

Agenda Item A7	Committee Date 21 September 2015	Application Numbers 15/00854/VCN
Application(s) Site Laund Fields Stoney Lane Galgate Lancaster	Proposals Outline application for residential development of up to 50 dwellings (pursuant to the variation of conditions 5 and 19 and removal of condition 11 on outline planning permission 12/00834/OUT to alter the extent and timing of the off-site highway works, to refer and adhere to the most up to date ecology appraisal and to remove the requirement for the dwellings to comply with level 3 of the Code for Sustainable Homes)	
Name of Applicant Persimmon Homes Lancashire	Name of Agent None	
Decision Target Date 8 October 2015	Reason For Delay N/A	
Case Officer	Mr Daniel Hewitt	
Departure	N/A	
Summary of Recommendations	Grant planning permissions subject to revised conditions	

1.0 The Site and its Surroundings

- 1.1 These applications relate to a 1.75ha site located in Galgate but within the designated Countryside Area. The land sits tightly behind existing buildings fronting Main Street and Stoney Lane but extends beyond existing buildings in the village towards Skew Bridge, and eastward covering open land previously used as a touring caravan site. Agricultural land adjoins the site to the east with the West Coast Mainline embankment forming the south western boundary.
- 1.2 The built form along Main Road immediately adjacent to the application site consists mainly of two-storey, stone under slate terraced properties with significant back gardens. Closer to the crossroad junction there are a number of commercial uses (e.g. convenience shop, hairdressers, salon and public house) which essentially form the local centre. The built form on the south side of Stoney Lane consists of slightly larger two-storey, stone under slate buildings including the former Ellel Institute, a pair of stone built semi-detached cottages and a detached stone built property. These properties are level with the carriageway and occupy a slightly lower ground level than the application site. There is also a large garage and MOT Centre on this side of Stoney Lane.
- 1.3 Development has commenced on site but previously included a mix of greenfield and previously developed land consisting of agricultural land and associated storage buildings, a former motor repair garage, and a licensed caravan site with amenity block in connection with residential property at Laund Field. The land levels rise quite steeply in the south eastern part of the site.
- 1.4 The site is currently served by two vehicular access points to the local highway network. One access point is via the driveway onto Stoney Lane which serves the existing dwellinghouse and caravan site. The second access point is a hard surfaced single track field access off the A6 approximately 50m north of Skew Bridge, adjacent to the existing row of terraced cottages on Main Road. This was the formal access to the former motor repair garage. The closest bus stops are located on the A6, with northbound stops at The Plough and north of the cross-road junction and southbound stops at the crossroads (outside Spar) and at The Plough. The strategic cycle network (National Cycle Route 6) passes through the village on Stoney Lane and provides good cycle links to the University and

Lancaster City beyond.

- 1.5 Other than the Countryside designation, the site is not subject to any other allocation/designation in the saved Local Plan. Notwithstanding this, it should be noted that the site lies close to and partially within the Galgate Air Quality Management Area (AQMA) and sits adjacent to Flood Zones 2 and 3.

2.0 The Proposal

- 2.1 These applications seek approval of variations to the planning conditions imposed on extant outline planning permission reference 12/00834/OUT and reserved matters consent reference 14/01105/REM.
- 2.2 It should be noted from the outset that an approval of reserved matters does not in itself constitute a legal 'planning permission'. Rather, it is an approval of details much like an approval of details required by a planning condition. The applicant therefore could have dealt with all proposed changes with a single application, but chose not to. Should Members approve both applications then two identical, stand-alone planning permissions would be issued. Though procedurally unusual, this will have no bearing on outcomes or the quality of the development.
- 2.3 In summary, the development comprises 50 two-storey dwellinghouses made up of a mix of 2, 3 and 4 bedroom units. 15 units are affordable homes in accordance with the requirements of the legal agreement (see below). The breakdown of house types is as follows:
- 22 x 2-bed units (of which 13 are affordable)
 - 14 x 3-bed units (of which 2 are affordable)
 - 14 x 4-bed units

The development also includes an on-site, 19 space community car park to offset the loss of existing on-street car parking opportunities arising from the need to introduce parking restrictions on Main Road in the new site access road visibility splays. A footpath and cycle link is also proposed from the site to Stoney Lane.

- 2.4 Application ref: 15/00854/VCN seeks to vary or remove the following three conditions on the outline consent:

Condition 5 – Off site highway works (variation sought)

No development shall commence until a scheme for off-site highway works comprising the following has been submitted to and agreed in writing by the local planning authority in consultation with the highway authority:

- (a) Details of a scheme to limit vehicle parking on the carriageway (both sides) along Main Road in the vicinity of the site (Skew Bridge to the point at which the existing road is restricted just before the crossroad junction);*
- (b) A scheme for the installation of street furniture to prevent parking on the footways within the visibility splays identified in the approved Transport Statement (Figure TS9).*
- (c) Upgrades of the 2 existing nearby bus stops northbound and southbound on Main Road to Quality Bus Stop Standards.*
- (d) A scheme for the provision of convenient and continuous on-site parking for residents of Main Road affected by the works required under (b) until formal parking provision is provided pursuant to condition 10.*

The scheme for off-site highway works shall also include a phasing programme for the implementation of such works. In particular, the implementation of (b) and (d) must be provided in full prior to the first use of the new vehicular access pursuant to condition 4 of this permission. The development shall be carried out in accordance with the agreed detail, unless otherwise agreed in writing with the local planning authority.

Reason: In the interests of highway safety and to encourage better use of public transport.

Condition 11 – Code for Sustainable Homes Level 3 (removal sought)

The dwellings hereby approved shall be designed and constructed to meet the standards set out in Level 3 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.

Reason: To secure a sustainable form of development.

Condition 19 – Ecology (variation sought)

The development shall be carried out in accordance with the submitted Ecological Appraisal (Environtech,

August 2012). In particular no development shall commence until a precise scheme for appropriate mitigation (as suggested in the Ecological Appraisal) together with phasing programme to maintain and enhance biodiversity, has been submitted to and agreed in writing with the local planning authority. The approved mitigation measures shall be fully implemented in accordance with the agreed phasing programme, by a competent and qualified, professional person to protect the habitat of protected species, including bats. These measures shall be retained within the development at all times thereafter.

Reason: To ensure that adequate provision is made for these protected species.

2.5 Application ref: 15/00855/VCN seeks to vary the following condition on the reserved matters consent:

Condition 4 – Detailed design matters (variation sought)

No development shall commence until precise details of the windows, doors, porches and conservatories have been submitted to, and approved in writing by, the local planning authority. This detail shall include details of the external window/door reveals, which shall not be less than 70mm, the profile, colour and finish of the window/door casements, heads and cills and the conservatory frame profiles and colour. The development shall then be constructed in accordance with the approved details.

Reason: So that the local planning authority shall be satisfied as to the details.

2.6 A detailed assessment of the variations sought are dealt with in turn in the comment and analysis section of the report below.

3.0 Site History

3.1 Members will recall that outline planning permission for the development was originally granted in December 2013 followed by an approval of reserved matters in March 2015. Both decisions were made by the Planning and Highways Regulatory Committee. Further applications have been submitted for a temporary sales cabin, associated advertisements and the discharge of planning conditions.

Application Number	Proposal	Decision
12/00834/OUT	Outline application for residential development of up to 50 dwellings	Planning permission granted 19/12/13 subject to legal agreement and 21 conditions
14/01105/REM	Reserved Matters application for 50 dwellings and associated roads and landscaping	Details approved 09/03/15 subject to an additional 13 conditions
14/01349/ADV	Advertisement application for the display of one non-illuminated panel board sign and four flagpoles and flags	Refused 10/07/15
15/00099/DIS	Discharge of conditions 4, 5, 8, 9, 12, 13a, 13b, 19, 20 and 21 on planning permission 12/00834/OUT	Initial response sent 26/08/15
15/00100/DIS	Discharge of conditions 3, 4, 5, 9 and 10 on planning permission 14/01105/REM	Initial response sent 26/08/15
15/00891/FUL	Siting of a temporary sales cabin with associated parking	Under consideration

4.0 Consultation Responses

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

Consultee	Response
Network Rail	No further comments to add to those already made to the original application.

Local Highway Authority (Lancashire County Council)	<p>No objection to the variation of condition 5 (off-site highway works) including the removal of the requirement to provide interim parking provision for residents affected by the proposed parking restrictions in the access visibility splay, providing alternative provision in the form of the on-site Community Car Park is completed and made available for use prior to first occupation of the new dwellings and prior to the introduction of parking restrictions.</p> <p>They also confirm they have no objection to the proposed detailed design of the new junction, the proposed parking restrictions and the proposed enhancements to the nearby bus stops.</p> <p>Finally, they stress the need to ensure that adequate access and egress measures are implemented during construction in the interests of highway safety. This has since been achieved by amendments to the proposed Construction and Traffic Management Plan to incorporate the use of banksmen at the site access which they also support (application ref: 15/00100/DIS).</p>
Environmental Health	<p>State that they would not agree to a relaxation in sustainability standards if this would impact on local air quality given the proximity of the site to the designated Air Quality Management Area in Galgate (A6 corridor).</p> <p>They also recommend that an informative is added to any consent highlighting the fact that the development is in a Radon Affected Area and mitigation measures will be required to protect residents of the new homes.</p>
Ellel Parish Council	<p>No response received to date.</p>

5.0 Neighbour Representations

5.1 One neighbour objection to application ref: 15/00854/VCN has been received from a resident of 79 Main Road - approximately 70 metres to the north of the application site. Their home would be affected by the proposed parking restrictions on Main Road and as a result they would be largely reliant on car parking provided in the 19 space on-site community car park.

Their objection is summarised as follows:

- Highway safety concerns regarding use of the new site access prior to the introduction of parking restrictions in the site access visibility splay given interim parking provision for residents of Main Road is not now proposed.
- Their family live in a large house directly fronting Main Road that does not benefit from a private driveway. They are a multi-car household (six adults using three cars) and are currently reliant on being able to park on-street on Main Road. They still have not had any confirmation about the allocation of spaces in the proposed community car park but feel they should be allocated at least two spaces given the size of their home is far larger than neighbouring homes also affected.
- They have spoken to the developer to seek clarity on the ongoing management and allocation of spaces in the community car park but remain frustrated that their questions remain unanswered almost three years since the application for outline planning permission was submitted.
- They request that no conditions are discharged that relate to the matters raised.

5.2 Officer responses to the issues raised are provided in the main body of the report.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)
 Paragraphs 7, 12, 14, 17 - Sustainable development and core principles
 Paragraph 32 and 34 – Transport considerations
 Paragraphs 47 to 55 - Housing
 Paragraphs 56, 57, 58, 60, 61 and 64 – Design
 Paragraph 69 – Promoting healthy communities (place making)

Paragraph 94 to 96 - Meeting the challenge of climate change
Paragraphs 109 and 117 to 119 – Conserving the natural environment

6.2 Lancaster District Development Management DPD (DM DPD)
Policy DM20 – Enhancing Accessibility and Transport Linkages
Policy DM21 – Walking and Cycling
Policy DM22 - Vehicle Parking Provision
Policy DM27 – The Protection and Enhancement of Biodiversity
Policy DM28 – Development and Landscape Impact
Policy DM29 – Protection of Trees, hedgerows and Woodland
Policy DM35 – Key Design Principles
Policy DM36 – Sustainable Design
Policy DM37 – Air Quality Management and Pollution

6.3 Lancaster District Local Plan (saved)
Policy E4 – Countryside Area

Lancaster District Core Strategy
SC1 – Sustainable Development

6.4 Supplementary Planning Guidance (SPG)
SPG – Meeting Housing Needs

6.5 Other Material Considerations
National Planning Practice Guidance

7.0 Comment and Analysis

7.1 Given these applications are for minor material amendments to an extant planning permission, the only issues of relevance are the proposed amendments themselves and their compliance with development plan policies and other material planning considerations. An assessment of each proposed change and its compliance with current planning policy is set out in turn below.

7.2 Outline planning consent condition 5 – off site highway works
The applicant is seeking to vary this relatively complex condition that requires the developer to:

- submit a scheme to prevent on-street parking in the visibility splay of the new estate road's junction with Main Road;
- install street furniture to physically prevent parking in the same visibility splay;
- fund upgrades to two existing bus stops in the village centre to Quality Bus Stop standards; and
- provide existing Main Road residents affected by the parking restrictions with convenient and continuous parking facilities until permanent on-site provision is made available in the form of the on-site, 19 space community car park secured by other conditions.

7.3 The applicant argues that this condition is unduly onerous and prescriptive for the following reasons:

- the local highway authority, despite originally requesting such a condition, now believes that the installation of physical interventions such as bollards may not be necessary assuming the now proposed double yellow line Traffic Regulation Order(s) (TRO) prove effective;
- due to the overall lack of alternative and available on-street parking in this part of Galgate, the provision of alternative interim parking provision either relies on the use of third party land that the applicant has no power of control over or land on the construction site itself which is problematic in terms of conflict with the build programme and construction site health and safety requirements; and
- the same outcomes can be achieved in a way that is more readily deliverable without compromising highway safety.

7.4 Following detailed discussions with the local highway authority, an alternative approach imposing the following sequential obligations within a revised condition has been agreed with the applicant:

1. The approved access from Main Road and community car park (details already approved) shall be completed in full and made available for use prior to the first occupation of any new dwelling on the site and prior to the introduction of any additional parking restrictions on Main Road required by (2) below.
2. The proposed double yellow lines TRO(s) shall be installed and enforceable prior to the first occupation of any dwelling hereby approved unless a decision not to confirm the necessary TRO(s) has been made in which case bollards or other physical interventions to prevent parking in the junction visibility splay shall be submitted to and agreed in writing by the local planning authority (in consultation with the local highway authority) and implemented in full prior to the first occupation of any new dwelling on the site.
3. The cycle link and any associated signage must be provided in full prior to the practical completion of the dwellinghouses hereby approved and retained at all times thereafter.
4. In addition to (2) above and notwithstanding the introduction of any TRO(s), if parking problems in the visibility splay persist then the local highway authority retains the right to require the developer to provide bollards or other physical parking barriers if they formally request this additional intervention in writing within six months of the first occupation of any new dwelling on the site.
5. The proposed upgrades to the two existing bus stops submitted and approved under condition 5 of planning permission reference 12/00834/OUT shall be implemented in full and in full accordance with a timetable to be submitted and approved by the local planning authority prior to first occupation of any dwelling hereby approved.

7.5 This alternative, phased solution to these site specific constraints secures the same outcomes and safeguards for residents and the applicant alike without compromising highway safety. It also offers the following clear advantages:

- It ensures existing residents are not inconvenienced through the loss of on-street parking spaces in front of their homes, most of which do not have access to private driveways, without alternative off-street provision in the form of the 19 space community car park being available;
- It doesn't clutter the public realm or impose unnecessary liabilities on the local highway authority in the form of the maintenance of bollards or other similar physical interventions that may not be necessary if double yellow lines prove to be an effective deterrent;
- It doesn't require the developer to provide alternative, temporary provision as the community car park will be complete and made available for use prior to the introduction of any parking restrictions on Main Road.

7.6 In order to safely manage access and egress for construction traffic onto the site prior to the installation of the TRO(s) and/or physical barriers in the visibility splay the applicant has committed to the use of banksmen at the site access during construction. This is a solution the local highway authority supports and is secured by a revised and retained Construction Traffic Management Plan condition.

7.7 An objection to any proposed changes or discharge of highways related conditions has been received from a local resident directly affected by the proposed new access and associated parking restrictions (see above).

7.8 Firstly, they are concerned that construction traffic will be accessing and egressing the application site prior to the implementation of parking restrictions in the visibility splays. As explained in paragraph 7.6 above, the applicant has committed to the use of banksmen at the site access during construction.

7.9 Secondly, they are concerned about the loss of on-street parking availability outside their house and the allocation of spaces in the community car park. They argue they are a multi-car household living in an unusually large family house with no off-street parking facilities and are concerned that the car parking spaces in the community car park will not meet the household's needs. They are also concerned that spaces have not yet been allocated despite work commencing on site.

7.10 Conditions on the extant planning permission require the 19 space community car park (based on the 19 dwellings directly affected by the introduction of parking restrictions in the site access visibility splay) to be complete and made available for use prior to first occupation of the new dwellings or prior to the introduction of new parking restrictions on Main Road. In addition, the Section 106 legal

agreement obliges the developer to establish a management strategy and company to govern and manage the community car park for a period of 25 years to the satisfaction of the local planning authority and secures a contribution of £49,500 to fund that company. The formal approval of the community car park management strategy and payment of the contribution should have been completed prior to commencement of development on site but to date neither obligations have been honoured. This shortcoming has been taken up with the applicant who has confirmed they have approached Ellel Parish Council to see if they would be willing to take on the management of the car park and are awaiting their response, whilst an invoice has been sent to the applicant for the outstanding commuted sums. Officers are satisfied that the applicant is currently trying to actively engage the Parish Council in the management of the car park. The situation will however be carefully monitored and enforcement action considered (Members will recall that the site has been the subject of separate, formal enforcement intervention recently – see Paragraph 7.18) if a management strategy is not submitted shortly, given development has commenced on site.

- 7.11 The objector has discussed matters with the applicant directly and we understand dialogue is ongoing but they remain frustrated with the ongoing uncertainty about the management and allocation of spaces in the Community Car Park. Whilst we understand the objector's frustration, officers are of the opinion that the proposed amendments will secure the same outcome as the extant planning permission whilst assisting with the delivery of much needed new housing in the District so approval is recommended accordingly. It is not considered necessary or reasonable to require the developer to provide more than 19 spaces in the Community Car Park (one space per household affected by the proposed new on-street parking restrictions) to meet the objector's request for additional parking spaces especially as sustainable alternatives to the private car are readily available in this location. It should also be recognised that the objector may be able to secure access to additional parking spaces in the Community Car Park or indeed elsewhere in the village should other households not require them.
- 7.12 In conclusion, it is recommended that condition 5 be revised in accordance with paragraph 7.4 of this report. Officers will however carefully monitor and manage compliance with the planning obligation relating to the management of the Community Car Park and initiate enforcement action to remedy any breach should it be necessary.
- 7.13 Outline planning consent condition 11 – Code for Sustainable Homes Level 3 (removal sought)
- The applicant is seeking the removal of this condition which requires the development to be built to Code for Sustainable Homes Level 3 standards on the grounds that it no longer accords with government policy. Officers agree that the condition is no longer necessary as the Code for Sustainable Homes was formally withdrawn by the Government in a Written Ministerial Statement made on 25 March 2015 following its review of technical standards for new housing. It can therefore no longer be considered a 'nationally described standard'.
- 7.14 Paragraph 95 of the NPPF is clear that *"local planning should...when settings standards for a building's sustainability, do so in a way consistent with the Government's zero carbon buildings policy and adopt nationally described standards"*. This approach is echoed in Policy DM36 which encourages applicants to implement 'nationally described standards' to achieve sustainable design. Although Policy DM36 specifically references the Code for Sustainable Homes this development plan policy was adopted before the Code was withdrawn. Indeed, new developments are only able to secure final code certification, as required by the condition, in limited circumstances (legacy cases) and not if developers have sought to remove any condition requiring their developments to achieve a particular code level standard following the code's formal withdrawal.
- 7.15 Despite this changing context, members should be aware that Code Level 3 energy performance standards have been integrated into mandatory Building Regulations so energy efficiency standards will not be unduly compromised if the condition is removed. It should also be noted that the applicant is not seeking to vary condition 12 of the extant outline permission which will deliver at least 10% of the development's energy requirements from the provision of on-site micro renewables in the form of rooftop photovoltaic panels.
- 7.16 The comments from Environmental Health are noted but officers are satisfied that the proposed removal of the condition will not significantly impact local air quality given the air quality assessment submitted in support of the original application for outline planning permission concluded that the development's impact local air quality would be imperceptible. Members will recall that the same conclusion was reached in the air quality assessment submitted and assessed under application ref:

15/00080/FUL for the erection of an additional 71 dwellings on a nearby site off Stoney Lane for which planning permission was very recently granted. Finally, it should be recognised that the development will result in the planting of 59 trees and numerous other shrubs, hedges and plants which will help to absorb air pollutants, including nitrogen oxide, which is considered adequate mitigation given the negligible or imperceptible impact identified.

7.17 Given the above it is recommended that condition 11 of the outline consent be removed.

7.18 Outline planning consent condition 19 – ecology (variation sought)

The applicant is seeking the formal variation of this condition to require ongoing compliance with the revised Ecological Appraisal submitted by them in support of their application for the approval of reserved matters in 2014. The condition currently requires compliance with an earlier Ecological Appraisal, dated August 2012, submitted in support of the outline planning application by the previous landowner. That report highlighted the presence of a transitional bat roost in one of the storage buildings on the site and clearly set out the need for a European Protected Species (EPS) licence prior to the demolition of the building. The building has been demolished and Natural England have confirmed that no EPS licence was sought or granted. The applicant has stated that this took place before they took ownership of the site. Similarly, a further breach of the current condition occurred when a hedge, although identified for removal in the long term, was felled whilst supporting active bird nests. Both the unlicensed loss of the transitional bat roost and the damage caused to active bird nests constitute offences under the Wildlife and Countryside Act 1981. Local Authority Officers have provided detailed reports of both incidents to the Lancashire Constabulary who are now carrying out their own investigations. Given the breaches are now being addressed through the appropriate channels, Officers have no objection to the proposed revisions to the planning condition and recommend approval accordingly.

7.19 Reserved matters consent condition 4 – detailed design matters (variation sought)

The applicant is seeking the formal variation of this condition to allow external window and door reveals to be provided with a 50mm depth rather than a 70mm depth currently required. The applicant has stated that they cannot provide 70mm reveals without undertaking a fundamental redesign of the house types proposed which have been developed to comply with thermal insulation requirements embodied in the building regulations (see Paragraph 7.14). Given the minimal nature of the proposed change, the fact that the development is set back from the primary Main Road street frontage, is not within a conservation area and will not affect the setting of any heritage assets officers are satisfied that the proposed change will not unduly affect the character and appearance of the area and recommend approval accordingly.

7.20 Finally, given approval would result in the grant of new stand-alone planning permissions and a number of other planning conditions have already been addressed through the submission of applications seeking of approval of details required by condition (see above), officers have undertaken a thorough review of all conditions and have updated the recommendations accordingly to reflect progress made and to ensure all conditions remain necessary, reasonable and relevant.

8.0 Planning Obligations

8.1 A Section 106 legal agreement was entered into alongside the grant of outline planning permission in 2013. That agreement remains unaffected by decisions on applications to remove or vary planning conditions submitted under Section 73 of the Town and Country Planning Act 1990 such as these. The existing legal agreement would therefore remain in force should these applications be approved.

8.2 The legal agreement secures the following:

- Community Car Park Management Strategy and a contribution of £49,500 to fund the ongoing maintenance and management of the on-site community car park;
- Play Area contribution of £21,250 to fund the maintenance, upgrade and improvements to the Beech Avenue play area in Galgate; and,
- On-site affordable housing provision comprising 30% of units (50% social rented and 50% intermediate ownership)

9.0 Conclusions

- 9.1 For the reasons detailed in this report, officers have no objection to the proposed revisions to conditions attached to the extant planning permission for this major housing development and recommend approval accordingly. Officers have undertaken a full review of all current planning conditions and have updated other conditions, where appropriate, to reflect progress made to date on detailed matters whilst ensuring the quality of the development is not eroded.

Recommendation

That planning permissions **BE GRANTED** subject to the following revised conditions:

1. Approved plans **REVISED**
2. Community Car Park provision, parking restrictions and improvements to bus stops on Main Road (A6) **REVISED**
3. Visibility splay restrictions – new planting and development **RETAINED**
4. Construction and Traffic Management Plan **REVISED**
5. Ongoing retention of Community Car Park for parking reasons only **REVISED**
6. Provision of on-site rooftop photovoltaic panels **REVISED**
7. Imported soils **RETAINED**
8. Operational contamination risk mitigation **RETAINED**
9. Hours of construction **RETAINED**
10. Noise mitigation **RETAINED**
11. Ecological Appraisal compliance **REVISED**
12. Detailed foul and surface water drainage strategy compliance **REVISED**
13. Amenity space provision and maintenance compliance **REVISED**
14. Arboricultural Implications Assessment and Method Statement **REVISED**
15. Implementation of approved tree and hedge protection scheme **REVISED**
16. Implementation of approved landscaping scheme **RETAINED**
17. Boundary and plot enclosures compliance **REVISED**
18. Garage and car parking provision **RETAINED**
19. Garage use restricted to domestic storage use only **REVISED**
20. Permitted development rights removed **REVISED**

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

In accordance with the above legislation, the City Council can confirm the following:

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

Human Rights Act

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

Background Papers

None.