

<b>Agenda Item</b>	A6
<b>Application Number</b>	23/01353/FUL
<b>Proposal</b>	Erection of two industrial/employment buildings comprised of 11 units (Class B2/E(g)) with associated parking/turning area, landscaping and associated infrastructure
<b>Application site</b>	Land Adjacent Galgate Mill Chapel Lane Galgate Lancashire
<b>Applicant</b>	Mr Rob Lowery
<b>Agent</b>	Mrs Erica Wright
<b>Case Officer</b>	Ms Kate Henry
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Approval, subject to conditions

## 1.0 Application Site and Setting

- 1.1. The application site encompasses land to the north and north-east of Galgate Mill in Galgate. The site stretches from Chapel Lane in the west over to the open field to the east and includes part of the car parking area / access route to the north of a two-storey brick building which runs perpendicular to Chapel Lane, to the north of the main mill building. At the time of the officer's site visit, site clearance work was underway at the eastern end of the application site.
- 1.2. The application site falls partly within a Development Opportunity Site (DOS4 – Galgate Mill) and the immediate area is largely characterised by employment uses. The aforementioned, historic, two storey brick building (outside of the application site) is in commercial / light industrial use, there are other, more modern, light industrial units to the east and north-east of the mill (e.g. car repair garage, workshops etc.) and on the other side of Chapel Lane is Galgate Mill Rural Employment Site.
- 1.3. Galgate Silk Mills are two mill complexes on either side of Chapel Lane and are both grade II listed. The 5 storey, red brick building, to the south of the application site (on the east side of Chapel Lane), dates back to 1852. It is a former silk mill, later converted to warehouse units and now in use as student accommodation. It has a distinctive square tall chimney which is a local landmark. On the west side of Chapel Lane, the part 2 and part 3 storey sandstone rubble building was converted from a water-powered corn mill in 1792 and then extended in the 1830s. It is now subdivided into factory units.
- 1.4. Ellet House, to the north, is grade II listed. The building, which has been extended substantially to the rear and is now in use as a nursing home, dates back to the early to mid C19th.
- 1.5. The application site is on land designated as open countryside (i.e. not within the main urban areas of the district), although the site falls within the built-up area of Galgate, which is defined as a sustainable settlement in the Local Plan. Chapel Lane is classified as a C road (C462).

- 1.6. The application site is in Flood Zone 1. The site is susceptible to groundwater flooding (high and medium potential) and a small part of the site is at low risk of surface water flooding. The closest watercourse is the River Conder, approximately 140 metres to the west.
- 1.7. The application site is in an Air Quality Management Area (Galgate) and falls within the Morecambe Bay and Duddon Estuary Special Protection Area Buffer Zone (3.5 km).

## 2.0 The proposal

- 2.1 Planning permission is sought for the erection of two general industrial / employment buildings [Class B2/E(g)], comprised of 11 individual units (1,031 sqm of gross internal floorspace), with associated car parking, landscaping and infrastructure.
- 2.2 The larger of the two buildings would be located parallel to the eastern edge of the application site, adjacent to the boundary with the adjacent field. It would measure approximately 36.5 metres long and between 11.4 and 13.4 metres wide. It would have a dual-pitched roof with a maximum height of approximately 6.7 metres (between 5 and 5.7 metres to the eaves). The plans indicate that this building would provide up to 7 individual units (3 at ground level and 4 at first floor), although there would be flexibility for tenants to occupy more than one unit if desired.
- 2.3 The smaller of the two units would be located perpendicular to the larger one, to the west, and to the north of another existing unit (outside of the application site). It would measure approximately 21 metres long by 10.6 metres wide. It would have a dual-pitched roof with a maximum height of approximately 6.3 metres (5 metres to the eaves). The plans indicate that this building would provide 4 individual units (2 at ground level and 2 at first floor), with the flexibility for tenants to occupy more than one unit if desired.
- 2.4 Both new buildings would feature rendered blockwork elevations with metal roller shutter doors and power coated aluminium double-glazed windows, below a natural slate roof featuring solar PV panels to all roof slopes.
- 2.5 The plans have been revised during the course of the application to simplify the overall design of the buildings, alter the fenestration arrangement, amend the materials palette, alter the parking layout (to ensure no overlap with the parking allocated to the student accommodation) and to introduce further landscaping.

## 3.0 Site History

- 3.1 None relevant

## 4.0 Consultation responses

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

Consultee	Response
Conservation	No objection subject to suggested conditions.
Environmental Health	No objection subject to suggested conditions.
County Highways	No objection subject to suggested conditions.
County Archaeology	No objection.
Lead Local Flood Authority	No objection subject to suggested conditions.
United Utilities	No objection subject to suggested condition.
Fire Safety Officer	Building Regs advice.
Ellel Parish Council	Support the creation of work opportunities. Concerns about parking and drainage.
Natural England	No response.

- 4.2 One objection and one comment have been received from members of the public, summarised as follows:

- Highway safety on Chapel Lane, particularly for pedestrians.
- Increased pressure on existing drainage system.

## 5.0 Analysis

5.1 The key considerations material to the determination of this application are as follows:

- Principle of development
- Flood risk and drainage
- Heritage and design
- Trees and landscaping / biodiversity
- Impact on neighbours
- Highways and transport
- Air quality
- Contaminated land

5.2 **Consideration 1 – Principle of development** – NPPF Paragraphs 7-14 (Achieving sustainable development); 85-89 (Building a strong, competitive economy); Strategic Policies and Land Allocations DPD Policies SP1 (Presumption in Favour of Sustainable Development); SP2 (Lancaster District Settlement Hierarchy); SP3 (Development Strategy for Lancaster District); SP4 (Priorities for Sustainable Economic Growth); DOS4 (Galgate Mill, Galgate); EN3 (The Open Countryside); Review of the Development Management DPD Policies DM14 (Proposals involving Employment Land and Premises); DM15 (Small Business Generation); DM28 (Employment and Skills Plans)

5.2.1 The application site is on land designated as open countryside (i.e. not within the main urban areas of the district); however, the site is within the built-up area of Galgate, which is defined as a sustainable settlement in the Local Plan; and Policy SP2 of the Local Plan states that the sustainable rural settlements will provide the focus for growth in the district outside the main urban areas. Furthermore, the application site is partly within Development Opportunity Site DOS4 (Galgate Mill), as defined by the Local Plan, wherein the Council will support proposals for the regeneration and redevelopment of Galgate Mill and its surroundings. The application site is also in close proximity to the Galgate Mill Rural Employment Site, on the other side of Chapel Lane, and the immediate area is largely characterised by employment uses. On this basis, the proposal to erect two new industrial / employment buildings on the site is considered to be acceptable, in principle, subject to the detailed considerations below.

5.2.2 In major development schemes (over 1000 sqm of new commercial floorspace), Policy DM28 of the Local Plan requires an applicant to undertake and implement an 'Employment and Skills Plan' that will set out opportunities for, and enable access to, employment and the up-skilling of local people through the construction phase of the development proposal. A suitable planning condition is suggested to secure this.

5.3 **Consideration 2 – Flood risk and drainage** – NPPF Paragraphs 157, 165, 172-175 (Meeting the challenge of climate change, flooding and coastal change); Strategic Policies and Land Allocations DPD Policies DOS4 (Galgate Mill, Galgate); Review of the Development Management DPD Policies DM29 (Key Design Principles), DM33 (Development and Flood Risk); DM34 (Surface Water Run-off and Sustainable Drainage); DM35 (Water Supply and Waste Water); DM36 (Protecting Water Resources and Infrastructure)

5.3.1 The application site is in Flood Zone 1. The Council's Strategic Flood Risk Assessment (SFRA) map indicates that the application site is susceptible to groundwater flooding (high and medium potential) and a small part of the site is at low risk of surface water flooding. The closest watercourse is the River Conder, approximately 140 metres to the west.

5.3.2 Policy DM33 of the Local Plan seeks to minimise the risk of flooding from all sources of flooding. The policy states: "*New development will need to satisfy the requirements of the sequential test and exception test where necessary in accordance with the requirements of national planning policy and any other relevant guidance. Where proposals fail to satisfy the requirement of these tests they will be refused.*" Paragraph 168 of the NPPF states: "*The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be*

*allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.”*

5.3.3 Paragraph 172 of the NPPF states: *“Where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again. However, the exception test may need to be reapplied if relevant aspects of the proposal had not been considered when the test was applied at the plan-making stage, or if more recent information about existing or potential flood risk should be taken into account.”* Although the application site falls partly within a Development Opportunity Site (DOS4 - Galgate Mill), the 2017 Local Plan Sites Assessment considered flood zones and surface water flooding in the sequential test, but did not consider groundwater flooding or future risk due to climate change. Therefore, a sequential test is now required, in order to demonstrate that there are no other sites that could be developed that are at lower risk of flooding.

5.3.4 A sequential test was provided by the applicant at officers’ request, and subsequently amended in response to further comments from officers. With regards to the scope of the sequential test, it was agreed that it should focus on allocated employment sites in the Galgate and South Lancaster area that would be capable of accommodating the proposed development [i.e. circa 1000 sqm of Class B2/E(g) floorspace]. There are 4 sites / areas in the Galgate and South Lancaster area (excluding the application site itself) that have been considered, as follows:

- Lancaster South Broad Location for Growth (including Bailrigg Garden Village)
- Lancaster University Health Innovation Campus
- Glasson Dock Industrial Area
- Junction 33 Agri-Business Centre, Galgate

5.3.5 The Health Innovation Campus is ruled out in the sequential test on the basis that the site is intended to provide a specialist type of employment floorspace (i.e. health and health-care related businesses). Insofar as Policy SG2 (which relates to the Health Innovation Campus) refers to *“knowledge-based and research businesses”*, it is agreed that the site would not be suitable for Class B2/E(g) uses such as proposed in this application. Officers therefore agree that this site can be discounted for the purpose of the sequential test.

5.3.6 Similarly, the Junction 33 Agri-Business Centre is ruled out on the basis that it is envisaged to provide space for agricultural-related and land-based businesses. Whilst such uses could fall within the same use classes as proposed in this application, officers nevertheless agree that this site can be discounted for the purpose of the sequential test, as Policy EC3 (which relates to the Junction 33 Agri-Business Centre) is clear that any proposals for the site should be brought forward as part of a comprehensive masterplan that addresses a number of issues including the relocation of the existing Auction Mart. Clearly, that is beyond the scope of the current application being considered.

5.3.7 With regards to Glasson Dock Industrial Area, the sequential test highlights the fact that the area: *“serves niche port and marine-related industries, with the location serving an entirely different employment and industrial market”* (page 7). This is not entirely relevant to the sequential test, as Policy EC1 (Established Employment Areas) states that proposals for B1 (Office), B2 (General Industrial) and B8 (Storage and Distribution) will be supported in principle at the Glasson Dock Industrial Area Rural Employment Site. Nevertheless, the sequential test also highlights the fact that, whilst some of the allocated site is sequentially preferable in terms of groundwater and surface water flooding, the majority of the site is in Flood Zones 2 and 3 and at risk from flooding from rivers and the sea. Indeed, the Council’s SFRA map indicates that a small part of the site is susceptible to groundwater flooding (medium risk); there are small parts of the site at low, medium and high risk of surface water flooding; there is a risk of flooding from rivers and the sea; the site is in Flood Zones 2 and 3; there is future risk of Lune Tidal flooding as a result of climate change; and there has been historic flooding at the site. Government guidance does not give direction on the weighting that should be given to each type of flood risk when making a comparison between sites. However, in this case, on the basis that the Glasson Dock Industrial Area is at risk of more different types of flooding, officers agree that it is not sequentially preferable to the application site and can therefore be discounted for the purpose of the sequential test.

- 5.3.8 Lancaster South Broad Location for Growth (including Bailrigg Garden Village) is identified as being sequentially preferable to the application site in flood risk terms (vast swathes of the area are preferable in terms of groundwater susceptibility and surface water flood risk; and the other risks of flooding are the same as at the application site). However, the area is ruled out in the sequential test on the basis that the Council is undertaking a full review of the Local Plan and work on the Lancaster South Area Action Plan (as required by Policy SG1 of the Local Plan, which relates to the Broad Location for Growth, including Bailrigg Garden Village) has ceased. Reference is made to the need for highways and infrastructure capacity at the site, which would not come forward in the short-term; and the fact that there are no identified / allocated areas of employment at present (this would be done as part of the preparation of the Area Action Plan). Policy SG1 does allow for development within the Broad Location for Growth in advance of the Area Action Plan and so the review of the Local Plan and the decision to cease work on the Area Action Plan is not necessarily considered to represent a reason to discount the Broad Location for Growth for the purpose of the sequential test. However, Policy SG1 requires that any development ahead of the Area Action Plan does not prejudice the delivery of the garden village; that it conforms with the Key Growth Principles outlined in the policy; and that opportunities for sustainable transport modes are fully considered and that residual impacts upon the transport network would not be severe. The Key Growth Principles make it clear that a comprehensive masterplan approach is required to best develop the area and that piecemeal development will not generally be supported. The sequential test highlights the fact that the Galgate Mill site is in a sustainable location which has been specifically identified to provide employment floorspace and that the development could be delivered relatively quickly, especially in comparison to the Broad Location for Growth. On balance, therefore, officers agree that the Broad Location for Growth can be discounted for the purpose of the sequential test, in this particular case, and that the Galgate Mill site represents the most suitable location for the proposed development.
- 5.3.9 Paragraph 169 of the NPPF guides that, if it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied, depending on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in Annex 3. In this case, the proposed development is classified as “*less vulnerable*”, and therefore there is no need to apply the exception test.
- 5.3.10 Paragraph 173 of the NPPF requires that flood risk is not increased elsewhere as a result of development, which should be demonstrated in a site-specific Flood Risk Assessment (FRA). Similarly, Policy DM33 of the Local Plan requires that there is no net increase of flooding beyond the site as a result of development (such as increases in surface water run-off or the reduction in the capacity of flood storage areas). Policy DOS4 also requires the submission of a Flood Risk Assessment for development at the Galgate Mill Development Opportunity Site.
- 5.3.11 A FRA was provided with the application and it has been updated during the course of the application in response to comments from officers. The FRA states that the surface water flooding at the site is likely to be the result of a natural depression in the local topography, in combination with blocked or insufficient surface water inlets (road gullies). It is also possible that the drainage network which serves the area could be under capacity during intense rainfall events. Floodwater appears to be contained within this area and is not identified to result in any surface water run-off to neighbouring land. It is likely, therefore, that although surface water ponding could potentially occur in this area, once the rainfall eases, surface water which has backed-up is then able to discharge into the existing drainage system, without posing a risk of flooding elsewhere.
- 5.3.12 With regards to groundwater flooding, the FRA highlights the fact that the British Geological Survey’s (BGS) dataset is only available in 50 metre squares and the data demonstrates susceptibility to, rather than risk from, groundwater flooding. To determine the actual risk at the site, ground investigation has been undertaken. No groundwater was encountered within the trial-pit and therefore the report concludes that the risk of groundwater flooding at the site is considered to be low.
- 5.3.13 Policy DM33 of the Local Plan requires that sites should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way, in accordance with the SuDS hierarchy. Similarly, Policy DM34 requires that surface water is managed sustainably within new development and that the SuDS hierarchy is followed; and Policy DM35 requires that developers demonstrate that there is adequate wastewater capacity on and off the site to satisfactorily serve the development. Policy DM36 requires that new development does not have a

detrimental impact on surface water and groundwater quantity and quality caused by water run-off into nearby waterways.

- 5.3.14 The FRA notes that the existing drainage at the site is presently served by a combined system, with foul and surface water both discharging through a private sewer network and into the combined public sewer. The drainage proposals include separation of the foul and surface water for discharge into separate networks, with foul water only discharging into the combined public sewer and all surface water discharging directly into the ground by infiltration. A series of rainwater pipes would collect roof runoff which would then flow into a network of underground drainage pipes before discharging directly into an 'infiltration blanket'. The surface water run-off from the areas of hardstanding would be collected using a series of gulleys before flowing into the network of underground drainage pipes and the 'infiltration blanket', after filtration. Percolation tests have indicated that infiltration drainage is feasible for the site. The proposals will significantly reduce the volume of surface water currently entering the combined public sewer network and given the disposal of surface water will be directly into the ground by infiltration, the time taken for the collected surface water to reach the main river, will also be significantly reduced, which is welcomed.
- 5.3.15 The Lead Local Flood Authority (LLFA) initially objected to the proposals based on an inadequate surface water drainage strategy; however, the applicant has addressed their comments and the LLFA's objection has been removed, subject to conditions to ensure that the development accords with the submitted details; the submission and approval of a Sustainable Drainage System Operation and Maintenance Manual; and the submission and approval of a Verification Report of Constructed Sustainable Drainage System.
- 5.3.16 United Utilities has also been consulted and raises no objection, subject to a condition relating to the design of the SuDS. Insofar as the design has been agreed with the LLFA, it is not considered to be necessary to attach their suggested condition.
- 5.3.17 Subject to the suggested conditions, the proposal is considered to be acceptable in this respect.
- 5.4 **Consideration 3 – Heritage and design – NPPF Paragraphs 131, 135-137, 139-140 (Achieving well-designed and beautiful places); 200-214 (Conserving and enhancing the historic environment); Strategic Policies and Land Allocations DPD Policies SP7 (Maintaining Lancaster District's Unique Heritage); DOS4 (Galgate Mill, Galgate); EN3 (The Open Countryside); Review of the Development Management DPD Policies DM29 (Key Design Principles); DM30 (Sustainable Design); DM39 (The Setting of Designated Heritage Assets); DM43 (Archaeology)**
- 5.4.1 The Galgate Mill buildings, to the south and west of the application site, and Ellel House, to the north, are all grade II listed. The Council has a statutory duty to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.
- 5.4.2 Policy SP7 of the Local Plan makes reference to the district's unique heritage, and specifically its industrial heritage in the form of warehouses and mills. Policy DOS4, which relates specifically to the Galgate Mill Development Opportunity Site, refers to the need for a conservation-led approach to future proposals at the site. The policy requires high quality design and the use of materials that respect the character and setting of historic assets on the site. Policy DM39 of the Local Plan relates to the setting of designated heritage assets and notes that the Council will look for opportunities for new development within the setting of heritage assets to enhance or better reveal their significance. Development proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset will be treated favourably. Policy DM29 sets out key design principles for new development. It states that new development should contribute positively to the identity and character of the area through good design, having regard to local distinctiveness, appropriate siting, layout, palette of materials, separation distances, orientation and scale. It also notes that buildings and new spaces should be adaptable to changing social, environmental, technological and economic conditions. Policy DM30 requires sustainable design and construction techniques.
- 5.4.3 The siting and scale of the proposed buildings is considered to be acceptable in terms of making efficient use of land and optimising the use of the site. The larger of the two buildings would be located parallel to the eastern edge of the application site, adjacent to the boundary with the open field and the main openings would be on the western elevation, facing towards Chapel Lane, thereby aiding with

legibility and wayfinding. The smaller of the two buildings would be located perpendicular to the larger one, to the west, and to the north of another existing unit (outside of the application site). The main openings would be on the northern elevation, facing towards the new parking area created between the buildings. Again, this aids with legibility and wayfinding. Overall, it is not considered that the new buildings would appear cramped or lead to a sense of overdevelopment of the site, particularly because there would be new planting and landscaping added to the site as part of the proposals.

- 5.4.4 The plans have been amended during the course of the application due to initial concerns about the appearance of the buildings and the impact on the setting of the adjacent listed buildings and the character and appearance of the wider area. There was concern at the variety of proposed building materials (which included brick facing, zinc cladding, concrete walls etc.), the mixture of roof types, the unordered fenestration pattern and whether the buildings would provide flexibility and adaptability in the future. The revisions are considered to overcome the initial concerns. The buildings would be simple in design. They would feature rendered blockwork elevations with powder coated aluminium windows and a natural slate roof. An earlier revision included stone facing elevations with composite roofing, but the Council's Conservation Team have stated a preference for a natural slate roof, given the siting in the setting of various listed buildings, and therefore the rendered blockwork represents a suitable compromise as the applicant has stated that the use of stone facing and natural slate would be too costly to make the project viable. Rendered blockwork is also considered to be appropriate to the general industrial / employment use.
- 5.4.5 Each of the ground floor units would feature a metal roller shutter door. The metal roller shutter doors would be utilitarian in design and would not necessarily respect the character and setting of historic assets in the vicinity; however, such doors are not uncommon on modern industrial buildings of this nature, and they also allow for flexibility for future occupiers, in line with the aims of Policy DM29. As such, they are considered to be acceptable in this case.
- 5.4.6 The fenestration design has been amended to provide a greater sense of rhythm and legibility to the buildings and also to allow for greater levels of natural sunlight in the internal spaces, especially at first floor level. This would be beneficial to future occupiers, in line with the aims of Policy DM29.
- 5.4.7 Overall, it is considered that the proposed buildings, by virtue of their simple, utilitarian design and use of high quality materials, would respect the character and setting of historic assets on the site and in the vicinity. Their design would allow the buildings to appear subservient to the nearby listed buildings and they would not detract from their significance, which stems from their historic uses, architectural design and natural material palettes. A planning condition is suggested to ensure that the final building materials are agreed with the Council prior to relevant construction.
- 5.4.8 With regards to sustainability an Energy Strategy has been submitted with the application. Solar PV panels are proposed for the roof slopes and air to air heat pumps would be located on the rear elevations of the buildings. Four parking spaces would have access to EV charging pillars. This is all considered to be acceptable in line with Policy DM30. A planning condition is suggested to ensure that the development accords with the Energy Strategy.
- 5.4.9 Overall, subject to the suggested conditions, the proposal is considered to be acceptable in this respect.
- 5.5 **Consideration 4 – Trees and landscaping / biodiversity** – NPPF Paragraphs 136 (Achieving well-designed and beautiful places); 158 (Meeting the challenge of climate change, flooding and coastal change); 180, 186 (Conserving and enhancing the natural environment); Strategic Policies and Land Allocations DPD Policy SP8 (Protecting the Natural Environment); Review of the Development Management DPD Policies DM44 (The Protection and Enhancement of Biodiversity); DM45 (Protection of Trees, Hedgerows and Woodland)
- 5.5.1 The NPPF highlights the contribution that trees make to the character and quality of urban environments, and also the fact that they can help mitigate and adapt to climate change. Similarly, Policy DM45 of the Local Plan encourages the planting of new trees, hedgerows and woodland, in an effort to mitigate against the effects of climate change and to enhance the character and appearance of the district. Policy DM44 promotes the protection and enhancement of biodiversity and/or geodiversity to minimise both direct and indirect impacts.

- 5.5.2 The tree survey submitted with the application notes that there is a small section of boundary hedge and a few small trees along the eastern boundary of the site, which can be adequately protected during the construction period. It notes that the proposal does not require the removal of any trees or hedges (although the Biodiversity Net Gain report submitted with the application notes that 3 small trees had been recently felled at the time of the survey).
- 5.5.3 Additional planting is proposed on the site. A new hedgerow is proposed along the eastern boundary of the application site, to the rear of the larger building, and also along the southern edge of this building. There would also be new areas of landscaping along the northern edge of the application site (the shared boundary with the nursing home), at the western end of the smaller building and within the associated parking area. The level of new landscaping being provided is considered to be appropriate to and proportionate to the scale of the proposed development, especially taking into consideration the character and appearance of the wider area, and it is considered that it would help to soften the industrial / commercial character and appearance of the site, thereby mitigating the visual impact of the new buildings and contributing to a greater sense of place. The new area of landscaping along the northern edge of the site, which would measure up to 9 metres wide at its widest point (including the central footpath), would also help to provide a visual buffer between the industrial nature of the Galgate Mill site and the residential nature of the nursing home site to the north. This area would also provide seating, which would benefit future occupiers of the units and help create a sense of ownership for future tenants and their staff.
- 5.5.4 The Biodiversity Net Gain report submitted with the application notes that the trees along the eastern edge of the application site are to be retained and complemented with a 44 metre long hedgerow, helping to screen the site and improve its ecological connectivity with the surrounding land. It also notes that 12 new native species trees will be planted on site as well as new shrubs. The report concludes that there will be a gain of 0.01 habitat units (+3% above existing) and a gain of 0.15 hedgerow units (none existing). This is welcomed in line with the aims of Policy DM44 and paragraph 180 of the NPPF. A planning condition is suggested to ensure that the proposed landscaping is implemented in the first planting season following completion of the development or first occupation/use, whichever is the earliest.
- 5.5.5 A Preliminary Ecological Appraisal has been provided with the application. It notes that the plant species assemblages recorded at the site are all common in the local area and are considered to be of low ecological value; and sympathetically landscaped open space is considered to offer habitat of equal or greater ecological value. The report notes that bats, nesting birds and amphibians are known to occur in the local area; however, there was no conclusive evidence of any specifically protected species regularly occurring on the site or the surrounding areas which would be negatively affected by site development following the mitigation proposed. The report recommends that additional urban trees and flowering perennial species are incorporated into the landscaping plan of the site. It also notes that contractors will be observant for protected species and all nesting birds during the construction period. A planning condition is suggested to ensure that the proposed development accords with the recommendations in the Preliminary Ecological Appraisal.
- 5.5.6 Overall, subject to the suggested conditions, the proposal is considered to be acceptable in this respect.
- 5.6 **Consideration 5 – Impact on neighbours** – NPPF Paragraphs 131, 135 (Achieving well-designed and beautiful places); Strategic Policies and Land Allocations DPD Policies DOS4 (Galgate Mill, Galgate); Review of the Development Management DPD Policies DM29 (Key Design Principles)
- 5.6.1 Policy DM29 of the Local Plan requires that new development ensures there is no detrimental impact to amenity in terms of overshadowing, visual amenity, privacy, overlooking, massing and pollution. Policy DOS4 also requires the protection of local amenity in residential areas surrounding Galgate Mill.
- 5.6.2 It is not considered that the new buildings would cause undue harm to neighbouring amenity in terms of overshadowing or overbearing impact. The nursing home is located to the north of the application site and is occupied by vulnerable residents who likely spend a lot of time in their rooms, which means there is a greater need to protect their amenity. However, there would be a separation distance of at least 14 metres between the northern (narrowest) elevation of the larger building and the nursing home and at least 27 metres between the smaller building and the nursing home, which reduces the visual impact of the new buildings and limits the impact of overshadowing. The majority of the northern edge



of the application site would feature areas of planting rather than built form, which further mitigates the impact on the occupiers of the nursing home.

- 5.6.3 It is not considered that the new buildings would cause undue harm in terms of overlooking. There would be no first-floor windows on the northern elevation of the largest building and the windows on the northern elevation of the smallest building would be at least 27 metres away from the nursing home. There are no other nearby buildings that would suffer from overlooking, due to their industrial / commercial uses and their siting in relation to the proposed new buildings.
- 5.6.4 A Noise Assessment has been submitted with the application. It acknowledges that a range of uses could occur within the proposed units as no tenants have been secured yet. It therefore assumes a light industrial use as this would produce the highest levels of noise. The report concludes that the impact on adjacent occupiers would be acceptable and the Council's Environmental Health team agrees with the methodology and findings of the report. A condition is suggested to ensure the use of sound insulation in the new buildings (details to be agreed beforehand) and a further condition is suggested to ensure that no unacceptable noise or vibration is transmitted to nearby premises (which include the nursing home and student accommodation).
- 5.6.5 No details of external lighting have been provided with the application. External lighting has the potential to impact on adjacent occupiers, particularly those within the nursing home, and therefore a condition is suggested to ensure that, if any external lighting is proposed, details are agreed prior to its installation.
- 5.6.6 There may also be an impact during the construction period; however, it is likely that all the construction activity could occur on site without causing undue harm to neighbouring properties or the local transport network and the County Council Highways team has not suggested the submission of a Construction Management Plan.
- 5.6.7 Overall, subject to the suggested conditions, the proposal is considered to be acceptable in this respect.
- 5.7 **Consideration 6 – Highways and transport – NPPF Paragraphs 108-117 (Promoting sustainable transport); Strategic Policies and Land Allocations DPD Policies SP10 (Improving Transport Connectivity); DOS4 (Galgate Mill, Galgate); Review of the Development Management DPD Policies DM60 Enhancing Accessibility and Transport Linkages); DM61 (Walking and Cycling); DM62 (Vehicle Parking Provision); DM63 (Transport Efficiency and Travel Plans)**
- 5.7.1 Policy DM60 of the Local Plan seeks to ensure that development proposals, particularly those that will generate significant footfall and motorised vehicle journeys, are located where sustainable travel patterns can be achieved. Galgate is defined as a sustainable settlement in the Local Plan. The application site is in an established employment area, accessed from Chapel Lane, which is classified as a C road (C462) and it is approximately 220 metres away from the A6, which provides a link to the M6 motorway. The application site is considered to be a sustainable location in which to provide additional employment floorspace.
- 5.7.2 Policy DM60 requires that matters of highway safety are addressed to the satisfaction of the local highway authority and Policy DOS4 requires the provision of acceptable and safe traffic arrangements for Chapel Lane. Concerns have been raised about highway safety along Chapel Lane, particularly for pedestrians. However, Lancashire County Council (LCC) Highways have reviewed the proposals and consider that the proposed development would have a negligible impact on highway safety and capacity within the immediate vicinity of the site.
- 5.7.3 Policy DM61 of the Local Plan relates to walking and cycling and seeks to ensure that new development protects, maintains and improves the pedestrian environment and does not adversely affect, but improves, the cycling network in the district. Policy DOS4 also requires that development at the Galgate Mill site integrates with the surrounding network of cycling and pedestrian linkages. It is recognised by officers that Chapel Lane is a narrow road which lacks a pavement or any cycling infrastructure in the vicinity of the application site (there is a cycle route further south on Chapel Lane); however, the Transport Statement submitted with the application highlights the existence of hatched areas on the road for pedestrians to walk the last 20 metres to the site from the pavement and also states that there have been no recorded personal injury accidents involving vehicles, cycles or

pedestrians at the site access during the period shown on the County Council’s mapping website. On balance, it is considered that the proposed development would offer opportunities for walking or cycling to work. The provision of covered cycle storage is welcomed to encourage cycling as a mode of transport.

5.7.4 Policy DM60 requires appropriate provision for parking in accordance with Policy DM62 and Appendix E of the Local Plan. Similarly, Policy DOS4 requires the retention and provision of sufficient parking on the Galgate Mill site to accommodate the mix of uses being proposed without impacting on the operation of existing businesses or the setting of the listed building. As noted, the plans have been amended during the course of the application, partly in response to questions raised by LCC Highways about the existing parking situation. The planning agent has now confirmed that the revised parking layout is fully within the applicant’s ownership and does not impact on the parking allocation for other uses on the wider site, including the student accommodation at Galgate Mill.

5.7.5 The proposal is for a mix of use classes B2 and E(g) and the application form suggests the following split between the uses:

Use Class	Area (sqm)
<b>B2</b>	543
<b>E(g)</b>	488
<b>Total</b>	1,031

5.7.6 The requirements of Appendix E, and the site-specific requirements, are set out in the table below.

Use Class	Car parking spaces	Site specific reqt	Disabled parking	Site specific reqt	Cycle parking	Site specific reqt	Motor-cycle spaces	Site specific reqt
<b>B2</b>	1 per 45 sqm	12	1 per disabled employee plus 2 spaces or 5% of the total	2	1 per 300sqm (min. 2)	2	1 per 750sqm (min. 2 spaces)	2
<b>B1 [the equivalent to the new E(g)]</b>	1 per 30sqm	16	1 per disabled employee plus 2 spaces or 5% of the total	2	1 per 300sqm (min. 2)	2	1 per 750sqm (min. 2 spaces)	2
<b>TOTAL</b>		<b>28</b>		<b>4</b>		<b>4</b>		<b>4</b>

5.7.7 A total of 36 car parking spaces would be provided, of which 2 would be disabled spaces and 4 would provide EV charging points. There would be 8 cycle parking spaces and 0 motorcycle spaces. Whilst there is a shortfall in disabled spaces, there is in fact likely to be an overlap between the different uses’ requirements, and the fact the number of car parking spaces exceeds the standards means the shortfall in disabled and motorcycle spaces is unlikely to pose an issue because there would be scope to alter the car-parking layout to suit the actual requirements, if required. Planning conditions are suggested to ensure that the development is not occupied until such a time as the car and cycle parking facilities have been implemented and to ensure their retention in perpetuity.

5.7.8 Policy DM63 of the Local Plan supports proposals that maximise opportunities for the use of sustainable modes of travel. A Transport Statement was submitted with the application. With regards to accessibility by foot, cycle or public transport, it notes that the site is within walking distance of all the residential properties in Galgate, as well as the nearest bus stops. The nearest bus stops are located on the A6 to the south of the site, approximately 225 metres from the site access, and are served by routes 40, 41 and 42 which reach Lancaster, Preston, Morecambe and Blackpool, thereby ensuring that future employees would have the opportunity to travel to work by bus. There is no dedicated cycle

route serving the application site but the report notes that experienced cyclists would be able to access the site using the local road network.

5.7.9 In terms of trip generation, using TRICS data, the Transport Statement estimates 22 vehicle trips (19 in and 3 out) during the morning peak period (0800 to 0900 hours) and 19 vehicle trips (3 in and 16 out) during the afternoon peak period (1700 to 1800 hours). Taking into consideration the nature of the wider area (e.g. an established employment area), it is not considered that this would have a significant detrimental impact on the road network or highway safety, certainly not to such a degree as to warrant a refusal of the application on this basis. As noted above, LCC Highways raise no objection to the proposals.

5.7.10 Overall, subject to the suggested conditions, the proposal is considered to be acceptable in this respect.

5.8 **Consideration 7 – Air quality – NPPF Paragraph 192 (Conserving and enhancing the natural environment); Strategic Policies and Land Allocations DPD Policy EN9 (Air Quality Management Areas); Review of the Development Management DPD Policy DM31 Air Quality Management and Pollution**

5.8.1 The application site is in an Air Quality Management Area (AQMA) (Galgate) and Policy EN9 of the Local Plan requires new development in an AQMA to demonstrate that it would not contribute to increasing levels of air pollutants within the locality and would adequately protect users from the effects of poor air quality.

5.8.2 An Air Quality Assessment (AQA) was submitted with the application. It notes that there may be an impact during the construction period due to dust and particulates (e.g. site clearance and preparation, storage of materials, laying of hard surfaces etc.) and traffic emissions. Suggested site-specific mitigation measures are outlined, which include locating machinery and dust-generating activities away from sensitive receptors, the use of hoardings / barriers around dusty operations, consideration of weather conditions, wheel-washing facilities, switching off vehicles when not in use, developing a Dust Management Plan, appropriate training etc.)

5.8.3 With regards to the operational period, the AQA notes that the development has been designed to minimise emissions through the use of modern heating systems, low water usage and energy efficient appliances. The building design would also ensure energy efficiency. Furthermore, 4 EV charging points would be provided in the car parking area. There would be an impact as a result of traffic movements. Mitigation measures include travel planning for the site, the use of public transport and encouraging walking and cycling.

5.8.4 A planning condition is suggested to ensure that the proposed development complies with the mitigation measures outlined in the submitted AQA.

5.9 **Consideration 8 – Contaminated land – NPPF Paragraph 124 (Making effective use of land); 180, 189-190) Conserving and enhancing the natural environment); Review of the Development Management DPD Policy DM32 (Contaminated Land)**

5.9.1 The NPPF requires that a site is suitable for its proposed use taking into account ground conditions and any risk arising from land contamination. Similarly, Policy DM32 of the Local Plan requires that, if there is a possibility that land may be affected by contamination, all works of investigation should be able to be undertaken without causing unacceptable risk to health or the environment; suitable methods of mitigation must be proposed; and there should be no risk to people, buildings, services or the environment as a result of the proposed development.

5.9.2 The application site has the potential to be contaminated due to the industrial nature of the wider area and its historic uses. A Phase 1 Desk Study has been submitted with the application. It identifies two potential sources of contamination relating to historical activities at the site, namely accidental spills of fuel and oil from vehicle maintenance activities on the east side of the site, and a potential source of ground gas from a backfilled mill pond on the west side of the site. The risks are considered to vary between 'moderate/low' risk and 'very low risk'.

- 5.9.3 The Council's Environmental Health Officer has reviewed the Phase 1 Desk Study and has suggested a condition to secure a Phase 2 intrusive investigation and recording of contamination (and details of remediation if necessary).
- 5.9.4 Subject to the suggested condition, the proposal is considered to be acceptable in this respect.
- ## 6.0 Conclusion and Planning Balance
- 6.1.1 Planning permission is sought for the erection of two new general industrial / employment buildings, comprised of 11 individual units, with associated car parking, landscaping and infrastructure etc.
- 6.1.2 The application site is in a sustainable location and partly within a designated Development Opportunity Site (Galgate Mill), wherein the Council will support proposals for the regeneration and redevelopment of Galgate Mill and its surroundings. The principle of development is therefore acceptable.
- 6.1.3 The application site is susceptible to groundwater flooding and at risk of surface water flooding, and therefore a sequential test has been carried out to establish whether there are alternative sites available that are at lower risk of flooding. The sequential test concludes that Galgate Mill represents the most suitable location for the proposed development and officers agree with the conclusion, particularly given that the site is designated as a Development Opportunity Site wherein new development is encouraged and the proposed development could be delivered quickly on the site. The site-specific Flood Risk Assessment concludes that the actual risk of flooding at the site is low and the proposed drainage strategy is considered to be acceptable.
- 6.1.4 The application site is within close proximity of a number of listed buildings and special regard must be given to preserving a listed building or its setting. The proposed design of the new industrial units has been amended during the course of the application. The simple design and use of natural materials is considered to be appropriate within the setting of the adjacent listed buildings. Furthermore, the siting and scale of the proposed buildings is considered to make efficient use of the land and optimise the use of the site.
- 6.1.5 New hard and soft landscaping would be provided on the site and would help contribute to a greater sense of place and ownership for future tenants / occupiers. It would also provide a welcome buffer between the industrial nature of the Galgate Mill employment area and the adjacent nursing home, and it would provide ecological benefits.
- 6.1.6 It is not considered that undue harm would be caused to nearby and neighbouring properties as a result of the proposed development, subject to the suggested conditions.
- 6.1.7 It is not considered that the proposed development would have a harmful impact on highway safety and capacity within the immediate vicinity of the site. Furthermore, the proposed development would offer opportunities for sustainable modes of travel and the level of parking provision is also considered to be acceptable, such that the development would not impact detrimentally on the operation of existing businesses at the site or the setting of the listed buildings.
- 6.1.8 There is potential for air quality impacts as a result of the construction period and due to traffic movements during the operational period. However, mitigation measures are proposed in the Air Quality Assessment which can be secured by condition.
- 6.1.9 There is also potential for contamination at the site, given its history and the surrounding environment. However, a condition will ensure that investigation (and remediation if necessary) is undertaken prior to the commencement of works.
- 6.1.10 Overall, subject to the suggested planning conditions, it is considered that planning permission should be granted for the proposed new general industrial / employment buildings at the site.

## Recommendation

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

Condition no.	Description	Type
1	Time limit (3 years)	Control
2	Approved plans	Control
3	Employment and Skills Plan	Pre-commencement
4	Details of sound insulation	Pre-commencement
5	Contamination investigation	Pre-commencement
6	Facing materials to be agreed	Prior to relevant part of work
7	Details of external lighting	Prior to relevant part of work
8	Operation and Maintenance Manual (SuDS)	Pre-occupation
9	Verification report (SuDS)	Pre-occupation
10	Car-parking to be provided before occupation and retained in perpetuity	Pre-occupation
11	Cycle parking to be provided before occupation and retained in perpetuity	Pre-occupation
12	Landscaping implementation	Control
13	Noise from plant / machinery / equipment	Control
14	Development to accord with Flood Risk Assessment and Drainage Strategy	Control
15	Development to accord with Energy Strategy	Control
16	Development to accord with Preliminary Ecological Appraisal	Control
17	Development to accord with Air Quality Assessment	Control

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

Officers have made this 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.