



URGENT BUSINESS

Planning and Highways Regulatory Committee

Monday, 8 January 2018

Agenda Item Number	Page	Title
3	1 - 5	<p>The Chairman has agreed to accept the following item of urgent business:</p> <p>Planning Application 17/01500/FUL 'Change of use of existing multi use games area to create a car park'. Ryelands Park Owen Road Lancaster Lancashire.</p> <p>This Planning Application is connected to the upcoming closure of the Greyhound Bridge on 29th January 2018 and therefore is considered urgent business as the next meeting of the Planning and Highways Regulatory Committee is not scheduled until after this date (i.e. 5th February 2018).</p>

Agenda Item Urgent	Committee Date 8 January 2018	Application Number 17/01500/FUL
Application Site Ryelands Park Owen Road Lancaster Lancashire	Proposal Change of use of existing multi use games area to create a car park	
Name of Applicant Lancaster City Council	Name of Agent	
Decision Target Date 14 February 2018	Reason For Delay N/A	
Case Officer	Mr Andrew Drummond	
Departure	No	
Summary of Recommendation	Approval	

(i) Procedural Matters

This form of development would normally be dealt with under the Scheme of Delegation. However, as the applicant is Lancaster City Council the application must be reported to Planning Committee.

1.0 The Site and its Surroundings

- 1.1 The application site is on the north side of Ryelands Park adjacent to Torrisholme Road. The site is approached from Torrisholme Road via an existing vehicular entry/exit arrangement and access road. It is separated from the Grade II Listed Ryelands House by 2 buildings forming part of Lune Park Children's Centre.
- 1.2 The site is allocated in the Local Plan as Outdoor Playing Space, Urban Greenspace and Key Urban Landscape.

2.0 The Proposal

- 2.1 The application seeks planning permission for a change of use of the existing multi-use games area (previously the hard surfaced tennis courts) to a 72 space car park, including 4 mobility spaces. The site already has a tarmac surface, so the only works required to create a car park are the removal of the perimeter fencing and the painting of white lines.

3.0 Site History

- 3.1 The most relevant and recent application in Ryelands Park relates to the pavilion:

Application Number	Proposal	Decision
15/00024/PAD	Prior approval for the demolition of redundant pavilion	Prior Approval not required

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objection subject to a condition requiring the access onto Torrisholme Road is surfaced with a bonded treatment for a distance of 6m from the back of pavement. Recommend that the car park is marked out with white lining.

5.0 Neighbour Representations

5.1 No comments received to date. Any correspondence received will be summarised in a verbal update at Planning Committee.

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 17 – 12 core land-use planning principles
Section 7 – Requiring good design

6.2 Local Planning Policy Overview – Current Position

At the 20 December 2017 meeting of its Full Council, the local authority resolved to publish the following 2 Development Plan Documents (DPD) for submission to the Planning Inspectorate:

- (i) The Strategic Policies and Land Allocations DPD; and,
- (ii) A Review of the Development Management DPD.

This enables progress to be made on the preparation of a Local Plan for the Lancaster District. The DPDs will be published in February, after which there will be a 6 week period for representations prior to the submission of the documents to the Planning Inspectorate for independent Examination. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in late 2018.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual ‘saved’ land allocation policies from the 2004 District Local Plan. Following the Council resolution in December 2017, it is considered that the Strategic Policies and Land Allocations DPD is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan’s preparation progresses through the stages described above.

The **Review of the Development Management DPD** updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making. Where any policies in the draft ‘Review’ document are different from those adopted in 2014, and those policies materially affect the consideration of the planning application, then these will be taken into account during decision-making, although again with limited weight. The weight attributed to the revised policies in the ‘Review’ will increase as the plan’s preparation progresses through the stages described above.

6.3 Development Management DPD

DM21 – Walking and Cycling
DM22 – Vehicle Parking Provision
DM25 – Green Spaces

DM26 – Open Space, Sports and Recreational Facilities

DM28 – Landscape Impacts

DM35 – Key Design Principles

6.4 Lancaster District Core Strategy

SC1 – Sustainable Development

SC5 – Achieving Quality Design

E2 – Transportation Measures

6.5 Lancaster District Local Plan (saved policies)

R1 – Outdoor Recreational Space

E29 – Urban Greenspace

E31 – Key Urban Landscape

7.0 Comment and Analysis

7.1 The key issues arising from the proposal are:

- Principle of a car park;
- Loss of recreational space; and
- Highway safety and efficiency.

7.2 The proposal seeks to form a car park that can intersect vehicles prior to travelling over Skerton Bridge, thereby taking some traffic off the highway network. This will be particularly important during the closure of Greyhound Bridge for a 6.5 month period in 2018. People travelling onwards to Lancaster can then chose to walk, cycle or use a bus to complete their journey. Whilst the principle of creating a small park and ride/walk/cycle facility is supported, the site is allocated as Outdoor Playing Space, Urban Greenspace and Key Urban Landscape, and as such the policies to which these designations relate need careful consideration.

7.3 Saved Local Plan policy E29 exceptionally permits essential community related development or limited expansions of existing uses. Depending on how “community” is defined, there are clear benefits to residents of the District (community in the broader sense) that are travelling from the north, west and south west into Lancaster to have a park and ride facility in this location albeit nearby residents (local community) would lose a tired enclosed recreational space. However, a clear argument is the expansion of an existing use. There is already a car park adjacent to the application site, so it will form an extension to this existing facility. Whilst the number of spaces to be made available will over double the existing provision, and therefore it could be argued that this is not a “limited” expansion, taken in the context of the c19 hectare park as a whole the site is only 0.15 hectares in size. On this basis it is considered that the proposal complies with this policy. Saved Local Plan policy E31 development only permitted which preserves the open nature of the area and the character and appearance of its surroundings. The visual openness would be enhanced by the removal of the existing fencing and the appearance of the area would not alter significantly as the space is already characterised by hardstanding and the adjacent car park. Therefore the proposal is deemed to meet the requirements of this saved policy. Lastly, saved Local Plan policy R1 exceptionally permits development that would result in the loss of outdoor playing space where there is clear justification for it, which in this case there is. However, the saved policy does go on to state that such development will only be permitted only where sports and recreation facilities can best be retained and enhanced through the redevelopment of a small part of the site or alternative provision of equivalent community benefit is made available. The application does not propose to enhance the retained part of the outdoor playing space, or provide an equivalent alternative. Whilst there are plans to improve Ryelands Park’s recreational offer to the benefit of the local community, they do not form part of this proposal, and therefore the application fails to fully meet the requirements of this saved policy.

7.4 Ideally the application would have been submitted with the aforementioned enhancements included as part of the proposal so that it fully complies with all 3 of the saved Local Plan policies, and for the improvements to be delivered within a suitable timescale. However, there is a clear urgency to provide this park and ride/walk/cycle facility with the Greyhound Bridge closure imminent, and the proposal has community support in the form of the Friends of Ryelands Park group. It is for these

reasons that the principle of the car park and the loss of the recreational space is acceptable.

- 7.5 Ryelands Park benefits from a Friends Group that have created a Master Plan for the recreational space. This Master Plan seeks to develop a car park to provide spaces for users of the adjacent children's centre, which will improve health and safety for the children at this centre and provide adequate access for emergency service vehicles to the centre and Ryelands House. Therefore the car park will have a long term benefit as well as a short term one. The Highway Authority raises no highway safety concerns, but does seek a condition requiring the first 6m of the access (Measured from the back of pavement) to have a bonded surface so that no loose material is transferred to the adopted highway. Presently both the access and access road have a tarmac finish, so it is recommended that this condition is not imposed. The Highway Authority, however, advises that the car park is white lined before it is brought into use, and for safety and efficiency purposes this is recommended as a condition.
- 7.6 The application advises that there will be no charges or restrictions on the use of the car park during the day, but overnight parking will be prevented. There is no need to impose a planning condition requiring details of how such a restriction will be enforced as the City Council already has powers under a by-law that does not allow for overnight parking in recreational parks.

8.0 Planning Obligations

- 8.1 There are no planning obligations to consider as part of this application.

9.0 Conclusions

- 9.1 The closure of the Greyhound Bridge will result in the need for alternative forms of travel to alleviate traffic pressures on Lancaster's gyratory system and artery roads into and out of the city centre, including and most obviously Skerton Bridge. This proposal seeks to provide a small solution to this short term problem, but there are also longer term benefits insofar as the operations of Ryelands House and the adjacent children's centre are concerned. The works also are compliant with the Friends of Ryelands Park's Master Plan, so it has some community support. Whilst the application does not seek to deliver any recreational enhancements as part of this proposal, the applicant continues to work in partnership with the Friends Group to realise the aspirations of the Master Plan for the benefit of the local community which the park serves.
- 9.2 The consultation period does not expire until 11 January, so a decision cannot be issued until Friday 12 January. For this reason it is recommended that Members vote to approve the application but also to delegate the application back to the Chief Officer for Regeneration and Planning for issuing a decision upon the conclusion of the consultation period (unless valid material considerations are raised in correspondence received after Members' resolution that have not been considered by Members in reaching their decision, in which case the application will be reported back to February's Planning Committee).

Recommendation

That Planning Permission **BE GRANTED** subject to the conditions listed below, but the application be delegated back to the Chief Officer for Regeneration and Planning for issuing a decision upon the conclusion of the consultation period (unless valid material considerations are raised in correspondence received after Members' resolution that have not been considered by Members in reaching their decision):

1. Standard 3 year timescale
2. Works in accordance with approved plans
3. White lining to mark out parking bays and re-surfacing to occur prior to car park being brought into use

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:

In accordance with the above legislation, 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 made having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None.