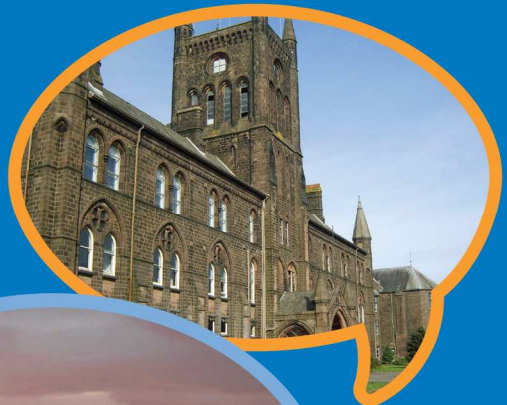




# A Draft Local Plan for Lancaster District 2011 - 2026

Part A: Development Management DPD  
Publication Version 2013



## Glossary

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## Glossary

This Glossary provides terms and references which will be relevant whilst reading this document. The terms included within this Glossary supplement the definitions which are found within Annex 2 of the National Planning Policy Framework (NPPF) and other relevant National Planning documents. The Glossary below does not seek to repeat or contradict terms described within the NPPF and therefore this Glossary should be read in conjunction with the NPPF and other relevant National Guidance.

**Adoption:** The point at which the final version of the Plan document is formally agreed and comes into use by the council for planning purposes.

**Affordable Homes Programme:** The Affordable Homes Programme 2011-15 (AHP) aims to increase the supply of new affordable homes in England. It is managed by the Homes & Communities Agency. The majority of the new programme will be made available as Affordable Rent with some for affordable home ownership, supported housing and in some circumstances, social rent.

**Affordable Housing Viability Study:** A study that tested the circumstances in which the district's housing market can deliver various levels of affordable housing by examining the influence of a range of affordable housing proportions and thresholds on viability.

**Air Quality Management Area (AQMA):** Areas which suffer from significant levels of air pollution, these are primarily found within town centre locations or industrial areas. To counter issues of poor air quality, management plans are prepared by the local authority to address these issues and lower pollution levels. In Lancaster District there are three AQMAs in Lancaster City Centre, Galgate and Central Carnforth where the main sources of air pollution arise from high traffic levels and congestion.

**Amenity:** A positive element(s) that contribute to the overall character or enjoyment of an area. For example, open land, trees, historic buildings and the inter-relationships between them, or less tangible factors such as tranquillity can all be considered as an amenity asset.

**Annual Monitoring Report (AMR):** Is a document produced on an annual basis to report on the progress in the preparation of Local Plan Documents and how successful the implementation of policies has been.

**Area Action Plans (AAP):** A Development Plan Document which relates to a specific area or place. The council is currently preparing an AAP which relates to the regeneration of Central Morecambe.

**Area of Outstanding Natural Beauty (AONB):** Areas which have been designated and protected because of their National landscape importance and environmental importance. There are two AONB's in the district at Arnsdale & Silverdale and the Forest of Bowland.

**BRE Environmental Assessment Method (BREEAM):** A voluntary measurement rating for green buildings that was established in this country by the Building Research Establishment (BRE).

**Biodiversity:** The whole variety of life on earth. It includes all species of plants and animals and the ecosystems and habitats they are part of.

**Biodiversity Action Plans (BAPs):** Recognised programmes that address the protection and restoration of threatened species and habitats. These are prepared on a sub-regional basis and a BAP is in place for the Lancashire area.

**Biodiversity Offsetting:** These are conservation activities which are designed to deliver biodiversity benefits in compensation for losses, in a measurable way.

**Biological Heritage Site (BHS):** A designation which identifies valuable local habitats such as ancient woodland, species rich grassland and peat bogs. Many of these sites provide habitats for rare and threatened species of plants and animals.

**Brownfield:** See the definition of Previously Developed Land (PDL).

**Caravan Development:** The creation, extension or adaptation of land which is used for the purposes of accommodating both static and/or touring caravans. The legislative definition can also include chalets which are used for temporary periods for leisure uses. This can also include development which is ancillary to the purpose of using caravans, including toilet blocks, laundry and shower blocks and other associated infrastructure.

**Catchment Flood Management Plan (CFMP):** Sets out an Action Plan and Strategy for the management of water along a river or wider catchment area. Such Management Plans are prepared by the Environment Agency.

**Civic Space:** Public spaces located in central accessible locations which can help shape a sense of place and be a focal point for the community.

**Communities:** A group of social interacting people. This interaction may be due to the close proximity of where people live (i.e. within neighbourhoods) or groups of people that have the same common interests or values.

**Community Infrastructure Levy (CIL):** A method of developers financially contributing toward the improvement of physical infrastructure. This levy supplements the financial sums which can be requested via s.106 which make development proposals achievable and deliverable. The levy will include an action plan which will set out priorities and a charging schedule on how money will be collected.

**Comparison Retailing:** Relates to items which are not purchased on a regular basis. This can include items such as footwear, household and electrical goods.

**Concealed Households:** Family units or single adults living within 'host' households.

**Conservation Areas:** Areas of special architectural or historic interest, the character or appearance of which is desirable to preserve or enhance.

**Convenience Retailing:** Relates to the purchase of everyday essential items, including confectionary, food and drink.

**Core Strategy:** This is a document which sets out strategic policies within the Local Plan process, setting out guidance on future development requirements and policy issues. Lancaster City Council adopted their Core Strategy in 2008.

**Cultural Asset:** Can be defined as uses such as museums, theatres, live music venues (not public houses), cinemas, community halls and other public meeting places.

**Development Plan Documents (DPD):** These are key planning documents which are prepared by the council. These are planning documents which are subject to public consultation and public examination. The Land Allocations, Development Management and Morecambe Area Action Plan are all classed as Development Plan Documents.

**Enabling Development:** Development that may be unacceptable in planning terms but provides an exceptional opportunity for public benefit that justifies it being permitted. Such an example could relate to securing the longer term future of a listed building or other important heritage asset.

**Equalities Impact Assessment (EqIA):** An assessment that understands the implications to a cross-section of the district's community from the preparation of a Development Plan Document.

**Essential Upland Worker:** Workers that play an essential part in maintaining the vitality of upland areas. Include employees of upland estates, doctors, nurses, teachers, bus drivers, and postal workers.

**Extra Care Housing:** Housing designed with the needs of older people in mind with varying levels of care and support available on-site. People who live in extra care housing have their own self contained homes and benefit from communal facilities being available. Properties can be rented, owned or part owned / rented.

**Flood Risk Assessments (FRA):** Assessments which identify the risks to a site or premises from flooding. These assessments are required for development proposals of a certain size or particular location.

**Fuel Poverty:** Fuel poverty is determined when a home cannot be heated to a comfortable level by utilising 10% or less of the household's income. This means that choices must be made between warmth and other essentials. Fuel poverty can contribute to excess winter deaths, cold related illnesses, high health care costs and deteriorating housing conditions.

**Green Belt:** Land which has been protected from development which could constitute urban sprawl by keeping land permanently open. There is one area of Green Belt in the district, separating the urban conurbation of Lancaster from the settlements of Bolton-le-Sand, Slyne, Hest Bank and Carnforth to the North.

**Greenfield:** Land which has not been previously developed, characterised by urban and suburban green spaces, open countryside and agricultural land.

**Gypsies and Travellers:** Persons of a nomadic habit of life whatever their race, origin, including persons who on grounds only of their own family's or dependents' education or health needs or old age have ceased to travel temporarily or permanently, but excluding

members of an organised group of travelling showpeople or circus people travelling together as such.

**Habitats Regulation Assessment (HRA):** Sometimes referred to as 'Appropriate Assessment'. This assesses the impacts of development proposals / policies on Natura 2000 sites (these are Special Areas of Conservation and Special Protection Areas). Each Development Plan Document is required to consider whether such an assessment is necessary via a Screening Report.

**Health Impact Assessment (HIA):** An assessment that understands the implications to health arising from the preparation of a development plan policy or allocation.

**Homes and Communities Agency:** This is a national organisation relating to housing and regeneration. It provides investment for new affordable housing and to improve existing social housing as well as for regenerating land.

**Houses in Multiple Occupation (HMOs):** A property is a HMO if it is let as a main or only home to at least three tenants, who form more than one household and who share a kitchen, bathroom or toilet. A household consists of either a single person or members of the same family who live together, including people who are married or living together, people in same-sex relationships, relatives who are living together and certain live-in domestic staff. An HMO can be an entire house, flat or converted building or a bedsit, shared houses, a household with a lodger, a purpose built HMOs, a hostel, guesthouses, bed and breakfast accommodation for homeless people or types of self-contained flats converted from houses.

**Housing Needs & Demand Survey:** This is council's current evidence base in regard to how many homes are required in the district, both for market and affordable housing. This survey was undertaken in 2011 by David Couttie Associates.

**Infrastructure:** In planning terms the physical structures that are required for a community to operate and be sustainable in the long term. Infrastructure typically refers to matters such as roads, water supply, sewers, electricity and other social elements such as education or health.

**Key Services:** In a rural context, key services include a Post Office, basic shop, primary school and access to public transport.

**Key Workers:** Essential public sector workers such as nurses, teachers and social workers.

**Landscape Character Assessment:** An assessment to identify different landscape areas which have a distinct character based on recognisable pattern of elements, including combinations of geology, landform, soils, vegetation, land-use and human settlement.

**Leisure Facilities:** Attractions and places which can encourage people from both within and outside the district to visit for recreational purposes. Such attractions can take a variety of forms for example the history of the district and the local natural environment.

**Lifetime Homes Standards:** Ordinary homes designed to provide accessible and convenient homes for a large segment of the population from young children to older people and those with temporary or permanent physical or sensory impairments. Lifetime Homes have 16



design features that ensure the home will be flexible enough to meet the existing and changing needs of most households.

**Local Housing Need:** The housing requirements of existing and concealed households living within Lancaster District as evidenced in the 2011 Housing Needs and Demands Survey and other appropriate evidence base.

**Localism:** A term used by the Coalition Government to encourage local people and communities to take more ownership in local issues. In terms of planning this means providing the opportunity to shape their local area through the preparation of Neighbourhood Plans.

**Local Development Documents:** This is the collective term for Development Plan Documents, including the Core Strategy and Development Plan Documents; this term excludes Supplementary Planning Documents.

**Local Development Scheme (LDS):** A document which sets out the council's programme and timescale for the preparation of Local Development Documents, excluding Supplementary Planning Documents.

**Local Services:** These are the range of services that help to enhance the sustainability of an area. In a rural context local services are those other than key services and might include access to healthcare facilities (GP, pharmacy or prescription service) access to education (nursery / crèche or secondary school), local businesses (post office, grocer, butcher, baker, restaurant, café), access to mobility support, community facilities (village hall, meeting house, church hall, public house) and access to recreational facilities.

**Local Transport Plan (LTP):** Prepared by the relevant highways authority for the area, in Lancaster District's case this is Lancashire County Council. The LTP sets out how transportation links, both private and public can be protected and improved through enhancements and maintenance to the existing networks.

**Local / Neighbourhood Centres:** These include a range of small shops serving a small catchment area. Typically, local centres might include, amongst other shops, a small supermarket, a newsagent, a sub-post office and a pharmacy. Other facilities could include hot-food takeaway and laundrette. In rural areas, large villages may perform the role of a local centre.

**Market Housing:** Private housing for rent or for sale, where the price is set in the open market.

**National Planning Policy Framework (NPPF):** A document that has been prepared by the Coalition Government which has replaced all previous National Planning Policy contained within Planning Policy Statements (PPSs) and Planning Policy Guidance (PPGs).

**Natura 2000 Sites:** Are areas which have been specifically protected at a European level for their environmental value.

**Neighbourhood Planning:** In light of the Localism Agenda, neighbourhood plans can be prepared by local communities, in particular Parish Councils, which can promote

development and have a greater say on where development should be located in their communities.

**Night-Time Economy:** Activities which happen within town centre locations after 5pm (or at the end of the normal working day), such activities will predominantly be leisure orientated and may involve uses such as restaurant, the arts, bars and cafés.

**Proposals Map:** This accompanies the Land Allocations DPD and will provide a visual aid to identify where land has been allocated for development, or where land has been protected because of its environmental, social or economic value.

**Primary Bus Routes:** Bus routes which provide a frequent, regular service along main vehicular roads that connect locations, groups of attractions and arrival points.

**Public Realm:** Areas of public space which can contribute to the visual amenity of a locality and can form a meeting space for the community. This can be in urban or rural locations.

**Regional Spatial Strategies (RSSs):** Prepared by the former regional government agencies (in the case of the North West this was 4NW, previously known as the North West Regional Assembly). Regional Spatial Strategies provided planning guidance at a regional level and set a series of development targets for each local authority area. Following a change in Government in 2010 a decision was taken to abolish regional government agencies and regional spatial strategies, relying on a more local approach to planning through the Local Plan system. The evidence base work that underpinned the strategy will remain valid until the information it contains becomes out of date.

**Regionally Important Geological Sites (RIGS):** These are locally designated sites which are of importance for their geo-diversity (geology and geomorphology).

**Registered Provider of Social Housing:** Previously known as Registered Social Landlords. This is the technical name for social landlords that are registered with the Tenant Services Authority. Most are housing associations, but some are trusts, co-operatives and companies that own or manage affordable housing. Also referred to as Registered Providers

**Residential Amenity:** Note the general definition of amenity within this Glossary. In relation to residential amenity this can relate to the enjoyment of the residential property and the impacts that development proposals can have on that enjoyment.

**River Basin Management Plan (RBMP):** Prepared by the Environment Agency and published in December 2009, these plans describe the river basin and the pressures that the water environment faces. The Management Plan shows what this means for the current state of the water environment in the river basin and what actions will be taken to address these pressures. It sets out what improvements will be possible by 2015 (the end of the management period) and how those actions will make a difference to the local environment.

**Rural Enterprise:** Enterprises and businesses located in rural parts of the district, including agriculture, horticulture, equine, forestry and marine.

**Rural Enterprise Worker:** Workers employed full-time or primarily in a rural enterprise.

**Rural Exception Site:** Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. Small numbers of market homes may be allowed e.g. where essential to enable the delivery of affordable dwellings without grant funding.

**Sequential Approach:** A planning principle that seeks to identify, allocate or even develop certain types and locations of land before others. For example the development of brownfield sites before greenfield sites, or town centre locations before out-of-centre locations.

**Settlement Hierarchy:** This is set out in Policies SC2 and SC3 of the Lancaster District Core Strategy and will be replaced by policies within the Land Allocations DPD. These settlements have been categorised in a hierarchy based on the range of services, facilities and employment opportunities in the settlement.

**Sheltered Housing:** Housing specifically for older and / or people with special accessibility requirements. Includes a block or group of houses with a resident or visiting warden, and individual houses, bungalows and flats which receive support from a mobile warden or pendant (emergency) alarm service.

**Sites of Special Scientific Interest (SSSIs):** These are sites which have been recognised for the importance either for their biological, geological or landscape value.

**Spatial Planning:** A concept that goes beyond traditional land-use planning. It brings together and integrates policies for the development and use of land with other policies and programmes which influence the nature of places and how they function. This will include policies which can impact on land-use. For example, by influencing the demands on or needs for development, but which are not capable of being delivered or achieved solely or mainly through the granting of planning permission and may be delivered through other means.

**Stakeholders:** Groups, individuals or organisations which may be affected by or have a key interest in a development proposal or planning policy. They may often be experts in their field or represent the view of many people.

**Static Caravans:** Caravan units which are sited on land either permanently or semi-permanently, whilst such units are movable and have fixed axles, static units are of sufficient size to ensure that transportation between place to place is problematic and challenging and cannot be undertaken with a private car.

**Strategic Housing Land Availability Assessment (SHLAA):** A study intended to assess the overall potential for housing development in the area. It identifies specific sites with a development potential over the next 15 years. The SHLAA for Lancaster District was produced in 2009 and reviewed in 2013.

**Strategic Housing Market Assessment (SHMA):** A study intended to review the existing housing market in the area, consider the nature of future need for market and affordable housing and to inform the development of planning policy. The SHMA for Lancaster District was produced in 2008 and reviewed in 2013.

**Strategic Flood Risk Assessment (SFRA):** An assessment that sets out the risks from flooding within the district, whether from rivers, coast or other water sources. The assessment will be used to ensure that development proposals are fully aware of flood risk issues in a locality. Further assessment work may be required from proposals which are located in areas of higher flood risk which would supplement the work on flood risk assessments. The SFRA for Lancaster District was initially undertaken in 2007 and reviewed in 2013.

**Street Furniture:** A collective term for objects or pieces of equipment installed on streets and roads for various purposes. Examples of street furniture include benches, bollards, post boxes and litter bins.

**Sustainable Development:** In broad terms this means development that meets the needs of the present without compromising the ability of future generation to meet their own needs. The Government have set out five guiding principles for sustainable development in its strategy "Securing the Future – UK Government Strategy for Sustainable Development". The five guiding principles include living within environmental limits, ensuring a strong / healthy and just society, achieve a sustainable economy, promoting good governance and using sound science responsibly.

**Sustainable Drainage Systems (SuDs):** Drainage systems which are designed to reduce the potential impact of new and existing developments with respect to surface water drainage discharges.

**Sustainability Appraisal (SA):** The Planning and Compulsory Purchase Act 2004 requires Local Development Documents to be prepared with a view to contributing to the achievement of sustainable development. Sustainability Appraisal is a systematic appraisal process used to assess the social, environmental and economic effects of strategies and policies from the outset of the preparation process. The SA process ensures that decisions are made in accordance with the principles of sustainable development.

**Sustainable Growth:** This refers to strategic growth which can be either accommodated with the capacity of existing infrastructure, or includes proposals which will meet any potential gaps in infrastructure capacity. It also refers to growth of settlements which is in proportion to the settlements size and character.

**Touring Caravans:** A touring caravan unit is a unit which can be towed behind a vehicle and which is capable of being unhitched prior to its use for holiday accommodation purposes. Touring caravans also have a purpose in providing facilities for agricultural uses such as 'brew huts'.

**Transport Infrastructure:** Includes pavements, walking routes and other walking infrastructure, public transport, roads, waterways and facilities in relation to all other forms of transport.

**Travelling Showpeople:** Member of a group organised for the purposes of holding fairs, circuses or show (whether or not travelling together as such). This includes such persons who, on the grounds of their own family's dependents' more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily or permanently, but excludes gypsies and travellers which are defined separately within this glossary.

**Tree Preservation Orders (TPOs):** Designated to protect trees of importance and/or value - whether this importance or value relates to their historical importance, landscape importance or species type. Whilst this designation protects some trees of importance, many other trees which do not have a TPO status remain important features within the landscape or townscape.

**Upland:** Part of the Forest of Bowland AONB is located within the Lancaster District Area and the proposed boundary revision of the Yorkshire Dales National Park will incorporate part of the district, both the National Park and AONB for the Yorkshire Dales and Bowland Upland Regional. For the purposes of this document, upland areas are referred to in the context of where there is an estate presence. In Lancaster District these are the Key / Shuttleworth Estate, in the Parish of Leck and the Abbeystead Estate in the Parish of Over Wyresdale.

**Visitor Accommodation:** Refers to the range of accommodation available to visitors to the district, including hotels, guest houses, bed & breakfast, hostels, self-catering accommodation and the range of static / touring / camping sites within the district.

**Water Framework Directive:** A European Union Directive which seeks to improve the water quality of both inland and coastal waters.

# 1. Introduction

## Background

- 1.1 The Local Plan for Lancaster District 2011 - 2026 provides a new planning framework for the area. The preparation of this Development Management Development Plan Document (DPD), along with other key documents including the Land Allocations DPD and Morecambe Area Action Plan (AAP) will replace policies and allocations within the current Lancaster District Local Plan, which was adopted for planning purposes in April 2004.
- 1.2 In March 2012 the National Planning Policy Framework (NPPF) was published, which replaced the guidance in Planning Policy Statements (PPSs) and Planning Policy Guidance (PPG). The aim of the NPPF is to give provide a more concise and understandable approach to the planning system and to deliver sustainable development and economic growth.
- 1.3 In light of the publication of the NPPF the council has reviewed the requirement and need for the Core Strategy and has concluded that the key themes, objectives and policy approaches would be better placed within this Local Plan as part of the Development Management DPD, Land Allocations DPD and Morecambe AAP. It is the intention that upon the adoption of all three documents, the Core Strategy will be withdrawn as a material planning consideration.
- 1.4 The Development Management DPD will set out the generic policies which will be used by both Development Management Officers and Planning Committee to determine planning applications. The Land Allocations DPD will identify land, both to meet future development needs and also to be protected for a specific environmental, economic or social value. The Morecambe AAP will identify strategic interventions which will assist in the ongoing regeneration of the town centre.
- 1.5 Upon the adoption, these three documents will form the core documents of a new Local Plan for Lancaster District with a plan period between 2011 and 2026.

# 2. The Local Plan for Lancaster District 2011 – 2026

## The Lancaster District Core Strategy

- 2.1 The Lancaster District Core Strategy was adopted in July 2008 and it set out the strategic approach toward development. Under the previous planning system, councils were tasked with the delivery of Local Development Frameworks (LDFs), the Core Strategy was designed to be the cornerstone of the LDF system upon which more detailed documents, such as a Development Management DPD or Land Allocations DPD, could be based upon and prepared at a later date.
- 2.2 The Lancaster District Core Strategy was prepared and adopted in very different economic circumstances to those which the whole country is now experiencing. Its adoption coincided with a period of strong economic growth where development viability was strong and aspirations were high. For instance the expectation that the district's development needs could be met fully on previously developed brownfield sites appeared to be financially deliverable and a sustainable proposition.
- 2.3 The economic downturn and the economic recession since 2008 have altered the expectations and aspirations of how the area's development needs can be met. Whilst needs

and demands for development still exist the financial viability of new development is now significantly challenged. Local planning authorities have a role to play in establishing new approaches toward the delivery of new development which remains aspirational but is also realistic about the economic challenges ahead.

- 2.4 This position was confirmed in the NPPF which reduced the amount of national planning policy guidance to create a clearer more concise planning system for the benefit of both developers and local authorities. The core aim of the NPPF is the presumption in favour of sustainable development and the achievement of economic growth which can not only benefit the locality, but also regionally and nationally.
- 2.5 There have been significant changes in the planning environment since the adoption of the Core Strategy in 2008 and, whilst many parts of the document retain an important relevance in local plan preparation, some of the key approaches contained within the document are no longer relevant and are in need of reviewing.
- 2.6 It is therefore the intention of the council to review the relevance of all aspects of the Core Strategy and subsume the key approaches of that document within this Local Plan documents, in particular the Development Management DPD and Land Allocations DPD. The process of Core Strategy Review is already complete in relation to the preparation of the Development Management DPD, with the relevant content being incorporated into it. Further work will be undertaken as part of the preparation of the Land Allocations DPD and Morecambe AAP to make sure the same processes are followed.
- 2.7 Upon the adoption of all three planning documents the council will withdraw the Lancaster District Core Strategy as a material planning consideration, seeking to rely on the new 'Local Plan for Lancaster District' which will consist of the Development Management DPD, Land Allocations DPD, Morecambe Area Action Plan and other subsequent DPDs and SPDs which will provide further guidance and policy where necessary.
- 2.8 Until this adoption process is completed the Lancaster District Core Strategy will remain in place and all aspects which are NPPF compliant will be given due consideration in the determination of planning applications.
- 2.9 For more details on this approach and further information on the decision to withdraw the Lancaster District Core Strategy, the council has prepared a technical paper which is available for information on the council website at [www.lancaster.gov.uk/planningpolicy](http://www.lancaster.gov.uk/planningpolicy).

*The Land Allocations Development Plan Document*

- 2.10 In conjunction with the Development Management DPD a Land Allocation DPD is also being prepared. This document will perform a series of functions and will ultimately replace the site specific policies contained in the existing Lancaster District Local Plan and Local Plan Proposals Map.
- 2.11 The Land Allocations DPD will firstly identify land and sites to accommodate the future development needs of the district, for housing, employment, educational, commercial or recreational. Secondly the document will protect land which is of recognised economic, environmental, cultural or recreational value. Finally the document will set out a range of constraints and hazards which should be given due consideration through the planning process, including flood risk areas and conservation areas.

2.12 The policies within the Development Management DPD will be generic and supplement the Development Management will apply to all development within the district, regardless of type and location. Policies contained within the Land Allocations DPD will DPD policies in specific locations, including policies which are tailored to a particular site. On such occasions proposals for such sites will be expected to have due regard to the policies in both the Development Management DPD and Land Allocations DPD.

*The Morecambe Area Action Plan*

2.13 The Core Strategy and emerging policy within the Land Allocations DPD seeks to prioritise the regeneration and enhancement of Morecambe town centre. To address this, a Morecambe Area Action Plan (AAP) is being prepared at the same time as this Development Management DPD. The Area Action Plan will identify strategic interventions which will assist in addressing regeneration in Central Morecambe.

2.14 Where necessary and appropriate the Area Action Plan will identify locations and policy that is specific to this area. Any proposals within the defined boundaries of the Area Action Plan will still be expected to have due consideration to all the relevant policies within the Development Management DPD unless specific policies within the Area Action Plan direct otherwise.

*The Arnside and Silverdale AONB Development Plan Document (DPD)*

2.15 Lancaster City Council has begun work with the neighbouring authority of South Lakeland District Council to prepare a DPD which will address the specific issues facing the communities within the Arnside and Silverdale Area of Outstanding Natural Beauty (AONB). The DPD will focus on a number of key issues, including the delivery of new housing for local needs, the protection of important landscapes and the management of particular types of development, in particular caravan development. The DPD will provide a consistent approach to development with both local authority areas and see to recognise and address some of the more important opportunities and constraints which exist within the locality.

2.16 The DPD will set out a series of planning policies that will be specific only to development proposals within the AONB area. It will only include policies that provide further detail or differing guidance to that found within the Development Management DPD. There will be a number of Development Management policies which are relevant to development proposals within the Arnside and Silverdale AONB and these policies will be clearly identified in the AONB DPD.

2.17 In the event of any transitional period between the adoption of the DM DPD and the adoption of the Arnside and Silverdale AONB DPD, development proposals will be expected to give material consideration to all relevant policies within the Development Management DPD and the National Planning Policy Framework (NPPF). The council will not provide an equivalent DPD for the Forest of Bowland AONB due to its more isolated and rural character, proposals in this area will be expected to rely on the policies within the Development Management DPD.

*Lancashire Waste and Minerals Local Development Framework*

2.18 Policies prepared by Lancashire County Council as part of the Minerals and Waste Development Plan also forms part of the development plan for this district. This document provides planning policy guidance for waste and mineral development across the county as well as identifying land allocated for minerals and waste development.



- 2.19 Lancashire County Council adopted its Minerals and Waste Core Strategy in 2009 and its Site Allocations and Development Management DPD was adopted in 2013.
- 2.20 The Site Allocations and Development Management DPD will have significant implications for the district with minerals and waste allocations required to be shown on the Local Plan Policies Map, which is prepared by the Lancaster City Council. It is also the city council's responsibility to ensure that when planning applications are determined they are consistent with this document.

*Supplementary Planning Documents, Development Briefs and other Development Plan Documents*

- 2.21 Where necessary and appropriate, the council will prepare further additional detailed guidance to elaborate and provide further detail on some of the issues within the Development Management DPD. This will only be done in circumstances where it is felt to be beneficial and aid understanding and delivery of a particular aspect of the Local Plan.
- 2.22 Where it is considered appropriate the council will prepare either Supplementary Planning Documents (SPDs) or Planning Practice Notes (dependent on the level of importance) to give further information to the public, developers and other key stakeholders. Information on forthcoming work can be found on the council website at [www.lancaster.gov.uk/planningpolicy](http://www.lancaster.gov.uk/planningpolicy).

### **3. Objectives of the Development Management DPD**

- 3.1 The Development Management DPD provides detailed policy guidance on a range of planning matters, whether they are environmental, social or economic, and will be a material consideration in the determination of planning applications. This DPD will be applicable to any location in the district and any type of development proposed (unless other policies in this Local Plan indicate otherwise).
- 3.2 The policies within the Development Management DPD reflect national planning policy and are in accordance with guidance set out within the National Planning Policy Framework (NPPF). The aim of this DPD (along with others within the emerging Local Plan) is to interpret the approach at a national policy and apply it to local circumstances. Policies within this DPD also make use of a range of other related strategies, policies or programmes which will influence future planning decisions.
- 3.3 The Development Management DPD will form a key component of 'The Local Plan for Lancaster District' and will, upon adoption, replace generic planning policies within the existing Lancaster District Local Plan Strike-Through Edition (2008). Site specific planning policies contained within the Strike-through Edition will remain relevant until the adoption of the Land Allocations DPD.
- 3.4 Upon the completion of all the core components of the new Local Plan (i.e. the Development Management DPD, Land Allocations DPD and Morecambe AAP) the content, guidance, allocations and policy should be read jointly. Within the Development Management DPD signposting is given to other relevant policy areas, allocations or designations where relevant and of benefit.

3.5 To confirm and clarify the key aims and reasons behind the need for a Development Management DPD a series of objectives have been prepared. These objectives have been refined since the preparation process for this DPD began in 2010. It is expected that the principles of all development should seek to achieve these objectives.

- **That development makes an overall positive contribution to the delivery of sustainable communities, the economy and the environment;**
- **That development contributes to the needs of local communities and delivers sustainable development; and**
- **That development is well designed, sympathetic to the natural and built environment and is planned and constructed in a sustainable manner.**

## **4. Presumption towards Sustainable Development**

4.1 In accordance with paragraph 14 of the National Planning Policy Framework (NPPF) all documents within this Local Plan have been prepared with a presumption in favour of sustainable development.

4.2 To confirm the council's commitment towards the delivery of sustainable development this Development Management DPD includes a policy in regard to the presumption in favour of sustainable development (Policy NPPF1) as is set out below.

### **Policy NPPF1: Presumption in Favour of Sustainable Development**

**When considering development proposals the council will take a positive approach that reflects the presumption in favour of sustainable development contained within the National Planning Policy Framework.**

**It will always work proactively with applicants to jointly find solutions which means that proposals can be approved wherever possible, and secure development that improves the economic, social and environmental conditions in the area.**

**Planning applications that accord with the policies in this Local Plan (and where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.**

**Where there are no policies relevant to the application, or relevant policies are out-of-date at the time of making the decision then the council will grant planning permission unless material considerations indicate otherwise, taking into account whether:**

- **Any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the guidance in the National Planning Policy Framework taken as a whole; or**
- **Specific policies in that Framework [the NPPF] indicate that development should be restricted.**

4.3 The delivery of sustainable development within the district can only be achieved through a partnership approach between the local planning authority, applicants / developers and other relevant private and public stakeholders.

- 4.4 The preparation of this Local Plan has benefitted from the co-operation, input and support of the public, neighbouring authorities and other stakeholders in refining its content and aims. A commitment to continuing co-operation will remain throughout the plan period to make sure that sustainable development and growth is achieved both with the district and the wider sub-region.

## **5. Representation Details and Next Steps**

- 5.1 The final stage of this document will be the Publication of the Development Management DPD. This is the final draft of this document which clearly sets out the council's approach to determining planning applications in accordance with national guidance as well as meeting all relevant legal requirements.
- 5.2 There will be a period for formal representations to be received on this document; however no further changes are expected to be made unless any fundamental issues are raised. Following the statutory six week representation period on the document, it will be submitted along with all representations received, to the Planning Inspectorate to begin the period of public examination.
- 5.3 It is important that all comments received within the statutory representation period clearly relate to two issues; firstly whether the document and its content is legally compliant with all relevant legal guidelines and secondly whether the document is considered to be sound (i.e. compliant with all relevant national planning policy).
- 5.4 Any representations that are received which do not relate to these two issues outlined in paragraph 5.3 will not be accepted as formal representations. For further information and assistance on ensuring representations address these two issues please download the council's advice sheet on "How to make a representation to the Publication Stage" (via the council website at [www.lancaster.gov.uk/planningpolicy](http://www.lancaster.gov.uk/planningpolicy)).
- 5.5 As part of the consultation on the Publication version of the Development Management DPD the council will ensure that all consultation requirements set out within the council's Statement of Community Involvement (SCI) and Consultation Plan are undertaken and complied with. All consultation requirements set out within the formal statutory regulations will also be adhered to.
- 5.6 Following the formal Submission of the Development Management DPD to the Planning Inspectorate, the period of public examination will begin. The key part of this will be a formal public inquiry which will be chaired by a Planning Inspector. The inquiry is an opportunity for any final objections to the Development Management DPD to be heard by the Planning Inspector and for the council to respond to them. It will be then for the Planning Inspector to consider all the issues raised and provide an independent recommendation on how the Development Management DPD should be progressed within an inspector's report.
- 5.7 Subject to the content and conclusion of the inspector's report the council will either have to consider any relevant revisions to the document or will be free to formally adopt the document for planning purposes. A decision to adopt the Development Management DPD will be taken by Full Council.

*How to Make a Representation*

- 5.8 The Publication version will be available for a period of formal representations to be made between Thursday 10<sup>th</sup> October 2013 and Monday 25<sup>th</sup> November 2013 at 5pm. Please note that any representations received after this deadline will not be accepted as a formal representation.
- 5.9 There are a two ways to make representations on the Publication version. Representations can be emailed to [planningpolicy@lancaster.gov.uk](mailto:planningpolicy@lancaster.gov.uk), or posted to The Planning and Housing Policy Team, Lancaster City Council, Regeneration and Planning Service, Lancaster Town Hall, PO Box 4, Dalton Square, Lancaster, LA1 1QR.
- 5.10 As already stated, any representations on the Development Management DPD must to relate to its legal compliance and soundness. Any representations submitted which do not clearly relate to these issues will not be accepted as formal representations. Upon submission of your representation(s) you will receive an acknowledgement that your representation(s) have been accepted and will be submitted to the Planning Inspectorate. If you do not receive this acknowledgement within two days of submission of your response please contact the council.
- 5.11 If you wish to be kept informed of the ongoing work on this Local Plan and other planning or housing policy matters please visit the website at [www.lancaster.gov.uk/planningpolicy](http://www.lancaster.gov.uk/planningpolicy). Alternatively if you wish to join the Local Plan consultation database so you can be kept up to date, please contact the planning and housing policy team on 01524 582383 or via email at [planningpolicy@lancaster.gov.uk](mailto:planningpolicy@lancaster.gov.uk).

# Promoting and Enhancing Lancaster District's Economy

## 6. Introduction

- 6.1 Maintaining a strong and diverse economy is vital to the people and businesses of the district, this applies equally to businesses in the urban centres of Lancaster and Morecambe and within the rural settlements and villages. Investment in the local economy and growth of local businesses helps to create successful communities and supports sustainable development.
- 6.2 The planning system plays an important role in creating the conditions for economic growth, providing regeneration opportunities and policies with a presumption in favour of sustainable development. Whilst the planning system can assist in delivering economic growth it requires partnership working with other key stakeholders to deliver sustainable growth in the longer term. The provision of local planning policies which consider the needs of local businesses by drawing on investment into the district can only be beneficial for establishing growth in the economy and creating new jobs and opportunities.

### **Economic Vision**

*The council will seek to meet the challenges of sustainable growth within both the district and regional economy, creating conditions which will enable managed growth and establish a strong, diverse and vibrant local economy. This will be achieved whilst protecting the strong character of the district's landscape, environment and communities from any negative impacts and achieving a strong sense of place.*

- 6.3 The planning system must act as a balance between the needs of the economy and the protection of the environment, which do not always go hand in hand. The economic policies contained within this Local Plan aim to balance these sometimes competing issues and ensure that opportunities for investment and growth are created, whilst protecting the character of the land and communities of the district.

## 7. Town Centres and Retailing

- 7.1 The town centre areas of Lancaster and Carnforth are defined within the Land Allocations DPD and Morecambe within the Morecambe Area Action Plan. These designations have been identified in line with paragraph 23 of the National Planning Policy Framework (NPPF) which expects local plans to define a network and hierarchy of centres that is resilient to anticipated future economic changes.
- 7.2 The town centres of the district are vital for the well-being of local residents and the economy. They also play an important part of the wider economy within South Cumbria and North Lancashire sub-region. It is important that they develop in a way that allows them to meet future changes and challenges, without losing their distinctive character. This district is characterised by a large rural hinterland which relies on key services being provided in larger urban areas, particularly Lancaster. Focusing development in town centres will result in significant sustainability benefits, including a reduction in the need to travel. However, main town centre uses are appropriate within defined boundaries of the three main town centres, and should not result in densities that would damage the local amenity and should comply with other relevant policies within this Local Plan.

### Town Centre Development

- 7.3 To retain and develop their vibrancy and vitality, centres must have an appropriate mix of retail, leisure, cultural and service provision. This must be at an appropriate level to the scale and type of the centre, and not of a kind that would damage the ability of the surrounding area, or other centres, to function. The size of units is also important – new development in some centres (particularly in relation to Lancaster) will need to consider the development of larger retail units, but smaller units which “promote competitive town centres that provide customer choice and diverse retail offer and which reflect the individuality of town centres” (para 23, NPPF) should be retained.

### **Policy DM1: Town Centre Development**

**Proposals for retail development will be supported where they are located within the defined primary shopping area<sup>1</sup>, as set out in the Local Plan Policies Map and are in accordance relevant retail policies in the future Land Allocations DPD, unless the proposals accord with other policies contained elsewhere within the Local Plan.**

**Proposals for other main town centre uses (as defined in the National Planning Policy Framework) will be supported where they are located within the defined town centre boundary<sup>2</sup> and accord with other policies contained elsewhere in the Local Plan.**

**Proposals for residential development within town centre locations will be considered provided that they are above ground floor level and do not restrict the maintenance of an active street frontage, particularly within designated retail frontages. Such proposals should include a separate and secure access, preferably to the rear of the property, which**

<sup>1</sup> Proposals for town centre development will be assessed against the defined primary shopping area (PSA) and town centre boundaries found within the Lancaster Retail Study 2013. The defined PSA within this study will be used within forthcoming Land Allocations DPD and accompanying Local Plan Policies Map.

<sup>2</sup> Proposals for town centre development will be assessed against the defined town centre boundaries found within the Lancaster Retail Study 2013. The defined PSA within this study will be used within forthcoming Land Allocations DPD and accompanying Local Plan Policies Map.

do not result in a net loss of ground floor retail space.

Development proposals for main town centre uses will be supported in town centre locations subject to environmental, safety and amenity considerations where it can be demonstrated that the scale and type of development proposed is directly related to the role and function of the locality and contributes towards creating a strong sense of place through high quality design.

Development proposals for main town centre uses which are not located in town centre locations, or are not in accordance with specific policies in the Land Allocations DPD, will be expected to demonstrate that the sequential test has been applied to identify the proposals site, as set out in paragraph 24 of the National Planning Policy Framework. Proposals for main town centre uses which are not located in defined town centre locations should seek to address the following issues:

- I. Ensure that the site is available, suitable and viable;
- II. Ensure that all in-centre options have been thoroughly assessed before less central sites are considered;
- III. Ensure that where it has been demonstrated that there are no town centre sites to accommodate a proposed development, preference is given to edge-of-centre locations which are well connected to the centre by means of good pedestrian and public transport networks;
- IV. Ensure that in considering sites on the edge of existing centres, developers and operators have demonstrated flexibility in terms of scale, layout, format and car parking provision; and
- V. That proposals which will result in the creation of floor space over 2,500sqm are supported by or submitted with an impact assessment in accordance with paragraph 26 of the National Planning Policy Framework.

- 7.4 Development should make efficient use of buildings and / or land. This could be achieved by creating development which is at an appropriate density or by ensuring that space above ground floor level is well used, for example by having office space above shops in the core of the town centre, or residential uses above shops in other parts of the centre.

#### The Sequential Test

- 7.5 Town centre uses should be directed to town centre locations. Where proposals seek to deliver these uses outside town centres, the sequential test set out in paragraph 24 of the NPPF will be applied.
- 7.6 Significant weight will be given to the application and outcome of the sequential test. Applications that fail to undertake such a test and do not demonstrate flexibility in respect of sequentially preferable sites may lead to refusal of planning permission. Consideration should also be given to government guidance set out in 'Planning for Town Centres: Practice Guide' (2009).

#### Retail Frontages in Town Centres

- 7.7 The frontages policy acts to highlight and emphasise locations in the town centres where retail (A1) uses would be best located. It also serves to protect existing retail uses from inappropriate or insensitive development. This policy builds on national guidance to help regenerate and reinforce the vitality and viability of existing centres as expressed in paragraph 23 of the NPPF.

- 7.8 The shopping frontages are defined within both the existing Lancaster District Local Plan and Local Plan Policies Map, which accompanies the Land Allocations DPD. These designations have been identified within the provisions of paragraph 23 of the NPPF which states that local plans should “define the extent of the town centres and primary shopping areas, based on a clear definition of primary and secondary frontages in designated centres, and set policies that make clear which uses will be permitted in such locations.”
- 7.9 The Local Plan Policies Map identifies primary shopping frontages within the central areas of Lancaster and Carnforth. The town centre frontages in Morecambe will be dealt with by the Morecambe Area Action Plan. This approach is a long standing policy which has assisted in the consolidation of town centres and helped to define their function.
- 7.10 Secondary frontages near the edge of Lancaster’s shopping area are also identified within the Local Plan Policies Map. They support the key shopping frontages and are areas where some degree of diversification would be supported, whilst still retaining their primary retail function.
- 7.11 The primary frontages are in central locations that form the core of a centre, and as such they are mostly A1 retail. The loss of A1 space will generally be resisted and conversions to A1 generally supported, whilst acknowledging the contribution that non-A1 units can make to a healthy town centre. Where the policy indicates that A1 uses should be retained, conversions which involve the reduction of A1 floor space by changing the use of part of a unit will have to maintain a suitably sized and viable unit on the frontage and not detract from the centre’s vitality and viability.

### **Policy DM2: Retail Frontages**

#### **Primary Retail Frontages**

**Primary Retail Frontages, as defined on the Local Plan Policies Map for Lancaster and Carnforth town centres, are identified because of their importance within their town centre location. The issue of retail frontages for Morecambe will be addressed in the Morecambe Area Action Plan (AAP).**

**The primary purpose of this policy is to promote town centre A1 retail uses on prime frontages within the defined town centre boundary which can generate active street frontages during normal daytime trading hours. To ensure vitality and viability, development proposals within primary retail frontages which involve the change of use of ground floor premises to non-A1 uses will only be permitted where:**

- I. All adjoining frontages have an A1 retail use which generates an active street frontage during normal daytime trading hours; and**
- II. The proposal ensures that all uses on the ground floor provide an active street frontage that would be open during normal daytime trading hours; and**
- III. The proposal does not result in the proportion of non-A1 uses exceeding 20% of continuous retail frontage.**

#### **Secondary Retail Frontages**

**Within other key retail frontages the council will seek to retain an appropriate mix of ‘A’ Class uses whilst permitting a limited number of non- A1 uses. Proposals which involve the change of use of ground floor premises to non-A1 will not be permitted unless all of**



the following criteria have been satisfied:

- IV. An adjoining building is in a A1 retail use; and
- V. The proportion of any continuous retail frontage length in non-A1 use would not exceed 20%.

The proposed use should support the retail function and character of the town centre and its vitality and viability. In seeking to achieve this the council shall assess where:

- VI. The proposed use would provide a service to shoppers;
- VII. The proposed use of the ground floor would provide an active frontage; and
- VIII. The proposal does not have a significant adverse affect on the character of the street or locality or the amenity of neighbouring residents or businesses.

**Local and Neighbourhood Centres**

Within local and neighbourhood Centres, which are defined on the Local Plan Policies Map and accompanying policy within the Land Allocations DPD, the council will allow commercial, community and other non-residential uses on the ground floor where it retains an active frontage.

Proposals which involve the loss of A1 uses or the consolidation of individual units into larger units within local or neighbourhood centres, will be considered where:

- IX. The proposed use is compatible with a shopping frontage and provides a direct service to the general public;
- X. The proposal does not harm the vitality and viability of the local or neighbourhood centre or result in a significant break in the A1 frontage;
- XI. Equivalent provision exists within reasonable walking distance, or forms part of the proposal;
- XII. The use will not result in the loss of local pedestrian accessible shopping facilities;
- XIII. A shop front display is provided; and
- XIV. No adverse impacts on the amenity of local residents, road safety, car parking or traffic flows would result.

**Note:** A continuous retail frontage is defined as a row of four or more units in A1, A2, A3 or other main town centre uses of which the A1 frontage element is greater than 50%. A frontage may both cross an alley or wrap around a corner.

7.12 Secondary Frontages have been designated on parades that, whilst not within the core of the town centre, still play an important supporting role to the retail centre. These areas are predominantly retail, although the council will support a degree of diversification will be supported in some circumstances. Additionally, Secondary Frontages may have been identified in areas where diversification has already taken place. In these instances the policy would recognise the diversity but also prevent any further reduction in the retail character of that frontage. Secondary Frontages designations also prevent the clustering of non-A1 uses forming, for example the proliferation of hot-food takeaways that could encourage the consumption of non-healthy food and could create local amenity issues.

7.13 The frontages policy primarily protects the ground floor and street frontage part of the unit. Although the city council will seek to avoid the reduction of the overall retail space, particularly in Lancaster city centre (apart from where exceptional circumstances are

demonstrated) it acknowledges that retail may not always be the most effective use of the upper floors of certain buildings. Providing that the ability of the ground floor unit to act in a retail capacity is not compromised, changes of use away from retail on other floors would not be contrary to the frontage policy.

- 7.14 In other areas of Lancaster and Carnforth not covered by designated frontages vacant shop units can provide employment and business opportunities. This may assist in providing opportunities for small businesses and enterprises. The council will consider favourably proposals where buildings can be converted satisfactorily provided that the proposed use will not adversely affect residential amenity, the functioning or appearance of the shopping centre and where appropriate there is sufficient off-street car parking and servicing.

Local and Neighbourhood Centres

- 7.15 Local and neighbourhood centres are important for local trade and commercial activity that serves the local community without the need to travel to the nearest town centre. The council will however take into consideration the adequacy of alternative facilities located within the same local or neighbourhood centre within reasonable walking distance. Development proposals for small-scale, convenience shopping, small business and community facilities (such as doctors or dentists) will be encouraged within local or neighbourhood centres, particularly where there is no such facility within easy walking or cycling distance of a residential area.

- 7.16 When a change of use is proposed within a local or neighbourhood centre, the new use must demonstrate that it would provide a local service, which would support the vitality of the local or neighbourhood centre, provide a window display and have no adverse effects on the amenities of residents, road safety or traffic flows.

Public Realm and Civic Spaces

- 7.17 The creation of high quality streets and spaces in the district, particularly in urban locations, is an important way of creating a distinctive sense of place. Improvements and enhancements to public realm and civic space will be supported and it will be expected that new development proposals should contribute to such improvements, either directly through the development proposal or through financial contributions to wider regeneration and improvements within the locality.

- 7.18 To deliver such improvements the council will work with all relevant stakeholders to improve accessibility and quality of the urban environment by addressing the following issues: provision, accessibility, rationalisation and maintenance of street furniture, street clutter, lighting, planting, signage and paving in order to improve the streetscape and produce a high quality urban environment which is accessible to all.

**Policy DM3: Public Realm and Civic Space**

**The council will expect development proposals within urban areas to make a positive contribution to their surroundings, through the good use of design, layout and use of materials, to create positive, safe and attractive streetscapes which contribute to the visual amenity of their locality and encourages good accessibility and connectivity between buildings and urban spaces.**

**Improvements should seek to address issues of provision, rationalisation and maintenance of street furniture, signage, lighting and paving, to improve the streetscape**

**and produce a high quality, accessible environment.**

**Development proposals which are located within, or adjoin, the town centres of Morecambe, Carnforth and Lancaster and have an adverse impact on public realm, urban connectivity and urban spaces will be encouraged to contribute toward the delivery of improvements to public realm and civic space.**

- 7.19 Pedestrian linkages within and around defined town centre areas should, where possible and appropriate, be strengthened to increase accessibility to pedestrians, cyclists and all vulnerable groups. New development should improve accessibility directly through to their proposals. Town centre developments and major developments which have an impact on the town centre will be encouraged to contribute towards wider regeneration schemes within their locality, for example the Square Routes project in Lancaster and future public realm works associated with the implementation of the Morecambe Area Action Plan. Projects such as these, whether they are public or private and have significant benefits to public realm will be supported by the council.
- 7.20 Good quality urban spaces can play an important role in the delivery of green infrastructure in the district; accordingly the application of this policy should consider guidance set out in Policies DM25 and DM26 of this document which relate to green infrastructure provision.

#### **The Creation and Protection of Cultural Assets**

- 7.21 Cultural, leisure and the arts play an important role in the district, both for the benefits they provide to the local economy (particularly the visitor economy) and the community well-being of the people who live and work within the district.
- 7.22 For the purposes of clarity the term cultural asset is used to describe a range of facilities including theatres, museums, live music venues (not public houses), community halls, cinemas and other public meeting venues. In particular cultural assets can be a building or structure that establishes a society's social roots and history.

### **Policy DM4: The Creation and Protection of Cultural Assets**

#### **The Creation of New Cultural Assets**

**Proposals which involve the creation of new cultural facilities, or the improvement / expansion of existing facilities will be supported subject to the following issues being addressed:**

- I. The proposal should demonstrate that it will deliver benefits to the wider economy;**
- II. Any proposed enhancements to an existing facility will result in the improvements of the cultural offer;**
- III. The proposal should be located in an accessible and sustainable location which can be accessed by a range of transport methods; and**
- IV. The proposal should ensure that there is no damage to the local amenity of the area, particularly in terms of impacts on residential amenity and highway safety.**

**Proposals will be supported which assist in the delivery of aspirations and actions of the council's Cultural Heritage Strategy which seeks to realise the economic benefits arising from cultural assets whilst securing their long term future.**

**Any proposals for cultural facilities should have due regard to all other relevant policies**

in this Local Plan.

**The Protection of Existing Cultural Assets**

The council will seek the protection of existing cultural assets in the district which are considered to be of value to the local and / or wider community. Any proposals which involve the re-use of existing cultural facilities for alternative uses will be required to demonstrate the previous use of the premises is no longer viable and the facility is no longer of value either economically or to the local and / or wider community.

Any proposals for alternative uses should ensure they comply with all other relevant policies in this Local Plan.

- 7.23 In the summer of 2011 the council prepared and published a 'Cultural Heritage Strategy' which investigated how more can be made of the significant wealth of culture that exists within the district, in particular within Lancaster and Morecambe. There is significant economic value in protecting, enhancing and promoting the cultural offer available within the district.
- 7.24 The Cultural Heritage Strategy sets out a series of action points for enhancing the cultural offer of the district. Proposals which seek to deliver the aspirations of this strategy will be supported subject to other relevant policies in this Local Plan.
- 7.25 The council will also support, subject to the consideration of all other relevant policies, the creation, expansion or improvement of existing cultural assets within the district. Any proposals should demonstrate that the creation of a new facility will deliver wider benefits to the local economy, through financial investment into the locality or through the creation of jobs for local people. In the case of improvements to an existing facility the proposal should deliver an improvement to the cultural offer that the existing facility provides.
- 7.26 New cultural facilities should be sited in locations which are highly accessible, with a preference towards town centre locations, or where geographically necessary, or within rural settlements. New facilities and any proposed expansions of existing facilities should ensure that there is minimal impact on the amenity of the locality. Any proposals should positively contribute towards the visual amenity within the locality through the positive use of design.

**The Evening and Night-time Economy**

- 7.27 Evening activities that take place after 5pm provide a fundamental part of maintaining a strong and successful town centre because they extend vitality beyond the normal working hours, making town centres more attractive places to live and work. It is important; however, these uses are carefully balanced so that evening and night-time uses are complimentary to, rather than conflict with, other town centre uses.
- 7.28 The evening and night-time economy in Lancaster has grown over many years. When managed correctly a successful evening and night-time economy becomes part of a town's character and atmosphere, as well as creating jobs, increasing visitor numbers and providing opportunities to showcase a wide range of arts and cultural events.
- 7.29 The council will plan positively for a range of complimentary evening and night-time uses including the arts, culture and entertainment uses (such as cinemas, theatres, restaurants,

bars and nightclubs) that can appeal to a wide cross-section of the population and a variety of age groups.

### **Policy DM5: The Evening and Night-Time Economy**

The council will encourage and support the sustainable growth of the district's evening and night-time economy which will contribute to the vitality of town centres, subject to addressing the following considerations:

- I. The design of development and management arrangements particularly focusing on public safety, crime prevention and reduction of anti-social behaviour;
- II. That there will be no significant individual or cumulative effect on the surrounding amenity and character of the area due to noise, litter, odour, traffic generation, parking, general disturbance or problems of disorder and nuisance;
- III. Arrangements for mitigating pollution including ventilation equipment, grease disposal, grease traps and noise insulation are provided in a way that minimises visual and environmental impact;
- IV. Access requirements for people of all ages and abilities are provided; and
- V. The day time use does not detract from the character and amenity of the surrounding area, shops and services, particularly through the creation of an active ground floor street frontage.

Development proposals will not be permitted in locations where they exacerbate existing problems when considered against the criteria set out above.

7.30 The promotion of an evening and night-time economy in main urban settlements needs to be appropriately managed to ensure that community safety is protected and anti-social behaviour is not increased. Proposals should be sited in appropriate locations, away from primary shopping frontages and should consider the cumulative impact on the character and function of the town centre, crime and local amenity.

7.31 In some town centre locations that the clustering of evening and night-time uses has led to an adverse impact on local amenity. Proposals which exacerbate existing problems, such as anti-social behaviour, will be restricted by the council.

### **Advertisements**

7.32 Advertisements can be one of the most dominant elements of the environment we live in. The provision of high quality advertising space on the frontage of shops and businesses can play a key role in attracting customers and growth for a business. However, the over-use of advertisements, or their inappropriate location, design and / or illumination can have significant impacts on the locality in which they are situated.

7.33 In the wrong places, advertisements and signage can have a negative impact on highway safety and visual amenity. The installation of new advertisements will be supported where it is clear that there will be no negative impacts on the visual environment of the area and there is no danger of distraction to highway users.

### **Policy DM6: Advertisements**

Advertisements should be well designed and appropriately sited in order to positively contribute to a safe and attractive environment.

All forms of advertisements which require consent must not cause a public safety hazard or contribute to clutter or loss of amenity. Schemes which are submitted for approval should meet the following criteria:

- I. Be of a high quality design and sensitive to its visual appearance on the building on which it is to be sited and the surrounding street scene, especially in the case of a Listed Building or within a Conservation Area;
- II. Be appropriate to its setting and location and has due regard for local distinctiveness;
- III. Not contribute to an unsightly proliferation or clutter of signage in the vicinity;
- IV. Not to cause hazard to pedestrians or road users;
- V. Not cause a visual intrusion by virtue of light pollution into adjoining residential properties or unnecessarily cause poorly directed light pollution elsewhere; and
- VI. Be appropriate and relevant to the business or premises for which it has been created.

The council will seek to avoid the proliferation of advertisements in sensitive locations, particularly in rural locations or locations which have high visual amenity, where it is considered that the amenity of the locality will be impaired.

The council has already prepared supplementary guidance on this issue entitled '*Shopfronts and Advertisements Design Guide*'. This guidance note remains relevant and will be used as a material consideration on proposals of this nature, regardless of their location in the district.

- 7.34 As a general rule, advertisement displays will be restricted to shopping, commercial, and industrial or transport locations where they comply with the above criteria and do not cause excessive visual clutter. The council's level of control over this issue is limited because a number of advertisements do not require formal consent. The use of A-boards and directional signage will be discouraged where the council has the powers to do so.
- 7.35 The council will revise the guidance provided in Supplementary Planning Guidance Note 9: Shopfronts and Advertisements Design Guide, which will support Policy DM6.

## **8. Rural Development and the Rural Economy**

- 8.1 National Policy via the NPPF states that development in rural areas should be carefully managed in order to protect its intrinsic value and natural resources. Policies contained within this section set out the circumstances where development outside rural settlements will be considered, taking into account the particular characteristics of the locality and the rural economy.
- 8.2 Policies in this section will protect against inappropriate development in sensitive rural locations, balancing the need to protect the value and distinctiveness of rural character, landscapes and townscapes whilst balancing such protection against the need to encourage growth in the rural economy through a sympathetic policy approach.

**Development in Rural Areas**

- 8.3 The council will prioritise development proposals which relate to economic growth and the delivery of new homes that address local housing needs. Development proposals should promote where possible the conversion and re-use of existing rural buildings and development within existing rural settlements.
- 8.4 Proposals for residential development in isolated rural locations will not be supported by the council unless the exceptional circumstances set out in paragraph 55 of the NPPF are demonstrated by the applicant.

**Policy DM7: Economic Development in Rural Areas**

Development proposals for economic development within the open countryside which maintain and enhance rural vitality and character will be supported where it is demonstrated that they improve the sustainability of rural communities by bringing local economic, environmental and community benefits. This includes economic development which is an appropriate scale and nature and assists in the diversification of the rural economy, including the diversification of agricultural holdings:

Other development proposals in rural areas will be supported in principle for the following purposes:

- I. Essential operations for agriculture, horticulture, equine related activities, allocated mineral extraction or waste management facilities and essential infrastructure where there is a proven and justified need;
- II. Development required for new or existing outdoor sport and leisure facilities where a rural location is needed and justified and is in accordance within other Local Plan policies;
- III. Renewable energy schemes in appropriate locations and in accordance with other relevant Local Plan policies;
- IV. The conservation or enhancement of sites of heritage or biodiversity value;
- V. A site allocated for particular purposes through the Land Allocations DPD or other Local Plan documents;
- VI. The alteration, replacement, extension or change of use of existing buildings in accordance with other Local Plan policies; and
- VII. The erection of house extensions or extension of outbuildings which are ancillary or incidental to existing dwellings and are sympathetic to the character of the original building and its setting.

A preference should be given to the re-use of Previously Developed Land (PDL) and the conversion and re-use of existing rural buildings, in accordance within Policy DM8 of this document. Development proposals on greenfield sites within the open countryside will be supported where it is demonstrated that no alternative suitable locations exist within local settlement areas and that the benefits from the proposal outweigh the impacts on local amenity.

Development in rural locations will not be supported if it is likely to adversely affect an internationally designated wildlife site, either directly or indirectly through, for example, increasing the risk of disturbance created by visitor pressure. The principles of Policy DM27 should apply.

**Development proposals which include land within an Area of Outstanding Natural Beauty (AONB), or within their setting, should have regard to the provisions of paragraph 115 of the National Planning Policy Framework and, in relation to the Arnside and Silverdale AONB, the forthcoming Development Plan Document related to this area.**

**Development proposals which include land within the Green Belt should have due regard to guidance contained within paragraphs 89 and 90 of the National Planning Policy Framework and Policy DM11 of this document.**

**Proposals relating to residential development in the open countryside will be considered against Policy DM42 and DM43 of this DPD and other relevant supplementary planning documents.**

- 8.5 Development proposals which involve the development of greenfield sites will not be supported by the council unless it is demonstrated by the applicant that no alternative, more suitably located, brownfield sites exist and that the benefits of the proposal outweigh any adverse impacts that may result from the development.
- 8.6 A range of uses will be supported by the council which are consistent with a rural location, as set out in criteria (i) to (vii) of this policy. Proposals for uses that do not meet these criteria will not be permitted unless exceptional circumstances are demonstrated that outweigh any adverse impacts or departure from policy. Development proposals in the open countryside will also be considered against other policies within this document, in particular (but not exclusively) policies DM8, DM9, DM11, DM27 and DM28.

#### **The Re-Use and Conversion of Rural Buildings**

- 8.7 As suggested in Policy DM7 of this document, the council has a preference toward the re-use and conversion of existing buildings and Previously Developed Land (PDL) within the open rural countryside for a range of uses which is consistent and compatible with a rural location. Any proposals for the conversion and re-use of buildings should have due regard of the potential impacts which could arise within the locality and setting of the development.
- 8.8 Proposals which involve the re-use of buildings which are located in isolated locations will not be supported by the council unless exceptional circumstances are demonstrated.
- 8.9 The council will expect proposals to re-use existing buildings which are already of a substantial and permanent construction and can be converted and re-used without any major structural works. Any features which are of either historical or architectural value should be retained within any scheme. Proposals that involve the re-use of buildings which, either through their design, degradation or original construction, cannot be considered to be substantial or permanent will not be supported by the council.

#### **Policy DM8: The Re-Use and Conversion of Rural Buildings**

**The principle of re-using buildings within rural areas, outside of established settlement areas, for uses set out in criteria (i) to (vii) in Policy DM7 of this document will be supported where:**

- I. Suitable services and access are available without the need for works which would adversely affect the character of the building and / or locality;**
- II. The building is of a permanent and substantial construction, is structurally sound**



and capable of conversion and that any important architectural and historical features are retained within the proposal;

- III. The proposal safeguards the roosting or nesting habitat of any protected species present within the building;
- IV. The conversion can be carried out without major extensions to the existing building, or the construction of ancillary buildings;
- V. The proposal does not adversely affect the character, rural setting and appearance of the surrounding landscape or the amenity of nearby residents through the use of good design and use of materials;
- VI. The type of use proposed is of a scale and type that is consistent with the specific location;
- VII. The proposal does not have an adverse impact on the local highway network, either in terms of highway safety or highway capacity; and
- VIII. The proposed is accompanied by an acceptable Travel Plan where it is recognised that the proposed use will generate a significant level of trips.

**Proposals will be expected to show that the existing building will not be substantially altered or increased in footprint or scale.**

**Proposals which may have significant implications of the surrounding landscape should be accompanied by a Landscape Impact Assessment to set out the levels of impact and suggest mitigation measures to minimise such impacts.**

**Proposals which involve the re-use and / or conversion of rural buildings to residential purposes should have due regard to Policy DM42 and DM43 of this document.**

- 8.10 The inappropriate use of rural buildings can have significant implications on the setting and character of the local landscape and / or townscape. Therefore the council will expect that proposals have fully considered the implications on their surroundings and, where necessary, provide suitable and appropriate landscaping to minimise any potential impacts. Proposals which may result in a significant landscape impact will be expected to be accompanied by a Landscape Impact Assessment as part of the initial planning application in order for the council to assess any potential impacts and necessary mitigation measures.
- 8.11 In order to minimise the impact on the setting and character of a locality, proposals should seek to incorporate sympathetic design and construction methods and make use of materials which are appropriate to the locality. Any proposals should have due consideration to Policy DM35 of this document which relates to general design principles within development proposals. Development proposals which are located within the Arnside and Silverdale Area of Outstanding Natural Beauty (AONB) should have due regard to the forthcoming DPD relating to this area.
- 8.12 The council will seek the sympathetic re-use and / or conversions of rural buildings which have a historical or architectural value. Proposals should seek to maintain and prevent the loss of such buildings without harming their value or significance.
- 8.13 For the re-use of modern farm buildings, particular regard should be paid to other policies within this document in relation to the impact of development on its surroundings, including the scale and impact on local amenity, including highways.

Conversion of Rural Buildings for Residential Purposes

- 8.14 The council will seek to encourage the re-use and conversion of rural buildings for a wide range of uses which are consistent with its rural setting. Proposals which involve the re-use or conversion of a rural building for residential purposes should have due regard to other policies within this document, in particular Policy DM43, which specifically relates to meeting rural housing needs.

Diversification of the Rural Economy

- 8.15 The rural economy in Lancaster District makes a positive contribution toward the wider economy, generating investment and job growth in the district. The council recognises the importance of the rural economy and support appropriate farm diversification and the re-use and adaptation of existing buildings, or where appropriate replacement buildings for economic purposes.
- 8.16 Diversification of the rural economy could include allowing re-use or like-for-like replacement buildings for employment opportunities which are appropriate in scale and nature to their surroundings.

**Policy DM9: Diversification of the Rural Economy**

The council will support proposals in rural areas which seek to diversify the rural economy, particularly where it is demonstrated that significant economic benefits exist from the diversification of the farm holding without generating adverse impacts on the environment.

In particular the council will encourage the re-use, adaptation or conversion of existing rural buildings which assist in the diversification and economic stability of an agricultural holding where:

- I. It can be clearly demonstrated by the applicant that the building(s) which are part of the proposal can no longer be used for ongoing agricultural uses;
- II. The agricultural diversification remains ancillary to the primary agricultural use and gives priority to the re-use of an existing buildings;
- III. The proposed use of the building is appropriate in a rural location, that the building(s) are of a substantial and permanent construction, structurally sound and capable of conversion without major alterations or adaption and where important original features can be retained;
- IV. The scale and use of any diversification proposals or the economic purpose (including cumulative impacts associated with any other ancillary developments / uses) is appropriate for its location and does not conflict with policies and objectives within other Local Plan documents; and
- V. The proposal does not generate unacceptable levels of traffic or have detrimental impacts on highway safety.

Whilst the council would place a preference on the re-use and conversion of existing buildings to aid diversification, where it can be justified and is appropriate, replacement buildings for farm diversification in rural areas of the countryside will be supported where:

- VI. The building to be replaced is of a permanent and substantial construction;
- VII. The replacement building is not materially larger than the existing building and is

of a design which is compatible to its setting and location;  
VIII. A preference has been given to the siting of replacement buildings on previously developed land within existing farm clusters.

The council will support and encourage the delivery of improved broadband provision for rural areas to encourage rural employment and home-working. Development proposals should consider how they may assist in the delivery of improved broadband speeds within rural areas in accordance within Policy DM24 of this document and paragraph 43 of the National Planning Policy Framework.

Development in rural areas will not be supported if it is likely to generate adverse impacts on designated wildlife sites or designated landscape areas, either directly or indirectly. The principles of Policies DM27 and DM28 should apply.

- 8.17 Conflicts exist between the delivery of economic growth in rural areas and maintaining the character and function in such areas, especially within the open countryside. In these circumstances development for economic purposes will not be permitted where it is considered to be an inappropriate form of development or where its scale or use conflicts with wider countryside objectives, for example where it would introduce new amenity concerns or where it would have a negative impact on the natural environment.
- 8.18 The council will not support proposals to convert or re-use buildings which are poorly sited, poorly designed or constructed and which detract from the character of its rural setting. Buildings which are temporary or structurally unsound and require significant alterations to bring them into their desired use are also unlikely to be supported.
- 8.19 Preference will be given to the re-use or conversion of existing permanent buildings in the first instance. Replacement buildings will only be supported where the re-use of an existing building is not achievable or appropriate and where the replacement building can make a positive contribution to the rural environment.

#### **Equine Related Development**

- 8.20 Although there continues to be pressure for equine related development within the district the council recognises that such development contributes toward the provision of recreational opportunities and the diversification of the rural economy. However, intensive private equestrian activity as well as commercial activities can be visually harmful in rural locations, particularly cumulatively, so it is important that environmental quality (in relation to vegetation destruction, water quality, biodiversity and soil erosion), amenity and landscape character is respected. Therefore the council considers a specific policy on this type of development is required.
- 8.21 By its very nature, equestrian development requires a rural location but the cumulative impact of either a small or large scale development can have an adverse impact on the rural character of the district and can lead to further intensification of uses on the site. As such local landscape character assessments should be employed to inform the appraisal of all development proposals.
- 8.22 The council expects applicants to follow a sequential approach toward the siting of equine relate facilities. Preference will be given to locating such uses within existing farmsteads, re-using existing buildings where possible, to reduce impact on the landscape. Preference will

also be given to locations which are close to existing settlements and accessible to both the highway and bridleway network.

- 8.23 If this is not possible then new buildings should be well related to existing buildings and be well screened by existing trees, hedges or other natural features which will reduce the potential visual impact on surrounding landscape. Proposals which involve the siting of such buildings in open or prominent isolated positions will not be supported by the council.

### **Policy DM10: Equine Related Development**

**Horse-related activity and small-scale extensions to existing equestrian enterprises in rural areas will be permitted in principle. The council will expect applicants to demonstrate that in identifying proposal sites that a sequential approach has been followed, placing a greater priority towards accessible sites on the edge of existing settlement areas. Proposals will be subject to the following criteria:**

- I. In the first instance priority is given to the re-use and conversion of existing buildings and accord with policies DM7 and DM8 of this document;**
- II. New stables and associated infrastructure (including ménages, storage, lighting, hard-standing, fencing and other paraphernalia) should be well screened from the surrounding countryside and should not interfere within the amenity of surrounding residents;**
- III. New buildings for indoor equestrian use should be located within or adjacent to existing buildings;**
- IV. Proposals should not have a detrimental impact on the local highway network and highway safety;**
- V. Their design, scale, siting, external lighting and use of materials should respect the rural setting and landscape; and**
- VI. Provision is made for removing any equipment and re-instating the site once its use for horses is no longer required.**

- 8.24 To reduce the impacts that such proposals have on residential amenity, in terms of noise, lighting, smell and other disturbances, equine related development should be sited at an adequate distance from neighbouring residential properties. The separation distances required will be dependent on the scale and impact of the development proposed and the nature of the surrounding landscape.
- 8.25 Ancillary development, including ménages, storage facilities, hard-standing, access tracks and sand paddocks should be a minimum size necessary and should not encroach into open countryside. Additional equipment, such as jumps and transporter vehicles should be stored appropriately and not impact on the visual amenity of its surroundings.
- 8.26 Further consideration should be given to the implications on the surrounding highway network from such proposals. The siting of equine related facilities should not create a danger to horses, riders and to other road users. It would be expected that stables and associated infrastructure should be sited with safe and convenient access to the local highway network and, where possible, direct connections to the local bridleway network.

### **Development in the Green Belt**

- 8.27 The council will seek to manage development in the Green Belt to avoid inappropriate development, consistent with paragraph 87 of the National Planning Policy Framework

(NPPF). Inappropriate development is, by its very definition, harmful to the Green Belt and should not be approved except in very exceptional circumstances.

- 8.28 Essential facilities should be genuinely required for uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. Acceptable uses are set out within paragraph 89 of the NPPF and this policy does not repeat such guidance, however Policy DM11 does seek to set out the council's approach to development proposals for the re-use of buildings and replacement of buildings in Green Belt locations.

### **Policy DM11: Development in the Green Belt**

#### **Re-use of Existing Buildings in the Green Belt**

The re-use of buildings within the Green Belt will only be considered where:

- I. It does not have materially greater impact than the present use on the openness of the Green Belt and the purposes of including land in it;
- II. Strict control is exercised over the extension of re-used buildings, and over any associated uses of land surrounding the building which might conflict with the openness of the Green Belt and the purposes of including land in it;
- III. The building is of permanent and substantial construction, and is capable of conversion without major or complete reconstruction; and
- IV. The form, bulk and general design of the buildings are in keeping with their surroundings (proposals should seek to respect local building styles and materials).

#### **Extension to Existing Dwellings in the Green Belt**

The council will not permit extensions to existing dwellings which create an adverse impact on the openness of the Green Belt.

#### **Replacement Dwellings in the Green Belt**

The replacement of existing dwellings in the Green Belt will be considered as acceptable provided that the new dwelling is not materially larger than the dwelling it replaces and adheres to other relevant planning policies within this document.

## **9. Leisure and Visitor Economies**

- 9.1 The council believes that there are opportunities to encourage and enhance further growth in the district's leisure economy, with attractions including the historic town of Lancaster, the coastal town of Morecambe, the rural landscapes of the Lune Valley and the protected landscapes of the Arnside & Silverdale and Forest of Bowland AONBs.

#### **The Creation of New Leisure Facilities and Attractions**

- 9.2 The council will support the development of leisure facilities and attractions in sustainable locations within main urban settlements, primarily in sustainable town centre locations or where the sequential approach has been followed in accordance with paragraph 24 of the National Planning Policy Framework. This will have the primary aim of directing appropriate and desirable leisure facilities towards Morecambe to assist regeneration within the town. A key focus for Morecambe is the natural environment and natural tourism.

### **Policy DM12: Leisure Facilities and Attractions**

Proposals for major leisure facilities or attractions (excluding visitor accommodation) that involves more than 1,000sqm of floorspace or 1 hectare or more of land will be permitted where:

- I. The site is within the identified town centre boundary of Lancaster and Morecambe, preferably in a brownfield location within Morecambe which can provide a catalyst for regeneration within the locality, or is supported by a specific site allocation in the Land Allocations DPD or an identified direction of mixed use growth set out elsewhere within 'The Local Plan for Lancaster District'; or
- II. It is for the expansion of an existing leisure facility or attraction in the countryside and is in scale and character with its location and complies with other relevant policies within this Development Management DPD; or
- III. It is for the conversion of suitable existing buildings in the countryside and the proposal complies with other relevant policies within this Development Management DPD.

Proposals for minor leisure facilities or attractions involving less than 1,000sqm of floorspace or 1 hectare of land will be acceptable in the above locations and where the proposal:

- IV. Is located within an identified town centre boundary, preferably in a brownfield location, or within a complex of existing rural buildings;
- V. Is accessible to a variety of modes of transport, including public transport;
- VI. Does not result in an adverse impact on the visual amenity within the locality;
- VII. With regard to rural buildings, the proposal satisfies the relevant criteria of Policy DM8.

Proposals for both major and minor leisure facilities and attractions must assist in delivering improvements to Green Infrastructure within the local area.

Any proposals which are expected to generate significant footfall and vehicle movements will be expected to provide a travel plan in accordance with Policy DM23 of this document.

All proposals for leisure and visitor facilities should have due regard to all relevant planning policies within the Development Management DPD, in particular relating to impacts on the local environment, amenity and highways.

Developments which are likely to increase harm through visitor pressure within internationally designated wildlife sites or designated landscape areas will not be supported.

- 9.3 Policy DM12 provides a positive framework for promotion of leisure facilities for the benefit of both local people and visitors to the district. Directing most of the leisure / visitor related development to the main settlements of Morecambe and Lancaster can assist in strengthening their viability as centres, ensuring that facilities can be accessed by a range of transport modes and continue to protect the natural environment.

- 9.4 The council recognises the benefits that the leisure economy can have on the rural economy through the creation of new business, new jobs and more investment within the local area. Therefore development of leisure facilities in the countryside will be supported in principle but only in appropriate locations, where it is demonstrated that adverse impacts are minimised and proposals are in accordance with other policies within this document.
- 9.5 For the purposes of clarity, the term 'leisure attractions and facilities' should include major visitor attractions and major leisure / sporting attractions.

**Visitor Accommodation**

- 9.6 To promote the district of Lancaster as an attractive destination for visitors it is essential to offer a good range of quality accommodation in attractive, accessible locations. Government guidance considers that hotels, which are identified as a 'main town centre use' within the National Planning Policy Framework should be located in sustainable town centre locations. Therefore proposals for hotels should be focused on the main centres of Lancaster, Morecambe and Carnforth in the first instance and, should an edge-of-centre or out-of-centre location be proposed, that the sequential approach set out in Paragraph 24 of the National Planning Policy Framework be applied. Town centre locations are the highest priority for the provision of new accommodation as these will best facilitate linkages with shops, restaurants and other facilities.

**Policy DM13: Visitor Accommodation**

**Hotel Accommodation**

Proposals for hotel development should normally be located within defined town centre locations in accordance with the provisions of paragraph 24 of the National Planning Policy Framework.

Proposals which involve the development of hotel uses located outside of the defined town centre boundaries will be expected to demonstrate, through the use of the sequential test set out in Appendix B of this document, that no sequentially preferable sites exist, whether this be in a town centre or, in the case of out-of-centre proposals, that no preferable edge-of-centre locations exist. Flexibility should be demonstrated in relation to format and scale of proposals.

All proposals for hotel development will be expected to demonstrate that the location is accessible to a range of transport modes and public transport.

**Other Visitor Accommodation**

Proposals for other visitor accommodation, including bed & breakfast, self catering accommodation (excluding caravan sites, log cabins and chalets) will be acceptable where the proposal:

- I. Is on a site within the existing built-up area of Lancaster, Morecambe, Heysham, Carnforth or smaller settlement which provides a sufficient level of basic service provision, preferably on previously developed land; or
- II. Is on a site which has a specific land allocation or an identified direction of mixed growth set out elsewhere in the Local Plan; or
- III. Provides accommodation of an appropriate nature and scale to meet the needs of an existing visitor facility or attraction and is located adjacent to the facility or attraction; or

**IV. Involves the conversion or re-use of a suitable existing rural building(s) and the proposal complies with other relevant policies within this document, particularly the criteria set out in Policy DM8.**

**Proposals which relate to other types of visitor accommodation, including caravans (both static and touring), log-cabins and chalets should be considered under Policy DM14 of this document.**

- 9.7 Visitor accommodation can take many forms ranging from substantial hotels through to smaller bed & breakfast establishments to holiday cottages and holiday chalets. Proposals for smaller-scale visitor accommodation may be acceptable beyond town centres and into rural locations, provided their scale is in keeping with the surrounding area. This may be as a guest house or farm-related visitor facilities, particular where proposals can aid agricultural diversification and involve the re-use of existing buildings which are worthy of retention.

#### **Caravan Sites in the District**

- 9.8 The district contains a large number of touring and static caravan sites which drawn by the unique character of the locality. Caravan sites provide a valuable source of visitor accommodation and can contribute significantly to the local economy and the sustainability of rural settlements. However they can also have significant impacts on the local amenity of an area, through the creation of traffic or their intrusion on the local landscape.
- 9.9 The geographical location of Lancaster District, along with the unique and important landscapes and habitats it contains, results in significant visitor pressure for growth and usage of caravan sites. The council acknowledges the significant pressures which exist for caravan development, both in terms of pressures for growth of existing sites and the creation of new caravan sites to meet the demands from visitors.
- 9.10 The unrestricted growth of visitor accommodation, particularly in sensitive locations will not be permitted by the council. Should the council not restrict and manage the level of visitor accommodation then no permissions for new accommodation can be granted in rural areas. Therefore the council will seek to improve the management of existing sites and pitches through the preparation of a 'Caravan Sites Register' which will monitor the number of sites and pitches and seasons of occupancy.

#### **Proposals for New Caravan Sites**

- 9.11 The council will seek to protect the most sensitive landscapes in the district, particularly those landscapes which have been designated for their importance, such as Areas of Outstanding Natural Beauty (AONBs), from development which may have a negative impact on the quality of local landscapes and their setting. Given the significant caravan site provision that already exists within these areas the council will not encourage any proposals which involve the creation of new caravan sites or the further expansion of existing sites.
- 9.12 Whilst proposals for new caravan sites or the extension of existing sites will not be encouraged within Areas of Outstanding Natural Beauty, the council will be more supportive towards the development of sites in appropriate and sustainable locations outside the AONBs.



### **Policy DM14: Caravan Sites, Chalets and Log Cabins**

Within Areas of Outstanding Natural Beauty (AONBs) proposals for new static or touring caravan sites, or the extension or expansion of existing sites will not be permitted where it is concluded that such proposals will have an adverse impact on conserving the landscape and scenic beauty of these areas.

Similar proposals within the Arnside and Silverdale AONB will be expected to comply with the relevant policies relating to caravan development found within the forthcoming Arnside and Silverdale AONB DPD.

#### **Caravan Development**

Proposals for new static and touring caravan sites, or the extension of an existing site will be supported in principle within the district and outside of areas of designated landscape importance, in appropriate locations and to an appropriate scale, subject to the following criteria:

- I. That priority is given to the re-use of previously developed sites; provided that it is not of a high environmental value. Where greenfield sites are identified it should be demonstrated that no alternative, suitable brownfield sites exist in the locality;
- II. The proposal includes a satisfactory landscaping scheme and does not result in any detrimental impacts on the visual amenity of the locality;
- III. That the layout retains on-site features and provides compensatory planting and other nature conservation measures within or near to the site;
- IV. The proposal maintains and enhances existing areas of recreational open space or create new areas of recreational open space which are of a proportionate scale;
- V. The proposal does not have an adverse impact on biodiversity and where appropriate seeks to raise the environmental value of the locality;
- VI. The proposal does not have an adverse impact on surrounding residential amenity; and
- VII. That the proposal is in an accessible location and has no adverse impact on the capacity of the local highways network, highway safety and other important local infrastructure.

Proposals for caravan sites within the North Lancashire Green Belt will only be permitted where it is concluded that it does not result in harm to the Green Belt and does not have an adverse impact on its openness in accordance with Policy DM11 of this document.

#### **Development of Chalets, Log Cabins and Purpose Built Holiday Accommodation**

The council will consider proposals relating to chalets, log-cabins and purpose built holiday accommodation subject to criteria (i) and (vii) above and:

- VIII. Be of a scale and design appropriate to the locality and does not have any detrimental impacts on the local landscape, particularly in Areas of Outstanding Natural Beauty; and
- IX. Makes use of appropriate materials which are sympathetic to its locality.

#### **Occupancy of Caravan Sites, Chalets, Log Cabins and Holiday Accommodation**

The council will seek to regularise the duration of opening of existing holiday accommodation within the district (including caravan sites, chalets and log cabins). The council will be sympathetic towards proposals to extend opening seasons to provide

holiday accommodation for the whole year. Proposals to extend their duration of opening and occupancy will be permitted where:

- X. There will be no significant impacts on the surrounding visual amenity or on nature conservation interests;
- XI. There are no adverse impacts on local infrastructure on local infrastructure and highway safety;
- XII. Appropriate on-site improvements, including improved facilities and recreational provision of an appropriate scale, are agreed with the local planning authority and implemented before the extended opening season begins, subject to landscaping improvements; and
- XIII. The proposal is accompanied by a legal agreement which states that the accommodation will remain in a visitor use only and not be used for permanent residential occupation.

Whilst the council will be sympathetic towards proposals to extend seasons of opening to provide enhanced visitor facilities, a strong position will be maintained over holiday accommodation being used for residential purposes and occupied all year round. Occupancy conditions will be enforced by the council where it is considered to be expedient and appropriate to do so in accordance with the council's adopted '*Planning Enforcement Charter*' (2011).

To ensure that proposals comply with criteria (xiii) applicants will be expected to enter into a legal agreement to ensure that the units on site are not subject to permanent residential occupancy. The council will encourage the owners of caravan sites to supply information on any permanent residents.

9.13 Proposals for caravan sites should utilise locations which are accessible to local settlements which offer basic services, facilities and reduce the needs to travel by car with a preference shown to the re-use of previously developed sites. To provide further protection to the natural environment and local amenity, proposals will be expected to be appropriately sited to their setting and location and reduce their impact on the surrounding landscape through sensitive landscape design and other appropriate complimentary measure. The council will encourage proposals for either new site or site extensions to work toward the development of 'Quality Assured' accommodation.

9.14 The council will support the improvements to facilities at existing caravan sites, such as improved toilet blocks and other ancillary infrastructure provided where it is demonstrated that such improvements will aid the visitor experience, will not have a detrimental impact on its surroundings and is in accordance with all other relevant policies within this document. Proposals which will result in an unacceptable intensification of uses on a caravan site, either directly or in-directly, will not be supported by the council.

#### Seasons of Opening for Caravan Sites

9.15 In recent years there has been significant pressure for longer opening seasons for caravan sites. Whilst benefits to the local economy will exist from the extensions to opening periods there can be significant implications from such proposals, on the surrounding landscape, amenity and the conservation of the site itself. Increased returns arising from a longer opening season must be reflected in the delivery of on-site improvements. Proposals for extensions to opening seasons should be included by on-site enhancement proposals.

- 9.16 Whilst the council will be sympathetic towards proposal for extensions to opening seasons on caravan sites. It will retain a strong position over the seasons of occupancy and will seek to ensure that extended seasons of opening do not result in unauthorised permanent residential occupation of caravans.
- 9.17 The council will expect that any caravan site operations which have been granted permission for an extension of opening to an all-year-round basis to enter into a legal agreement with the council to ensure that permanent residency does not occur without the benefit of planning permission. Where any reported breaches in planning permission occur in relation to occupancy the council will investigate and where expedient enforcement action will be taken.

## **10. Employment Requirements**

- 10.1 Lancaster District contains the coastal towns of Morecambe and Heysham, the historic city of Lancaster, the market town of Carnforth and the extensive rural countryside which stretches along the Lune Valley and includes communities within the Arnside and Silverdale AONB.
- 10.2 The district has a series of important economic assets which provides a focus for job opportunities and investment within the district. These include Lancaster University, the Port of Heysham and Heysham Nuclear Power Station which all attract significant job numbers and investment into the district.
- 10.3 In total there are approximately 50,000 people employed within the district with the majority of this figure are employed within service industries. Unemployment remains close to the national average; however parts of both Lancaster and Morecambe suffer from higher than average levels of deprivation and, in particular, levels of unemployment.
- 10.4 To assist with the delivery of economic growth, development proposals which seek to create new employment opportunities and investment within the district will be supported by the council subject to consideration of the impacts on their surroundings.

### **Proposals involving Employment Land and Premises**

- 10.5 Proposals which re-use previously developed land and / or existing buildings for employment purposes which are not formally designated for employment will be supported in principle by the council. Proposals for employment generating uses in non-designated employment areas should ensure that there are no detrimental impacts resulting from the proposal, particularly in terms of accessibility, residential amenity and the local environment.
- 10.6 Where it is expected that development proposals will generate significant footfall and traffic movement, special attention should be given to the accessibility issues relating to the site, via public transport or through cycling and walking. In particular cases the council may require proposals to be accompanied by a travel plan in accordance with Policy DM23 of this document which should seek to mitigate and reduce traffic movements to the proposal. Such requirements will be assessed and agreed on a case-by-case basis depending on the potential impacts of the proposal.

## **Policy DM15: Proposals Involving Employment Land & Premises**

### **Proposals for Employment Purposes on Non-Allocated Employment Sites**

Proposals for employment generating uses (B1, B2, B8 and appropriate sui generis uses) which seek to utilise previously developed land or existing premises outside of designated employment areas will be supported by the council provided that the following issues are addressed:

- I. That there is sufficient access and capacity in the local highways network to accommodate the proposed use, this includes provision for cycling and walking;
- II. That there is no detrimental impact on local residential amenity or natural environment; and
- III. The proposal is in accordance with the design guidance set out in Policy DM35 of this document and any other relevant accompanying design guidance.

Any proposals for employment uses within rural areas of the district will be expected to comply with Policies DM7 and DM8 of this document.

Proposals which generate significant levels of employment should be located in accessible locations which can be safely accessed by a range of transport modes and provide sufficient and appropriate levels of car parking in accordance with Policy DM22 and the detail supplied in Appendix C of this DPD.

Proposals which, as a consequence, will generate significant traffic movements may also be required to provide a travel plan, in accordance with Policy DM23 of this document, which sets out how excessive travel movements can be mitigated and sustainable travel patterns encouraged. The requirement for a travel plan will be assessed on a case-by-case basis.

### **Loss of Employment Land and Premises for Alternative Uses**

The council will seek the retention of land and buildings which are in an active employment use, has a previous recent history of employment use, or still has an economic value worthy of retention. Proposals which involve the use of employment land for alternative uses such as residential will only be permitted where:

- IV. It has been demonstrated, through a satisfactory and robust marketing exercise which has taken place over a reasonable period of time (at least 12 months) that an ongoing employment use on the site / premises is no longer appropriate and viable. Such a marketing exercise should demonstrate that the site / premises has been marketed using appropriate media sources at a realistic price for both the existing use and for redevelopment (if appropriate) for other employment uses; or
- V. The location has such exceptionally severe site restrictions, due to very poor access or servicing arrangements, or surrounding land uses make a continuing employment use inappropriate.

Any proposals should have due consideration to all relevant policies within the Development Management DPD.

- 10.7 The council recognises the importance that employment land has within the local economy. Business and commercial premises provide job opportunities for local people and presents

opportunities for investment into the local economy. The cumulative loss of employment sites will have an adverse effect on business, employment and on the character of the district.

*The Protection of Employment Land and Premises*

- 10.8 In accordance with paragraph 22 the National Planning Policy Framework (NPPF), the council will not seek to retain employment uses which are no longer viable for employment purposes, whether this is due to economic factors, site location or the condition / state of the buildings on the site. However, there is an expectation from the council that any proposals which involve the loss of employment / commercial premises or land should demonstrate that such uses are no longer appropriate or viable for the site.
- 10.9 Applications should be supported with information which clearly demonstrates that the premises or site have been marketed for employment / commercial premises for an realistic period, normally for a minimum of 12 months, at a realistic price. The council will decide if the marketing is sufficient and appropriate. Any proposals which do not have this supporting information will generally be refused planning permission unless exceptional circumstances are demonstrated.
- 10.10 The marketing of the premises / site should initially be for the site in its existing use or for an acceptable alternative employment generating use. Only when such alternative uses have been realistically considered and found not to be practical will proposals to re-use employment land for non-employment generating uses, such as residential, be considered.
- 10.11 The Land Allocations DPD will set an approach to future employment land provision through the plan period, ensuring that any employment land which has no realistic opportunity to return to an employment generating use has been allocated for alternative purposes. Therefore the identified employment land stock allocated in the forthcoming Land Allocations DPD is considered to be of value and should be retained. In times of limited demand relating to the economic recession, employment land should not be simply released to other uses because this reduction in demand is likely to be relatively short-term and the loss of employment land to non-employment uses (such as residential) is irreversible. The council will also be mindful of the need to preserve industrial land for a range of employment and economic needs.
- 10.12 Local service trades such as builders' yards, car repair or skip hire provide a useful service to local residents and other businesses in the district, as well as providing a source of local employment opportunities. Small firms such as these often find it difficult to acquire suitable affordable premises and the high value of land for other uses creates pressure for redevelopment for higher quality and priced accommodation even though many starter businesses require cheaper accommodation and smaller incubator units. Attempts to market premises should be undertaken on the basis of their present condition and use, and not on their potential for redevelopment in the future to other uses, or proposing housing as the only viable option for the future.

*Small Business Generation*

- 10.13 Smaller business enterprises and emerging economic sectors fulfil an important role in the district's economy and can help promote sustainability by providing jobs in urban and rural locations as well as contributing to the diversity of employment within more urbanised centres. Paragraph 21 of the NPPF recognises the importance of small business, suggesting that Local Plans should *'support existing business sectors, taking into account whether they*

*are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area'.*

10.14 In response to this policy position within the NPPF Policy DM16 will seek to encourage the sustainable growth of new business and emerging economic sectors in both urban and rural locations. It is anticipated that a sympathetic policy approach and maintaining a flexible supply of land / buildings for business uses will be important in assisting the recovery of the local economy. Such an approach will allow for existing established businesses to grow sustainably and will help new business opportunities which wish to invest in the local area and create jobs for local people.

### **Policy DM16: Small Business Generation**

**The council will support proposals which involve the creation or sustainable expansion of small businesses within the district, subject to the following criteria being met:**

- I. The site is located within the built-up areas of Morecambe, Lancaster, Heysham, Carnforth or a smaller rural settlement, an identified employment area or a site specifically allocated for that type of use or is part of a suitable and sustainable farm diversification scheme within a rural area; or**
- II. The proposal is for the sustainable expansion of an existing business within its existing site, subject to other policies within this document; or**
- III. The proposal is for the conversion or redevelopment of suitable existing buildings in accordance with all other relevant policies within this Development Management DPD.**

**The council will seek to promote the role of home-working within the economy, through improvements to telecommunications infrastructure and small-scale extensions to existing residential dwellings. The council will not support proposals for residential development which are contrary to policies within the Local Plan and the NPPF purely on the basis that they would assist in the delivery of home-working.**

10.15 The council recognises the growing role that home-working can provide within the local economy, particularly in rural areas of the district. The ability of people to work from home can have many positive sustainability benefits including the reduction in the use of private vehicles and therefore the council will promote home-working where appropriate. There are a number of barriers to home-working in the district, in particular accessing good broadband links. In accordance with Policy DM24 of this document the council will assist where possible in the improvement of these telecommunication links.

10.16 Whilst the council will seek to promote the principles of home-working within existing dwellings, the council will not support proposals for residential development which, in normal circumstances would be contrary to other policies within the Local Plan, on the basis that the new dwelling will provide opportunities for home-working.

10.17 Whilst at a national level priority is given toward economic recovery, it is important that within the planning system a balance is retained between the need to create investment and jobs and the need to protect the character and amenity of the district. Therefore whilst this policy offers significant support for economic growth, any proposals should have due consideration to all relevant policies within this DPD, particularly in relation to any specific impacts on the locality that could result in possible development.

## **11. Enhancing Energy Opportunities**

11.1 More efficient energy usage and the improved deployment of renewable energy will aid the transition from a high to low carbon economy in Lancaster District. The improved deployment of renewable energy will also provide the district with the diversity needed to ensure long-term security of energy supply at a local level. This has the potential to deliver on-site power to local developments or allow energy to be exported to the National Grid for wider distribution. The use of on-site renewable energies can also provide the opportunities for large electricity users to secure green methods of power locally.

### **Renewable Energy Generation in Lancaster District**

11.2 The district has the potential to take a leading role in the transition to a low carbon future on account of its topography and natural assets. These create the opportunities for increased deployment across a range of renewable and low energy technologies. This must, however, be balanced with the need to protect the district's high quality landscape, much of which is protected by international and national designations and sites that hold a functional linkage to sites of national or international importance.

11.3 This is supported by recently published evidence on potential deployment capacities for different renewable energy technologies prepared by external consultants SQW on behalf of Lancashire County Council. SQW were commissioned to identify the resource capabilities for different renewable energy technologies on an area basis and provide information on the likely deployment of these technologies up to 2030. Based on this information they identified a deployable potential in the district of 97MW by 2030. This takes account of current generating capacity and then based on identified constraints, factors in a more realistic mix of technologies appropriate to the resource capabilities of the area. A summary of this breakdown is given in the table on page 48 of this document.

### **Policy DM17: Renewable Energy Generation**

**The council is committed to supporting the transition to a lower carbon future and will seek to maximise the renewable and low carbon energy generated in Lancaster District, where this energy generation is compatible with other sustainability objectives.**

**The council will support proposals for renewable and low carbon energy schemes that offer the opportunity to contribute to a low carbon future where the direct and indirect impacts are, or will be made, acceptable (unless material considerations indicate otherwise) subject to the following criteria:**

- I. The proposal with its ancillary development would not individually or cumulatively have an unacceptable significant effect as a result of its scale, siting or design on the landscape, visual amenity, biodiversity, geodiversity, townscape and historic assets of the district and will not unduly affect highway safety;**
- II. The impacts of the development are mitigated so as to ensure that there are no unacceptable significant effects on the amenities of sensitive neighbouring uses (including by virtue of noise, dust, odour or traffic); and**
- III. The wider environmental, economic, social and community benefits directly related to the scheme outweigh any significant adverse effects.**

**In areas which have been designated for their national importance, as identified in the**

**National Planning Policy Framework, large-scale renewable energy infrastructure will only be permitted where it can be demonstrated that it would be appropriate in scale, located in areas which do not contribute positively to the objectives of the designation, is sympathetically designed and includes any necessary mitigation measures.**

**The council will expect developers to work in partnership with the local community in developing proposals for renewable and low carbon energy and demonstrate how the concerns and requirements of the local community have informed the submitted proposal. Community-led initiatives for the development of renewable or low carbon energy will be supported.**

**Developers will be expected to provide evidence to support their proposals including landscape, visual and ecological assessments (including where required an Environmental Impact Assessment (EIA) and Habitats Regulation Assessment (HRA)) and to demonstrate that any impacts can be satisfactorily mitigated where negative impacts cannot be solely removed through site selection. Mitigation and compensatory measures should be investigated as part of this process.**

**The council will require that where renewable energy installations become non-operational for a period in excess of one year, the facility will be removed and the site will be fully restored to its original condition within one year.**

**Proposals for wind energy should also be assessed against the criteria set out in Policy DM18 of this document.**

- 11.4 All projects, regardless of their size, will be supported in principle by the council subject to satisfying criteria (i) to (iii) set out in Policy DM17. The council recognise that small-scale projects will make a valuable contribution to renewable energy generation as well as national targets for the reduction in greenhouse gas emissions. These schemes also offer opportunities to add direct benefits to local communities by meeting their local needs, providing local ownership of their future energy use and helping the fight against fuel poverty.

Technology	Existing Deployment (2011)	Anticipated Deployment (2020)	Anticipated Deployment (2030)
Commercial Wind	16	44.7	59.3
Small-Scale Wind	0	3.8	6.5
Plant Biomass	0	0.3	04
Energy from Waste	4.8	5.1	3.4
Small-Scale Hydro	0	0.4	0.4
Micro generation	0.2	11.4	26.9
TOTAL	21MW	66MW	97MW

Renewable Energy Deployment Projection (all Figures are in Mega-Watts MW) (Source: SQW)

- 11.5 In delivering proposals the council will negotiate, where appropriate, community benefits for the local area. This could include the provision of educational opportunities for local schools as well as opportunities for shared ownership.
- 11.6 In delivering future proposals the council will create a positive and enabling environment for increased deployment, working with developers and local communities to ensure the delivery of appropriate and well planned proposals whilst also ensuring the protection of the district’s landscape and townscape. This is especially relevant as large portions of the district are protected by environmental designations.



- 11.7 Future proposals and their ancillary development, which would result in unacceptable and adverse effects, either individually or cumulatively with nearby development will not be supported. The Landscape Character Assessment (1999) from Lancashire County Council and the local Conservation Area Appraisals will be among key tools in assessing potential impacts.
- 11.8 As outlined within Policy DM17, the council is committed to the transition to a low carbon future. Proposals that offer the opportunity to contribute to this future will be supported where compatible with the above policy and where impacts can be satisfactorily addressed. Where impacts are identified the council will require applicants to demonstrate to its satisfaction how impacts have been minimised, how impacts have been mitigated and finally where relevant what compensatory measures are proposed to support the scheme sufficiently to outweigh any outstanding impact.

**Wind Turbine Development**

- 11.9 Lancaster District is identified as an area with considerable potential for renewable energy generation, especially from wind energy. High wind speeds across large areas of the district mean that it is well placed to capitalise on this resource, with wind energy offering significant potential to deliver low carbon energy and contribute to national and local renewable energy and greenhouse gas reduction targets.
- 11.10 This is demonstrated by the findings of the SQW study which identifies greatest potential for wind energy. 61% of the 97MW of deployable capacity in the district by 2030 is anticipated to come from commercial wind generation.

**Policy DM18: Wind Turbine Development**

Proposals which involve the generation of energy by wind turbines, including ancillary equipment and associated infrastructure and landscaping, will be supported in principle by the council if the direct and indirect impacts are, or can be made, acceptable (unless material considerations indicate otherwise) subject to the satisfaction of the following criteria:

- I. They do not have unacceptable significant effects, either alone or cumulatively, on the landscape's character and value. This includes impacts on both urban and rural settings;
- II. They do not result in unacceptable significant effects either alone or cumulatively by virtue of visual, noise or 'shadow flicker' impacts on local residents and sensitive users;
- III. They do not result in unacceptable significant effects either alone or cumulatively on areas of ecological value, especially on protected species and habitats, or result in the fragmentation of migration routes for protected bird species. The principles of Policy DM27 of this document would apply;
- IV. Impacts on television reception are adequately addressed;
- V. Impacts on playing fields, Public Rights of Way (PROW) and bridleways are addressed;
- VI. Adequate and appropriate access can be provided to and within the site, having regard to the landscape, biodiversity, highway safety and amenity impacts;
- VII. Proposals, where necessary, are supported by an arboricultural impact assessment and do not result in the loss of protected trees. Where removal of trees is

adequately justified the council's Tree Policy, adopted in 2010 (or subsequent editions) will apply;

- VIII. They do not have unacceptable significant effects, either alone or cumulatively on the significance of the district's heritage assets and do not result in the removal of or substantial harm to the significance of non-designated heritage assets;
- IX. Where a proposal includes or has the potential to include heritage assets of archaeological interest the principles of Policy DM34 would apply;
- X. Where located on agricultural land, opportunity has been sought to protect the most valuable and productive agricultural land;
- XI. The impacts on aviation / marine navigation systems and safety and 'line of sight' communications are adequately addressed;
- XII. Hydrological and drainage impacts have been fully assessed and appropriate mitigation measures included to reduce and mitigate impacts;
- XIII. The integrity of areas of deep peat are not adversely affected, including the dissection for access roads and foundation construction;
- XIV. Evidence that the wider environmental, economic and social benefits of the scheme would outweigh any residual harm that remains including any harm to the visitor economy and recreation.

**Developers will be expected to provide evidence to support their proposals including landscape, visual and appropriate environmental and ecological assessments.**

**Where unmitigated or partially unmitigated significant effects outweigh the benefits of the proposal, when assessed against the above criteria and other policies of the Development Plan, planning permission will be refused.**

11.11 The size of development can vary significantly from large-scale wind farms which incorporate a number of wind turbines to small-scale single turbines serving individual properties and businesses. The Policy approach set out in DM18 applies to all scales.

11.12 In submitting planning applications, applicants will be expected to submit supporting information and evidence which is proportionate to the scale of development proposed and reflects the sensitivities of the nearby environment. This should reflect the latest best practice and include landscape, visual and ecological assessments. The Landscape Character Assessment and local Conservation Area appraisals will be among the key tools in assessing potential impacts. Such assessments should seek to assess both the individual and cumulative impacts of development.

11.13 Proposals on the Heysham Peninsula/South Heysham should only be brought forward with due regard to other existing and permitted wind energy developments and the cumulative and individual impacts which such developments may have. In particular proposals should demonstrate through robust and proportionate evidence that any potential effects on the districts ecological assets including the qualifying interests of the Morecambe Bay SPA have been fully considered. Developers, in considering such proposals, should have due regard to the Conservation of Habitats and Species Regulations 2010 (SI 2010/490) and the need for Appropriate Assessment.

11.14 In considering small-scale proposals the council will require evidence of how the site has been assessed taking into account the constraints of the site and the opportunities for micro-siting to reduce impacts. Larger scale proposals will already have undertaken this

work as part of the site selection process with this already evidenced as part of the Environmental Impact Assessment process.

- 11.15 Whilst offering the greatest technical and economic potential it is also recognised that wind energy is often one of the more controversial renewable energy technologies, provoking strong feelings from local communities, particularly in relation to residential and visual amenity effects. There are also often concerns over impacts on biodiversity and ecology. This can include impacts on migrating birds and disturbance to peat deposits and other important habitats and species.
- 11.16 The development of turbines will not be considered acceptable in areas which have a peat layer which is greater than 50cm deep where water is currently being used or is planned to be used for drinking water. This is because of the resultant long-term negative impact on water quality when peat is disturbed. In general, once a peat system has been disturbed, this tends to precipitate a chain reaction of events that leads to the loss of carbon, degradation of habitat, negative impacts on raw water quality and alterations to the hydrological functions and services of upper catchments of river systems.
- 11.17 Where impacts are identified the council will require applicants to demonstrate to its satisfaction how these have been reduced through appropriate mitigation including careful siting and design. This could include the use of existing landforms to limit visual impacts on sensitive views and local amenity, creating a design layout which is sympathetic to the local landform and neighbouring land-uses and limiting the impact of cabling, tracks, hard-standing and buildings by underground avoidance and restoration as well as the use of sympathetic materials in construction.
- 11.18 The siting of turbines may also have implications for the flight paths of aircraft and important radar communication systems. It is the responsibility of the applicant to consult and work with the organisations responsible for these systems. Early consultation with relevant stakeholders will help with the siting of proposals and ensure that mitigation measures are investigated and developed.

#### **Upgrades to the National Grid**

- 11.19 The National Grid supplies electricity from sources where electricity is generated, such as power stations, to homes and businesses across the country. The National Grid is a critical piece of infrastructure that is of national importance. Locally, the grid system predominantly runs north / south through the district utilising the M6 corridor, running within close proximity to areas of significant landscape importance, in particular Arnside & Silverdale and the Forest of Bowland which are both designated as Areas of Outstanding Natural Beauty (AONB). These areas have been specifically designated for their national landscape importance, tranquillity and scenic beauty and as such they are afforded the highest status of protection.
- 11.20 The council recognises that the National Grid is a vital component of both the national and local economy and that there is an overriding need for the upgrading of the existing grid system to meet modern demands. The existing system is reaching capacity due to the high demands for electricity from domestic and commercial customers; therefore the principle behind the need to upgrade the current network is accepted.
- 11.21 Decisions on the proposed routing and the siting of pylons will not be determined at a local level but by the National Infrastructure Directorate. Therefore Policy DM19 will not carry any

material weight in the decisions made by that commission. However, Policy DM19 does set a framework for the local planning authority in preparing any future submissions to the National Infrastructure Directorate in terms of the approach and issues they will be seeking through any proposals to upgrade the National Grid. The approach set out within this policy will be helpful to local residents and other key stakeholders over clarifying the council's position on this matter.

### **Policy DM19: Upgrades to the National Grid**

**The majority of upgrades to National Grid assets within Lancaster District are likely to be classed as Nationally Significant Infrastructure Projects. Decisions on such projects will be taken by the National Infrastructure Directorate and not the Local Planning Authority. The council will be a consultee within this process and through effective consultation and pre-application will work to secure the most appropriate form of development in light of policy issues which are set out below.**

- I. That the routes and technologies chosen mitigate as far as possible the inevitable environmental effects that result from this proposal (this should seek to deliver routes as far as technically, economically and practically possible);**
- II. The route chosen does not compromise the landscape value of the district, in particular specially designated landscapes of the Arnside & Silverdale and Forest of Bowland Areas of Outstanding Natural Beauty;**
- III. The proposed route would not result in a significant adverse impacts on nature conservation interests;**
- IV. That appropriate mitigation measures are put in place to minimise the impacts on residential amenity on properties in close proximity to the route; and**
- V. The proposals are capable of being constructed without undue disruption to the economic well-being of the district, particularly in relation to road closures and other means of construction disruption.**

11.22 The issues which are set out in criteria (i) to (v) will be addressed through stakeholder dialogue as proposals and plans are prepared. In particular the council will ensure that the following issues are clarified:

- The impacts that the proposals will have on the surrounding landscape should be mitigated against through the sensitive design and siting of powerlines;
- That any adverse impacts upon residential amenity of people who live close to the proposed route is mitigated against through the sensitive and sympathetic design and siting of powerlines;
- The disruption in the local area through the construction phases are kept to a minimum; and
- That the route chosen should not have a significant adverse impact on key economic and residential sites.

## **12. Transport, Accessibility and Connectivity**

- 12.1 Enhancing and promoting transport modes which are more environmentally friendly than the private car is key to the future delivery of accessible and reliable transport networks and reduce the carbon footprint of the district. Indeed, the National Planning Policy Framework (NPPF) in paragraphs 29 and 30 states that *“the transport system needs to be more balanced in favour of sustainable transport modes”* and that *“In preparing Local Plans, local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport.”*
- 12.2 It is therefore clear that local plan policies need to promote and encourage a greater role of transport methods such as cycling, walking and public transport thus reducing the need to use private cars. Planning also has a further function in ensuring that development proposals, particularly those which are likely to generate significant footfall, should be located in accessible central locations reducing the need for people to travel, increasing the number of transport modes available, and reducing the reliance on the private car.

**Enhancing Accessibility and Transport Linkages**

- 12.3 In accordance with Policy DM35 of this document, development proposals should seek, through their design, construction and operation phases to address the issues of car parking and safe highway access. Appropriate design features should ensure that congestion around the site is minimised and that a safe highway environment is achieved.

**Policy DM20: Enhancing Accessibility and Transport Linkages**

The council will seek to ensure that development proposals, particularly those which will generate significant footfall and motorised vehicle journeys, are located where sustainable travel patterns can be achieved, with more higher density mixed-use development located in accessible centres or in close proximity to main public transport routes.

Proposals should minimise the need to travel, particularly by private car and maximise the opportunities for the use of walking, cycling and public transport. Development proposals should seek to:

- I. Make the best use of existing public transport services and where appropriate provide opportunities for improving and sustaining the viability of those services;
- II. Ensure that there is convenient access for walking and cycling to local facilities;
- III. Create buildings and places that are easily accessible for the whole community, particularly those with disabilities;
- IV. Develop an innovative and flexible approach to the delivery of public transport in rural areas of the district;
- V. Make appropriate provision for parking in accordance with Policy DM22 and the car parking standards set out in Appendix C of this document, in terms of both the number of spaces provided and their location in relation to the development, to encourage sustainable travel patterns and avoid congestion and adverse highway safety impacts caused by excessive on-street parking; and
- VI. Be designed and located to ensure the provision of safe streets and reduce as far as possible the negative impacts of vehicles in accordance with paragraph 32 of the National Planning Policy Framework. This should address issues such as highway safety, highway efficiency and excessive volumes of traffic, fumes and noise.

Where proposals are not able to achieve this, it must be clearly demonstrated through

the preparation of a travel plan that mitigation / compensatory measures will be put in place to improve the accessibility to the site. In cases where the council concludes that such issues have not been satisfactorily addressed through a travel plan and application process then development proposals will be resisted.

In appropriate circumstances the council will expect development proposals, particularly those which will generate a significant impact on the local highway network, to contribute towards improvements to the highways infrastructure. This may include the provision of new facilities and services which promote sustainable transport patterns and improve accessibility. Particular attention should be given to the transport improvements set out within Lancashire County Council's Local Transport Plan (LTP) and the forthcoming Masterplan for Lancaster, which is also being prepared by Lancashire County Council.

Development proposals should seek to maximise the efficiency of capacity on the existing transport and highway network. Where such capacity is insufficient, the provision of new transport and highway infrastructure will be sought as a priority. In the case of new development on greenfield sites, such provision will be sought either in parallel or before commencement of development. Where capacity is insufficient and no improvements are to be provided to remediate this issue then the council will resist proposals.

- 12.4 Development proposals which generate a significant footfall and traffic generation should, in accordance with Policy DM23 of this document, prepare a travel plan which sets out the potential implications on local transport networks and linkages and how any negative impacts will be addressed through mitigation and compensatory measures. Development proposals which the council believe generate a significant highway impact but fail to address such issues through an appropriate travel plan will not be permitted.
- 12.5 Proposals which generate significant levels of development and new traffic movement, including those greenfield sites which have been suggested through the Land Allocations DPD, will be expected to provide or contribute toward necessary improvements to the local transport network.

#### **Walking and the Pedestrian Environment**

- 12.6 The pedestrian environment and the opportunities for people to access key services via foot are acknowledged to be very important. Civic spaces and public realm should be accessible and inclusive for all pedestrian users. A good pedestrian environment has been recognised to be beneficial to an individual's well-being whilst also bringing economic benefits to town centre locations.
- 12.7 By encouraging a range of uses, particularly key services, within either town or local centres, this policy aims to allow residents and visitors the ability to reach the facilities they require without the need to travel long distances. For many this will involve walking for part of the journey so it is therefore important to ensure that the pedestrian environment is of a high standard.

#### **Policy DM21: Walking and Cycling**

**Walking**

To protect, maintain and improve the pedestrian environment, the council will ensure that development proposals:

- I. Maintain and where possible improve the existing pedestrian infrastructure, including the Public Rights of Way (PROW) network;
- II. Ensure that no adverse impacts are created for the pedestrian environment, particularly in relation of pedestrian safety, and provides appropriate pedestrian access for all sections of the community;
- III. Improves the safety and security of the pedestrian environment through the use of appropriate design and lighting.

Where development proposals affect a Public Right of Way, the council will expect that appropriate alternative diversion routes are provided as part of the proposal.

Development which will to generate a significant level of footfall should be located within central and accessible locations which provide good access for pedestrians and have due consideration to the criteria set out in (i) to (iii) above, Policy DM35 of this document and any other relevant guidance provided on this matter.

**Cycling**

To build on the previous success of Lancaster's designation as a 'Cycling Demonstration Town' the council will ensure that development proposals do not adversely impact on the existing cycling network or cycle users. Development proposals should also encourage greater opportunities for cycle users through good design, appropriate cycle access, where appropriate good linkages with the existing cycle network and secure cycle parking and storage facilities. Non-residential development proposals should also promote shower changing facilities for staff.

The council will, where possible, support the growth of the local cycling network within the district to encourage and maintain the growth of cycle usage as a viable and suitable form of transport and recognise the value of such a network in creating a coherent network of green infrastructure.

12.8 The council will seek to promote a safe pedestrian network within the district. A safe network means safety from other road users such as cars, vans, HGVs, buses and cyclists. Management of other road users including speed restrictions, sufficient widths, and segregation where appropriate and well designed and positioned crossing facilities can reduce conflicts between users. Well designed pathways, natural surveillance, appropriate levels of lighting, CCTV and good levels of maintenance can improve actual and perceived security. Such design features will be encouraged within new development.

12.9 The council will seek to protect the established Public Rights of Way (PROW) within the district; this includes footpaths of local importance but also footpaths of national importance, including the English Coastal Path Route. Development proposals which affect recognised Public Rights of Way should, in the first instance, seek to incorporate existing routes satisfactorily within the proposal. Where this is demonstrated to not be possible the council will expect proposals to provide adequate alternative arrangements through the appropriate diversion of existing routes.

12.10 Whilst Lancaster City Council is not the highway authority for the district, the council will work in partnership with key stakeholders, particularly Lancashire County Council, to identify areas for improvement and work to improve the pedestrian environment within the district.

Cycling

12.11 There is a high level of cycle use within the district which has grown through the success of Lancaster as a 'Cycle Demonstration Town', with cycling being seen by many as a sustainable and economic form of transport for local trips and leisure uses. There is further potential growth in cycle use as an alternative to the private car for shorter journeys in the district, particularly around the urban areas of Lancaster, Morecambe, Carnforth and Heysham.

12.12 There is already a strong network of cycle routes within the district which are well used and provide sustainable linkages between urban centres; these are not just local linkages but also link in with the National Cycle network. Therefore opportunities exist to encourage the growth of cycle use at a local level but also as an opportunity to attract visitors into the district.

12.13 The council will seek to ensure that development proposals protect and link in with existing cycle network but also, where appropriate, contribute to the improvement and extension of these networks. The council will work with relevant partners to ensure that the standard of cycle networks are improved, maintained and expanded where possible, including projects such as the Morecambe Bay Cycle Route.

12.14 Cycle and footpath networks not only provide an important sustainable transport alternative, but also provide an important component of the local green infrastructure network, providing green corridors through urban areas. Therefore the council will seek to protect their integrity and the benefits they provide to the natural environment.

12.15 Development proposals should not only consider the linkages with the surrounding cycle network, but also through their design encourage cycling by the layout and orientation of buildings and ensuring that facilities for cycling, such as parking and storage are fully considered as part of the proposal.

Vehicle Parking Provision

12.16 Development should provide adequate car parking to ensure that excessive levels of on-street parking are avoided, which could reduce highway efficiency, highway safety and adversely affect local amenity. Standards for car and cycle parking are set out in Appendix C of this document.

12.17 The level of car parking provision in non-residential development varies significantly according to the nature of the proposed use. Flexibility is required to reflect the availability of non-car alternatives which may influence the requirement of car parking spaces. In areas where alternative travel choices are available careful consideration of the availability of car parking spaces can help reduce car usage, particularly where this is combined with effective travel planning. However, it is important to ensure that adequate parking provision for people with impaired mobility is provided in convenient locations.

**Policy DM22: Vehicle Parking Provision**



**Car Parking Provision**

In relation to the provision of car parking, development proposals will be considered acceptable where:

- I. The design of the proposal incorporates provision of car and cycle parking that accords with the levels and layout requirements set out in Appendix C of this document;
- II. The minimum levels of car parking for people with impaired mobility as set out in Appendix C are achieved; and
- III. Parking facilities are shared where location and patterns of use permit.

Proposals which require a transport assessment or travel plan will be expected to undertake an accessibility questionnaire which should form part of the overall assessment.

**Cycle Parking Provision**

Adequate and secure vehicle and cycle parking facilities should be provided to serve the needs of the proposed development in accordance with Policy DM35 of this document. Car free development or development proposed which incorporates very limited car parking provision will only be considered acceptable in appropriate locations where there is clear justification for the level of provision proposed, having consideration for the current and proposed availability of alternative transport modes, highway safety, servicing requirements, the need of potential users and the amenity of occupiers of nearby properties and other parking facilities.

12.18 Encouraging the shared use of car parking spaces, by taking advantage of activities where the peak demands do not coincide, can reduce the overall number of spaces required. This in turn reduces the amount of land used. However, conflict between peoples demand for residential parking and town centre parking prohibits the reliance on using public car parks for residential parking due to the potential adverse impact on the available of town centre parking for town centre users.

**Transport Efficiency and Travel Plans**

12.19 All development introduces a level of change to the surrounding environment and new development will need to be integrated into the local transport network so that the district will be able to accommodate growth in a sustainable manner. For larger developments both the transport statement and travel plan will be required so that the transport impacts of development proposals are identified and addressed.

12.20 Transport assessments are required to assess the impact of development proposals on transport infrastructure, including the capacity of roads, public transport, walking and cycling infrastructure. They are required to present qualitative and quantitative information about the anticipated transport and related environmental impacts before, during and after the implementation of the proposed development, including details of accessibility of the site by all transport modes to all users, including those with specialist requirements.

**Policy DM23: Transport Efficiency and Travel Plans**

**To maximise opportunities for the use of sustainable modes of travel, development proposals should make appropriate contributions to improve the transport network and transport infrastructure, particularly to facilitate walking, cycling and public transport to encourage the use of alternative forms of transport from the private car.**

**Proposals which would generate a high number of trips or visits, or generate significant traffic movements on the local highway network should be located in a sustainable location which can be accessed through a variety of transport modes. Proposals should not give rise to traffic volumes which exceed the capacity of the local road network, nor cause harm to the character of the surrounding area.**

**To demonstrate the likely impacts of a development proposal a 'Transport Assessment' or 'Transport Statement' may be required, in accordance with paragraph 32 of the National Planning Policy Framework. This requirement will be dependent on the size, nature, scale, location and potential impact. The requirement for such an assessment or statement should be agreed with the council prior to the submission of a planning application.**

**In accordance with paragraph 36 of the National Planning Policy Framework, a 'Travel Plan' will also be required where the development involves significant residential, commercial or employment development or non-residential institutions including schools, colleges and universities. Any travel plan will need to demonstrate that appropriate mitigation of transport impacts of the proposals can be achieved.**

12.21 For major development, applicants will be required to demonstrate that the transport assessment has informed the design of the proposed development and the accompanying travel plan. Effective transport management should be identified, including appropriate mitigation of the impacts. The mitigation identified may need to be addressed through a range of measures, including planning obligations, s278 works and/or a travel plan.

#### Travel Plans

12.22 Travel plans are a key management tool for implementing any transport solutions highlighted as a mitigation measure, and is one of the primary tools for mitigating the negative transport impacts of any development proposal. Travel plans are required to detail the developer's response to any transport issues highlighted in the development proposal and deliver sustainable transport objectives with a package of measures to promote sustainable transport, including measures to achieve a modal shift to the most sustainable forms of transport such as walking and cycling.

12.23 A travel plan will be a requirement for all large development proposals or proposals which are expected to have a significant impact on the local transport networks. Such a plan should be based on the Department of Transport's guidance on Transport Assessments. The travel plan will be required to set out the ongoing management arrangements to deliver the outcomes of the travel plan, a monitoring schedule and an outline of approach taken to monitoring and reviewing - which is an essential component of a travel plan. A monitoring period of at least 5 years will apply.

## **13. Telecommunications and Broadband Connections**

- 13.1 The use of telecommunications equipment, such as mobile phones and the Internet have become essential parts of modern everyday life. Whilst strong network availability exists within many urban areas of the district, many rural communities suffer from poor access to mobile phone networks and internet broadband. To encourage growth and improvement to the telecommunications network and access to the internet the council will support, in principle, proposals for infrastructure required to facilitate such growth.

**Policy DM24: Telecommunications and Broadband Improvements**

**The council will support the improvement and extension of telecommunication and broadband coverage and broadband speeds, particularly in rural areas which have poor or no service provision at all, providing that the proposals accord with paragraph 43 of the National Planning Policy Framework and that the following criteria are achieved.**

- I. Installation equipment is sited and designed to minimise its visual impact on the surrounding landscape;**
- II. Proposals will not have a detrimental effect upon the character or appearance of the building and local amenity; and**
- III. That it has been demonstrated there is no reasonable possibility of sharing existing facilities within the locality.**

**Proposals for telecommunications or broadband equipment should pay due regard to their surroundings through sympathetic design, particularly in sensitive townscapes and landscapes. The principles of Policy DM27 will apply in relation to the impacts on the natural environment.**

- 13.2 The council supports the principle of investing in telecommunications. In certain locations, telecommunications equipment may cause significant damage to the visual amenity of the locality and the character of the surrounding landscape. Therefore the council will expect proposals to be appropriately sited and designed to minimise impact on its locality, whether this be to minimise the impact on the landscape or to minimise impacts on a particular building or setting.
- 13.3 In general it will not be acceptable to position satellite dishes or other telecommunications equipment on the frontage of building or other locations where they are high visible and result in a damaging effect on the visual amenity of the locality. This will be particularly a consideration in areas of high amenity value, whether this is in a Conservation Area or within designated landscape areas such as an Area of Outstanding Natural Beauty (AONB).
- 13.4 The Council will work positively with all stakeholder groups, whether they are groups from private sector, public sector or local community groups to improve telecommunication networks throughout the district.

# Protecting and Enhancing Lancaster's Natural and Built Environment

## 14. Introduction

- 14.1 Along with the people who live and work in the district, the area's unique and beautiful natural environment also helps in defining its sense of place and individuality from other areas within the region.
- 14.2 The district benefits from a range and diversity in landscapes and townscapes which identify a rich cultural history and diverse historic environment. There are also a number of designated areas, identified for their unique landscape or rare habitats and species, which require protection from development which would be damaging and harmful. Examples of some of these areas include the Arnside and Silverdale and the Forest of Bowland Areas of Outstanding Natural Beauty (AONB) Morecambe Bay Limestones & Wetlands Nature Improvement Area and Leighton Moss Nature Reserve.
- 14.3 The council recognises the importance of these features and assets and the planning policies contained within this document provide the opportunity to ensure that not only are these features and assets protected, but where possible enhanced for the enjoyment of not only current generations but also future generations.

### **Environmental Vision**

*The District of Lancaster has many landscapes, townscapes, buildings, habitats and ecosystems which are unique and special. These features contribute to a unique sense of place for local residents, businesses and visitors to the district. The council recognises the importance to protect these features both for current and future generations and take opportunities to enhance these features when and where possible.*

- 14.4 It is important that future development which either affects the natural and historic environment (directly or indirectly) protects those features' or assets' value and importance, seeking where possible to enhance these features through the development proposals put forward.
- 14.5 The Development Management DPD, along with the whole suite of Local Plan documents, will safeguard environmental capital, protect finite resources, and manage threats such as climate change and flooding, preventing erosion of environmental quality through inappropriate development, poor land management and pollution. Real improvements in environmental quality require a focus on minimising adverse impacts and securing gains for the environment.

## 15. Green Infrastructure

- 15.1 Green Infrastructure is a wide-ranging term which can encompass a number of environmental features including open spaces, recreational areas, parks and gardens, allotments, biological and geological conservation sites, landscape features, rivers, canals and watercourses, woodland, street trees and planting, orchards, village greens, green roofs and walls, cycle routes, pedestrian walkways and Public Rights of Way (PROW), green corridors and open countryside. This however is not a definitive list of the types of Green Infrastructure assets. Policy DM25 sets out the beneficial roles of green spaces and green corridors can contribute to in the locality.
- 15.2 The council will retain a presumption towards the protection of green spaces and green assets, particularly where it can be demonstrated that they provide value, either economically, environmentally or socially, to the community they serve. Development proposals which involve the loss of such spaces will be resisted by the council unless it has been demonstrated that the benefits that the proposal provides outweigh the loss of open space and the lost open space is replaced with facilities of equal, if not better, standard than those existing in a suitable, nearby and accessible location.

### **Policy DM25: Green Infrastructure**

#### **Green Spaces and Green Corridors**

**The integrity and connectivity of the Green Infrastructure network will be managed, maintained, protected and enhanced. Opportunities to extend the framework of green spaces and green corridors in the district should be taken and development proposals which will result in the damage to the integrity of or severance of a green corridor will be resisted by the council.**

**Individual green assets should be retained wherever possible, particularly in relation to spaces which have a recognised value, whether this is a community or environmental value. Any development proposals which involve the loss of designated green space will be resisted by the council. Where appropriate, development proposals should seek to integrate green spaces and green infrastructure into development proposals and forge linkages with existing green space networks.**

**The loss of green spaces and corridors will only be considered acceptable where it is allowed for as part of the development plan process and on balance achieves wider policy aims and objectives. In such instances it would be expected that replacement habitat / provision be provided which is of an equal or better standard (in both quantitative and qualitative terms) than existing. In relation to replacement habitat biodiversity offsetting should be considered.**

**Development proposals should incorporate new and / or enhanced green spaces of an appropriate type, standard, size and reflects the needs for the area as set out within the council's 'PPG17 Open Space Assessment' or successor documents. Where on-site provision has been demonstrated not to be possible, or the council is satisfied that on-site provision is not beneficial or appropriate, financial contributions will be sought towards the creation of new facilities off-site or to enhance and improve existing provision to meet the needs of the community.**

The council will expect proposals for new residential development to provide for improvements to open space; such proposals will be expected to comply with guidance set out within the forthcoming Supplementary Planning Document (SPD) on this issue.

Proposals for major development should be accompanied by an audit of the Green Infrastructure within and adjacent to the site and a statement demonstrating how this will be retained and enhanced through the development process.

**Allotment Provision**

Existing allotments, which are recognised to have significant land value to the local community will be protected, and where possible. The council will support the provision of new allotment facilities and other food growing places where opportunities arise and a clear need is demonstrated.

The council will address any deficit in allotment provision through the identification of land within any major development site. These requirements will be set out within the relevant policies of the Land Allocations DPD.

**Garden Provision**

The council recognises that garden space, particularly within urban areas, is a vital source of green space to residents and of significant importance to natural habitats. The loss or reduction of garden spaces in urban areas could lead to a decrease in the quality of life and a significant impact on the natural environment. In accordance with paragraph 53 of the National Planning Policy Framework the council will resist proposals which will involve the loss of garden spaces to built development where it will result in harm to the local environment and amenity.

15.3 The council has prepared a 'PPG17 Open Space Assessment' which sets out the location of existing open space provision within the district and the existing / future needs and deficiencies within the district. Whilst this assessment was prepared under previous planning arrangements it is still considered to represent a key piece of evidence in relation to this topic and therefore the council will expect that applicants have due regard to the content and recommendations of this document or other successor documents on this topic area.

15.4 Following the adoption of this Development Management DPD, the council will prepare a Supplementary Planning Document (SPD) on the issue of open space provision within new residential development. This SPD will set out the council's requirement for on-site open space provision within development proposals or where it would be more appropriate its requirement for financial contributions to be made to create new open spaces off-site or to contribute toward towards the enhancement or improvement of existing spaces. Upon adoption, the council will expect applicants to have due consideration to the guidance provided in the SPD.

**Allotment Provision**

15.5 Allotments are an important element of open space and offer a significant range of benefits for people, communities and environments. They provide recreational value to their users, support local biodiversity, contribute toward the urban landscape, contribute to the physical and mental well-being of their user, provide the opportunity to grow fresh produce and contribute toward a healthy lifestyle that is active, sustainable and socially inclusive.

- 15.6 There are currently 21 allotment sites within the district, providing approximately 19 hectares of land for the growing of food. Despite this provision there remains a waiting list and demand for allotment sites continues to increase, with the greatest levels of both supply and demand in the Lancaster Area.
- 15.7 From a planning perspective, the council will address such demand through new development, in particular larger development proposals which will be able to accommodate provision for new allotments.
- 15.8 Further details on allotment provision and on future requirements are set out within the PPG17 Open Space Assessment 2010 which can be found on the council's website at [www.lancaster.gov.uk/planningpolicy](http://www.lancaster.gov.uk/planningpolicy).
- 15.9 Allotments can play a key role in increasing levels of physical activity across the district, providing an alternative to formal sporting activities. In light of the recognised need for additional provision of allotments across Lancaster, innovative approaches to increasing provision should be considered, including links and partnerships with local schools where opportunities to do so exist. The value of allotments as a social opportunity and an alternative option for exercise is recognised by the council. The location of allotments at schools should be investigated as a potential solution to the provision of new facilities, particularly in rural locations.
- 15.10 The council will continue to seek to address this deficiency through more efficient use of existing provision and the identification of new sites for this purpose in areas of need. The development of new housing, particularly in the South of Lancaster as set out within the relevant policies of the Land Allocations DPD, will be expected to address specific needs in this locality.

*Open Spaces, Sports and Recreational Facilities*

- 15.11 The provision of open spaces, for the benefit of local amenity and as a source of recreation and activity, is vitally important to aid the well-being of local residents and create a positive sense of place.
- 15.12 The 2010 Open Space Assessment suggested that the levels of recreational space accessible to the district's population were below minimum standards. This deficiency applies across much of the urban areas of the district. Therefore the council's general approach will be to resist development which would result in loss of open space provision, in particular spaces which have an environmental or community value.
- 15.13 Not all open space is important for recreational, environmental and community uses, nor does it necessarily contribute to the visual amenity of the locality. Existing open spaces may also offer the opportunity to contribute to necessary development, improvements to the urban environment or enhancements to existing open spaces. Therefore, where exceptional circumstances are demonstrated consideration will be given to proposals which involve the loss of identified open spaces. However, in determining whether open space should be released for development community involvement will be central to the decision making process. This must be undertaken by the developer / applicant in advance of the submission of the planning application.
- 15.14 The council will seek to retain all open space where it is concluded to have a value, either to the local community that it serves or other environmental values. Community ownership of

open spaces, both physically and morally, will be encouraged by the council. The management and improvement of such assets should be championed through local communities which they serve and are of value to. The council will seek to work in partnership with the local community to assist with the ongoing maintenance of green space.

### **Policy DM26: Open Space, Sports and Recreational Facilities**

#### **Protection of Recreational Open Space**

Open Space which the council views to have an environmental, economic or community value will be protected from development proposals which would result in their loss, either partially or fully. Should the council accept that exceptional circumstances exist in relation to the re-use or redevelopment of open space, high quality re-provision will be required which provides equal or better provision than currently exists. Any improved provision should seek to serve both existing users of the space and any uplift in users associated with the development proposed.

In terms of deciding on the value of the open space, the council will only consider the loss of open space where it has been clearly demonstrated, via consultation with key stakeholders and the local community, that the land in question no longer has an economic, environmental or community value. Only once this has been clearly demonstrated by the applicant / developer will the council consider the loss of open space. Proposals which involve the loss of open space will also need to be accompanied by a full Open Space Assessment in accordance with Paragraph 74 of the National Planning Policy Framework.

Development proposals which are within the vicinity of designated open spaces will be required to incorporate design measures that ensure that there are no negative impacts on amenity, ecological value and functionality of the space. The council will only permit development that has identified negative impacts on open space where full mitigation measures or compensation measures have been provided.

The council will protect semi-natural private amenity space, particularly in the main urban settlement of Lancaster and Morecambe, which are not specifically designated as open space but have an economic, environmental or social value to the community they serve. Development of such sites will not be encouraged unless full re-provision is provided or it is clearly demonstrated by the applicant that the land in question does not provide any economic, environmental or social value.

#### **The Creation of New Recreational Open Space**

Development proposals will be expected and encouraged to provide appropriate contributions toward open space provision, either through the provision of on-site facilities or, more likely in relation to recreational space, a financial contribution toward the creation of or enhancement of existing recreation spaces off-site. Development proposals should seek to accord in full with the requirements of the forthcoming SPD relating to Open Space Provision or successor documents.

Any provision made for recreational open space should be fully accessible to the public without any restrictions and will be provided in addition to any private amenity space or landscaping. Proposals should not have an adverse impact on surrounding residential amenity in terms of light and noise disturbance, any potential impacts should be



appropriately mitigated against.

**Biodiversity benefits are required to be maximised as part of any open space provision. New or improved open space is required to incorporate areas of wildlife habitat complementing the surrounding habitat and biodiversity; such space should be appropriately managed in perpetuity.**

- 15.15 Proposals will be expected to have due regard to the inclusion of open spaces within the development which is appropriate in scale and nature to what is being proposed. Requirements should be considered with regard to the forthcoming Supplementary Planning Document on open space requirements from new housing development or any successor documents. Development proposals will be expected to have due consideration to whether it is appropriate to provide either on-site provision or financial contributions to the enhancement and improvement of existing nearby facilities. Dialogue should be undertaken between applicants and the council to inform the understanding over open space requirements in the local area.
- 15.16 Whilst commercial development is unlikely to give rise to the need for open space provision, landscaping will form a key element of any proposal.
- 15.17 The council has prepared a series of evidence base reports which set out the current position with regard to open spaces and recreational provision. The PPG17 Open Space Assessment, which was initially undertaken in 2007 and refreshed by the council in 2010, is a vital piece of work to understand the current demands and future needs for a range of open space types. The council expect that development proposals will address deficiencies in open space provision where necessary and appropriate.

## **16. Biodiversity, Landscapes and Woodlands**

- 16.1 The importance of sites which are of an International, national, regional and local nature conservation interest within the district are indicated by a range of statutory designations. These include Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Sites of Special Scientific Interest (SSSIs) and RAMSAR sites. Biological Heritage Sites (BHSs) and Local Nature Reserves are not statutorily protected but provide important habitats which sustain a wealth of biodiversity. These include valuable semi-natural habitats such as ancient woodland, grassland, coastline and wetlands.
- 16.2 Lancaster District has a rich and varied natural environment; this includes two Areas of Outstanding Natural Beauty (AONB), Morecambe Bay, the settings of Lancaster and Morecambe, including the North Lancashire Green Belt and the Lune Valley. The district's rural landscapes vary from Silverdale limestone to Bowland gritstone, from river valleys to expansive coastal and estuarine lands. It has a variety of semi-natural habitats, particularly woodland and moorland.
- 16.3 The district contains 4 Natura 2000 sites – Morecambe Bay (SAC, SPA and RAMSAR Site), Morecambe Bay Pavements SAC (which includes 5 sites in the Silverdale area including Leighton Moss RAMSAR site and Gait Burrows National Nature Reserve as well as a number of sites in South Cumbria), Bowland Fells SPA and Calf Hill / Crag Wood SAC near Caton.
- 16.4 The district also has 29 Sites of Special Scientific Interest (SSSI) covering approximately 385 square kilometres. This represents approximately 40% of Lancashire's SSSIs and 60% of their

total area. All 12 of Lancashire's Limestone Pavement Areas are within the district. The district has local nature reserves at Warton Crag and Trowbarrow Quarry and around 250 County Biological Heritage sites and 25 Geological Heritage sites.

- 16.5 The purpose of the following policies is to provide additional protection for statutorily designated areas and a good level for non-statutorily designated areas such as BHS and LNCS sites. It aims to prevent harm to protected habitats and species, including direct impacts such as loss of land, and indirect impacts such as changes to watercourses or increased levels of air pollution (or a combination of such impacts). It should be noted that harm to a habitat could occur some distance away from the designation and travel between a development and habitat by a variety of different paths and gateways.
- 16.6 The district's European Sites (RAMSAR and Natura 2000 sites), which include Morecambe Bay, are of significant international importance and given very high levels of protection. If development has the potential to adversely affect these sites then the provisions of the Habitats Regulations (2010) will apply.

### **Policy DM27: The Protection and Enhancement of Biodiversity**

Development proposals will be accompanied by relevant surveys and assessments of the likely impacts on biodiversity and geology, including impacts on protected species, protected habitats or sites of importance for biodiversity or geology. This includes the impacts of a range of environmental resources and landscapes such as coastal, marine, upland and river valleys.

The onus will be on the applicant to demonstrate that opportunities have been taken to enhance the natural environment in the locality and there has been 'no net loss' in biodiversity interest as a result of their proposals.

#### **Developments affecting Internationally Designated Sites**

Development proposals will not be permitted where there is likely to be an adverse effect on the integrity of a site of international importance for biodiversity and/or geology, either alone or in combination with other plans or projects. The only exceptions to this will be where overriding reasons of human health, public safety or environmental benefit that can be demonstrated and there are no alternative solutions available.

Any proposal which may have implications for Natura 2000 sites will be expected to be accompanied by a Habitats Regulations Assessment (HRA) which should set out the potential implications arising from the development and, where necessary, appropriate mitigation and/or compensatory measures. This should also consider sites which may be functionally linked to a Natura 2000 site.

Development proposals which involve the removal of naturally occurring areas of water worn limestone, or which could damage limestone pavement will not be permitted.

#### **Developments affecting Nationally Designated Sites**

Development proposals will not be permitted where there is likely to be an adverse impact on sites of national importance for biodiversity and/or geology. In exceptional circumstances development proposals may be considered acceptable where the need for, and the benefits of, the development significantly outweigh the impacts that the

development is likely to have on the defining features of the site. Where adverse impacts are unavoidable these should be minimised and mitigated against, and where this cannot be achieved, compensated for via net gains. Proposals should meet the requirements of paragraph 118 of the National Planning Policy Framework.

**Developments affecting other Environmentally Sensitive Sites and Species**

Development proposals will not be permitted where there is an adverse impact on legally protected species, priority species, priority habitat or sites of a local or regional importance for biodiversity and/or geology, unless the need for, and the benefits of, the proposal outweigh the potential adverse impacts. Where adverse impacts are unavoidable a development proposal will be required to demonstrate that:

- I. Adverse impacts are minimised;
- II. Provision is made for mitigation and compensation measures, such as on-site landscape works, off-site habitat creation, species relocation and ongoing management as appropriate, such that there is a clear net gain for biodiversity; and
- III. The biodiversity value of the site is not compromised, both on its own and as part of the wider network of sites.

Development proposals should conserve and enhance biodiversity and should not result in habitat fragmentation. Opportunities should be taken where appropriate to achieve beneficial measures within the design and layout of development.

Development proposals will be expected to include measures that maintain and enhance important features. Priority should be given to measures which assist in achieving targets in the Biodiversity Actions Plan (BAP) for Lancashire, that provide opportunities to improve public access to nature or ensure the effective management of biodiversity or geological features.

**Protection of Soils and Land of Agricultural Value**

Proposals should avoid the use of the important and fertile agricultural land and should, as far as possible, use the lowest grade of land suitable.

- 16.7 Development would not be supported that would adversely affect the integrity of European sites, either alone or in combination with other developments unless under exceptional circumstances. In such circumstances, an assessment should be undertaken in line with the requirements of the Habitats Regulations and should conclude that there are no feasible alternatives for development unless for imperative reasons of overriding public interest can be demonstrated and that satisfactory and appropriate compensatory measures would be implemented.
- 16.8 Development proposals which involve the re-use, alteration or extension to existing buildings will need to carefully consider the potential impacts that proposals may have on protected and priority species that may use part or all of the building as their habitat and provide appropriate protection and prevent of harm in accordance with paragraph 117 of the National Planning Policy Framework (NPPF). Proposals for development should seek to maintain and enhance biodiversity value and consider their potential impact on biodiversity and on sites of importance for geological conservation.

16.9 A development proposal that could affect the biodiversity value or geological conservation of a site should be accompanied by a detailed ecological / geological assessment. Where negative impacts have been identified, a detailed mitigation strategy should be prepared to demonstrate how these impacts will be prevented, minimised or compensated. Mitigation or compensation measures should be secured via condition or obligation; consideration may be given to biodiversity offsetting. It should be noted that knowledge of wildlife sites and their condition is constantly changing and decisions will be made on the most up-to-date information available.

16.10 When producing assessments of habitats and species, details of any mitigation or enhancement should accord with the provisions of the Lancashire Biodiversity Action Plan (BAP). Further information on these issues can be found on the website for the Association of Local Government Ecologists at [www.algae.org.uk/publications/index.php](http://www.algae.org.uk/publications/index.php).

16.11 In addition to the potential threats to biodiversity caused by new development, climate change poses another significant threat. Some species may be placed at risk from dying out unless they can keep pace with the impacts of climate change, others may suffer from increased competition for water resources. The avoidance of the fragmentation of wildlife habitats and ecological networks is likely to be significant in enabling wildlife to adapt to climate change.

#### Protection of Soils

16.12 It is government policy to safeguard the highest grades and most versatile agricultural land in relation to conserving soil resources. In accordance with paragraph 109 of the NPPF the planning system should seek to protect and enhance soils because it is an important natural resource. Fertile soil is vital for the production of food, timber, fibre and other crops which are essential for human existence and which would provide economic prosperity.

16.13 Soil is essential for achieving a range of important ecosystem services and functions, including food production, carbon storage and climate regulation, water filtration, flood management and support for biodiversity. Soil is a finite resource and needs to be conserved and managed in a sustainable way.

16.14 Some of the most significant impacts on soils occur as a result of activities associated with construction activity. A Code of Practice has been developed by Defra to assist in the understanding of how to better protect soil resources and minimise the risks of environmental harm.

#### Protection of Agricultural Land

16.15 The council will protect, where possible, the most versatile and high quality agricultural land within the district from proposals which would result in its loss as a long term environmental asset.

16.16 Whilst protection will be given to agricultural land which is of a high value, the council recognise that not all agricultural land can and should be protected from loss. Therefore land which is of a low agricultural grade will not be considered necessary for protection from inappropriate development.

#### Development and Landscape Impact

16.17 Areas of Outstanding Natural Beauty (AONBs) are recognised under the Countryside and Rights of Way Act (2000) to be of national importance for their landscape quality and, as

nationally designated landscapes, are afforded the highest status of protection in relation to landscape, tranquillity and scenic beauty. This is re-affirmed in paragraph 115 of the NPPF which states that great weight should be given to conserving such areas and that the requirements set out in paragraph 116 of the Framework should be a material consideration for any development proposals located within these areas.

- 16.18 The district contains two AONB's: Arnsdale and Silverdale and the Forest of Bowland. Both areas have been designated for their unique national importance both in terms of the landscapes within them and the specialist habitats that they provide. These areas have been recognised as sensitive and therefore whilst development will not be prevented purely on the basis of this designation, any development proposals will have to demonstrate clearly that they are sympathetic to their surroundings, in terms of their design and materials and have due regard to the content of the AONB's Statutory Management Plan (or successor documents).
- 16.19 Lancaster City Council, in conjunction with their neighbours at South Lakeland District Council is currently in the process of preparing a specific Development Plan Document (DPD) which relates to the AONB at Arnsdale and Silverdale. The DPD will set out key areas of policy which will have specific relevance to this area and also identify which policies of this Development Management DPD will be relevant. Proposals within the Arnsdale and Silverdale AONB will be expected to give material consideration for the policies contained within the Arnsdale and Silverdale AONB DPD.

### **Policy DM28: Development and Landscape Impact**

#### **Development affecting Protected Landscapes**

Proposals which are located within, or would affect the setting of, areas which have been designated for their landscape importance will be expected to pay due regard to their surrounding landscapes. This should be particularly the case in locations which may have impacts on the Arnsdale and Silverdale and Forest of Bowland Areas of Outstanding Natural Beauty (AONBs) and the Lake District and Yorkshire Dales National Parks. Proposals which are located in coastal locations should also be considered against their impacts on coastal landscapes, in particular Morecambe Bay.

Development proposals, through their siting, scale, massing, materials and design should seek to positively enhance the surrounding landscape of the Area of Outstanding Natural Beauty or National Park. Consideration will be given to both the individual and cumulative impacts of a proposal.

Development which has a significant adverse effect upon the character or harm the landscape quality, nature conservation interests or features of geological importance will not be permitted in accordance with paragraph 115 of the National Planning Policy Framework.

With regard to the Arnsdale and Silverdale Area of Outstanding Natural Beauty, the council will expect material consideration will be given to the requirements of the forthcoming Development Plan Document (DPD) in relation to this area.

#### **Development affecting Other Landscapes**

Within the open countryside and in areas of Key Urban Landscape development will only be permitted where it is in scale and keeping with the natural beauty of the

landscape and is appropriate to its surroundings in terms of siting, scale, design, materials, external appearance and landscaping. Consideration will be given to both the individual and cumulative impacts of a proposal.

**Coastal Landscapes**

Development along the coastline will only be permitted where it does not result in a negative impact on the coastal setting of Morecambe Bay and the Lune Estuary.

**Landscape Assessments**

Development proposals which are considered, due to their scale or location, to have potential adverse impacts on the local landscape and local character will be expected to be accompanied by landscape assessments setting out their potential impact and potential mitigation measures.

16.20 Due consideration should be given to the impact on the AONB from development proposals located within the designated area but also from proposals which may affect the setting of the AONB.

**Development affecting Coastal Landscapes**

16.21 The district has a long and important coastline which stretches around Morecambe Bay, which is an internationally recognised area for its importance for wildlife and habitats. Not only does it provide a unique and important wildlife habitat it creates a unique landscape which is very sensitive to change.

16.22 Therefore development proposals in coastal locations which may have a negative impact on the coastal setting will only be supported by the council where it has been considered that sufficient mitigation measures have been provided to limit any impact or where significant overriding benefits are demonstrated to outweigh any impact.

**Other Important Landscapes**

16.23 Whilst there are a number of protected landscapes and townscapes in the district which have been recognised for their importance in contributing to the district's distinctive sense of place (such as Conservation Areas and Key Urban landscapes) the council acknowledges that there are other locally important landscapes or townscapes which make a positive contribution. Whilst these areas may not have the same protection as areas such as AONBs the council believes that development proposals, regardless of their location within the district, should consider their role in positively contributing to their local landscape or townscape.

16.24 Where work has been undertaken on landscape assessments by either the local or county authorities this work should be given due consideration in relation to their recommendations and outcomes in determining planning applications.

16.25 Development proposals, through good use of siting, scale, massing, design and an appropriate palette of materials should seek to positively influence their surroundings. The council will encourage development proposals to, where appropriate, provide a detailed landscaping scheme which will clearly demonstrate how new development will create positive linkages and contribute to toward the local landscape and townscape.

Cumulative Landscape Impacts

16.26 It is acknowledged that singularly the landscape impacts of development may be considered acceptable, however, when judged cumulative alongside of development in the broad locality there may be unacceptable cumulative impacts. Therefore the council will assess development proposals on both their direct and cumulative impacts on local character and landscape.

Trees and Woodland

16.27 The district has many fine examples of important and significant trees which can be defined as trees which are ancient, of veteran status, of historic importance, rarity and contribution as a wildlife resource or notable in terms of their impact on the visual amenity of an area. The council will actively seek to protect these significant trees from development which would involve their loss or harm. The protection of significant trees has many benefits economically, socially and environmentally including their contribution to the reduction in atmospheric carbon dioxide levels and mitigation of climate change.

16.28 The majority of trees within the district are not protected by Tree Preservation Orders (TPOs) or located within designated Conservation Areas. However, this does not mean that non-designated trees are not considered to be significant and worthy of protection from loss or harm. Areas identified as ancient woodland will be designated as such within the Local Plan Policies Map and will be protected from loss or harm.

16.29 Development proposals should incorporate existing and notable features, such as significant trees within their proposals. The retention of existing trees can assist in providing context and character to a development and ensure that the proposals respect the character and value of the surrounding landscape and townscape. The council will resist the loss of trees within development proposals, particularly where it can be demonstrated that appropriate alternative design solutions exist which can allow for retention and incorporation of such features into the overall design of a new development.

**Policy DM29: Protection of Trees, Hedgerows and Woodland**

**Protection of Trees, Hedgerows and Woodland**

**The council will protect trees and hedgerows which positively contribute, either as individual specimens or as part of a wider group, to the visual amenity and environmental value of the location. The council will also protect ancient trees and to increase the resilience of all woodlands to Climate Change, pests and diseases.**

**Development should positively incorporate existing trees and hedgerows within new development. Where this cannot be achieved the onus is on the applicant to justify the loss of trees as part of their Arboricultural Implications Assessment (AIA – further guidance as to the content of such an assessment is provided within the council’s Planning Applications Validations Guide). Where the loss is adequately justified the council will seek replacement tree planting at the ratios adopted in the Council’s Tree Policy adopted in 2010, or successor documents.**

**Tree Preservation Orders**

**Where a tree or group of trees satisfies the protection criteria, and it is considered expedient to protect the specimen(s) in the interests of local amenity and the environment, the council will seek to make new Tree Preservation Orders in accordance with the Town and Country Planning (Tree Preservation)(England)**

**Regulations 2012.**

**Encouraging Tree Cover**

**The council will seek appropriate opportunities to encourage the planning of new trees and woodland throughout the district in an effort to mitigate against the impacts of Climate Change, and to enhance the character and appearance of the district.**

- 16.30 The council will support the retention of existing trees within development proposals. However, where it is adequately demonstrated that retention is not possible or feasible to achieve, and the loss does not involve trees which are of significant value, then consideration will be given to whether suitable mitigation measures would compensate for the losses sustained. In making this assessment, the council will have regard to the provisions of its adopted Tree Policy, adopted in 2010, and the replanting ratios contained therein.
- 16.31 Any development proposals which have implications for existing trees must be accompanied by an Arboricultural Implications Assessment which would set out the potential impacts and implications for existing trees which may arise from development proposals. The assessment must also include measures to protect trees and provide appropriate mitigation measures.
- 16.32 Although a felling licence is not required from the Forestry Commission if a full planning permission is granted, the Forestry Commission remain a non-statutory consultee on development which either directly affects or is within 500 metres of ancient woodland. Consent from the Forestry Commission may also be required under the Environmental Impact Assessment (Forestry) Regulations if the proposed development involves afforestation, deforestation, forest roads or forestry queries.

**Hedgerows**

- 16.33 Hedgerows contribute significantly to the natural environment and landscape character of an area and can provide important habitats for a range of species provide shelter, help reduce noise and atmospheric pollution. They add to the character and quality of the local environment and can have significant historic value. As with the protection of trees these assets should be retained and, through proposals incorporated into development schemes.

**Increasing Tree Coverage**

- 16.34 Tree cover across the district was estimated to be approximately 6.9% in March 2010 (Woodland Trust) compared to 9.9% for England. However, through the course of this plan period the council will seek to increase the level of tree cover across the district in an effort to mitigate and adapt to the impacts of climate change.
- 16.35 Whilst it is recognised that large portions of the district include upland areas the level of tree cover in the district is still significantly less than the national average. The council will therefore explore opportunities for growth in the level of tree cover where appropriate locations exist. There will be many opportunities to achieve this. The increased provision for trees in new development, through suitable and appropriately designed landscaping schemes, is a key component of delivering growth in tree cover.
- 16.36 Development proposals will be encouraged and supported to incorporate trees, which should be at an appropriate scale and be indigenous species and local provenance. The inclusion of fresh tree planting will be considered by the impact it will have on the



surrounding character and landscape. This guidance is in addition to the operation of an existing Tree Sponsorship Scheme.

## **17. The Historic Environment**

- 17.1 Lancaster has a very high number of buildings which are recognised on the national list of buildings of special architectural or historic interest. The district contains more than 1,300 Listed Buildings, approximately 2% of which are Grade I listed, 5% Grade II\* and the remaining 93% Grade II.
- 17.2 The district's other heritage assets include 37 Conservation Areas, 38 Scheduled Monuments and 2 Historic Parks and Gardens. Collectively, the district's heritage is a major economic asset. Lancaster is one of the North West's most important and historical cities, visually coherent, it is little damaged by inappropriate development. Places and buildings show a strong historic legacy which mixes Roman and Medieval elements such as Lancaster Castle with the strongly Georgian and Victoria City Centre and more contemporary suburbs.
- 17.3 The local planning authority will protect and enhance the value of heritage assets, whether they are designated or non-designated to ensure their long-term future for the conservation and enjoyment of the historic environment in accordance with the principles set out in paragraph 126 of the National Planning Policy Framework (NPPF).
- 17.4 Listed building consent is required for any works of demolition, and for any works involving alteration or extension to a Listed Building which would affect its character as a building of special architectural or historic interest. Controls apply to all works, both internal and external, that would affect a Listed Building's special interest, whether or not the feature concerned is specifically mentioned in the description of the designated heritage asset.
- 17.5 Consent is not normally required for works of repair or maintenance, but where repairs involve alterations which would affect the character of the Listed Building consent will be required. The council recognises the importance of protecting buildings of special architectural or historic interest from unnecessary demolition and inappropriate alteration.

### *Demolition, Alterations or Extensions to Listed Buildings*

- 17.6 In judging the impact of any alterations on a Listed Building, it is essential that there is a thorough understanding of the elements which make up the special interest of the building in question, which may not just comprise features such as windows, decorative plaster work, chimney-pieces and staircases, but also the spaces and layout of the buildings, for example.
- 17.7 Many Listed Buildings can sustain some degree of sensitive alteration to accommodate continuing or new uses. However, they do vary greatly in the extent to which they can accommodate change without loss of special interest. Some buildings however may be so sensitive that they cannot sustain alterations to keep them in viable economic use. In these cases their futures may need to be secured by charitable or community ownerships.

### **Policy DM30: Development affecting Listed Buildings**

**The significance of a Designated Heritage Asset can be harmed or lost through alteration or destruction of a Listed Building or through development within its setting. Where a development proposal will lead to harm or loss of significance consent will be**

refused.

**Demolition of Listed Buildings**

Proposals which involve the harm to or total loss of significance of Listed Buildings, including demolition will not be permitted unless it can be demonstrated that the substantial harm or loss is necessary to achieve overriding public benefits that outweigh that harm or loss, or that the following criteria as set out in Paragraph 133 of the National Planning Policy Framework will apply:

- I. The substantial loss or harm is necessary to achieve overriding public benefits that outweigh that loss or harm; and
- II. The nature of the heritage asset prevents all reasonable uses of the site; and
- III. That no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- IV. That conservation through grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- V. The harm or loss is outweighed by the benefit of bringing the site back into use.

**Extensions and Alterations to Listed Buildings**

Proposals which involve the alterations or extensions to Listed Buildings, including any partial demolitions, should be based on an accurate understanding of the significance of the asset.

Proposals which involve external and/or internal alterations to a Listed Building which would have an adverse impact on the special architectural or historic character of the building and/or their surroundings will not be permitted. The loss of historic fabric simply to accommodate new will not be permitted.

New extensions which dominate or distract from the Listed building in terms of siting, style, scale, massing, height or materials will not be supported by the council. Reversibility and minimal intervention will also be key considerations when assessing proposals.

**Changes of Use and Conversions of Listed Buildings**

Where planning permission may not normally be granted for the conversion of Listed Buildings to alternative uses, favourable consideration may be accorded to schemes which represent the most appropriate way of conserving the building and its architectural and historic significance and setting.

**Listed Buildings and Climate Change**

The council will support proposals which seek to reduce the carbon footprint of a Listed Building provided that it respects the historic fabric, character and setting of the building. Development involving the installation of renewable energy equipment on a Listed Building will generally be acceptable provided that the following criteria are met:

- VI. The energy efficiency of the Listed Building itself has first been appraised and suitable measures, which will not affect its character, have already been undertaken;
- VII. Locations other than on a Listed Building have been considered and dismissed as being impracticable;
- VIII. There is no irreversible damage to the historic fabric;

- IX. The locations of the equipment on the Listed Building would not detract from its character or appearance, either when viewed in close proximity or from a distance; and**
- X. The impact is minimised through design, choice of material and colours.**

**Equipment that is no longer needed for generating energy will be removed as soon as the operations cease.**

**Where appropriate, the council will make use of Design Panels in determining that proposals are of the highest design standards and mitigate any impacts on the surrounding historic environment.**

**Proposals which involve Listed Buildings should ensure that they comply with all relevant policies within this Development Management DPD.**

- 17.8 The fabric is an important part of the Listed Building's significance and should be retained as a fundamental part of any alteration or conversion, together with the use of appropriate materials and methods of repair. It is not appropriate to sacrifice old work simply to accommodate new. Where alterations are considered to be acceptable it is preferable for new work to be reversible (although this alone does not justify alteration). New openings will need to be considered in the context of the asset's significance. Where proposals may make significant features redundant, such as windows, doors or other features then the impact is likely to be minimised if they are left in place. The junction between old and new features is important, both in terms of their impact on the significance of the Listed Building but also its setting.
- 17.9 The degree to which a building has already been added to must be considered; incremental additions can result in the original form of the building being subsumed or even lost completely. New extensions, where considered appropriate in principle, should not dominate the Listed Building or its setting in terms of style, scale, massing, height, materials or siting.
- 17.10 Alterations to shop fronts and other alterations on commercial premises which are Listed Buildings should be designed to a high standard and use appropriate materials. Where historic shopfronts and other joinery details exist, these should be retained and repaired. Where they are beyond repair, they should be repaired on a like-for-like basis. In such cases, this policy should be read in conjunction with Policy DM6 which relates to advertisements.

*Change of Use of Listed Buildings*

- 17.11 Keeping Listed Buildings in active use is critical to ensuring their upkeep. The best uses will be very often the use for which the building was designed and continuation or reinstatement of that use should be the first option within development proposals. However, not all original uses will now be viable, or even appropriate. In some cases, the original use may now be less compatible with the building than an alternative use, for example, due to modern agricultural practices and requirements.

*Climate Change and Listed Buildings*

- 17.12 The historic environment has a major role to play in mitigating climate change. The re-use of historic buildings has the potential to address issues such as the low carbon values of traditional materials, the damage caused by the release of embodied energies from the

demolished fabric and the environmental benefits of repair and maintenance over replacement.

17.13 In addition, heritage assets are capable of improved energy efficiency, and sometimes the sympathetic use of renewable energy equipment, on a level which does not harm the significance of the heritage asset or its setting, will be considered to be appropriate.

17.14 The use of renewable energy may be acceptable subject to the sequential approach set out within Policy DM30. Evidence that the impact of the proposal is truly understood and details of the mitigation will be required and should form part of the heritage statement. The English Heritage guidance '*Energy Efficiency and Historic Buildings*' (March 2011) should also be referred to in relation to this issue.

#### Assessment of Significance

17.15 All applications that are considered to affect a heritage asset (both designated and non-designated assets) are required to include an assessment of significance of any heritage assets affected. This should involve an assessment of any contribution made by their setting. The level of detail provided should be proportionate to the asset's importance, and sufficient to understand the potential impact of the development on that significance. The Council's '*Planning Application Validation Guide*' should be referred to for further details.

17.16 In determining applications the council will take account of the following issues:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- The positive contribution that conservation of heritage assets can make to sustainable communities, including economic viability; and
- The desirability of new development making a positive contribution to local character and distinctiveness.

#### Heritage at Risk

17.17 There are a number of buildings considered to be at risk within the district. The council will work with the owners of these buildings to find viable uses to secure their long term future.

17.18 The council expects that where a use for these buildings cannot be identified in the short-term, that they are maintained and secure to prevent them from decaying further. Not only will this help prevent the loss of important historical fabric, but maintenance will help prevent costs from escalating to such an extent that repair of such buildings is uneconomical.

17.19 English Heritage maintains a National '*Heritage at Risk Register*' which is updated on an annual basis. This includes Grade I and II\* Listed Buildings, Scheduled Monuments, Registered Parks and Gardens, Registered Battlefields, Protected Wreck Sites and Conservation Areas. English Heritage can also provide practical advice, guidance and, in some cases, resources for those Listed Buildings on its register, though their involvement must be determined by the importance of the building and the complexity of the issues.

17.20 With regard to Grade II Listed Buildings, the council maintains a register of all those assets which are considered to be at risk.

*Development affecting Conservation Areas*

- 17.21 The district has a large number of Conservation Areas. These range from the large Lancaster Conservation Area, to the smaller, more discreet Conservation Areas such as Cannon Hill in Lancaster or the smaller rural villages. These Conservation Areas will be reviewed and re-appraised when necessary and appropriate.

**Policy DM31: Development affecting Conservation Areas**

Only development which preserves or enhances the character and appearance of the Conservation Areas will be permitted.

Outline applications for development within Conservation Areas will not be encouraged by the council.

**Demolition of Buildings within Conservation Areas**

Proposals which involve the loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area will not be permitted unless it can be demonstrated that the substantial loss or harm is necessary to achieve substantial public benefits that outweigh that harm or loss, or that all the criteria which are set out within paragraph 133 of the National Planning Policy Framework are met.

Where a development proposal will lead to less than substantial harm to the significance of the Conservation Area, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

No loss will be permitted without taking all reasonable steps to ensure that the new development will immediately proceed after the loss has occurred.

**Development within Conservation Areas**

Development proposals for the re-use, alteration and extension of existing buildings or the creation of new buildings within Conservation Areas will only be permitted where it has been demonstrated that:

- I. 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
- II. Proposals will not result in the loss or alteration of features which contribute to the special character of the building and area; and
- III. 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.

All proposals that are located within a Conservation Area or its setting should give due consideration to all relevant policies within the Development Management DPD, in particular Policy DM35 which relates to the design of development.

Where appropriate, the council will make use of Design Panels in determining that proposals are of the highest design standards and mitigate any impacts on the surrounding historic environment.

- 17.22 The council will consider future areas which may be considered suitable for designation. This requires a judgement on whether an area is of special architectural or historic interest and the character or appearance of which is desirable to preserve or enhance.
- 17.23 Many Conservation Areas rely for their character on their relationship between buildings and spaces and the nature of these spaces. These spaces may be both within and outside the actual boundaries of the Conservation Area. Many of the rural Conservation Areas form a wider part of the landscape and are especially vulnerable to impact from development on village edges. Townscapes are particularly vulnerable to the impact of development which does not respect its historic form, layout and street patterns and of development which does not respect the scale of the neighbouring buildings.
- 17.24 When determining any development proposals affecting a Conservation Area, the council will take into account the impact on views into and across the area, important open spaces either within or near to the area and its wider landscape setting. A Conservation Area is a designated heritage asset and therefore Policy DM32 is directly relevant to this issue.
- 17.25 Alterations to shopfronts and other alterations on commercial premises within Conservation Areas should be designed to a high standard and use materials which are appropriate and sympathetic to the surrounding area. Where historic shopfronts and windows survive, there will be a presumption in favour of their retention and repair will be encouraged over replacement. Proposals which involve the siting of advertisements should have due regard to Policy DM6 relating to advertisements.
- 17.26 Conservation Areas are about the quality and interest of the areas, and not just the individual buildings. Therefore, particular attention must be given to the details such as the floorspace, street furniture, street lighting and public spaces. The council will encourage proposals which seek to enhance these features.

Article 4 Directions

- 17.27 Many alterations to the majority of unlisted dwelling houses do not require planning permission and would be permitted development under the General Permitted Development Order 1995 (as amended). However, in a number of Conservation Areas, the local planning authority has removed permitted development rights to bring specified operations under the control of planning legislation. Such action is carried out using an Article 4 Direction.
- 17.28 Article 4 Directions cover a number of properties within the following Conservation Areas: Lancaster, Westfield Memorial Village, Bath Mill, Morecambe, Glasson and Heysham. For more detailed and up-to-date information please contact the Conservation Team at Lancaster City Council.
- 17.29 Where the local planning authority considers that permitted development rights are threatening the character and appearance of a Conservation Area, it will consider bringing this development under its control by the use of an Article 4(2) Direction.

The Setting of Designated Heritage Assets

- 17.30 Conservation also looks beyond the individual asset to protect the settings of designated heritage assets such as World Heritage Sites, Scheduled Monuments, Listed Buildings, Protected Wreck Sites, Registered Parks and Gardens or Conservation Areas (where

highlighted on the relevant Local Plan Policies Map), as well as setting of undesignated heritage assets.

### **Policy DM32: The Setting of Designated Heritage Assets**

**The council recognises the significance of setting to a heritage and proposals that fail to preserve or enhance the setting of a designated heritage asset will not be supported by the council.**

**Development proposals that make a positive contribution to or better reveals the significance of the asset and its setting will be favourably considered.**

**The greater the negative impact on the significance of the designated heritage asset and its setting, the greater the benefits that would be required to justify any approval.**

**Where appropriate, regard should be given to any approved characterisation study or appraisal of heritage assets.**

**Development proposals within the setting of designated heritage assets will be expected to include an assessment of the impact, which should include consideration of the following (non-exhaustive) list:**

- **Proximity;**
- **Position in relation to key views;**
- **Prominence, dominance, conspicuousness;**
- **Dimensions;**
- **Scale;**
- **Massing;**
- **Visual permeability;**
- **Materials;**
- **Architectural style & design; and**
- **Changes to roofscapes or skylines.**

17.31 A setting is the surroundings around a heritage asset. All heritage assets have a setting, whether they are designated or not. Settings are generally more extensive than a curtilage, and its perceived extent may change as an asset and its surroundings evolve or as an understanding of an asset improves.

17.32 Elements of a setting may make a positive or negative contribution to the significance of an asset, or they may be neutral. The contribution of setting to significance is often expressed by reference to views. This is likely to include a variety of views of, across, or including the asset and views of the surrounds from or through the asset.

17.33 In Lancaster itself, for example, the topography of the city means that many areas are visible from a number of different vantage points, and views from high ground, such as Castle Hill and Williamson Park should always be considered. Similarly the impact of tall buildings on the townscape and roofscape of Lancaster and Morecambe requires careful consideration.

17.34 English Heritage has published several important guidance documents which are available on their website including *'The Setting of Heritage Assets'* (October 2011) and *'Seeing History in the View: A Method for Assessing Heritage Significance within Views'* (May 2011).

Non-Designated Heritage Assets

17.35 Lancaster District has a rich and varied historic environment which contains a large number of heritage assets, whether they are designated or not. These range from buried archaeology and above-ground historic buildings, to the historic street patterns and historic landscapes which survive in many locations. Many of the district's heritage assets have been statutorily recognised. However, this does not necessarily provide the whole picture.

17.36 As well as the approximately 15% of known heritage assets which are formally designated, there may also be other heritage assets classed as 'Non-Designated Heritage Assets' which do not fall into any formal designations mentioned previously but are still considered to be historically or architecturally significant. These buildings may be included in the council's *'List of Local Heritage Assets'*, where they meet a defined list of criteria.

17.37 There may be other non-designated heritage assets which are not specifically identified for protection, but which make a significant contribution to the character and appearance of the district. This may be the result of insufficient material being available on their existence, special interest or importance.

17.38 In assessing the significance of a heritage asset, its heritage values need to be considered. There are a number of values which should be taken into when determining the significance of a heritage asset, particularly where they are consistent with English Heritage's Core Principles set out in *'Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment'* (2008):

- Evidential Value – the potential of a yield evidence about its past activity;
- Historical Value – the ways in which past people, events and aspects of life can be connected through a place to the present (this could be illustrative or associative);
- Aesthetic Value – the ways in which people draw sensory and intellectual stimulation from a place;
- Communal Value – the meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory.

**Policy DM33: Development affecting Non-Designated Heritage Assets or their Settings**

**Where a non-designated heritage asset is affected by development proposals, there will be a presumption in favour of its retention. Any loss of the whole or part of such an asset will require clear and convincing justification. No loss will be permitted without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.**

**Any special features which contribute to an asset's significance should be retained and reinstated, where possible, in accordance with paragraph 135 of the National Planning Policy Framework.**

**Any extensions or alterations should be designed sympathetically, without detracting**



**from or competing with the heritage asset. Proposals should relate appropriately in terms of siting, style, scale, massing, height and materials.**

**Proposals within 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.**

**New buildings and any associated landscaping within the curtilage of a non-designated heritage asset, or in close proximity to, should ensure that the setting is not compromised. Positive settings should be protected, preserved and where possible enhanced by new development which assist in better revealing the significance of the asset.**

17.39 The council aims to identify value and protect the historic environment and its significance for the benefit of current and future generations.

#### Archaeology

17.40 Within the District of Lancaster there are a large number of sites which are known for their archaeological interest. Information on many of these sites is held in the Historic Environmental Record (HER), which is managed by Lancashire County Council. These sites are not shown in the Land Allocations DPD and accompanying Local Plan Policies Maps and enquiries should be made to the Lancashire County Archaeological Service (LCAS).

17.41 The HER includes Lancaster's Urban Archaeological Database (UAD), which brings together all the known archaeological date for the Historic Core of Lancaster City Centre into one place. The UAD contains information on all known pre-1800 archaeological material found within the locality, whether they are archaeological deposits or upstanding remains. Scheduled Ancient Monuments have been identified on the Local Plan Policies Map which accompanies the Land Allocations DPD.

17.42 Whilst a number of sites have been formally designated for their archaeological importance, this only represents a fraction of the total. Many important archaeological sites remain undiscovered and unrecorded. Archaeological sites are a finite resource and, as a result, it is important to ensure through the planning process that development proposals do not result in their damage or destruction.

#### **Policy DM34: Archaeological Features and Scheduled Monuments**

**Development proposals which would have an adverse impact on nationally significant archaeological assets, whether scheduled or not, or their settings, will not be permitted.**

**In situations where it is considered that archaeological sites and monuments would be affected, applicants will be required to commission a desk-based assessment, or greater investigation in some cases, before a planning application can be determined to allow for an informed and reasonable planning decision to be made.**

**Where development affecting such sites is acceptable in principle, the council will ensure mitigation of damage through preservation of the remains in situ as a preferred option.**

**The council will seek the preservation of archaeological assets unless it is not justified (for example where the need for development outweighs the importance of the asset). In these circumstances, the development will not be permitted to commence until satisfactory provision has been made for a programme of investigation and recording. However, the ability to record should not be a factor in deciding whether such a loss should be permitted.**

17.43 Non-designated heritage assets of archaeological interest are demonstrably of equivalent significance to Schedule Monuments and therefore should be subject to the same policies as a designated heritage asset, in accordance with paragraph 139 of the National Planning Policy Framework (NPPF).

17.44 Where development proposals could affect a Scheduled Monument or its immediate setting, applicants are advised to contact English Heritage at an early stage in the planning process to determine if the proposal is likely to be acceptable or not and, if necessary, to seek out ways of minimising any impact on the monument. Separate Scheduled Monument Consent may well be required in addition to any planning permission for proposals that impact on Scheduled Monuments or their settings, and where there is significant impact the proposal is likely to be unacceptable.

17.45 Where any other archaeological site may be affected, the proposal is likely to require an appropriate heritage assessment as part of the application, which may include desk-based or field investigations and the council may refuse any application when such information is needed but not supplied. Where a development is permitted that does have an impact on a heritage asset works to mitigate that impact may be required as a condition of the development. Such works can range from recording a standing structure to formal archaeological excavation, and are likely to be required in advance of development starting. Applicants are advised to contact LCAS regarding the presence or absence of heritage assets and the level or mitigation that may be required.

## **18. The Design of New Development**

### *Key Principles*

18.1 The council will ensure that new development makes a positive contribution to the local character found in the district in terms of built, natural and cultural environments. New development should also consider what qualities exist where new development is proposed and this should be addressed through sympathetic design, layout, scale and appropriate use of materials.

### *Ensuring Privacy*

18.2 New dwellings should be as private and free from overlooking and overshadowing as possible. To achieve this developments should give consideration to the following principles:

- There should normally be at least 21 metres between dwellings where windows of habitable rooms face each other and 12 metres where a habitable room faces onto a side wall with no such window;
- The main windows of habitable rooms should not be overshadowed by boundary walls, fences or two-storey gable walls;
- Planning applications must be accompanied by sectional drawing indicating finished floor levels and buildings heights relative to existing or proposed surrounding dwellings;
- The use of excessive high screening will not be permitted.

- 18.3 The inclusion of minimum distances does not mean that they will always be acceptable particularly in areas where surrounding densities are low. Development which includes larger dwellings and lower densities should allow for proportionally greater separations between main windows. This will create a more spacious environment, allow for more landscaping and possibly help reflect the character of the surrounding area.
- 18.4 There may be instances, particularly on sloping sites, city centre sites and other sites in densely developed areas where these distance standards may not be appropriate and other design solutions can be used to achieve privacy. In such cases, the council will require developers to demonstrate why normal standards should not be applied. Conversely there may be instances where these standards may be exceeded, particularly in areas of high density development.

#### Garden Space

- 18.5 The council recognises the importance that private garden space can provide, both to the health and well-being of residents but also the benefits that it can provide to the natural environment, particularly in urban locations.
- 18.6 The council will not support proposals which involve a significant loss of garden space, particularly where it would result in the loss of amenity, both residential and visual, and damage to the natural environment.
- 18.7 In determining the amount of private open space which should accompany housing developments, the council take into account the type of property being built, the location, use and height of neighbouring properties and the orientation and topography of the site. In particular, proposals for the conversion of existing buildings or redevelopment within urban areas will be treated flexibly. As a general rule for new housing schemes, the following minimum standards should be achieved wherever possible:
- With the exception of flats, new houses should have at least 50sqm of usable private garden space which is not directly overlooked by neighbouring properties;
  - Rear gardens should be at least 10 metres in depth. This may be reduced if the developer can demonstrate that there is a benefit in designing wide frontage houses in which the garden area would then exceed 50sqm and providing neighbouring private amenity open space will not be overlooked;
  - Small north facing gardens should normally be avoided;
  - Flat developments should provide a reasonable amount of communal amenity space per unit of accommodation. The actual provision required will depend upon site and building characteristics.

#### Highways and Accessibility

- 18.8 The council will ensure that new development is proposed in locations that are sustainable and have access to a wide range of public transport methods without being limited to the use of private cars to access the site (see Policy DM20). This is particularly important for proposals within existing settlement areas and proposals that will generate significant levels of traffic or footfall. Where appropriate, new development should prioritise more sustainable transport methods (such as cycling and walking) over the use of private cars. Such methods can be encouraged through the creation of cycling facilities (including cycle parking and storage) and good pedestrian linkages (see Policy DM21).

- 18.9 Proposals for new development should incorporate safe and appropriate access arrangements that are not at the detriment of highway safety and satisfy the local highway authority. Proposals should avoid placing undue burdens on the capacity or safety of the local road network.
- 18.10 The council will seek to ensure that all new developments are fully accessible to all members of the community and therefore compliant with the most relevant and up-to-date legislation. This is particularly important for public buildings and those that would generate significant footfall.

The Natural Environment

- 18.11 It is important that new development protects and enhances the natural environment. This means retaining acceptable levels of open space and new dwellings incorporating acceptable levels of private amenity space that improves quality of life and well-being. New development should avoid any detrimental impact on local residential amenity through the loss of private amenity space for local residents.
- 18.12 New development can make a positive contribution to the surrounding landscape or townscape (see Policy DM28), and the council will ensure this new development achieves this by seeking high quality design and landscaping.

**Policy DM35: Key Design Principles**

**General Principles**

**New development (new build, conversions, alterations or extensions) must:**

- I. Contribute positively to the identity and character of the area;**
- II. Create or enforce local distinctiveness through good design (appropriate siting, layout, separation distances, orientation, scale, massing, landscaping and boundary treatment);**
- III. Give consideration to the quality of the prospect and aspect from each dwelling and avoid intrusive overlooking of other properties;**
- IV. Show a considered approach to the context in which the building is taking place and recognise the scale and density of the immediate surroundings;**
- V. Be sympathetic to the existing built form in terms of design, scale and the palette of the materials used;**
- VI. Enhance the visual amenity of the locality;**
- VII. Ensure no detriment impact occurs to the residential amenity of neighbouring properties, particularly in relation to overshadowing, visual amenity, privacy, overlooking, massing and pollution;**
- VIII. Ensure that safety and security are fully considered through the design process;**
- IX. Promote diversity and choice through the delivery of a balanced mix of compatible buildings and uses;**
- X. Create buildings and spaces which are adaptable to changing social, environmental, technological and economic conditions;**
- XI. Be accessible to all sectors of the community, including people with disabilities.**

**When considered appropriate, proposals must include a Sustainability Statement providing details of how the development achieves the appropriate standards set out in Policy DM36: Sustainable Design; Policy DM37: Air Quality Management and Pollution; Policy DM38: Development & Flood Risk; Policy DM39: Surface Water Run-Off &**

**Sustainable Drainage; and Policy DM40: Protecting Water Resources and Infrastructure.**

Where appropriate, proposals will also be required to provide a post construction review certificate to demonstrate compliance with the above policies.

**Transport and Accessibility**

New development (new build, conversions, alterations or extensions) must:

- XII. Promote access and permeability by creating places that connect with each other and are easy to move through;
- XIII. Prioritise the convenience of pedestrians, cyclists and public transport over the use of private cars (only in already accessible locations);
- XIV. Incorporate suitable and safe access to the existing highway network and road layout design, in line with latest standards;
- XV. Have due regard to the implications of highway capacity and, where necessary incorporate mitigation measures to address capacity issues;
- XVI. Make parking provision in line with Appendix C of this document;
- XVII. Ensure that the streetscene is not compromised or dominated by inappropriate parking provision; and
- XVIII. Create buildings and spaces accessible to all members of the community.

**Green Infrastructure and the Natural Environment**

New development (new build, conversions, alterations or extensions) must:

- XIX. Retain appropriate levels of privacy, amenity and sufficient amounts of garden / outdoor space for occupiers of both proposed and neighbouring properties;
- XX. Provide sufficient landscaping areas / buffer zones and appropriate levels of open space provision to mitigate development impacts to adjoining sensitive uses and the open countryside;
- XXI. Incorporate, where possible and appropriate, the creation of new habitats to enhance the natural environment; and
- XXII. Maintain and/or enhance the local landscape and townscape value in its locality (see Policy DM28).

**Other Environmental Considerations**

New development (new build, conversions, alterations or extensions) must:

- XXIII. Minimise the impacts on air quality (including odour), noise quality and excessive lighting;
- XXIV. Improve existing ground conditions and protect existing soil quality through addressing and remediating contaminated land and land instability issues where they exist;
- XXV. Enhance local distinctiveness by responding to the value of the natural and historic environment, relating positively to its landscape setting and the existing pattern of development and responding to local topography by ensuring that important views into, within and out of the site are retained and enhanced;
- XXVI. Retain and enhance existing landscaping and natural features (e.g. trees, hedges, banks and watercourses) to enhance biodiversity; create wildlife and recreational corridors; integrate the development into its setting; and to justify and mitigate any losses which may occur through development;
- XXVII. Enhance opportunities for protected species such as bats and swifts through the

inclusion of appropriate roosting habitats.

**XXVIII. Incorporate surface water drainage through appropriate management techniques;**

**XXIX. Incorporate appropriate waste and recycling facilities.**

**Where major development proposals are likely, due to their size and scale, to have an adverse impact on the local built environment, the council will make use of local Design Panels to assess such impacts. The views and recommendations of Design Panels will be given due consideration in the decision making process.**

**New development located at the entrances / gateways to major settlements (Morecambe, Lancaster and Carnforth) must be of a high standard of design and contribute towards creating a positive statement when entering these settlements. This approach is of particular importance on the southern and northern approaches to Lancaster via the A6; the eastern approaches to Lancaster via the A583 (Caton Road & Parliament Street); and the northern approach to Carnforth via the A6).**

18.13 New development has a strong role to play in protecting and enhancing the natural and historic environment, and the council will ensure that new development does not result in a net loss of biodiversity and retains or enhances important habitats, species or other biodiversity assets.

*Pollution and Waste Management*

18.14 The council will seek to ensure that new development minimises any adverse impacts arising from pollution, including noise, light, air (including odour) and ground pollution through appropriate location, operation and design. Applicants should also consider the impact of existing sources of pollution when locating new development. Clearly new development that is sensitive to pollution is not appropriate where existing sources of noise, light or air pollution cannot be satisfactorily be mitigated, or where it would prejudice the viability of other important land uses by reasons of its sensitivity to pollution.

18.15 It is important that new development ensures that surface water is managed within the development site and not allowed to increase the risk of flooding elsewhere in the locality.

18.16 New development should also provide for the storage of refuse and recyclable materials in easily accessible and safe locations, having regard to relevant urban design considerations (i.e. not having a detrimental impact upon the setting of a property or streetscene).

*Gateway Locations*

18.17 If a new development is to be located in a key gateway location then the council will ensure it achieves a high standard of design and creates an attractive, welcoming entrance to key settlements in the district.

*Design Review Panels*

18.18 In accordance with paragraph 62 of the National Planning Policy Framework (NPPF) the council will utilise Design Review Panels to assess the impacts of major development proposals, particularly those which due to their size, scale and location may have adverse impacts on their surroundings. The views and recommendations of these panels will be given due consideration in determining a planning application.

Sustainable Design

- 18.19 Sustainable design can make a positive contribution to improving the overall sustainability of new development in the district by minimising or avoiding any negative environmental impacts that may be caused by new development. It can also contribute to the transition to a low carbon future by addressing the Government's national zero carbon buildings policy.
- 18.20 The national policy sets clear deadlines for new homes and non-residential buildings achieving the zero carbon standard. The proposed mechanism for achieving the requirements of this policy is through an incremental increase in the energy efficiency requirements of the Building Regulations (Part L). These requirements concern the carbon emissions of new development and will eventually lead to Building Regulations requiring new development to achieve a zero carbon rating in accordance with an agreed definition.
- 18.21 Checking compliance with Building Regulations is a separate process to getting planning approval; however both processes must be complied with. In the context of sustainable design applicants are encouraged to consider both together at the design stage as this will help to avoid problems, delays and increased costs as proposals are progressed through to application stage.
- 18.22 The council recognises that the viability of new development may be affected by factors such as local sustainability requirements, particularly in less buoyant economic times. A key indicator of viability improving is greater developer confidence in the market. In determining local sustainable design standards the council will therefore monitor the delivery of new development across the district.
- 18.23 Future guidance on sustainable design issues, including local sustainability requirements will be set out in a Supplementary Planning Document (SPD). This document will also provide clarity around the future zero carbon definition, in particular the proposed 'carbon compliance' standard and the role of 'allowable solutions' in achieving this.
- 18.24 Until the SPD is adopted, the council will seek to ensure that development proposals contribute to sustainable development and the move towards a low carbon future. All proposals must include a Sustainability Statement (SS) setting out how the proposal addresses Policy DM36. This can be incorporated into a Design and Access Statement where appropriate to do so. All new development must also provide a post construction certificate following completion to demonstrate compliance with Policy DM36.

**Policy DM36: Sustainable Design**

**Proposals for new development must demonstrate how they will contribute to sustainable design by:**

- I. Including measures that will reduce energy consumption and carbon dioxide emissions, and water consumption beyond current Building Regulations;**
- II. Identifying opportunities for energy supply from on-site, decentralised, renewable or low carbon energy systems;**
- III. Identifying opportunities to contribute to local and community-led energy initiatives;**
- IV. Taking account of landform, layout, building orientation, massing and landscaping to minimise energy and water consumption;**
- V. Considering the reuse of existing resources (including the conversion of existing**

buildings) where this would be 'fit for purpose'; and  
**VI. Complying with the requirements of the future Supplementary Planning Document on 'Sustainable Building Design' or successor documents.**

**Applicants are encouraged to implement nationally described standards (Code for Sustainable Homes, BREEAM, Passivhaus) to achieve sustainable design.**

**Applicants should consider fully the requirements of the national zero carbon buildings policy when planning for new development, and will be encouraged to go beyond these requirements where this is viable.**

**New development through the conversion of existing buildings should seek to include energy and water efficiency improvements beyond the requirements of current Building Regulations.**

*Air Quality Management and Pollution*

- 18.25 Air quality and pollution are widespread concerns at both district and national level. The council has a range of activities underway to deal with these issues including the review and assessment of air quality. There are currently three locations where air quality does not meet the national objectives that aim to protect people's health and the environment. These are the centre of Lancaster, the centre of Carnforth, and Galgate and each location has been declared an Air Quality Management Area (AQMA).
- 18.26 The largest AQMA is located in the centre of Lancaster where emissions from vehicles, particularly from HGVs on the one-way system contribute toward high levels of nitrogen dioxide levels. These designations are regularly monitored and amendment to these areas (as well as considering the potential for further designations) will be implemented as appropriate. More detail on the AQMAs is available at [www.lancaster.gov.uk/airquality/](http://www.lancaster.gov.uk/airquality/).
- 18.27 The council will seek to ensure that proposals for all new development regardless of location will not have a negative impact on air quality and will not further exacerbate air quality in AQMAs. Similarly, proposals for new development should not put people's health at risk by increasing the potential for exposure to raised levels of pollutants.
- 18.28 One of the ways that the council can minimise the impact of new development on air quality is to ensure that proposals for new residential development address the relevant components of the Code for Sustainable Homes Level 4 Pollution category. Similarly, the council will ensure that proposals for other new buildings achieve the relevant components of the BREEAM Excellent rating for the Pollution category.

**Policy DM37: Air Quality Management and Pollution**

**A formal impact assessment must be submitted for any development proposal that is within an Air Quality Management Area (AQMA).**

**New development located within or adjacent to an AQMA must ensure that users are not adversely affected by the air quality within that AQMA and include mitigation measures where appropriate.**



*Development and Flood Risk*

- 18.29 The district is located on the coast and contains a number of large rivers, particularly the River Lune which can be susceptible to flooding in extreme weather events. Many of the main settlement areas in the district lie within areas which, to varying degrees, are vulnerable to flooding, such as Lancaster on the River Lune and Morecambe on Morecambe Bay. The 2007 screening stages of a Strategic Flood Risk Assessment (SFRA) were refreshed during 2012 and 2013 and this work will highlight flood risk and future development pressures.
- 18.30 The council will seek to ensure that new development does not increase flood risk, however in some cases this will be unavoidable because significant parts of the main urban areas of Lancaster and Morecambe are located within such flood risk areas. Flood risk can be mitigated through the use of Sustainable Drainage Systems (SuDs) to manage surface water flows. SuDs can also assist in pollution control through improved filtration and habitat creation within developments.
- 18.31 New development must consider the Environment Agency Flood Zone Maps that highlight areas at risk and vulnerable to flooding, either from fluvial (river) sources or coastal flooding. The maps also show variations in the areas of risk, and highlight land in Zone 3 as being at greatest risk from flooding and Zone 1 as being at limited risk from flood events. They are also updated on a regular basis to take into account revised data.

**Policy DM38: Development and Flood Risk**

**New development must be located on land which is the least vulnerable from flooding, whether this occurs from rivers, the coast or other sources.**

**New development, in areas which are vulnerable to flood risk must meet the requirements of the National Planning Policy Framework (paragraphs 100 to 104 and Technical Guidance), applying the Sequential Test, Exception Test and producing site-specific flood risk assessments as required.**

**New development proposed within defined areas of flood risk must ensure:**

- I. That the proposed use meets the Sequential and Exception Tests as appropriate, as set out in the 'Technical Guidance to the National Planning Policy Framework',**
- II. That a Site-Specific Flood Risk Assessment is prepared for sites as described in paragraph 103 of the National Planning Policy Framework;**
- III. That suitable and appropriate flood prevention and mitigation measures are agreed, implemented and maintained to ensure that development is appropriately flood resilient and resistant;**
- IV. There will be no net increase of flooding to properties within the locality as a result of the development (such as increases in surface water run-off or the reduction in the capacity of flood storage areas) unless suitable and appropriate compensation or mitigation measures exist or can be agreed, implemented and maintained;**
- V. That consideration is given to the mitigation of on-site surface water run-off through the use of Sustainable Drainage Systems (SuDs) and the use of permeable surfaces where appropriate in accordance with Policy DM39 of this document; and**
- VI. There is no adverse impact on, or unacceptable risks to, the quantity or quality of water resources in accordance with Policy DM40 of this document.**

**New development on brownfield sites must demonstrate a reduction of a minimum of 30% in existing run-off rates, rising to 50% in 'Critical Drainage Areas' (these being areas in Flood Zone 1 which have critical drainage problems and which have been notified to the council by the Environment Agency).**

**New development on greenfield sites must:**

- VII. Demonstrate that there are no alterations to run-off rates upon completion. On sites less than one hectare in size peak discharge must be restricted to five litres per second per hectare;**
- VIII. Provide long-term storage or sufficient storage capacity within the surface water drainage system where there is additional volume run-off; and**
- IX. Take into consideration all other relevant policies within this document and also the information and guidance provided within the refreshed Strategic Flood Risk Assessment (or successor documents).**

**In addition to the above requirements, new development must achieve the relevant components of Code for Sustainable Homes Level 4 for the Surface Water Runoff category / the BREEAM Excellent rating for the Pollution category.**

**Where compelling and detailed evidence demonstrates that the above requirements adversely affect viability then the development must achieve the relevant components of Code for Sustainable Homes Level 3 / the BREEAM Very Good rating.**

- 18.32 Where relevant new development must also consider the Environment Agency's '*Shoreline Management Plan*' (SMP) which sets out the recommendations for coastal management over the forthcoming 100 years. Similarly, for local river catchment new development must also consider the Environment Agency's '*Catchment Flood Management Plan*' (CFMP). Both documents are available at: [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk).

*Surface Water Run-Off and Sustainable Drainage*

- 18.33 Urban environments can be highly susceptible to surface water run-off which can lead to flooding. The council will therefore seek to ensure that new development limits water discharge levels into local sewers and drains to improve capacity in the network.
- 18.34 New development, particularly on greenfield sites should seek to replicate existing drainage where possible. Sites that drain into ditches or watercourses should continue to do so and not enter the public sewerage system post development.

**Policy DM39: Surface Water Run-Off and Sustainable Drainage**

**New development must incorporate the following attenuation measures:**

- Store rainwater for later use;**
- Use infiltration techniques, such as porous surfaces in non-clay areas;**
- Attenuate rainwater in ponds or open features for gradual release into the watercourse;**
- Attenuate rainwater by storing in tanks or sealed water features for gradual release into a watercourse.**

**Where compelling and detailed evidence demonstrates that the above measures are not feasible or would adversely affect viability then the following options for discharge will**

be considered:

- Discharge of rainwater direct to a watercourse;
- Discharge of rainwater to a surface water drain;
- Discharge of rainwater to the combined sewer.

**New development must utilise Sustainable Drainage Systems (SuDs) whenever practical; and reduce discharge to greenfield run-off rates wherever feasible.**

**Proposals for new development that will discharge surface water to a public sewer must provide compelling evidence that capacity exists in the public sewer including relevant authorisation from the appropriate infrastructure provider. Where there is no public sewer capacity must provide detailed technical assessment of how surface drainage will be dealt with. Proposals may also need to include an independent assessment of potential solutions, the cost of which must be met by the applicant.**

**Proposals may also be required to provide a feasibility assessment for the use of SuDs including consideration of the potential design of any scheme and ongoing maintenance arrangements. The applicant and the council will then agree on who should adopt the scheme and be responsible for ongoing maintenance. In the majority of cases the latter will rest with the applicant.**

**New development will be subject to appropriate conditions or a legal agreement to secure the implementation of SuDs and to secure appropriate management and maintenance measures.**

18.35 Surface water flooding occurs where the ground and rivers can no longer absorb heavy rainfall and when man-made drainage systems have insufficient capacity to deal with the volume of rainfall. Typically this type of flooding is localised and occurs very quickly in extreme weather so is difficult to predict and warn against. It is predicted that climate changes will result in more short-duration, high intensity rainfall and therefore surface water flooding is likely to become an increasing problem, particularly within the district's urban settlements.

18.36 The council will seek to ensure that new development reduces the risks arising from surface water flooding through attenuation measures. The council considers Sustainable Drainage Systems (SuDs) to be integral to new development and the use of SuDs must be decided at an early stage of the proposal so that sufficient space can be allocated. SuDs can also enhance biodiversity opportunities within new development. Further information on this issue can be found on the RPSB website at: [www.rspb.org.uk](http://www.rspb.org.uk). Developments on greenfield sites, particularly those requiring the preparation of a Development Brief or a Masterplan will be required to include measures to deal with surface water drainage.

18.37 SuDS can be incorporated into new development in numerous ways and the most appropriate application will depend on issues such as the scheme layout, and the topography and geology of the site and surrounding area.

*Protecting Water Resources and Infrastructure*

18.38 New development must consider the impact on wastewater infrastructure, and there may be a need to co-ordinate new development through a phased approach to allow improvements to wastewater infrastructure. It must also consider the location of the point

of connection to the wastewater infrastructure for new development to minimise flood risk and impact on watercourses.

18.39 The EU Water Framework Directive came into force in December 2000 and established a strategic framework for managing the water environment. It requires a management plan for each river basin to be prepared every six years based on detailed analysis of the impacts of human activity on the water environment and incorporating measures to improve water bodies where required.

18.40 The Environment Agency is responsible for the implementation of the Water Framework Directive and in December 2009 it published the first set of River Basin Management Plans for England and Wales. The North West plan identifies a range of challenges that need to be tackled to achieve the objectives of the Water Framework Directive and can be downloaded at: [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk).

18.41 The council can contribute towards tackling the challenges highlighted in the North West plan by ensuring that the design, layout and needs of new development consider solutions to these challenges so that water quality does not deteriorate in the future.

#### **Policy DM40: Protecting Water Resources and Infrastructure**

**New development must:**

- **Not threaten surface water and groundwater quantity and quality caused by water run-off into nearby waterways;**
- **Consider effective and efficient disposal of wastewater; and**
- **Seek to increase water availability and protect and improve the quality of rivers or groundwater where possible.**

**The development or expansion of water supply or waste water facilities will normally be permitted, either where needed to serve existing or proposed development, or in the interests of long term water supply and waste water management, provided that the need for such facilities outweighs any adverse land-use or environmental impact.**

18.42 Drinking water is becoming a more valued resource so the council will ensure that new development delivers high standards of water efficiency by including measures to avoid wastage including:

- Water saving devices, water efficient fixtures and fittings;
- Rainwater and greywater recycling (water butts or more complex collection and treatment systems);
- Landscaping and gardens that don't require much water; and
- Sustainable Drainage Systems

18.43 Applicants should also give due consideration to Policy DM27 of this document, entitled 'Biodiversity, Landscape and Woodland' which also takes into account the impacts of climate change and the need to minimise the demand on water.

## Creating Sustainable Communities

### 19. Introduction

- 19.1 The creation of a strong and vibrant economy, and the protection and enhancement of the natural and historic environment are very important factors in ensuring that the district remains a strong and prosperous place.
- 19.2 The planning system can help to create a strong and healthy future for our communities. At a local level, the planning system can provide a basis for ensuring that development needs are met and new development is created in sustainable and suitable locations. It can also help to protect key services which are valued by local communities being lost to other alternative uses.
- 18.44 In order to ensure that the planning system has a positive influence on the health of our communities, the council will continue working with appropriate partners including Public Health Lancashire and NHS North Lancashire Clinical Commissioning Group regarding the health status and needs of communities when planning for new development.
- 19.3 The policies in this document do not seek to protect communities from change and evolution. Successful, healthy, sustainable communities have continually evolved and responded to changing economic, social and environmental circumstances. The council recognises that this is essential if local communities are to survive in the longer term.
- 19.4 The Local Plan will seek to support sustainable growth within communities at a suitable and appropriate scale, catering for both the needs of communities now and in the future and ensuring that the growth of these communities is matched with the growth in services.

#### **Communities Vision**

*The council believes in the creation and protection of strong, safe and sustainable communities, whether they are urban or rural. New development in the District will be provided in sustainable locations and to meet the needs of a changing and evolving community.*

## 20. Sustainable Housing Growth

20.1 The need for more homes in Lancaster District is high and the council will support proposals that will help address this. Proposals should address the housing needs of all communities, in terms of house types, sizes, and tenures; and address any imbalances in the local housing market. The Meeting Housing Needs Supplementary Planning Document (SPD) and successor documents provides specific guidance on the different housing needs that exist in the district and should be referred to in the early stages of preparing proposals for new housing.

### New Homes

20.2 The council will encourage applicants to consider opportunities to deliver schemes on Previously Developed Land or by using existing buildings where available or appropriate. However, proposals for new homes on greenfield sites will be supported where the benefits of the proposal outweigh any adverse impacts that may result from the development.

20.3 New housing development should address the need for a wide choice of high quality homes according to the housing needs of the district. These needs are detailed in the Meeting Housing Needs SPD and successor documents. Proposals for new market housing must make provision for first time buyers and those in need of affordable housing. To ensure that affordable needs are met, the council requires all market housing schemes, regardless of size, to contribute towards the provision of affordable housing. Small schemes of up to 4 dwellings must provide a financial contribution towards affordable housing and larger schemes (5 plus dwellings) must provide on-site affordable homes. Additional affordable housing will be sought from greenfield sites on the basis that the development viability is likely to be better than on more complicated brownfield sites.

20.4 The affordable housing requirement applies to all homes that fall within Use Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended). Therefore general needs housing (where each residential unit has its own facilities, e.g. kitchen and bathroom) is required to contribute towards affordable housing. Accommodation such as sheltered, extra care and assisted living schemes that fall within Use Class C2 are not required to contribute towards affordable housing.

20.5 Where the provision of affordable housing would have a potentially negative impact on viability then compelling and detailed evidence must be provided in support of this, and should be included within an Affordable Housing Statement (a requirement of all planning applications for residential development). The Meeting Housing Needs SPD provides specific guidance on Affordable Housing Statements and how viability issues are dealt with.

20.6 The council will support proposals to create additional dwellings through the re-use of empty properties. Proposals to re-occupy existing housing, to convert larger homes into smaller units, or to change the use of commercial properties to residential units will all be considered. Proposals should have regard to Policy DM44, and must address local housing needs as set out in the Meeting Housing Needs SPD and successor documents.

20.7 The council will ensure that proposals for new homes contribute to the creation of attractive, functional and sustainable places. Therefore applicants are encouraged to incorporate design standards such as Building for Life 12 (or successor versions). The council will also ensure that proposals for new homes contribute to the creation of strong, vibrant and healthy communities. In support of this applicants are encouraged to incorporate the

Lifetime Homes Standard as this will mean that new homes can be adapted as the needs of households change over time, reducing the need for households to move. Sustainable design standards such as the Code for Sustainable Homes are dealt with under Policy EN12.

- 20.8 Where applicants are required to provide on-site affordable homes as part of a market housing scheme then the affordable homes should comply with the Homes and Communities Agency’s Design and Quality Standards (2007) or the relevant successor standards.
- 20.9 New homes must also be sensitive to connectivity, density, local distinctiveness and heritage issues in the local environment and should consider the neighbouring land uses of the area.
- 20.10 At a strategic level, new housing development can impact on the health and wellbeing of existing and newly created communities. The council will therefore ensure that proposals identify and address the health-related impact of new development, and proposals for developments of 10 or more homes should include a Health Impact Assessment. This document should identify the potential for health improvements and risks to health, and help to identify additional measures to reduce or avoid these risks. Guidance on Health Impact Assessments can be downloaded at [www.who.int/hia](http://www.who.int/hia).

**Policy DM41: New Residential Development**

Proposals for new residential development should:

- I. Ensure that available land is used efficiently but takes account of the characteristics of different locations;
- II. Be proportionate to the existing built form unless exceptional circumstances can be demonstrated;
- III. Be located where the environment and infrastructure can accommodate the impacts of expansion; and
- IV. Provide an appropriate dwelling mix in accordance with the Lancaster District Housing Needs Survey or other robust evidence of local housing need.

Proposals for new housing on greenfield land must demonstrate that the benefits of the proposal outweigh the impacts on local amenity.

The council will generally support proposals for new homes in all locations that incorporate the Lifetime Homes Standard and other design standards such as Building for Life 12 (or successor versions).

Proposals to re-use empty properties for residential purposes should have full regard to Policy DM44.

**Affordable homes**

New housing development that falls into Use Class C3 must contribute towards the provision of affordable housing on the following basis:

<u>Units</u>	<u>Location</u>	<u>Affordable Housing</u>	<u>Delivery Method</u>
15 plus	Urban	30%	On site
10 plus	Rural	30%	On site

5 to 14	Urban	Up to 20%	On site
5 to 9	Rural	Up to 20%	On site
1 to 4	Urban & rural	Up to 10%	Financial contribution

Financial contributions towards the provision of affordable will be calculated in accordance with the Meeting Housing Needs SPD or successor documents.

Up to 40% affordable housing will also be required from new housing proposed on greenfield sites.

All affordable homes must:

- V. Comply with the definition in Annex 2 of the National Planning Policy Framework;
- VI. Have an affordable tenure mix that reflects the Meeting Housing Needs SPD or successor documents; and
- VII. Be constructed to the Homes and Communities Agency Design and Quality Standards (2007) or the relevant successor standards (at the time of delivery).

Proposals to vary or remove restrictive occupancy conditions will be required to make a financial contribution towards affordable housing in accordance with the Meeting Housing Needs SPD or successor documents.

Proposals that would result in a net loss of existing affordable dwellings must provide the equivalent number of replacement affordable dwellings on the site, as well as any affordable dwellings generated from additional market dwellings.

If it can be justified that the equivalent number of replacement affordable dwellings cannot be achieved on the original site, then the dwellings must be provided on an appropriate alternative site subject to satisfying all other relevant planning policy. The replacement affordable dwellings will be in addition to the affordable dwellings generated from any new market dwellings on the alternative site.

Applicants must provide compelling and detailed evidence in support of claims that the provision of affordable housing would have a potentially negative impact on viability.

In all cases, proposals for new housing must satisfy all other relevant planning policy.

**Sustainable Rural Housing Growth**

20.11 Lancaster District contains large areas of open countryside and a significant number of rural settlements. The council will promote sustainable development in rural areas, and support proposals for new homes that will enhance or maintain the vitality of rural communities.

**Sustainable Rural Settlements**

20.12 The council will support proposals for new housing development in rural settlements that contain, or have good access to, an appropriate range of local services that contribute to the vitality of these settlements. These services are local shops, education and health facilities, access to public transport and other valued community facilities. Proposals should demonstrate that they will have clear benefits for the local community, and in particular will meet rural housing needs according to robust evidence (such as the Lancaster District Housing Needs Survey or other local housing needs surveys). The council will also support proposals that are locally developed and driven by rural communities.



20.13 The council will support proposals for new housing development in smaller rural settlements if it can be demonstrated that the development will enhance or maintain the vitality of the local community.

Rural Estates

20.14 The council recognises there may be justification for new homes on land owned by the large private estates located in rural and upland parts of the district. Proposals for new homes must genuinely address local housing need and demonstrate community 'buy-in'. To properly achieve this, applicants should prepare an estate masterplan that has been subject to consultation with the local community and the council. This document must be submitted alongside planning applications and should represent a clear strategy for enhancing or maintaining the vitality of the local community.

Rural Exception Sites

20.15 Rural Exception Sites can often be the only means of delivering affordable housing in some rural settlements. They are small sites that would not normally be suitable for housing, but where exceptions may be made for affordable housing in perpetuity. Such sites should address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. In some instances small numbers of market homes may be allowed, on the basis that they will enable the delivery of affordable homes that do not have grant funding.

20.16 The council will therefore support proposals for housing on rural exception sites, on the basis that homes are affordable in perpetuity and available to the local community. Proposals should address local housing needs according to the Lancaster District Housing Needs Survey or other robust local evidence of housing needs. This means that rural exception sites should be located where they will enhance or maintain the vitality of rural communities. Proposals should involve rural communities in order to ensure that they will provide for local housing needs.

20.17 Proposals for new housing development in small rural settlements (as referred to in paragraph 20.12) that cannot be justified on the grounds of enhancing or maintaining the vitality of the local community may be considered under the Rural Exception Sites policy.

New Homes in Isolated Locations

20.18 Much of the district is rural and the council will seek to ensure it is protected for its intrinsic value. However there may be exceptional circumstances as set out in paragraph 55 of the National Planning Policy Framework (NPPF). It will be for applicants to demonstrate that there is sufficient locational justification for a new dwelling to be needed within an isolated location.

Homes for Rural Workers

20.19 There may be special circumstances where there is an essential need for a rural worker to live permanently at or near their place of work in the countryside. It will be for applicants to demonstrate that there is a functional need for a new dwelling(s) in the proposed location. Where permitted a new dwelling(s) will be subject to occupancy conditions and the removal of these will only be permitted in exceptional circumstances.

## **Policy DM42: Sustainable Rural Housing Growth**

### **Sustainable Rural Settlements**

Proposals for new housing in the following settlements will be supported:

Arkholme	Hornby
Bolton-le-Sands	Middleton
Brookhouse	Nether Kellet
Cockerham	Overton
Caton	Over Kellet
Dolphinholme	Silverdale
Galgate	Slyne
Halton	Warton
Hest Bank	Wray

Proposals for new housing in other rural settlements will be supported if it can be demonstrated that the development will enhance or maintain the vitality of the local community. Proposals lacking a sufficient justification will be considered using the Rural Exception Sites criteria.

### **Rural Estates**

Proposals for new housing on land in the ownership of the specified large privately owned rural estates must be accompanied by an estate masterplan that represents a clear strategy for enhancing or maintaining the vitality of the local community and demonstrates how their housing needs will be addressed.

Estate master plan must demonstrate that they have the support of the local community, and must be prepared in consultation with the council.

### **Rural Exception Sites**

Proposals for Rural Exception Sites will be supported where:

- I. Housing meets the needs of the local community;
- II. All homes are affordable in perpetuity, comply with the definition in Annex 2 of the National Planning Policy Framework, and are constructed to the Homes and Communities Agency Design and Quality Standards (2007) or the relevant successor standards (at the time of delivery); and
- III. Occupancy is restricted to current residents of the defined Parish or those that have an existing family or employment connection.

### **New Homes in Isolated Locations**

Proposals for new homes in isolated locations may be considered if they:

- IV. Represent the optimal viable use of a designated heritage asset or would be appropriate enabling development to secure the future of designated heritage assets; or
- V. Re-use redundant or empty properties and will enhance the immediate setting; or
- VI. Are of exceptional quality or innovative.

**General Requirements for Rural Housing**

In all cases, proposals for new residential development in rural areas must:

- X. Be well related to the existing built form of the settlement;
- XI. Be proportionate to the existing scale and character of the settlement unless exceptional circumstances can be demonstrated;
- XII. Be located where the environment and infrastructure can accommodate the impacts of expansion;
- XIII. Demonstrate good siting and design in order to conserve and where possible enhance the character and quality of the landscape; and
- XIV. Consider all other relevant policies, in particular those contained within the Arnsdale and Silverdale Area of Outstanding Natural Beauty DPD.

**Residential Accommodation for Agricultural and Forestry Workers**

20.20 One of the few circumstances in which isolated residential development may be justified is when accommodation is required to enable agricultural, forestry and certain other full-time land-based workers to live at, or within the immediate vicinity of, their place of work. It will often be as convenient and more sustainable for such workers to live in nearby towns or villages or suitable existing dwellings, so to avoid new and potential intrusive development in the countryside. However, there are some cases where the nature and demands of work make it essential for one or more people engaged in the enterprise to live at, or very close to, the site of their work. Whether this is essential in any particular case will depend on the needs of enterprise concerned and not on the personal preferences or circumstances of any individuals involved, in order to justify dwellings which would otherwise not be permitted in such locations.

20.21 The council will support in principle the creation of residential dwellings to assist the ongoing agricultural / forestry holding subject to the requirements of Policy DM43 and a number of appropriate policy tests which are set out in Appendix D of this DPD. The first policy test seeks to establish whether there is a functional need for the dwelling and the second relates to the financial soundness of the existing agricultural / forestry enterprise.

20.22 It is important to establish whether the stated intentions to engage in farming or forestry enterprises are genuine, are reasonably likely to materialise and are capable of being sustainable for a reasonable period of time. It will also be important to establish that the need of the intended enterprise require one or more of the people engaged in it to live nearby.

20.23 Permission for permanent dwellings for agricultural / forestry workers will only be granted for enterprises and activities that are well established and are recognised to be on a sound financial position. Where Policy DM43 and the policy tests set out in Appendix D are successfully addressed, it will be necessary to ensure that such dwellings are kept available for meeting this need for as long as it exists. Therefore applicants can expect appropriate occupancy conditions to be applied to any planning permission.

### **Policy DM43: Accommodation for Agricultural and Forestry Workers**

Proposals for residential accommodation for agricultural and forestry workers will be supported in principle subject to the following criteria:

#### **Permanent Dwellings**

Proposals for new permanent dwellings will only be permitted where they support existing agricultural / forestry activities on well-established agricultural / forestry holdings and provided they meet the following criteria:

- I. There is a clearly identified existing functional need which passes the policy test relating to functional need set out in Appendix D of this DPD;
- II. The need relates to a full-time worker, or one who is primarily employed in agriculture and does not relate to a part-time requirement;
- III. The unit and agricultural / forestry activity concerned have been established for at least three years and passes the policy test relating to financial soundness set out in Appendix D of this DPD;
- IV. The functional need could not be fulfilled by another dwelling on the agricultural unit, or any other accommodation in the area which is suitable and available for occupation by the workers concerned; and
- V. New dwelling(s) are sited to minimise the impact on the surrounding area, well designed and well-related to existing agricultural buildings or other dwellings.

#### **Temporary Dwellings**

If a new dwelling is essential to support a new farming activity, whether on a newly-created agricultural or other land-based unit or an established one it should normally for the first three years be provided by a caravan or wooden structure which can be easily dismantled or other temporary accommodation. Proposals for temporary dwellings will be expected to satisfy the following criteria:

- VI. Clear evidence is provided by the applicant of a firm intention and ability to develop the enterprise concerned (significant investment in new farm buildings is often a good indication of intentions);
- VII. There is a clearly identified existing functional need which passes the policy test relating to functional need set out in Appendix D of this DPD;
- VIII. Clear evidence is provided by the applicant that the proposed enterprise has been planned on a sound financial basis;
- IX. The functional need could not be fulfilled by another dwelling on the agricultural unit, or any other accommodation in the area which is suitable and available for occupation by the workers concerned; and
- X. New dwelling(s) are sited to minimise the impact on the surrounding area, well designed and well-related to existing agricultural buildings or other dwellings.

Proposals for both permanent and temporary dwellings for agricultural / forestry workers should also have due regard to all other relevant policies within this DPD, in particular (but not exclusively) Policy DM28 relating to landscape impacts, DM35 relating to the design of development and Policy DM38 relating to flood risk.

When permission granted for a temporary occupational dwelling expires, a proposal for a permanent dwelling must satisfy criteria (i) to (v). After three years, if there is no planning justification for a permanent dwelling, then the temporary dwelling must be

removed. Successive extensions to a temporary permission will not be granted.

Proposals for permanent and temporary occupation dwellings will be subject to appropriate planning conditions. The removal of conditions relating to occupancy will only be permitted in exceptional circumstances as set out in Appendix D of this document providing that:

- XI. The applicant can demonstrate there is no longer a longer-term need for the occupational dwelling on the particular enterprise on which the dwelling is located; and
- XII. The applicant can demonstrate that the occupation dwelling has been marketed at a realistic prices which takes account of planning conditions, has been marketed within the appropriate media over a period of at least 12 months and that no reasonable offer has been refused, so to demonstrate that there is no demand for the dwelling in the area.

### **Residential Conversions**

- 20.24 Residential conversions can have significant sustainability and regeneration benefits, and can help to preserve local character. The council will generally support such proposals where there will be a positive contribution to sustainable development.
- 20.25 Applicants are encouraged to consider the potential impacts of reconverting multiple residential dwellings back to a single dwelling on meeting local housing needs and the effect this may have on any potential imbalances in the local housing market.
- 20.26 Houses in Multiple Occupation (HMOs) can help to address the housing needs of single people however large concentrations of HMOs in a small area can impact on the character of a residential area and give rise to an inappropriate mix of residents. This has been the case in Morecambe where many HMOs have been created as a result of unauthorised and sub-standard adaptations of former hotels and guest houses. Therefore applicants that wish to make proposals that would create HMOs are encouraged to consider the potential impacts of this. The council's preference is that single person accommodation is purpose-built and provided in the form of self contained units.
- 20.27 Proposals for residential conversions through the re-use of disused buildings in isolated rural locations (such as isolated field barns) are dealt with by Policy DM42: Sustainable Rural Housing Growth.

### **Policy DM44: Residential Conversions**

Proposals which involve residential conversions must meet the following criteria:

- I. Provide accommodation that will address local housing needs and imbalances in the local housing market;
- II. Contribute towards the provision of affordable housing in accordance with Policy DM41;
- III. Not result in a significant detrimental impact on the amenity of nearby residents and the character and appearance of the street scene; and
- IV. Satisfy all other relevant planning policy including the requirements of Appendix F and G where appropriate.

**Accommodation for Vulnerable Communities**

20.28 The different communities that live in the district have varying requirements when it comes to accommodation. Vulnerable communities in particular have specific requirements so it is important that all proposals have the support of the relevant commissioning managers (for health and social care or local authority) and can demonstrate how they address the agreed priorities and relevant commissioning models. This is explored in more detail in the Lancaster District Housing Strategy and Housing Action Plan 2012 – 2017 which can be downloaded at: [www.lancaster.gov.uk/planningpolicy](http://www.lancaster.gov.uk/planningpolicy).

**Accommodation for Older People**

20.29 Lancaster District has an ageing population, with the 65 years plus age group forecast to grow by 62% and the 86 years plus age by 138% in the period 2008 to 2033. This poses a significant challenge as these households are more likely to have a need for specialist accommodation as well as support services and adaptations to their homes to enable them to enjoy a good quality of life. The Lancaster District Housing Needs Survey highlights that the future accommodation needs of older people will be best met through sheltered housing or independent accommodation with visiting support. The council will therefore support proposals that provide these types of accommodation.

20.30 Proposals for self contained accommodation for older people that fall within Use Class C3 must contribute towards the provision of affordable housing in accordance with Policy DM41.

**Accommodation for other Vulnerable Groups**

20.31 There are other vulnerable groups aside from older people that have specific accommodation needs. These include people with learning disabilities or physical disabilities, the homeless, young people leaving care, people suffering domestic abuse, people with a history of substance misuse, and people with a history of offending.

20.32 The council will support proposals for new provision that will meet the genuine housing needs of the intended occupiers. Proposals for accommodation for people with learning disabilities should be explored and delivered through registered providers before any consideration would be given to private sector/private finance schemes which generate higher rents and housing benefit requirements.

**Policy DM45: Accommodation for Vulnerable Communities**

**Accommodation for Older People**

Proposals for accommodation for older people will be supported subject to the proposal meeting the following criteria:

- I. Meeting the genuine needs of older people;
- II. Being well located for a primary bus route, and convenient for local services and facilities;
- III. Being wheelchair accessible; and
- IV. Contributing towards the provision of affordable housing in accordance with Policy DM41 (Use Class C3 only).

Proposals for accommodation for an ageing relative that is ancillary to the main family dwelling are not required to contribute towards the provision of affordable housing.

However proposals for separate dwellings must contribute towards the provision of affordable housing in accordance with Policy DM41.

**Accommodation for Vulnerable Groups**

Proposals for accommodation for vulnerable groups will be supported subject to the proposal meeting the following criteria:

- V. Meeting the genuine housing needs of the intended occupiers;
- VI. Providing the appropriate standards regarding facilities, independence, support and/or care needs;
- VII. Being accessible to public transport, shops, community facilities and the social networks appropriate to the needs of the intended occupiers;
- VIII. Being affordable in the context of financial support available to the intended occupiers;
- IX. Being accompanied by a care plan and needs risk assessment setting out the type and level of support to be provided; and
- X. Facilitating move-on accommodation where appropriate.

Proposals for accommodation for people with learning disabilities must be explored and delivered by a registered provider.

Proposals for accommodation for vulnerable communities must satisfy all other relevant planning policies.

**Accommodation for Students**

20.33 Student numbers at both Lancaster University and the University of Cumbria (Lancaster Campus) have both shown a steady increase over recent years. While development at Lancaster University has increased the capacity to house students on campus, accommodation off campus continues to be a popular choice for many students.

20.34 Historically the availability of on campus accommodation has meant that students have had a limited impact on Lancaster city centre, however the city centre is, in principle, an acceptable location for new student accommodation. Most parts of the city centre are within reasonable walking distance of the University of Cumbria and good public transport connections exist to Lancaster University. Other locations outside of the city centre may also be suitable subject to satisfying the requirements of Policy DM46.

20.35 In recent years there has been a significant increase in the number of proposals for new student accommodation in the city centre. Over the longer term, these proposals may help to ease demand for traditional 'shared' accommodation amongst students and therefore increase the supply of low cost family housing, particularly in south Lancaster.

20.36 New student accommodation can also help make a positive contribution to the mix of uses within the city centre and is less likely to result in harmful impacts on residential amenity. However new student accommodation proposed in the Lancaster Conservation Area must be sympathetic to the character of the existing, surrounding built form and wider setting. Similarly proposals that seek to re-use a Listed Building, or would affect the setting of Listed Building should be sympathetic to the character and features of the heritage asset.

20.37 The council will therefore continue to support proposals for new student accommodation (purpose built or through the conversion of existing buildings) where there is evidence of

demand. In the event of declining demand for such accommodation, proposals must demonstrate that they are easily capable of conversion into self contained units. New student accommodation must also meet the standards set out in Appendix E of this document.

### **Policy DM46: Accommodation for Students**

**Proposals for new student accommodation (purpose built and conversions) will be supported where they:**

- I. Meet the criteria set out in Appendix E of this document;**
- II. Are easily capable of conversion into self contained units in the event of declining demand for student accommodation;**
- III. Are subject to occupancy conditions to protect the accommodation from becoming an HMO.**
- IV. Meet the criteria of Policies DM30 and DM31 (where appropriate); and**
- V. Satisfy all other relevant planning policies.**

**Self contained 'warden's accommodation' created as part of proposals for new student accommodation will be conditioned for use by the warden and are therefore not required to contribute towards affordable housing.**

### **Accommodation for Gypsies and Travellers, and Travelling Showpeople**

20.38 There are currently over 19 Gypsy and Traveller sites in the district providing in the region of 150 pitches. The majority of these sites are privately run, however there are 19 social pitches provided at the Mellishaw Lane site which is managed by the City Council on behalf of Lancashire County Council.

20.39 Planning Policy for Traveller Sites requires the council to set pitch targets for Gypsies and Travellers and plot targets for travelling showpeople which address the likely permanent and transit site accommodation needs of travellers in the district. The 2013 Lancaster District Gypsy, Traveller and Showperson Accommodation Assessment has informed the council of the need for additional pitches and this will be dealt with by a separate Land Allocations DPD. Planning Policy for Traveller Sites also requires the council to set criteria to guide land supply allocations where there is an identified need.

### **Policy DM47: Accommodation for Gypsies and Travellers, and Travelling Showpeople**

**The council will support proposals that would create new Gypsy and Traveller and Travelling Showpeople sites within the district provided that they are in accordance with the requirements set out within this policy and fulfil all other relevant policies within this document.**

**Proposals will also be expected to give due consideration to the Land Allocations document which will specifically relate to the provision of Gypsy and Traveller and Travelling Showpeople accommodation.**

### **General Development Principles**

**Proposals for new Gypsy and Traveller and Travelling Showpeople sites will be supported**



where they:

- I. Demonstrate that the intended occupants meet the definition of Gypsies and Travellers and Travelling Showpeople in Annex 1 of Planning Policy for Traveller Sites; and
- II. Provide no more than 15 permanent residential Gypsy and Traveller pitches / 5 permanent Travelling Showpeople plots; and
- III. Are located within the urban area of Lancaster, Morecambe, Heysham or Carnforth. Sites in other locations will only be considered if it can be demonstrated that appropriate sites cannot be provided within the specified urban areas.

**Locational Requirements**

Proposals for new Gypsy and Traveller and Travelling Showpeople sites will be expected to take into account the following locational requirements:

- IV. Located within 1 mile of a motorway or Class A Road, with the road access onto the site being of sufficient quantity and size to enable access onto and off the site by heavy vehicles such as trailers or static caravans;
- V. Located within 1 mile (or 20 minutes walk) of public transport facilities and services in order to access GP and other health services, education, employment and training, and other services;
- VI. Located where they will not cause significant nuisance or impact upon the amenity of neighbouring properties;
- VII. Not located in areas defined as Flood Zone 2 or 3 on the Environment Agency Flood Maps; and
- VIII. Not located in areas where there are potential amenity issues (e.g. proximity to tips, electricity pylons, and industrial areas). Individual risk assessments must be carried out in such cases.

**Design Principles**

Proposals for new Gypsy and Traveller and Travelling Showpeople sites will be supported where they:

- IX. Are well planned and include soft landscaping and play areas for children where suitable;
- X. Avoid contaminated land;
- XI. Are on stable and level land suitable for caravans;
- XII. Make adequate provision for vehicular parking, turning areas and servicing;
- XIII. Provide a safe environment for the intended occupants;
- XIV. Demonstrate that acceptable living conditions will be secured for future occupiers;
- XV. Are capable of providing adequate access to all emergency vehicles; and
- XVI. Have access to sanitation facilities, a mains water supply and drainage or the applicant must demonstrate that they can be provided.

New sites for Travelling Showpeople will be allowed to include mixed use yards, to accommodate both caravans and space for storage and equipment but must also meet criteria (i) to (xvi).

**Transit Provision**

New transit sites for Gypsy and Travellers will only be considered provided they meet criteria (i) to (xvi). However, new transit sites must provide no more than 5 pitches. In

addition, applicants must demonstrate that they can and will enforce a suitable time limit on how long pitches are occupied.

**Occupancy Conditions**

All proposals that seek to remove occupancy restrictions which would result in a loss of Gypsy and Traveller pitches and Travelling Showpeople plots will not be permitted unless alternative and improved provision in either an equivalent or improved location is achieved that meets an identified need, with no net loss of pitches / plots.

## 21. Community Infrastructure and Services

- 21.1 Future development within the district will place pressure and demand on existing infrastructure such as schools, open spaces, transport networks, health and community facilities. In order to cope with this additional demand there will be a requirement for new development to contribute toward the improvement of existing facilities and, in some cases the provision of new additional infrastructure.
- 21.2 Without appropriate measures to mitigate impact and/or investment to enable the provision of infrastructure improvements, new developments that cause adverse impacts would be definition be neither sustainable nor acceptable. To support sustainable growth in the district new development will be expected to provide or contribute toward the provision of necessary and required infrastructure to enable its provision in an appropriate manner.

**Community Infrastructure Levy (CIL)**

- 21.3 The Community Infrastructure Levy (CIL) is a charge which local authorities in England and Wales can place on developer / applicants for most types of development in their area. The money generated from CIL can be used (or pooled for future use) to pay for strategic infrastructure improvements within the authority area to realise social, economic or environmental benefits. The CIL charge will be based on the size, type and location of the development proposed.
- 21.4 CIL is promoted by Government as a more effective and transparent way of securing financial contributions from development, providing a part replacement to the current s106 planning obligations system. CIL is designed to draw in substantial funding to bridge the funding gap associated with the provision of enabling infrastructure to serve new development whilst Section 106s will continue to be used to mitigate the direct impacts of development in order to enable the grant of planning permission; to secure commuted sums (where appropriate) for open space management and maintenance and for securing or funding the provision of affordable housing.
- 21.5 The concept of CIL as a standard charge on development, provided up front to the charging authority, is seen as a fairer and more transparent method of seeking financial contributions from developers to support future infrastructure needs and an opportunity for local authorities to clearly plan ahead for infrastructure improvements and deliver the aspirations of local communities.
- 21.6 In 2012 the council appointed consultants GVA to undertake an assessment of the feasibility of introducing a Community Infrastructure Levy (CIL) within the district. The study suggests that at this present point in time that financial viability across the majority of the district is suitably challenged therefore it would not be appropriate to introduce a CIL charge at this

time, particularly given the council's requirements for affordable housing provision, the funding and provision of which already amounts to a proportionate charge upon many developments. To introduce a CIL charge at this point in time within this district would be likely to challenge the viability of development and undermine both National and Local policy objectives of achieving economic growth.

- 21.7 Should the council seek to introduce a CIL charge it would be applicable to all development proposals, regardless of size and location and would be based on the size of development, for example the number of dwellings created or the level of floorspace created.

#### **Policy DM48: Community Infrastructure**

**Development proposals and infrastructure provision will be co-ordinated to ensure that growth within the district is supported, where necessary, by the provision of infrastructure, services and facilities that are required to maintain and enhance the quality of life and responds to the needs of local people, the local environment and the local economy.**

**Development will be required to provide, or contribute towards, the provision of:**

- **Measures to directly mitigate its impact, either geographically or functionally, which will be secured through the use of s106 planning obligations;**
- **The specific requirements set out within all accompanying Supplementary Planning Documents, particularly relating to the provision of affordable housing;**
- **The specific requirements as set out in relation to sites which have been identified and allocated within the Land Allocations DPD;**
- **Infrastructure, facilities and services required to support growth, which will be set out within any future Community Infrastructure Levy (CIL) for the district.**

**The council may, due to the size and scale of a proposal, expect an applicant to undertake an 'Employment and Skills Plan' which will set out opportunities for the employment and up-skilling of local people through the construction phase of the development proposal. In such cases where this is considered to be a requirement, reference should be made to the forthcoming Supplementary Planning Document on this matter.**

**Planning obligations may be sought from any development, irrespective of type and size that creates an impact which requires mitigation. Any future contributions from CIL will be in accordance with appropriate regulations and guidance which would be set out within any future DPD on this matter.**

- 21.8 Whilst it has been concluded that at this point in time only limited viability exists for the introduction of a CIL charge this does not mean that the council should not seek to review this position, particularly when the economy begins to recover and viability improves.
- 21.9 Therefore it is the council's intention to review its position on CIL regularly to investigate whether the economy has improved sufficiently for the introduction of a CIL charge in the district. In the meantime the council will continue to request s106 contributions towards infrastructure improvements which are directly related to and make acceptable the impacts of new development. Such requests will be accompanied by further special requirements

which are set out within Supplementary Planning Documents, including requirements for affordable housing and open space.

21.10 Should the council introduce a CIL charge in the future, a separate DPD will be prepared by the council which will set out both a Charging Schedule (i.e. the financial charges per dwelling or per square metre of floor space) and a Infrastructure Delivery Plan which will set out how CIL monies will be spend. Such a DPD will be subject to public consultation and independent inquiry during its preparation. It will also include a robust and comprehensive evidence base which will provide an understanding on how these planning documents will be prepared.

21.11 The Infrastructure Delivery Plan will set out the type of infrastructure, facilities and services for which contributions may be required. These could include:

Affordable Housing	Library Facilities
Community Facilities	Cultural Facilities
Education Facilities	Transport Infrastructure
Commuted Payments for Maintenance	Sustainable Transport Improvements
Parks & Green Spaces Improvements	Biodiversity Management
Flood Risk Management Measures	Improvements to Broadband Access
Waste Facilities	Health and Social Care Facilities
Public Realm Provision	Public Art
Local Employment & Training Initiatives	District Heating & Sustainable Energy

21.12 The above table is not an exhaustive list; other contributions may be sought depending on the individual characteristics of a development proposal.

Employment, Skills and Training

21.13 The council will support and promote the use of local people and business through the construction and implementation stages of proposals, particular major proposals which can generate significant levels of employment through the development phase.

21.14 To achieve sustainable economic development, applications for major development will be expected to develop and implement an ‘*Employment and Skills Plan*’ (ESP) identifying opportunities for employment and up-skilling of local people through the implementation of their development proposal. The ESP should be informed by priorities identified through liaison with the city council, local employment and skills agencies. The target outcome of the ESP will be commensurate with, and assessed against, construction industry standard benchmarks of the employment / skills outcomes expected from the particular size and type of construction proposed.

Local Services

21.15 The council recognises the role that local services can play in ensuring that communities are sustainable in the long term. The ability to access basic local services which are located in close proximity to where people live have a significant relationship to well-being and a positive quality of life.

21.16 The council will therefore support proposals which seek to enhance the range of local services, subject to them satisfactorily meeting all other relevant policies within this document. Proposals which involve the delivery of additional key services in rural locations will be particularly supported in principle by the council.

- 21.17 Proposals for local services should be located in accessible and central locations which can be easily accessed by the community by a variety of transport methods, particularly cycling and walking, and where possible by public transport. In rural locations, it is recognised that whilst priority is given to siting services in sustainable locations, this may be more difficult to achieve in all circumstances. Therefore less accessible locations may be considered where it can be satisfactorily demonstrated that accessibility to the proposed services can be improved as part of the development proposal.
- 21.18 The council will support the diversification of local business to fulfil a wider range of local services for the community they serve; particularly where this will improve the long term sustainability and viability of these services. For instance the role of local public houses could be sustained by introducing a range of other important services such as for a post office or local grocery store.
- 21.19 The council will protect the buildings and premises used by local services that benefit the local community both socially and economically. The council will also resist the loss of local services where it is demonstrated that they are valued by the community they serve.
- 21.20 Development proposals for new local services should create a flexible and adaptable building which, if required, can be used for a range of different purposes such as meeting places, drop-in clinics and other community facilities. This will ensure that the building can maximise its role in serving the local community and secure its long-term future. The council will also support proposals from local communities which involve the creation, retention and management of facilities which are demonstrated to have a wider community benefit.
- 21.21 Where there is community support to do so the council will prepare a register of community assets as part of the Community Right to Bid.

### **Policy DM49: Local Services**

#### **Provision of New local Services**

**Proposals for new local services must be located where there is already a choice of travel options or where it can be demonstrated that accessibility can be significantly improved and therefore can be accessed by all members of the community. Where possible local services should be located within or adjoining, existing centres.**

**Proposals for new local services provided as an integral part of the development must wherever possible be located within adaptable buildings which can be used for a flexible range of uses.**

#### **Protection of Existing Local Services**

**Proposals that would result in the loss of buildings / uses which currently (or have previously) provided the community with a local service, and which could include services such as local shops and community facilities, must provide compelling and detailed evidence:**

- I. Ensure that a robust and transparent marketing exercise has taken place demonstrating that the retention of the existing use is no longer economically viable or feasible. This should include a realistic advertising period of at least 12 months at a realistic price, making use of local and (if appropriate) national media sources and**

- maintaining a log of all enquiries received;
- II. Ensure that, alternative provision of the key service exists within a rural settlement or within a nearby neighbouring settlement, which can reasonably be accessed by pedestrians and public transport; and
  - III. Ensure that the current / previous use no longer retains an economic and social value for the community it serves.

## **22. The Enforcement of Planning Controls**

- 22.1 Paragraph 207 of the National Planning Policy Framework states that the effective enforcement of planning controls is important as a means of maintaining public confidence in the planning system.
- 22.2 National planning guidance recommends that local planning authorities should consider publishing a local enforcement plan to manage enforcement in a pro-active manner, in a way that is suitable to the local area.

### **Policy DM50: The Enforcement of Planning Controls**

**Where a breach of planning control has taken place, the council will take enforcement action where necessary which is proportionate to the breach, in accordance with paragraph 207 of the National Planning Policy Framework.**

**Where a breach causes harm in planning terms and it is expedient to take enforcement action the council will select the appropriate level of action to be taken to remedy the breach. In cases where the breach is severe and planning permission would not be retrospectively granted, action will seek to remove the breach. In other cases where a remedy can be achieved by corrective action, regulation through a retrospective planning application or under enforcement will be pursued.**

**Enforcement action will not be taken against trivial or technical breaches of planning control which cause no harm to the amenity or prejudice the aims and objectives of the local planning authority.**

**Further guidance on planning enforcement matters can be found in the Council's '*Planning Enforcement Charter*' which was adopted in December 2011.**

- 22.3 Lancaster City Council adopted its own local enforcement plan, the '*Planning Enforcement Charter*' in December 2011 which provides information regarding the role of enforcement within the planning system and general advice relating to breaches in planning control, the issue of expediency and the penalties for failing to comply with formal notices issued by the council. The '*Planning Enforcement Charter*' is available to download on the council's website at <http://www.lancaster.gov.uk/planning/development-management/planning-enforcement/>
- 22.4 Procedures for making complaints about a possible breach of planning control are contained within the Charter. Complainants will be asked to provide specific details regarding the location, nature and reason for making their complaint.

**Policy DM51: Enforcement Action against Untidy Sites & Buildings**

The council will continuously act to improve the amenities of its area. To compliment public sector improvements in urban areas and the management of the district's high quality rural areas the council will take proactive action by the use of Notice under Section 215 of the Town and Country Planning Acts to require the owners of untidy land or buildings to remedy the situation by setting out steps that need to be taken within a certain timescale, where it is considered that its condition adversely affects the amenity of the area.

The Council's adopted local enforcement plan, the '*Planning Enforcement Charter*' (2011) contains further information regarding proactive, targeted action, within the district.

# Appendix A: Background Documents for the Development Management DPD

## General Reference

The National Planning Policy Framework (DCLG 2012)
The National Planning Policy Framework Technical Guidance (DCLG 2012)
The Planning System: General Principles (DCLG 2005)
Lancaster District Core Strategy (Lancaster City Council 2008)
Local Plan for Lancaster District – Land Allocations DPD ‘Draft Preferred Options’ (2012)
Lancaster District Brownfield Study (Lambert Smith Hampton 2009)

## Promoting and Enhancing the Districts Economy

<b>Policies DM1 to DM6 – Town Centres and Retailing</b>
Points 3, 4, 5, 11 and 12 of the Core Planning Principles (Paragraph 17) of the National Planning Policy Framework
Paragraphs 17, 23 – 26 and 67 of the National Planning Policy Framework (DCLG 2012)
Planning for Town Centres: A Practice Guide (DCLG 2009)
Retail Study for Lancaster District 2013 (White Young Green 2013)
Lancaster Cultural Heritage Strategy (SQW / Lancaster City Council 2011)
Town Centres and Retailing Technical Paper (Lancaster City Council 2013)
<b>Policies DM7 to DM11 – Rural Development and the Rural Economy</b>
Point 5 of the Core Planning Principles (Paragraph 17) of the National Planning Policy Framework
Paragraph 28, 79 – 92 of the National Planning Policy Framework (DCLG 2012)
<b>Policies DM12 to DM14 – Leisure and Visitor Economies</b>
Paragraph 28 of the National Planning Policy Framework (DCLG 2012)
Tourism Strategy for Morecambe, Lancaster and the Lune Valley (Lancaster City Council 2006)
Tourism Strategy Update (Lancaster City Council 2008)
Lancaster Cultural Heritage Strategy (Lancaster City Council 2011)
<b>Policy DM15 to DM16 – Employment Requirements</b>
Point 3 of the Core Planning Principles (Paragraph 17) of the National Planning Policy Framework
Paragraphs 22, 37 and 158 of the National Planning Policy Framework (DCLG 2012)
Lancaster District Employment Land Study (Regeneris 2006)
Partial Employment Land Review for Lancaster District (Atkins 2008)
Employment and Economy Technical Paper (Lancaster City Council 2013)
<b>Policy DM17 to DM19 – Enhancing Energy Opportunities</b>
Point 6 of the Core Planning Principles (Paragraph 17) of the National Planning Policy Framework
Paragraphs 91, 93, 95 to 98, 142, 156 and 162 of the National Planning Policy Framework (DCLG 2012)
Taking forward the Deployment of Renewable Energy (Lancashire County Council / SQW 2011)
Planning Guidance for Renewable Energy (Lancashire County Council / SQW 2011)
Development of New Renewable Energy and Recycling Industries for Lancaster and Morecambe (Lancaster & Morecambe Vision Board 2006)
Energy Generation & Energy Efficiency Technical Paper (Lancaster City Council 2013)
Forest of Bowland AONB Renewable Energy Position Statement (2011)
<b>Policy DM20 to DM23 – Transport, Accessibility and Connectivity</b>
Point 11 of the Core Planning Principles (Paragraph 17) of the National Planning Policy Framework
Paragraphs 29 – 41, 58, 90, 143, 156 and 162 of the National Planning Policy Framework (DCLG 2012)
Local Transport Plan for Lancashire 2011 – 2021 (Lancashire County Council 2011)
Lancaster & Morecambe Vision Transport Strategy (Faber Maunsell 2008)



Lancaster District Cycling Strategy (Lancaster City Council 2002)
Transport and Connectivity Technical Paper (2013)
<b>Policy DM24 – Telecommunications and Broadband Connections</b>
Paragraphs 42 – 46, 156 and 162 of the National Planning Policy Framework (DCLG 2012)

### **Protecting and Enhancing the District’s Natural and Built Environment**

<b>Policies DM25 to DM26 – Green Infrastructure</b>
Points 7 and 12 of the Core Planning Principles (Paragraph 17) of the National Planning Policy Framework
Paragraphs 69 – 78, 81, 89, 92, 99, 114, 116, 123, 143 and 171 of the National Planning Policy Framework (DCLG 2012)
Refresh to the Open Space, Sport and Recreation Facilities PPG17 Study (Lancaster City Council 2010)
PPG17 Study Area Analysis Report (Lancaster City Council 2010)
Green Infrastructure Technical Paper (Lancaster City Council 2013)
<b>Policy DM27 to DM29 – Biodiversity, Landscape and Woodland</b>
Points 5, 7, 9 and 12 of the Core Planning Principles (Paragraph 17) of the National Planning Policy Framework
Paragraphs 7, 9, 59, 61, 67, 81, 92, 97, 99, 109 – 125, 143, 144, 156, 157, 165 and 170 of the National Planning Policy Framework (DCLG 2012)
The Natural Choice: Securing the Value of Nature (DEFRA 2011)
Biodiversity 2020: A Strategy for England’s Wildlife and Ecosystem Services (DEFRA 2011)
Silverdale and Arnside Area of Outstanding Natural Beauty Statutory Management Plan (Silverdale and Arnside AONB Management Board 2009)
Forest of Bowland Area of Outstanding Natural Beauty Statutory Management Plan (Forest of Bowland AONB Management Board 2009)
Forest of Bowland AONB Landscape Character Assessment (2009)
Landscape Strategy for Lancaster – Landscape Character Assessment (Lancaster County Council 2000)
Landscape Character Assessment Work for Lancaster District (Woolerton Dowell 2011)
<b>Policy DM30 to DM34 – The Historic Environment</b>
Point 10 of the Core Planning Principles (Paragraph 17) of the National Planning Policy Framework
Paragraphs 9, 48, 55, 61, 65, 77, 80, 114, 115, 126 – 141, 143, 144, 156, 157, 169 and 170 of the National Planning Policy Framework (DCLG 2012)
The Setting of Heritage Assets (English Heritage 2011)
Historic Towns and Cities in England’s Northwest (English Heritage / NWDA 2007)
Lancaster District Cultural Heritage Strategy (SQW / Lancaster City Council 2011)
<b>Policies DM35 to DM40 – The Design of Development</b>
Points 2, 4, 6, 7 and 9 of the Core Planning Principles (Paragraph 17) of the National Planning Policy Framework
Paragraphs 8, 9, 28, 55 to 68, 93 to 108, 125, 156, 166, 168 and 192 of the National Planning Policy Framework (DCLG 2012)
National Planning Policy Framework Technical Paper (DCLG 2012)
Strategic Flood Risk Assessment for Lancaster District – Refresh (2013)
River Basin Management Plan for the North West (Environment Agency 2009)
Catchment Flood Management Strategy for the River Lune – Summary Report (Environment Agency 2009)
Catchment Flood Management Strategy for the River Wyre – Summary Report (Environment Agency 2009)
Shoreline Management Plan 2: Great Ormes Head to Scotland (North West and North Wales Coastal Group 2011)

## Creating Sustainable Communities

<b>Policies DM41 to DM47 – Sustainable Housing Growth</b>
Points 3, 4, 6 and 11 of the Core Planning Principles (Paragraph 17) of the National Planning Policy Framework
Paragraphs 7, 16, 21, 47 – 55, 70, 89, 100, 158, 159 – 161, 173, 174 and 177 of the National Planning Policy Framework (DCLG 2012)
Local Housing Needs and Demands Survey (David Coultie Associates 2011)
Lancaster District Rural Settlements Report (David Coultie Associates 2011)
Strategic Housing Land Availability Report (Lancaster City Council 2013)
Strategic Housing Market Assessment (Turley Associates 2013)
Affordable Housing Viability Assessment (Adams Integra 2010)
Meeting Housing Needs Supplementary Planning Document (SPD) (Lancaster City Council 2013)
Housing Land Monitoring Report (Lancaster City Council 2013)
Lancaster District Housing Action Plan 2012 – 2017 (Lancaster City Council 2012)
<b>Policies DM48 to DM49 – Protection of Community Assets</b>
Points 2 and 12 of the Core Planning Principles (Paragraph 17) of the National Planning Policy Framework
Paragraphs 7, 23, 28, 42, 69 – 78, 156 and 175 of the National Planning Policy Framework (DCLG 2012)
Community Infrastructure Levy: An Overview (DCLG 2011)

## Planning Enforcement

<b>Policies DM50 to DM51 – Planning Enforcement</b>
Paragraph 207 of the National Planning Policy Framework (DCLG 2012)
Planning Enforcement Charter (Lancaster City Council 2011)

## Appendix B: The Sequential Approach to Town Centre Development

In the absence of any detailed guidance within the National Planning Policy Framework (NPPF) on any potential changes to the nature and scope of the sequential test for main town centre uses, the council will continue to rely on the definitions and guidance provided within Planning Policy Statement 4: Sustainable Economic Growth as set out in the paragraphs below.

The council expects that the information provided below will assist applicants in applying the Sequential Test to proposals in order to satisfy paragraph 24 of the NPPF. However, in the event of the revised guidance on the approach to the sequential test then attention should be given to the most up-to-date and relevant documentation available.

In applying the guidance set out in Policy DM1 of this document the council will expect proposals to clearly consider the principles of a sequential approach, particularly proposals for use which would be most suitable and appropriate within a town centre location. In considering such assessments applicants will be expected to apply a sequential test using the following criteria:

- a. Ensure that sites are assessed for their availability, suitability and viability;
- b. Ensure that all in-centre options have been thoroughly assessed before less central locations are considered;
- c. Ensure that where it has been demonstrated that there are no town centre sites to accommodate a proposed development, preference is given to edge of centre locations which are well connected to the centre by means of easy pedestrian access;
- d. Ensure that in considering sites in or on the edge of existing centres, developers and operators have demonstrated flexibility in terms of:
  - i. Scale: Reducing the floorspace of their development
  - ii. Format: More innovative site layouts and store configuration such as multi-storey developers with smaller footprints
  - iii. Car Parking Provision: Reduced or reconfigured car parking areas
  - iv. The scope for disaggregating specific parts of retail or leisure development, including those which are part of retail or leisure units on separate, sequentially preferable, sites.

In considering whether flexibility has been demonstrated in regard to the sequential approach, the council will take into account any genuine difficulties which the applicant can clearly demonstrate are likely to occur in operating the proposed business from a sequentially preferable site. However, evidence which claims that the class of goods proposed to be sold cannot be sold from the town centre will not be accepted.

## Appendix C: Car Parking Standards

For the purposes of clarity the original version of Appendix C which appeared in the ‘Draft Preferred Options’ document has been deleted in its entirety and replaced with the following table.

Class	Broad Land Use	Specific Land Use	A	B	C	Disabled Parking		Bicycle Spaces	Motorcycle Spaces	Coaches	
			Space per Gross Floor Area (unless otherwise indicated)			Up to 200 Bays	Over 200 Bays			Minimum Parking	Minimum Drop-Off
A1	Shops	Food Retail	1 per 16sqm	1 per 15sqm	1 per 14sqm	3 bays or 6% of total	4 bays plus 4% of total	1 per 140sqm (min. 2)	1 per 350sqm (min. 2 spaces)	-	-
		Non-Food Retail	1 per 22sqm	1 per 21sqm	1 per 20sqm	3 bays or 6% of total	4 bays plus 4% of total	1 per 200sqm (min.2)	1 per 500sqm (min. 2 spaces)	-	-
		Retail Warehouse	1 per 60sqm	1 per 45sqm	1 per 40sqm	3 bays or 6% of total	4 bays plus 4% of total	1 per 200sqm (min.2)	1 per 500sqm (min. 2 spaces)	-	-
A2	Financial & Profession. Services	Banks, estate agents, Building Societies.	1 per 35sqm	1 per 32sqm	1 per 30sqm	3 bays or 6% of total	4 bays plus 4% of total	1 per 200sqm (min.2)	1 per 500sqm (min. 2 spaces)	-	-
A3	Restaurants & Cafes	Restaurants cafes, snack bars, fast food take-aways	1 per 8sqm of public floor space	1 per 6sqm of public floor space	1 per 5sqm of public floor space	3 bays or 6% of total	4 bays plus 4% of total	1 space per 50sqm (min.2)	1 per 125sqm (min. 2 spaces)	Negotiated on a case-by case basis	Negotiated on a case-by case basis
A4	Drinking Establish' ments	Public Houses, wine bars, other drinking Establish' ments	1 per 8sqm of public floor space	1 per 6sqm of public floor space	1 per 5sqm of public floor space	3 bays or 6% of total	4 bays plus 4% of total	1 space per 50sqm (min.2)	1 per 125sqm (min. 2 spaces)	Negotiated on a case-by case basis	Negotiated on a case-by case basis
B1	Business	Office, Business Parks, Research & Developm't	1 per 40sqm	1 per 32sqm	1 per 30sqm	1 per disabled employee plus 2 spaces or 5% of the total	6 plus 2% of the total capacity	1 per 300sqm (min. 2)	1 per 750sqm (min. 2 spaces)	-	-
		Call Centres	1 per 40sqm (starting point to discuss)	1 per 32sqm (starting point to discuss)	1 per 30sqm (starting point to discuss)	1 per disabled employee plus 2 spaces or 5% of the total	6 plus 2% of the total capacity	1 per 300sqm (min. 2)	1 per 750sqm (min. 2 spaces)	-	-
B2	General Industry	General Industry	1 per 60sqm	1 per 48sqm	1 per 45sqm	1 per disabled employee plus 2 spaces or 5% of the total	6 plus 2% of the total capacity	1 per 300sqm (min. 2)	1 per 750sqm (min. 2 spaces)	-	-
B8	Storage & Distribution	Storage and Distribution	1 per 100sqm	1 per 100sqm	1 per 100sqm	1 per disabled employee plus 2 spaces or 5% of the total	6 plus 2% of the total capacity	1 per 850sqm (min.2)	1 per 2000sqm (min.2 spaces)	-	-
C1	Hotels	Hotels, Boarding & Guest-houses	1 per bed'rm plus staff parking	1 per bed'rm plus staff parking	1 per bed'rm plus staff parking	3 bays or 6% of total	4 bays plus 4% of total	1 per 10 guest rooms (min.2)	1 per 25 guest rooms (min.2)	Negotiated on a case-by-case basis	1 (Hotels Only)
C2	Resident Institutions	Residential Care Homes, Nursing Homes	1 per 4 beds	1 per 5 beds	1 per 5 beds	3 bays or 6% of total	4 bays plus 4% of total	1 per 40 beds (min.2)	1 per 100 beds (min. 2 spaces)	-	-
		Sheltered Acc.	1 per 2 beds	1 per 3 beds	1 per 3 beds	3 bays or 6% of total	4 bays plus 4% of total	1 per 20 beds (min.2)	1 per 50 beds (min. 2 spaces)	-	-
C3	Dwelling Houses	1 Bedroom	1 space	1 space	1 space	Negotiated on a case-by-case	Negotiated on a case-by-case	1 alloc. 1 comm.	-	-	-
		2/3	2 spaces	2 spaces	2 spaces			2 alloc.	-	-	-

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Class	Broad Land Use	Specific Land Use	A	B	C	Disabled Parking		Bicycle Spaces	Motorcycle Spaces	Coaches	
			Space per Gross Floor Area (unless otherwise indicated)			Up to 200 Bays	Over 200 Bays			Minimum Parking	Minimum Drop-Off
		Bedrooms				basis	basis	1 comm.			
		4+ Bedrooms	3 spaces	3 spaces	3 spaces			4 alloc. 2 comm.	-	-	-
D1	Non- Resi. Institutions	Clinics and Health Centres	1 per 2 staff plus 4 per consult'ing room	1 per 2 staff plus 4 per consult'ing room	1 per 2 staff plus 4 per consult'ing room	3 bays or 6% of total	4 bays plus 4% of total	2 per consulting room (min)	1 per 2 consulting rooms (min)	-	-
		Crèches, Day Nursery, Day Centre	1 per member of staff plus 1 drop off space per 10 children	1 per member of staff plus 1 drop off space per 10 children	1 per member of staff plus 1 drop off space per 10 children	3 bays or 6% of total	4 bays plus 4% of total	1 per 5 staff plus 1 per 3 students	1 per 10 staff (min. 2 spaces)	Case by Case based on demand for school buses	-
		Schools (Primary & Secondary)	2 per class'r'm	2 per class'r'm	2 per class'r'm	Case by Case	Case by Case	1 per 5 staff plus 1 per 3 students	1 per 10 staff	Case by Case	1
		Art Galleries Libraries Museum	1 per 40sqm	1 per 25sqm	1 per 20sqm	3 bays or 6% of total	4 bays plus 4% of total	1 per 200sqm (min.2)	1 per 500sqm (min.2)	Case by Case	1
		Halls & Places of Worship	1 per 10sqm	1 per 6sqm	1 per 5sqm	3 bays or 6% of total	4 bays plus 4% of total	1 per 50sqm (min.2)	1 per 125sqm (min.2)	-	-
		Higher & Further Education	1 per 2 staff	1 per 2 staff plus 1 per 15 students	1 per 2 staff plus 1 per 10 students	Case by Case	Case by Case	1 per 5 staff plus 1 per 3 students	1 per 10 staff plus 1 per 10 students	Case by Case	1
D2	Assembly & Leisure	Cinemas, bingo, casino, conference centres, music & concert halls	1 per 10 seats	1 per 6 seats	1 per 5 seats	3 bays or 6% of total	4 bays plus 4% of total	1 per 20 seats (min.2)	1 per 50 seats (min.2 spaces)	Case by Case	1
		General leisure, dance halls (not nightclubs, swimming baths, skating rinks and gyms)	1 per 25sqm	1 per 23sqm	1 per 22sqm	3 bays or 6% of total	4 bays plus 4% of total	1 per 20 seats (min.2)	1 per 50 seats (min.2 spaces)	Case by Case	1
		Theatres	1 per 10 seats	1 per 6 seats	1 per 5 seats	3 bays or 6% of total	4 bays plus 4% of total	1 per 20 seats (min.2)	1 per 50 seats (min.2 spaces)	-	1
		Motor car showrooms	1 per 60sqm internal space	1 per 52sqm internal space	1 per 50sqm internal space	3 bays or 6% of total	4 bays plus 4% of total	1 per 5 staff	Minimum of 2 spaces	-	-
		Petrol Filling Stations	1 space per pump	1 space per pump	1 space per pump	1 space minimum	-	1 per 5 staff	Minimum of 2 spaces	-	-

**Key:**

Area A: Town Centre locations

Area B: Local or Neighbourhood Centres

Area C: All Other Areas

## Appendix D: Criteria for Housing Development for Rural Enterprise Workers

### Background

The council has successfully used Annex A of Planning Policy Statement 7: Sustainable Development in Rural Areas to determine the criteria for housing development for use by rural enterprise workers. In the absence of new guidance from Central Government following the publication of the NPPF the council will continue to use these criteria.

### Introduction

Appendix D provides guidance to applicants on Policy DM43 relating to proposals involving residential accommodation for rural land-based workers, in particular agricultural and forestry workers.

The majority of residential planning applications received by Lancaster City Council propose new homes in locations identified as suitable for housing by the adopted development plan. However, with rural enterprises, any dwelling likely to be sought for use in connection with such an enterprise is likely to be in a rural setting, therefore outside areas allocated for housing. The National Planning Policy Framework seeks to promote sustainable development in rural areas, however requires local planning authorities to avoid new isolated homes in the countryside unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside.

The council acknowledges the needs of rural enterprises and will be supportive of those enterprises that have genuine requirements. In order for the council to establish whether the requirement is genuine, then a rigorous process is applied to proposals for occupational dwellings. This is required to ensure that only necessary development takes place and is concentrated on appropriate enterprises that meet the established criteria.

### Occupational Dwellings

In most cases occupational dwellings will be for occupation by agricultural workers. However in some instances there may be justification for dwellings to be occupied by forestry workers where the enterprise requires the intensive nursery production of trees.

In addition, there may also be other rural enterprises where occupational dwellings are required and Lancaster City Council will consider proposals on a case by case basis. In such cases, the enterprise, including any development necessary for its operation, must be considered against the same rigorous policy tests set out within Policy DM43 and satisfy all other relevant Local Plan policy.

The council will not support proposals for occupational dwellings that are unusually large in relation to the needs of the unit, or unusually expensive to construct in relation to the income it can sustain in the long term. It is the functional need rather than the requirements of the owner or occupier that are relevant in determining the size of dwelling and its curtilage.

Policy Test A: Establishing a Functional Need

A functional test is necessary to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times. Such a requirement might arise, for example, if workers are needed to be on hand day and night:

- (i) In case animals or agricultural processes require essential care at short notice; and
- (ii) To deal quickly with emergencies that could otherwise cause serious loss of crops and products, for example by frost damage or the failure of automatic systems.

In cases where the local planning authority is particularly concerned about possible abuse, it should investigate the history of the holding to establish the recent pattern of use of land and buildings and whether, for example, any dwellings or buildings suitable of conversion to dwellings have recently been sold separately from the farmland concerned. Such a sale could constitute evidence of a lack of agricultural need.

The protection of livestock from theft or injury by intruders may contribute to animal welfare grounds to the need for an agricultural dwelling, although it will not by itself be sufficient to justify one. Requirements arising from food processing and food production, as opposed to agriculture, cannot be used to justify an agricultural dwelling. Nor can agricultural needs justify the provision of isolated new dwellings as retirement homes for farmers.

Policy Test B: Financial Soundness

If a functional requirement is established it will then be necessary to consider the number of workers needed to meet it, for which the scale and nature of the enterprise will be relevant.

New permanent accommodation cannot be justified on agricultural grounds unless the farming enterprise is economically viable. A financial test is necessary for this purpose, and to provide evidence of the size of dwelling which the unit can sustain. In applying this test the council will take a realistic approach to profitability, taking account of the nature of the enterprise concerned. Some enterprises which aim to operate broadly on a subsistence basis, but which nonetheless provide wider benefits (e.g. managing attractive landscapes or wildlife habitats), can be sustained on relatively low financial returns.

Agricultural dwellings should be of a size commensurate with the established functional requirement. Dwellings that are unusually large in relation to the agricultural needs of the unit, or unusually expensive to construct in relation to the income it can sustain in the long-term, will not be permitted. It is the requirements of the enterprise, rather than those of the owner, that are relevant in determining the size of the dwelling that is appropriate to the particular holding.

Occupancy Conditions

Where planning permission is granted, residential accommodation for agricultural and forestry workers will be subject to the following planning conditions:

1. Occupancy will be limited to agricultural and forestry workers only;
2. The removal of specific permitted development rights for development within the curtilage of the dwelling under Part 1 of the Town and Country Planning (General Permitted Development) Order 1995.

Occupancy conditions relating to a main farm building or equivalent will not be removed to allow the occupants to relocate to a new agricultural workers dwelling or equivalent.

The council recognises that changes in the scale and character of agricultural / forestry practices over time may effect the longer-term requirement for occupational dwellings for which permission has been granted subject to an occupancy condition. Therefore such dwellings with occupancy conditions attached should not be kept vacant, nor should their present occupants be unnecessarily obliged to remain in occupation simply by virtue of planning conditions restricting occupancy with have outlived their usefulness. However, where there remains a local demand for agricultural / rural dwellings the LPA would seek to retain the occupational dwelling.

The removal of an occupancy condition will only be permitted in exceptional circumstances providing that:

1. The applicant can demonstrate there is no longer a long-term need for the occupational dwelling on the particular enterprise on which the dwelling is located; and
2. The applicant can demonstrate that the occupational dwelling has been marketed at a realistic price which takes account of planning conditions, has been marketed within the appropriate media over a period of at least 12 months and that no reasonable offer has been refused, so to demonstrate that there is no demand for the dwelling in the area.

The removal of occupancy conditions will also be subject to the provisions of Policy DM41 of the Development Management DPD.



## Appendix E: Purpose Built and Converted Student Accommodation

These criteria have been prepared to ensure that appropriate standards are adopted for all new shared accommodation and are applicable to both new build and conversions.

The minimum space standards set out below will be applied as appropriate, with some areas excluded from the calculations (e.g. areas with limited headroom, alcoves etc).

Each unit of accommodation shall normally compromise no more than six bedrooms.

### **Bedrooms:**

Bedrooms must be a minimum of 9sqm without an en-suite, or minimum of 11sqm with an en-suite.

All bedrooms must demonstrate on plan that the following can be accommodated:

- Bed (minimum size 2m by 0.9m);
- Desk and chair;
- Wardrobe;
- Chest of drawers (minimum 0.8m wide); and
- Adequate circulation space.

Bedrooms should accommodate no more than one resident. If the proposal is for accommodation to serve a couple (i.e. postgraduate couple) the minimum space standards for a single bedroom would not apply as additional space would be required. Such bedrooms must demonstrate on plan that the following can be accommodated:

- Double bed (minimum size of 2m by 1.5m);
- En-suite (minimum 2sqm);
- 2 desks with a chair each;
- 2 Wardrobes;
- 2 Chests of drawers (each with a minimum width of 0.8m);
- Small sitting area for 2 people incorporating 2 'easy' chairs; and
- Adequate circulation space.

### **Kitchens:**

Kitchens must be a minimum of 22.4sqm with a dining area, or minimum 12.8sqm without a dining area.

All kitchens must demonstrate on plan that the following can be accommodated:

- Sink;
- Cooker with oven, grill, four hobs and extractor;
- Full height fridge/freezer – one for every three residents;
- Two cupboards per resident (minimum 0.6m wide); and
- Adequate work surface for the number of residents.

All dining areas must demonstrate on plan that the following can be accommodated:

- Dining table of an adequate size to accommodate all residents at one sitting; and
- Chairs (one per resident).

Kitchens and kitchen / diners must not serve more than six residents. A dining area must be provided in each unit of accommodation. If the kitchen and dining areas are to be separate rooms, they should be situated on the same floor as each other (i.e. not separated by changes in levels), and the dining area must be at least 12.8sqm in area.

If a separate living area is to be provided in addition to the kitchen and dining areas, or as part of these areas, then appropriate space standards should be applied (i.e. if separate, it should be demonstrated that appropriate levels of comfortable seating can be provided to accommodate all residents at one time, if combined then the minimum standards set out above should be increased accordingly). Maximum standards may be applied if considered appropriate to reduce the risk of anti-social behaviour.

#### **Bathrooms:**

Bathrooms must be a minimum of 3.7sqm.

All bathrooms must demonstrate on plan that the following can be accommodated:

- Bath and/or shower;
- WC;
- Wash hand basin (should be of an adequate size for personal hygiene purposes including personal washing, cleaning of teeth and shaving);
- Circulation space to allow for changing; and
- Hanging / temporary storage facilities for towels, clothes and toiletries.

There must be at least one bathroom for every three bedrooms. Where possible, a bathroom should be provided on each floor where a bedroom is proposed /exists. Each bathroom must be accessible from a common area (i.e. corridor or hall) and should be served by an obscure glazed window.

#### **Amenity:**

All living spaces (kitchens, kitchen/diners, dining rooms and bedrooms) must have an adequate level of natural light and adequate outlook (i.e. clear glazed windows set a head height with an unobstructed view of at least 12m (at least 21m if facing windows serving a habitable room).

Therefore it is very unlikely that living spaces within basements or lower ground floors will be supported.

**Other Issues:**

***Cycle Storage***

Cycle storage should be easily accessible from the street (i.e. if steps/stairs form part of the access they should be easy to negotiate) and ideally should be an integral part of the building. If no rooms are available within the building that meets these requirements then a secured and fully covered storage facility must be provided within a secured external area within the curtilage of the building without having an adverse impact on the streetscene). One cycle space should be provided per resident.

***Refuse Storage***

Provision must be made for refuse storage containers to be located on an area of external hardstanding with suitable access from the internal space and to the street, without having an adverse impact on the streetscene (i.e. discreetly screened). Where no external space is available within the building's curtilage the provision should be made within the building, subject to meeting fire and building regulations and again easy access can be provided to the street for refuse collections (i.e. if steps/stairs form part of the access they should be easy to negotiate).

***Access and Security***

Future residents should feel safe accessing the building and feel safe when residing within it. Therefore access to each self-contained unit should be via a single front door into a common area (i.e. a corridor or hall). All main access points from the street must be secured with appropriate levels of security including lighting, natural surveillance, locks and potentially CCTV.

***Property Management***

Appropriate management will be required of the buildings to ensure security is maintained, common areas (especially external areas) are kept in a tidy condition, refuse is regularly collected with bins being returned to their store, and noise levels (especially at night) is appropriately regulated.

## Appendix F: Flat Conversions

The council will resist the conversion of flats of smaller detached or semi-detached suburban properties which are suitable for single family occupation. The following standards will be applied to proposals for the conversion of larger properties to residential flats.

### Internal Standards

All flats must be fully self-contained with their own kitchen, bathroom and toilet.

Rooms within flats must be of adequate size for the purpose proposed. The submission of drawing indicating sample furniture layouts may be required in some instances. Suggesting minimum room sizes are as follows:

<b>Room Function</b>	<b>Sqm</b>	<b>Sq.ft</b>
Lounge	<b>11.1sqm</b>	<b>120sqft</b>
Main Bedroom	<b>10.2sqm</b>	<b>110sqft</b>
Second Bedroom	<b>4.7sqm</b>	<b>50sqft</b>
Kitchen	<b>5.6sqm</b>	<b>60sqft</b>
Bathroom	<b>3.7sqm</b>	<b>40sqft</b>

Where living rooms and kitchens are combined, the room size required will be the total of the sizes set out above for each room. Combined bedrooms and kitchen / living rooms will not be acceptable. Natural daylight is required to kitchen areas.

Internal circulation within flats must provide a maximum degree of convenience and safety for occupiers. The inability of property to provide a suitability convenient form of conversion may constitute a reason for refusal of planning permission.

The principal rooms of each flat should have an acceptable outlook. The provision of flats with living rooms whose only outlook is over rear yards or with no view at all is unlikely to be acceptable.

The conversion of any property must be designed to achieve the minimum loss of privacy and amenity for neighbouring residents.

### External Standards

In general it is preferable that conversions should be carried out within the existing shell of a building. However, small extensions and alterations will be permitted where these can integrate with the character of the existing building and its surroundings, where the amenities of the adjoining residents are not impaired.

A minimum external amenity / drying area of 9.3sqm (100sqft) should be provided for all conversions. The proposed area should be functional in shape and reasonably accessible for the occupant of all units. A condition will be imposed requiring these facilities to be available for all occupants at all times. In mid-terrace situations, developers should consider the use of basements for rear access, additional storage space, laundry etc.

Bin storage areas shall be provided for the occupants of all units. In exceptional circumstances provision may be made at the front of the premises subject to adequate space being available and the provision of satisfactorily designed containers.

Basement Flats

Basements are generally considered to be unacceptable for the creation of flats for permanent residential occupation as they have a poor outlook, inadequate natural daylight and can be subject to flooding. There may of course be exceptions where the levels and amount of ground around the property make a basement suitable for conversion and these cases will be dealt with on their merits. The attention of developers is drawn to the comments above regarding the alternative uses of basements in flat conversion proposals.

Noise Transmission

All conversions must minimise noise transmission to adjoining properties and other floors by the design of the internal layout and physical insulation measures where these are practicable. Particular regard will be paid to the juxtaposition of living rooms and bedrooms both vertically and horizontally.

Conditions will be imposed requiring noise insulation measures where appropriate.

Where a proposal is likely to result in significant noise transmission to adjoining occupants or is likely to be detrimental to their amenities may constitute a reason for refusal of planning permission.

Car Parking

Car parking will be required in accordance with the council's current standards contained within Policy DM22 and Appendix C of this DPD.

Where all other factors are favourable, the lack of car parking will not itself constitute a justification for the refusal of planning permission. There may, however, be areas where the existing problem of on-street car parking and resultant congestion may lead to the refusal of planning permission.

A condition will be imposed requirement the car parking spaces to be available for all occupants at all times.

Fire Escapes

External fire escapes can be unsightly and often interfere with the outlook and privacy of residents. Whilst it is important that all flat conversions meet appropriate fire precautions, wherever possible the City Council will encourage alternative means of escape such as internal lobby doors or emergency doors in party walls.

## Appendix G: Studio Accommodation

Proposals for studios accommodation must be a minimum of 19sqm with an en-suite (for single person occupancy).

All studios must demonstrate on plan that the following can be accommodated:

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

Some spaces should be excluded from floor area calculations, such as areas with limited headroom, alcoves, corridors etc.

Studios designed for two people sharing must demonstrate on plan that the following can be accommodated:

- Double bed (minimum size of 2m by 1.5m)
- 2 desks with a chair each
- 2 wardrobes
- 2 chests of drawers (minimum width of 0.8m)
- Kitchenette, incorporating an oven, hob, sink, fridge, 4 cupboards (or equivalent) and adequate work surface
- Dining surface for 2 people with seats/stalls
- Seating area incorporating 2 'easy' chairs
- Adequate circulation space
- En-suite with toilet, adequately sized wash basin, shower, circulation space for changing and hanging space for clothes, towels etc.

Studios should be set out in such a manner that the space has separate 'zones'. This is to prevent living and sleeping arrangements being inappropriately combined to the detriment of the occupier (for example beds should not be placed in close proximity to kitchenettes).