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| **Agenda Item** | A10 |
| **Application Number** | 24/01282/FUL |
| **Proposal** | Demolition of existing garages and erection of two 2-storey buildings comprising of two dwellings and two 1-bed flats (C3) |
| **Application site** | Hastings Road Garage<br>Hastings Road<br>Lancaster<br>Lancashire |
| **Applicant** | Lancaster City Council |
| **Agent** | Mr Stuart Booth |
| **Case Officer** | Mr Robert Clarke |
| **Departure** | No |
| **Summary of Recommendation** | Approval, subject to conditions |

**(i) Procedural Matters**

This proposal constitutes a minor development which would normally be determined under the Scheme of Delegation. However, in this case, the development site is owned and this proposal submitted by Lancaster City Council, and as such the application must be determined by the Planning Committee.

## 1.0 Application Site and Setting

1.1 The site which forms to subject of this planning application is formed by two parcels of land located to the north and south of Hastings Road and adjacent to the junction with Dorrington Road. Two parcels of land both contain garages along with associated hardstanding. The wider area is residential in character consisting of terraced dwellings and flats within Arcon House, which is located to the east of the site.

1.2 The site is located within the Houses in Multiple Occupation Article 4 Direction area and within the Regulation 7 area controlling the display of 'To Let' signs. There is below ground drainage and telecommunications infrastructure immediately adjacent to the northern parcel of land.

## 2.0 Proposal

2.1 This application seeks planning permission for the demolition of the existing garages located in both the northern and southern parcels. Within the northern parcel it is proposed to construct two 1-bedroom flats located towards the western end of the site and fronting both Hastings Road and Dorrington Road, along with associated gardens extending to the east enclosed by boundary walls and fencing. The building will feature a footprint of 9 metres x 8.7 metres and would have a curved frontage to the junction of Hastings Road and Dorrington Road. It will feature a curved hipped roof

with a gable to the northern elevation, the ridge height will measure 7.9 metres measured on the northern elevation.

2.2 The building located within the southern parcel of land will form a pair of 2-bed semi-detached dwellings located towards the western end of the site and fronting both Hastings Road and Dorrington Road, along with associated gardens extending to the east enclosed by boundary walls and fencing. This building will be slightly larger with a footprint of 10.7 metres x 10.5 metres, it would also have a curved frontage to the junction of Hastings Road and Dorrington Road. It will feature a curved hipped roof with a gable to the northern elevation, the ridge height will measure 8.6 metres measured on the southern elevation.

2.3 Both buildings will adopt a fabric first approach to construction which externally would be finished with brick cladding and standing seam zinc roofing incorporating solar panels to both buildings.

## 3.0 Site History

3.1 Relevant applications relating to this site include:

| Application Number | Proposal | Decision |
|---|---|---|
| 22/01450/PRENG2 | Pre application advice for the redevelopment of existing garage site to affordable housing | Advice provided |

## 4.0 Consultation Responses

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

| Consultee | Response |
|---|---|
| United Utilities | Drainage strategy is supported in principle, however, further detailed design is required and which can be secured by condition. Advice provided regarding management and maintenance of SuDS, United Utilities infrastructure and water efficiency. |
| County Highways | No objection, conditions requested regarding construction management plan, and to secure the reinstatement of full height kerbs on site frontage and the installation of pedestrian drop crossings with tactile paving. |
| Environmental Protection | No response received. |
| Natural England | No objection. |
| Engineers | No response received. |
| Strategic Housing | No response received. |
| Property Services | No response received. |
| Fire Safety Officer | No response received. |
| Lancaster Civic Vision | Lancaster Civic Vision welcomes the proposal. |

4.2 No responses have been received from members of the public.

## 5.0 Analysis

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

- Principle of development
- Housing
- Flood risk and drainage

- Design
- Residential Amenity
- Biodiversity
- Highways
- Sustainable Design

5.2 **Principle of Development** NPPF Chapter 2 (Achieving Sustainable Development), Chapter 5 (Delivering a Sufficient Supply of Homes), Chapter 11 (Making Effective Use of Land); Strategic Policies and Land Allocations (SPLA) DPD policies SP1 (Presumption in Favour of Sustainable Development), SP2 (Lancaster District Settlement Hierarchy), SP3 (Development Strategy for Lancaster District); Development Management DPD policies DM1: New Residential Development and Meeting Housing Needs

5.2.1 The Strategic Policies and Land Allocations DPD (SPLA DPD) sets out the district's strategic development strategy, advocating an urban-focussed approach to future growth (policy SP3). This is reflected in Policy SP2 which sets out the district's settlement hierarchy. Lancaster is identified as a regional centre where the majority of future growth will be directed. Morecambe, Heysham and Carnforth play a supporting role to Lancaster. These are import urban settlements that will also accommodate new residential and economic development. This approach aims to deliver sustainable growth across the district. Accordingly, the principle of new housing growth within the urban area of Lancaster, as proposed here, fully accords with the strategic development strategy set out in the SPLA DPD.

5.3 **Housing needs, affordable housing, housing standards and mix** NPPF Chapter 5 (Delivering a sufficient supply of homes); Development Management (DM) DPD policies: DM1 (Residential Development and Meeting Housing Needs), DM2 (Housing Standards) and DM3 (The Delivery of Affordable Housing).

5.3.1 Paragraph 61 of the NPPF sets out that to support the government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed. The Council's most recent Housing Land Supply Statement identifies a housing land supply of 2 years, which is a significant shortfall against the required 5-year supply requirement. With regards to affordable housing, from adoption of the local plan in 2020, the evidence indicates that there have been 364 affordable completions. On that basis since the adoption of the local plan there is an accrued shortfall of 1140, against an affordable need of 376 dwellings per annum.

5.3.2 Given the acute under supply of deliverable housing against identified housing requirements, the provision of new residential development, carries significant benefit that must be given significant weight in the overall planning balance. 100% the residential units proposed as part of this development are for affordable occupation, described as being social rent tenure, to form part of the Council's affordable dwelling stock. This far exceeds the requirements set out in policy DM3 which on brownfield sites in Lancaster only requires 20% provision on development proposals of more than 10 units. The contribution to the delivery of affordable homes in the district, against the backdrop of a significant shortfall also weighs substantially in favour of the development. A condition to ensure that the accommodation provided remains as affordable housing in perpetuity is recommended.

5.3.3 Policy DM1 supports proposals for new residential development that uses land effectively, taking account of characteristics of different locations, where the natural environment, services and infrastructure can or could be made to accommodate the impacts of development and where the proposal meets evidenced housing needs. The proposal consists of 2 1-bed flats and 2 2-bed semi-detached units. The proposed housing mix is driven by the demand included on the council's Housing Register and compliments the overall mix of council housing stock. The development is considered to accord with policy DM1 as it would clearly meet an evidenced housing need for Lancaster.

5.3.4 Policy DM2 relates to housing standards, requiring all new dwellings to meet the Nationally Described Space standards and, for schemes of more than 10 units, requiring at least 20% of new affordable housing and market housing to meet building regulations M4(2) Category (Accessible

and Adaptable dwellings). In this case, all of the units satisfy the requirements of the Nationally Described Space Standards. As this proposal is for four units only, it is not required to address criteria II. however, these units have been designed with enhanced accessibility in mind, including accessible shower and WC facilities.

5.3.5 The development will make a positive contribution to the district's supply of affordable housing. The proposed residential units are designed to exceed the required housing standards set out in the Local Plan. The development is considered to fully accord with the Council's housing policies set out in the Development Plan.

5.4 **Flood Risk and Drainage** NPPF Chapter 14 (Meeting the challenge of climate change, flooding and coastal change); Strategic Policies and Land Allocations (SPLA) DPD policy SP8 (Protecting the Natural Environment); Development Management (DM) DPD policies DM33 (Development and Flood Risk), DM34 (Surface Water Run-off and Sustainable Drainage), DM35 (Water Supply and Waste Water) and DM36 (Protecting Water Resources and Infrastructure).

5.4.1 Strategic policy seeks to ensure new growth within the district is directed to areas at least risk of flooding, does not create new or exacerbate existing flooding issues and should aim to reduce flood risk overall. This approach is consistent with the NPPF which states that development should not be permitted in areas at medium and high flood risk if there are reasonably available sites appropriate for the proposed development in areas at a lower risk of flooding. This sequential approach is embedded in the Development Plan at policy DM33.

5.4.2 This planning application is accompanied by a Flood Risk Sequential Assessment as, at the time of submission of the application, the site was identified within the Councils Strategic Flood Risk Assessment (SFRA) as being at medium risk of groundwater flooding. Due to this medium flood risk, the application was required to address the flood risk sequential test. However, in early January 2025 the Council adopted a new SFRA which has removed all medium and high flood risk from within the site boundary, including current and future flood risk. On this basis, the flood risk at this site is now considered to be low and the requirement to address the flood risk sequential test has fallen away.

5.4.3 In accordance with policy DM34, development proposals should ensure surface water is managed in a sustainable way accounting for climate change and that flood risk is not increased elsewhere. The submitted SuDS statement and accompanying drainage plan sets out that, relative to the current site condition, the development proposal will provide a total of 180m$^2$ of permeable surfacing. With respect to the 186m$^2$ roof area, it has been calculated that 116m$^2$ can be discharged into soakaways located within the proposed rear gardens. It is set out that the remaining roof area would be drained via a connection to the existing combined mains drainage system. The strategy also details the use of water butts to enable rainwater harvesting for each of the dwellings. The application is also accompanied by a Preliminary Drainage Strategy in which it states that drainage via infiltration (soakaways) could be a feasible solution, however, it would be necessary to undertake percolation testing in order to confirm suitable ground conditions within the site. No details of such percolation testing have been provided as part of the application. In principle, the proposal to drain the development via soakaways either in full, or if suitably justified in part, is acceptable and would accord with the requirements of policy DM34. However, a fully detailed drainage assessment including evidence of ground condition testing and full details of the drainage system layouts would be necessary. Only if ground conditions are found not to be suitable of infiltration, would an attenuated connection to the main combined sewer system be accepted. It is considered that this can be appropriately secured via a pre-commencement condition.

5.4.4 Foul drainage is proposed to connect to the existing public sewer in accordance with the drainage hierarchy. United Utilities have reviewed the proposal and raised no objection to the drainage proposals, subject to final details of both the surface water and foul drainage systems secured by condition.

5.4.5 Subject to the imposition of pre-commencement conditions to secure the final drainage schemes, the application has sufficiently demonstrated that the site is safe from flood risk for its lifetime and is capable of being drained without causing a flood risk off site in compliance with national and local planning policy. Future development within the site, such as extensions, has the potential to impact drainage infrastructure such as soakaways. Therefore, in order to ensure future development is

appropriately considered in the context of the drainage layout and capacity of the site, a condition to remove permitted development rights for extensions and outbuildings is recommended.

5.5 **Design** NPPF Chapter 8 (Promoting healthy and safe communities), Chapter 11 (Making effective use of land), Chapter 12 (Achieving well-designed and beautiful places); Development Management (DM) DPD policies DM1 (New residential development and meeting housing needs), DM29 (Key Design Principles) and DM46 (Development and Landscape Impact) and the National Design Guide.

5.5.1 The NPPF places an increasing emphasis on the need to deliver high-quality, inclusive, beautiful and sustainable places. This is reflected in the Local Plan through a number of different policies. Policy DM29 and DM46 seek to achieve this overriding ambition by ensuring new development contributes positively to the identity and character of an area though good design that has regard to local distinctiveness, siting, layout, materials, orientation and scale. Policy DM29 expects development proposals to make a positive contribution to their surrounding through good design, the creation of positive, space and attractive streetscapes and good accessibility and connectivity building buildings and urban spaces.

5.5.2 The layout and form of the built development is carefully thought out make best use of the location of the development at the junction of Hastings Road and Dorrington Road. The use of a curved frontage ensures the proposal presents active and interesting frontages to both roadsides. These features positively contribute to the creation of an active street scene and contribute to a positive sense of place. The layout also safeguards existing residents, secures access to private amenity space to all the proposed dwellings and provides good natural surveillance around the whole development.

5.5.3 With respect to scale, both structures are larger with respect to height and massing than the immediately adjacent dwellings. This is most apparent when comparing the northern building to the neighbouring dwelling to the north, however, this height difference is mostly a result of the sloping topography of this part of Dorrington Road, and the fact that No. 19 Dorrington Road is located at a lower topographical level than the northern development site, rather than the northern building being disproportionately tall. Stepped roof heights is commonplace in this area and particularly along those roads which extend downhill from the A6, and along Dorrington Road. Therefore, the stepped roof height between the northern building and No. 19 Dorrington Road does not raise concern in design terms. The southern building is slightly larger in footprint than the northern building, however, it maintains an overall roof height similar to the adjacent dwelling. Consequently, in the context of the undulating topography and stepped building profiles within the area, as well as the presence of larger scale development in the form of Arcon House, the scale of each of the proposed buildings is acceptable.

5.5.4 With respect to materials, within the local area there is a range of material finishes to dwellings including brick, pebble dash, render and stone. Roofs are mostly finished with slate, however, some roofs feature concrete tiles. The proposed development is to be finished externally with brick cladding, currently proposed to be yellow buff colour with buff coloured mortar. In principle, this is acceptable given the mixture of external finishing materials including brick within the locality. The use of a yellow buff colour would also be appropriate as it would reflect the sandstone of the older properties located along Dorrington Road. It is considered reasonable to impose a condition to secure final details and of the brick cladding prior to works above ground level, so that this material can be fully assessed on site and in the context of surrounding stone and brick colours. The use of zinc standing seam roofing is considered to be acceptable, the colour would be akin to the colour of the slate roofscape. Again, final details of the materials to be used can be secured by planning condition, along with other design details such as the window finishes.

5.6 **Residential Amenity** NPPF Chapter 8 (Promoting Healthy and Safe Communities), Chapter 11 (Making effective use of land), Chapter 12 (Achieving Well-Designed Places); Development Management DM) DPD DM29 (Key Design Principles) and DM57 (Health and Well-Being).

5.6.1 Policy DM29 of the DM DPD and paragraph 135 of the NPPF is also relevant in the context of assessing the effects of development on residential amenity. Both strongly advocate the need for new development to be if high standard of design ensuring high standards of amenity are maintained and secured for existing and future users. Policy DM29 specifically state that new development must

ensure there is no significant detrimental impact to amenity in relation to overshadowing, visual amenity, privacy, overlooking, massing, and pollution.

5.6.2 The proposed development has the potential to impact existing residential development, particularly those residents of the dwellings immediately to the north (No.19) and south (No. 31) of the development site. At present, the existing single storey garages on both sides of the road extend the full length of each of the shared boundaries with the adjacent dwellings. This creates a long length of built form which extends for the full length of the neighbouring gardens. This is particularly harmful for the garden of No. 19, as the garage building is located immediately to the south of this garden and will therefore impede direct sunlight. The garage is also located at a higher topographical level and appears rather overbearing. The removal of the garages would remove this length of built form. Whilst the proposed replacement buildings are larger than the garages with respect to height, they are in line with both No. 19 and No. 31, with only a minor projection beyond the line of their rear elevations. This layout would serve to create a greater sense of openness within the neighbouring garden spaces and enable greater amounts of daylight for the garden of No. 19.

5.6.3 There are no windows within the side elevations of No. 19 and No. 31 which would be impacted by the construction of the proposed buildings. Overlooking of neighbouring gardens would be experienced from the upper floor windows of the proposed buildings, however, this would be a shared experience, which is not uncommon in more densely constructed urban environments such as this. In the context of this more densely constructed environment, it is considered that appropriate separation distances have been retained between opposing windows and windows which face opposing blank elevations.

5.6.4 The proposed dwellings accord with the Nationally Described Space Standards and all rooms have acceptable outlook and daylight. The gardens of the proposed dwellings are of an acceptable size, and subject to the installation of the boundary walls and fencing detailed on the proposal plans benefit from acceptable privacy levels.

5.7 **Biodiversity** NPPF: Chapter 15 (Habitats and Biodiversity); Strategic Policies and Land Allocations (SPLA) DPD Policies SP8 (Protecting the Natural Environment); Development Management (DM) DPD policies DM43 (Green and Blue Infrastructure), DM44 (Protection and Enhancement of Biodiversity) and DM45 (Protection of Trees, Hedgerows and Woodland).

5.7.1 The site at present is of low ecological value. There are to be pockets of hedge/shrub planting located at the western end of both parcels of land, however, these fall outside of the development site and will be retained in the context of the development. With respect to biodiversity net gain, the application benefits from the de minimis exemption, meaning biodiversity net gain is not a mandatory requirement for this application. However, planning policy still requires enhancement of biodiversity through development proposals. In this case, such an enhancement could be provided through the appropriate landscaping of the residential gardens. Details of the landscaping of the site can be secured by planning condition.

5.7.2 The site is located approximately 1.8km from Morecambe Bay and Duddon Estuary Special Area of Protection (SPA), Morecambe Bay Special Area of Conservation (SAC) and Morecambe Bay Ramsar site, in addition to the Morecambe Bay Site of Special Scientific Intertest (SSSI). Given the proximity of the site to the designated areas, there is the potential for the development to have an adverse impact on their integrity. No direct impacts will arise from the development. The identified impacts are indirect, relating to the effect of potential increased recreational disturbance. Accordingly, the Local Planning Authority has undertaken its own Habitat Regulations Assessment (and Appropriate Assessment) to fulfil the duty as the competent authority.

5.7.3 The Appropriate Assessment concludes that the proposal will not result in adverse effects on the integrity of any of the designated areas subject to appropriate mitigation being secured by condition. For impacts during the operational phase, this requires the provision of homeowner packs, which explain the sensitives of the nearby designated sites, include a ‘responsible user code’ and promotes the use of alterative areas for recreation, in particular dog walking.

5.7.4 With the implementation of the mitigation outlined above, it is considered that the proposed development will have no adverse effects on the integrity of the designated sites, their designation features or their conservation objectives, through either direct or indirect impacts either alone or in-

combination with other plans and projects. The mitigation measures can be adequately covered by a condition attached to any planning consent. The development is considered to accord with strategic policy SP8, EN7 of the SPLA DPD and policy DM44 of the DM DPD.

5.8 **Highways** NPPF Chapter 9 (Promoting Sustainable Transport) and Chapter 12 (Achieving Well-designed and Beautiful Places); Development Management (DM) DPD policies DM29 (Key Design Principles), DM57 (Health and Well-being), DM61 (Walking and Cycling), DM62 (Vehicle Parking Provision)

5.8.1 The existing garages are deemed to be under-utilised by the Council. Whilst the garages are or were previously rented as 'garages', the applicant has indicated that a large proportion of the garage stock are not used for storing cars. The County Highways Officer has reviewed the proposal and has confirmed that they have no objection to the development proposed. The development does not provide any off-highway parking; however, it is located within a sustainable location with good access to public transport and local amenities. Conditions have been requested to secure the submission and agreement of a construction method statement, and to secure off-site highway works in the form of the reinstatement of full height kerbs along the site frontages and the installation of pedestrian drop crossings with tactile paving. Given the constrained nature of the surrounding highway network, which is subject to a relatively high level of on-street parking, the submission and agreement of a construction method statement via a planning condition is deemed to be reasonable in this case, to ensure the construction phase of the development does not impede the safe operation of the already constrained highway.

5.8.2 With respect to the requested off-site highway works, these too are reasonable to request as part of this development. At present, the site frontage features low level drop kerbs to enable access to the garages. Following the demolition of the garages, vehicular crossing points will not be required. Therefore, to prevent or discourage on-street parking from impeding the pedestrian pavement, full height kerb lines should be installed along the length of the Hastings Road frontages of the site. Within this, provision of pedestrian drop crossings with tactile paving should be incorporated. The provision of these off-site highway works can be secured by planning condition.

5.9 **Sustainable Design** NPPF Chapter 12 (Achieving Well-Designed Places) and Chapter 14 (Meeting the challenge of climate change, flooding, and coastal change); Development Management (DM) DPD policies: DM29 (Key Design Principles), DM30a (Sustainable Design and Construction), DM30b: Sustainable Design and Construction – Water Efficiency and DM53 (Renewable and Low Carbon Energy Generation)

5.9.1 Newly adopted policies contained within the Climate Emergency Review of the Local Plan require development proposals to contribute to both mitigating and adapting to climate change to reduce greenhouse gas emissions. Policy DM30a requires this development to achieve a fabric first approach to construction that, with respect to dwellings commenced before 01/01/2028, will reach a minimum 75% reduction in carbon emissions against Part L of the Building Regulations 2013, expressed as a % uplift of the dwelling's Target Emissions Rate (TER). Development commenced after the 01/01/2028 will be required to achieve a 100% reduction (Net Zero) in carbon emissions.

5.9.2 The way in which an application intends to address the requirements of this policy is set out within the supporting Sustainable Design Statement incorporating and Energy and Carbon Statement. The statement confirms that the development will look to use a fabric first system, such as the Etopia EiSIP panel system (or similar). Such a construction system can exceed the Future Homes Standard, and when designed in conjunction with other high performance construction details, this can enable carbon emission reduction requirements. The proposal also includes the installation of solar panels upon the roof of each building to enable on site energy generation and to facilitate improved energy sustainability. The current Sustainable Design Statement incorporating and Energy and Carbon Statement does not quantify the developments final TER value in kgCO2e/m2 /yr. A condition to secure a full and final Sustainable Design Statement incorporating and Energy and Carbon Statement to include this information can be imposed. It is important to note that the full and final Sustainable Design Statement incorporating and Energy and Carbon Statement would need to address the required carbon emission reduction targets depending upon when commencement of the dwellings is to begin.

5.9.3 Policy DM30b requires all new residential developments to achieve, as a minimum, the optional requirement set through the Building Regulations Requirement G2: Water Efficiency. The design of new developments should optimise the inclusion of water efficiency and consumption measures including rainwater harvesting, and water reduction measures such as low flow taps, showers and toilets. As already highlighted, the draft drainage strategy includes provision for water butts to form part of the surface water drainage of the site, the provision of such items can be secured as part of the detailed drainage strategy condition. Furthermore, a condition can be imposed to ensure that the development meets the requirements of the optional requirement set through the Building Regulations Requirement G2: Water Efficiency.

## 6.0 Conclusion and Planning Balance

6.1 The principle of housing development in a sustainable location such as the application site fully conforms with the district's strategic development strategy. It will also result in the redevelopment of an existing brownfield site. These matters way in favour of the proposal and should be given moderate weight.

6.2 In the context of the national housing crisis and in the failure to deliver sufficient housing within the district to meet local needs, even the small-scale provision of 4 additional dwellings is a significant benefit and is afforded significant weight. Moreover, the provision of a 100% social rented affordable dwelling scheme also weighs substantially in favour of the development. The assessment above concludes technical matters such as transport impacts, flood risk, drainage, biodiversity, design matters, and amenity have all been satisfactorily addressed. Through the use of conditions, the development will be acceptable and will conform to the relevant national and local planning policies in relation to these matters. On this basis, the Planning Committee are recommended to support this application.

**Recommendation**

That Planning BE GRANTED subject to the following conditions:

| Condition no. | Description | Type |
|---|---|---|
| 1 | Timescale | Control |
| 2 | Approved plans | Control |
| 3 | Surface water drainage strategy | Pre-commencement |
| 4 | Foul drainage strategy | Pre-commencement |
| 5 | Sustainable design and energy and carbon statement | Pre-commencement |
| 6 | Construction management plan | Pre-commencement |
| 7 | Details/samples of materials | Prior to works above ground |
| 8 | Landscaping details | Prior to works above ground |
| 9 | Off-site highway works | Prior to occupation |
| 10 | Installation of solar panels | Prior to occupation |
| 11 | Water efficiency requirements | Prior to occupation |
| 12 | Homeowner packs | Prior to occupation |
| 13 | Affordable housing tenure | Prior to occupation |
| 14 | Remove PD rights – Part 1 of the GPDO | Control |

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

Officers have 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.

**Background Papers**
None