

Agenda Item A5	Committee Date 7 December 2009	Application Number 09/00968/OUT
Application Site Land adjacent Kellet Road Industrial Estate, Kellet Road, Carnforth		Proposal Replacement application for 05/00734/OUT to extend the time limit for implementation of the outline application for the formation of Carnforth Business Park - provision of mixed use scheme falling within use classes B1, B2 and B8
Name of Applicant Strong Developments Ltd		Name of Agent JMP Architects, China Street, Lancaster LA1 1EX
Decision Target Date 1 January 2010		Reason For Delay Not applicable
Case Officer		Peter Rivet
Departure		No
Summary of Recommendation		Approval

1.0 The Site and its Surroundings

- 1.1 This Greenfield site, with an area of 9.8ha, is on the north east edge of Carnforth, and adjoins Kellet Road Industrial Estate. Its eastern boundary abuts the M6 motorway.
- 1.2 There are two footpaths crossing the site (Nos. 5 and 25) which link Kellet Road with the Lancaster Canal. It is also crossed by high voltage electricity lines. From a landscape point of view the land concerned is relatively prominent in views of Carnforth from the north and west, especially from the motorway and the Lancaster Canal.

2.0 The Proposal

- 2.1 The site has now been acquired by a different developer. The present application for outline consent is a straightforward renewal of the existing consent, which envisages a new access into it off the B6254 road.
- 2.2 It should be noted that the previous permission was subject to a section 106 agreement, covering a contribution of £20,000 over a five year period to secure an improved bus service.
- 2.3 Negotiations are however in progress to agree an alternative route off the existing Kellet Road Industrial Estate, which would be significantly cheaper to construct. The applicants have submitted the present application to safeguard their position, should negotiations to acquire land be unsuccessful.

3.0 Site History

- 3.1 Adjoining land has been worked for sand and gravel and there are understood to be significant resources under the land; however the area is not formally safeguarded in the Lancashire Minerals and Waste Disposal Plan. In 1993 a proposal for the extraction of sand and gravel was refused consent, and in 1994 a subsequent appeal was dismissed.

- 3.2 In 2004 an outline proposal similar to the present one was submitted but it was withdrawn when it became apparent that there were practical problems with the access arrangements. The 2005 scheme (which was approved in 2006 following signing of the associated section 106 agreement and is now due for renewal), was an amended version which was intended to overcome the earlier problems. The site boundary corresponds with the Local Plan allocation (the original version included an area reserved for countryside and open space uses).

Application Number	Proposal	Decision
04/00853/OUT	Outline application for Carnforth Business Park - provision of mixed use scheme falling within classes B1, B2 and B8	Withdrawn
05/00734/OUT	Outline application for Carnforth Business Park - provision of mixed use scheme falling within classes B1, B2 and B8	Approval
08/00155/REM	Reserved matters application for access road and infrastructure serving Carnforth Business Park	Approval

4.0 Consultation Responses

- 4.1 The following comments have been received:

Consultees	Response
Carnforth Town Council	Would prefer to see a new application rather than renewal of the previous consent.
County Council Highways	The conditions attached to the previous consent (05/00734/OUT) should be attached to any renewal.
County Council Planning	No comments received within statutory timescale.
Environmental Health	Draw attention to the potential for general industrial uses to impact on residential areas of Carnforth. Recommend that any consent should be subject to noise impact assessments and hours restrictions on traffic. Draw attention to the area being at risk from Radon Gas.
North West Development Agency	Do not wish to make comments on this proposal.
Economic Development	No comments received within statutory timescale.
Highways Agency	No comments received within statutory timescale.
United Utilities	No objections, but there are sewer capacity problems in Carnforth and it will be important to discuss the point of connection to the system. A separated drainage system should be used. A sustainable urban drainage system is recommended.
British Gas	No comments received within statutory timescale.

5.0 Neighbour Representations

- 5.1 No representations from members of the public had been received at the time this report was prepared.

6.0 Principal Development Plan Policies

- 6.1 Policy **SC2** of the Core Strategy seeks to concentrate the majority of new development within the main urban areas, including Carnforth.
- 6.2 Of the saved policies from the Lancaster District Local Plan, **EC3** states that: "The 7.8 ha of land identified as the Carnforth Business Park is allocated for B1 (business and light industrial) and B2 (general industrial) use. Proposals for uses which could result in significant increases in HGV movements in or out of Carnforth Town Centre will not be permitted."

6.3 Other saved policies from the District Local Plan relevant to the proposal are:

- EC6, which sets out criteria for new employment development
- T9, which requires development likely to increase the need to travel to make provision for buses and provide appropriate pedestrian and cycle links
- T16, setting out Lancashire County Council's parking standards
- T27, stating that developments affecting rights of way must provide alternative routes
- E4, identifying the area on the northern site boundary as Countryside
- E11, covering development affecting flood plains
- E17, which identifies Kellet Road verges as a County Biological Heritage site
- E29, which identifies adjacent land to the west as Urban Greenspace
- E30, identifying the Lancaster Canal as a "green corridor"
- E44: this identifies Kellet Road as an "access corridor" and sets out design criteria for adjacent development.

7.0 Comment and Analysis

- 7.1 It is important to note at the outset that this application has been submitted on the basis that it is for an extension of time, which means effectively modifying the period of the outline consent. It would therefore require a very special justification to alter any of the other conditions attached to the original permission.
- 7.2 The principle of developing the land for industry is consistent with the provisions of the Lancaster District Local Plan, as it was when the original consent was granted. The Local Plan envisages its use for B1 (Business) and B2 (General Industrial) uses rather than for B8 (Storage and Distribution). However a good case can be made for allowing this in that one of the issues in Carnforth is the use of land at Warton Road as a major storage and distribution depot. The transfer of this to a site on the edge of the town, close to the M6 motorway, would be of considerable benefit as it would obviate the need for large numbers of heavy goods vehicles travelling through the main shopping centre, along Market Street.
- 7.3 The obvious access into the land is not via the new road as at shown on the application, but off the existing Kellet Road Industrial Estate. This remains the applicants' objective. It is likely that in the near future the present application will be followed by a new one showing this arrangement.
- 7.4 In landscape terms, the site is most prominent from the north and its development will impact on long distance views of Carnforth from the A6 road and the M6 motorway. It will also have some effect on views from the Lancaster Canal. With this in mind, appropriate landscaping is particularly important. This also has the potential to avoid future problems with advertisements on buildings facing towards the M6 motorway. The detailed layout will also have to take account of the public footpaths affected. The terms of the previous consent take account of this.
- 7.5 The site covers known sand and gravel resources. Consideration was given at the time of the last application to whether it would be appropriate to extract them before allowing development of the site to proceed. It was however regarded as inappropriate to work these areas in 1994, because of the impact it would have on surrounding uses, which includes Carnforth High School. The view taken in 2005 was that it was not appropriate to pursue the idea. Since the other sand and gravel working in the area has long ceased, the environmental objections to extraction are if anything stronger than before.
- 7.6 A difficulty arising from the new access road would be that it is not convenient for pedestrians and cyclists. For pedestrians, it would involve walking up to the top of a hill and down the other side; for cyclists, the position would be made even worse by the need to negotiate a busy road junction. This point was addressed in the previous consent by requiring a separate pedestrian and cycle route into the site (with which the ransom strip does not interfere). It would be preferable to use the existing access and, as reported previously, this is the applicants' preferred option. However it does not mean that there is any justifiable reason not to renew the existing consent on the same terms as before.
- 7.7 The previous consent was subject to a Section 106 agreement covering public transport improvements. Renewing the present consent can be made subject to the same agreement.

8.0 Conclusions

- 8.1 Circumstances have not changed in any material way since the 2006 permission was granted. Notwithstanding the fact that a separate application for new access arrangements may be submitted in the future, it is recommended that the period of validity of the original outline planning permission should be extended for a further three years.

Recommendation

That Outline Planning Permission **BE GRANTED** subject to the following conditions:

1. Standard outline condition.
2. Details to be submitted - siting, design, materials, landscaping.
3. Details of internal highway network to be agreed.
4. Landscaping to be implemented during the first planting season following occupation of first buildings on the site.
5. Pedestrian/cycle link to access road serving existing Kellet Road industrial estate to be provided before any buildings within the development are made available for occupation.
6. Details of perimeter drainage to be agreed.
7. Separators/interceptors to be provided for car park areas.
8. Separated drainage system to be provided.
9. Survey of ecological impact to be carried out and any mitigation measures recommended to be included within the landscaping scheme.
10. Access into site to be no steeper than 5% for the first 30 metres.
11. Details of off-site highway works to be agreed.
12. No buildings within site to be occupied until the off site highway works have been completed.
13. Business Travel Plans to be agreed for premises within the site.
14. No development until section 106 agreement in place covering public transport improvements.

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.