

Agenda Item A8	Committee Date 22 August 2016	Application Number 16/00569/FUL
Application Site Red Court Caravan Park Lancaster Road Carnforth Lancashire	Proposal Demolition of existing Working Men's Club, erection of a 3 storey retirement home comprising 40 apartments and communal facilities, alterations to the roadside wall, and associated landscaping works to provide car park and garden spaces	
Name of Applicant McCarthy & Stone Retirement Lifestyles Ltd	Name of Agent Mr Chris Butt	
Decision Target Date 22 August 2016	Reason For Delay N/A	
Case Officer	Mr Andrew Drummond	
Departure	No	
Summary of Recommendation	Approval	

1.0 The Site and its Surroundings

- 1.1 The application site is located within the urban area of Carnforth to the west of Lancaster Road (A6). The site comprises a large 2 storey Victorian building with a significantly sized single storey extension and associated grounds. The property has been used as a working men's club, with land to the south and east utilised as its car park. The land to the north contains 6 static caravans, 3 enjoying residential consent and the other 3 holiday use. There is also a small outbuilding located in this part of the site, which appears to have historically been used in association with the Victorian building. Land to the rear of the site (to the west) benefits from consent for 9 static caravans but at the current time remains undeveloped. Both pedestrian and vehicular access is off Lancaster Road.
- 1.2 The site boundaries generally comprise a limestone wall to the north and east and close boarded timber fences to the south and west. The south and west boundaries in particular are lined by trees, with a secondary row of trees running north-south within the site to the west of the existing clubhouse (predominantly elm and sycamore). The eastern boundary benefits from a single, mature horse chestnut tree. The western (rear) part of the site sits at a lower level than the eastern (front) part of the site that currently accommodates the clubhouse and static caravans.
- 1.3 The site is undesignated on the Local Plan Proposal Map, but there are 2 Tree Preservation Orders nos. 13 (1975) and 43 (1978) in place.

2.0 The Proposal

- 2.1 The application seeks planning permission for the demolition of the existing clubhouse and the erection of a 3 storey property comprising 20 1-bed and 20 2-bed apartments with communal spaces on the higher, eastern part of the site. The building would be constructed of smooth and rubble reconstituted stone and off-white rendered walls under a grey concrete tile with thin profile uPVC windows and doors and black uPVC rainwater goods. The lower section of the site would provide a 34 space car park and landscaped gardens. Further landscaped gardens would be provided to the front of the proposed building. The existing vehicular and pedestrian access points onto Lancaster Road would be retained and utilised, and the boundary wall to this frontage made good and lowered

to a consistent height. The trees within the site would be protected and retained with the exception of a row of Leyland Cypress within the north west corner of the site, which would be removed.

3.0 Site History

3.1 Whilst the site is dominated by the large Victorian building, which has been used as a clubhouse, the site's planning history mainly relates to consents for static caravans, most for holiday use only, though some benefit from permanent residential status. Permissions stretch back to the 1970s:

Application Number	Proposal	Decision
77/900	Retention of land as caravan park for 3 residential and 14 static holiday caravans	Permitted
83/3	Continued use of land as caravan site with period of occupancy to include winter weekends and Christmas period	Permitted
11/00812/VCN	Continued use of land as caravan site with period of occupancy to include winter weekends and Christmas period (pursuant to the variation of condition 2 on planning permission 83/3 to enable the caravans to be used for a 12 month holiday season)	Permitted
15/00187/VCN	Retention of land as caravan park for 3 residential and 14 static holiday caravans (pursuant to the variation of conditions 2 and 3 on planning permission 77/900 to improve road layout and reduce caravan units from 11 to 9)	Permitted

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objection. Conditions requested regarding the submission of a Construction Method Statement prior to commencement, and the implementation of a scheme of off-site highway works and the access road, car parking spaces and turning space prior to occupation.
Tree Officer	No objection. Conditions requested regarding the implementation of the approved Tree Protection Plan, Arboriculture Implications Assessment and landscaping scheme, and the submission of an Arboricultural Method Statement
Environmental Health	No comments received during the statutory consultation period.
Canal and River Trust	No objection.
Local Lead Flood Authority	No objection. Conditions requested regarding the submission of a surface water drainage scheme and maintenance/management plan.
Carnforth Town Council	No objection – the Parish Council supports the proposal.
Police	No objection. Makes a number of security recommendations regarding external lighting, landscaping, glazing specification, boundary treatments, and access arrangements into the building.
Fire and Rescue	No objection. It should be ensured that the scheme fully meets all the requirements of part B5 of the Building Regulations.

5.0 Neighbour Representations

5.1 5 objections have been received citing the following concerns:

- Design (height, appearance, scale, out of keeping with the character of the area)
- Loss of amenity (loss of light, overlooking, noise of construction, air quality associated with demolition)

- Highway impacts (access arrangements, parking demand, construction works, increased traffic, impact of additional traffic on air quality in the town)
- Lack of demand for this type of development
- Changes to the height of the boundary wall to the site's frontage

A reduction in property values was also raised but this is not a planning consideration.

2 pieces of correspondence have been received neither supporting the scheme nor objecting to it, but raising queries over the building's height, the site's ground levels and drainage (impact on properties abutting the site to the rear).

9 pieces of correspondence have been received supporting the scheme on the basis that it utilises a redundant site, the proposal's appearance matches and enhances its locality, would free up family houses as older couples downsize, and the application proposes an appropriate use for the site. However, a few concerns were also raised within the content of these responses, including the need to retain existing trees, to lower the wall to the site frontage and to consider traffic, access and parking.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework

The National Planning Policy Framework indicates that the purpose of the planning system is to contribute to the achievement of sustainable development. At the heart of the NPPF is a presumption in favour of sustainable development (**paragraph 14**). The following paragraphs of the NPPF are relevant to the determination of this proposal:

Paragraph **49** and **50** - housing

Paragraphs **56**, **58** and **60** - good design

6.2 Development Management DPD

Policy **DM20** Enhancing accessibility

Policy **DM22** Parking provision

Policy **DM27** Biodiversity

Policy **DM29** Protection of trees, hedgerows and woodland

Policy **DM35** Key design principles

Policy **DM41** New residential dwellings

Policy **DM45** Accommodation for older people

Policy **DM49** Local services

6.3 Lancaster District Core Strategy

Policy **SC1** Sustainable development

Policy **SC2** Urban concentration

Policy **SC4** Meeting the District's Housing Requirements

Policy **SC5** Achieving quality in design

7.0 Comment and Analysis

7.1 There are 6 principal planning considerations arising from the proposal:

- Principle of development, including loss of a community facility and the need for housing for older people
- Affordable housing provision
- Impact on the local highway network, including access and parking
- Impact on protected trees
- Impact on residential amenity
- Design, scale, massing and streetscene considerations

7.2 Principle of Development

7.2.1 The working men's club is classified as a community facility, and therefore its loss must be considered in light of policy DM49. The preamble to this policy states that the Council will resist the

loss of local services where it is demonstrated that they are valued by the community they serve. The facility closed about 10 years ago and it is understood that it has only been in occasional use since. It is also noted from the submitted Statement of Community Involvement that 79% of the 45 attendees of the consultation event that was arranged by the applicant prior to the application's submission were in general support of the proposal. In light of this evidence, it would be appropriate to conclude that the value associated with the facility is limited. Furthermore there are similar facilities available within Carnforth which are equally accessible. Therefore whilst the site was only subject to a very limited marketing campaign (effectively a self-made board with a private mobile number) and no evidence of interest arising from this marketing exercise has been recorded, in this particular case there is sufficient information available to conclude that the loss of the facility is justified.

7.2.2 Carnforth is identified as one of the 4 urban areas in the District where new housing should be located. The site is located at the south end of the urban area of Carnforth, close to Crag Bank. It is situated about 750m from the centre of Carnforth with its range of community facilities, including rail station, doctors' surgery, supermarkets, library and other social infrastructure. Regular northbound bus services also stop on the A6 outside the site, with the associated southbound stop located only c100m to the north of the site. Therefore in locational terms, the proposal for 40 apartments is acceptable, especially given that they are designed for a particular end user – older people – a growing part of the local population where there is a clear, identified need for purpose built accommodation.

7.3 Affordable Housing Provision

7.3.1 The application was submitted with a financial appraisal, which concluded that the scheme was not viable if any planning obligations were to be imposed. However, with the agreement of the agent, the appraisal was independently assessed by an external consultant who questioned a few elements of it. The final conclusion of this work is still outstanding at the time of writing, but what has been established to date is that the development can sustain the imposition of a financial contribution towards affordable housing. Normally a residential scheme comprising 40 units within an urban area would be required to provide 30% provision on site (in this case 12 units), but no Registered Provider would take on units within such a scheme due to the complexities of the management arrangements and the associated service charging regime. Therefore the securing by legal agreement a financial contribution towards off site affordable housing provision in the District in lieu of on-site provision is acceptable.

7.4 Highway Impacts

7.4.1 The application site fronts onto the A6 south of Carnforth. This is a particularly busy section of highway, especially given the traffic light controlled junction that serves the Tesco supermarket generates long queues of traffic particularly during rush hour periods. The Highway Authority has reviewed the submission and raised no objection to the proposal that seeks to utilise the existing access onto Lancaster Road. 34 car parking spaces are proposed, though there is space within the site for additional spaces should the demand exceed this (subject to gaining the relevant planning consent). A buggy store is also provided at ground floor level for residents to park their mobility scooters. Subject to conditions securing the access road, car parking spaces and turning space the Highway Authority is satisfied that there is no adverse impact on highway safety or efficiency arising from the proposal. They have also sought the upgrading of the south and north bound bus stops on Lancaster Road in the vicinity of the site and the provision of dropped kerbs and tactile paving on both sides of Lancaster Road close to the site access to assist pedestrians across the road. These off site highway works should also be secured by condition.

7.5 Protected Trees

7.5.1 The applicant submitted a pre-application enquiry to the Local Planning Authority prior to the submission of this application. This has aided the determination process as many of the key elements of the scheme were discussed at an early stage. One of the crucial material considerations arising from the proposal is the protection and retention of the protected trees as there are 2 tree preservation orders in place. The layout has been informed by the root protection areas of the protected trees, which effectively splits the site into 2 sections – the apartment building would be situated within the larger front portion of the site with the smaller, lower section to the rear utilised for car parking and additional garden space. This allows the row of trees to the west and

south boundaries and the row through the site to be retained, in addition to the horse chestnut on the front boundary. The small group of non-native Leyland cypress trees in the north west corner would be lost, but there is no amenity loss as a result. However, their removal will be compensated for by the planting of new trees within the proposed (and agreed) landscaping scheme for the site. Tree Protection Plan and Arboricultural Implications Assessment are also agreed and, subject to conditions to secure their implementation and the requirement for a Tree Method Statement, the Tree Officer has no objection to the proposal.

7.6 Residential Amenity

7.6.1 To protect the roots of the existing trees within the site, the building's façade is slightly staggered. However, even the part of the building that is closest to Lancaster Road is still set back 25m from the terraced properties opposite meaning that the adopted 21m separation distance between facing habitable room windows is exceeded. The southern elevation is set back by 22m from the site boundary (except where it abuts a small parcel of public open space) so again the amenity of the residential properties on St Austell Place is preserved. The western elevation is set back from its corresponding boundary by more than 32m and is separated by 2 rows of trees, so houses and gardens on Camborne Avenue are protected. A 1.8m close boarded fence is proposed along this edge of the site which is sufficient to prevent overlooking or the glare of vehicle lights from the proposed car park. The north elevation of the apartment building is only set in from the boundary by c4.5m, which is shared by 28 Victoria Street and 150 Lancaster Road. Both neighbouring properties have blank gables facing the application site, so there are no concerns arising in terms of separation distances. Their associated external amenity spaces are screened by an existing c3m high wall at ground floor, though some limited overlooking could arise from the proposed upper floor windows. As none of the first or second floor windows serve habitable rooms (or if they do they are secondary windows) then it is appropriate to require them to be fitted with obscure, fixed (non-opening) glazing.

7.7 Design

7.7.1 The immediate area has a mix of housing types, including Victorian long and short terraces and more modern semi-detached and detached dwellings. Nevertheless, they are all 2 storey in height. The proposed apartment building is 3 storeys and therefore could be deemed to be out of character with its surroundings, except that the building is set in by 12m to 17m behind a high boundary wall, which is to be retained. The site can accommodate a building of this scale without it dominating the streetscene or the surrounding properties. The development has been carefully designed with its façade broken into sections (including changes to the eaves and ridge heights) to allow some relief over its c70m length. The use of balconies and string courses as well as rubble reconstituted stone (to particular sections) will create shadows during the first half of the day which will help animate the façade further. In addition the large building will sit within a landscaped environment, some of which is existing in the form of well established trees. When the existing tarmac surface and overgrown sections of the site are replaced with grassed and planted areas, the existing trees will be supplemented, providing a verdant context for the 3 storey built form. The design, including scale and materials, of the building are deemed to be acceptable subject to agreeing specific details which can be controlled by condition.

7.7.2 Whilst the apartments vary in size, they are all well proportioned and easily meet the Council's adopted internal space standards for flats. The proposal does not include care provision, as assisted living schemes would, but the building does provide a large (c110sq.m) communal lounge for residents to use and an en-suite guest bedroom for resident's visitors.

7.8 Other Matters

7.8.1 Drainage

The site is previously developed with over a half of it having a hard surface or buildings on it. The existing permeable surface is predominantly limited to the smaller rear section of the site which is set at a lower level. It is here where the applicant proposes to install 2 large soakaways. Permeable paving is proposed to part of the access road and the manoeuvring areas around the parking spaces and grassed areas are proposed to the front of the site that currently have a hard surface. Therefore the scheme proposes more permeable surfaces than currently exist. The introduction of the soakaways is generally supported, but the Local Lead Flood Authority's (LLFA) has requested a condition requiring further details, and a further condition for the associated management/maintenance plan. As their comments were submitted very late in the determination

period, the imposition of the requested conditions will be required, which is unfortunate as had they been provided within the statutory consultation period the applicant would have been afforded the time to provide the requested information and the conditions could have potentially been worded differently (i.e. the approved surface water drainage scheme to be implemented prior to occupation rather than requesting details for approval in addition to the implementation requirement).

7.8.2 Ecology

A Phase One Habitat Survey and Bat Surveys were undertaken and the subsequent reports were submitted as part of the application. Each made recommendations to protect bats, hedgehogs and nesting birds and to enhance the habitats that they may utilise. These include undertaking certain works during particular months of the year or using particular methods of working if undertaken at other times. Bat and bird boxes and hedgehog domes are suggested alongside enhanced landscaped areas that incorporate native species and wild flower mix seed, and also sensitive lighting to external areas. The existing building externally has a number of features deemed suitable to support roosting bats. These features include slipped roof and ridge tiles and damaged barge boards and soffits. No sign of current or historic roosting bats was identified internally. The additional building on site is a storage outbuilding which was classed as having negligible bat roost potential. A total of three bat presence/absence surveys were undertaken over a 2 month period. Intermittent foraging activity by one bat species was observed on all three surveys, occurring in the sheltered area toward the south west corner of the main building, under the mature trees in the same area, and above the overgrown grassland on the western boundary. At no time were bats observed emerging from or entering any of the buildings on site. A total of 5 bats were observed flying from or to the west of the site, which probably means that the biological records are still relevant with a roost nearby on Camborne Avenue.

7.8.3 Contamination

The application has been accompanied by a phase 1 and phase 2 geotechnical and ground investigation reports. At the time of writing no response has been received from the Council's Contaminated Land officer but this has been chased. Given that part of the site has been utilised as a car park in the past, there could have been oil/fuel spillages from vehicles, and there was evidence of fly tipping during the case officer's site visit, which again could have introduced contaminants to the site which would not have resulted from any previous uses.

8.0 Planning Obligations

8.1 As discussed in paragraph 7.3.1, the provision of affordable housing on site is not appropriate in this instance. However, the development proposal has been proven through analysis of the financial appraisal to be viable with the inclusion of a requirement to secure a contribution towards the provision of affordable housing in the District. The precise amount is still being negotiated and will be reported verbally at the Committee meeting. It is reasonable to request some (25%) of the monies are paid prior to the first occupation and the majority (75%) prior to the occupation of the 20th unit.

9.0 Conclusions

9.1 The site has become under-utilised since the facility closed about 10 years ago, and there are signs that the site is becoming untidy. This application proposes to regenerate the site, which is prominently located on the southern arterial route into Carnforth from the south. The residential use is appropriate, especially of a form that delivers specific accommodation for older people. It is very sustainably located, with key services and facilities within short walking distances. The proposal is appropriately designed in terms of scale and materials, and the layout respects neighbouring residential properties and the protected trees whilst providing sufficient space for parking, access and manoeuvring. The application is therefore recommended for approval.

Recommendation

That Planning Permission **BE GRANTED** subject to the signing and completing of a Unilateral Undertaking to secure a financial contribution towards affordable housing provision in the District and the following conditions:

1. Standard 3 year timescale
2. Development in accordance with approved plans
3. Construction Method Statement

4. Tree Method Statement
5. Surface water drainage scheme and management/maintenance plan
6. Materials, including colours and finishes (reconstituted stone, render, roof tiles, ridge tile, windows, doors, rainwater goods, fascias/verges/soffits, balconies, dormer cladding, surface treatments, boundary treatments, external lighting)
7. Off-site highway works (bus stop upgrades either side of Lancaster Road and highway works to facilitate crossing point over Lancaster Road)
8. Landscaping scheme (incorporating additional tree planting) and maintenance regime
9. Lancaster Road boundary wall – details required but not to be lowered below the height of the southern half of the existing wall and pedestrian archway to be retained
10. Recommendations of the Extended Phase 1 Habitat Survey and the Bat Survey to be implemented
11. Obscure, fixed (non-opening) glazing to first and second floor windows on north elevation
12. Approved Arboricultural Implications Assessment and Tree Protection Plan to be implemented
13. Parking, turning space and access road – approved details to be implemented
14. Hours of construction (Mon to Fri 0800-1800 and Sat 0800-1400)
15. Separate drainage system

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

Human Rights Act

This recommendation has 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.