

Agenda Item	A6
Application Number	22/00897/FUL
Proposal	Retrospective application for the erection of 2m fencing to roadside boundary with pedestrian access gate, a vehicular access barrier and the installation of 2 electric vehicle charging points
Application site	Car Park Victoria Terrace Glasson Dock Lancashire
Applicant	Lancaster Port Commission
Agent	Mr Alban Cassidy
Case Officer	Ms Charlotte Greenhow
Departure	No
Summary of Recommendation	Approval

(i) **Procedural Matters**

This form of development would normally be dealt with under the Scheme of Delegation. However, the application was called in by Councillor Sally Maddocks who requested the application to be determined by the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 The application site relates to an area of hardstanding located on the south-east side of Glasson Dock at the end of Victoria Terrace. The area of hardstanding provides 17 off street parking spaces and is within the ownership of the Lancaster Port Commission. It is bounded by the Dock to the west, employment premises to the north, residential properties to the east, and an existing tree line and timber fence to the south with open space beyond. The site is located within Glasson Dock Conservation Area and forms part of the Glasson Dock Scheduled Ancient Monument. The site is within the designated Port boundary and is allocated as an Established Employment Area in the Local Plan.

2.0 Proposal

2.1 The application seeks retrospective planning permission for the erection of 2m fencing to the roadside boundary with pedestrian access gate, a vehicular access barrier and the installation of 2 electric vehicle charging points.

2.2 The proposed fencing is located along the eastern boundary of the site and comprises of a 2m high green steel post and v-mesh welded security fencing. The dock side remains open. The vehicular access barrier will be set approximately 6.5m in from the roadside.

2.3 Whilst shown on the proposed plans, it was noted that the access barrier had been removed at the time of the site visit. The agent has confirmed (via email dated: 14.09.2022) that the previous barrier proved inept, and the aim is to install a more robust barrier system of the type shown.

3.0 Site History

3.1 No previous applications relating to this site have been received by the Local Planning Authority.

4.0 Consultation Responses

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

Consultee	Response
Parish Council	Object. Unclear if the fencing is located on a scheduled monument and has been erected without scheduled monument consent. The fencing does not enhance the scheduled monument. Questions whether any analysis has been done on the need for this fenced car park as residents have been excluded and forcibly moved. There is little parking for residents within Glasson Dock. Have also raised is the installation of electric charging points green washing the proposal? Double yellow lines have been painted which have no legal status and area not enforceable.
County Highways	No objections. The proposals should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site. The proposed vehicle and pedestrian access arrangements, position and type of fencing and available sightlines are acceptable to the Highway Authority.
Environmental Health	No objections. No significant environmental health implications were noted, and we offer no adverse comments or advice.
Conservation Officer	Object, the principal of a fence and coded barrier is acceptable however the current is inappropriate and does not sustain or enhance the character and appearance of the conservation area.
National Amenities Societies	No response.
Historic England	No objection on heritage grounds. The development is consistent with the continuing use of the scheduled monument as a small-scale working port, and the materials proposed similar to those used elsewhere around the site. Scheduled Monument Consent has already been obtained for the development.
Ancient Monuments Society	No response.
Canal and Rivers Trust	Advice provided. We ask the Council to satisfy itself that separate Scheduled Ancient Monument Consent is not required. Questions whether such security fencing is justified in such a sensitive area and whether an alternative lower fence (e.g. timber post and rail fencing) would be more appropriate.
HSE	Do not advise against.

4.2 Local Councillor representation:

- The fence significantly detracts from the Ancient Monument Site and Conservation Area
- The car park used to be a shared amenity and in enclosing it, there has been a knock-on effect with parking issues
- Enclosing the area has resulted in lorries queuing to get into the quay, restricts visibility, and causes additional noise and fumes.

- The electric barrier was bright red illuminated and shone all night.
- There is a large, illuminated sign of the weighbridge that shines brightly all night long
- The anchor that belonged to the King Orry (a legendary village shop) and has been enclosed and the Glasson Action Partnership cannot access it to maintain it.
- There are unenforceable double yellow lines painted along the fence.

4.3 Public representations - Two letters of objection have been received. These are summarised as follows:

- It is an eyesore and out of keeping with the Conservation Area
- Completed underhand without consultation to stakeholders nearby
- The car park is a much-needed community carpark for village residents and visitors
- The area provided views across the Dock Side
- Lorries prove difficult to pass
- The Port Commission have disregarded the needs of the village and opted for purely financial reasons.

5.0 Analysis

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

- Principle of development
- Impact on visual amenity and heritage assets
- Highway safety
- Other matters

5.2 Principle of development (NPPF Section 2 (Achieving Sustainable Development), Policies DM14 (Proposals involving Employment and Premises) and DM47 (Economic Development in Rural Areas) of the Development Management DPD, and Policy EC1 (Established Employment Areas) of the Strategic Policies and Land Allocations DPD.

5.2.1 The submitted supporting statement states that the retrospective fencing is to provide a secure off-street facility for employees of Lancaster Port and associated companies. The works will incorporate 2 no. electric vehicle charging points to meet local requirements and the increasing demand for such infrastructure. The existing 17 spaces will be retained. The agent has confirmed (via email dated: 15.09.2022) that the intention is that there would be an access code for the car park given to authorised users and this would regularly change at set periods or if there was ever a security breach. Visitors to the site will push the button at the entrance of the car park and the barrier would automatically call the harbour master or the offices who will either admit visitors or redirect is access isn't granted. The intention is to make all of the operational port secure, in accordance with Government requirements.

5.2.2 Concerns have been raised within the letters of objection in regard to loss of a community asset and lack of regard for village needs. However, whilst these comments have been noted, the car park has always been within the private ownership of the Port Commission and has not been allocated for public use. Whilst it is noted that the car park was previously open for members of the public to freely use, this was never on an official basis, and has always been specified as a visitor's car park for the port. It is therefore not considered that the secure car parking facility results in the loss of a designated community asset, nor could it be considered as such. It is noted that a large public car park is located approximately 65m away.

5.2.3 The site is designated as an Established Employment Site, whereby land should be used for employment purposes and will be protected from non-employment generating uses for their economic value and contribution to the wider rural economy of the district. In terms of this, given that the proposal seeks to increase security and availability of the car park for Port Commission staff and visitors, the principle of the development is considered acceptable.

5.3 Impact on visual amenity and heritage assets (NPPF Section 12 (Achieving Well Designed Places) and Section 15 (Conserving and enhancing the Historic Environment), Policies DM29 (Key Design Principles), DM38 (Development affecting Conservation Areas), DM39 (The Setting of Designated

Heritage Assets), DM41 (Development affecting Non-Designated Heritage or their Settings), DM42 (Archaeology) of the Development Management DPD.

- 5.3.1 The site is located within Glasson Dock Conservation Area and forms part of the Glasson Dock Scheduled Ancient Monument. As per Historic England's Official List Entry (noted within the Councils Glasson Dock Conservation Appraisal), the Scheduled area includes the wet dock, constructed in 1800, the E pier (c.1785), the pier head and the Harbour Masters Offices (1789), the graving dock (1800), and the lock and entrance to the canal basin (1824). The whole complex constitutes a rare surviving example of the late C18th and C19th commercial dockyard.
- 5.3.2 The Councils Conservation Appraisal of the area sets out how Glasson Dock has evolved historically and highlights the key contributors to the architectural quality and character of the place. Within this, it is acknowledged that there has been some unsympathetic development concentrated around the dock area including some large, corrugated metal warehouses and flat roof cafes south-west of the dock. Overall, there still remains an overriding historic impression through retention of buildings, but modern developments and alterations to detailing have undermined this significance.
- 5.3.3 The proposed secure car park is located within the allocated Established Employment Site, adjacent to the dockside, and in close proximity to several industrial units. As such, whilst the site also forms part of Glasson Dock Conservation Area and sits in close proximity to several Non-Designated Heritage Assets (along Victoria Terrace), the proposed fencing does not appear out of place within this mainly industrial port setting. Historic England have also been consulted on this scheme and have raised no objections, citing that the development is consistent with the continuing use of the scheduled monument as a small-scale working port, and the materials proposed are similar to those used elsewhere around the site. In addition, any impact on archaeological deposits relating to the historic use of the port will be minimal.
- 5.3.4 The Councils Conservation Officer has also been consulted on the scheme and has raised concerns over the style and appearance of the fencing. Whilst the principle of a fence and coded barrier is acceptable in principle, it is considered that a timber post and rail fence or well detailed bollards with chains (similar to those on the dock side of the car park) would be more acceptable.
- 5.3.5 However, whilst these comments have been noted, consideration has been given to the location of the car parking area (within the Established Employment Area) and variety of different fencing within the vicinity. It is accepted that low timber fencing surrounds the area of open grass to the immediate east, however there are instances of 2m high metal open fencing within the port area itself. As such, the retrospective green steel post and v-mesh welded security fencing is not considered to appear out of place or result in any significant harm to the character or appearance of the Conservation Area.
- 5.3.6 Consequently, whilst the proposed fencing to create a secure car parking area is industrial in appearance and typically does not lend itself to the setting of a Conservation Area, given the siting of the development within the Established Employment Site and adjacent to modern industrial developments, it is not considered to result in any significant harm to the visual amenity of the area of historic character of the site. The proposal is therefore considered acceptable in terms of impact on visual amenity and impact on surrounding heritage assets.
- 5.4 Highway safety (NPPF Section 9 (Promoting sustainable transport); Policy DM61 (Walking and Cycling) of the Development Management DPD.
- 5.4.1 As mentioned above, the car parking area was formerly open and used freely by members of the public. The retrospective fencing has therefore put an end to this arrangement causing residents and visitors to park elsewhere. However, whilst this adds pressure to the existing on-street facilities, it is noted that many nearby residents (along Victoria Terrace) benefit from car parking spaces to the rear of their properties and parking for visitors is available on-street to the front on a restricted 1-hour basis. There is also a large public car park located approximately 65m away to the east. As such, whilst concerns relating to parking pressures have been noted, given that this is private land for the use of staff and visitors of the port only, it is not (and should never have been) in use for resident parking.

5.4.2 County Highways have been consulted on this application and have raised no concerns. It is considered that the proposals should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site. The proposed vehicle and pedestrian access arrangements, position, type of fencing and available sightlines is acceptable to the Highway Authority.

5.5 Other matters

5.5.1 The letter received by the Local Councillor made comments on the illuminated electric barrier, although this had been removed at the time of the site visit and so the level of illumination could not be assessed. This was relayed to the agent, and it was suggested that there are some safety benefits to some low-level lighting. However, it was agreed that further details of the barrier and proposed lighting could be added as a condition, to ensure that there would be no adverse effects on residential amenity.

5.5.2 In addition to this, concerns have been raised over the historic anchor within the site which has now been enclosed by the security fencing. This has previously been maintained by the Glasson Dock Partnership who are now unable to access the site to maintain it. Again, this was relayed to the agent, and it was stated that the Port commission would be responsible for its future maintenance in the short term. In any case, the maintenance of the anchor is considered to be a private matter between the Port commission and Glasson Action Partnership group and not a material planning consideration in the determination of this application. Both parties should communicate with each other in order to reach a resolution for the maintenance of the anchor going forward.

6.0 Conclusion and Planning Balance

6.1 In conclusion the retrospective 2m fencing with pedestrian access gate, vehicular access barrier and 2 electric vehicle charging points is considered to comply with both local and national planning policies. While located within Glasson Dock Conservation Area and in close proximity to several Non-Designated Heritage Assets, consideration has been given to the setting of the development within the Established Employment Area of Glasson Dock and adjacent to the built-up industrial port area. As such, the retrospective development is not considered to result in any significant harm to the character, appearance or significance of the heritage assets to a degree which could warrant refusal. Furthermore, the principle of securing the site for the use of staff and visitors of the port is acceptable and there are no significant issues in terms of highway safety. The development is therefore in accordance with Policies DM14, DM29, DM38, DM39, DM41, DM42, DM47 and DM61 of the Development Management DPD, Policy EC1 of the Strategic Policies and Land Allocations DPD, and Sections 2, 9, 12 and 15 of the National Planning Policy Framework.

Recommendation

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

Condition no.	Description	Type
1	Development in accordance with approved plans	Control
2	Notwithstanding the details indicated on the approved plans, prior to its installation details of the electric barrier including any illumination shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall then be constructed in accordance with the approved details, and retained as such at all times thereafter. Reason: In the interests of the amenity of the area.	Pre-commencement

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

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

Background Papers

None.