demand from commuters). This will intercept a significant number of vehicles off the Strategic Road Network (SRN). The amount of available parking at the P&R and the capacity to accommodate the demand from this development has been sufficiently demonstrated to the satisfaction of the local highway authority.
- 5.3.12 A shuttle bus running to and from the proposed development and the P&R will facilitate and encourage its uptake. Frequency of this service is likely proportionate to anticipated trips from the

P&R, and potentially non-operational outside peak seasons/days. It is anticipated circa 4x shuttle buses per hour will be required for all inter peak and peak days with a potential fifth service during some evening hours of peak days. Given the links to the dynamic ticketing system, a private bus service will be provided to better understand and operate the services to meet real-time demands. This service will be supplemented by real time transport information screens to be provided on the visitor centre informing visitors of upcoming departure times. Other than the frequency of this service, this approach remains unchanged from the original scheme.

- 5.3.13 Within Morecambe, there are approximately 2,000 surface parking spaces distributed across council owned and private car parks, of which this development will directly remove 77 spaces from the current site provision at the Bay Arena Car Park. The TA indicates an average parking utilisation of 39% across the town (of peak), with the peak in the region of 70-80%. This evidence has been provided by the City Council at the pre-application stage. The surplus at peak times represents 450 parking spaces of the 1,800 parking spaces in the control of the City Council. The proposal would absorb some of this spare capacity to meet their parking demands. This is not necessarily disputed, although the capacity of some of the car parks may vary from the assumptions set out in the TA. The deviation from assumed spaces and spaces actually available will be relatively minor, and any residual is considered capable of being absorbed by parking provision elsewhere within the town. At peak-times, this may be at the cost of reducing parking available to visitors of other facilities/attractions/events in Morecambe.
- 5.3.14 The City Council are in separate discussions with the applicant regarding the precise arrangements for securing parking spaces across the Council's portfolio of sites, including ensuring additional disabled parking provision is available close to the site. The LPA have reassurance that such agreements are capable of being met. The LPA have similar reassurances that P&R parking spaces will be secured from the County Council. There is confidence that the parking demand can be adequately met off-site, as was the case when the original planning permission was granted. Subject to securing such agreements, the proposal would avoid any significant highway harm. It is clear that the project relies heavily on the implementation of their Transport Strategy, Travel Plan, and particularly the advanced booking ticketing system. The failure to secure this, together with the use of existing parking sites at both the P&R and the town (to meet the maximum demand parking spaces identified), could result in significant adverse highway impacts, which would diminish some of the wider benefits to the town (i.e. offset such benefit against adverse impacts of parking unavailability for local community and other facilities/attractions/events locally).
- 5.3.15 To remove uncertainty and to ensure the development meets its parking demands off site in accordance with the submitted Transport Strategy, the Visitor Access and Parking Strategy (VAPS) must continue to be secured by legal agreement. This must demonstrate legal agreements are in place with the respective landowners to use their car parks, as well as full details of the dynamic booking system, pricing for incentivising sustainable travel modes, details of the shuttle bus services, management and enforcement regimes, necessary infrastructure and ticketing, details of accessible parking provision and the provision of EV charging points. Such measures must be agreed in full before the development can open and operate and shall be operated as such for the lifetime of the development. There will be review mechanisms in place within the VAPS to accommodate potential changes in circumstances over time, including the progression/realisation of the Transport Vision aspirations. The local highway authority supports the requirement for a VAPS.
- 5.3.16 Given the high-profile nature of the attraction, it will also attract a number of coach trips, such as school visits. These visits will be catered for most likely in the inter-peak periods and would equate to on average around 10 coaches / private buses per day. Organised tours may be less frequent but will mainly travel by coach. A Coach Group Strategy will include routing, arrival/departure timing, use of the time-limited layby pick-up/drop-off point, layover location information during their passengers visits, and real-time transport information screens provided on the visitor centre. Subject to such provision being controlled as part of the permission, there is sufficient confidence the effects of coach visits would not impact the operation of the local highway.
- 5.3.17 Highway Impacts
The projected peak-day and peak-hour traffic impacts of the development (11:00 to 16:00) fall outside the existing highway network's peak day and peak hours (for typical morning peak of 8:00, and 17.00-18.00). The submitted model demonstrates that the existing AM peak is not adversely affected by the development. For the PM peak, the model has demonstrated that the M6 southbound

off slip road is not affected by additional traffic from the development. The other arms of the junction demonstrate minor impacts, with only the M6 northbound off slip currently operating above capacity. The traffic impacts of the proposed varied development are minor compared to the existing baseline traffic projections in the short and medium term. The planning condition to review and optimise the signal timings of the junction should remain as part of any varied consent, to ensure the performance of the junction is not severely impacted by this development in the future. Unfortunately, there has not been sufficient time for National Highways to return a formal consultation response to further information recently provided on this matter. However, this will be reported as a written update prior to planning committee, and ongoing discussions with National Highways have been positive. Given the reduction in traffic movements of the proposal through this variation, it is anticipated that the retention of the condition to optimise signal timing will continue to offer suitable mitigation for motorway traffic. County Highways have confirmed that optimisation can be incorporate into these reasonably recently installed traffic lights as deliverable mitigation.

5.3.18 In terms of local highway junctions, the mitigation scheme for Shrimp Roundabout remains a commitment of this proposal, to improve traffic navigation, which in turn would marginally improve queue lengths. This planning condition requirement should remain. Subject to this, and other measures detailed above, it is considered that the traffic impacts of the proposal from the M6 to the site would avoid residual severe impacts on the safe and efficient operation of the strategic and local highway networks. This is largely a consequence of the traffic demands being spread throughout the day, avoiding the existing highway peak times, and due to the utilisation of spare capacity within existing car parks, combined with the sustainable travel objectives and targets of the Travel Plan.

5.3.19 Servicing

The main service yard is to the northeast of the building, though some will be required to the front of the development. All routes for servicing will be via the promenade, with sufficient space and swept paths demonstrated on-site for access/egress in a forward gear. This will be undertaken in a controlled manner (with automated bollard restricting general traffic to protect this pedestrianised route). The traffic impacts from servicing are not significant given the baseline of the existing car park that will be lost as part of the scheme. The project retains and provides enhanced routes for emergency vehicles and those associated with the RNLI, with improvements to the existing route between the site and the Midland Hotel.

5.3.20 Eden Outdoor Events

The applicant includes provision for a maximum of eight large music/concert type events each year, limited to the summer period only, which is identical to that within the original approval. These events could attract circa 6,000 visitors at any one time. This is substantially less than events such as the Morecambe Vintage Festival, which in comparison attracts around 55,000 people. It is proposed that an Event Management Plan remains controlled through planning condition, capturing measures to manage and control traffic, parking and other considerations such as noise.

5.3.21 Construction Period

The proposed development anticipates a 2+year construction period, with the commencement of the 'Bring Me Sunshine Garden' this year, with substantive building developments to follow. Construction traffic will fluctuate over the build period, starting with few trips for the phase 1 garden works, followed by an indicative average number of daily vehicles in the region of 30 vehicles, dropping to approximately 12 vehicles movements towards the end of the build programme. There will be an inevitable impact locally on the network while construction takes place. However, this can be mitigated to minimise the level of impact. It is proposed that a Construction Traffic Management Plan (CEMP) be prepared, setting out a traffic strategy, construction vehicle routing, temporary footways and highway closures/diversions, access retention for surrounding operation, plus air and noise quality control. This is typical for most major development, and is controlled by planning condition.

5.3.22 The submitted Environmental Statement has considered the residual effects (having considered mitigation) arising from the transportation considerations of this project. During the operational phase, there are anticipated insignificant effects, namely due to the use of existing underutilised carparks, traffic, servicing movements in place of existing on-site parking movements, and changes to the existing pedestrian and cycle links as part of the development. During site preparation and construction, there are potentially significant impacts through increased construction traffic, and reduction in road safety from such construction vehicles. The overall construction strategy will be

similar to that as part of the original approval, including temporary alterations to the local pedestrian network (Northern and Southern Promenade), and retention of access at all times to the RNLI facility.

5.3.23 Despite the reduction in number of anticipated trips to this proposed varied development, and continuation of mitigation measures approved through the original consent, the residual effects reported within the Environmental Statement Addendum remain identical to that in 2021. Positive significant for public transport, pedestrians and cyclists is reported through the measures proposed, with minor/moderate negative significance on Road Safety and moderate/major negative significance on traffic, due to the high sensitivity of vulnerable road/path users. The outcome here highlights the importance of environmental effects as planning material considerations in the decision-making process. In accordance with the submitted ES, the effects of traffic with a residual effect of moderate – major negative significance is regarded significant in EIA terms. This is reflected in the extent of assessment, review and consideration that this has been given by the applicant, consultees and our recommendation.

5.3.24 In conclusion, whilst the development will result in an increase in traffic locally, the applicant has adequately demonstrated that the development will be safely accessible for all modes and should avoid severe residual impacts on the strategic or local highway network through the mitigation measures agreed (subject to final input from National Highways). There is existing capacity and scope to accommodate the parking demands utilising existing infrastructure (with separate agreements), which must be supported by the advanced-dynamic booking system, and associated control to manage visitor flows. It is essential that this system promotes sustainable transport methods and control times of arrival, to meet demands without adverse impacts to the transport network.

5.3.25 The Travel Plan and its implementation will be essential to ensure modal shift for visitors and employees, which should gradually improve above the baseline proposals. Measures to improve and enhance the public realm and walking/cycling environment are provided as part of the extensive landscaping proposals, as well as off-site highway improvement works along Marine Road Central and Shrimp Roundabout. Overall, the proposed development is considered to conform with relevant local and national policies. Subject to the imposition of conditions and a legal agreement to deliver the mitigation described above, the local highway authority offer no objection to the scheme.

5.4 **Townscape effects and Open Space** NPPF: Section 12 (Achieving well-design places), Section 15 (Conserving and Enhancing the Natural Environment); Strategic Policies and Land Allocations (SPLA) DPD policies SP7 (Maintaining Lancaster’s Unique Heritage), EN2 (Areas of Outstanding Natural Beauty), EN5 (Local Landscape Designations), SP8 (Protecting the Natural Environment) and EC5 (Regeneration Priority Area); Development Management (DM) DPD policies DM26 (Public Realm and Civic Space, DM27 (Open Space, Sports and Recreational facilities), DM29 (Key Design Principles), Policy DM38 (Development Affecting Conservation Areas), DM39 (The Setting of Designated Heritage Assets), DM45 (Protection of Trees, Hedgerows and Woodland), DM46 (Development and Landscape Impact) and DM57 (Health and Well-Being). and MAAP policies SP1 (Key Pedestrian Routes and Spaces) and DO2 (Strategic Leisure – Seafront Headland and Central Promenade). County Level: A Landscape Strategy for Lancashire, Landscape Character Assessment (2000) Seascape Character Assessment for the North West Inshore and Offshore Marine Plan Areas; Arnsdale and Silverdale AONB Landscape and Seascape Character Assessment

5.4.1 The above policies seek to promote high-quality designed development which conserves and enhances the locality, striking a balance between complementing the quality of the immediate townscape/landscape features; and the dominant setting of Morecambe Bay. The site enjoys a remarkable, prime location, which will be a significant advantage to a project of this scale and importance. It is necessary to ensure the impacts of the development on the townscape, seascape and visual environment are fully understood, including the impacts upon the Bay and on Morecambe Conservation Area.

5.4.2 The varied development is reduced in scale from the original approval, seeking circa 8,500sq.m floorspace with a maximum height of 33.2m Above Ordnance Datum (AOD). This is 3.7m lower than originally approved, but the development remains substantial in size and massing, which would substantially alter the townscape character in a setting currently characterised by the Midland Hotel (22.8m AOD) and the Winter Gardens (27.5m AOD). The greatest change is to the Realm of the

Moon element of the proposal, which is now a longer, but lower profile (20.05m AOD) inspired by local mussel shells. This previously developed site has historically accommodated substantial leisure attractions, namely the Super Swimming Stadium (the largest outdoor pool in Europe when it opened in 1936) prior to the Bubbles and The Dome development. More recently, the site has regularly been used for festivals, and seasonal fairgrounds and amusements.

- 5.4.3 The amended proposal has been accompanied by an extensive Design and Access Statement, describing the evolution of the design approach to the built development and the landscaping (amongst other considerations), as well as a Townscape, Seascape and Visual Impact Assessment (TSVIA). There are no landscape designations across the site itself, although the site contributes towards national and local character areas, with intervisibility to distant National Landscapes (Arnside and Silverdale, and Forest of Bowland) and local Key Urban Landscapes (Heysham Head, Torrisholme Barrow and Williamson Park). The existing public realm across the site, including surfacing treatments, is fragmented and not of high-quality. However, it is a space enjoyed by the community and visitors alike, and it retains an important social value, notwithstanding the panoramic views along and across Morecambe Bay and Lake District beyond.
- 5.4.4 The regeneration and development of the site will result in a marked change from the current condition of the site. It will inevitably have some effects on the character of the townscape, landscape and seascape. Where any adverse effects are anticipated, mitigation should be encouraged through good design. The potential effects on the visual impacts and character of the townscape, seascape and landscape can be neatly split into the construction/early phases, and the fully operational phases.
- 5.4.5 The construction phases would result in alterations to the townscape, not least by site clearance, vegetation removal, earthworks, formation of construction compounds, ancillary structure, lighting and noise. These are almost identical to that previously approved, but the additional detail of phasing offers expedited mitigation through timely implementation of mitigation for vegetation removal through delivering the Bring Me Sunshine Garden (Phase 1) promptly. This will frontload delivery of well-designed planting and landscaping publicly accessible along the Marine Road frontage to the site, in close proximity to the Midland Hotel and Winter Gardens. The landscaped area will form a new dynamic, creative and active space for visitors of the attraction and the wider public. This is a significant enhancement from the existing landscaping and public realm, with the greater quality more than offsetting the reduced quantity of public realm. During the comparatively short-lived construction, control of decorative/informative security hoardings around the site can be controlled through a CEMP condition, as attached to the original approved scheme. This would partially mitigate the temporary unavoidable visual harm associated with construction, albeit amplified in this case due to the prominent location and heritage sensitivities in this location.
- 5.4.6 The effects during full operation relate principally to the new built development and the proposed new landscaping areas, together with increased use of this underused part of Central Morecambe. The submitted verified photomontages help illustrate the development sitting within its surrounding context. Similar to the original approval, the proposed buildings are substantial in size and massing and will result in comprehensive alteration of the townscape character. However, the development replaces an area of previously developed land of limited townscape value, comprising unused buildings/structures and poor-quality public realm. Views and vistas from the promenade over the Bay will be retained through the development, around a high-quality unique and contemporary form and design that takes influence from the Bay. This setting will be enhanced with comprehensive, high-quality, innovative and creative landscaped areas. The development would introduce a new and distinctive landmark into views from the site and its surroundings, which could have a positive impact on such views. It will be essential to ensure external materials and landscaping follow through the high-quality form and design within this submission, which should be controlled through details/samples planning conditions. These conditions remain unaltered from the original planning permission.
- 5.4.7 A critical component of the project is its landscaping. It is considered that the proposed landscaping helps break the massing and scale of the new buildings, anchoring them to the ground and providing a graduated interface between the development and the existing public realm. Due to the innovative nature of the scheme and its integral landscaping/public realm proposals, it is considered to have a 'moderate positive' impact overall, even from more sensitive viewpoints such as from the Stone Jetty. The conclusions drawn in the ES, that the of effect arising from the development on the

character of the townscape, seascape and landscape would range between major beneficial (the site and immediate townscape), moderate beneficial (western part of Conservation Area) to minor beneficial (national character area/type) and negligible effects on wider heritage and landscape designations. These are considered to all be reasonable conclusions that officers concur with, although full details of landscaping and boundary/retaining features should continue to be controlled through planning condition to ensure a high standard of development achieves the impacts of the ES outlined above.

- 5.4.8 Officers are satisfied and concur with the conclusions drawn in the submitted TSVIA and ES regarding the effects of the development on the character and visual amenity of the townscape, seascape and landscaping during construction and once operational. The development has reduced in scale from the original approval but retains the design ethos and focus on high-quality and innovative design surrounded by comprehensive landscaping to match. The two Realms either side of the green roofed Metronome will offer synergy of local shell inspired form, but contrast in materials differentiating the Sun and Moon, which is expressed externally and breaks the visual impact of the reduced massing. The greatest change is to the Realm of the Moon, closest to the Winter Gardens, which improves views to and from this national heritage asset through the variations proposed. On this basis, and subject to the implementation of a comprehensive lighting strategy to ensure appropriate night-time character and ecological impacts, the proposals are considered to conform with policies DM29 and DM46 of the DM DPD.
- 5.5 **Cultural Heritage** NPPF: Section 12 (Achieving well-design places), Section 16 (Conserving and enhancing the historic environment); Strategic Policies and Land Allocations (SPLA) DPD policies SP7 (Maintaining Lancaster's Unique Heritage), EC5 (Regeneration Priority Area); Development Management (DM) DPD policies DM38 (Development Affecting Conservation Areas), DM39 (The Setting of Designated Heritage Assets) and DMCCH2: (Micro-Renewables in The Setting of Heritage Assets); MAAP policy DO2 (Strategic Leisure – Seafront Headland and Central Promenade); Morecambe Conservation Area Appraisal and the Listed Buildings and Conservation Areas Act 1990
- 5.5.1 Due to the scale of development and potential impacts of the proposal, the effects of the development on the surrounding historic environment is scoped into the ES. Within the study area (500m) there are a number of designated national heritage assets. The application site lies within the Morecambe Conservation Area, and there are several Listed Buildings surrounding the site, which include:
- Grade II* Winter Gardens
 - Grade II* Midland Hotel
 - Grade II Wall and 2 pairs of entrance piers enclosing south-east side of car park of Midland Hotel
 - Grade II War Memorial
 - Grade II Stone Jetty Former Station Building and Lighthouse
 - Grade II The Clock Tower
 - Grade II Morecambe Railway Station Main Building; and
 - Grade II 217, 219 and 221 Marine Road Central
- 5.5.2 The local planning authority, in exercising its planning function, should have regard to s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which states “In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”. S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 5.5.3 The site is in a prominent and sensitive location on the promenade, visible in many views within the local area. Views to and from Morecambe’s frontage, especially from the popular promenade, are important to the town’s townscape and setting. Historically, once traditional fishing and industrial activities ceased, the Morecambe frontage developed as a seaside resort, from beach and bathing to piers and promenading. The town has an extraordinarily long and almost continuous frontage, with many buildings of historic interest. The form of the town is influenced by the stunning views of sea, mountains and sunsets, and these remain part of Morecambe’s enduring appeal.
- 5.5.4 While this amended proposal is at a smaller scale than originally granted, in visual terms the new

development would still be a striking addition to the visual character of the area, and consistent with the tradition of seaside recreation. The site has historically been distinct in character from the largely Victorian town frontage and would remain so through this proposal. The simplified design retains this inspiration and echoes the profile of distant mountains across the Bay.

- 5.5.5 The siting of the Midland Hotel, standing alone as a startling and brash statement of 1930's modernity, is one of the most striking and memorable aspects of the frontage, with its bright white render and curved design. The Hotel is a landmark that can be seen in countless views along the promenade. The Midland Hotel and nearby Winter Gardens are both recognised for their outstanding architectural character and significance by their listing at Grade II*. The current prominence and visibility of the Midland Hotel in particular, means there would inevitably be an impact on setting and townscape from the development of this site. The proposal would add a new contemporary dimension to the character and appearance of the area, much like the Midland Hotel did in 1933. The lower height of the Realm of the Moon building would partly mitigate loss of prominence of the hotel from the east. From the south, the proposed development would be less prominent, forming a more distant backdrop to the hotel. Views from the hotel would be affected, but not adversely, given the degree of separation and views to the north would be largely maintained. However, there are other views and aspects of the Midland Hotel that would be adversely impacted, and the overall impact of the development would result in less than substantial, minor harm to the setting of the Midland Hotel, which must be attributed great weight.
- 5.5.6 Paragraph 215 of the NPPF states '*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal...*'. This is a matter to be weighed in the planning balance; however, the public benefits will include heritage benefits of significantly enhancing the quality of the site within the Conservation Area and the setting of other designated heritage assets. Furthermore, there are significant economic and social benefits that weigh in favour of the scheme, and as such there is no conflict with heritage policies, as the identified harm is outweighed by public benefit.
- 5.5.7 The proposed development avoids the immediate setting of the Winter Gardens, but is within the wider setting of this national heritage asset. The larger developments avoid the immediate straight-line of the Winter Gardens, with the Rhythm Gardens proposed in this area, which provides the outdoor arena, which reinforces the theatrical and historical associations with the Winter Gardens. The amended proposal and reduced height in the Realm of the Moon reduces this further through this amended proposal, improving the field of vision from the Winter Gardens balcony across the Bay. On balance, it is considered that the development would cause no harm to the setting of the Grade II* Winter Gardens, through an amended proposal that is more sympathetic to the setting of this national heritage asset.
- 5.5.8 The impact on the setting of the Grade II listed War Memorial would be greater, given the very close proximity of proposed buildings and new areas of landscaping. However, the impact would not be harmful given the Memorial already sits within a busy thoroughfare overlooked by buildings, and bearing in mind the current poor condition of the site. There would also be no harm to the setting of the Grade II former Railway Station, 221 Marine Road, or any other Listed Buildings or non-designated heritage assets on the opposite side of Marine Road. Views to the Grade II former Station and Lighthouse on the Stone Jetty would be affected, but not adversely.
- 5.5.9 The Conservation Area derives its character and significance from the narrative of the town, its historical associations with leading lights of music and theatre, together with its relationship with the Bay. The site is prominently located within the Conservation Area. However, the current condition of the site fails to make a positive contribution to this heritage area and is clearly in need of enhancement. The re-development of the site is a welcome opportunity to revitalise this area and add further distinctive character to the Conservation Area. The proposals will undoubtedly have an impact on the character and appearance of the Conservation Area, through the introduction of two substantially large buildings and their connecting structures and associated landscaping, together with the increased use/activity of the site. Whilst some views from within and adjacent to the application site would be interrupted by the development, overall, it is considered that the proposed development will make a positive contribution to the Conservation Area. The proposed development will add drama and interest back into what is currently a poor and uninviting part of the town.
- 5.5.10 The proposed development will reinforce and reinvigorate the town as a seaside resort for the 21st

century, linking to its historic associations and having a good appreciation of the historic environment. The proposal therefore complies with Section 16 of the NPPF, policy DM38 of the DM DPD and policy DO2 of the MAAP. Similar to the original scheme, it is considered that this varied proposal would result in less than substantial harm through impact upon the setting and significance of the Grade II* Midland Hotel, though the public benefits are considered to outweigh this harm. As such, the proposal is considered to be acceptable and policy compliant from a heritage perspective, as the heritage, and wider public, benefits of the proposal are considered to outweigh the harm identified to the setting of the Midland Hotel. Whilst Historic England have provided no comment to this varied proposal, with no objection from the Conservation Team, who encourage measures regarding public realm improvement, concealing back of house facilities from public views, and maximisation of the metronome entrance and views from the terrace to minimise heritage harm even further. Due to the varied design and reduced heights/scale of the buildings, officers consider that the heritage harm of this varied proposal is reduced from that of the original permission.

5.6 **Natural Environment** NPPF: Section 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 DM44 (Protection and Enhancement of Biodiversity), DM45 (Protection of Trees, Hedgerows and Woodland) and DO2 of the Morecambe Area Action Plan (MAAP)

5.6.1 The application site extends to approximately 4.6 hectares, predominately made up of hardstanding (2.41ha) with remaining land comprising areas of amenity grassland and shrub scrub. There are 12 individual trees and 7 groups of trees within the site. There are existing buildings on the site proposed for demolition. The small pockets of habitat and ecological features across the site are fragmented and unmanaged. At the time of updated surveys of the buildings, no bat roosts were identified, and the buildings present had no suitability for roosting bats, whilst a night-time activity survey encountered no bat activity despite ideal conditions. No bats have been identified using or roosting in the trees and as such the effect of the proposal on protected bats is limited. Apart from shrub habitat near the Midland Hotel and a small number of trees, the site has little potential to support breeding birds. On the whole, the site itself is considered to be of low ecological value and would not constrain the development of the site.

5.6.2 The impact upon trees and shrubs is reduced through this proposal, now seeking to retain and incorporate the linear trees and vegetation immediately northeast of the Midland Hotel (along the RNLI access road) into the proposed development and landscaping. It is anticipated that tree and vegetation sought for removal will occur shortly, with mitigation in the form of the Bring Me Sunshine Garden being realised on site in the 2026 planting season, following exhibition at RHS Flower Shows. As such, the impacts and losses will be very short term, mitigated and enhanced at the earliest opportunity. The significantly improved quality of landscaping more than offsets the reduced area of vegetation. The proposed landscaping will achieve greater than 10% biodiversity net gain, despite not being mandatory for such development, beyond the enhancement to ecology required through local planning policies.

5.6.3 Turning to the effects of the proposal on the adjacent designated sites, this is a significant material consideration which was carefully examined during the assessment of the original planning application. It also forms an important part of the ES. This section of the ES has been updated as part of the ES Addendum and this Section 73 application. Due to the scale of this leisure development so close to the Bay, an updated shadow Habitat Regulations Assessment (HRA) accompanies the application. The submitted shadow HRA has been updated and amended during the application in response to consultation with Natural England. Although the site itself does not provide habitat for birds associated with the SPA and Ramsar site, significant aggregations of SPA and Ramsar birds were recorded in the surrounding area during winter bird surveys, backed up by desk-based records. Significant numbers of Turnstone occasionally roost on the Bubbles Breakwater directly northeast of the site. Due to the scale of the development, its proximity to the designated sites associated with Morecambe Bay, and the anticipated number of visitors the project will attract, several potential impacts (having regard to embedded mitigation) have been screened into the HRA. The main impacts are pollution during construction, visual lighting and noise disturbance, recreational disturbance and bird strike.

5.6.4 The impact, and mitigation, are largely the same as those within the original permission. A comprehensive CEMP will ensure dust and water runoff avoid and mitigate risk of pollution, with

lighting, noise and crane arm radii areas controlled during construction. During operational phase, surface and foul water arrangements would prevent pollution through appropriate attenuation and outflow, again controlled through planning conditions. A full lighting strategy will ensure a dark corridor is maintained on the coastal edge, with limits to outdoor events and a comprehensive outreach and education strategy (secured by legal agreement) to mitigate recreational and noise disturbance. Bird strike monitoring will be undertaken in the first 5 years, to provide data, and remediation in the unlikely scenario of significant collision mortality. Air quality impacts during the operation of the development would not adversely affect the integrity of the designated sites, with the development setting ambitious targets for sustainable travel to minimise air quality impacts from private car trips.

- 5.6.5 The sHRA includes a robust in-combination assessment, which concludes no in-combination impacts. Overall, the LPA as the competent authority have adopted the applicant's amended sHRA and concur with its conclusions, as do Natural England with no objection to this proposal. Subject to the mitigation set out above continuing to be secured, there will be no significant adverse effect on the integrity of any European sites from the proposed development alone or in-combination with other projects of plans, and no change in position from that previously approved. On this basis, the proposed development equally conforms to the NPPF, SP8 of the SPLA DPD, DM44 of the DM DPD and DO2 of the MAAP.

5.7 **Flood Risk and Drainage** NPPF: Section 14 (Meeting the challenge of climate change, flooding and coastal change), policy SP8 (Protecting the Natural Environment) and SP3 (Morecambe Main Seafront and Promenade) of the Strategic Policies and Land Allocations (SPLA) DPD; policies Development Management (DM) DPD policies DM30b (Sustainable Design and Construction – Water Efficiency), DM33 (Development and Flood Risk), DM34 (Surface Water Run-off and Sustainable Drainage), DM35 (Water Supply and Waste Water), DM36 (Protecting Water Resources and Infrastructure) and DM43 (Green and Blue Infrastructure); Surface Water Drainage, Flood Risk Management and Watercourse Planning Advisory Note 3 (October 2020) and the North West England and North Wales Shoreline Management Plan (February 2011) and Lancaster District Level 1 Strategic Flood Risk Assessment (SFRA) 2025

- 5.7.1 National and local planning policy requires development to be located in areas at least risk of flooding (subject to the developments flood risk vulnerability), to be safe from flooding and to not increase the risk of flooding elsewhere taking account of climate change. For major development, sites should be drained in a sustainable manner using sustainable drainage systems (SuDS) and development should not impact upon existing water resources and infrastructure, and should maintain water quality.
- 5.7.2 The majority of the site falls within Flood Zones 1 and 2. Flood Zone 3 is limited largely to the northern edges of the site along the promenade and extends into two areas of amenity greenspace to the northeast of the Midland Hotel. The site has an average level of approximately 7.5m above Ordnance Datum (AOD). The minimum existing ground level is 4.5m AOD and a maximum level of 10.4m AOD on the northern side adjacent to the promenade. There are pockets of medium and high surface water flood risk within the lower central areas of the site. There is a culverted watercourse flowing from the south to the north beneath Marine Road Central and through the centre of the site. It is assumed the existing site drains into two soakaways with outfalls into the rock armour out into Morecambe Bay, at an unrestricted rate. The shoreline management shows the site benefiting from the rock armour protection to the north, protecting the shoreline from coastal erosion and flooding. A secondary defence wall is set back from the primary defence structure and serves as a wave reflection wall.
- 5.7.3 The proposed development is classified as 'Less Vulnerable' (Table 3 of the Planning Practice Guidance (PPG) Flood Risk and Coastal Change) due to its leisure use. The site is allocated for leisure uses, which means there is no requirement for sequential testing in this instance, and the principle of development is acceptable. Development proposals should consider the risk of flooding of the development itself and elsewhere for the lifetime of the development, accounting for climate change. In this case surface water drainage proposals shall be designed to cater for the 1% (1 in 100) Annual Exceedance Probability (AEP) event, including climate change allowance, which is considered appropriate. Coastal and tidal flood risk is also expected to increase, with an expected increase in seas levels, offshore windspeed, and associated extreme wave heights.

- 5.7.4 Following extensive discussions with Environment Agency prior to submission and during the course of this application, this has culminated in a “wrap-around” measure, which includes embankments, raised walkways and gates to the west, north and east of the site, and a flood wall to the south. The scheme ties into existing Lancaster City Council flood defences to the west and east, the latter seeking consent through a concurrent proposal, due to being located beyond this application site boundary. These revisions significantly address previous concerns regarding complexity, operation, and reliance on third-party owned and maintained tidal defences, which may have involved low spots in the defence alignment and also gaps. The proposed flood mitigation measures are considered more suitable to serve to protect the development from the risk of flooding for its entire design life and will also serve to provide a reduction in flood risk to areas of Morecambe located south of the proposed development.
- 5.7.5 Acceptance of the suitability of the baseline and post-development models represents a milestone in the progression of the Eden Project Morecambe. Some additional details of full design, hydraulic modelling, additional post-development model runs, and sensitivity testing are required through planning conditions, to inform full design, defence slope angles and other design features. However, the information submitted to date is progress from the original permission and is considered appropriate subject to a planning condition to reflect the information received to date, and additional details sought. The proposal is to the satisfaction of the Environment Agency, that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures are implemented. As such, the application has adequately demonstrated that, with mitigation, the potential effects of flood risk would not be significant, and that the proposal conforms with the NPPF and policy DM33 of the DM DPD.
- 5.7.6 With regards to site drainage, the project will include a Sustainable Urban Drainage System (SuDS), which based on the submitted drainage strategy will include green roof systems, subterranean rainwater harvesting (RWH) tank to recycle/reuse rainwater, and above grounds SuDS attenuation within several pond areas across the site. Surface water shall either discharge to soakaways (subject to further ground investigation) at a controlled rate, and/or discharge to the existing culverted watercourse controlled to discharge rate through attenuation tanks provided within the site. This application does not seek to vary the conditioned controls of the surface water drainage scheme, which should remain as part of a variation, albeit updated to reflect the additional information provided, and phasing strategy to separate the landscaping of Phase 1.
- 5.7.7 Officers and statutory consultees are satisfied the site will be capable of being drained in a sustainable way, and that such arrangements are capable of being controlled by planning condition. Whilst ground investigation works are still to be undertaken to assess the suitability of soakaways, given the significant areas of landscaping around the main buildings, the omission at this stage does not prejudice layout, and therefore can be controlled through planning condition. The drainage system will also incorporate pollution controls to maintain and enhance water quality. Exceedance flows are largely out to sea or toward Marine Road Central (as existing).
- 5.7.8 Overall, the ES, the supporting FRA (and its addendums) and the Drainage Strategy, demonstrate the risks from surface water flooding and contamination of the water environment (pollution control) are not significant in EIA terms. This is provided that final sustainable drainage proposals and their maintenance plans are secured by planning condition (to mitigate potential impacts). On this basis, the proposal is considered compliant with the requirements of policies DM33, DM34 and DM26 of the DM DPD.
- 5.7.9 Policy DM35 requires new development to drain (foul water) in accordance with the drainage hierarchy, which requires connection to the public sewer in the first instance. This is proposed and capable of being achieved. The foul drainage strategy remains at a 5l/s flow rate previously agreed, however now requires a pumping station with an emergency storage tank sized to contain 24-hour inflow to allow for disruption in service, sized based on daily water in-take of the development. The full details can be controlled by reattaching an existing condition to any varied consent, for full details of foul drainage to be submitted and agreed.
- 5.7.10 The proposed development will inevitably increase demands on potable water supplies, though embedded mitigation will seek to minimise consumption (including through rainwater harvesting). Water efficiency measures will be incorporated to achieve BREEAM ‘Excellent’ standard. The development will result in a slight significant effect but not such that would render the proposal

unacceptable. United Utilities has not objected on the grounds of water supply considerations. Instead, they advise the applicant to engage with them at the earliest possible opportunity to ensure the water network can meet the demand, and should reinforcements be required, this can be considered and addressed early. This is a matter that shall be addressed outside the planning process.

- 5.7.11 During the construction period there is the potential for increases in surface water and pollution entering the water environment. These impacts are capable of being mitigated through appropriate construction management practices, which can be controlled via the CEMP condition and drainage conditions. With mitigation, the potential effects are temporary, short-term and overall, not significant. Subject to this and other flood risk and drainage planning conditions, the proposal is considered to be acceptable with these regards.
- 5.8 **Amenity and Pollution** NPPF: Section 8 (Promoting Healthy and Safe Communities), Section 12 (Achieving Well-Designed Places); Development Management (DM) DPD policies DM2 (Housing standards), DM29 (Key Design Principles), DM30 (Sustainable Design), DM31 (Air Quality Management and Pollution), DM32 (Contaminated Land) and DM57 (Health and Well-Being)
- 5.8.1 The fundamental aims and objectives of the above policies is to ensure new development is well designed, safe and secure for its users and the wider public, protects the amenity of existing and future occupants and promotes health and well-being, by ensuring the effects of pollution arising from development or the interaction between uses is adequately mitigated.
- 5.8.2 **Noise Considerations**
The Noise and Vibration chapter of the ES is supported by a Noise Impact Assessment. This assesses the effect of construction noise and vibration, in addition to operational noise and development generated road traffic noise of the proposed development upon nearby sensitive receptors. These include residential premises and hotel accommodation located primarily along Marine Road Central.
- 5.8.3 Given the proximity of the site to sensitive receptors, during construction temporary, short term minor adverse noise effects are predicted and moderate adverse effects from construction vibration impacts. These impacts are capable of being mitigated through an appropriate Construction Environmental Management Plan (CEMP). In particular, no impact-driven piling to be used (unless supported by further assessment and mitigation) and further details relating to rolling operations (and if necessary further mitigation) due to the potential for 'moderate' adverse impacts from this construction technique. The LPA is of the opinion that working hours on a Saturday could be permissible between the hours of 08:00-16:00, with a 18:00 end time on weekdays. These hours are considered appropriate given prevailing background noise levels, activity along the seafront at such times, and matching those of the original permission.
- 5.8.4 In terms of operational noise impacts, this will derive mainly from road traffic noise, servicing and deliveries, plant and outdoor events. In terms of traffic noise associated (from visitors) the level of cars anticipated to be travelled along Marine Road Central should be less than existing, due to the loss of the Bay Arena car park and dispersal of visitor traffic before arriving at the proposed venue. Most cars will be intercepted either at the P&R site or in town centre car parks to the south. As such, the noise impacts from visitor/employee traffic are considered negligible.
- 5.8.5 Noise from delivery vehicles varies between ambient good deliveries and chill good deliveries (assuming vehicles will have refrigeration units and therefore noisier). There are no adverse effects during the daytime, but adverse effects are anticipated during the night for both ambient and chilled good vehicles. The level of effect ranges from negligible/minor to moderate/major. The larger adverse effects are from the chilled vehicles likely to be serving the cafe/restaurant. The predicted noise from service/delivery vehicles remains unchanged from that reported in the original permission, and reattaching the existing condition controlling delivery vehicle hours and routing is considered appropriate.
- 5.8.6 Noise deriving from plant is not precisely known at this stage, as more detailed assessment is required as part of the next design stage. However, energy pod air handling units have been moved within the proposed buildings, which should reduce cumulative noise levels. The cumulative noise from air source heat pumps and other external plant and emergency generator can be controlled

through planning condition, for agreement once the precise facilities and noise figures are known.

5.8.7 Events Noise

The proposal seeks permission to host a maximum of 8 outdoor large music events at the attraction. These events would all take place primarily in the summer months (due to the impacts of the adjacent designated site), with music ceasing by 23:00. The layout of the arena, which will support a temporary stage above the permeant stone stage in the Rhythm Gardens, is purposefully designed to direct noise away from sensitive receptors along Marine Road Central (facing out toward the sea). The event space has a maximum capacity of around 6,000. The location and capacity of the outdoor arena is no different from the original planning approval.

5.8.8 The baseline noise survey indicates an arithmetic background noise level of 46dB $L_{A90,1900-2300}$ at the monitoring located at the Winter Gardens, which is assumed to be applicable to noise sensitive receptors along this stretch of Marine Road Central. The modelling indicates moderate impacts at the closest locations to the south of the arena on Marine Road Central, dropping to negligible further away from the venue. The highest predicted noise level at the nearest non-residential sensitive receptor (Lakeland Rooms Hotel) located 150m southeast of the stage, is 73 dBA, approx. Properties such as this within 300m of the stage are anticipated to experience adverse noise impacts. The proposed mitigation to address these impacts includes:

- Temporary Acoustic Screening (c2.8m in height) along the southern boundary of the arena.
- Specialist PA to accurately model and optimise the speakers to achieve more focused sounds with reduced side loading.
- Noise Management Plan (for each event and required for licensing, which would include computer modelling of noise from the concert, noise limits to be agreed and set, event management for community engagement, noise monitoring)

5.8.9 With the comfort of planning conditions requiring implementation of the various mitigation and management measures and adherence to noise levels, this would adequately control noise impact and abatement. The applicant has indicated that if there was a breach of noise levels for a particular event, then further events could not take place until it was adequately resolved. With this safeguard in place through reattaching conditions as part of the original permission, the proposals present a proportionate and appropriate response to the issues raised. With the mitigation measures, the concert noise impacts are likely to be direct, temporary, local, adverse minor or moderate at worse. The effect is not significant. The adverse effects shall be considered in the overall planning balance. However, it is acknowledged that many of the sensitive receptors (hotels and guest houses) will be offering accommodation to those who are attending the events, thus reducing the overall impact.

5.8.10 It should be noted that Morecambe already hosts multiple multivenue music festivals and other events, and the MAAP allocation seeks outdoor events space for this site. The existing attractions and events generally operate well and without undue effects locally. While the impacts overall are not considered significant in EIA terms, the mitigation (in the form of an Events Management Plan) will provide a set of mitigation measures to minimise these temporary impacts in the interest of these nearby residents.

5.8.11 Air Quality

The application site lies outside any Air Quality Management Area (AQMA). Existing air quality around the site and nearby is considered to be good, with no indication of exceedance or close to exceedance levels identified. The application and ES is supported by a detailed Air Quality Assessment, which assesses the effects on air quality during construction and the operational phases of the project. The main source of air pollution deriving from the development will be from construction traffic, plant and activities and traffic emissions from vehicles trips on the local network and from the car parks. During construction, potential adverse effects are anticipated. However, appropriate construction management protocols, through a CEMP condition, and mitigation to reduce pollution impacts will ensure the level of impact is not significant.

5.8.12 For the operational phase, dispersion modelling has been undertaken in accordance with an agreed scope of works. Whilst the development will result in slight increases in concentration levels in pollutants, the increase is minor and would result in negligible impacts on air quality. The same occurs in the future year scenario (2039). No direct mitigation measures are therefore required to minimise development-generated through road traffic emissions, beyond the previously assessed and recommended measures for sustainable travel and transport provisions. Overall, the proposal

will not result in a negative impact on local air quality, and therefore accords with Development Management DPD DM31 and the NPPF.

5.8.13 Ground Conditions

The site occupies an area of previously developed land, with a diverse history ranging from a breakers yard associated with the railway line, and more recently a range of leisure uses. The majority of the land was originally reclaimed from the sea. As such, there is the potential for contamination. A Preliminary Risk Assessment has been undertaken to support the application providing a baseline of the expected ground conditions, potential sources of contamination, sensitive receptors and pollution pathways. The assessments submitted demonstrate that there will be no significant effects as a result of contamination during either construction or once the development is operational. The desk-based assessments undertaken to date indicate any risks will be capable of mitigation through remediation of the site once detailed ground investigations have been undertaken. A condition is recommended to require a full site investigation and remediation strategy, similar to that attached to the original permission for this site.

5.8.14 A geotechnical/structural assessment of the sea wall and the site itself will be required to inform the development construction design and its associated embedded mitigation. The structural assessments will need to demonstrate no adverse effect on the integrity and functional of the sea wall to proceed. The requirement of a stability assessment of the sea wall and details of any retaining structures sitting alongside the promenade/highways shall be a requirement of a planning condition. The original planning permission imposed a similar condition which shall be re-imposed.

5.8.15 Sunlight, daylight, overshadowing and wind effects

Given the scale of the development, the ES also considered the effects of the development on daylight, sunlight, overshadowing and wind (microclimate effects). This has been carried out using advanced computer software to assess the potential impacts of the development on both residential development and commercial/hospitality, such as the Midland Hotel, in accordance with best practice guidance.

5.8.16 Simulations show that all the neighbouring habitable rooms and public amenities will continue to receive adequate levels of daylight, sunlight, and solar access. No negative effects were found from the varied development, which has less mass and height than the original permission. In terms of wind, the assessment concludes that off-site the wind conditions (pedestrian comfort) will not deteriorate and therefore all off-site effects are negligible. Off-site regions of distress for frail pedestrians and cyclists are significantly reduced from wind shelter of the development, resulting in a minor beneficial impact. On-site generally evidences an improvement, with slightly milder conditions than existing, except within some of the most exposed areas of the site and within the landscaped areas. In these locations, mitigation (balustrades and planting) is suggested to reduce impacts and improve comfort levels around the site, which have already been incorporated into the proposed design. Overall, with mitigation the effects are considered negligible on the basis of the submitted report, and are less than those of the original permission due to the reduced massing sought through this proposal.

5.8.17 Security

The proposed development and its embedded mitigation will be delivered to achieve Secured by Design (SBD) security standards. For proposals where large numbers of people are expected to congregate, development should be informed by most up-to-date evidence from the police and other agencies and should include appropriate and proportionate steps to be taken to reduce vulnerability, increase resilience and ensure public safety and security isn't compromised. Such information has been used to inform the design of the development, particularly in public areas, with ongoing discussions for operational arrangements.

5.8.18 The building configuration and public realm areas provide highly legible spaces and routes around the buildings, with access areas and ticketed areas clearly defined. Landscaping proposals includes embedded security and resilience features, together with a combination of fixed and retractable bollards (for access). There will be a detailed lighting scheme, together with CCTV linked back to a central security control room, developed as part of the project. The design-related security measures are considered acceptable overall with lighting and CCTV matters capable of being secured by condition. Given the increased risk, and local progression in a coordinated approach to counter terrorism, a condition requiring a management strategy for this should be included in the sought

varied consent, albeit detailed submission would likely be confidentially assessed by officers in consultation with the constabulary. Subject to such measures, overall the proposal is considered to conform to policy DM29 of the DM DPD and the NPPF.

- 5.9 **Climate Change NPPF: Section 2. (Achieving sustainable development) and Section 14. (Meeting the challenge of climate change, flooding and coastal change), 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), DM31 (Air Quality management and pollution), DM35 (Water supply and waste water), DM53 (Renewable and low carbon energy generation) and DMCH2 (Micro-Renewables in The Setting of Heritage Assets) of the DM DPD and Strategic Policies and Land Allocations (SPLA) DPD policy CC1 (Responding To Climate Change and Creating Environmental Sustainability)**
- 5.9.1 In the context of the climate change emergency that was declared by Lancaster City Council in January 2019, the effects of climate change arising from new development in the District, and the possible associated mitigation measures, will be a significant consideration in the assessment of development proposals. The Council is committed to reducing its own carbon emissions to net zero by 2030, while supporting the district in reaching net zero within the same time frame. Buildings delivered today must not only contribute to mitigating emissions, but they must also be adaptable to the impacts of the climate crisis and support resilient communities. 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.
- 5.9.2 The proposed solar array on the roof of the Realm of the Moon will be over 1,800sq.m. This is a significant array, even when considering the overall size of the building, and this will likely cover the majority of the usable roof space for the Realm of the Moon. The proposed development targets both EPC 'A' and BREEAM 'excellent', with a design that is gas-free (heated through ASHPs) and use of mechanical ventilation with heat recovery systems in all occupied spaces. This is a very welcomed addition, which demonstrates that a forward thinking and proactive approach to energy conservation is being taken across this development in terms of mitigation. BREEAM 'excellent' rating represents the high level of sustainability of the proposed development, which the current design is anticipated to achieve (potentially even scoring 'outstanding'). Making 'excellent' a conditional requirement for the development is policy compliant, with any exceedance weighed in favour.
- 5.9.3 Lancaster City Council is currently progressing work with the Heat Network Delivery Unit on further advancing the Strategic Heat Network Zones across the district, including in Morecambe. It is therefore vital that the development be designed as 'heat network ready' so as to allow a connection to a potential future heat network, should a connection be available in the future. It will be expected that major development brought forward within Strategic Heat Network Zones be 'heat network ready'. As such, it is recommended that the development should be 'heat network ready' as a matter of planning condition.
- 5.9.4 It is noteworthy that the 'top' of the Realm of the Sun dome is designed such that it prevents more of the sun's energy from entering the building (lower g-value), while the sides of the dome are designed to maximise solar gains (higher g-value). The overall intention of this passive system aims to reduce solar gains during the summer, when the incident angle of sunlight is higher (thereby reducing the risk of overheating), and to maximise solar gains in the winter when the incident angle of sunlight is lower (to make best use of the sun's energy when it's most needed). This is a very well-considered design choice, which supports both heating and cooling in a passive, yet adaptive capacity. This further demonstrates the proposal's commitment to energy and carbon reduction through design.
- 5.9.5 A greater incorporation of fabric first principles within the Realm of the Moon and Metronome would provide an opportunity for a net zero, or even energy positive development. The submitted planning statement suggests that this is an aspiration of the proposal, although the energy statement received to date relies to a greater degree on renewable energy generation on-site. The proposed solar array is anticipated to provide a 91% reduction in expected energy demand through this on-site clean energy generation. As such, whilst additional betterments, and associated planning benefits, could be achieved, the proposal still exceeds the requirements of planning policy, despite the room for improvement on fabric first elements. This is also a significantly greater reduction in energy demand

from the original approval, which projected 7% reductions. These provisions should be controlled through planning condition for baseline sustainable design provisions, and hopefully any improvements on this through more detailed building designs can bridge to the net zero aspirations that the developer maintains for this scheme.

- 5.9.6 The Realm of the Sun is a unique building, not only in form, but also in usage requirements. It is acknowledged that the Realm of the Sun should not be treated as a 'typical' building with regard to fabric efficiency, as the space must provide an adequate climate for the plants and trees that will be kept inside. As such, officers are satisfied that the Realm of the Sun's low fabric efficiency should not be treated as a negative in this instance. The overall energy requirement for the building has been reduced in other ways (including the use of ASHPs, MVHR, Solar gains, cross ventilation, and carefully selected G-values). The Realm of the Sun will, by its very nature, have a high energy demand.
- 5.9.7 The proposal will achieve the key sustainability and energy aspirations of the original approval, albeit with significant enhancement in on-site sustainable energy generation through the redesign of the Realm of the Moon. These measures are notwithstanding the mission of the attraction to demonstrate and inspire positive action for the planet, a message that can be taken by visitors to inspire immeasurable sustainable benefits. The scheme is considered to achieve, and in some areas exceed, policy requirements on climate change and sustainability. Whilst there will always remain room for improvements, this is a highly commendable aspect of the development, weighing as a benefit of the development.
- 5.9.8 The sustainability of the project extends much further than this, with the social and economic aspects of the project equally integral and vitally important to the objective of reinventing Morecambe for the 21st century. The proposed development will be at the heart of the town, and an additional new focal point for the community. The scheme provides significantly improved landscaping and open space for the wider community to enjoy (almost half the site). All existing community assets, such as the promenade, cycle route and the War Memorial, will remain in place, but with an enhanced setting through the proposals. The project has been designed for all users, with accessibility built into the external and internal components of the development. The development is designed to be highly inclusive and accessible, including the experiences envisaged as part of the attraction, which have already begun through community engagement to date.
- 5.9.9 In planning terms, the scheme is considered to fully conform and exceed policy requirements in relation to sustainable design and climate change mitigation. Planning conditions are recommended, including a requirement to meet BREEAM 'excellent' and a detailed scheme of the final proposals (air source heat pump, PV provision and others).
- 5.10 **Socio-economic and Health** NPPF: Section 2. (Achieving sustainable development) and Section 14. (Meeting the challenge of climate change, flooding and coastal change), Policies SP4 (Priorities for Sustainable Economic Growth) of the SPLA DPD, EC5 (Regeneration Priority Areas), TC4 (Central Morecambe), SC5 Recreation Opportunity Areas); policies DM22 (Leisure Facilities and Attractions), DM26 (Public Realm and Civic Space, DM28 (Employment and Skills Plan), DM29 (Key design principles), DM57 (health and Well-being)
- 5.10.1 The ES includes a chapter on socio-economic impacts of the proposed development. This is an extensive assessment and considers the effects on population and demographics, economic activity, education and skills, health and deprivation. As set out at the beginning of this report, the proposal seeks to reinvent Morecambe as a seaside resort for the 21st century, with a scale and ambition that is far more inclusive and transformational than most visitor attractions.
- 5.10.2 The proposed development will create employment during the temporary construction phase (circa 290 FTE jobs locally, and 155 more FTE regionally), which will be required to look locally for contractors through the submission of an Employment Skills Plan (ESP). The development will directly create circa 150 FTE (direct and indirect) jobs in Morecambe for operation of the development in the longer term. Once the attraction is open to the public, it will operate with established local supply chains, and will also create a significant enhancement to the local visitor economy. Additional footfall within the town should support local businesses and will equally raise investor confidence locally to attract further inward investment and cumulative regeneration. The off-site highway improvements required as part of the project support pedestrian and cycle linkages to

the town centre and beyond. This is in addition to a parking strategy, providing parking spaces for the whole day, creating opportunity for visitors to spend time either side of their visit to the attraction, making Morecambe the destination beyond the development itself.

- 5.10.3 In terms of economic benefits, the latest figures recently announced £648.3m tourism value in the district in 2024, of which Morecambe contributed £192.9m supporting 1,910 jobs. The calculations within the submitted ES anticipates a visitor spend of £152m per annum, with a Gross Added Value (GVA) of £10.5m regionally, of which £6.7m could be within the local (district) economy. The cumulative and direct impacts are projected for the operational phase, following a circa £39m build cost, of which £25.5m would be within the district from the construction phase. Whilst these figures are unavoidably lower than projected through the previous application, this amended scheme represents a deliverable project that will have substantial benefits to the local visitor economy. Whilst it is hoped that broader district visitor economy will continue to grow beyond the latest 2024 figures available, conservatively the proposed development could boost this by around 20%. The economic benefits of the sought variation development are significant. The proposed development, in its amended form, fully accords with, and exceeds, the policy aspirations for strategic leisure development on the Central Promenade site with the Development Plan.

6.0 Planning Obligation

- 6.1 This proposal under Section 73 cannot, and does not, seek to vary the description of development or timescale, but only seeks to vary Condition 2 to the varied proposed plans. However, this has implications on a number of other planning condition and legal agreement, which would need to be reflected within redrafted planning conditions.
- 6.2 Moving to condition 3, this should be updated to reflect the phasing information submitted as part of this planning application. This will see the community garden delivered as part of Phase 1, through the relocating of the Bring Me Sunshine Garden to the site between the War Memorial and Midland Hotel following exhibition at RHS Flower Shows this summer. Several conditions will be updated to account for the phase 1 proposals. The proposed energy pods have moved within the proposed building as part of this varied scheme, which shall be reflected within condition 17. Given the changes to external infrastructure, this should be reflected in a noise limit/abatement scheme to be submitted and agreed, for further details to be provided as part of condition 31.
- 6.3 In terms of new requirements, given the progress recently made by multiple bodies and the local constabulary regarding counter terrorism, an addition planning condition is recommended for the production of a counter terrorism plan for this major leisure attraction. This has been discussed between the applicant, constabulary and local authority already with precise requirements to be submitted and agreed prior to first use or operation of the ticketed attraction. The flood mitigation measures include a short section of new flood defence wall beyond this site area, requiring separate planning permission. The provision of this flood mitigation wall will need to be captured through the varied s111 and amended 106 agreements required as part of any varied permission at this site.
- 6.4 The variation of the s111 and amended 106 agreements have been progressed on a non-prejudicial basis, to progress with draft legal documents to expedite this process following committee determination. For clarity, in addition to the ties to the new flood defence wall, this will include the obligations tied to the original permissions legal agreements, which are listed below:-
- Submission, approval and implement of Full Travel Plan.
 - Travel Plan Contribution to the sum of £10,000.
 - A Visitor Access and Parking Strategy, and
 - An Outreach and Education Plan

The full terms remain unaltered.

7.0 Conclusion and Planning Balance

- 7.1 Coastal communities throughout the country have faced a unique set of challenges during the latter part of the 20th Century, exacerbated by the downturn of the domestic tourism market leading to significant economic decline. There have however been recent signals that Morecambe is well-positioned to take advantage of the opportunities for sustainable regeneration. The Central Promenade site is one that has a rich and vibrant history, geographically prominent within the town, and a critical element of the town's future offer.
- 7.2 The current planning application aims to remedy the under-utilisation of the site, and it will deliver an exciting and highly-innovative tourism and leisure destination that will be attractive to both locals and visitors alike, in accordance with a long standing policy aspiration through the MAAP. The environmentally-responsible nature of the attraction aligns neatly with the Council's declared Climate Emergency and the recently adopted Climate Change Review of the Local Plan. The proposal will deliver significant economic, social and environmental benefits, in addition to cumulative impacts of such a catalyst for transformation and investment confidence in the regeneration of the town. Whilst the scheme is smaller than originally proposed, its ambition to drive local and regional growth remains the same. The development will undoubtedly create a significant local employer in the heart of Morecambe, with far-reaching social and economic effects for the district and the region.
- 7.3 There continues to be genuine optimism that the positive impacts arising from the development will quickly become firmly embedded within the town, through this varied scheme of a deliverable leisure attraction. The benefits arising from this weather-proofed attraction will be experienced by local hoteliers, retailers, food and drink providers and other businesses within Morecambe and the wider north-west region. The development itself represents a new landmark building within the town, with its bold architecture and dynamic landscaping and an embedded appreciation for the natural environment. Its BREEAM 'Excellent' and net-zero ambitions are fully supported, and weigh in favour. The site is currently underused space, characterised by the remnants of previous development, but lacking clear function and focus. The proposed development in its varied form would create a contemporary and sympathetic focal points that local residents could be genuinely proud of within our town and district. This policy compliant regeneration of previously developed land is attributed substantial weight.
- 7.4 At a technical level, the ES and its supporting information, together with the further information submitted to address the transport, flood risk and nature conservation considerations, demonstrates that the environmental effects arising from the development are not significant (in EIA terms). Whilst the development would use existing parking facilities, both in town and at Junction 34 park and ride, the development has strong aspirations for sustainable travel, with a detailed parking strategy and mitigation measures secured through conditions and legal agreement, similar to the original permission. The effects on the adjacent designated nature conservation sites have been adequately addressed, with mitigation necessary to ascertain the development would not lead to likely significant effects, and the integrity of the sites would not be harmed. In terms of flood risk, the nature of the use is compatible with the sites flood risk classification. Identified mitigation is required to inform a suitable Flood Risk Mitigation and Management Plan to safeguard the development from flood risk and from flood elsewhere (following updated modelling). The proposed development is neutral with these regards, fully mitigating the impacts of the development.
- 7.5 The effects of the proposal on cultural heritage have been assessed in full, and there are beneficial impacts arising from the development on the Conservation Area and the setting of all listed buildings, except the Midland Hotel. The level of harm arising from the development and the impacts it has on the significance of the setting of this Grade II* listed building is considered to be less than substantial, a minor degree of harm to the setting of this national heritage asset, which is amplified by the great weight attached to such irreplaceable heritage. This heritage harm is outweighed by public benefits, which is policy compliant from a heritage perspective. There would be unavoidable harm visually and upon heritage assets during construction of a prominent site. Potential noise arising from outdoor events (largely affecting a small area along Marine Road Central where there are residential receptors) may lead to some adverse effects upon local amenity during such events. These events are limited to a maximum of 8 events in any year, and these are an aspiration of the MAAP Development Opportunity allocation for events performance space as part of the regeneration of this site. An Events Management Plan continuing to be imposed by condition to prescribe appropriate community engagement, noise limits, mitigation, monitoring and review protocols should

be retained, as previously approved within the original permission. All other technical and environmental considerations have been addressed, raising no significant environmental issues subject to mitigation where identified.

- 7.6 For the reasons set out above, the proposed development would constitute sustainable development with far-reaching environmental, social and economic benefits. Whilst there is heritage and potential residential amenity harm to weigh in the balance, these impacts have been reduced through this amended proposal and are capable of being mitigated. The identified harm is considered to be significantly outweighed by the cumulative benefits of the proposal, which fully accords with the development plan and the NPPF. The proposal has been through extensive pre-application discussion, with Lancaster City Council and many other authorities/parties to culminate in this revised scheme. This is evident within the revised scheme, which demonstrates the evolution of the proposal at this site over many years, with a scheme that can be delivered to achieve the overwhelming benefits assessed above. The proposal retains overwhelming local support for the project in its revised form, including the support of officers, statutory and non-statutory consultees and other stakeholders.

Recommendation

That Planning Permission **BE GRANTED** following the satisfactory completion of a Legal Agreement within 3 months of the date of this Committee meeting, and the conditions listed below. 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 and the following planning conditions:

The varied/amended legal agreements shall secure:

1. Submission, approval, implementation and monitoring of Full Travel Plan (for visitors, employees and large events/visitors), including details of funding for this.
2. Travel Plan Contribution to the sum of £10,000 (split over 5 years)
3. A Visitor Access and Parking Strategy comprising heads of terms unchanged from the original approval
4. An Outreach and Education Plan comprising heads of terms unchanged from the original approval
5. Delivery of the Flood Defence Wall through application 26/00023/FUL, implemented following commencement of building works within the ticketed areas, and full complete and operational prior to first use or operation of the major leisure attraction.

Condition no.	Description	Type
1	Time Limit (5 years from 19 May 2022)	Control
2	Approved Plans – varied proposed development	Control
3	Phasing Strategy (construction), control Phase 1	Pre-com
4	Employment Skills Plan	Pre-com (following Phase 1)
5	Construction Environment Management Plan (CEMP)	Pre-com (following Phase 1)
6	Traffic Management Plan (TMP) for construction	Pre-com (following Phase 1)
7	Site Investigation (Remediation Strategy), including Phase 1	Pre-com
8	Surface Water Drainage Scheme, including Phase 1	Pre-com
9	Demolition and Construction Phase Surface Water Management Plan	Pre-com (following Phase 1)
10	Foul Drainage Scheme	Pre-com (following Phase 1)
11	Flood Risk Mitigation Scheme	Pre-com (following Phase 1)
12	Geotechnical / structural assessment of the sea wall and details of any retaining structures adjacent to the highway.	Pre-com (following Phase 1)
13	Flood Management Plan	Pre-com (of building)
14	Precise scheme for on-site renewable technology and energy	Pre-com (of building)

	efficient measures.	
15	Details and samples (where relevant) of all external materials, including the construction pattern and cladding of the shell pavilions, window/door details and curtain glazing features and flood gates (pursuant to condition 11).	Pre-com (of building)
16	Details of retaining wall and vegetated embankment with seating to northern façade	Pre-com (of building)
17	Details and samples precise details of the Canopy structure, street furniture and boundary features and enclosures. Energy Pods within building	Before the construction of the structures set out in the condition.
18	Lighting scheme	Pre-com (of building)
19	Security scheme to be agreed with details of CCTV and development to meet Secure by Design standards	Pre-installation of security measures
20	Access and off-site highway scheme to be submitted and agreed including: <ul style="list-style-type: none"> • Marine Road Central Improvement Scheme • Cycle provision improvements connection Marine Road Central to Greenway • M6 junction calibration • Shrimp roundabout improvements • Signage Strategy 	Pre-com (of building)
21	Detailed scheme for cycle provision (sheltered and secure)	Before the provision of the cycle parking is provided
22	Landscaping/public realm scheme to be implemented with planting schedule submitted for approval	Phase 1 in first planting season of removals, and prior to first use and before implementation of landscaping.
23	Landscape and habitat (BNG) Maintenance and Management Plan	Before first use/operation
24	Collision Monitoring programme and sHRA mitigation	Before first use/operation
25	Counter Terrorism plan	Before first use/operation
26	Operation, Maintenance and Verification Report of constructed Sustainable Drainage System.	Before first use/operation
27	Delivery, Collections and Service Strategy	Before first use/operation
28	Service access and turning facilities to be provided and retained at all times	Before first use/operation
29	Protocol to define and then restrict size and nature of large scale outdoor events to a maximum of 8 within the summer period only in accordance with the sHRA.	Before first use/operation
30	Events Management Plan providing require noise assessment and reciprocal noise management practices to mitigate impacts to include flexibility to review for specific events.	Before any event takes place
31	Noise Limit for plant/ASHP/generator and details of external appearance	Before installation of plant/ASHP/generator, and before first use/operation
32	Construction hours limited to 08:00-18:00 Mon-Fri, 08:00-16:00 on Sat and no working Sundays and bank holidays	Control
33	Goods/servicing delivery times restrictions	Control
34	BREEAM 'Excellent' standard, EPC A and heat network ready	Control
35	Removal and storage of existing public art	Before removal/demolition

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

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

Background Papers

None

Agenda Item	A7
Application Number	26/00023/FUL
Proposal	Erection of flood defence wall, flood barrier and associated works
Application site	Land East of Central Promenade Regeneration Site Marine Road Central Morecambe Lancashire
Applicant	Eden Project Morecambe Limited
Agent	Mr Daniel Jackson
Case Officer	Mr Andrew Clement
Departure	No
Summary of Recommendation	Approve with conditions

(i) Procedural Matters

This application is reported to planning committee due to intrinsic links to an earlier committee item, referenced 25/01118/VCN

1.0 Application Site and Setting

1.1 The application site is located on Morecambe Promenade, to the east of the access to the Bay Arena carpark, north of the junction of Marine Road Central and Northumberland Street. This location is atop of existing flood defences and retaining walls that create Morecambe’s characterful elevated Promenade. The site is located within Morecambe’s Conservation Area, with several significant designated heritage assets surrounding the site. These include the Grade II* Winter Gardens, and multiple Grade II Listed Buildings including the War Memorial to the west of the site. The location is immediately adjacent to Morecambe Bay, which is internationally significant and offers impressive views towards the Lake District. Morecambe Bay is a designated Special Protection Area (SPA), Special Area of Conservation (SAC), Site of Special Scientific Interest (SSSI), and Ramsar designations, forming part of a series of coastal estuaries of outstanding importance. The site itself is not designated for any nature conservation interest.

1.2 The promenade is a well-pedestrianised and traffic-free corridor (other than service access and carpark customers), extending from Hest Bank to Heysham. The promenade supports existing designated cycle routes - Sustrans Route 69 (Way of the Roses) and routes 6 and 700. The site is immediately east of a recently granted planning permission 21/01113/FUL, for a major mixed leisure development, Eden Project North (EPN), which concurrently seeks variations to that permission through 25/01118/VCN. This application site is outside the application site boundary of the original Eden Project Morecambe scheme but is intrinsically linked to that development, to facilitate the flood mitigation requirements. The application site is within Flood Zones 2 and 3.

2.0 Proposal

- 2.1 This application relates to a proposed flood defence wall, barriers and associated works. The length of wall measures circa 17 metres long, just to the south of a slope access to the beach, and opposite Marine Road No.1 short stay carpark. This wall would replace some existing railing, tailing slightly away from this to create connections for temporary flood barriers (during flood warning events), with a small section of wall on the southern side of the promenade to link to existing flood defence walls.
- 2.2 The proposed flood defence wall is of a similar design and height to those existing and approved through permission 15/00119/FUL and 17/00304/FUL along miles of the promenade as existing. The flood defence wall will be constructed in buff colour precast concrete, circa 1.6 metres tall above the existing promenade, although raising to just under 2 metres tall close to the Bay Arena access crossing to support 'stop logs' (temporary flood barriers). The ends of the proposed flood wall will contain gateway artwork, with full details to be confirmed at a later stage.
- 2.3 The proposed flood defence wall is incorporated within the suggested mitigation and assessment through screening opinion 25/00682/EIO under the Town and Country Planning (EIA) Regulations 2011 (as amended). This has been assessed within the Environmental Statement (ES) Addendum, and the cumulative scheme (predominantly 25/01118/VCN) is considered EIA development. The ES Addendum reports that there are no material changes through the variations sought, including this flood wall seeking permission through this application. This ES Addendum is aligned to the 2021 ES, finding that the scheme will have overall positive impacts on health and wellbeing, including new employment, education, public realm improvements, and support for active travel. Temporary adverse impacts during construction can be mitigated through a Construction Environmental Management Plan (CEMP) planning condition.

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
25/01118/VCN	Demolition of existing buildings and proposed construction of major mixed leisure development in association with Eden Project (including use classes E, F1 and F2), outdoor arena (including live music performances), public realm, landscaping works, cycle parking, detached shelter and energy pods, and associated infrastructure and engineering operations (pursuant to the variation of condition 2 on planning permission 21/01113/FUL to amend the design and layout of the approved development)	Pending consideration
25/00682/EIO	EIA Scoping Opinion request relating to proposed changes to the approved development which comprises the demolition of existing buildings and the proposed construction of major mixed leisure development in association with Eden Project, outdoor arena, public realm, landscaping works, cycle parking, detached shelter and energy pods, and associated infrastructure and engineering operations	Completed
21/01113/FUL	Demolition of existing buildings and proposed construction of major mixed leisure development in association with Eden Project (including use classes E, F1 and F2), outdoor arena (including live music performances), public realm, landscaping works, cycle parking, detached shelter and energy pods, and associated infrastructure and engineering operations	Granted
17/00304/FUL	Demolition and reconstruction of the Wave Reflection Wall, incorporating creation of new occasional-use	Granted

	vehicular accesses onto the Morecambe Promenade from the Marine Road West, Marine Road Centre and Central Drive roundabouts and at the Marine Road West/Regent Road Junction, creation of new keynote 'up and over' access points opposite the Frontierland Development Site and opposite Regent Road, demolition of an existing toilet block and shelter, upgrading the existing stepped access at West End Gardens and associated works	
15/00119/FUL	Demolition and reconstruction of the Wave Reflection Wall along Morecambe Promenade	Granted

4.0 Consultation Responses

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

Consultee	Response
Morecambe Town Council	No observation received to date
County Highways	No objection. It is likely existing signals of the crossing will need to be review. Recommend a Construction Management Plan (CMP) planning condition.
Public Realm	No observation received to date
Engineering Team	No observation received to date
Conservation Team	No observation received to date
Lancashire Constabulary	No observation received to date
Natural England	No observation received to date
United Utilities	Automatic reply response, no substantive comment received to date
Morecambe Town Council	No observation received to date

4.2 No observations have been received to date from members of the public. The newspaper publication period expires on 5th February 2026. Any observations received in the leadup to planning committee will be reported through written committee updates.

5.0 Analysis

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

- Principal of development
- Flood risk
- Design, Scale, Townscape and Heritage
- Transport, Accessibility and Safety
- Natural Environment

5.2 **Principle of development** NPPF Section 2. (Achieving sustainable development) and Policy SP3 (Morecambe Seafront and Promenade) and DO2 (Strategic Leisure – Seafront Headland and Central Promenade) of the Morecambe Area Action Plan (MAAP)

5.2.1 The proposed works will link to existing and proposed flood defences through concurrent application 25/01118/VCN. This would contribute towards mitigating the impacts of flood risk upon this major leisure development proposal, and in turn also reduce flood risk within the immediate surrounding vicinity. The proposal is necessary to ensure the delivery of the identified flood risk mitigation supporting the Eden Project Morecambe ensuring this important visitor attraction is protected from tidal flooding. This proposal will also maintain vehicular and pedestrian access to the promenade. Given the intrinsic links to the wider project, the principle of the proposed flood wall is considered acceptable.

- 5.3 **Design, Scale, Townscape and Heritage** NPPF: Section 12 (Achieving well-design places), and Section 16 (Conserving and Enhancing the Natural Environment); Strategic Policies and Land Allocations (SPLA) DPD policies SP7 (Maintaining Lancaster’s Unique Heritage), SP8 (Protecting the Natural Environment); Development Management (DM) DPD policies DM26 (Public Realm and Civic Space, DM29 (Key Design Principles), Policy DM38 (Development Affecting Conservation Areas), DM39 (The Setting of Designated Heritage Assets), DM46 (Development and Landscape Impact) and DM57 (Health and Well-Being) and MAAP policies SP1 (Key Pedestrian Routes and Spaces) and DO2 (Strategic Leisure – Seafront Headland and Central Promenade), Morecambe Conservation Area Appraisal and Listed Buildings and Conservation Areas) Act 1990
- 5.3.1 Due to the prominent location within the Morecambe Conservation Area, the proposal may impact the setting of this national heritage asset and several other listed buildings surrounding the site, which include:
- Grade II* Winter Gardens
 - Grade II War Memorial, and
 - Grade II 217, 219 and 221 Marine Road Central
- 5.3.2 The local planning authority, in exercising its planning function, should have regard to s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which states “*In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority ... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*”. S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 5.3.3 The proposed development would appear congruent in design, scale and location for any users of the promenade, due to the appearance, design and materials to match those of flood defence walls elsewhere on the promenade. The existing walls are located in even more sensitive heritage sites than this site, including immediately south of the Grade II* Midland Hotel, and its Grade II walls. The details of matching materials, colour and design to the existing walls should be controlled through planning condition, as should details of the proposed gateway artwork to link to the surrounding areas.
- 5.3.4 In isolation, and more unusually located on the Bay side of the promenade, as opposed to the landside, there would be some townscape and visual impacts. These are primarily derived from loss of views and sense of enclosure in an area characterised by openness and famous views across the Bay. However, the development is to be legally tied to the adjacent major leisure development, including flood defences delivered through that proposal 25/01118/VCN. Subject to these being developed together, and not in isolation, the proposed flood wall would be more in-keeping, avoiding harm to aforementioned national heritage assets. The proposal would still result in harm to views and openness, even developed as part of the wider major leisure scheme. However, being brought forward tied to this wider project reduces harm to a modest weight, and one that is judged less than substantial.
- 5.3.5 Paragraph 215 of the NPPF states ‘*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal...*’. This is a matter to weighed in the planning balance; however, subject to this proposal being brought forward as part of the wider major leisure scheme, the mitigation to flood risk immediately west of this flood defence wall and to surrounding areas is a public benefit, which is considered to outweigh the identified harm. As such, the proposal is considered to be acceptable and policy compliant from a heritage perspective, as the flood risk mitigation benefits of the proposal are considered to outweigh the identified harm.
- 5.4 **Transport, Accessibility and Safety** Strategic Policies and Land Allocations (SPLA) DPD policy T2: Cycling and Walking Network; Development Management (DM) DPD policies DM29: Key Design Principles, DM60: Enhancing Accessibility and Transport Linkages, DM61: Walking and Cycling, and Morecambe Area Action Plan Policies SP1: Key Pedestrian Routes and Spaces, SP3: Morecambe Main Seafront and Promenade and DO2: Strategic Leisure – Seafront Headland and Central Promenade

- 5.4.1 The proposed development would cross an existing carpark access road, which through 25/01118/VCN would provide a route for servicing vehicles to the major leisure development, whilst remaining open and accessible to the public. The proposed design requires 1.9 metre long walls on both sides across the promenade, to provide supports to 'stop log' temporary flood barriers. This will narrow the promenade, although, this will retain an open width of 5.4 metres at all times other than during flood warning through use of temporary barriers. This is considered sufficient to maintain full open access for pedestrians, cyclist, and any other service vehicles and events requiring promenade access, for movements and uses that must be retained unimpeded. The precise details of when, and how, the temporary barriers will be installed during periods of flood risk can be controlled through planning condition.
- 5.4.2 The proposed flood defence wall will impede visibility and openness, as assessed within the previous section. This has the potential to generate safety issues. The location of the wall predominantly in place of existing railings limits the opportunity for hiding beyond such features, with security of the area benefitting from existing CCTV and proposed security measures through the concurrent linked major leisure development. However, visual impediment from the perspective of service vehicles travelling perpendicular to promenade foot and cycle traffic would require mitigation to prevent adverse impacts. In addition to the existing traffic light system, measures to signal and clearly mark this crossing are required to ensure all users are aware of this crossing point, given vehicles will be less visible through the proposed flood defence wall. This can be achieved through planning condition.
- 5.4.3 The proposed development is minor in scale, but very sensitive in location, particularly for more vulnerable foot and cycle traffic. As such, the County Highways recommendation for a Construction Management Plan condition is shared by officers and should mitigate any potential adverse impacts during the construction phase. Subject to such mitigation, the proposal is considered to cause no adverse impact upon transport, accessibility and safety.
- 5.5 **Natural Environment** NPPF: Section 15 (Habitats and biodiversity); Strategic Policies and Land Allocations (SPLA) DPD policies SP8 (Protecting the Natural Environment) and EN7 (Environmentally Important Areas); Development Management (DM) DPD policies DM36 (Protecting Water Resources and Infrastructure) and DM44 (Protection and Enhancement of Biodiversity), and DO2 of the Morecambe Area Action Plan (MAAP)
- 5.5.1 There are no trees or hedgerows that would be affected by this proposal. The site itself is considered to be of low ecological value and would not constrain the development of the site. However, the site is extremely close to the Bay, and the various environmental sensitivities associated with multiple international designations of this area. The Bay supports numerous species of wader, wildfowl and seabird species, in particular over-wintering birds. It is designated for a range of intertidal habitats, as well as its great crested newt population. While there are other designated sites nearby, these are the principal sites relevant to assessing impacts on ecology.
- 5.5.2 Morecambe Bay is very important for many species of birds. As such, there is the potential for development and recreational use close to the designated sites to have impacts on birds associated with the SPA and Ramsar designations. It is considered that these impacts could be avoided, but only through mitigation. In light of the People Over Wind ruling by the Court of Justice of the European Union, likely significant affects cannot be ruled out without mitigation and therefore an Appropriate Assessment (AA) is required. This is contained within a separate document and concludes that, with the implementation and retention, where appropriate, of mitigation the development will have no adverse effects on the integrity of the designated sites, their designation features or their conservation objectives, through either direct or indirect impacts either alone or in combination with other plans and projects.
- 5.5.3 Subject to the implementation of the mitigation measures within the AA, namely for appropriate construction and environmental management practices and procedures, to be controlled through a Construction Environmental Management Plan (CEMP), the proposal is considered to have an acceptable impact upon the environment, habitats and protected species and sites. The CEMP must include avoiding noisy construction works/development taking place in the overwintering bird period (November to March inclusive), and measures to avoid dust and water pollution runoff to the immediately adjacent Morecambe Bay, amongst other requirements. Subject to this planning condition, the proposal is considered to adequately mitigate the impacts upon ecology and risk of

contamination, compliant with relevant policies. A response from Natural England is expected before Planning Committee. This will be covered in written updates.

5.6 **Flood risk NPPF: Section 14 (Planning for Climate Change), (Planning and Flood Risk), policy SP8 (Protecting the Natural Environment) and SP3 (Morecambe Main Seafront and Promenade) of the Strategic Policies and Land Allocations (SPLA) DPD; policies Development Management (DM) DPD policies DM33 (Development and Flood Risk) and DM36 (Protecting Water Resources and Infrastructure) and Lancaster District Level 1 Strategic Flood Risk Assessment (SFRA) 2025**

5.6.1 Whilst the site itself is within Flood Zone 2 and 3, by its very nature this type of flood control infrastructure is required in such flood risk locations, which are considered water-compatible developments in terms of flood vulnerability. The submitted flood risk assessment covers the mitigation sought through 25/01118/VCN and at this site, due to their intrinsic links. This report concludes that this mitigation scheme cumulatively ensures that the major leisure development would be safe without exacerbating flood risk elsewhere. This proposal is to the satisfaction of the Environment Agency through the concurrent application.

5.6.2 The benefit of this development is the flood mitigation it provides to facilitate a major leisure development, and the aspirations of the Morecambe Area Action Plan (MAAP), and residual flood risk benefits to immediately surrounding areas. In isolation, the wall itself would not offer such mitigation, but combined with the flood defence mitigation proposed through 25/01118/VCN, these measures together will provide planning benefits to the wider area. These should be controlled legally to be developed together, and neither should come to fruition without the other. This will be controlled through the legal mechanisms as part of 25/01118/VCN.

6.0 Conclusion and Planning Balance

6.1 The proposed flood defence wall is an essential element of mitigating the flood risk for a proposed major leisure development, which is required to facilitate this development coming forwards. The tangible flood risk benefits of this scheme come through its links to delivery of the aspirations of the leisure investment opportunity allocation of the MAAP. The benefits and positive weight attributed to facilitating delivery of this project, and residual flood risk mitigation beyond the adjacent development site, are considered to outweigh the modest harm from loss of views and openness along a short section of the promenade. As these benefits are only realised if developed alongside the neighbouring major leisure development, these must be legally tied through the concurrent application 25/01118/VCN. Subject to this and other planning conditions to fully mitigate other material planning matters, the benefits outweigh the identified harm set out in this report. On this basis, it is recommended planning permission be granted.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Timescale	Control condition
2	Plans	Control condition
3	Construction Environmental Management Plan (CEMP)	Pre-commencement
4	Scheme for signal and crossing marking design through safety audit	Prior to development above ground
5	Gateway artwork	Prior to development above ground
6	Flood warning plan	Prior to development above ground
7	Materials to match	Control condition

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

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

Background Papers

25/01118/VCN – Concurrent major leisure development

Agenda Item	A8
Application Number	25/00512/FUL
Proposal	Erection of thirteen dwellings and associated access
Application site	Land North West Of Sand Lane Warton Lancashire
Applicant	Oakmere Homes (Northwest) Ltd
Agent	Mr Daniel Hughes
Case Officer	Mr Robert Clarke
Departure	No
Summary of Recommendation	Approve, subject to conditions and completion of Section 106 Agreement. Delegate back to Chief Officer - Planning and Climate Change to finalise legal agreement.

1.0 Application Site and Setting

- 1.1 The site relates to approximately 0.7 hectares of undeveloped field within the village of Warton. The site lies to the southwest of the main village centre and to the northwest of Sand Lane, with existing residential properties opposite and to each side. Sand Lane functions as the main vehicular route between Silverdale and Warton. Undeveloped agricultural land lies to the North of the site, with the Warton Crag Quarry Nature Reserve located approximately 500 metres further north. In terms of topography, the site falls in elevation from the southwest to the northeast by approximately 7 metres across an approx. 125 metre length. This gives the appearance of a gentle slope as opposed to a steep gradient.
- 1.2 On its southeast boundary, the application site is bounded by an existing hedge adjacent to Sand Lane and part of its northeast boundary. A public footpath also runs parallel to the site's northeast boundary which enables walking links to Crag Road before tracking West to connect to New Road. The existing footpath link is to be retained and is not to be relocated or diverted as a result of this development.
- 1.3 The site is located within the Arnsdale and Silverdale National Landscape (formally Area of Outstanding Natural Beauty) and the Countryside Area as identified in the Local Plan. Most of the development site is located within an allocation for residential development (site AS21 W88) within the Arnsdale and Silverdale AONB Development Plan Document. The application red edge does extend slightly further to the northwest, than the extent of the land allocation.
- 1.4 The site is located within a Mineral Safeguarding Area. It is also identified within the Councils Strategic Flood Risk Assessment (SFRA) as being at medium risk of groundwater flooding. Warton Crag to the north, is subject to ecological designations including: Limestone Pavement Order, Local Nature Reserve, Regionally Important Geological Site, SSSI and Biological Heritage Site.

Morecambe Bay is located to the south, this is subject to ecological designations including: RAMSAR, Special Area of Conservation (SAC), Special Protection Area (SPA), SSSI.

2.0 Proposal

2.1 Planning permission is sought for the erection of 13 dwellings with associated vehicular and pedestrian accesses, land level alterations, internal roads, infrastructure, open space, drainage and landscaping. The proposal incorporates a central access road leading from Sand Lane with minor spur roads extending from this. The development includes 5 house types as follows:

House Type	Plot Numbers	Design	Bedrooms	Quantity	Ridge height
Ambleside	1, 2 and 7	Two storey detached	4	3	8.3 metres
Brathay	3, 4, 5, 6, 9 and 10	Two storey semi detached	3	6	8.3 metres
Honister	8	Two storey detached	4	1	7.7 metres
Rothay	11, 12 and 13	Two storey terrace	2	3	8.3 metres

With respect to materials, the dwellings would be finished with a combination of stone and roughcast render and slate roofing. Other design features include low and open eaves design, modest vernacular detailing to the fenestration, and porch canopies.

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
20/00358/OUT	Outline planning application for the erection of up to 12 2-storey dwellings and creation of 2 new accesses	Permitted
24/00389/VCN	Outline planning application for the erection of up to 12 2-storey dwellings and creation of 2 new accesses (Pursuant to the variation of conditions 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 22 on planning permission 20/00358/OUT to revise the plans and provide further details)	Refused
24/00443/REM	Reserved matters application for the erection of 12 dwellings	Refused
24/00948/VCN	Outline planning application for the erection of up to 12 2-storey dwellings and creation of 2 new accesses (pursuant to the variation of condition 2 on planning permission 20/00358/OUT to amend the location of the pedestrian access)	Permitted

4.0 Consultation Responses

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

Consultee	Response
Parish Council	No response provided
County Highways	No objection subject to the provision of footpaths around both side of the proposed access. A further request for a financial contribution towards the Lancaster Travel and Transport Infrastructure Strategy. Further advice is provided relating to the requirements/standards for road adoption and Sustainable Drainage design.

Environmental Protection	No response provided
Public Realm	No objection – Financial contribution requested to secure off-site public open space enhancements amounting to: Parks and Recreation – £14,102.50 Play Space (Youth) – £3,368.76 Amenity Green Space – £3,374.72 Outdoor Sports – To be confirmed
Property Services	No response provided
Ramblers Association	No response provided
Public Right of Way Officer	No response provided
Mineral Safe Policy Team	No response provided
Waste and Recycling Officer	Provides guidance on LCC waste collection requirements.
United Utilities	Requests conditions to secure final detailed drainage strategy.
Natural England	No objection subject to mitigation (Homeowner Information Packs) being secured by condition.
Planning Policy Team	Provides commentary on the requirements of relevant local planning policy. In particular, focus is paid to affordable housing requirements, landscape effects and sustainable design.
Strategic Housing Officer	No response provided
Arboricultural Officer	Proposal will require the removal of approximately 52 metres of hedgerow, with an aspiration to translocate 41 metres thus enabling it to be retained. Commentary is provided relating to the need for the translocated hedgerow to be protected as part of the wider tree protection scheme. Considers that the location of key landscaping outside of the domestic curtilage is a positive approach.
Arnside and Silverdale National Landscape Team	Objection <ul style="list-style-type: none"> - Expresses concern that the proposal does not meet the 50% affordable housing requirement. - Comments on design including the use of more limestone cladding and render detailing. - LLFA must carefully consider the drainage details. <p>The use of solar panels is compliant with policy Landscaping appears acceptable but more native species preferred.</p>
Lead Local Flood Authority (LLFA)	No objection subject to conditions to secure the final Surface Water Sustainable Drainage Strategy, Construction Surface Water Management Plan, Operation and Maintenance Manual, and Verification Report. Site specific drainage advice is also provided.
Engineering Team	No response provided
Environment Agency	No response provided
County Archaeology	The proposed development site has no archaeological or historical interest, archaeology does not need to be considered further for the proposed development.

NHS	Requests a financial contribution of £10,146 requested towards Ash Trees Surgery Carnforth to increase clinical capacity, objection if financial contribution is not secured.
Fire Safety Officer	Provides advice on building regulation requirements regarding layout and water provision.
County Active Travel	No response provided
County Education Authority	An education contribution is not required at this stage regarding this development.
Biodiversity Officer	Accepts the biodiversity baseline habitats and the conclusions of the Preliminary Ecological Appraisal. Further advice is provided regarding on-site post development habitat creation and sustainable drainage design.

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

- 5 letters of objection have been received by the Local Planning Authority, raising the following concerns:
 - Prolonged planning application determination period since 2020
 - This proposal seeks permission for an additional dwelling relative to the approved outline permission
 - Development should be located outside of the National Landscape
 - Increased traffic and associated highway safety concerns including speeding and parking along Sand Lane
 - Village does not have the infrastructure to support the development/increased population
 - Increased flood risk within the village
 - Loss of fields and impacts to countryside views and protected landscape
 - Impacts of access including the loss of hedgerow
 - Loss of agricultural land

5.0 Analysis

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

- Principle of development
- Housing need, mix, standards, and affordable housing
- Design and landscape
- Flood risk and drainage
- Highways
- Ecology
- Residential amenity
- Sustainable design
- Heritage
- Open space
- Infrastructure

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, and DM44: The Protection and Enhancement of Biodiversity; Arnsdale and Silverdale AONB DPD Policies AS01: Development Strategy, AS03:

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 within the settlement of Warton, adjacent to existing residential development. Warton 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 What is more, the application site lies within an allocated site within the Arnsdale and Silverdale AONB DPD with the policy context for considering development of the site set out in Policy AS21 (W88) – Land North West of Sand Lane, Warton. Specifically, this policy sets out that development at this site is expected to accommodate approximately 12 dwellings, it also provides 8 site specific requirements and an indicative plan to guide development of this site.

5.2.3 It is noted that the site location plan (the 'red edge') which has been submitted with this application is larger than that identified within Policy AS21. This is because the site as drawn within the AONB DPD does not align with the rear garden boundaries of the adjacent dwellings to the northeast. If the proposed development was to strictly adhere to the site allocation as drawn under Policy AS21, the line of development would appear visually stepped and therefore more awkward when seen in the context of the existing development. In this scenario, the rear boundary treatments would not relate well to each other, and this would undermine the locality's visual amenity. As such, although the proposed site plan exceeds the allocated site area set out within Policy AS21, given the visual benefits that this delivers, this is considered to be acceptable in principle, as it allows for more consistent development along Sand Lane. This red edge layout has also already been accepted by the Council as part of the previously approved outline application.

5.2.4 Overall, by reason of the sites location and its identification within Policy AS21 (W88) for housing development, the principle of residential development at this site, subject to all other material planning conditions being satisfactorily addressed, can be supported.

5.2.5 At paragraph 190 (and footnote 67) of the NPPF, and Policy AS01, it is very clear that proposals for 'major' development within National Landscapes should be refused unless exceptional circumstances exist. The definition of 'major' in this context is not the same as the definition of 'major development' pursuant to the Development Management Procedure Order 2015. This, ultimately, is a matter of planning judgement for the decision maker, considering the nature, scale and setting of the proposal in the context of the purposes for which the area has been designated or defined.

5.2.6 In this instance, based on the submitted information and the site-specific factors, the scheme is not considered to constitute major development within the National Landscape. Whilst this conclusion does mean that the policy criteria for exceptional circumstances set out within the NPPF and Policy AS01 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. 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.

5.2.7 Loss of agricultural land

The loss of 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. Paragraph 187 of the NPPF and footnote 65 states '*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'. It goes on to state that 'planning policy and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;'

5.2.8 The best and most versatile (BMV) land is defined as Grades 1, 2 and 3a. The development site consists of agricultural land; however, the proposal has not considered the nature or quality of this land in agricultural terms. The Natural England Provisional Agricultural Land Classification (ALC) map indicates that the land falls within Grade 3. However, the ALC map does not differentiate between Grade 3a and Grade 3b. It is therefore not possible to conclude based on this information that the site does not constitute Grade 3a best and most versatile agricultural land. The application is not supported by a site-specific agricultural land classification assessment. However, the majority of the site is allocated for housing within the Local Plan, as such the loss of this agricultural land to facilitate housing has already been accepted by the Council when allocating this site for development. For this reason, 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.

5.2.9 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.

5.2.10 A Mineral Resource Assessment has not been provided to support this application, however, when considering this proposal against the requirements of the Joint Lancashire Minerals and Waste Local Plan Policies, it is considered that prior extraction activities would be unfeasible in this location due to the surrounding residential dwellings which would be unacceptably impacted by extraction activities. Whilst prior extraction may be temporary, the impacts on neighbouring residential amenity could also be profound. Furthermore, given the small size of the site and therefore the underlying mineral reserve, 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 **Housing need, mix, standards and affordable housing 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; Arnsdale and Silverdale AONB DPD Policy AS03: Housing Provision; Meeting Housing Need SPD and Viability Protocol SPD.**

5.3.1 Housing need

Paragraph 61 of the NPPF sets out that to support the government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed. The Council's most recent Housing Land Supply Statement identifies a housing land supply of 2.8 years, which is a significant shortfall against the required 5-year supply requirement. Paragraph 11 of the NPPF (the presumption in favour of sustainable development) 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 National Landscapes, and areas at risk of flooding) provide a clear reason for refusing permission or any adverse impacts would significantly and demonstrably outweigh the benefits of the proposal. Assessment of the appropriate balance to be adopted in this determination is set out within the planning balance section of this report.

5.3.2 However, given the acute under supply of deliverable housing against the Councils overriding housing requirements, the provision of new residential development (in this case 13 dwellings) is a benefit of the proposal that must be given significant weight in the overall planning balance.

5.3.3 Housing mix

Policy AS03 of the Local Plan requires that, within the NL, the number, size, types and tenures of all homes provided should closely reflect identified local needs in accordance with current housing needs evidence at the time of the application. Similarly, Policy DM1 of the Local Plan supports development that seeks to promote balanced communities and meet evidenced housing needs by supporting proposals that accord with the Council’s latest Strategic Housing Market Assessment (SHMA). The application is not supported by any up-to-date village housing needs assessment.

5.3.4 The current evidence available for Warton is the 2018 SHMA and the 2014 Warton Parish Housing Needs Survey Report. The SHMA does not provide detailed evidence to parish level, however, for the Silverdale and Warton sub-area in which the site is located, it indicates that demand is highest for detached housing ranging in size from 2 to 4 beds or more. The required housing mix based on the district wide housing needs set out in the SHMA and the indicative mix within table 4.1 of the Development Management DPD is as follows:

Property Type	Market (%)	Affordable (%)
House (2 bedrooms)	20	30
House (3 bedrooms)	35	20
House 4+ bedrooms	25	5
Bungalow	10	10
Flat/apartment (may include 1 bedroom houses)	10	35
Total	100	100

Table 4.1: Table to show the indicative approach to housing mix across the District (Lancaster CC 2018)

5.3.5 The 2014 Warton Parish Housing Needs Survey Report is now of some age, but this assessment does provide evidence to the parish level. This sets out that there is a need for both open market and affordable housing predominantly focussing on smaller 2-bedroom units.

5.3.6 This application proposes the following mix:

No. of bedrooms	Total	Percentage
2	3	23%
3	6	47%
4	4	30%
Total	13	100

5.3.7 The proposed housing mix prioritises 3-bed units (47%) but also provides an acceptable mix of 2-bedroom and 4-bedroom dwellings. Based on both the 2018 SHMA and earlier 2014 Warton Parish Housing Needs Survey Report, the proposal contributes towards addressing the two more pressing needs with respect to dwelling types, that being 2 and 3 bed units. On this basis, it is considered that the proposed housing mix is acceptable.

5.3.8 Housing standards

Policy DM2 of the Local Plan requires that all new dwellings meet the Government’s Nationally Described Space Standard (NDSS), and it also expects that at least 20% of new affordable housing and market housing on schemes of more than ten dwellings should meet Building Regulations Requirement M4(2) Category (accessible and adaptable dwellings). In this case, all the dwellings would meet the NDSS, as confirmed in paragraph 7.34 of the supporting Planning Statement, which is acceptable. The application is also supported by an M4(2) compliance statement which confirms that plots 3, 4, 9 and 10 will accord with the M4(2) requirements. A condition to secure compliance with Policy DM2 with respect to M4(2) compliance can be recommended.

5.3.9 Affordable housing

Whilst the allocated nature of the site is duly noted, in considering the principle of development, policy AS03 (Housing Provision) is also relevant. This policy provides that within the National Landscape, proposals of two or more dwellings will be supported where at least 50% onsite affordable housing is provided. This high quantum is justified as it would be inappropriate for suitable

development sites to accommodate development that did not meet local affordable needs. To do so would mean that those needs would remain unmet and/or more sensitive sites within the National Landscape may have to be developed to meet that need, in turn causing harm to and compromising the primary purpose of the protected landscape designation. Only when the identified affordable housing provision is demonstrably unachievable will a lower percentage be supported (e.g. viability issues must be demonstrated through a financial viability appraisal). It is worth noting that the previously approved scheme secured 50% on-site affordable housing (policy compliant), which equated to 6 out of the approved 12 dwellings.

5.3.10 This application has been submitted with a Financial Viability Assessment (FVA), which in the first instance sought to demonstrate that it was not viable for the developer to provide any on-site affordable housing, and instead a commuted sum was offered by the applicant. This FVA was independently reviewed on behalf of the Council by viability consultants, CPV. Within their initial response, CPV considered that a number of adjustments to the applicant's appraisal were necessary. Following these adjustments, CPV's appraisal agreed with the applicant that the scheme could not viably support the 50% on-site affordable housing policy requirement plus identified S106 costs. However, contrary to the findings of the applicants FVA, CPV did conclude that the scheme can viably support either:

- 4 on-site shared ownership units (30.77%) plus a quantum of S106 payments.
- 1 rented and 2 shared ownership units (23.08%), plus a quantum of S106 payments.

5.3.11 Subsequent correspondence and negotiation regarding various parameters between the applicant, the Council and CPV ensued. This included the submission and assessment of additional appraisals and associated rebuttals. Key areas of disagreement focussed on build costs, infrastructure and abnormal costs amongst other matters. Following discussions on this matter, CPV robustly concluded that the development would be viable with 2 affordable units (15.38%), both provided as shared ownership properties, along with s106 financial contributions amounting to £14,304.00.

5.3.12 As set out above, Policy AS03 of the Local Plan states that new housing development in the NL will be supported where it provides no less than 50% affordable housing. A lower level may only be accepted where it is clearly demonstrated that delivering 50% is not viable. In this case, officers are satisfied that the applicant has now demonstrated that providing 50% affordable housing on the site is not viable. Having reviewed the viability evidence, officers are satisfied that the provision of two on-site affordable dwellings (as shared ownership units) is acceptable. It has been agreed that these will be plots 9 and 10, both of which are three-bedroom semi-detached homes. These units will also be built to Building Regulation M4(2) standards. The affordable housing provision will be secured through a legal agreement.

5.4 **Design and landscape 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, DM29: Key Design Principles, DM43: Green and Blue Infrastructure, and DM46: Development and Landscape Impact; Arnside and Silverdale AONB DPD Policies AS01: Development Strategy, AS02: Landscape, AS08: Design and AS21 (W88): Land North West of Sand Lane, Warton.**

5.4.1 The NPPF seeks to protect and enhance valued landscapes. 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.

5.4.2 Furthermore, as noted above, the Levelling-up and Regeneration Act 2023 now requires the Council to "seek to further" the statutory purposes of protected landscapes (i.e. conserving and enhancing the natural beauty, wildlife and cultural heritage therein), which means the Council must be satisfied that the proposed development would leave the natural beauty, wildlife and cultural heritage of the National Landscape unharmed.

- 5.4.3 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. Regard should be paid to promoting sustainable forms of social and economic development that in themselves conserve and enhance the environment.
- 5.4.4 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.
- 5.4.5 Policy AS02 sets out that proposals will be required to demonstrate how they conserve and enhance the landscape and natural beauty of the area. Proposals will not be permitted where they would have an adverse effect upon the landscape character or visual amenity of the AONB. It also provides a set of design criteria that proposals should adhere to. Policy AS21 of the Arnside and Silverdale DPD offers bespoke guidance on the site's design constraints and it requires the submission of a Landscape and Visual Impact Assessment (LVIA) to suitably assess the landscape effects arising from the proposal and to ensure that the site's design and layout is suitably sympathetic towards the NL's landscape character.
- 5.4.6 The Arnside & Silverdale Landscape and Seascape Character Assessment describes the key elements and qualities that make the area distinctive and classifies character types and areas. The inherent sensitivity of the landscape and seascape character and its capacity for change is also identified, to inform land use planning and land management decisions. Within this assessment, the development site is identified within Site D4: Warton Coastal Pasture Landscape Character Area (LCA). This LCA extends west and north from the village of Warton, and includes the rolling pasture lands located above the Warton Marshes to the west. The LCA is characterised by medium scale field patterns used for grazing and separated by hedgerows and limestone walls. Warton Crag and its wind-sculpted woodland provide an imposing and impressive backdrop to the village and LCA, and this is a distinctive feature of the area.
- 5.4.7 The character of the development site is that of a typical band of agricultural grazing land which flows down from the higher ground associated with Warton Crag to the lower landscape areas adjacent and to the north east of Main Street and Sand Lane. However, the site is not experienced in isolation, as it is also influenced by its proximity and relationship with existing residential dwellings located along Sand Lane. It currently forms a gap within an otherwise continuous development frontage that is present along both sides of Sand Lane and which merges with Main Street/Mill Lane. As such, one of the characteristics of Sand Lane, and therefore this part of the LCA, is the continuous ribbon character of this western part of Warton Village.
- 5.4.8 The submitted LVIA sets out a description of the site and of the wider study area to establish the landscape baseline conditions, including identification of the approximate locations from which the development is likely to be visible. This includes identification of visual receptors including motorists on the local highway network and users of surrounding public rights of way. Viewpoints chosen for assessment include from elevated and more distant positions upon Warton Crag and Crag Road, from public rights of way to the northwest and southeast, and from various points along Sand Lane.
- 5.4.9 Following detailed site assessment by officers, it is clear that, whilst the site forms part of a larger agricultural field, the element that forms the development site is already influenced by the existing surrounding residential development of the village. This part of the 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.
- 5.4.10 The LVIA assesses the potential landscape and visual effects arising from the development during its construction, operational (year 1) 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 negligible adverse to moderate adverse effects, the latter being considered as significant. This is predominantly a consequence of a permanent change from the current agricultural land with its replacement with 13 dwellings with associated infrastructure.

- 5.4.11 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. Objectives to achieve this are, to a certain extent, described within Policy AS21 itself which sets out design requirements for this housing allocation. This includes restricting development to the lower/southern section of the field (close to Sand Lane), as well as ensuring that identified key views of Warton Crag through the site achieved from Sand Lane are retained within the development layout.
- 5.4.12 The proposal has sought to respond to these constraints by positioning the main group of dwellings in the upper section of the site (plots 1-8) a notable distance from the site's highway boundary. This in turn serves to reduce the visibility of the dwellings to only their upper sections/roof structure due to level changes within the area and relative to Sand Lane. Furthermore, the retention and relocation of the majority of the existing boundary hedge would largely retain the existing highway frontage appearance when viewed from Sand Lane.
- 5.4.13 The general location of the dwellings within the site will also allow for the continuation of the current views of Warton Crag over the site. In this view, glimpsed views of the upper levels of the proposed dwellings would be experienced, but this would be within the context of existing views of 10 Sand Lane and Town End Fold. Furthermore, as advised within Policy AS21, two gaps between plots 2 and 3 and 8 and 9 are also provided within the layout which will also ensure views of the attractive landscape behind the development site are retained from Sand Lane.
- 5.4.14 The group of dwellings in the north eastern section of the site, plots 9-13, are positioned in line with the ridge of the existing neighbouring dwelling, 10 Sand Lane. This siting will help to visually assimilate the buildings into the street scene, as they would appear as a coherent continuation of the ribbon development that characterises Sand Lane, therefore reducing the magnitude of perceived change overall.
- 5.4.15 Clearly, due to the level changes within the development site, dwellings would appear as stepping up the gently sloping topography towards Town End Garage. The proposal will require alterations to the site levels to form appropriate development platforms and associated external levels. The way in which the proposal would approach these levels is detailed within the proposed site levels drawing, the proposed street scene drawing and proposed gardens sections. Relative to the neighbouring dwelling 10 Sand Lane, plot 13 would have an increased ridge height, however, bearing in mind the separation between these dwellings, this ridge height increase is acceptable. Within the site, there would be incremental ridge height increases, and this will positively reflect the stepped profile of the existing dwellings located on the opposite side of Sand Lane. The uppermost dwelling, plot 1, would have a similar ridge height to the adjacent bungalow at Town End Garage. Overall, it is considered that the proposed levels are acceptable. A condition to ensure that the development is undertaken in accordance with the external, finished floor and ridge levels indicated on these drawings is recommended.
- 5.4.16 To successfully assimilate the development into this highly sensitive landscape, the use of appropriate high-quality materials is essential. The application sets out that the development would consist of limestone cladding and roughcast render to the elevations, in accordance with the layout indicated on the material finishes drawing. It is important that the roofscape also be finished with an appropriate slate. The general design of the dwellings, which clearly adopts a more traditional appearance and includes appropriate features such as open eaves, modest vernacular detailing to the fenestration, and porch canopies. Given the sensitivities of the landscape, a condition to secure details and samples of materials and dwelling design features is recommended.
- 5.4.17 As advised within Policy AS21, external landscaping including boundary treatments are also important, particularly due to the visibility of the rear of the site from viewpoints to the northwest. The application is supported by a boundary treatment plan, which indicates the retention of existing stone walls and hedgerows, as well as new boundary treatments including new stone walling, feather edge fencing (of varying heights) and stock proof fencing. The use of fencing in the locations and heights detailed on the drawing are supported in general, however, a condition to secure their precise details is necessary. This would also apply to the stone walling details.

- 5.4.18 The application is also supported by a detailed hard and soft landscaping strategy. This includes extensive tree, hedgerow and shrub planting, which also incorporates the proposed 600mm high bund to the rear boundary of the site. A condition to secure the final details of the soft landscaping of the site, which should be provided alongside the sites final Biodiversity Net Gain Plan, is recommended. The details indicated on the surface treatments plan are also generally acceptable, though a condition to secure their specific detail is also recommended.
- 5.4.19 When taking account of the proposed design approach and mitigation, the LVIA concludes that the residual effects of the development at year 15 would reduce to no effect from a number of viewpoints, negligible adverse from public footpath FP0135001, and to negligible beneficial from the public right of to the northwest. 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, Officers consider that the effects would further reduce the development effects to neutral.
- 5.4.20 Dark skies are also an important component of the National Landscape. The development site sits between and within the context of existing residential development and highway lighting infrastructure. As such, the site already experiences a degree of external lighting/light spillage during hours of darkness. The proposal would lead to further development producing light from dwellings and external lighting infrastructure. This is unavoidable given the nature of the development, however, appropriate design measures can be secured to minimise the level of impact. For this reason, a condition is recommended to secure details of external lighting design for the estate roads and open space areas.
- 5.4.21 Given the sensitivity of the protect landscape to change, the visibility of this development site within the wider landscape, and the level of change which is available through the General Permitted Development Order, it is considered reasonable and necessary to impose a planning condition removing specified permitted development rights. This will enable the Local Planning Authority to appropriately consider any future changes and their potential impacts upon the National Landscape.
- 5.4.22 Officers conclude that, over time, the development can be successfully integrated into the village and wider landscape setting, without resulting in unacceptable harm to landscape character and importantly the protected landscape. The opportunity to secure high quality landscaped greenspace surrounding the dwellings as well as suitably designed and detailed dwellings would help the proposal assimilate into the wider built form of the village. This would accord with both the landscape requirements set out in national and local planning policy and, importantly, this would be consistent with the statutory purpose of the National Landscape, that is to conserve and enhance the natural beauty of the area.
- 5.5 **Flood risk and drainage** NPPF Chapter 14 Meeting the challenge of climate change, flooding and coastal change; Strategic Policies and Land Allocations (SPLA) DPD policy SP8: Protecting the Natural Environment; Development Management (DM) DPD policies DM33: Development and Flood Risk, DM34: Surface Water Run-off and Sustainable Drainage, DM35: Water Supply and Wastewater and DM36: Protecting Water Resources, Water Quality and Infrastructure; Arnside and Silverdale AONB DPD policy AS12: Water quality, sewerage and sustainable drainage and AS21 (W88): Land North West of Sand Lane, Warton.
- 5.5.1 **Flood Risk**
Strategic policy seeks to ensure new growth within the district is directed to areas at least risk of flooding, does not create new or exacerbate existing flooding issues and 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.
- 5.5.2 The site lies within flood zone 1. However, the Councils Strategic Flood Risk Assessment (SFRA) identifies areas of groundwater flood risk within the site. The SFRA states that this risk relates to subsurface assets and that surface manifestation is unlikely. The application is accompanied by a site-specific flood risk assessment which has included assessment of all flood risk sources. It is also accompanied by a supporting letter from JBA consulting which seeks to address further the groundwater flood risk identified within the Councils SFRA (which was also produced by JBA). This supporting letter indicates that the groundwater data contained within the Councils SFRA is not

designed for the assessment of flood hazard at the scale of a single property or site. This is due to how the mapping was created and the data used in the construction of the maps. Accordingly, the SFRA itself sets out that groundwater should be considered on a site-by-site basis in development planning (Para 4.5.3).

- 5.5.3 To more accurately understand the risk from this flood source, above and beyond that indicated within the Councils SFRA, the site-specific flood risk assessment sets out that a series of trial pits and soakaway trial pits were undertaken throughout the site, as part of the intrusive survey of the site. These trial pits were undertaken in January 2024 and June 2024, these ranged in depth with the maximum depth achieved being 2.7 metres. No groundwater was identified in any of the trial pits undertaken, including at depths greater than 2 metres. Whilst a greater number of recordings throughout the wetter winter months would provide a more detailed evidence base on which to assess the proposal, it is considered that, based on this monitoring exercise undertaken in January (2024), 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. The sloping topography of the area would also suggest that groundwater would be more likely to be located at the lower topographical areas within the village, such as the area around and to the east of Main Street, before emerging or presenting a risk to development within this site.
- 5.5.4 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, nor any specific mitigation. The site specific FRA has demonstrated the development would not be at risk of flooding, nor cause increased flood risk elsewhere, now or in the future. In this regard, the proposal would not conflict with national or local planning policy in respect of flood risk.
- 5.5.5 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.
- 5.5.6 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. The proposed drainage strategy demonstrates that the site cannot be drained via infiltration or a connection to an existing watercourse. It is therefore proposed to utilise below ground attenuation with a controlled discharge to a nearby existing United Utilities combined sewer. The Lead Local Flood Authority and United Utilities have raised no objections on flood risk/drainage grounds; subject to appropriate conditions to secure final details of the suitable scheme design and implementation. Whilst the proposal incorporates the use of below ground attenuation tanks, it does also include a swale feature to help capture overland surface water flows, which is then directed into the below ground attenuation tank. This will provide some landscape and ecological merit as part of the sites drainage infrastructure.
- 5.5.7 Foul drainage is proposed to connect by a gravity fed system to the existing public sewer in accordance with the drainage hierarchy. UU have raised no objection to the foul drainage proposals. Final details of the foul drainage strategy are to be secured by condition.
- 5.6 **Highways** 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; 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, and DM62: Vehicle

- 5.6.1 From a National Planning Policy perspective, paragraph 115 of the NPPF advises that schemes should secure safe and suitable access to the public highway for all applicable users. The NPPF further advises that sustainable transport modes should be taken up and encouraged. This requirement is reflected in policy DM29 which requires proposals to deliver suitable and safe access to the existing highway network whilst also promoting sustainable, car alternative forms of travel.
- 5.6.2 This application incorporates a new priority controlled vehicular access onto Sand Lane. This would include an internal access road leading to two minor shared surface spur roads which would then provide access to a number of the dwellings and a shared car parking area located to the rear of plots 9-13. The internal access road will feature a width of 5.5 metres and will feature 2 metre wide pavements to each side. Visibility splays of 2.4m x 43m to the north and 2.4m x 52.4m to the south are provided from the access point onto Sand Lane. A new pedestrian pavement is then provided leading along the frontage of the site to the north, to terminate and the junction with the access track which passes along the northeastern boundary of the site. The shared surface access roads will comprise of an alternative surfacing material to denote the change in nature of the road.
- 5.6.3 Within its consultation response, the Local Highway Authority (LHA) has confirmed that the proposed access design as submitted is acceptable for the most part, including its location, available sight lines and footway link along the frontage of the site along Sand Lane. However, the LHA requested that a 2 metre wide footway be provided around both sides of the access radius in order to help protect the required visibility splays at the junction. This has now been included within the access design. Furthermore, a condition to secure and protect the visibility splays denoted on the proposed site plan and described in paragraph 5.6.2 is also recommended. In addition to this, a further condition is recommended to secure the final details of the access design along with the off-site pedestrian pavements along the site frontage.
- 5.6.4 Within its consultation response, the LHA had also clarified that the internal layout, in particular the shared access roads, is not to adoptable standards. It is intended that the sites internal roads would not be offered for adoption and that these would be privately maintained. The general layout and dimensions of the internal arrangement, including parking layouts, is acceptable. Appropriate provision for the on-going management and maintenance of this infrastructure is to be secured through legal agreement. A condition to secure the provision of the internal access roads, turning heads and car parking spaces is recommended.
- 5.6.5 The LHA had also indicated within its consultation response that it would request a financial contribution towards the Lancaster Travel and Transport Infrastructure Strategy (LTTIS). However, within subsequent correspondence, the LHA has confirmed that, due to the size of development and its location in relation to the transport initiatives within the LTTIS, it will not be requesting a S106 contribution.
- 5.6.6 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. 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 the requirements of Policy AS21 (W88), the site layout has incorporated a new pedestrian access link from the development site to the existing public right of way which leads past the northeastern boundary of the site. The provision of this active travel link will provide minor benefits in the form of encouraging active lifestyles, particularly for the occupants of the development. A condition to secure the provision of this active travel link is recommended.
- 5.6.7 In relation to cycling, the site is located near to designated on-road cycle networks. Easy access for cycles to the village and Carnforth, is available. 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 condition. Given the lack of garaging as part of this proposal, cycle parking is to be provided within a shed-type garden structure, these should be designed to Secured By Design Status and controlled by planning condition.

- 5.6.8 Overall, the development is considered to positively contribute towards a safe and accessible environment and provides opportunities to encourage active travel. In this regard the development accords with the NPPF and policy DM60 and DM61 of the DM DPD.
- 5.7 **Ecology** NPPF Chapter 15 Conserving and enhancing the natural environment; Strategic Policies and Land Allocations (SPLA) DPD policies SP8: Protecting the Natural Environment; 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; Arnsdale and Silverdale AONB DPD policy AS04: Natural Environment and AS21 (W88): Land North West of Sand Lane, Warton.
- 5.7.1 Strategic policy SP8 recognises 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. Finally, policy AS04 requires development to protect and contribute to the appropriate enhancement of the extent, value and/or integrity of the natural environment.
- 5.7.2 Impact on Designated Sites
The site is located approximately 500 metres from the 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, there is the potential for the development to have an adverse impact on their integrity. This application is supported by a Shadow Habitat Regulations Assessment.
- 5.7.3 The Appropriate Assessment concludes that the proposal will not result in adverse effects on the integrity of any of the designated areas subject to appropriate mitigation being secured by condition. 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. 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. The application has therefore sufficiently demonstrated, to the satisfaction of Natural England, that the development would not directly impact the designated sites subject to the mitigation being secured.
- 5.7.4 Ecological Impacts
This application is supported by a Preliminary Ecological Appraisal (PEA). The assessment concluded that the site mostly comprises species-poor modified grassland, bounded by low diversity hedgerows and occasional trees. No evidence of invasive species was found. The site was deemed to have low ecological value, with no significant botanical interest or notable habitat features. Species surveys found no direct evidence of badger setts, bat roosts, or brown hare activity. Bats and birds have been recorded in the wider area around the site; however, the site is concluded to offer limited habitat quality for these species. It is accepted that nesting by common birds may occur in hedgerows within the site, as such this will need to be managed accordingly.
- 5.7.5 Mitigation measures are recommended and these include the retention and enhancement of boundary vegetation, use of native species in landscaping, protection of tree roots, and installation of bat and bird boxes. Any vegetation clearance should avoid bird nesting season or be preceded by appropriate checks. These mitigation measures can be secured by planning condition. A scheme

to secure habitat provision, including the identified bat and bird boxes, is also to be secured by planning condition.

5.7.6 Trees and Hedgerows

An Arboricultural Impact Assessment (AIA) supports the application. The AIA identifies one length of hedgerow located along the highway boundary. This does not constitute an important hedgerow as confirmed within the PEA. This mature hedge consists of sycamore, hawthorn, blackthorn and snowberry and has a maximum height of 1.8 metres and constitutes a C2 retention category. To facilitate the required site access and the associated visibility splays, a section of hedgerow would require removal, whilst section either side of this would require translocated in accordance with the translocation methodology provided.

5.7.7 To facilitate development of this site in accordance with the site allocation, a new access is required and this would impact the existing hedgerow. This is accepted within Policy AS21 which states '*Development must retain the mature trees and hedges on the south eastern (subject to achieving satisfactory access)...*'. It is accepted within the policy that some hedgerow loss would be required. It is considered that the submitted scheme appropriately balances the need to secure a safe and suitable access in highway terms, with the need to retain as much hedgerow as possible in the interests of ecological and landscape matters. The proposal to translocate the existing sections of hedgerow either side of the new access, rather than larger scale removal is welcomed. As such, the proposal to remove and relocate sections of hedgerow in the manner proposed is acceptable. A condition to ensure that the development is undertaken in accordance with the submitted Arboricultural Impact Assessment (AIA) is recommended.

5.7.8 In accordance with the requirements of policies AS04 and AS21, the site includes a detailed landscaping proposal. In order to mitigate the loss of the identified sections of hedgerow, and to meet the development criteria set out within the sites allocation policy, the landscaping of the site includes the creation of landscaped boundaries including extensive lengths of new hedgerow planting, tree planting and shrub planting. A condition to secure the final details of the soft landscaping scheme is recommended.

5.7.9 Biodiversity Net Gain (BNG)

The application is subject to mandatory BNG, and the application is supported by a Biodiversity Net Gain baseline assessment. This sets out that the site comprises a total of 1.29 biodiversity habitat units and 0.8 terrestrial linear biodiversity units. Based on the proposed development layout, and the proposed site landscaping strategy, the proposal has the potential to deliver a total of 2.12 biodiversity habitat units and 0.92 terrestrial linear biodiversity units. This equates to a change of 64.2% (habitat units) and 14.46% (hedgerow units). On this basis, the development proposal has the capacity to provide notable net gains in the ecological value of the site. For this reason, it is considered that the final details of the mandatory BNG requirement for this development can be secured through the s106 legal agreement. Furthermore, the costs of the authority's obligation to monitor this (£4,293.00) should also be secured through legal agreement.

5.8 Residential Amenity 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 and DM57: Health and Well-Being.

5.8.1 Policy DM29 and paragraph 135 of the NPPF requires new development to ensure and maintain a high standard of amenity for existing and future users. In particular, this policy states that development should not have a significant detrimental impact to amenity in relation to overshadowing, visual amenity, privacy, overlooking and pollution. To provide an acceptable standard of amenity, policy DM29 requires all development to ensure suitable levels of privacy can be met and encourages minimum garden sizes, given the importance private garden space can provide to the health and well-being of future residents. Minimum separation distance of 21 metres between elevations with opposing windows (particularly those which serve habitable rooms) and 12 metres where windows face blank elevations should be secured. There should also be an increase in separation distances where finished floor levels vary. All private rear gardens should be a minimum of 10 metres deep, and a minimum 50m² for a 2 bedroom property with 10m² increases for each additional bedroom.

- 5.8.2 Based on the submitted site plan, the aforementioned minimum interface distances are provided within the layout of the scheme. Following the amendments to the site levels, all gardens are of acceptable size and gradient. For this reason, the level of amenity provided for future residents is acceptable and accords with policy DM29.
- 5.8.3 Turning to the impact of the development on the amenity of existing residents, it is paramount that the potential effects that the development may have on the amenity and enjoyment of neighbouring homes is fully considered. This is an important material planning consideration. In this case, given that acceptable separation distances (in excess of 28 metres) can be provided between the proposed dwellings and existing residential dwellings, it is considered that the proposal would retain acceptable standards of residential amenity for existing residents.
- 5.8.4 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 or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner. In light of the agricultural use of the site, there is potential for contamination to be present. An appropriate contamination survey and remediation strategy can be secured by condition.
- 5.9 **Sustainable design** NPPF Chapter 12 Achieving well-designed places and Chapter 14 Meeting the challenge of climate change, flooding and coastal change; Development Management (DM) DPD policies DM29: Key Design Principles, DM30a: Sustainable Design and Construction, DM30b: Sustainable Design and Construction – Water Efficiency, and DM53: Renewable and Low Carbon Energy Generation.
- 5.9.1 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.
- 5.9.2 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.
- 5.9.3 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 and DM30b 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.
- 5.9.4 The application is supported by an Energy Statement as stipulated by policy. This document shows that the development will deliver notable percentage improvements with respect to thermal efficiencies over the Part L Building Regulation Requirements. The proposed scheme will achieve a carbon reduction of 82.33% over the building regulations standards, which exceeds the 75% reduction set out in policy DM30a. In conjunction with Air Source Heat Pumps and solar panels, this will reduce the predicted carbon emissions of the development. As such, the proposal demonstrates compliance with the requirements of policy DM30a.
- 5.9.5 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. The statement does not address the requirements of Policy DM30b (water efficiency). However, this requirement 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.
- 5.10 **Heritage** NPPF Chapter 16 Conserving and Enhancing the Historic Environment; Strategic Policies and Land Allocations (SPLA) DPD policies SP7: Maintaining Lancaster District's Unique Heritage; Development Management (DM) DPD policies DM37: Development affecting Listed Buildings,

DM38: Development affecting Conservation Areas, DM39: The Setting of Designated Heritage Assets, DM41: Development Affecting Non-Designated Heritage Assets or their Settings and DM42: Archaeology; Arnsdale and Silverdale AONB DPD policy AS07: Historic Environment.

- 5.10.1 The site is not within a Conservation Area or affected by/within the setting of other designated or non-designated heritage assets. As such, the proposed development would not result in any harm to heritage assets or conflict with the identified planning policies in this regard.
- 5.10.2 With respect to archaeological matters, the proposal has been reviewed by the Historic Environment Team at Lancashire County Council, who have confirmed that the proposed development site has no archaeological or historical interest, archaeology does not need to be considered further for the proposed development.
- 5.11 **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; Arnsdale and Silverdale AONB DPD policy AS05: Public Open Space and Recreation.
- 5.11.1 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. The areas of on-site landscaped areas are essential in achieving this, as such, the provision of these landscaped open space areas and their ongoing management and maintenance will be secured through legal agreement.
- 5.11.2 Policy DM27 of the Development Management DPD and associated appendix D requires the provision of open space. For a scheme of this scale, a financial contribution in lieu of on-site provision will normally be the best method of delivering open space. The Councils Public Realm team have reviewed the proposal and has identified deficiencies in and contribution requirements for the following:
- Parks and Recreation – £14,102.50
 - Play Space (Youth) – £3,368.76
 - Amenity Green Space – £3,374.72
 - Outdoor Sports – To be confirmed
- 5.11.3 In light of the outcome of the development viability appraisal, the development is only able to support Section 106 contributions amounting to a total of £14,304.00. As such, to ensure appropriate enhancements and benefits to local community infrastructure can be provided, the applicant has agreed to provide a financial contribution of £14,304.00, which is to be directed towards enhancement of the Warton Village play area. The identified financial contribution would be secured by way of a Section 106 agreement in order to ensure compliance with policy DM27.
- 5.12 **Infrastructure** NPPF Chapter 8 Promoting healthy and safe communities; Development Management (DM) DPD policies DM57: Health and Wellbeing and DM58: Infrastructure Delivery and Funding; Arnsdale and Silverdale AONB DPD policy AS10: Infrastructure for New Development.
- 5.12.1 **Health**
The NHS Integrated Care Board has made representations on the application and seeks a contribution towards local health care infrastructure amounting to £10,146 requested towards Ash Trees Surgery Carnforth to increase clinical capacity. The response sets out that the NHS Integrated Care Board objects to the proposal if the financial contribution is not secured.
- 5.12.2 The development site falls within the catchment area of Ash Trees Surgery. The response sets out that this contribution would be directed towards the extension and reconfiguration at Ash Trees Surgery Carnforth for additional clinical capacity. However, during further discussions on this matter, the NHS indicated that the Carnforth project is likely to be completed by April 2026. This project would therefore 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. As such, regrettably, the Local Planning Authority is not seeking to secure a financial contribution to health infrastructure in this instance.

5.12.3 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 there is no requirement for an education contribution as part of this proposal.

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.
- 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 the 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 the presumption in favour of development 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 within the settlement of Warton. Warton is a sustainable rural settlement where housing growth is supported in principle. Even the modest provision of up to 13 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 2 on-site affordable dwellings, in an area where there is a clear need for such housing. The provision of both market and affordable housing attracts significant weight. Other benefits arising from the development include a contribution towards off-site improvements to public open space facilities, along with the provision of notable areas of on-site landscaping and biodiversity net gain, all of which can deliver enhancement to the site's visual appearance, ecological value and its role within the protected landscape, which will deliver benefits the wider community as well as future residents of the development. 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 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 balanced, 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. Overall, due to the site specific characteristics of this development site, combined with the importance and significant weight to be afforded to the provision of housing, it is concluded that the benefits of the proposal outweigh the identified negative aspects of the scheme and for that reason, it is recommended that planning permission be granted.

Recommendation

That 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:

- The provision of 2 on-site affordable units (both shared ownership).
- £14,304.00 Public Open Space contribution towards Warton Village 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 - £4,293.00.
- Setting up of a Management Company; and
- Management and Maintenance of all on-site open space, landscaping, unadopted roads/pavements, lighting and drainage infrastructure.

Condition no.	Description	Type
1	Timescale	Standard
2	Approved plans	Standard
3	Construction Surface Water Management Plan	Pre-Commencement
4	Final Surface Water Sustainable Drainage Strategy	Pre-Commencement
5	Final Foul drainage details	Pre-Commencement
6	Precise construction details of main vehicular site access and off-site pedestrian pavement	Pre-Commencement
7	Final soft landscaping details	Pre-Commencement
8	Contaminated land investigation	Pre-Commencement
9	Submission of a Sustainable Design Statement including Energy and Carbon Statement	Pre-Commencement
10	Details and samples of materials and construction details	Prior to above ground works
11	Details of all boundary treatments, fences, walls and gates	Prior to above ground works

12	Final details of hard landscaping	Prior to above ground works
13	Scheme for external lighting (street lighting and lighting of open space areas)	Prior to above ground works
14	Habitat Creation Plan – Species	Prior to above ground works
15	Sustainable Drainage System Operation and Maintenance Manual	Prior to occupation
16	Verification Report of Constructed Sustainable Drainage System	Prior to occupation
17	Provide and protect visibility splays	Prior to occupation
18	Provide internal roads, turning heads and car parking spaces	Prior to occupation
19	Provide active travel link and maintain accessible	Prior to occupation
20	Details and provide secure cycle storage	Prior to occupation
21	Details of Homeowner Information Packs	Prior to occupation
22	Identified dwellings to meet M4(2) requirements	Control
23	All dwellings to achieve Building Regulations Requirement G2: Water Efficiency	Control
24	Development in accordance with approved external levels, finished floor levels and ridge levels	Control
25	Removal of permitted development rights	Control
26	Development in accordance with ecological mitigation measures	Control
27	Development in accordance with Arboricultural 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

Agenda Item	A9
Application Number	24/01417/FUL
Proposal	Erection of 31 affordable dwellings with associated access and landscaping.
Application site	Land Off Newlands Road Lancaster Lancashire
Applicant	Mr S Beale
Agent	Mr Dan Ratcliffe
Case Officer	Mr Andrew Clement
Departure	No
Summary of Recommendation	Approve with conditions

(i) **Procedural Matters**

A request had been made by Councillor Punshon for the application to be reported to the Planning Committee due to concerns from local residents regarding increased flood risk, additional traffic, pressure on schools and inadequate transport links. As this is a major application and objections have been received, the scheme of delegation requires it to be reported to the Planning Committee if recommended for approval. Planning Committee members visited the site on the 21 July 2025.

1.0 Application Site and Setting

1.1 The site relates to an area of land located adjacent to Newlands Road, close to its junction with Wyresdale Road, at the eastern extent of the urban area of Lancaster. The site is at a higher level than Newlands Road, with the intervening highway verge boundary containing substantial hedgerow and some individual trees characterising this part of Newland Road. The site mostly comprises grassland, with some trees and shrubs towards the west of the site, and along boundaries. An area of hardstanding towards the northwest boundary is accessed up a steep sloping track from the adjacent land, which is in industrial use to the northwest beyond the site.

1.2 This adjacent site comprises a series of large industrial units and large area of hardstanding, at a significantly lower topography than the application site, separated by a substantial landscaped banking. To the northeast of the site is a residential property, which comprises a two-storey dwelling, with an access off Wyresdale Road but set back from both highways, benefitting from a large garden area containing several outbuildings. To the southeast of the site, beyond Newlands Road, lies a steep landscaped banking rising up to the M6 motorway. To the southwest of the site is a large area of land containing a United Utilities subterranean reservoir. The only above ground development appears to relate to boundary treatments, access, a track and a small building within the reservoir site.

1.3 The site is designated as Urban Setting Landscape in the Local Plan, a small part of a wider local landscape designation for 'land west of the M6', allocated to provide a visual frame for the urban

area. This allocation runs from Junction 34 of the M6 at the north, to near Farmdale Road to the south, including the immediately adjacent industrial, reservoir and dwellinghouse describe in the above paragraph. It also includes other proposals for housing development, detailed further in the analysis section of this report.

- 1.4 There are no high or medium risks of flooding identified, however the industrial development to the northwest does have identified risks from surface water flooding. Williamson Park Conservation Area is approximately 600 metres to the northwest, which contains a number of listed buildings, most notably the Grade I Listed Ashton Memorial. The site is within the Air Quality Management Area impact zone for Lancaster. A small section of the western boundary of the site lies within the pipeline consultation zone for a high-pressure gas pipeline (Walton Le Dale / Slyne Distribution). The site is located approximately 3.5 kilometres from the Lune Estuary Site of Special Scientific Interest, which is also covered by the Morecambe Bay Special Protection Area (SPA), and Special Area of Conservation (SAC).

2.0 Proposal

- 2.1 Full planning permission is sought for the erection of 31 dwellings with an associated access off Newlands Road. All of the units are proposed to be affordable housing, and the applicant is a Registered Provider of affordable homes. The scheme proposes 32% social rent (10 units) and 68% shared ownership (21 units) comprising 4x one-bedroom apartment units, 7x two-bedroom units, 17x three-bedroom units and 3x four-bedroom units. The development will be located around a vehicular access into the site, with several smaller roads and shared driveways off this. With the exception of one bungalow, all proposed buildings are two storey and are either mews-terraced or semi-detached in appearance. The scheme proposes significant alterations to land levels (mostly lowering site levels) and includes large retaining walls within the site and close to the northwest and northeast boundaries with acoustic fencing to most domestic curtilages. An area that has been identified as amenity space is shown close to the northwest boundary of the site.

3.0 Site History

- 3.1 In 2023 a pre-application request was made in relation to a similar proposal on this site. The most recent site history is set out below:

Application Number	Proposal	Decision
23/00516/PRENG2	Pre-application advice request for residential development for 33 affordable dwellings	Advice given – Suggested developing a less dense development over a larger area (to include the commercial site) – concerns regarding noise, consideration of topography, impact on the character and appearance of the area.
01/00401/FUL	Creation of a vehicular access	Approved (not implemented)

4.0 Consultation Responses

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

Consultee	Response
Biodiversity Officer	Comments. Additional details of botanical composition should be provided with the habitat condition assessment to give a robust baseline for biodiversity net gain. It is

	possible that none of the habitat within the application boundary can be retained during construction and the requirement for purchase of off-site biodiversity units is likely to be under-estimated. The hedges along the south side of the site and along Newlands Road should be retained and enhanced and are essential to maintain the ecological network and the layout needs to allow sufficient space for long term management of the hedges. Recommend some of the post construction habitats are reviewed.
Arboricultural Officer	Informal comments, adverse impact from removal of most prominent tree to site frontage to create vehicular access, in addition to clearing all but boundaries of the site. The submitted AIA does not sufficiently assess the site, or arboricultural implications close to the northeast and northwest boundaries due to access difficulties. An updated TPP evidence suitable mitigation for the retention of the southern and (remaining) Newlands Road boundary, however this does not mitigate the losses, nor overcome the deficient survey effort at the northeast and northwest boundaries to the site.
Conservation Team	No objection
Cadent Gas	No objection
Economic Development	No comments received.
Housing Strategy	Comments. The provision of a 100% Registered Provider scheme in Lancaster is welcomed and supported as it will help meet an acute need for affordable homes. The mix of homes proposed is appropriate to meet the general need. The proposal to provide only around a third of the homes as social rented homes is disappointing and does not accord with the aims of DM3 to deliver a 50/50 split in affordable/social rent and intermediate/affordable sale. However, the Council is aware that there is very limited headroom in the current Affordable Homes Programme and as a strategic partner, Great Places must deliver units that accord to their funding allocation, hence departing from the required mix of affordable housing tenures and providing a higher number of intermediate affordable housing.
Environmental Protection	Comments. No objections in relation to air quality subject to a condition to mitigate noise and dust during construction. Satisfied that no significant risk from land contamination has been identified. As a precaution, a watching brief should be implemented to communicate any unexpected contamination encountered during development. In relation to noise, the mitigation proposed would mostly reduce noise levels to an acceptable level however there are conflicts between the proposed site plan and the mitigation identified in the noise report. A number of gardens particularly to the south of the site indicate outdoor noise levels in excess of 55dB but below 61dB. Given the proximity to alternative outdoor space (Williamson Park) a relaxation of 5dB would be acceptable.
Waste and Recycling	No comments received.
Public Realm	Comments. The development should provide 2184 square metres of amenity space on site which should be a mown informal space where young children could have a kick about. Due to this being an affordable housing development the maximum contribution possible would be £23,242.225 with: <ul style="list-style-type: none"> • Outdoor Sports Spaces Contribution: (Affordable housing calculation) £16,152.225 • Young Persons Contribution: (Affordable housing calculation) £7,090
Engineering Team	No comments received.
County Highways	Comments. The proposed access is acceptable for the most part, including its location, available sight lines and footway link along Newlands Road verge to connect to existing footway infrastructure to the south of the site. Request that the existing 30mph speed limit to the south of the site is relocated to the junction of Newlands and Wyresdale Road. Previous concerns have been overcome through amended

	plans regarding the design of the internal layout in relation to provision of footways, size of some parking spaces, adequate turning for parking courts and need for additional refuse collection. No financial contribution towards Lancaster Travel and Transport Infrastructure Strategy (LTTIS) is required, subject to securing delivery of pavements to existing provision both sides of the site access, due to the affordable provision and viability position of the proposal.
Lead Local Flood Authority (LLFA)	No objection subject to the following conditions: <ul style="list-style-type: none"> • a final surface water sustainable drainage strategy, including exceedance attenuation for the pumping station; • a construction surface water management plan; • sustainable drainage system operation and maintenance manual; • and a verification report.
County Schools Planning Team	Comments. An education contribution is not required.
National Highways	No objection
Natural England	No objection subject to mitigation measures within HRA.
Lancaster Civic Vision	Comments. Welcome plans to construct much-needed affordable dwellings, the application is fully detailed and, in many respects, exemplary. Would like to see an increase in the proportion of social rented units. The site is some distance from amenities which would mean that those who are financially challenged and do not own a car would be disadvantaged and the development will result in increased traffic on Wyresdale Road and further pressure on its junction with Coulston Road
Lancashire Constabulary	Comments. Strongly advocate that all new and refurbishment developments be designed and constructed to Secured By Design security standards, using the SBD 'New Homes 2023' Design Guide specifications. Detailed comments about secure boundaries, defensible spaces, access control, landscaping, public green spaces, footpaths, parking areas, lighting, designing out climbing aids and construction security.
Lancashire Fire and Rescue	Comments. It should be ensured that the scheme fully meets all the requirements of Building Regulations Approved Document B, Part B5 'Access and facilities for the Fire Service'.
NHS	No objection , subject to a contribution of £25,092 towards a new health centre for the Lancaster Medical Practice at Bailrigg.
United Utilities	No objection , in principle, subject to a condition requiring drainage scheme in accordance with the principles set out on the foul and surface water drainage design drawing.
Dynamo Cycle Campaign	Object. In relation to active travel, the site is isolated. The footway is useful, but it leads to a bus stop serviced by a bus that misses the rush hours and it would be more useful to provide a footway northwards to Wyresdale Road and down to Grab Lane, where the number 18 bus offers a better service. Newlands Road and Wyresdale Road form part of the City Council's aspirational cycle network set out in the Local Plan and any developments in this area should contribute towards this aspiration.

4.2 **Five objections** have been received which raise an objection to the proposal and the following concerns:

- **Impact on Designated Landscape.** Site is a green field urban fringe site that forms an important buffer to the M6; would conflict with policy which seeks to preserve the open nature of the area and prevent development that would interfere with these principles.

- **Visual Impact** Obtrusive development due to higher land levels, gabion walls and access retaining walls are out of keeping with location.
- **Inappropriate location for affordable housing.** Presumes occupiers will have access the site solely by car; location is distant from amenities making travel on foot or by bicycle difficult; limited buses using nearby bus stop and no pavements on Newlands Road.
- **Highway Impacts.** No mention of any traffic calming measures for Newlands Road along which cars travel fast; no footpath access to the development behind and shops and amenities at Lancaster leisure Park.
- **Increase flood risk.** The site sits in the upper catchment of area prone to flooding and may increase likelihood of flooding in future; Environment Agency's surface water flood map indicates a risk of flooding along the line of the existing sewer network within Wyresdale Road; additional loading on surrounding drains and water courses; risk of drainage scheme failing due to lack of knowledge and ongoing maintenance; risk of contamination; flood risk if mechanical drain pumps fail.
- **Impact on Biodiversity.** Loss of trees and hedgerows; the field has been untouched for many years and have developed into a wildlife oasis; wildflowers and berries attract pollinators and insects; pond within 50 metres of site; impact on various species including, newts, bats, owls, deer and hedgehogs; conflict with woodland opportunity area.
- **Residential amenity.** Impact on standard of amenity neighbouring residents can expect to enjoy, loss of light
- **Lack of Infrastructure to support development.** Lack of bus services, pavements, shops and schools and medical practices and hospital over capacity, no contributions to infrastructure from the development.

5.0 Analysis

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

- Principle of residential development;
- Impact on the character and appearance of the area, layout, design and open space
- Impact on Heritage Assets;
- Traffic impacts, access, parking and sustainable travel;
- Flood risk and drainage;
- Biodiversity and Trees;
- Residential Amenity;
- Affordable housing, housing standards and mix;
- Employment, education and health; and
- Sustainable design and renewable energy.

5.2 **Principle of Residential Development** NPPF sections: 2 (Achieving Sustainable Development), 5 (Delivering a Sufficient Supply of Homes), and 15 (Conserving and Enhancing the Natural Environment); 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), SP6 (The Delivery of New Homes) and EN5 (Local Landscape Designations); Development Management (DM) DPD policies: DM1 (New Residential Development and Meeting Housing Needs), and DM46 (Development and Landscape Impact)

5.2.1 The site is located on the edge of Lancaster within an area that is designated as Urban Setting Landscape in the Local Plan. This landscape designation mostly covers land between existing development and the M6 motorway to the east, extending from Blea Tarn Road to the south up to junction 34 of the M6. Its primary purpose is to provide a buffer between development and the M6. In some places the designation covers existing development, as is the case with the industrial development adjacent to the site to the west and adjacent dwelling to the northeast. These are set at a lower topography than the application site.

5.2.2 The site relates to undeveloped land on the urban edge of the settlement. The site is currently divorced and detached from existing residential development, with the exception of a single dwelling to the northeast, and has a semi-rural character. Construction has started on a residential development to the northwest of the adjacent industrial site (22/00817/VCN) off Wyresdale Road.

This site was allocated for housing, as is land on the north site of Wyresdale Road (Land off Grab Lane), which is subject to a concurrent planning application (23/00324/FUL). Policy SP2 of the Strategic Policies and Land Allocations (SPLA) DPD sets out the settlement hierarchy for the district, with Lancaster at the top. Policy SP3 sets out the development strategy for the District, promoting an urban-focussed approach to development, concentrated towards the main urban areas of Lancaster, Morecambe, Heysham and Carnforth. The principle of residential development within Lancaster is therefore supported. Notwithstanding this, the location of the site does present some issues with sustainable patterns of transport given the lack of pavements and walking provision. This is analysed in the relevant section below.

- 5.2.3 As set out above, the site is also located within an area designated as Urban Setting Landscape, which is a local landscape designation. Policy EN5 of the SPLA DPD seeks to conserve areas designated as Urban Setting Landscape and safeguard natural features. It sets out that development proposals will only be permitted where they preserve the open nature of the area, and the character and appearance of its surroundings. Policy DM46 of the DM DPD adds to this approach by outlining that particular regard will be made to the historic townscape and built form of the urban areas. This policy reiterates that, within these areas, the Council will only support development that preserves the open nature of the area, and the character and appearance of its surroundings.
- 5.2.4 The application seeks full planning permission for the erection of 31 dwellings and an associated access. To facilitate housing, the proposal seeks to regrade the land, reducing land levels and significantly altering the topography. This would result in a significant loss of existing trees and hedgerows within the site and along the industrial site to the northwest (less so to other boundaries), although the full extent of this is currently unclear from the submission due to lack of accurate surveys along the northeast and northwest boundaries to the site. The residential development would extend across most of the site, with the main area to be left open located along the northwest boundary, adjacent to the existing industrial development, with smaller areas of open space around the site access and beyond retaining walls to the northeast boundary.
- 5.2.5 Whilst the site is largely visually self-contained from public viewpoints, the proposed residential development would fail to preserve the open nature of the area. The development of a site access, visibility of development through this from Newlands Road, pavements and visibility of the site from Newlands and Wyresdale Road (primarily during winter when boundary trees shed leaves) would result in an amount of built development and associated infrastructure on land that is currently undeveloped. The site is on the edge of Lancaster, and is semi-rural in character, seen in the context of other undeveloped or open land. The retention of the majority of trees to boundaries is imperative to screen the site, similar to those adjacent, and to soften the visual impact of development within. Such measures would minimise and partially mitigate the visual impact of development, and reduce adverse impact upon the semi-rural nature of the area. However, even with such mitigation, there will be unavoidable harm to the open nature of the area and designation, which conflicts with policies EN5 and DM46 of the Local Plan.
- 5.2.6 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, and that the needs of groups with specific housing requirements are addressed. This includes those who require affordable housing. The Council's most recent Housing Land Supply Statement (September 2025) identifies a housing land supply of 2.8 years. Despite a slight increase from the previous Supply Position (which identified a 2-year supply position), the latest position remains a significant shortfall against the 5-year supply requirement.
- 5.2.7 This scheme proposes 100% affordable housing, the delivery of which would partially address the significant shortfall in the provision of affordable homes within the district. The delivery of social and affordable housing is a key priority for Lancaster City Council. The Housing Needs Study in 2017 provided a detailed assessment of housing need in Lancaster district. For the Lancaster South sub-area, a total of 1,666 households were in need of affordable housing. There has been a significant shortfall in the provision of affordable homes within the district of around 1,140 affordable homes since 2020. There is clearly an acute need for such housing. The proposal to provide 31x affordable homes in Lancaster weighs substantially in favour, due to the associated economic and social benefits of helping address this acute need.

- 5.2.8 This scheme would provide a positive contribution towards meeting affordable housing needs in the District. However, there are clearly conflicts with the development and local plan in terms of the landscape designation. Therefore, a planning balance would need to be taken, which requires consideration of all the impacts of the development. These are considered in the sections below, culminating in a planning balance as part of the conclusion in accordance with NPPF paragraph 11.
- 5.3 **Impact on the character and appearance of the area, layout, design and open space**
NPPF sections: 8 (Promoting healthy and safe communities), 11 (Making effective use of land); 11 (Achieving well-designed places); 15 (Conserving and enhancing the natural environment); Strategic Policies and Land Allocations (SPLA) DPD: SP8 (Protecting the Natural Environment), and EN5 (Local Landscape Designations); Development Management (DM) DPD policies: DM29 (Key Design Principles), DM43 (Green and Blue Infrastructure), DM46 (Development and Landscape Impact) and DM57 (Health and Well-Being)
- 5.3.1 As set out above, the site forms part of a wider area designated in the Local Plan as Urban Setting Landscape. Whilst the land is elevated from the road, it is mostly well screened by the strong boundary hedgerow and trees, which provide significant amenity value and links to other such features in this semi-rural locality. This provides some opportunity to develop the more visually contained central area within the site, whilst maintaining the majority of the strong boundary, and some element of openness between this and the development. The land levels of the site are around 2m higher than Newlands Road, rising by around a further 1.5m to a high point located towards the southeast of the site before lowering to the north and northwest, becoming quite steep close to the northwest boundary. The topography therefore provides significant challenges to developing the site.
- 5.3.2 To overcome the challenging topography, the submission proposes to re-profile the site, removing the highest part and significantly reducing levels particularly towards the front (east) of the site, and increasing levels towards the northwest and along parts of the northeast boundary. Two significant retaining features are proposed, one close to the northwest boundary to the industrial site, between 1.5m and 5m in height, and a smaller retaining wall close to the northeast boundary (to the neighbouring dwelling), between 0.6m and 2.3m in height. There are several sections plans provided, to ascertain how the site will be re-profiled, in addition to spot levels across the site.
- 5.3.3 With the exception of the site vehicular access and pavements either side, sandstone faced retaining walls adjacent to the access minimises the impact upon existing levels along this boundary. In turn, this minimises associated losses of hedges and trees along the Newlands Road boundary, subject to suitable protection measures. From this boundary, whilst the access rises upwards, the remainder of the site slopes gently down to the front row of dwellings. Amendments have been proposed to ensure the site continues to fall from east to west, albeit more gently than existing, with cut earth from the east of the site deposited to the west and north, before more significant gradients along the west and north boundaries. A pumping station is required to facilitate drainage from the low point of the site to the northern corner.
- 5.3.4 The proposed changes to land levels raises other implications, such as the likely loss of more existing hedgerow, and issues regarding retaining structures. These would appear to leave land at lower levels that would be difficult to access for maintenance and amenity, and could become visually unattractive or attract rubbish or unsociable behaviour. The site plans indicate an open area of amenity space along the northwest boundary, approximately 96m long and 10m wide, although the width varies. The steep gradient in this location would make this unusable, other than for landscaping.
- 5.3.5 The proposed reduction in land levels to the east will reduce the prominence of the proposed dwellings, as the highest point of the site would be reduced. However, the site is situated on the edge of Lancaster, in a semi-rural area, and the current layout provides a long block of dwellings at the front. The retention of hedges and trees immediately either side of the proposed vehicular access, and landscaping to further bolster this, are imperative to minimise the impact from Newlands Road, to urbanise this area as little as possible. This reduces, but does not eliminate, adverse impact, but has been positively incorporated into the amended proposal.
- 5.3.6 It needs to be acknowledged that this site is within a landscape designation with the purpose of keeping the land open. Whilst any development would conflict with this, the layout and design should

aim to keep a level of this openness. The dwellinghouses to the front would appear as two terraced mews (despite some narrow gaps) from Newlands Road. The house elevations have improved through amendments, in-keeping with those on Wyresdale Road, with front gables to the corner plots near the site access. This is continued further within the site, finished in sandstone split face blocks. The development responds positively to dwellings at Pottery Gardens, and more recently further east along Wyresdale Road closer to the site. The design improvements are considered congruent to the broader area, particularly when set beyond hedges, trees and landscaping. Whilst the development remains densely congested for a semi-rural location, there is a trade-off between delivering a viable 100% affordable home scheme at the site. The density does not appear overtly urban due to sympathetic design, screening and materials, although parking to the front of these detracts from placemaking.

- 5.3.7 Unfortunately, some negative features of earlier iterations remain, or have only partially been addressed. The vast majority of car parking spaces are to the front of proposed houses, creating very car-dominant street scenes, which is not a common characteristic of the immediate area. Even within the site itself, such an approach is detrimental to placemaking, particularly in the absence of any garages. A reliance on acoustic fencing to mitigate noise and split-level gardens creates an unfortunate prominence of fencing as well. Whilst retaining gabion walls would be viewed from private property, it is an unfortunate necessity of creating developable topography across currently heavily sloping land, resulting in development elevated from some aspects atop of engineered walls to two boundaries. Therefore, whilst significant improvements have been made from earlier iterations, there are still detractions of developing such a heavily constrained, and landscape sensitive site such as this.
- 5.3.8 Whilst reservations regarding density and alterations to levels remain, officers understand these have been minimised as far as possible by working more closely with the topography of the site. Improved design and retained landscaped areas to be bolstered has been a welcomed improvement. Greater placemaking, lower density and less prominent parking arrangements would have been preferable. However, it is clear that for a scheme to achieve 100% affordable housing on-site, these distracting features are required to render the proposal deliverable. This does not negate the harm but does explain why it remains. This is a matter that will be weighed in planning balance.
- 5.3.9 There would undoubtedly be a degree of harm to the urban setting landscape, and whilst each case is considered on its own merits, there have been other instances of housing development proposals within the wider Urban Setting Landscape conflicting with this designation. These have been approved (21/01008/FUL), or refused on other grounds (23/00064/OUT). As with these schemes, which were for larger (100 plus dwellings) and open-market led schemes, the harm and conflict with the Urban Setting Landscape designation should be weighed in balance, reflecting the district's current housing land supply position.
- 5.4 **Impacts on Heritage Assets** NPPF section: 16 (Conserving and enhancing the historic environment); Strategic Policies and Land Allocations (SPLA) DPD policies SP7 (Maintaining Lancaster District's Unique Heritage); Development Management (DM) DPD policies DM37 (development affecting Listed Buildings), DM38 (Development Affecting Conservation Areas), DM39 (The Setting of Designated Heritage Assets)
- 5.4.1 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 policies DM39 and DM38. 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; and,
 - Proposals will not result in the loss or alteration of features which contribute to the special character of the building and area; and,
 - Proposed uses are sympathetic and appropriate to the character of the existing building and will not result in any detrimental impact on the visual amenity and wider setting of the Conservation Area.

- 5.4.2 Williamsons Park Conservation Area is located approximately 600m to the northwest and contains a number of listed buildings, including Ashton Memorial which is Grade 1 Listed. There is a presumption in favour of preserving the character and appearance of listed buildings and their setting (as set out in S.66 of Planning (Listed Buildings and Conservation Areas) Act 1990. Policies DM37, DM38 and DM39 acknowledged that the significance of heritage assets can be harmed through development within their setting. Whilst the site is slightly elevated, given the distance of the site from the heritage assets, the scale of the buildings at two storey, and the intervening industrial and residential development, it is considered that the development will not cause harm to the significance of the heritage assets through development within their setting. The Conservation Team returned no objection to the proposal.
- 5.5 **Sustainable travel, traffic impacts, access and parking** NPPF section: 9 (Promoting Sustainable Transport); Strategic Policies and Land Allocations (SPLA) DPD policy: SP10 (Improving Transport Connectivity); 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), DM63 (Transport Efficiency and Travel Plans) and DM64 (Lancaster District Highways and Transport Masterplan).
- 5.5.1 Lancashire County Council, as the Local Highway Authority, have advised that the access is acceptable, including its location, available sight lines and footway links. They have requested that the existing 30mph speed limit to the south of the site is relocated to the junction of Newlands Road and Wyresdale Road. Previous concerns regarding pavement provision, turning heads and refuse collections within the site have been addressed through amendments to the layout of the proposal, including provision of waste collection points. The scheme continues to propose a proportionate level of parking for a site in this location, of sufficient dimensions and proportion, notwithstanding the visual concern of parking to the front of houses.
- 5.5.2 Supported by the Local Highway Authority, there were concerns about the accessibility of the site in relation to services. Policy DM60 of the Development Management DPD requires development proposals to be accessed safely during construction and operational phases of development, and ensure that they minimise the need to travel, particularly by private car, and maximise the opportunities for the use of walking, cycling and public transport. Due to the distances from bus stops and other services, and the fact that such services are several hundred metres away from the site and split in both directions, providing suitable and attractive means of accessing such services sustainably is essential to reduce car dependence. The local primary school, church and vets are circa 1 mile walk south of the site entrance, whilst the nearest local shops and public house are just over ½ mile in the opposite (northwest) direction, with Williamsons Park and other services beyond in this direction. The highway adjacent to, and immediately beyond the site does not currently have pavements, but future residents would need walking provision to services on both sides of the proposed access. Such development must ensure that appropriate sustainable transport options are available and attractive for use, to reduce car reliance, and for potential occupants who do not drive at all.
- 5.5.3 Through discussions and negotiation over the course of this application, it has been agreed that development must provide pavements connecting to existing pavement provision on both Newlands Road (south) and Wyresdale Road (northwest). This is necessary in order to align with paragraph 115 and 117 of the NPPF, which prioritises sustainable transport, gives priority first to pedestrian and cycle movements, and encourages public transport use. In agreeing to provide such off-site highway works, in addition to design and topography improvements, the proposal has overcome a major hurdle over the course of this application. The details of off-site pavement provision in terms of precise location, specification and illumination will need to be controlled through planning condition. Subject to provision of these, whilst walking distances remain quite long, the mitigation is sufficient to turn a detached site into one that sufficiently promotes sustainable travel to facilities at this edge of city location.
- 5.5.4 Noting the extensive off-site works proposed, combined with the independently assessed viability appraisal for this 100% affordable housing scheme, the Highway Authority are not seeking financial contributions for LTTIS projects on the wider road network from this development. Planning conditions for a construction management plan, details of the access and estate road, including management/maintenance of streets within the site, and suitable cycle storage facilities are provided

to all dwellings are all required to mitigate impact of the development, and ensure development is sustainable and safe. Subject to such conditions, combined with the off-site highway works previously assess and the amendments to improve layout within the site, the proposal is considered to be acceptable and policy compliant in terms of travel, transport and parking.

5.6 **Flood Risk and Drainage** NPPF section: 14 (Meeting the challenge of climate change, flooding and coastal change); Strategic Policies and Land Allocations (SPLA) DPD policy SP8 (Protecting the Natural Environment); Development Management (DM) DPD policies DM29 (Key Design Principles); DM33 (Development and Flood Risk), DM34 (Surface Water Run-off and Sustainable Drainage) and DM35 (Water Supply and Waste Water)

5.6.1 There are no high or medium flood risks identified within the Council's Strategic Flood Risk Assessment directly impacting this site. Accordingly, there is no requirement to undertake a flood risk sequential test. A flood risk and drainage strategy report has been submitted with the application. This identifies that infiltration and discharge to a watercourse have been discounted, with surface water proposed to be discharged to an existing combined sewer on Wyresdale Road. Oversized pipes and controlled discharge, combined with some storage under private drives and shared accessways, would attenuate outfall to an acceptable discharge rate. Foul water is proposed to be drained on a separate system and discharged to the combined sewer.

5.6.2 As this is a major application, the Lead Local Flood Authority have provided comments on the submitted drainage scheme. They have confirmed that the proposal is acceptable subject to a final scheme being secured by condition, and the submission provides adequate details regarding infiltration. United Utilities have raised no objections to the drainage strategy, but they have set out that no surface water will be permitted to drain directly or indirectly into the public sewer. As the scheme shows connection to the combined sewer, clarification has been sought from United Utilities regarding this. The change in proposed land levels to more closely reflect existing topography has necessitated a pumping station for properties in the northwest corner of the site. This has been sufficiently justified due to levels in relation to the public infrastructure on Newlands Road and is considered acceptable, subject to full details of the drainage scheme, including attenuation/mitigation in the event the pumping station malfunctions.

5.6.3 Policy DM34 provides a clear hierarchy for managing surface water and, even where infiltration and discharge to a watercourse have been discounted, above ground attenuation should be considered first before underground attenuation. The Lead Local Flood Authority have encouraged the applicant to incorporate above ground surface water drainage components into their design to align with Local Plan policy. Such features can have multi-functional benefits, and the lack of these within the overall design links to concerns regarding a lack of green/blue infrastructure and biodiversity impacts.

5.6.4 The submitted drainage report suggests that swales, basins and ponds are not suitable due to insufficient available space on site. This insufficient space is clearly so that the site can accommodate additional dwellinghouses with an engineered approach, as opposed to the more natural, and multifunctional benefits, delivered by above ground green/blue infrastructure, albeit at a greater land take. The site nearby on Wyresdale Road was an exemplar of such green/blue infrastructure, whereas this scheme unfortunately is not, and there is harm to be attributed to failing to incorporate more appropriate sustainable drainage features. However, as explored through the independently assessed viability appraisal, unfortunately this is the financial reality of delivering a 100% affordable housing scheme, particularly at a constrained site such as this. The proposal does not strictly follow the sustainable drainage hierarchy, however subject to full details, a safe and suitable drainage solution can be delivered at this site. Whilst this will be an engineered solution, the harm from this and lack of green/blue infrastructure will be weighed in balance in the conclusion, along with other material planning considerations.

5.7 **Biodiversity and Trees** NPPF Section: 15 (Conserving and enhancing the natural environment); Strategic Policies and Land Allocations (SPLA) DPD policies: SP8 (Protecting the Natural Environment 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).

5.7.1 A Preliminary Ecological Appraisal was submitted with the application, which provided a desk study. This appraisal identifies the potential for protected species, and provides a brief overview of habitats.

No additional surveys for protected species are necessary, which is considered acceptable. A Risk Assessment method statement/ precautionary method of working to protect breeding birds and any other protected species that may be present is required prior to start of construction.

- 5.7.2 An arboricultural impact assessment (AIA) has also been carried out, albeit only partially. The survey area consists of the central site and the southern and eastern boundaries only. The northwest and northeast boundaries (to industrial and residential neighbour respectively) have not been accurately assessed through this due to accessibility difficulties due to topography and dense shrubs within the site at these boundaries. Whilst removal of a section of the Category B boundary hedge is unavoidable to create an access to the site, the location of this requiring the removal of an individual Category B sycamore tree has not been avoided nor sufficiently justified, as required by policy. Removal of the most notable specimen along this boundary is unfortunate, and a source of further adverse impact from the proposal. The retention of hedges and trees along Newlands Road either side of the proposed access is essential to soften and screen the development in this local landscape designation area. The submitted Tree Protection Plan evidences such mitigation to retain these. However, further survey works will be required prior to development (other than clearance/preparation) commencing along the northeast boundary, to ensure retention of trees in this location. The layout should allow retention, subject to mitigation. However, there remains adverse impact from unnecessary tree loss, which can only be partially mitigated through protection measures elsewhere and a comprehensive landscaping scheme, both controlled through planning condition.
- 5.7.3 Although the site was surveyed at a suitable time for botanical survey (1st August) there was minimal information provided about the plant species and assemblages present. There was little supporting evidence for the habitat types and condition of habitat that were used in the baseline biodiversity metric, which is required to accurately calculate what is required to meet the mandatory net gain. Whilst further information and assessment received over the course of this application gives greater confidence of assessment (almost doubling the baseline habitat of the site as existing), there remain some omissions, in addition to the difficulties assessing all areas of the site due to topography and shrubbery constraints previously described.
- 5.7.4 Whilst further information has been provided, further works are required to give a robust baseline for BNG. However, given the current site conditions, and using the current baseline as an absolute minimum position of existing habitat, it is recommended that a suitably worded planning condition for further evidence and surveys over the course of site preparation/clearance takes place to record the existing habitat with full accuracy. This approach is taken as an exception, given the physical constraints to access, assess and record some areas of the site.
- 5.7.5 A proposed BNG plan has been provided, which provides positive intentions to partially mitigate BNG impact within the site. However, this is insufficiently detailed to be relied upon. A planning condition should be attached for a robust biodiversity net gain plan, including management, maintenance and monitoring of on-site BNG. It is clear that, even with the best intentions to achieve BNG on-site, this mitigation alone will almost certainly fall short of achieving 10% net gain, and therefore the remaining mitigation and mandatory enhancement would need to be secured via habitat banks or worse still purchasing statutory BNG credits. Given the requirement to maintain on-site BNG for at least 30 years, the majority of such BNG would need to be private (not publicly accessible), limiting such areas to the northeast and northwest boundaries. This limited space, combined with topography/light constraints of these areas, will likely result in a modest area for BNG mitigation on-site, which in addition to securing statutory BNG credits can be controlled through planning condition. This will ensure overall 10% BNG net gain.
- 5.7.6 Suitable mitigation for nesting birds, a sympathetic external lighting scheme and BNG net gain can all be secured through planning condition, despite the deficiencies within submitted documentation, which do not fully assess the impacts on trees and biodiversity. These are unfortunate, and weigh against the proposal, albeit it is considered that these can be addressed to ensure suitable survey effort and mitigation is in place through appropriately worded planning conditions. The scheme will have to achieve BNG of at least 10%, through on-site provision and almost certainly off-site credits. A full landscaping scheme is necessary to ensure tree-lined streets and replacement planting. This will still fall short of mitigating the full adverse impact of tree losses, which weighs against the proposal.

- 5.7.7 The Morecambe Bay European protected site (SPA) is located 3.5km from the development. Morecambe Bay is very important for many species of birds. As such, there is the potential for development and recreational use close to the designated sites to have impacts on birds associated with the SPA and Ramsar designations. It is considered that these impacts could be avoided, but only through mitigation. In light of the People Over Wind ruling by the Court of Justice of the European Union, likely significant affects cannot be ruled out without mitigation and therefore an Appropriate Assessment (AA) is required. This is contained within a separate document and concludes that, with the implementation and retention, where appropriate, of mitigation the development will have no adverse effects on the integrity of the designated sites, their designation features or their conservation objectives, through either direct or indirect impacts either alone or in combination with other plans and projects.
- 5.7.8 Subject to the implementation of the mitigation measures within the AA, namely for appropriate ecological homeowner information pack for future residents, including details of adjacent designated sites and alternative for recreation to be provided within the site to mitigate such recreation pressure, and ensuring that the site is drained suitably, the proposal could avoid undue adverse impacts upon the protected site. The ecological homeowner information pack could be controlled through planning condition.
- 5.8 **Residential Amenity and Open Space** NPPF sections: 8 (Promoting healthy and safe communities), 12 (Achieving well-designed places), 15 (Conserving and enhancing the natural environment - noise and pollution); Strategic Policies and Land Allocations (SPLA) DPD policy SC3 (Open Space, Recreation and Leisure) and Development Management (DM) DPD policies DM29 (Key Design Principles), DM27 (Open Space, Sports and Recreation Facilities) and DM57 (Health and Well-Being).
- 5.8.1 There is one neighbouring residential property close to the site that would be impacted by the development. This is a two-storey dwelling accessed off Wyresdale Road to the northeast of the site. The dwelling is located close to the northern corner of the site, with a generous garden sharing the northeast boundary of the site. The topography of the neighbours' garden follows that of the application site, sloping down from Newlands Road, with the dwellinghouse located to a lower southwestern area of its domestic curtilage. However, the sloping topography of the application site is also lower to the north, which continues to the neighbours' garden, which is at a lower topography than the application site.
- 5.8.2 The neighbouring dwelling contains ground and first floor glazed doors and windows facing southeast, directly opposite the northern proposed dwelling as part of this application. These openings are part of an extension being built through permission 17/00696/FUL, which could add a balcony to the southwest elevation (towards Newlands Road) through this commenced development. Beyond the glazed ground floor openings towards the site is a sunken terrace area to provide a flat platform external area from the internal ground floor. These openings are located approximate 13m from the boundary to the site, which is tree-lined.
- 5.8.3 To facilitate development of the site, significant retaining features are proposed to create a developable and accessible topography within the site. These are within garden areas of proposed dwellings, with longer stretches along the whole northeast boundary to the industrial area, and majority of the northeast boundary to the residential neighbour. The key impacts are along the northeast boundary, to the residential neighbour. Significant work and negotiation have been undertaken to ensure proposed topography is as close to existing as possible along this boundary. The original proposal would have been significantly overbearing to the residential neighbour due to the proximity and sheer scale of those retaining features. The amended scheme reduces the required height of this retaining wall to between 0.6m and 2.3m tall, which is now setback from this boundary. This setback is over 6m from the boundary at the point directly opposite the existing neighbouring dwelling. It should be noted that beyond this retaining feature, the proposal seeks acoustic fencing circa 2.5m tall atop of this.
- 5.8.4 Cumulatively, the height and length the retaining wall and acoustic fencing, with dwellings beyond, will undoubtedly change the character and outlook enjoyed by the neighbouring dwelling at present. The strong objections to the proposal, on multiple grounds, are perfectly understandable from this neighbour's perspective. This development would result in a single dwellinghouse in a semi-rural area having 31 additional dwellings, and pavements to surrounding roads, constructed in a location

that will be visible and noticeable from this property and its garden area. In terms of planning policy, the retaining wall and acoustic fencing, and housing beyond, is over 21m from the nearest windows of the neighbour. Subject to a condition for obscure glazing to plots nearest this boundary, this separation is policy compliant for distance between an 'active' elevation (the neighbour's rear elevation) and the 'blank' elevations within the proposal, even accounting for additional difference due to change in floor levels between the two. In addition, the nearest proposed dwelling (Plot 15) is a bungalow, with a finished floor level around the first-floor level of this neighbour dwelling (reduced from eaves height in the original submission). Significant progress has been made to reduce residential amenity impacts, through comprehensive changes to proposed site topography, location of retaining features, and the nearest property now a single storey bungalow.

- 5.8.5 It is well established that there is no right to a view over neighbouring land. The amended scheme goes a long way to ensuring the impacts upon the existing residential neighbour are reduced. The location of boundaries and openings avoids adverse overlooking, and separation distance avoids undue overshadowing. In terms of overbearing, given the character of the existing site, even with amendments and mitigation, there will be a degree of adverse impact. The retaining features, with acoustic fencing and dwellings atop of this, will be imposing compared to the amenity the occupiers could have reasonably expected when purchasing and investing in enhancing this home. The degree of harm is now considered moderate, which needs to be weighed in planning balance, but would not render the neighbouring dwelling uninhabitable or significantly detract from standards of living.
- 5.8.6 Along the northwestern boundary, the proposed topography of open area slopes very steeply (1:2.5), beyond which a retaining wall up to 5m tall is proposed along the neighbouring industrial site. This will be a significant boundary, however given this is largely visually contained by the less sensitive industrial uses, with sloped landscaping atop, this boundary is considered appropriate.
- 5.8.7 Within the site itself, most proposed dwellings are over 22m from an opposing elevation containing glazing, where two 'active' elevations are directly opposing one another. Whilst this separation does not fully account for the increased distances required for over 2.5m difference in floor levels, given the topographical constraints of the site this is considered appropriate, with suitable levels of privacy. The proposed bungalow is only 19m from the proposed semi-detached dwellings to the east, with a deficient (8.5m) garden length, further exacerbated by split levels to these properties' gardens. This is an unfortunate necessity of amendments sought to improve proposed topography and introduce a land-intensive bungalow to minimise impacts on existing neighbours. Similar to this neighbouring impact, the proposed bungalow is considered habitable through the proposal, but there is harm to attribute, in this case a limited degree. Further limited harm is attributed to deficient garden sizes and lengths to some dwellings to the southern edge of the site, exacerbated by proximity to established trees and split-level gardens. Given the high density of the site and close interface distances, it is considered necessary to remove permitted development rights for side and rear extensions, to ensure the current standards of amenity secured for future residents are not diminished to unacceptable levels.
- 5.8.8 The site is located in close proximity to the M6 motorway, a source of noise levels that are high within the site. There is potential for noise from the industrial units to the northwest of the site. The noise impact assessment provided indicates an exceedance of BS8233:2014 noise criteria, primarily due to road traffic noise from the motorway. The report indicates that this can be controlled to reach No Observed Adverse Effect Level in both internal and external areas. Proposals for the installation of glazing with minimum sound insulation performance suitable for each plot, plus implementation of alternative ventilation systems, are considered to be appropriate mitigation measures for internal standards. These proposals would need to be followed carefully for each plot, controlled through planning condition.
- 5.8.9 For external noise, the assessment recommends the installation of 2.5-metre-high acoustic fences with a minimum mass of 15kg/m², free from holes around all garden areas where there is no shared boundary to a neighbouring garden. Implementation of these fences is found to reduce outdoors noise levels to below 61dB, but still slightly in excess of 55dB target levels. The Environmental Protection Officer has advised that, given the proximity to alternative outdoor space (Williamsons Park, now walking provision to this is to be secured), a relaxation of 5dB would be acceptable. Given the mitigation measures and site circumstance, the proposed measures are considered to achieve an acceptable residential amenity in this location.

- 5.8.10 A usable, flatter area of open space towards the west of the site measures circa 360sq.m, which is beneath the policy expectation of 448sq.m of amenity green space. This excludes heavily sloping and smaller areas of landscaping due to limited usability, and smaller pockets of open areas, although these areas do contribute to the visual setting being more open. However, the amenity space on-site, and lack of proportionate financial contribution to off-site public open space, such as Williamsons Park (1km walk of the site) presents policy conflict. Given the improved walking provision to exceptionally high quality public open space within 1km, and usable size open space within the site itself, the deficient scale of site amenity green space and lack of contributions weighs moderately against the proposal.
- 5.9 **Affordable housing, housing standards and mix** NPPF section: 5 (delivering a sufficient supply of homes); Development Management (DM) DPD policies: DM1 (Residential Development and Meeting Housing Needs), DM2 (Housing Standards) and DM3 (The Delivery of Affordable Housing).
- 5.9.1 The proposal relates to a wholly affordable housing scheme comprising 32% social rented units and 68% shared ownership units. The mix comprises 4x one-bedroom apartment units, 7x two-bedroom units, 17x three-bedroom units and 3x four-bedroom units. This is a positive housing mix to address local housing need and is considered to be acceptable in compliance with policy DM1. The proposal to provide all the lettings of the social rented homes through the Council's Choice Based Letting Scheme is of particular benefit and will help support the Council make some progress towards meeting housing needs in the district.
- 5.9.2 Whilst the proposal to provide only around one third of the dwellings as social rented homes is disappointing and does not accord with the aim of DM3 to deliver a 50/50 split rent/sale, in overall quantum terms, the delivery of 10 social rented affordable homes, and 21 shared ownership affordable homes remains a clear benefit afforded substantial weight. This is further justified by an independently assessed viability appraisal, which confirms that these tenure proportions are the optimal achievable at this site.
- 5.9.3 The submission demonstrates that all dwellings will meet the Nationally Described Space Standards, as required by Policy DM2. The precise location of dwellings achieving Building Regulations Requirement M4(2) Category (accessible and adaptable dwellings) is currently unclear, but a sufficient proportion of house-types achieve these standards. As such, external provisions to ensure at least 20% of properties achieve M4(2) criteria can be controlled through planning condition.
- 5.10 **Employment, education and Health** NPPF Section 6 (Building a strong, competitive economy) and Section 8 (Promoting healthy and safe communities); Development Management (DM) DPD policies: DM28 (Employment and Skills Plans), DM57 (Health and Wellbeing) and DM58 (Infrastructure Delivery and Funding)
- 5.10.1 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 initial basic Employment and Skills Plan document has been submitted, this does not meet the formal policy requirements. In particular, an Output Matrix has not been provided, with other details extremely scant. A fully detailed ESP, including the required Output Matrix tool, should be secured by pre-commencement condition.
- 5.10.2 Lancashire County Council Schools Planning Team have confirmed that a contribution towards education is not required in relation to this development. The NHS Integrated Care Board has made representations on the application and seeks a contribution towards local health care infrastructure. The response sets out that the proposal will generate approximately 82 new patient registrations based on an average household size of 2.4, which generates a contribution of £25,092. The site falls within the catchment area of Lancaster Medical Practice, located at Meadowside. The physical constraints of the existing sites mean that the current premises cannot be extended, and opportunities to re-configure existing space to accommodate current growth have already been undertaken.
- 5.10.3 The consultee's suggested solution is for a new health Centre to accommodate growth, which would rationalise the existing surgeries with a new centre located at Bailrigg on the site secured for the

hospital. When queried, it has been advised that the delivery of the health care centre is not tied to the delivery of the hospital. However, there remains uncertainty regarding the site, with no detailed proposals for any buildings, resulting in significant uncertainty about the project. It remains unclear whether it would directly relate to the development proposed given timescales, and also location, although noting that it is the same medical practice. The independent appraisal of the viability assessment also concurs that there is insufficient headroom to accommodate such contribution, irrespective of the fact that uncertainty remains regarding CIL compliance.

5.11 **Sustainable Design and Renewable Energy** NPPF sections: 12 (Achieving well-designed places) and 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)

5.11.1 In the context of the climate change emergency declared by Lancaster City Council in January 2019, the effects of climate change arising from development in the District and the possible associated mitigation measures will be a significant consideration in the assessment of development proposals. The Council is committed to reducing its own carbon emissions to net zero by 2030, while supporting the district in reaching net zero within the same timeframe. Buildings delivered today must not only contribute to mitigating emissions, they must also be adaptable to the impacts of the climate crisis and support resilient communities. The Climate Emergency Review of the Local Plan was adopted in January 2025, providing 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.

5.11.2 The application was submitted prior to the adoption of the climate emergency review of the Local Plan; however the submission does include an Energy Statement. The agent has been asked to update this to fully consider the requirements of the recently adopted Local Plan, however this has not yet been provided. Having reviewed the Energy Statement, a fabric first approach has been taken and it sets out that the dwellings will benefit from high efficiency air source heat pumps. An overall 66.80% improvement in CO2 emissions and a 33.47% improvement in primary energy above the Building Regulations baseline has been set out in the statement. It is therefore likely that it will comply with the requirements of the current policy in this regard and a condition can be imposed to secure precise details and compliance with policy DM30a-c of the DM DPD.

6.0 Conclusion and Planning Balance

6.1 The development is located within the urban area of Lancaster, albeit towards Lancasters edge on the semi-rural fringes. The site is part of a larger area that has been designated as Urban Setting Landscape in the Local Plan. The development of this site for 31 dwellings would therefore conflict with the purpose of the designation and policies EN5 and DM46, as it would adversely impact on its open character. Given the scale of development, combined with the retention of the majority of boundary screening to Newlands Road, the harm to this landscape designation and visual setting is considered to be moderate.

6.2 Since the officer assessment of this application last year, within statutory timeframes, significant alterations and amendments have been proposed to seek to minimise the adverse impacts identified. The design and placemaking aspects have significantly improved through landscaping and house-type improvements, although the density and resultant car-dominated street scene also results in moderate harm and a degree of conflict with policy DM29, EN5 and DM46. The proposed drainage provides a suitable engineering solution, but failure to accommodate above ground SuDS and avoidance of the SuDS hierarchy is again moderately harmful and conflicts with policy DM34.

6.3 Whilst significant improvements have been made to minimise neighbouring amenity impacts, a level of harm remains due to the proximity of the development and its retaining features to this neighbouring property. Overall, the living conditions for future residents is, on balance, deemed acceptable despite some reservations over interface distances and small gardens. The scale of usable open space within the site, and lack of financial contributions to mitigate impacts of development towards off-site open space is also attributed moderate harm. The viability case

presented provides justification for a lack of financial contributions. Adverse impact to trees is limited, subject to comprehensive mitigation through proposed landscaping. Combined with conditional requirements to address current surveying issues, these arboricultural and ecological harms are considered moderate.

- 6.4 The scheme has evolved to reduce the number of dwellings on-site, which combined with more sympathetic design has in turn reduced a number of areas of harm. The material considerations assessed in the preceding concluding paragraphs reduces, but does not eliminate, these multiple areas of harm. Individually, these are all limited/moderate adverse impacts, but cumulatively this harm amounts to significant weight against this proposal. The agreement to provide pavements in both directions of the access, internal layout improvements, and lack of requirement for financial contributions to other highway projects was a milestone in the progress of this scheme, overcoming a significant area of concern with the original proposal, and now weighing neutrally. The sustainable design, avoidance of harm to heritage and flood risk are similarly given neutral weight, as is the lack of other contributions to local infrastructure.
- 6.5 Whilst the benefits are more singular, relating to the delivery of 31x affordable homes within a sustainable location in Lancaster, these economic and social benefits should not be underestimated. Paragraph 11 of the NPPF 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 heritage assets and areas at risk of flooding) provide a strong reason for refusing permission, or any adverse impacts would significantly and demonstrably outweigh the benefits of the proposal. This is applied when assessed against the policies in the Framework, 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.
- 6.6 In terms of the balance to take in determining the planning application, there are no conflicts with policies relating to areas or assets of particular importance, outlined in the NPPF. This means applying a tilted balance towards the delivery of residential development. The development is sustainably located, provides greater than policy requirement of affordable homes, and the density makes very effective use of constrained land, despite the landscape and design harm identified. Given the need for homes, and particularly the acute need for affordable homes in the district, the benefits of achieving these is afforded substantial weight. This substantial weight is attributed to the economic and social benefits of having suitable affordable housing provisions. This is a finely balanced case given the cumulative adverse impacts identified which are collectively afforded significant weight. Following the amendments and ensuring the mitigation identified is provided, this cumulative harm is considered not to significantly and demonstrably outweigh the substantial benefits, primarily due to the substantial benefits attributed to the scheme being for 100% affordable homes and addressing such an acute affordable housing need. Therefore, our recommendation is to approve the development.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Timescale (2years)	Control condition
2	Accord with amended plans	Control condition
3	AIA, NE and NW boundaries further survey/mitigation	Pre-commencement (during clearance/preparation)
4	BNG assessment of NE and NW boundaries	Pre-commencement (during clearance/preparation)
5	Ecology/habitat enhancement scheme	Pre-commencement (except clearance/preparation)

6	Construction Management Plan (CMP), including dust control	Pre-commencement (except clearance/preparation)
7	Site access, visibility splays and 30mph off-site works	Pre-commencement (except clearance/preparation)
8	Employment and skills plan	Pre-commencement (except clearance/preparation)
9	Construction S/W drainage management plan	Pre-commencement (except clearance/preparation)
10	S/W drainage scheme, including exceedance route	Pre-commencement (except clearance/preparation)
11	Details of external materials, windows (incl setback)	Pre-commencement above ground
12	M4(2) to at least 20% of units	Pre-commencement above ground
13	Full landscaping scheme	Pre-commencement above ground
14	Details of sustainable design measures, in-line with submitted energy statement	Pre-commencement above ground
15	Off-site highway improvement details, pavements in both directions	Details prior to implementation/first occupation
16	Internal estate road and pavement details	Details prior to implementation/occupation
17	Boundary treatments and retaining walls	Details prior to implementation/occupation
18	Landscaping and maintenance	Details prior to implementation/first use
19	Details of external lighting	Details prior to implementation/first use
20	Maintenance and management of internal roads/pavements	Details prior to occupation
21	S/W drainage operation and maintenance	Details prior to occupation
22	S/W drainage verification	Details prior to occupation
23	Final details and implementation of cycle storage facilities	Details prior to occupation
24	Management and Maintenance Plan for all on-site Open Space	Details prior to occupation
25	Ecological Homeowner Information Packs	Prior to occupation
26	Implementation and completion of all on-site public open space	Control condition, implemented prior to occupation
27	Waste collection points	Control condition, implemented prior to occupation
28	Parking provision and turning heads	Control condition, implemented prior to occupation
29	Ecology mitigation accordane with report	Control condition, implemented prior to occupation

30	Foul drainage scheme	Control condition, implemented prior to occupation
31	Noise mitigation measures	Control condition, implemented prior to occupation
32	Ecological mitigation measures	Control condition
33	Affordable Housing Scheme and ongoing restriction to use for affordable occupation	Control condition
34	Water Efficiency measures	Control condition
35	Obscure glazed windows to plot 15 and plot 31 side elevations only, remove permitted development for side windows	Control condition
36	Remove permitted development for rear/side extensions	Control condition

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

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

Background Papers

None

Agenda Item	A10
Application Number	25/01361/LB
Proposal	Listed building application for proposed demountable internal linings to some ground floor rooms, repairs to existing lean-to toilet, repair of windows and temporary covering
Application site	Ryelands House Owen Road Lancaster Lancashire
Applicant	Mr S Gershon, North Lancashire Community Land Trust
Agent	Mr Sam Edge
Case Officer	Mr Patrick Hopwood
Departure	No
Summary of Recommendation	Approve with conditions

(i) **Procedural Matters**

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

1.0 Application Site and Setting

1.1 The application site is within Ryelands Park. The Strategic Policies and Land Allocations DPD designates the Park as Open Space (Policy SC3), Local Green Space (SC2), Strategic Green Chain (SC4) and Key Urban Landscape (EN5). Ryelands House is a Grade II Listed Building constructed of ashlar sandstone in Greek revival style. It was last used by the NHS. Two adjacent buildings are in use as day nurseries and a children's centre. A hardstanding car parking area is situated between the buildings, which are surrounded by parkland, gardens and mature trees. National cycle route 6 passes the front of the building.

2.0 Proposal

2.1 This application seeks Listed Building Consent for demountable internal linings to some ground floor rooms, repairs to existing lean-to toilet, repair of windows, and temporary window coverings. The application is made following a pre-application advice meeting. The works are required to facilitate the short-term community use and priority repairs as part of a wider phased plan for the restoration of Ryelands House for community uses.

3.0 Site History

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

Application Number	Proposal	Decision
17/01530/LB	Listed building application for replacement render to the exterior and interior of the rear courtyard walls and the installation of a door in an existing opening	Approved
22/00472/FUL	Installation of air source heat pumps, including associated security fencing	Withdrawn
22/00543/FUL	Installation of air source heat pumps, including associated security fencing	Withdrawn

4.0 Consultation Responses

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

Consultee	Response
Conservation Team	No objection subject to conditions.
Property Services	No response received.

4.2 The statutory publicity period for the application expires on 4 February 2026. At the time of drafting this report, no representations have been received from members of the public. Should any representations be submitted prior to the planning committee meeting, these will be reported within the written updates.

5.0 Analysis

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

- Heritage

5.2 **Heritage** NPPF Section 16 (Conserving and enhancing the historic environment); Policies SP7 (Maintaining Lancaster District's Unique Heritage), DM37 (Development Affecting Listed Buildings), DM3 (Development Affecting Conservation Areas), DM39 (The Setting of Designated Heritage Assets) and DM41 (Development Affecting Non-Designated Heritage or their Settings)

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

5.2.2 The demountable linings are required to protect heritage features during the ground floor's occupation by the SEND Den (a multi-sensory space and wellbeing hub for children and families with additional and sensory needs), a use which is supported by the Council. While the proposed installation of internal impact linings to a principal ground-floor room would result in a degree of harm (less than substantial) to the building's significance through the obscuring of designed features (including the fireplace), clear and convincing justification has been provided for their temporary use. The same argument applies to the internal application of Perspex to some windows. Subject to the submission and approval of detailed specifications and a condition to secure the temporary nature of the works and a requirement to make good any temporary fixings, the Conservation Team raise no objection.

5.2.3 Given the current condition, the proposed repair works to the windows and to the accessible toilet are welcomed. Subject to the submission and approval of detailed specifications, the Conservation Team raise no objection to this aspect of the proposal either. It is recognised the proposed works will enable the building to be brought back into use, securing its long term conservation.

6.0 Conclusion and Planning Balance

- 6.1 The proposed works would help prevent further deterioration to the historic fabric of the currently vacant and vulnerable Ryelands House and enable a new community use. Overall, these proposals would result in minor (less than substantial) harm to the significance of the Listed Building, which is outweighed by the public benefits of securing its repair and new use.

Recommendation

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

Condition no.	Description	Type
1	Standard Listed Building Timescale	Control
2	Amended Plans and Details	Control
3	Temporary Consent 3 Years for Temporary Coverings	Control
4	Further details of materials and methods of fixing	Prior to Installation

Background Papers

None

Agenda Item	A11
Application Number	25/01313/FUL
Proposal	Creation of a new opening in an existing wall and construction of a new pedestrian ramped access
Application site	Boundary Wall and Footway to Moor Mills Car Park Off Nelson Street Lancaster Lancashire
Applicant	Lancaster City Council Parking
Agent	HPA Architects
Case Officer	Mr Anthony Foster
Departure	No
Summary of Recommendation	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 The application relates to a section of wall which currently forms part of the western boundary of the existing Moor Lane Mills Car Park. At present, pedestrian access to and from the carpark is not separated from the vehicular access, which enter and exit the car park through a narrow gateway on Moor Lane.
- 1.2 The existing wall is circa 0.9 metres in height and is in the location of a historic vehicular access, which has subsequently been blocked up. The wall is made of squared sandstone blocks laid in regular courses. The lower section of the wall is faux random rubble with the inclusion of jumpers. The wall includes modern coping stones.
- 1.3 The wall is deemed to be Grade II listed as part of the wider mill complex. It is apparent that following the demolition of the weaving sheds, the wall was constructed to create a boundary for the site.
- 1.4 The site is also located within Lancaster Conservation Area within Character Area 5 - Canal Corridor North.

2.0 Proposal

- 2.1 The proposal looks to demolish a small section of wall, which has previously been altered following the demolition of a series of mill buildings, some of which previously formed the site boundary.

- 2.2 The works will see the inclusion of a ramp through a shrubbed area to provide safe pedestrian access to and from the car park.
- 2.3 The scheme looks to create a modest opening within the existing boundary wall which will be flanked by masonry quoins which are in keeping with those details found on the existing wall. The ramp and steps will be formed of concrete, with a simple metal railing atop.
- 2.4 The gradients and handrails / guarding on the ramp are in accordance with Parts M & K of the Building Regulations.

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
25/01318/LB	Listed building application for the creation of a new opening in an existing wall	Pending consideration

4.0 Consultation Responses

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

Consultee	Response
Conservation Team	No Objection - Subject to details of the proposed railings and handrail, the proposals would not result in any harm to the significance of surrounding heritage assets, or to the character and appearance of the Conservation Area. As such, we have no objection but would recommend that these details are required by condition for any permission granted.
Historic England (HE)	Comments – no need to consult HE under the relevant statutory provisions.
Lancashire Highways	No Objection – Whilst the location of proposed works is not highway-maintained at public expense, their assessment of the proposal in the context of the NPPF concludes there would be no highway grounds to support an objection.

- 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
- Highways
- Trees

- 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), DM37 (Development affecting Listed Buildings), DM38 (Development affecting Conservation Areas), DM39 (The Setting of Designated Heritage Assets).

- 5.2.1 In determining planning applications, local planning authorities have special duties with regard to preserving the setting of listed buildings and the character and appearance of conservation areas under s66 and s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, respectively.

- 5.2.2 Local plan policy DM29 sets out that new development should make a positive contribution to the surrounding landscape and / or townscape and will be expected to contribute positively to the identity and character of the area through good design, having regard to local distinctiveness, appropriate siting, layout, orientation and scale.
- 5.2.3 Local plan policy DM38 relates to development affecting conservation areas. This policy requires any development proposals and alterations to buildings and open spaces in conservation areas to preserve or enhance its character. The policy states that the appearance and setting of development, in terms of design, siting, height, should not have an unacceptable impact on open spaces and designation setting including important views into and out of the conservation area, and should not result in the loss or alteration of features which contribute to the special character of the buildings and area. Local plan policy DM39 sets out that development proposals affecting the setting of designated heritage assets will be expected to include an assessment of the setting and the impact of the proposal upon this. In accordance with policy a Heritage Statement accompanies the application which considers the potential impacts upon the identified heritage assets.
- 5.2.4 The new access is a relatively minor insertion into the boundary wall, given the overall length of the existing wall, which forms both the southern and western boundary of the site. The scheme also seeks to make use of the quoin design feature for the new entrance, the materials for which will be relocated from the existing wall. The proposed railings are simple in their design and form.
- 5.2.5 Consequently, this minor change is considered to be undertaken sympathetically and will result in a neutral impact on the significance of the Conservation Area. As such, there is no requirement to weigh up the public benefits of the scheme.
- 5.2.6 The Conservation Officer has considered the proposal and raises no objections to the scheme, subject to full details of the proposed railings, which can be secured by a suitable condition.
- 5.2.7 The overall scale of the development is relatively minor and as such, it is considered that there will be no undue impacts on the identified Heritage Assets in accordance with Policies DM29, DM37, DM38 and DM39 of the Development Management DPD and chapter 16 of the NPPF.
- 5.3 **Highways (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 DM60: Enhancing Accessibility and Transport Linkages, DM61: Walking and Cycling.**
- 5.3.1 Policy DM60 requires development proposals to maximise the opportunities for the use of walking, and Policy DM61 seeks to protect, maintain and improve the pedestrian environment.
- 5.3.2 The application seeks to provide an improved means of pedestrian access to the site, as the current single access is a narrow access shared with vehicles. Accordingly, it is considered that the proposal results in the formation of a safer pedestrian access in accordance with policies DM29, DM60 and DM61 of the Development Management DPD and chapters 9 and 12 of the NPPF.
- 5.3.3 Whilst the works are not within the adopted highway, the local highway authority has considered the application and is satisfied the development would not result in an unacceptable impact on highway safety in accordance with paragraph 116 of the NPPF.
- 5.4 **Trees (NPPF: Chapter 15 paragraph 170 and 174-177 (Habitats and biodiversity); Strategic Policies and Land Allocations (SPLA) DPD policies SG1 Lancaster South Broad Area of Growth and EN7 (Environmentally Important Areas); Development Management (DM) DPD policies DM44 (Protection and Enhancement of Biodiversity) and DM45: Protection of Trees, Hedgerows and Woodland.**
- 5.4.1 The effect of development on trees and hedgerows is considered principally under DM DPD Policy 45, with the emphasis echoed through SPLA Policy SG9. The policy approach is twofold, whereas the Council will support the protection and incorporation of existing trees and hedgerows, which includes other natural features. Then, to encourage appropriate opportunities to 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. The policy states new development should positively incorporate existing trees and hedgerows, which is further echoed throughout the SPLA and DM DPDs.

5.4.2 There are 2no. Cherry Trees in the vicinity of the proposed new footpath. The application is supported by a tree survey and root protection area plan which details the protective measures to be used during construction to ensure that the trees adjacent to the access remain unharmed.

5.4.3 Subject to the development being carried out in accordance with these details, the scheme is in accordance with policy DM45 of the Development Management (DM) DPD.

6.0 Conclusion and Planning Balance

6.1 The proposed development is considered to have a neutral impact upon the identified heritage assets, including the conservation area. It also facilitates improved pedestrian safety and linkages within the area, without adverse impacts to existing trees on site. Accordingly, the development is considered to comply with the Development Plan and NPPF and is therefore recommended for approval, subject to the appropriate conditions relating to the design of the railings and securing the proposed tree protection.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Time limit	Control
2	Approved plans	Control
3	Carried out in accordance with Tree Protection Measures	Control
4	Details of the proposed Railings	Prior to Installation

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

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

Background Papers

None

Agenda Item	A12
Application Number	25/01318/LB
Proposal	Listed building application for the creation of a new opening in an existing wall
Application site	Boundary Wall to Moor Mills Car Park Off Nelson Street Lancaster Lancashire
Applicant	Lancaster City Council Parking
Agent	HPA Architects
Case Officer	Mr Anthony Foster
Departure	No
Summary of Recommendation	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 The application relates to a section of wall which currently forms part of the western boundary of the existing Moor Lane Mills Car Park. At present, pedestrian access to and from the car park is not separated from the vehicular access, which enter and exit the car park through a narrow gateway on Moor Lane.
- 1.2 The existing wall is circa 0.9 metres in height and is in the location of a historic vehicular access, which has subsequently been blocked up. The wall is made of squared sandstone blocks laid in regular courses. The lower section of the wall is faux random rubble with the inclusion of jumpers. The wall includes modern coping stones.
- 1.3 The wall is deemed to be Grade II listed as part of the wider mill complex. It is apparent that following the demolition of the weaving sheds, the wall was constructed to create a boundary for the site.
- 1.4 The site is also located within Lancaster Conservation Area within Character Area 5 - Canal Corridor North.

2.0 Proposal

- 2.1 The proposal looks to demolish a small section of wall, which has previously been altered following the demolition of a series of mill buildings, some of which previously formed the site boundary.

- 2.2 The works will see the inclusion of a ramp through a shrubbed area to provide safe pedestrian access to and from the car park.
- 2.3 The scheme looks to create a modest opening within the existing boundary wall which will be flanked by masonry quoins which are in keeping with those details found on the existing wall. The ramp and steps will be formed of concrete, with a simple metal railing atop.
- 2.4 The gradients and handrails / guarding on the ramp are in accordance with Parts M & K of the Building Regulations.

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
25/01313/FUL	Listed building application for the creation of a new opening in an existing wall	Pending consideration

4.0 Consultation Responses

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

Consultee	Response
Conservation Team	No Objection - Subject to details of the proposed railings and handrail, the proposals would not result in any harm to the significance of surrounding heritage assets, or to the character and appearance of the Conservation Area. As such, we have no objection but would recommend that these details are required by condition for any permission granted.
Historic England	Comments - no need to consult HE under the relevant statutory provisions.

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

- None 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), DM37 (Development affecting Listed Buildings), DM38 (Development affecting Conservation Areas), DM39 (The Setting of Designated Heritage Assets)

- 5.2.1 In determining planning applications, local planning authorities have special duties with regard to preserving the setting of listed buildings and the character and appearance of conservation areas under s66 and s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, respectively.

- 5.2.2 Local plan policy DM37 relates to development affecting Listed Buildings. Proposals should conserve and, where appropriate, enhance those elements that contribute to its significance. All

proposals should be based on a thorough understanding of the building’s significance. Local plan policy DM39 sets out that development proposals affecting the setting of designated heritage assets will be expected to include an assessment of the setting and the impact of the proposal upon this. In accordance with policy a Heritage Statement accompanies the application which considers the potential impacts upon the identified heritage assets.

- 5.2.3 The new access is a relatively minor insertion into the boundary wall, given the overall length of the existing wall, which forms both the southern and western boundary of the site. The scheme also seeks to make use of the quoin design feature for the new entrance, the materials for which will be relocated from the existing wall. The proposed railings are simple in their design and form.
- 5.2.4 Consequently, this minor change is considered to be undertaken sympathetically and will result in a neutral impact on the significance of the identified heritage asset. As such, there is no requirement to weigh up the public benefits of the scheme.
- 5.2.5 The Conservation Officer raises no objections to the scheme, subject to full details of the proposed railings to be secured by a suitable condition.
- 5.2.6 The overall scale of the development is relatively minor and as such, it is considered that there will be no undue impacts on the identified Heritage Assets in accordance with Policies DM29, DM37, DM38 and DM39 of the Development Management DPD and chapter 16 of the NPPF.

6.0 Conclusion and Planning Balance

- 6.1 The proposed development is considered to have a neutral impact upon the identified heritage assets, including the conservation area. It also facilitates improved pedestrian safety and linkages within the area, without adverse impacts to existing trees on site. Accordingly, the development is considered to comply with the Development Plan and NPPF and is therefore recommended for approval, subject to the appropriate conditions relating to the design of the railings and securing the proposed tree protection.

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	Details of the proposed Railings	Prior to Installation

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
24/01304/FUL	Coolwave Solutions, Northgate, White Lund Industrial Estate Erection of 9 industrial units with associated parking for Mr Liam Dunphy (Westgate Ward)	Application Permitted
25/00155/DIS	Mellishaw North Development Site, Mellishaw Lane, Heaton With Oxcliffe Discharge of conditions 2,3,4,5,7,8,9,10,11 & 12 on approved application 19/00507/VCN for Aston Cox Limited (Westgate Ward)	Split Decision
25/00158/DIS	Crook Farm, Slack Lane, Thurnham Discharge of condition 3 on approved application 25/00440/LB for Mr John Gerrard (Ellel Ward)	Application Permitted
25/00165/DIS	Pheasantfield Farm, Borwick Road, Borwick Discharge of conditions 2, 3 and 5 on approved application 23/00169/PAA for Mr JC Derbyshire (Warton Ward)	Split Decision
25/00187/DIS	Williamsland Farm, Hasty Brow Road, Slyne Discharge of condition 3, 4b, 5, 6, 7, 8 and 9 on approved application 22/00270/FUL for Mr Bob Marley (Bolton And Slyne Ward)	Split Decision
25/00194/DIS	Land At Natterjack Lane, Middleton, Lancashire Discharge of conditions 12,13,14 and part of condition 17 on approved application 23/00398/FUL for Mr D Petty (Overton Ward)	Split Decision
25/00197/DIS	Castle Chambers, 60 Market Street, Lancaster Discharge of condition 3,4 and 5 on approved application 24/01106/FUL for Mr Joe Crookall (Castle Ward)	Split Decision
25/00201/DIS	Fanny House Solar Farm, Clay Lane, Heysham Discharge of condition 4 on approved application 24/00168/FUL for Mr Josh Mammola (Heysham South Ward)	Split Decision
25/00202/DIS	Sellerley Farm, Conder Green Road, Galgate Discharge of condition 2,3 and 4 on approved application 25/00321/FUL for Mr Eddie Newsham (Ellel Ward)	Application Permitted
25/00203/DIS	Corner House, Woodwell Lane, Silverdale Discharge of condition 3 on approved application 18/00380/FUL for Mr Chris Boardman (Silverdale Ward)	Application Refused
25/00204/DIS	Throstle Croft, Main Road, Thurnham Discharge of condition 1 on appeal reference APP/A2335/W/25/3370166 for Ms & Mr Hazel & Chris Ronson & Dickson (Ellel Ward)	Application Permitted
25/00206/DIS	29A Stanhope Avenue, Morecambe, Lancashire Discharge of conditions 3,4,5 and 6 on approved application 23/00113/FUL for Mr Tom Hill (Torrisholme Ward)	Split Decision

LIST OF DELEGATED PLANNING DECISIONS

25/00207/DIS	Land Adjacent, Bowerham Hotel , Bowerham Road Discharge of condition 9 on approved application 23/01216/FUL for Mr Adam Thomson (Bowerham Ward)	Application Permitted
25/00208/DIS	Morecambe Winter Gardens, 209 Marine Road Central, Morecambe Part discharge of condition 4 on approved application 25/00909/VCN for Vanessa Toulmin (Poulton Ward)	Application Permitted
25/00211/DIS	Higher Lee, Rakehouse Brow, Abbeystead Discharge of condition 3 (roofing material) on approved application 25/00876/LB for Mr G Fleming (Ellel Ward)	Application Refused
25/00558/ELDC	6 Connaught Road, Lancaster, Lancashire Existing lawful development certificate for the adjustment of land levels, erection of retaining wall, erection of a single storey extension, chimney and flue for Mr Anthony Leach (Bowerham Ward)	Lawful Development Certificate Refused
25/00607/FUL	43 - 45 Market Street, Lancaster, Lancashire Change of use of the first and second floors into 4 flats for student accommodation and alteration to the front ground floor elevation to form a new entrance for Mr S Ashby (Castle Ward)	Application Permitted
25/00674/FUL	Redfields, Wyresdale Road, Quernmore Demolition of existing dwelling and erection of replacement self-build dwelling with associated landscaping for Mr Anthony Gardner (Lower Lune Valley Ward)	Application Permitted
25/00919/FUL	Glenarra, Park Road, Silverdale Part retrospective application for the demolition of existing dwelling and erection of a replacement dwelling with associated works for Mr & Mrs Livesey (Silverdale Ward)	Application Permitted
25/00930/FUL	Land East Of Arkholme Methodist Church, Kirkby Lonsdale Road, Arkholme Erection of 23 dwellings with associated access, internal roads, associated drainage works and installation of a package treatment plant for Oakmere Homes (Northwest) Ltd (Halton-with-Aughton And Kellet Ward)	Application Refused
25/00967/VCN	Ducksberry, Coneygarth Lane, Tunstall Erection of an extension to sun room to form a porch and alterations to external doors and windows (pursuant to the variation of condition 2 on planning permission 24/00082/FUL for alterations to the extension) for Laura Newton (Upper Lune Valley Ward)	Application Permitted
25/00988/FUL	17 Kingfisher Drive, Heysham, Morecambe Installation of raised roof and loft conversion to create additional habitable accommodation and installation of rooflights for Mr and Mrs Johnston (Heysham South Ward)	Application Permitted
25/00989/FUL	The Bath, 5 - 7 Northumberland Street, Morecambe Retrospective application for the erection of a fence at the rear for Messrs Robinson and Howard (Poulton Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

25/01002/ELDC	Edmundson House, Melling Road, Melling Existing lawful development certificate for use of land as domestic garden including outbuildings and structures for Mr Kevin Bryan (Upper Lune Valley Ward)	Lawful Development Certificate Granted
25/01007/FUL	13A Grange View, Bolton Le Sands, Carnforth Part retrospective change of use of workshop to holiday let and installation of windows to the rear for Mr C Clark (Bolton And Slyne Ward)	Application Refused
25/01023/LB	Nat West Bank, 68 - 70 Church Street, Lancaster Listed building consent for the replacement of 2 cash machines and 1 coin car, including adjustments to the automation wall and the redecoration of skirting and wall finish for Rachel Halls (Castle Ward)	Application Permitted
25/01037/FUL	Near Moss Farm Caravan Park, Gulf Lane, Cockerham Change of use of land for the siting of 9 static/chalet caravan pitches for year round holiday purposes to replace the existing 9 touring pitches for Messrs E And H Threlfall (Ellel Ward)	Application Refused
25/01038/FUL	Near Moss Farm Caravan Park, Gulf Lane, Cockerham Change of use of agricultural land for the siting of additional 58 static caravan pitches with associated car park for Mrs E And H Threlfall (Ellel Ward)	Application Refused
25/01050/FUL	Ulrikken , Cromwell Road, Lancaster Erection of a detached outbuilding for Mr & Mrs Townsend (Castle Ward)	Application Withdrawn
25/01062/FUL	3 Meadow View, Farleton, Lancaster Creation of car parking spaces for Mr Edmund Park (Upper Lune Valley Ward)	Application Permitted
25/01082/FUL	Borwick Lodge Farm, Borwick Lane, Borwick Construction of a roof over a midden for James Sharp (Warton Ward)	Application Permitted
25/01086/LB	Quernmore Old School, Bay Horse Road, Quernmore Listed building application for a replacement window, removal of paint from roof beams, repainting and re-rendering of ceiling, cleaning/sanding of floor, repainting of external wall, installation of electrical services and a log burner for Mark Speake (Lower Lune Valley Ward)	Application Permitted
25/01103/FUL	Bay View Holiday Park, Bolton Holmes Farm, Dertern Lane Change of use of land, creation of access tracks and regrading of land to allow siting of touring caravans. for Holgates (Caravan Parks) Limited (Bolton And Slyne Ward)	Application Refused
25/01109/FUL	Land North East Of Old Hall Farm, Kirkby Lonsdale Road, Over Kellet Erection of 37 dwellings with associated development including internal access roads and drainage infrastructure for Oakmere Homes (Longtown) Ltd (Halton-with-Aughton And Kellet Ward)	Application Refused
25/01113/FUL	38 Regent Road, Morecambe, Lancashire Change of use of first and second floors of existing shop into 2 flats and insertion of a new doorway to the rear for Mr Arulkumaran Kandasamy (West End Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

25/01126/CU	30 Market Street, Carnforth, Lancashire Change of use of first floor of hot food takeaway to managers accommodation for Mr Daniel Valchev (Carnforth And Millhead Ward)	Application Refused
25/01137/FUL	27 Rydal Road, Bolton Le Sands, Carnforth Construction of dormer extensions to the front and rear roof elevations for Mr and Mrs Middleton (Bolton And Slyne Ward)	Application Permitted
25/01139/FUL	Heysham 2 Power Station, Princess Alexandra Way, Heysham Erection of two temporary portacabins and removal of an existing redundant cabin for Mrs Laura Cherry (Overton Ward)	Application Permitted
25/01142/FUL	29 Newlands Road, Lancaster, Lancashire Erection of a two storey side extension and alterations to existing garage for Mr David Oswald (Bowerham Ward)	Application Refused
25/01161/FUL	Flats 1-4, Wesley House, 9 - 11 Friar Street Installation of replacement windows to the front elevation for Mr Lewis Bolton (Castle Ward)	Application Permitted
25/01162/LB	Flats 1-4, Wesley House, 9 - 11 Friar Street Listed building application for the installation of replacement windows to the front elevation for Mr Lewis Bolton (Castle Ward)	Application Permitted
25/01172/FUL	64 Bowerham Road, Lancaster, Lancashire Installation of ATM, security camera and light for Mr Ben Train (Bowerham Ward)	Application Permitted
25/01173/ADV	64 Bowerham Road, Lancaster, Lancashire Advertisement application for the display of 2 internally illuminated fascia signs, 1 internally illuminated projecting sign, 5 graphic boards and 4 pole mounted signs for Mr Ben Train (Bowerham Ward)	Application Permitted
25/01178/FUL	269 Willow Lane, Lancaster, Lancashire Erection of a two storey side extension and single story side extension for Mr William Nelson (Marsh Ward)	Application Permitted
25/01192/LB	Clarksons Farm, Moss Lane, Thurnham Listed building application for the installation of three new and two replacement ventilation extract grilles and internal wall insulation for Julie Coulton (Ellel Ward)	Application Refused
25/01193/HRA	Crook Farm, Slack Lane, Thurnham Regulation 77 application for agricultural determination 25/00943/AD for Mr John Gerrard (Ellel Ward)	Application Permitted
25/01201/ELDC	1 Hatlex Lane, Hest Bank, Lancaster Existing lawful development certificate for removal of conservatory and construction of a single storey rear extension for Mrs Joanna Burke (Bolton And Slyne Ward)	Application Withdrawn
25/01211/FUL	16 Easedale Close, Bolton Le Sands, Carnforth Construction of front and rear dormer roof extensions for Mr Samuel Gentle (Bolton And Slyne Ward)	Application Refused

LIST OF DELEGATED PLANNING DECISIONS

25/01216/FUL	15 Knowlys Drive, Heysham, Morecambe Retrospective application for the construction of a raised decking area to the rear, installation of balustrade and external steps to the rear for Mr Ian Williamson (Heysham Central Ward)	Application Permitted
25/01222/NMA	Land South Of Burrow Beck, Bailrigg Lane, Lancaster Non-material amendment to planning permission 25/00173/VCN to include raised mound sections around substations 1/2/3, to alter PV arrangement to accommodate adjustments to the drainage designs and path sizes and alter description to include container/associated infrastructure for Dr Robert Boschi (University Ward)	Application Permitted
25/01227/HRA	Heysham 1 Power Station, Princess Alexandra Way, Heysham Regulation 77 application for the groundworks at Heysham 1 Power Station to infill a redundant former chemical clean lagoon on 25/00791/PLDC for Mr Martyn Mills (Overton Ward)	Application Permitted
25/01230/LB	2 Bronte Cottages, Long Level, Cowan Bridge Listed building application for the construction of a rear lean-to porch for Professor Malik G. Salameh (Upper Lune Valley Ward)	Application Permitted
25/01231/NMA	2 Bronte Cottages, Long Level, Cowan Bridge Non-material amendment to planning permission 15/00147/FUL for alterations to approved porch for Professor Malik G. Salameh (Upper Lune Valley Ward)	Application Permitted
25/01232/FUL	6 Buckingham Place, Morecambe, Lancashire Conversion of garage to ancillary living accommodation in association with 6 Buckingham Place for Mr James Cunningham (West End Ward)	Application Refused
25/01235/FUL	44 Morecambe Road, Morecambe, Lancashire Demolition of existing extensions and erection of a single storey side/rear wraparound extension for Mr and Mrs Valentine (Torrisholme Ward)	Application Permitted
25/01243/FUL	27 Sykelands Avenue, Halton, Lancaster Construction of a dormer extension to the front roof elevation for Mr and Mrs Matthew Redmayne (Halton-with-Aughton And Kellet Ward)	Application Permitted
25/01248/FUL	Queen Square , Station Road, Morecambe Installation of replacement external cladding for McQueen-Prince (Poulton Ward)	Application Permitted
25/01252/FUL	23 West Street, Morecambe, Lancashire Change of use and subdivision of existing print shop and office to form one dwelling, one self contained flat and commercial unit with alterations to shopfront/insertion of new entrance door and front window and insertion of a new window and door to the rear for Mr J Edwards (West End Ward)	Application Permitted
25/01254/FUL	42 Dunkirk Avenue, Carnforth, Lancashire Erection of a single storey wrap around extension and installation of solar panels to the front elevation for Mr and Mrs Arron Blood (Carnforth And Millhead Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

25/01258/FUL	9 Moon Bay Wharf, Heysham, Morecambe Conversion of existing conservatory to single storey rear extension for Mr and Mrs Philip Bolton (Heysham South Ward)	Application Permitted
25/01259/FUL	11 Longlands Avenue, Heysham, Morecambe Erection of a single storey rear/side extension for Mr and Mrs Peter Butler (Heysham Central Ward)	Application Permitted
25/01262/LB	Lancaster Castle, Castle Park, Lancaster Listed building application for the internal fit out of the upper ground and first floors of former female felons unit to facilitate temporary contractors facilities including removal of plaster and redundant services, repainting, installation of lighting, electrics, heating systems, ventilation and an external soil pipe for Mr Adam Brooks (Castle Ward)	Application Permitted
25/01265/FUL	7A Tibicar Drive West, Heysham, Morecambe Erection of a single storey rear extension for Croft (Heysham Central Ward)	Application Refused
25/01266/LB	Cross House, Main Street, Arkholme Listed building application for replacement windows for Ms Leonie Punter (Halton-with-Aughton And Kellet Ward)	Application Permitted
25/01267/FUL	2 Longtons Cottages, Kirkby Lonsdale Road, Over Kellet Erection of a single storey rear extension for Mr Ian Barlow (Halton-with-Aughton And Kellet Ward)	Application Permitted
25/01272/FUL	25 Longlands Lane, Heysham, Morecambe Demolition of existing conservatory and erection of a two storey rear extension, demolition of existing garage and erection of a single storey double garage extension to the side for Mr & Ms Jennings (Heysham Central Ward)	Application Permitted
25/01273/FUL	10 Greenways, Over Kellet, Carnforth Construction of a hip to gable extension, loft conversion and dormer extensions to the front and rear elevations for Mr Kenneth Karg (Halton-with-Aughton And Kellet Ward)	Application Permitted
25/01275/FUL	Cragg House, Kirkby Lonsdale Road, Over Kellet Installation of solar panels to rear the elevation for Mrs Elaine Stephenson (Halton-with-Aughton And Kellet Ward)	Application Withdrawn
25/01276/LB	Cragg House, Kirkby Lonsdale Road, Over Kellet Listed building application installation of solar panels to the rear elevation for Mrs Elaine Stephenson (Halton-with-Aughton And Kellet Ward)	Application Withdrawn
25/01277/LB	Cragg House, Kirkby Lonsdale Road, Over Kellet Listed building application for alterations to window and door positions on the front elevation, including the raising of the stone lintel to the current window adjacent to Fern Nook cottage to reinstate the former door opening, removal and replacement of partition wall and alterations to staircase design and internal layout for Mrs Elaine Stephenson (Halton-with-Aughton And Kellet Ward)	Application Withdrawn

LIST OF DELEGATED PLANNING DECISIONS

25/01278/NMA	Cragg House, Kirkby Lonsdale Road, Over Kellet Non-material amendment to planning permission 22/00776/FUL to alter the window and door positions on the front elevation, works to partition walls, alterations to staircase design and floor layouts and to omit conservation type rooflights and retain glazed panels for Mrs Elaine Stephenson (Halton-with-Aughton And Kellet Ward)	Application Withdrawn
25/01280/ELDC	Caravan To The Rear Of Melldore, Main Road, Slyne Existing lawful development certificate for use of land and caravan as a residential unit for Miss Victoria Ashcroft (Bolton And Slyne Ward)	Lawful Development Certificate Granted
25/01286/FUL	Happy Chop Suey House, 50 King Street, Lancaster Creation of a new shop front, extension to rear store building and replacement rooflights for Ershui Weng (Castle Ward)	Application Permitted
25/01287/LB	Happy Chop Suey House, 50 King Street, Lancaster Listed building application for creation of a new shop front, extension to rear store building, creation of external rear door, secondary glazing to windows, replacement rooflights, reorientation of external steps and internal and external alterations to reconfigure layout for Ershui Weng (Castle Ward)	Application Permitted
25/01289/FUL	45 And 47 Branksome Drive, Morecambe, Lancashire Erection of single storey rear extensions for Colbrook/Taylor/Hodgson (Westgate Ward)	Application Permitted
25/01291/FUL	Batty Hill Farm, Lancaster Road, Cockerham Erection of an agricultural storage shed for Mr Peter Hewitt (Ellel Ward)	Application Permitted
25/01296/FUL	16 Emesgate Lane, Silverdale, Carnforth Replacement of existing refrigeration plant with 2 new AC units to side elevation/yard area, blocking up of 3 windows, installation of replacement front entrance door and redecoration of shopfront for Co-op (Silverdale Ward)	Application Permitted
25/01298/FUL	Claremont, Mill Lane, Bolton Le Sands Retrospective change of use of land to domestic garden for Mr Robert Whitehead (Bolton And Slyne Ward)	Application Permitted
25/01302/FUL	38 Hatlex Drive, Hest Bank, Lancaster Demolition of side carport, rear lean-to store and single storey rear extension and erection of a two storey rear extension, conversion of attached garage and installation of new/replacement windows for Mr and Mrs Peter Arthur (Bolton And Slyne Ward)	Application Permitted
25/01303/PLDC	Halton Training Camp, Halton Road, Halton Proposed lawful development certificate for compound and fencing for Ruth Hindmarch (Skerton Ward)	Application Permitted
25/01304/EIR	Halton Training Camp, Halton Road, Halton Screening request for compound and fencing for Ruth Hindmarch (Skerton Ward)	ES Not Required

LIST OF DELEGATED PLANNING DECISIONS

25/01311/PLDC	33 Longlands Lane, Heysham, Morecambe Proposed lawful development certificate for the erection of single storey rear extension for Mr & Mrs Clarke (Heysham Central Ward)	Lawful Development Certificate Refused
25/01319/FUL	2 Pinewood Avenue, Bolton Le Sands, Carnforth Construction of a boundary fence for Mr Nigel Bird (Bolton And Slyne Ward)	Application Refused
25/01331/NMA	52 Norton Road, Heysham, Morecambe Non-material amendment to planning permission 25/00086/FUL to change material for Mr and Mrs Andrew Dacres (Heysham Central Ward)	Application Permitted
25/01333/AD	Barrow Greaves Farm, Barrow Greaves, Ellel Agricultural determination for the erection of agricultural storage (silage) building for Mr Robert Rhodes (Ellel Ward)	Prior Approval Not Required
25/01356/AD	Terrace Farm, Bay Horse Road, Quernmore Agricultural determination for the erection of a feed bin for Mr Mark Townley (Lower Lune Valley Ward)	Prior Approval Not Required
25/01357/AD	Terrace Farm, Bay Horse Road, Quernmore Agricultural determination for the erection of agricultural machinery storage shed for Mr Mark Townley (Lower Lune Valley Ward)	Prior Approval Not Required
25/01358/EIR	Terrace Farm, Bay Horse Road, Quernmore Screening request for the erection of a feed bin for Mr Mark Townley (Lower Lune Valley Ward)	ES Not Required
25/01364/EIR	Terrace Farm, Bay Horse Road, Quernmore Screening request for the erection of agricultural machinery storage shed for Mr Mark Townley (Lower Lune Valley Ward)	ES Not Required
26/00020/NMA	12 Ullswater Avenue, Morecambe, Lancashire Non material amendment to 25/00289/FUL to amend the footprint of extension for Mr Tom Greenwood (Westgate Ward)	Application Permitted
26/00030/NMA	5 Ancliffe Lane, Bolton Le Sands, Carnforth Non-material amendment to planning permission 24/00680/FUL for alterations to the proposed fenestration, changes to side door, omission of side windows and relocation of terrace steps for Mr and Mrs Fenton (Bolton And Slyne Ward)	Application Permitted
26/00033/PLDC	6 Michaelson Avenue, Morecambe, Lancashire Proposed lawful development certificate for the erection of a single storey side extension for Miss M Butterworth (Torrisholme Ward)	Lawful Development Certificate Granted
26/00046/PLDC	6 Pinewood Avenue, Bolton Le Sands, Carnforth Proposed lawful development certificate for the erection of a single storey rear extension and loft conversion including hip to gable and rear dormer extensions for Mr & Mrs G. Gledhill (Bolton And Slyne Ward)	Lawful Development Certificate Granted
26/00049/EIR	Moor Bottom Farm, Abbeystead Lane, Abbeystead Screening request for the demolition of a concrete panel slurry tower for Mr Declan Hoare (Ellel Ward)	ES Not Required

LIST OF DELEGATED PLANNING DECISIONS

26/00051/PLDC	4 School Road, Heysham, Morecambe Proposed lawful development certificate for the construction of a hip to gable extension and construction of a dormer extension to the rear elevation for Mr And Mrs K Woodend (Heysham South Ward)	Lawful Development Certificate Granted
26/00052/PLDC	16 Tranmere Avenue, Heysham, Morecambe Proposed lawful development certificate for the erection of single storey rear extension for Ms V Thomson (Heysham Central Ward)	Lawful Development Certificate Granted
26/00053/PLDC	11 Redmayne Drive, Carnforth, Lancashire Proposed lawful development certificate for erection of single storey rear extension for Mr M Fawcett (Carnforth And Millhead Ward)	Lawful Development Certificate Granted
26/00060/EIR	Land At Grid Reference 358612 468858, Deer Park Lane, Hornby Screening opinion for the demolition of existing buildings, erection of a dwelling with detached garage building and associated drainage and landscaping for Mr David Stocks (Upper Lune Valley Ward)	ES Not Required
26/00074/PLDC	4 Burton Avenue, Lancaster, Lancashire Proposed lawful development certificate for the erection of a single storey rear extension, detached outbuilding and construction of front porch for Mrs L Pyrah (Scale Hall Ward)	Lawful Development Certificate Granted
26/00075/PLDC	44 Highfield Road, Carnforth, Lancashire Proposed lawful development certificate for the demolition of existing conservatory and erection of a single storey rear extension for Mr And Mrs G Sparks (Carnforth And Millhead Ward)	Lawful Development Certificate Granted
26/00090/PLDC	White Gables, Borwick Lane, Borwick Proposed lawful development certificate for the installation of replacement roof tiles and installation of solar panels to the front roof elevation for Mr David Scott (Warton Ward)	Lawful Development Certificate Granted
26/00098/PLDC	19 Whernside Road, Lancaster, Lancashire Proposed Lawful Development Certificate for the erection of a single storey rear extension for Ms Danielle Croft (Scale Hall Ward)	Lawful Development Certificate Granted



Committee: PLANNING REGULATORY COMMITTEE

Date: MONDAY, 16 FEBRUARY 2025

Venue: MORECAMBE TOWN HALL

Time: 10.30 A.M

PLANNING REGULATORY COMMITTEE UPDATE REPORT

Any additional information received since the main agenda was printed and published is contained in this report. Officers have prepared a summary update for each application on this agenda where further information, additional representations, points of clarification, or corrections are relevant to the determination of the application.

This report must be read in conjunction with the agenda available [here](#) and the [main written reports pack](#) together with our approach in relation to Community Safety implications, Local Finance Considerations and Human Rights, as set out in the main agenda.

Update Reports

Update reports have been provided for the following planning applications. Where no updates are provided, this is noted in the list below:

Agenda Item	Application reference	Address	Update
A5	25/00805/OUT	Land to the west of Slyne Road, Bolton-le-Sands	Update - Pages 153-4
A6	25/01118/VCN	Cantral Promenade Regeneration Site, Marine Road Central, Morecambe	Update - Pages 155-6
A7	26/00023/FUL	Land east of Cantral Promenade Regeneration Site, Marine Road Central, Morecambe	Update - Page 157
A8	25/00512/FUL	Land north-west of Sand Lane, Warton	No update
A9	24/01417/FUL	Land off Newlands Road, Lancaster	Update - Pages 158-9
A10	25/01361/LB	Ryelands House, Lancaster	No update
A11	25/01313/FUL	Boundary wall and footway to Moor Mills car park, Lancaster	No update
A12	25/01318/LB	Boundary wall and footway to Moor Mills car park, Lancaster	No update

Date published: Thursday 12 February 2026



Planning Regulatory Committee

Written Update

Agenda Item:	A5	Application reference:	25/00805/OUT
Site Address:	Land To The West Of Slyne Road Bolton Le Sands Lancashire		
Proposal:	Outline application for the erection of up to 200 dwellings, including affordable housing, public open space, landscaping, and sustainable urban drainage system (SUDS) and associated works. All matters reserved except for means of access.		

Further Information

N/A

Additional Representations

Greater Manchester Ecological Unit (GMEU) – A consultation response has been received from GMEU which provides additional assessment of the potential for the site and surrounding land to constitute Functionally Linked Land (FLL) for qualifying bird species associated with the nearby Morecambe Bay & Duddon Estuary Special Protection Area. The response also provides assessment of additional survey data provided by an interested party. GMEU agrees with the conclusions of the Habitat Regulations Assessment (HRA) that the application site does not constitute FLL. GMEU confirms that the conclusions of the HRA in relation to FLL can therefore be relied upon. GMEU also confirms that it agrees with the conclusion of Natural England (as detailed within the Natural England response dated 26 January 2026).

9 additional letters of objection, including 6 submitted by the same interested party, have been received by the Local Planning Authority, raising the following matters:

- Video and photographic evidence showing birds using the fields has been shared by an interested party.
- Support afforded to the objection submitted by CPRE.
- Development does not constitute grey belt land.
- Reliance on the Green Belt Review 2016 is not appropriate as it was not undertaken in the context of grey belt policy.
- Reliance on the Green Belt Review 2016 would undermine the integrity of the Local Plan.
- Development of the site would fundamentally undermine the purposes of the Green Belt taken as a whole.
- Development would result in a loss of openness, encroachment into the countryside, and a material reduction in the separation between Slyne-with-Hest and Bolton-le-Sands.
- The location is not sustainable, and residents would be reliant on private transport.
- There are unresolved issues regarding traffic generation, pedestrian and cycle safety.
- The proposal conflicts with paragraphs 110 and 115 of the NPPF.
- The proposal would place further pressure on local infrastructure.



- The proposal would result in environmental harm, including flood risk and impacts on agricultural land, landscape character and biodiversity.
- The identified harms are significant and are not clearly outweighed by material considerations
- The proposal is inconsistent with Policies EN3 and EN4.
- The site is important habitat for qualifying bird species associated with the nearby Morecambe Bay & Duddon Estuary Special Protection Area, in particular Curlews, and other notable/protected species including Lapwing.
- There is no need for housing in this location.
- The proposal fails to meet the 'Golden Rules'.
- The proposal results in harm to the setting of designated heritage assets including Slyne Hall and Slyne Conservation Area.
- The proposal results in highway safety risk due to limited visibility, high road speeds, sharp corners, on street parking and limited pavement widths.
- The Transport Assessment is inadequate.
- Public transport in the area is inadequate.
- Sustainable travel modes are not a realistic option.
- The development does not relate well to wider settlement patterns and character.
- Surrounding settlements combined constitute a large built up area.
- The development is harmful to the drumlin character of the landscape.
- The proposal would result in urban sprawl into the countryside.
- Additional landscape viewpoints should have been assessed.
- Existing surface water flooding concerns.

Corrections to report / matters of clarification:

None

Officer Assessment/Comments

With respect to the additional representation provided by GMEU, this confirms that the site itself does not constitute FLL for qualifying bird species associated with the nearby Morecambe Bay & Duddon Estuary Special Protection Area. GMEU has also stated that the assessment contained within the submitted HRA is sound and that its conclusions with respected to FLL can be relied upon. Based on this additional assessment provided by GMEU, it is concluded that the development site itself does not constitute Functionally Linked Land, as also concluded by Natural England.

Surrounding land, in particular that to the eastern side of the A6, has a higher potential to constitute FLL. GMEU advises within its response that efforts should be made to protect and enhance the condition of these surrounding fields and their value as FLL. In this regard, the HRA has confirmed that, subject to the adoption of mitigation measures, the development proposed would not result in harm to this nearby land and therefore its value to qualifying bird species as potential FLL. It is recommended by GMEU that further opportunities should be explored to implement opportunities for FLL enhancements on these surrounding agricultural fields. This would be a matter for consideration as part of the Councils Local Plan Review, rather than this particular planning application, and would require engagement with surrounding landowners.

RECOMMENDATION

Approve as per the recommendation in the main report.



Planning Regulatory Committee

Written Update

Agenda Item:	A6	Application reference:	25/01118/VCN
Site Address:	Central Promenade Regeneration Site, Marine Road Central, Morecambe, Lancashire		
Proposal:	Demolition of existing buildings and proposed construction of major mixed leisure development in association with Eden Project (including use classes E, F1 and F2), outdoor arena (including live music performances), public realm, landscaping works, cycle parking, detached shelter and energy pods, and associated infrastructure and engineering operations (pursuant to the variation of condition 2 on planning permission 21/01113/FUL to amend the design and layout of the approved development)		

Further Information

None

Additional Representations

Formal consultation response from National Highways (NH), raising **no objection** to the proposal subject to recommended planning conditions being attached to any planning permission granted. Conditions include:-

- The retention of control over dynamic parking strategy
- Appropriate wording within the S106 agreement in order to cap hourly ticket sales to the agreed figure of 480 per hour
- Details of how staff parking at the P&R would be managed
- Key points relating to use of signage, marshalling of visitors by EPM staff and management of staff parking usage of the P&R through overall parking management-related planning condition
- Need for re-optimisation of the signal timings at Junction 34

Corrections to report / matters of clarification:

None

Officer Assessment/Comments

The formal consultation response from NH is largely that expected from previous correspondence (formal and informal responses), and the requirements are covered through existing recommended planning conditions and obligations.

Officers have identified very minor inconsistencies between some of the drawings which require updating. These do not affect the consideration of the proposal or the recommendation.



RECOMMENDATION

The recommendation remains unchanged and is subject to a s106 and conditions.

If the recommendation is supported, officers seek delegation back to the Chief Officer to ensure the plans are updated before the grant of planning permission.



Planning Regulatory Committee

Written Update

Agenda Item:	A7	Application reference:	26/00023/FUL
Site Address:	Land East of Central Promenade Regeneration Site, Marine Road Central, Morecambe, Lancashire		
Proposal:	Erection of flood defence wall, flood barrier and associated works		

Further Information

None

Additional Representations

Formal consultation response from Natural England, raising **no objection** to the proposal subject to recommended planning conditions being attached to any planning permission granted. Conditions include:-

- No external works should be undertaken between October and March, inclusive.
- A Construction Environment Management Plan (CEMP)

Formal consultation response from Conservation Team, raising **no objection** due to no adverse heritage impact.

Corrections to report / matters of clarification:

None

Officer Assessment/Comments

The formal consultation response from Natural England is largely that expected from previous correspondence (formal and informal responses), and the requirements are covered through existing recommended planning conditions for a CEMP, which will stipulate no external works should be undertaken between October and March, inclusive.

The formal consultation response from Conservation Team does not recommend any conditions or implications from the proposal.

RECOMMENDATION

The recommendation remains unchanged.



Planning Regulatory Committee

Written Update

Agenda Item:	A9	Application reference:	24/01417/FUL
Site Address:	Land Off Newlands Road, Lancaster, Lancashire		
Proposal:	Erection of 31 affordable dwellings with associated access and landscaping		

Further Information

None

Additional Representations

Three further observations/objections received from a neighbouring resident, raising the below concerns:-

- Concerns regarding the presence, and only partial treatment, of Japanese knotweed within the site.
- Disagreement with the LLFA withdrawal of their objection, due to policy conflict of pumping station and omission of above ground attenuation features, and that drainage should be resolved prior to determination, rather than controlled through planning condition recommended by the LLFA. Discharge/outfall is to a combined sewer. No weight should be given to LLFA response, and request planning committee members visit the site.
- Conflict with Local Plan Landscape Policy (Urban Setting Landscape) is a fundamental policy conflict with land intended to remain open and undeveloped.
- Unsustainable location due to lack of existing pavements, poor bus service and distance to local services (0.5 to 1 mile away), resulting in car dependence.
- Excessive engineering and visual harm due to significant topographical changes, requiring pumped drainage and exacerbated by acoustic fencing. Results in poor placemaking and steep amenity spaces.
- Incomplete evidence for trees and biodiversity, and reliance on purchasing off-site BNG credits for mitigation.
- Unavoidable harm to neighbouring residential amenity, proximity and scale of development, urbanising a semi-rural setting.
- Planning balance of cumulative harm identified significantly and demonstrably outweighs the benefits.

Corrections to report / matters of clarification:

None

Officer Assessment/Comments

It has been brought to officers' attention that there are invasive species on the site. It is recommended that a condition is imposed addressing the need to safely remove and manage any invasive species.



RECOMMENDATION

The overall recommendation remains unchanged from the main report. However, an **additional planning condition** for the survey, management/treatment and monitoring of invasive species on the site is recommended.