

Agenda Item	A6
Application Number	20/01005/FUL
Proposal	Demolition of The Lodge/The Gate House (class E) and erection of a 2-storey building to create a family support centre (class E) and erection of fenced enclosure at the rear and associated footpaths
Application site	St John's Hospice, Slyne Road, Lancaster, Lancashire
Applicant	St John's Hospice
Agent	Mr Graham Love
Case Officer	Mr Adam Ford
Departure	No
Summary of Recommendation	Refusal

(i) **Procedural Matters**

This form of application would normally be determined under the Scheme of Delegation. However, due to the various material planning considerations affecting this sensitive case which are listed in the this report, including considerations relating to the design and appearance of the replacement building, it has been referred to the Planning Regulatory Committee for determination by the Head of Planning and Place.

1.0 Application Site and Setting

1.1 The application site lies within the defined urban area of Lancaster as set out within the Strategic Policies and Land Allocations document policies map. The site is located to the west of Slyne Road which serves as a bus route for the 55 and 555 services. The application site is approximately 1.2 miles north of the historic core of Lancaster City centre and approximately 100 metres north of the Lancaster Canal.

1.2 The site comprises the building known as Slynedales Lodge, a non-designated heritage asset which is located at the junction of the entrance drive to Slynedales (off which the hospice has an access) and Slyne Road. It is the former gate lodge to Slynedales, which is the former 1890s country house to the west of the Hospice that has been occupied by the *Cancer Care* charity since 1990. The Lodge was acquired by the Hospice in 2008 and converted for use as administration offices. It is a modest single storey stone building with a red clay tile roof and a rear roof extension added in 2012.

1.3 Beaumont College is located immediately to the north with the former Slynedales house and grounds to the west, and the main hospice buildings and grounds to the south.

2.0 Proposal

2.1 As clarified within the submitted documentation, the application seeks full planning permission for the demolition of Slynedales Lodge (a non-designated heritage asset) and the redevelopment of the land forming its curtilage to construct a purpose-built centre that will provide therapeutic support and

counselling for children and young people aged 4 to 16 and their families who have lost parents, siblings and close relatives. The applicant advises that the rationale for the Centre is founded on research undertaken last year with Lancaster University, which highlighted gaps in local service provision regarding whole family support, i.e. pre and post bereavement. The applicant intends (if planning permission is granted) to complete development during 2021 to coincide with the 35th anniversary of the Hospice.

2.2 The proposed support centre will be a two-storey building clad in timber with a flat roof, first floor terrace and balcony. In terms of its scale, the eaves of the two-storey element is 7.3m whilst the eaves of the single storey element is 3.0m. The building has a footprint of approximately 172 sq.m with 280 sq.m of internal floor space created. Two enclosed gardens with associated planting and landscaping are also proposed. The site's existing stone masonry wall and close boarded timber fencing are to be retained and, where possible, made good. The existing fence to the west of the application site will be painted red and retained.

2.3 The proposed new building will necessitate the loss of an existing short length of hedgerow in front of the Lodge building which is assessed as low quality and the loss of an existing sycamore tree, which lies midway along the Slyne Road frontage. The large lime tree at the rear of the site within the grounds of Beaumont College and all other surrounding trees will not be affected by the development.

3.0 Site History

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

Application Number	Proposal	Decision
18/01353/FUL	Erection of a single storey side extension and installation of replacement glazing (<i>Hospice building</i>)	Permitted
18/00285/FUL	Alterations and extension to existing car park including the provision of motor cycle parking, electric car charging points, modifications to existing lighting and services and erection of a cycle shelter (<i>Hospice grounds</i>)	Permitted
11/01101/FUL	Raising of roof at rear to form office at first floor level and forming stair access (<i>Lodge</i>)	Permitted
08/00990/CU	Change of use from lodge/dwelling to office including new disabled access and introduction of new car parking bays (<i>Lodge</i>)	Permitted

4.0 Consultation Responses

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

Consultee	Response
Conservation Team	Objection – initial comments dated 28 th October 2020 raise significant concerns with respect to the loss of the Non-Designated Heritage Asset. Conflict with policy DM41 identified. Further comments submitted on the 13 th January 2021 raises same concerns and further highlights to secure compliance with policy DM41.
Highway Authority	No objection - advice offered with respect to gated access points
Tree Officer	Objection to the loss of tree T1, which is a B1 category tree
United Utilities	No objection. Following a review of the drainage details United Utilities has recommended the imposition of a planning condition which secures compliance with the submitted drainage scheme.
Lancaster Civic Society	No objection to the proposal in principle but raises concerns raised with respect to the external appearance of the proposed building and the lack of features. Request made that photographic evidence is kept.

4.2 At the time of writing this report, 29 representations in support of the application have been submitted from members of the public and one from the Lancaster and Fleetwood MP, Cat Smith. The vast majority of these have been received towards the middle of January 2021 following an influx of public comment.

A summary of the relevant planning reasons offered within these letters are as follows:

- **Needed community facility:** the application will enable the hospice to continue to support the local community and therefore contribute towards the locality's wellbeing. Enables local use and reduces the need to rely on services further away.
- **Heritage value of the Lodge:** the Lodge's heritage value should be seen as less important than the service to be provided by the proposed building.
- **Use class of building:** suggestion that an existing class E building being replaced by another class E building should not pose a problem in planning terms.

Some of the recent supportive letters are blank, and do not offer any commentary as to why the proposal is supported.

In addition to the comments of support, one letter of objection has been received from a neighbouring care provider, and the relevant planning considerations referred to within this objection are as follows:

- **Appearance of proposal** – building is featureless and out of keeping with area. Negative visual impact arises. Conflict with paragraph 124 of the NPPF cited.
- **Loss of non designated heritage asset** – scheme conflicts with policy DM41 and does not justify loss of the heritage asset.

The objection referred to above also suggests that the incorrect land ownership certificates have been served. However, the red line of the application site has been reduced since the initial submission and, as a result, third party land no longer falls within the current site location plan.

5.0 Analysis

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

- **Principle of Development, including the Demolition of a non-designated heritage asset** (NPPF paragraphs 7-12, 83, 92, 121 and 197, Strategic Policies and Land Allocation DPD policies SP1, SP2, SP3, SP7 and SP9, and Development Management DPD policies DM41, DM56 and DM57)
- **Design** (NPPF paragraphs 124, 127, 128, 130 and 131, and Development Management DPD policy DM296 and DM29)
- **Bats and Biodiversity Net Gain** (NPPF paragraphs 149, 170, 174 and 175, Strategic Policies and Land Allocation DPD policy SP8, and Development Management DPD policy DM44)
- **Trees** (NPPF paragraph 170, Strategic Policies and Land Allocation DPD policy SP8, and Development Management DPD policy DM45)
- **Flood risk and drainage** (NPPF paragraphs 150, 153, 155-163 and 165, and Development Management DPD policy DM33, DM34 and DM35)
- **Highway safety, access and parking** (NPPF paragraphs 108-111, and Development Management DPD policy DM60, DM61 and DM62)
- **Amenity and air quality** (NPPF paragraphs 103, 127, 170, 180, 181 and 183, Strategic Policies and Land Allocation DPD policy EN9, and Development Management DPD policy DM29 and DM31)

5.2 Principle of Development, including the Demolition of a Non-Designated Heritage Asset

5.2.1 The broad principle of development in this location for a family bereavement centre is able to draw support from the National Planning Policy Framework and the recently adopted local plan for Lancaster City Council. Although the site is not allocated for a specific use or strategic development, the District's settlement hierarchy recognises the urban area of Lancaster as being capable of providing the focus for growth and wider development aspirations for the area. In addition, the site lies within the existing complex of buildings which comprise the Hospice and the College. The site physically relates to the existing hub of the community service and seeks to provide a support service to the established Hospice building.

5.2.2 In addition, at paragraph 92, the National Planning Policy Framework advocates development which delivers important community facilities which contribute towards the wellbeing of society, whilst paragraph 121 of the framework further advises Local Planning Authorities to take a positive approach to applications for alternative uses of land which are currently developed but not allocated for a specific purpose in plans, where this would help to make effective use of sites which provide community facilities. At a local level, policy DM56 of the Development Management DPD further supports the delivery of new local services such as the proposed family bereavement centre. The policy specifically requires all such proposals to be located where there are already choices of travel options and, given the site's location within the urban area of Lancaster, this is judged to be sufficiently demonstrated. These factors further support, in conjunction with the preceding paragraph, the broad principle of development.

5.2.3 However, in this instance, the proposal seeks to demolish the Lodge building which is a non-designated heritage asset. Accordingly, in considering the principle of development with respect to this application, paragraph 197 of the NPPF must be considered in conjunction with policy DM41. Paragraph 197 of the NPPF advises that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining applications. In weighing applications that directly or indirectly affect non-designated heritage assets, as is the case here, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Policy DM41 further reflects this position by clarifying that where a proposal results in the loss of the whole or part of such an asset will require clear and convincing justification. Under the policy, no loss will be permitted without taking all reasonable steps to ensure the new development will proceed after the loss has occurred. Accordingly, formal comments from the Conservation Officer have been secured and are considered below.

5.2.4 Ultimately, due to the application seeking to demolish the non-designated heritage asset, a high level of harm is inflicted upon the asset as a direct result of the proposal. The harm, in this instance, being its irrevocable demolition. The application is supported by an analysis of other land parcels and why they cannot be developed due to prevailing constraints. This has been reviewed by Planning and Conservation Officers, who disagree and consider that there is a parcel of land at the north east of the site which appears to be capable of accommodating a building of the scale and footprint as proposed. It is noted that this may result in tree loss (though it potentially it could be relocated), but this loss would need to be balanced against the benefits of the wider scheme and this is, in any event, beyond the scope of this particular application. Nonetheless, there appears to be scope and potential to avoid this harm. The application, therefore, lacks the clear and convincing justification required by Policy DM41 of the Local Plan to demolish a non-designated heritage asset.

5.2.5 The reuse of the Lodge building, potentially with a sensitively designed extension, has also been suggested to the applicant's agent but was discounted on the grounds that the cumulative space would not serve the hospice's needs. However, this has not been demonstrated by any drawings – it has simply been rejected in writing with no further explanation given.

5.2.6 Having identified harm to the non-designated asset, the provisions of paragraph 197 of the NPPF must be considered. This requires the effect upon the significance of the non-designated heritage asset to be weighed against the benefits arising from the scheme. It is not disputed that a bereavement centre would deliver wider benefits to the local community and the users of the St John's Hospice. However, given that alternative options to develop the site in a way which would not result in the loss of the asset appear to exist, the harm inflicted upon on the asset is not judged to be demonstrably outweighed by the benefits arising from the scheme. A clear and material conflict with policy DM41 has therefore been identified.

5.2.7 Although the broad support for the principle of development is noted, the irrevocable loss of the non-designated heritage asset is considered to be a significant weight against the proposal and one which results in Officers regrettably not being able to support the principle of development.

5.3 Design

5.3.1 The NPPF places an enhanced focus upon the importance of good design and well-designed developments. Paragraph 124 places good design at the heart of sustainable development whilst paragraph 127 of the framework makes it clear that proposals should enhance the overall quality of the area and, importantly, function as visually attractive additions to the existing built form. Critically, paragraph 130 of the framework advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. The advice contained within the design paragraphs of the NPPF is encapsulated within policies DM26 and DM29 of the Development Management DPD on the basis that these policies seek to secure developments which contribute positively to their surroundings and appear as visually appropriate additions. Policy DM26 provides that the Local Planning Authority expect development proposals to make a positive contribution to their surroundings. This should be achieved through the use of good design, layout and high-quality materials, to create positive, safe and attractive streetscapes that contribute to the visual amenity of their locality and encourage good accessibility and connectivity between buildings and urban spaces. Policy DM29 also seeks to secure development proposals contribute positively to the identity and character of the area through good design. In meeting the tests of these policies, development should not give rise to adverse visual impacts or undermine the character of the locality within which they are proposed.

5.3.2 In this instance, the proposal seeks to demolish the existing modestly scaled lodge building and replace it with a two-storey timber clad flat roofed development. In principle, a two-storey design is not necessarily a reason for refusal in itself but the unambitious architectural approach which results in a box styled building with minimal articulation is considered to not meet the tests for good design as set out within the NPPF or policies DM26 and DM29. The use of hard edges and the utilitarian appearance of the building give rise to a development which appears as visually jarring and incongruous with its context. Whilst the amended plans submitted by the applicant add some further details to the public facing elevations, the building presents itself as a visually dominant proposal which does not take its inspiration from the prevailing local vernacular. The flat roofed design combined with the proposed scale and massing results in a building which is a visually harsh and dominant addition to the street scene. The massing and bulky design of the building means that the proposal imposes itself onto the public realm in a way that other buildings in the vicinity do not and this is in part down to their degree of setback. This adverse contribution to the area's visual amenity and prevailing character represents a material conflict with policies DM26 and DM29. The building appears as a visually discordant addition which is exacerbated through the use of its hard edged and box style design. As a result, in addition to appearing as out of character, the building fails to positively contribute to the area's visual amenity in the way that the development plan requires and represents a conflict with the NPPF and policies DM26 and DM29.

5.3.3 In addition, given the proximity of the development to its western boundary and the way in which it imposes itself onto the public realm as a needlessly jarring addition, the layout and spatial arrangement appears as a cramped solution which could potentially be addressed by reducing the footprint of the proposed building. This would serve to reflect the area's character in a more sympathetic way and would reduce the visual harm caused by the proposal.

5.4 Bats and Biodiversity Net Gain

5.4.1 As required by the National Planning Policy Framework at paragraphs 8c, 170 and 175 the Local Planning Authority has a duty to consider the conservation of biodiversity and to ensure that valued landscapes or sites of biodiversity are protected when determining planning applications. The NPPF indicates that when determining planning applications, Local Planning Authorities must aim to conserve and enhance biodiversity and that opportunities to incorporate biodiversity in and around developments should be encouraged (Paragraph 175). This is underpinned by Paragraph 8 of the Framework, which details the three overarching objectives that the planning system should try to achieve, and it is here that the Framework indicates that planning should contribute to conserving and enhancing the natural environment. At a local level, this requirement is reflected through policies SP8 and DM44. Accordingly, the application is supported by a phase 1 biodiversity survey. The objectives of such an assessment are to identify potential habitats on or within a development site

and to determine the suitability for protected or notable species. In addition, the survey should also seek to clarify what species may be on the site and what impacts, if any, may arise in the event of the development taking place.

5.4.2 The submitted biodiversity survey clarifies that the building to be demolished and the existing tree to be felled both have a low bat roost potential whilst offering potential bird nesting potential. In considering the potential impact upon bats, the Local Planning Authority, as the competent Authority must have regard to the Conservation of Habitats and Species Regulations 2010. The Regulations transpose certain prohibitions against activities affecting European Protected Species. These include prohibitions against the deliberate capturing, killing or disturbance and against the damage or destruction of a breeding site or resting place of such an animal. The Habitats Directive provides for the derogation from these prohibitions for specified reasons and providing certain conditions are met. In this instance, the submitted biodiversity survey confirms that a preliminary roost assessment took place in conjunction with a nocturnal survey. No evidence of emerging bats was found, and the report therefore concludes that no further surveys or mitigation measures for roosting bats are required.

5.4.3 With respect to other species which may be marginally impacted by the development (predominantly birds and hedgehogs) the submitted ecology report recommends mitigation measures (timing of clearance, checking the site etc). In the event that planning permission be granted, such measures could be reasonably conditioned in accordance with the NPPF's advice and policy DM44. The biodiversity survey further recommends several enhancement measures in order to ensure the development secures biodiversity net gain, which would further secure compliance with paragraph 170 of the NPPF. Such measures could also be reasonably controlled through the imposition of a suitably worded planning condition requiring the submission of project appropriate enhancement measures. Ultimately, whilst the application is recommended for refusal, the scheme does not conflict with paragraphs 149, 170, 174, 175 of the NPPF, policy SP8 or policy DM44.

5.5 Trees

5.5.1 Paragraph 170(b) of the NPPF states that the planning system should recognise the important role played by trees in the decision-making process. Their contribution to the built environment is often important in terms of representing a biodiversity asset and also from an amenity perspective. Locally, policy DM45 provides that the Local Planning Authority will support the protection of trees and hedgerows that positively contribute, either as individual specimens or as part of a wider group, to the visual amenity, landscape character and/or environmental value of the location. In addition, policy DM45 also clarifies that new development proposals should, where possible, positively incorporate existing trees and hedgerows. Where this cannot be achieved the onus is on the applicant to justify the loss of trees and hedgerows as part of their Arboricultural Implications Assessment.

5.5.2 The application is supported by an arboricultural impact assessment (AIA). In this instance, to facilitate the development a 14m high sycamore tree must be felled. It is noted that the scheme seeks to replant 3 additional trees to the south of the application site, but mature trees are a feature of Slyne Road and an important part of the local street scene. The mature sycamore tree identified for removal contributes to this character and should be retained. The submitted AIA identifies the tree as category B1 indicating that it can continue to make a substantial contribution to the character and appearance of the area for a minimum of 20 years. As touched upon in the AIA, any proposed development should be designed around such trees. Further, if we were to permit the development, the positioning of the building so close to the boundary wall does not allow for the loss of the street tree to be adequately compensated for.

5.5.3 Accordingly, in light of these comments and owing to the lack of an overriding need to feel an otherwise healthy specimen which contributes to the character of the locality, the scheme is judged to further conflict with the advice set out within the NPPF at paragraph 170 and policy DM45 of the Development Management DPD.

5.6 Flood Risk and Drainage

5.6.1 The application lies within flood zone 1 and therefore has a low probability of flooding when considered against the Environment Agency's flood mapping tool. As clarified within the national guidance, the Environment Agency advice for developments indicates that a flood risk assessment (FRA) will not normally be required for a site in Flood Zone 1 with an area of less than 1 hectare

unless it could be affected by sources of flooding other than rivers or the sea, e.g. reservoirs or water drains. With respect to this site and taking account of the absence of any significant watercourses in the vicinity of the site, the risk of flooding from fluvial or tidal flooding on the site is generally considered to be low, so no FRA is required.

5.6.2 The submitted surface water drainage strategy further clarifies that based on data available from the DEFRA Surface Water Flood Mapping service, this indicates that there is no evidence of surface waterflooding on or adjacent to the site in 1 in 30-year and 1 in 100-year storms. There is, however, surface water flooding at 1 in 1000-year storms in the road and hospice site to the south of the development site.

5.6.3 Based on the submitted plans, the total impermeable area arising from the existing building and hard paved areas on the site, which drains to the adopted combined sewer system is 341 sq.m. The total impermeable area from the proposed development draining to the combined sewer system is only 192 sq.m which represents a 43% decrease on the pre-development impermeable area.

5.6.4 The proposal seeks to rely on the existing combined sewer connection which is already in situ and serves the current development. Whilst this option is the least preferred when considering the SuDS hierarchy, DM34 permits such an approach where other options which are 'higher' up the hierarchy are demonstrated as being infeasible. The submitted surface water management drainage strategy discounts infiltration, discharge into a water body and discharge into a water sewer and, having offered comments on the application, United Utilities has raised no objection to the proposal to retain the existing connection to the adopted combined sewer subject to a suitably worded planning condition in the event that consent is granted.

5.7 Highway Safety, Access and Parking

5.7.1 At paragraph 109, the NPPF provides that applications for planning permission should, where it is possible to do so, enable safe use of public highways for all stakeholders. The extent to which this is required will of course be dependent upon and commensurate to the scale of development proposed. The Highways Authority has raised no objections to the proposal and have not identified an adverse impact upon the safe operation of the local highway network. In addition, no conditions have been requested from the Highway Authority.

5.7.2 With respect to parking provision, policy DM62 of the Development Management DPD clarifies that the Local Planning Authority would typically expect a new development to deliver a minimum level of parking in line with the standards set out in appendix E of the DPD. In this instance, as illustrated on the site location plan, the application itself does not propose any additional parking as appendix E would nominally require.

5.7.3 However, a recent application to extend the existing car park facility (by providing a further 37 spaces) at the Hospice was granted permission under 18/00285/FUL. This additional provision of parking remains within the control of the applicant as demonstrated by the inclusion of the blue line on the site location plan. Furthermore, the application's supporting documentation advises that there will be no gain in employment, so the parking need generated by staff using the new development is reasonably likely to be met by the Hospices' current provision. As for visitors, the site is adjacent to the A6, which is served by bus services and the canal (c100m away) and the Bay Gateway (c500m away) are both served by foot/cycleways, providing alternative means of transport to access the application site. Given all of this, despite not delivering additional parking provision, it is deemed that there would not be a significant conflict with policy DM62.

5.8 Amenity and Air Quality

5.8.1 Paragraph 127 of the NPPF advises that development proposals should not undermine existing levels of amenity and that future amenity should also be preserved where possible. The need for development to respect existing amenity levels is also exhibited through policy DM29 which seeks to avoid over shadowing and overlooking. In this instance, given the location of the building and the lack of any sensitive boundary relationships, the proposal is judged to not give rise to unacceptable amenity impacts that the Local Planning Authority would otherwise seek to avoid. Undue overlooking does not arise and the scheme does not negatively impact existing levels of residential amenity.

5.8.2 With respect to matters of air quality, as clarified by policy EN9, the Council has designated three Air Quality Management Areas (AQMAs) within the district in order to improve levels of air quality.

The application site falls outside these areas. However, policy DM31 requires all development proposals to demonstrate that they have sought to minimise the levels of air polluting emissions generated and adequately protect their new users, and existing users, from the effects of poor air quality.

5.8.3 Given the modest nature of floor space created by the development (net gain of 130 sq.m), when considered against the advice contained within the Local Planning Authority's planning advisory note 11 (low emissions and air quality), the scheme falls within the definition of a 'small site' and thus, if approval were to be granted, would require standard safeguards to minimise emissions.

5.8.4 Accordingly, the Local Planning Authority has sought confirmation from the application as to whether they would be willing to accept a planning condition which requires the installation of an electrical charge point within their site. This has provisionally been agreed and as such, the scheme is not judged to represent a conflict with respect to policies SP9 or DM31.

6.0 Conclusion and Planning Balance

6.1 Clearly the proposed family support centre would represent a valuable asset in terms of the delivery of much needed pre and post bereavement care, and it would appear to resolve a gap in service provision across the district. These are matters that weigh positively in terms of the planning balance.

6.2 However, the principle and design of the development is considered to be unacceptable and is not in compliance with relevant development plan policies or the National Planning Policy Framework. The application seeks planning permission to demolish a non-designated heritage asset and to replace it with a family bereavement centre. Whilst the basic principle of a community use is acceptable and is compliant with the provisions of policy SP7 of the Strategic Policies and Land Allocations document and paragraphs 124, 127, 128, 130 and 131 and chapter 8 of the NPPF, the loss of the non-designated heritage asset is not justified. The requirements of policy DM41 are deemed not to be met and, as a result, in applying the balance prescribed by paragraph 197 of the NPPF, Officers are unable to conclude that there are material overriding public benefits to warrant the loss of the non-designated heritage asset.

6.3 In addition, the scheme results in an adversely and visually dominant proposal which does not take its inspiration from the prevailing local vernacular. The flat roofed design combined with the proposed scale and massing results in a building which presents itself as a visually harsh and dominant addition to the street scene. The proposed massing and bulky design of the building means that the proposal imposes itself onto the public realm in a way that other buildings in the vicinity do not. The building appears as a visually discordant addition to the street scene which is exacerbated through the use of its hard edged and box style design. As a result, in addition to appearing as out of character, the building fails to positively contribute to the area's visual amenity in the way that the development plan requires and represents a conflict with the NPPF and policies DM26 and DM29. The scheme also results in the unjustified loss of a visually prominent category B tree which conflicts with the aspirations and advice contained with policy DM45 of the Development Management DPD.

6.4 Collectively, the loss of the non-designated heritage asset, the visually jarring design and the adverse arboricultural impacts are factors which weigh against the scheme. Despite the community-based benefits that will arise from the proposal, the degree of conflict with the development plan is deemed to be significant and at a level which outweighs the benefits of the proposed scheme.

Recommendation

That Planning Permission **BE REFUSED** for the following reasons:

1. Policy SP7 of the Strategic Policies and Land Allocations document states that the Local Planning Authority will seek to protect and enhance local heritage assets whilst policy DM41 further states that any loss of the whole or part of such an asset will require clear and convincing justification. The application proposes the demolition of Slynedales Lodge, a non-designated heritage asset, without adequate justification. Whilst the submission discusses alternative options to deliver such a development in a way which would likely not result in the total and irrevocable loss of the asset, some options have been discounted without adequate merit. The harm caused by the loss of the non-

designated asset is not judged to be demonstrably outweighed by the benefits arising from the scheme. A clear and material conflict with policies SP7 and DM41, and paragraph 197 of the NPPF, is therefore judged to arise on the basis that an accepted justification for the demolition of the non-designated heritage asset has not been identified.

2. At paragraphs 124 and 127, the NPPF places an enhanced focus upon the importance of good design and well-designed developments and paragraph 130 of the Framework advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Policies DM26 and DM29 of the Development Management DPD seek to secure developments which contribute positively to their surroundings and appear as visually appropriate additions. In this instance, the architectural approach used within the scheme results in a box styled building with minimal articulation which is considered to not meet the tests for good design as set out within the NPPF or the principles set out within policies DM26 and DM29. The use of hard edges and the utilitarian appearance of the building give rise to a development which appears as visually jarring and incongruous within its context. The proposed building does not take its inspiration from the prevailing local vernacular and, as a result, appears as an out of character addition. The flat roofed design combined with the proposed scale and massing in close proximity to the A6 results in a building which presents itself as a visually harsh and dominant addition to the street scene and this results in the proposal imposing itself onto the public realm in a way that other buildings in the vicinity do not. The building appears as a visually discordant addition which is exacerbated through the use of its hard edged and box style design. As a result, in addition to appearing out of character, the building fails to positively contribute to the area's visual amenity in the way that the development plan requires and this represents a conflict with the advice set out within the NPPF and policies DM26 and DM29.
3. Policy DM45 of the Development Management DPD provides that the Local Planning Authority will support the protection of trees and hedgerows that positively contribute, either as individual specimens or as part of a wider group, to the visual amenity, landscape character and/or environmental value of the location. In addition, policy DM45 also clarifies that new development proposals should, where possible, positively incorporate existing trees and hedgerows. Mature trees are a feature of Slyne Road and an important part of the local street scene. The tree on the roadside boundary of the site, which is proposed to be felled to accommodate the development, contributes to this character and according to the application's supporting documentation has the potential to make a substantial contribution to the character and appearance of the area for a minimum of 20 years. In the absence of adequate justification for the removal of this tree, the scheme represents a material conflict with policy DM45.

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

Lancaster City Council takes a positive and proactive approach to development proposals, in the interests of delivering sustainable development. As part of this approach the Council offered advice on the proposal during the determination period, aimed at positively influencing development proposals. Regrettably the applicant has failed to take advantage of this advice and the resulting proposal is unacceptable for the reasons set out in the recommendation. The applicant is encouraged to amend the proposal in accordance with the local planning authority's advice to resolve the reasons for refusal.

Background Papers

None