



**Committee:** PLANNING REGULATORY COMMITTEE

**Date:** MONDAY, 31 JANUARY 2022

**Venue:** MORECAMBE TOWN HALL

**Time:** 10.30 A.M.

## **A G E N D A**

Officers have prepared a report for each of the planning or related applications listed on this Agenda. Copies of all application literature and any representations received are available for viewing at the City Council's Public Access website <http://www.lancaster.gov.uk/publicaccess> by searching for the relevant applicant number.

### **1 Apologies for Absence**

### **2 Minutes**

Minutes of meeting held on 10<sup>th</sup> January 2022 (previously circulated).

### **3 Items of Urgent Business authorised by the Chair**

### **4 Declarations of Interest**

To receive declarations by Councillors of interests in respect of items on this Agenda.

Councillors are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 9 and in the interests of clarity and transparency, Councillors should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code Of Conduct, Councillors are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

## **Planning Applications for Decision**

### Community Safety Implications

In preparing the reports for this agenda, regard has been paid to the implications of the proposed developments on community safety issues. Where it is considered that the proposed development has particular implications for community safety, the issue is fully considered within the main body of the individual planning application report. The weight attributed to this is a matter for the decision-taker.

## Local Finance Considerations

Section 143 of the Localism Act requires the local planning authority to have regard to local finance considerations when determining planning applications. Local finance considerations are defined as a grant or other financial assistance that has been provided; will be provided; or could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments), or sums that a relevant authority has, will or could receive in payment of the Community Infrastructure Levy. Whether a local finance consideration is material to the planning decision will depend upon whether it could help to make development acceptable in planning terms, and where necessary these issues are fully considered within the main body of the individual planning application report. The weight attributed to this is a matter for the decision-taker.

## Human Rights Act

Planning application recommendations have been reached after consideration of The Human Rights Act. Unless otherwise explicitly stated in the 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.

5	A5 <a href="#">21/01113/FUL</a>	<b>Central Promenade Regeneration Site Marine Road Central Morecambe</b>	<b>Poulton Ward</b>	<b>(Pages 5 - 57)</b>
		Demolition of existing buildings and proposed construction of major mixed leisure development in association with Eden Project (including use classes E, F1 and F2), outdoor arena (including live music performances), public realm, landscaping works, cycle parking, detached shelter and energy pods, and associated infrastructure and engineering operations.		
6	A6 <a href="#">21/00784/FUL</a>	<b>Land Off Ashton Road, Lancaster</b>	<b>Scotforth West Ward</b>	<b>(Pages 58 - 68)</b>
		Erection of 59 dwellings (C3) with associated vehicular and cycle/pedestrian access, parking, land regrading, landscaping, provision of open space and equipped play area and construction of an attenuation basin.		
7	A7 <a href="#">20/01265/FUL</a>	<b>Car Park Adj 13 Sun Street Lancaster</b>	<b>Castle Ward</b>	<b>(Pages 69 - 75)</b>
		Erection of a two storey building comprising 10 studio flats (C3) for student accommodation, removal of existing boundary wall, construction		

of bin store, bike store and boundary wall and installation of an attenuation tank.

- |    |  |   |                               |                        |
|----|--|---|-------------------------------|------------------------|
| 8  | A8 <a href="#">21/01405/FUL</a>        | <b>Proposed Pumping Station Caton Road Quernmore</b><br>Construction of a new pumping station comprising inlet and outlet headwalls and a fenced compound with control kiosk, with below-ground pipework connections and associated infrastructure.   | <b>Lower Lune Valley Ward</b> | <b>(Pages 76 - 81)</b> |
| 9  | A9 <a href="#">21/01186/FUL</a>        | <b>South Lodge Greaves Road Lancaster</b><br><br>Relevant demolition of existing lean to and outbuilding, erection of a single storey side/rear extension, construction of roof and projecting walls over existing courtyard, creation of terrace, installation of external steps, erection of stone wall and erection of detached outbuilding and installation of an Air Source Heat Pump. | <b>Scotforth West Ward</b>    | <b>(Pages 82 - 86)</b> |
| 10 | A10 <a href="#">21/01385/CU</a>        | <b>Charter House Car Park Bulk Street Lancaster</b><br><br>Change of use of 4 parking spaces to beer garden area until 31st December 2022.  | <b>Castle Ward</b>            | <b>(Pages 87 - 92)</b> |
| 11 | A11 <a href="#">21/01410/CCC</a>       | <b>Dunald Mill Quarry Long Dales Lane Nether Kellet</b><br><br>Amendment of condition 1 of permission 1/97/1298 to allow continuation of mineral extraction until 21 February 2034 with site restoration being completed by 21 February 2035.   | <b>Kellet Ward</b>            | <b>(Pages 93 - 96)</b> |
| 12 | <b>Delegated List (Pages 97 - 108)</b> |   |                               |                        |

## **ADMINISTRATIVE ARRANGEMENTS**

### **(i) Membership**

Councillors Keith Budden (Chair), Sandra Thornberry (Vice-Chair), Paul Anderton, Victoria Boyd-Power, Dave Brookes, Abbott Bryning, Roger Cleet, Tim Dant, Kevin Frea, June Greenwell, Mel Guilding, Janice Hanson, Cary Matthews, Robert Redfern and Malcolm Thomas

**(ii) Substitute Membership**

Councillors Alan Biddulph (Substitute), Mandy Bannon (Substitute), Tim Hamilton-Cox (Substitute), Colin Hartley (Substitute), Debbie Jenkins (Substitute), Joyce Pritchard (Substitute) and Peter Yates (Substitute)

**(iii) Queries regarding this Agenda**

Please contact Eric Marsden - Democratic Services: email [emarsden@lancaster.gov.uk](mailto:emarsden@lancaster.gov.uk).

**(iv) Changes to Membership, substitutions or apologies**

Please contact Democratic Support, telephone 582170, or alternatively email [democracy@lancaster.gov.uk](mailto:democracy@lancaster.gov.uk).

KIERAN KEANE,  
CHIEF EXECUTIVE,  
TOWN HALL,  
DALTON SQUARE,  
LANCASTER, LA1 1PJ

Published on 19<sup>th</sup> January 2022.

<b>Agenda Item</b>	A5
<b>Application Number</b>	21/01113/FUL
<b>Proposal</b>	Demolition of existing buildings and proposed construction of major mixed leisure development in association with Eden Project (including use classes E, F1 and F2), outdoor arena (including live music performances), public realm, landscaping works, cycle parking, detached shelter and energy pods, and associated infrastructure and engineering operations
<b>Application site</b>	Central Promenade Regeneration Site Marine Road Central Morecambe Lancashire
<b>Applicant</b>	Eden Project International Limited
<b>Agent</b>	Mr Daniel Jackson
<b>Case Officer</b>	Mrs Jennifer Rehman
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Approval (subject to Section 106)

(i) **Procedural Matters**

The submitted development proposals have been the subject of two years of pre-application engagement with the local planning authority, including a Councillor Engagement Forum (14 July 2021). On the advice of the Planning & Place Service, the applicant has also undertaken pre-application engagement with statutory consultees particularly in relation to ecology, cultural heritage, and transportation matters. A committee site visit took place on Monday 24<sup>th</sup> January.

**1.0 Application Site and Setting**

1.1 The application site covers approximately 4.6 hectares of predominately previously developed land on the central promenade site in Morecambe, situated to the north and west of Morecambe Town Centre. It is located around 300m from Morecambe Railway Station and slightly less to the bus station on Central Drive. The site itself comprises the former Bubbles Leisure Complex and SuperDome attraction site and the adjoining northern and southern sections of existing promenade, the Promenade Gardens (excluding the War Memorial Garden), the access route between the site and the Midland Hotel (to the west), open space in the north-western part of the site (location of the former bandstand) and the Bay Arena car park to the east. The areas of open space are designated as area of amenity greenspace (including outdoor events) and memorial gardens.

1.2 The main development is bound to the north, east, and north-west by the foreshore of Morecambe Bay and its existing flood defences (the site includes the promenade itself but not the outer wall/boundary of the promenade), the Midland Hotel to the south western boundary and Marine Road Central along the southern boundary of the site. The RNLI station lies immediately north of the site adjoining the promenade. The Stone Jetty extends out from the promenade to the north west of the site. There are no formal Public Rights of Way within or around the development site.

The promenade is, however, a well-pedestrianised, traffic-free corridor that extends from Hest Bank to Heysham. At the eastern end of the site, the promenade splits into two sections as it diverges around the former Bubbles site, resulting in a northern promenade and southern promenade around and within the development site. These two sections of promenade support existing cycle routes - Sustrans Route 69 (Way or the Roses) to the south and route 700 to the north.

1.3 The site is situated immediately north and north west of Morecambe Town Centre, separated only by Marine Road Central, and is located within Morecambe's Conservation Area. Several significant designated heritage assets surround the site. These include the Grade II\* listed Midland Hotel to the west (and its separately listed Grade II walls/pillars), the Grade II\* Winter Gardens and Grade II listed War Memorial immediately south of the site, The Platform (Grade II listed) to the south-west and the Grade II listed Stone Jetty building to the north-west. Surrounding uses include retail and leisure uses, entertainment venues such as the Winter Gardens and The Platform, visitor accommodation (Midland Hotel), the Festival Market and public realm and car parks serving the wider town.

## 2.0 Proposal

2.1 Eden Project International Limited (EPIL), the applicant, is a wholly-owned subsidiary of the Eden Trust, a UK-registered charity. It is an educational charity and social enterprise with a global mission to create and build relationships between people and the natural world to demonstrate the power of working together for the benefit of all living things. The Eden Project was founded twenty years ago when Eden Project (Cornwall) was realised. Its success, together with EPIL's own global mission to raise awareness of the natural world, educate and empower communities, to explore the interconnectedness of all living things and to demonstrate the power of what people can do when they come together to project the plant, means EPIL are now developing several projects nationally and internationally. Eden's mission is to create a movement that builds positive relationships between people and the natural world to sustain a better future for all. Amid a global climate crisis, their mission, and their projects, provides huge opportunity to deliver transformational behavioural change and to promote the value and importance of regenerative sustainability.

2.2 EPIL have chosen to develop in Morecambe because of its unique environmental characteristics. The natural environment in and around Morecambe Bay is internationally significant, and the views across Morecambe Bay are amongst the finest in the country. Yet the town itself has experienced periods of significant social and economic decline. Eden Project North (EPN) proposes a flagship project, which has a vision to regenerate and re-imagine Morecambe as a seaside resort for the 21<sup>st</sup> Century. This project has far-reaching environmental, social, and economic ambitions. At its heart is an aim to drive regenerative sustainability to deliver positive change for the local community and the local economy. The objectives of EPN will also align with Morecambe's motto of 'Beauty Surrounds and Health Abounds', recognising the importance of enhancing wellbeing.

2.3 The proposed development comprises a major new mixed-use attraction in Morecambe. It will combine a range of indoor and outdoor experiences all based on connecting people with Morecambe Bay. The vision focusses on natural rhythms, such as tidal rhythms and lunar rhythms, and how they underpin the health and wellbeing of people and the natural environment. The development is based on three core venues within the attraction. This includes:-

- Above the Bay: an environment filled with plants and art exhibits, showcasing natural abundance and the rhythms of life linked to the sun.
- Below the Bay: an immersive series of theatrical experiences that bring to life lunar rhythms and tides, and the;
- The Natural Observatory: the home of EPNs research and education programmes.

Within these venues, there will be a range of uses that fall within a combination of Use Class E (commercial, business and service use), Class F1 (learning and on-residential institutions) and Class F2 (local community uses). The outdoor arena does not fall within any specific use class of its own (in the Town and Country Planning (Use Classes) Order 1987 (as amended)). Collectively, the planning unit as a whole, would be constitute a mixed-use scheme (therefore *Sui-Generis*).

2.4 EPN will be a ticketed visitor attraction including a mix of entertainment and educational facilities provided within four large shell-like superstructures, connected to the ground by a lower structure that wraps around the building, and enhanced by areas of high-quality open space and landscaping.

It will include exhibits, performance space, learning, play and immersive experiences within the development, alongside three café/restaurants, a visitor centre and ancillary retail. EPIL have applied for full planning permission for this development and have ambitions to be open in 2024 with a build period of 2 years. EPN aims to attract 1 million visitors (maximum) per annum with an estimated average of 760,000 per annum. The development is designed to accommodate 4000 visitors per day with a maximum of 750 visitors per hour accessing the site at peak times. The proposed development will directly employ around 390 full time equivalent employees with a maximum of 280 employees on site at any given time. It is anticipated that the maximum core hours of operation of the main site will be between 09:00-21:00 hours daily (outside summer periods), extending to 09:00-00:00 during summer. In addition to the main venue, a maximum 6000-person capacity outdoor arena is included in the proposals. It is proposed that up to 8 late-evening events per calendar year (during summer only) would take place between the hours of 18:00-00:00.

2.5 The proposed development includes the demolition of a sub-station, old pump house, electricity boxes, disused public conveniences, removal of two of the existing concrete seating alcoves on the promenade side, external stairs and part of the concrete amphitheatre. The development layout and form has evolved and been inspired by nature, its context and biophilic design (a concept used within the building industry to connect people with the natural environment). The redevelopment of the site comprises the erection of four shell-like superstructures ('the shell pavilions') with connecting structures and landscaping all influenced by the Bay. In support of the UK's Net Zero commitment by 2050, the project is working towards being a Net Zero Carbon building. The buildings will provide a Gross Internal Area (GIA) of 17,186m<sup>2</sup> across three levels. The shell pavilions vary in scale, form and height.

2.6 Details of the shell pavilions are as follows:

- **The Bay Hall** (800sqm) providing exhibition space and visitor orientation space (flexible space and a base for guided activities/trails etc). The building height is set at 23.7m Above Ordnance Datum level (AOD). The Bay Hall visitor space is a single floor at ground floor level with plant, staff facilities and offices and retail back of house space at basement level.
- **The Rhythm Machine** (5135 sqm) providing the 'Above and Bay' and 'Below the Bay' experiences. This will include, for example, a hyper-real forest along with other large installations and sculptures and an immersive theatre representing lunar rhythms. The building height is set at 36.9m AOD. This building extends vertically across all three floors.
- **The Natural Observatory** (1187sqm) offering the main education/research and engagement space with seasonable programmes. The building height is set at 25.9m AOD with the observatory based at first floor level and exhibition/seasonable programme space at lower ground level, together with the further plant facilities.
- **The Bay Glade** (2150sqm) shall provide an indoor landscape with a focus on wellbeing. The building height is set at 31.3m AOD with the visitor attraction located over ground and first floor levels.

The three levels are set at the following elevations and respond to the existing topography of the site:

- Lower ground level 3.5m-4.5m AOD
- Ground floor level set at 7.22m-8.5m AOD (level with the promenade)
- First floor level set at 11.72m-12.72m AOD.

An outdoor garden at the lower ground floor level provides a centrepiece to the cluster of the shell pavilions.

2.7 The building component which connects the shell pavilions is designed to provide a dunescape character and appearance, with an undulating roof formation supporting a range of coastal vegetation (green roofing). This space provides accessible and inclusive circulation space enabling visitors to navigate between the attraction and its various components. It includes the visitor centre, café and retail elements (the entrance), as well as back of house facilities and services such as

offices, storage, staff facilities, plant and servicing space. These spaces have also been utilised throughout the development to provide vertical circulation for both service use and for visitors. This comprises a combination of ramps (at suitable gradients), staircases and steps, such as the existing amphitheatre steps within the Rhythm Machine building, and service and visitors lifts.

- 2.8 The proposed public realm to the south of the buildings will remain publicly accessible, as will the northern promenade. The proposed gardens to the east and west of the shell pavilions (referred to as the Tide Gardens and Rhythm Gardens) are within the paid boundary of the attraction and will be segregated from public space through a combination of landscaping (raised earth embankment – referred to as the Northern Coastal Edge) and sensitive boundary treatments.
- 2.9 The shell pavilions are proposed to be a light-weight, grid structure constructed utilising an engineered timber (or alternative material subject to engineering design) and lightweight cladding (Ethylene tetrachloroethylene ETFE) with different opacity levels. The ETFE cladding has been chosen as it is highly tolerable to corrosion, highly energy efficient and can tolerate a wide range of temperatures. The arrangement and pattern of the timber grid and ETFE cushions are not provided in detail at this stage. To some elevations, organic photovoltaic film cells will be integrated into the ETFE cladding.
- 2.10 The walls supporting the dunescape roof will be finished in a combination of curtain glazing and recycled seashell and stone across the ground and first floors to all facades. At the entrance and at the first floor restaurants/cafes, the dunescape roof shall extend beyond the building facades to provide shelter and covered external spaces. In addition to the above, to the northern façade (facing the sea) supports a combination of natural stone retaining structures (at lower level) and gabion retaining wall systems designed to hold an engineered earth/vegetated embankment rising from promenade level up to approximately 12m AOD. It is proposed that a series of sheltered, scalloped seating areas shall be cut into this retaining structure (replacing two existing circular seating areas) that shall be accessed from the promenade. A series of raised deck areas and an elevated walkway run along the northern façade, parallel to the promenade.
- 2.11 In addition to the main built development on the site, the proposal also includes seven substantially smaller cylindrical structures (5 metres high) with varying diameters, located to the south of the main development. These are described as ‘Energy Pods’ and will house necessary energy-related infrastructure as well as supporting cycle parking provision and seating and will be vertically clad in timber. These structures will be connected by a glazed/timber “sea-foam” canopy (at 3 metres high), incorporating solar panels. The canopy also provides a sheltered route between drop off/pick up points on Marine Road Central and the attraction itself. The Energy Pods form part of a landscaped area described as the ‘Energy Field’. This multifunctional landscaped space is designed to tell the story about the projects regenerative design and sustainability and offers a range of seating areas and natural play for visitors and the public. This space could also incorporate Energy Art installations and other temporary and interchangeable features to express and support the project’s wider concepts and objectives.
- 2.12 The proposal also includes extensive landscaping and public realm that will be influenced by the Bay environment and are designed to be functional, flexible, accessible (providing an attractive and safe access/egress into the venue), and playful. There are a number of decked areas incorporated within the landscaped areas offering terraces to compliment the proposed restaurants as well as basking areas. The landscaped areas are equally designed to enhance biodiversity and manage surface water. The Rhythm Gardens will provide flexible space to accommodate large outdoor events during the summer period.
- 2.13 The development does not provide any parking on site. This will be provided off-site and will utilise existing town centre car parks and the Park and Ride (P&R) site at J34 of the M6 motorway. Subsequently, access will primarily be provided on foot (or by cycle) via enhanced public realm located to the south of the buildings along the southern promenade and off Marine Road Central. All existing pedestrian and cycle routes will be retained. The proposal includes off-site highway improvement works to enhance pedestrian crossing facilities between the site and the Goods Yard Car park (across Marine Road Central), together with proposals to provide coach drop off and pick up points (also for the Park and Ride Shuttle bus). There will be secondary access points provided via the venue gardens and landscape areas along the northern boundary. Goods and servicing to the attraction will be provided in a controlled manner utilising the southern promenade and northern



promenade, though the principal servicing areas are located to the northern side of the development. The existing route between the development site and the Midland Hotel to the west will be enhanced as part of the landscaping. It is proposed that this route will be included as a service route with automated bollards. This also offers an alternative route for emergency vehicles and the RNLI requiring access to the north of the site and the Stone Jetty. A series of proposed flood gates will also be required and shall be integrated into the design of the development.

2.14 The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the ‘Regulations’) specifies that certain types of development require an Environmental Impact Assessment (EIA) to be undertaken. The proposed development falls within Schedule 3 of the Regulations and is therefore accompanied by an Environmental Statement (ES) which sets out the findings of the full EIA. The proposed development was therefore the subject of a formal scoping exercise and subsequent addendum to identify the likely significant environmental effects that might arise from the construction and operational phases of development. The ES has been undertaken in accordance with the accepted methodologies. The ES, together with consideration of reasonable alternatives and cumulative effects, considers the following topics in accordance and agreed methodology and significance criteria:

- Townscape, Seascape and Visual Impacts Assessment,
- Cultural Heritage,
- Nature Conservation and Biodiversity,
- Ground Conditions and Geology
- Hydrology, Drainage and Flood Risk
- Traffic, Transport and Access
- Noise and Vibration
- Air Quality
- Daylight, Sunlight, Overshadowing and Wind Microclimate
- Socio-economics
- Pollution and Human Health

### 3.0 Site History

3.1 The site has a long and colourful history. In the 1840’s Morecambe Harbour was constructed by the Little North Western Railway Company. This included the existing stone jetty and several railway lines and sidings. The building at the end of the Stone Jetty was the railway terminus station built in 1853, with the adjacent lighthouse added shortly afterwards.

3.2 The original Midland Hotel was built in 1847, known as the North Western Hotel and designed by Edmund Sharpe and EG Paley of Lancaster. Following construction of the Heysham Harbour, which opened in 1904, Morecambe Harbour closed and all railway infrastructure with the exception of one rail siding was removed from the site. The land was then leased by the Midland Railway to the Wards of Sheffield as a ship-breaking yard, and the site witnessed the dismantling of transatlantic liners. This lease ran until 1931. Ten years earlier the War Memorial Gardens had been officially opened on the site.

3.3 A scheme to ‘*Brighten the Promenade*’ was commenced in 1931 and the new Midland Hotel and the Harbour Band Arena was opened two years later. The ‘Super Swimming Stadium’ followed in 1935 and operated for 40 years until its closure in 1975.

3.4 The decline of the British seaside resort, predominantly due to the increased availability and popularity of package holidays elsewhere in Europe contributed to a decline in fortunes for Morecambe, and the length of the Promenade in particular. Attempts to maintain vitality in the resort and a continued focus on tourism and leisure uses included the outdoor swimming pool, the ‘Bubbles’ Complex and the Superdome. This complex was cleared in 2001.

3.5 Around 2004 Urban Splash acquired the Midland Hotel, which was successfully renovated to a high standard and was opened in 2008. In 2007, Urban Splash had further ambitious proposals and submitted an outline planning application for comprehensive redevelopment of the Central Promenade site, along with a full application for phase 1. Whilst the proposals as a whole were welcomed and would have provided a step-change for the site and would have continued wider

rejuvenation of town, the viability of the scheme demonstrated the whole scheme was not deliverable. This was largely a consequence of the economic downturn at the time. Delivering the proposals over phases or part delivery would not have delivered the wider public benefits to justify harm against the designated heritage assets affected. A second reason for refusal related to the failure of the applicant to satisfactorily reassure the local planning authority that the development and the car parking at the site would not lead to unacceptable highway conditions, notably traffic congestion/queue lengths on Marine Road Central. Consequently, the outline application was refused and the full application withdrawn.

3.6 EPIL commenced discussions with the local planning authority in 2019. Since then there has been extensive pre-planning application discussions with officers, consultees and the wider local community. This has included a Councillor Engagement Forum as well as a formal Scoping Opinion pursuant to the EIA Regulations. The table below provides a summary of the key planning applications relevant to this site.

Application Number	Proposal	Decision
07/01810/OUT	Outline application for the redevelopment of Morecambe central promenade including retail, leisure, restaurants, cafes, commercial and creche use (A1, A2, A3, A4, A5, B1, D1, D2) at ground floor level with residential and hotel accommodation (C1, C3) above. Extensive public realm works include a new setting for the midland hotel, seaside square, a boardwalk and market square	Refused
07/01811/FUL	First phase of development for Morecambe Central Promenade including retail, leisure, restaurants, cafes, commercial and creche use (A1, A2, A3, A4, A5, B1, D1) at ground floor level with residential accommodation (C3) above. Landscaped courtyards over parking. Public realm works including seaside square and landscaping works to adjacent to the Midland Hotel	Withdrawn
19/00758/EIO	EIA Scoping request for the demolition of existing buildings/structures and proposed construction of major mixed use leisure development in association with Eden Project (including use classes A1, A3, A4, B1, D1, D2 and Sui Generis) including public realm, landscaping, car parking and associated engineering works	Completed
21/00988/EIO	Addendum Report - EIA Scoping Opinion request for the demolition of existing buildings/structures and proposed construction of major mixed use leisure development in association with Eden Project (including use classes E, F1, F2 and Sui-Generis) including public realm, landscaping, car parking and associated infrastructure and engineering works	Application received before completed.

#### 4.0 Consultation Responses

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

Consultee	Response
Lancashire County Council (as Local Highway Authority (LHA)	<p>Following the submission of Further Information, the LHA has <b>no objection</b> to the proposal, subject to the following conditions:</p> <ul style="list-style-type: none"> <li>Off-site highway improvement works to secure enhanced pedestrian crossing facilities on Marine Road Central (in accordance with the details set out in the application) in addition to provision of coach/bus drop off and pick up points.</li> <li>In addition, details of separate formal cycle provision will be provided over Marine Road Central connecting to the Green Link.</li> <li>Traffic and Parking Management Plan for large events to be conditioned.</li> </ul>

	<ul style="list-style-type: none"> <li>• Highway mitigation scheme including revalidation of the MOVA signal technology at junction 34, M6 and minor improvements to the Shrimp roundabout (both to mitigate against impacts on junction capacity).</li> <li>• Provision of cycle parking spaces.</li> <li>• Signing strategy.</li> <li>• Car Park Management Strategy.</li> <li>• Goods and Servicing Strategy.</li> <li>• Construction Method Statement including phasing plan.</li> <li>• Traffic Management Plan (during construction).</li> <li>• Lighting screened from view of drivers on public highway.</li> <li>• Retaining structures require technical approval form Lancashire County Council.</li> <li>• Provision of Full Travel Plan.</li> </ul> <p>The LHA seek a planning obligation for the following:</p> <ul style="list-style-type: none"> <li>• Travel Plan Contribution (£10,000) to provide advice and guidance on Travel Plan development.</li> <li>• Monitoring on-street impacts of the development. On street parking survey to understand baseline conditions and repeat survey within 12months of opening and 1 year after (up to 3 in total). This links to the EDEN travel plan. EDEN to organise/fund and agree coverage and details of survey with Lancashire County Council.</li> <li>• Legal agreements between EPIL and Lancaster City Council and EPIL and Lancashire County Council to secure the identified off-site parking for the lifetime of the development.</li> <li>• Legal agreement to provide sufficient shuttle bus services between the Park and Ride site and the attraction.</li> <li>• Legal agreement between Lancaster City Council to influence pricing structure to visit the attraction to best influence site sustainability and modal choice.</li> <li>• A Parking Strategy is required to secure the off-site parking (figures as set out in the application) and the implementation, management and enforcement of such, together with details of the ticketing (the advanced dynamic booking system) with details of the incentives to encourage sustainable travel with links to the Travel Plan. The LHA recommends a number of legal agreements to secure the overall parking strategy.</li> <li>• Maximum visitor ticket demand (750 per hour) is capped and controlled by planning condition or legal agreement.</li> </ul>
<p>National Highways (NH)</p>	<p>An initial <b>Holding Response</b> was received by NH requiring further information to assess the proposal. A summary of the reasons for their Holding Response is set out below:</p> <p><b>Lack of information and concern pertaining to:</b></p> <ul style="list-style-type: none"> <li>• public transport options,</li> <li>• timescales related to the future year transport interventions to realise Eden’s Transport vision, details regarding commitments to upgrading the rail services in the TA,</li> <li>• clarification how the transport strategy will be enforced to prevent visitors from using different car park to their allocations or arriving outside set hours, the dynamic booking system, consideration in the TA regarding greater potential use of Park and Rise site and effects on Strategic Road Network (SRN),</li> <li>• justification for staff parking assumptions and impact parking accumulation,</li> <li>• clarification to understand vehicle arrival assumptions in TA,</li> <li>• justification for use of the gravity model method,</li> <li>• clarification required in relation to modal split,</li> <li>• explanation to be provided over the scenario testing for trip generation,</li> </ul>

	<ul style="list-style-type: none"> <li>• persons trip rates per hour split by car, rail, private bus/coach it be clarified,</li> <li>• more information confirming use of projected use of Park and Ride site,</li> <li>• concerns over lack of parking at peak times with car parking accumulation review is needed to understand current demand levels and occupancy levels,</li> <li>• concerns relating to parking requirements, strategy and management and the potential impacts on J34 Park and Ride if in future years the local authority take steps to reduce parking capacity within Morecambe coupled with a rise in visitors associated with the revival</li> <li>• more detailed modelling of M6 J34 to be undertaken.</li> </ul> <p>Following the submission of Further Information, NH have removed their Holding Response. NH <b>do not object</b> and recommend the following conditions (in summary) and their implementation:</p> <ul style="list-style-type: none"> <li>• Provision of a Visitor Access Strategy (VAS), which links back to the principles of the Transport Strategy proposed and set out in the application, and its implementation for the lifetime of the development.</li> <li>• No part of the development shall be brought into use prior to the implementation of any visitor access policies and works required arising from the VAS.</li> <li>• No part of the development to be brought into use prior to the implementation of the approved VAS and those parts capable of implementation after occupation shall be implemented in accordance with the approved timescales and thereafter.</li> </ul> <p>NH are clear that any deviation from the parking strategy set out in the application would require re-consultation with NH. Furthermore, should there be any changes to the provision or operation methods of car parking dedicated to use of visitors to EPN (once a parking strategy is agreed), prior agreement would be required by the LPA in consultation with NH and the County Council. NH also wish to be consulted on the Construction Traffic Management Plan.</p>
Network Rail	<p>Initial response from Network Rail set out the following points:</p> <ul style="list-style-type: none"> <li>• Given the emphasis on the Green Travel Plan it is likely that there will be a significant uplift in passengers using trains, particularly Lancaster. The proposal <i>should contribute to improvements to cycling and passenger waiting facilities</i> at Lancaster as well as improving Morecambe station with ticketing facilities and a canopy to reduce the concentration of passengers within the booking hall in times of inclement weather.</li> <li>• Any proposed service uplift needs to be evidenced with timetable modelling with confirmation from the Train Operating Company that they can run the proposed service.</li> </ul> <p>Following the submission of Further Information, Network Rail have raised <b>no objection</b> and commented as follows:</p> <p><i>Network Rail are pleased to see the Eden project recognising existing constraints along the route and look forward to working with them in the future should any uplift in service provision be in the offing.</i></p>
United Utilities	<p>Following an initial holding response, UU now <b>do not object</b> to the proposed subject to the following conditions:</p> <ul style="list-style-type: none"> <li>• Submission of foul and sustainable surface water drainage scheme and implementation before occupation of the development.</li> <li>• Management and maintenance of the drainage infrastructure.</li> </ul>

	<p>UU recommends (through advice not planning conditions) a non-return value may be required before connection into the public sewer and recommend separate discussions with a Development Engineer for UU. UU also recommend EPN engage with their water supply team at their earliest opportunity in the event reinforcement to the water network is required to meet demands.</p>
<p>Lead Local Flood Authority</p>	<p><b>No objection</b> subject to the following conditions:</p> <ul style="list-style-type: none"> <li>• Development to be carried out in accordance with the Flood Risk Assessment.</li> <li>• Submission of Final Surface Water Drainage Scheme (based on submitted drainage strategy) to include details of the management and control of water in exceedance events, having regard to the requirement for flood gates to the development itself.</li> <li>• Demolition and Construction Phase Surface Water Management Plan</li> <li>• Operation and Maintenance and Verification Report of constructed Sustainable Drainage System.</li> </ul> <p>Several advice notes are provided by the LLFA to help inform and address the above condition requirements.</p>
<p>Environment Agency (EA)</p>	<p>An <b>initial Objection</b> was received on the following grounds:</p> <ul style="list-style-type: none"> <li>• Insufficient information to enable adequate assessment of the flood risks posed by the development. The FRA does not meet the requirements of the NPPF and further information is required, including: <ul style="list-style-type: none"> <li>○ Product 4 FRA utilising data already provided by the EA (as part of pre-application discussions).</li> <li>○ Consideration of flood risk posed by the development elsewhere and consideration of climate change.</li> <li>○ The effects of level changes on site and flood risk</li> <li>○ Details of flood risk management at the basement level.</li> </ul> </li> </ul> <p>Following the submission of Further Information, the EA have withdrawn their objection. The EA <b>do not object</b>, provided the following conditions are imposed to ensure the development meets the NPPF requirements in relation to flood risk:</p> <ul style="list-style-type: none"> <li>• Flood Risk Mitigation Strategy (to be based on the outcomes of an updated hydraulic model, which shall inform site specific measures identified in the proposed mitigation strategy, such as heights of flood gates).</li> <li>• Flood Management Plan to include: <ul style="list-style-type: none"> <li>➢ Location of proposed barriers</li> <li>➢ Heights of proposed barriers</li> <li>➢ Details of the management and maintenance (for the lifetime of the development) of the flood management measures.</li> <li>➢ Flood Warning and Evacuation Plan (the EA note this is a matter for Emergency Planners opposed to the EA).</li> </ul> </li> </ul> <p>The EA in their initial response, raised no objection to the development in relation to site contamination and recommended a condition for a site remediation strategy.</p>
<p>Marine Management Organisation</p>	<p>No comments received at the time of drafting this response. Any comments submitted shall be verbally presented.</p>
<p>Natural England</p>	<p><b>No objection</b> provided the following mitigation is secured to ensure the Project will not have adverse effect on the integrity of Morecambe Bay Special Area of Conservation (SAC), Morecambe Bay and Duddon Estuary Special Protection Area (SPA) and Morecambe Bay Ramsar site and will not damage or destroy the interest</p>

	<p>features for which Morecambe Bay Site of Special Scientific Interest (SSSI) has been notified:</p> <ul style="list-style-type: none"> <li>• The creation of a Construction Environmental Management Plan (CEMP) including mitigation measures set out in the approved shadow Appropriate Assessment.</li> <li>• The outdoor arena is only used during summer months (April to September).</li> <li>• A dark corridor is maintained adjacent to the development site with all external illumination being directed towards and landside.</li> <li>• The development of the Outreach and Education Plan (OEP) prior to opening and the implementation and review of the Plan in conjunction with Natural England and the LPA.</li> </ul>
<p>Greater Manchester Ecology Unity (GMEU)</p>	<p>Initial response required further information regarding mitigation to secure no likely significant effects (LSE) for the purposes of the Habitat Regulations Assessment (HRA), but concluded the impacts arising from the development on protected bat species is acceptable, subject to a condition ensuring additional bat surveys be undertaken if demolition does not occur before April 2023; that the submitted and approved landscaping scheme be secured by condition, and; that the assessment of Biodiversity Net Gain demonstrates a significant uplift above 10% and is supported. GMEU recommend a condition to manage and maintain the approved landscaping/habitat creation.</p> <p>Following the submission of Further Information GMEU raise <b>no objection</b> subject to the following conditions:</p> <ul style="list-style-type: none"> <li>• CEMP with identified heads of terms linking to pollution control (air, noise and light), crane location and operation and weather stoppage protocol),</li> <li>• Drainage conditions (to prevent waterborne pollution entering the designated site once operational),</li> <li>• Protocol to define and then restriction outdoor events to 8 within the summer period only.</li> <li>• Lighting strategy (to maintain dark corridors along and adjacent to the designated site)</li> <li>• Collision Monitoring Programme</li> </ul> <p>To mitigate against recreational disturbance, an Outreach and Education Plan shall be provided based on the details contained in the sHRA. GMEU advise this should be controlled by legal agreement opposed to condition. GMEU advise on-site recreational mitigation can be managed through a Interpretation, Marketing and Communication Strategy (by condition).</p> <p>GMEU concur with the conclusions of the updated sHRA that the development will not lead to LSE on the integrity of the designated sites provided the mitigation can be adequately delivered.</p> <p>GMEU conclude that the LPA can report its own findings of the HRA and its conclusions in the officer report and ensure NE are aware of their decision.</p>
<p>Morecambe Bay Partnership</p>	<p>No comments received at the time of drafting this response. Any comments submitted shall be verbally presented.</p>
<p>Wildlife Trust</p>	<p>The following comments have been received:</p> <ul style="list-style-type: none"> <li>• Biodiversity Net Gain (BNG) Assessment – there are some inconsistencies in the % outcome of the BNG so unsure which is correct, but both are very welcomed.</li> <li>• A commitment for the implementation of a 30-year management and monitoring plan for BNG is welcomed.</li> </ul>

	<ul style="list-style-type: none"> <li>• Some concerns over mitigating against recreational disturbance given the number of potential visitors to EPN and that this should be addressed as part of EPNs Interpretation/Education plans.</li> <li>• Welcome the JNCC commitment to temporary stoppage of works in relation to high disturbance construction operations during prolonged freezing weather.</li> <li>• Welcome the opportunity for EPN to work more widely with nature recovery project in the Bay area and with key partners over consistent environmental messaging.</li> <li>• Recognising that a CEMP and 30-year maintenance plan are equally as important as the shadow HRA to be a successful project.</li> <li>• Recognises the physical footprint of the development is comparatively small, but its influence and educational opportunities is likely to be immense.</li> </ul>
RSPB	No comments received at the time of drafting this response. Any comments submitted shall be verbally presented.
Historic England	<p><b>No objection</b> Historic England conclude as follows:</p> <ul style="list-style-type: none"> <li>• The proposal would affect the character and appearance of the conservation area, but the impacts would be limited, largely due to the sense of separation from the wider town and the history of varied uses on the proposed site. HE notes the proposal would add a new contemporary dimension to the character and appearance of the area, much like the Midland Hotel did in 1933.</li> <li>• The Midland was designed to be a prominent building in a prominent location and the proposal would have an impact on this characteristic by virtue of the bold design and siting, drawing attention and diluting the listed Midland Hotel. However, HE recognises the proposal brings benefits to the setting of the listed building via the proposed landscaping and public realm works. On balance, HE concludes the proposals would amount to less than substantial harm.</li> <li>• The wider setting of the Winter Gardens would be affected, narrowing the view from the building and its intervisibility with the promenade and the stone jetty. However, directly opposite the Winter Gardens, the proposals includes a landscapes garden and performance area which would make a positive contribution to the wider setting and help invigorate the building. On balance, HE concludes the proposals would amount to less than substantial harm</li> </ul>
Conservation Officer	<p><b>No objection</b> to the principle of the development with the following key points/comments raised:</p> <ul style="list-style-type: none"> <li>• Recognition of the sites highly sensitive position within the Conservation Area surrounded by significant listed buildings, but also the importance of the wider townscape and the stunning views of the sea, mountains and sunsets that are part of Morecambe’s enduring appeal.</li> <li>• The re-development of the site is, therefore, a welcome opportunity to revitalise this area and add further distinctive character to the conservation area. As a visitor attraction, the use would reinforce the historic character of the site and wider area. In visual terms, the new development would add another memorable and distinctive component to the visual character of the area.</li> <li>• Impact on the character of the Conservation Area would be considerable given the scale and character of the development and views along the promenade would be affected. However, the site stands apart from the continuous historic build form along the town frontage and has always been the location of large-scale leisure development. This juxtaposition of</li> </ul>

	<p>architectural form and space is an element of the conservation area’s lively and appealing visual character, and this development would re-invigorate this quality and <b>enhance the character and appearance of the Conservation Area.</b></p> <ul style="list-style-type: none"> <li>• Current prominence and visibility of the Grade II* listed Midland Hotel in particular, juxtaposed with the proposed new scheme, means there would inevitably be some degree of impact on the setting of this listed building and the wider townscape and concludes the proposal would <b>result in moderate harm to the setting of the Midland Hotel.</b> A slight tweaking to the position of the most easterly dome could improve the harm identified. <b>This harm would be less than substantial.</b></li> <li>• Due to the position of the buildings and the enhanced landscaping proposals, on balance the development overall would <b>not cause harm to the setting of the Grade II* listed Winter Gardens.</b></li> <li>• Due to the close proximity of the development to the Grade II listed War Memorial, the impact on setting would be significant. However, this impact is <b>not considered harmful</b> given the Memorial already sits within a busy thoroughfare overlooked by buildings and bearing in mind the poor condition of the site.</li> <li>• Landscaping is comprehensive and creates diverse and dynamic character to the development, disappointment over the use of buff asphalt to the southern promenade with a preference for natural stone, welcome the detailing to the promenade elevation and recommend the raised walkway be publicly accessible so glimpses into the buildings add to the positively experience of walking along the promenade.</li> <li>• In terms of materials and the appearance of the buildings, some concerns expressed that the use of ETFE will give a cellular character similar to the buildings at Eden Project Cornwall. The detailed design should root back to the original inspiration of the seashell and deliver a concentric pattern of shell growth rings. The asymmetric shell profiles should not be lost. Noting there is scope at the architectural design and detailing stage to strengthen this aspect of the scheme.</li> </ul> <p>Overall, concludes that the level of harm to the Grade II* Midland Hotel is judged less than substantial and likely to be justified by other public benefits, including heritage benefits of significantly enhancing the quality of the site and the Conservation Area.</p>
<p>Lancashire County Council (Archaeology)</p>	<p><b>No objection</b> Comments received confirm the site is unlikely to hold anything of archaeological significance and not further archaeological work would be required.</p>
<p>Historic Buildings and Places (Ancient Monuments Society)</p>	<p>Do not wish to make comment and advice we defer to the specialist conservation advice within the Authority.</p>
<p>Lancaster Civic Society</p>	<p><b>No objection</b> and offering full support for the proposal. A summary of their comments are as follows:</p> <ul style="list-style-type: none"> <li>• the proposed development would have a very positive impact on Morecambe and the broader area with transformational economic impacts for the Bay area.</li> <li>• the design to be exemplary.</li> <li>• that the applicant has gone to considerable lengths to demonstrate how the impact of significantly increased visitor numbers can be dealt with and hope this</li> </ul>



	<ul style="list-style-type: none"> <li>the City and County Councils need to play their part in facilitating much improved transport facilities (road and rail) and increasing the provision of hotel accommodation.</li> </ul>
National Trust	No comments received at the time of drafting this response. Any comments submitted shall be verbally presented.
Winter Gardens Preservation Society	No comments received at the time of drafting this response. Any comments submitted shall be verbally presented.
Arnside & Silverdale AONB Partnership	<p><b>No objection.</b> Comments received are as follows:</p> <ul style="list-style-type: none"> <li>While the development will clearly be visible from the AONB, it is accepted that the impact on visual amenity will not be significant.</li> <li>External lighting to be kept to a minimal, noting paragraph 185 of the NPPF and the need to limit the impacts of light pollution from artificial lighting on local amenity, intrinsically dark landscapes and nature conservation.</li> <li>The applicant, City Council and County Council should consider the impacts and management of increased visitors and sustainable travel across a much wider area, recognising the highway and parking infrastructure in the AONB is constrained.</li> </ul>
Environmental Health Service	<p><b>Comments received.</b> A summary is provided below:</p> <p>For the noise and air quality assessment peak traffic flows have not be used and average flows have been used instead. However, should traffic impacts change this would not in my opinion have any significant consequence on most of the headline conclusions of no significant noise or air pollution impacts, subject to conditions:</p> <ul style="list-style-type: none"> <li>Construction Environment Management Plan (CEMP) including (not exhaustive) details of the final piling method (and if necessary site specific assessment and mitigation) details of rolling operations (in relation to vibration), dust control to maintain acceptable air quality.</li> <li>Construction working hours to 08:00- 18:00, with no working at weekends or on bank holidays</li> <li>Delivery Hours limited 09:00 – 21:00 (application proposes 07:00 – 23:00)</li> <li>Outdoor Events limits to 3 annually (to be reviewed and monitored to potentially enable greater number of events)</li> <li>Events Noise Management Plan</li> <li>Noise from plant and machinery limited to BS4142 rating levels</li> <li>Site Contamination Remediation Strategy</li> </ul>
Lancashire Constabulary (Counter Terrorism)	<p><b>No objections</b> and welcome the opportunity to be given the opportunity to comment on the planning application. Comments as follows:</p> <ul style="list-style-type: none"> <li>Eden Project North seeks to create a new Publicly Accessible Locations (PALs) within the town. With the creation of any new crowded space comes an increased risk from various threat groups and methodologies. Whilst there is no intelligence to suggest an increased threat in this location, the risk should be taken into consideration and mitigated against, overall and on every part of the development. This also applies to the construction phases.</li> <li>It is encouraging to see that vehicle restriction is being planned, and I would strongly advise that it is considered at this time how this will be physically enforced and designed into the plans.</li> <li>The CTSA Team would welcome the opportunity to work with the applicants at the earliest opportunity in order for us to provide a confidential report around risk and threat, and offer our advice and support throughout this process.</li> </ul>

Waste and Recycling Team	<b>No objection</b> and offer opportunities to discuss arrangements for Trade Waste and other waste streams with the City Council.
CSTEP	Proposal will provide much local activity from an employment and skills perspective. The application meets the threshold for an Employment and Skills Plan.
Planning Policy	<p><b>No objection</b> in principle but the following concerns have been raised:</p> <ul style="list-style-type: none"> <li>• Reliance on intended actions rather than tangible and robust actions to tackle climate change.</li> <li>• Interim Travel Plan does not accord with climate change mitigation aims of the emerging CELPR.</li> <li>• Current Parking Strategy is incompatible with the aims of the CELPR and DM63. The current strategy would generate increase traffic, greater emissions, poorer air quality, potential road safety concerns, health and life impacts and could impact local residents using car parks to access local services.</li> <li>• The City Centre Movement Strategy could increase demand at the P&amp;R resulting in conflicting needs for the spaces/capacity issues.</li> <li>• Travel Plan is unclear in how they will achieve targets from worst-case scenario to best case scenario over time.</li> <li>• Inadequate cycle provision and unclear proposals for staff parking (based on policy and guidance there should be 330 cycle spaces – only 152 are provided).</li> <li>• Concerns the development will but excess strain on existing facilities.</li> <li>• Insufficient details to address the loss of disabled parking.</li> <li>• Signposting is supporting but should include details to encourage active/low carbon travel too.</li> <li>• Further consideration be given to cycle connectivity and crossing facilities over Marine Road Central to link the promenade to the Greenway. Recommends engagement with Sustains.</li> <li>• Recognises significant economic and regenerative benefits which must be weighed against impacts on local environment and in particularly highway network.</li> </ul> <p>Following submission of a Clarification Note regarding climate change measures, the planning policy team are satisfied with the proposed measures and the strengthening of language particularly around their heating strategy and recommend BREEAM excellent standards are conditioned. They maintain concerned over amount of cycle provision proposed.</p>
Public Realm Lancaster City Council	<b>No objection</b> noting the project aligns with the policy requirements of the Morecambe Area Action Plan (MAAP) and will improve the space and standards within the public realm. However, consideration needs to be given to the impacts on the wider amenity within the town, in particular connections from Marine Road Central to the town centre.
Lancashire County Council Health, Safety & Resilience Service	<b>No objection</b> to the proposals commenting that in the absence of objections from the relevant agencies (EDF, County Council Planning, City Council Emergency Planning, Fire and Rescue service, Lancashire Constabulary and NW Ambulance Service), the proposals can be accommodated within the Heysham Power Station Off-site Emergency Plan.
Office of Nuclear Regulation (ONR)	<b>No objection</b> – The ONR does not advise against this development and comment that the development does not present a significant external hazard to the safety of the nuclear site.
Cadent Gas	<b>No objection</b> and recommends an advice note informing the applicant of Cadent Gas infrastructure within the area of the development.

Lancashire Fire and Rescue	Recommends the application be aware of the requirements of Document B (Part B5) of Building Regulations relating to fire safety and access for fire appliances.
Lancashire County Council (Strategic Planning)	No comments received at the time of drafting this response. Any comments submitted shall be verbally presented.
Lancaster & District Chamber of Commerce	<b>No objection</b> with full support offered to the proposals. Comments as follows: <ul style="list-style-type: none"> <li>• create short and long term opportunities for our members in the supply chain but provide a welcome boost in visitor numbers and attached inward investment into the region</li> <li>• the development will provide commercial investment and local jobs.</li> </ul>
Morecambe Town Council	No comments received at the time of drafting this response. Any comments submitted shall be verbally presented.
Morecambe BID	<b>Support in principle</b> , with the following concerns: <ul style="list-style-type: none"> <li>• Very concerned regarding traffic impact and parking</li> <li>• Lack of visitor incentive to remain in Morecambe prior to visiting EPN</li> <li>• Lack of train services to Morecambe</li> <li>• An alternative Park and Ride site (closer to Heysham near the rail terminus), nearer to the centre of Morecambe is required to mitigate traffic into Morecambe.</li> <li>• Noise pollution from live events affecting the quality of life for residents living along the promenade. Suggests 5 times per year and capacity limited to 4-5k.</li> </ul>
Lancaster BID	<b>No objection</b> with full support offered to the proposals. A summary of the comments received are as follows: <ul style="list-style-type: none"> <li>• has the potential to provide a major attraction and be an asset to the local economy.</li> <li>• create local employment opportunities and attract high numbers of extra visitors to the district and provide a significant economic boost to local businesses, in particular in the tourism and hospitality sectors.</li> <li>• To ensure the economic benefits are felt across the whole Lancaster district, it is vital that essential that the transport infrastructure is suitable developed alongside construction of the Eden Project site itself.</li> <li>• transport links between Lancaster and Morecambe to be considered and to ensure network can cope with additional traffic flows.</li> </ul>
Ramblers Association	The Ramblers are content that the promenade will not be affected and there are other through routes.
Sustrans	No objection. Following comments provided: <ul style="list-style-type: none"> <li>• Sustrans are pleased that there will be improved wayfinding as a result of the development to reflect the realignment of Route 700 to the north of the promenade, and for Route 69 to start/finish south of The Midland hotel.</li> <li>• Sustrans would like to echo the consultation response of 15th October which states that:  <i>The existing Lancaster/ Morecambe Greenway (Way of the Roses) is recognised within the TP as an important link between the site and Lancaster. It should be noted that the connection between the Promenade and the Lancaster Greenway is on-road and is via two roundabouts, one on Marine Road and the other on Central Drive. It is currently a confusing and unattractive route and requires upgrading. The Morecambe Area Action Plan and the emerging LCWIP identify this as an issue. The City and County Councils (and Sustrans) are seeking improvements to the network in this area.</i>  <i>In order to maximise opportunities for active travel the applicant should give consideration to how this can be improved, both in order to meet its own</i> </li> </ul>

	<p><i>targets for employees arriving by sustainable modes and to encourage visitors arriving from Lancaster.</i></p> <ul style="list-style-type: none"> <li>• Sustrans would welcome the opportunity to improve this section of Route 69 as the final 550m from the end of the greenway route to the Eden Project boundary will be critical in further increasing active travel levels to the site.</li> </ul>
Dynamo	No comments received at the time of drafting this response. Any comments submitted shall be verbally presented.
Carnforth Town Council	<p><b>No objection</b> offering support for the proposal. A summary of the comments include:</p> <ul style="list-style-type: none"> <li>• Design and layout imaginative and innovative providing a focal point to the seafront.</li> <li>• Transport infrastructure will be the key to the project's success.</li> <li>• Recognises Carnforth could provide a northern transport hub and fast rail shuttle between Carnforth and Morecambe, in addition to or utilising the Park and Ride Shuttle Bus.</li> <li>• Opportunities for a potential rail link between the two towns, which could form part of the visitor experience.</li> <li>• Opportunities to provide better cycling routes between the two towns, noting a number of visitors may stay in the many holiday campsites surrounding Carnforth.</li> <li>• EPN will fit in well with other environmental attractions around the Bay (such as Leighton Moss and the Arnsdale and Silverdale AONB) and will enhance the visitor attraction package to the area.</li> <li>• EPN will stimulate local employment, business opportunities and provide economic benefits to the wider community.</li> </ul>
Barrow Borough Council (BBC)	<p><b>No objection.</b> BBC offer full support to the project noting the project will enhance the sub-region as a high-quality sustainable tourism destination, showcasing the exceptional environment of Morecambe Bay, promoting economic development and social wellbeing and acting as a catalyst for further economic opportunities in Barrow. The project will support the Barrow Council Plan Vision and the Council Plan priorities. BBC also recognise that links can be established between EPN and the Earne Bay Outdoor Activity Centre which forms part of our Brilliant Barrow Town Deal to provide outdoor activities and education in the Bay.</p>
Fylde Borough Council	Despite the scale of the proposal it is well separated from Fylde Borough and so the Council does not wish to make any observations on the application.
Wyre Borough Council	No comments received at the time of drafting this response. Any comments submitted shall be verbally presented.
South Lakeland District Council	No comments received at the time of drafting this response. Any comments submitted shall be verbally presented.

#### 4.2 The following responses have been received from members of the public:

2 representations **opposing** the proposal. A summary of the main reasons for opposition are as follows:

- The building is too large for the site, creating a dominant feature that is oversized in the current townscape. This is a concern given the importance of surrounding features and buildings (Stone Jetty, RNLI, Winter Gardens, Midland Hotel).
- The shell buildings are overly tall with little functional space in their upper roof space rendering their height necessary
- Concerns over the appearance of the non-translucent elements of the building.
- Comments received in relation to the dunescape roofs, welcoming a similar feature to the Rhythm Machine Roof with additional suggestions for viewing platforms at a higher elevation.
- The buildings will cast shadow and reduce sunlight in the winter months to North Beach and the corresponding promenade.

- The building turns its back on the town (save for the entrance) - more glazing suggested to the northwest and northern elevations.
- Concerned that the building scale is designed to cater for a larger footfall to justify the government funding required to build the project.
- Loss of the Promenade Gardens and existing trees.
- Former Frontierland site offers a more suitable location for the development.

15 representations in **support**. A summary of the main reasons for support and commentary are set out below:

- Much needed attraction with regeneration benefits to the town, the wider Morecambe area and the wider community.
- It will revive Morecambe as a tourist destination having suffered decades of decline.
- It will provide educational opportunities.
- It will offer significant local employment opportunities and provide a catalyst for future investment.
- Recognising Morecambe as one of the most deprived areas in the UK, the Eden North Project promises to reverse decline and provide significant social and economic benefits. The elimination of poverty should be a priority.
- The council should not only approve the planning application but work with Eden to exert pressure on government for funding.
- The council should take advantage of the project and deliver a renewed Masterplan for the West End and its integration with the Eden Project.
- Lancaster and Morecambe must be central to the scheme – the whole town not just the Promenade.
- Access to be provided but without impact on the awful traffic situation in Lancaster.
- Logistical negatives against the scheme would be outnumbered by numerous advantages for the local community.
- There should be reduced cost entry for locals

1 letter of support but raising the following concerns/comments:

- Concerned that there is not sufficient parking in Morecambe for the development as well as local traffic/parking needs for other visitors to Morecambe not visiting the attraction.
- Queries when the parking surveys took place.

2 representations received neither objecting or supporting. A summary of the comments are as follows:

- How does this impact Morecambe Festival Market, which provides an income for many families?
- Recognition that the project would be a great asset to the area but concerns over how it fits with the wider public realm, how it integrates with Morecambe and its heritage, the implications arising from additional traffic and the lack of a comprehensive masterplan for the town.

Representations have been received from the director of the Best Western Lothersdale Hotel offering full support of the project, noting significant benefits to local employment, the local hospitality economy and the evening economy and further recognition that the proposal presents a very rare opportunity to delivery such positive economic benefits to the community and wider district.

Representations have been received from Lancaster and Morecambe College (LMC) in favour of the proposal. LMC highlight the fact they have been collaborating with EPIL since November 2018, based on workforce development. In partnership, LMC, EPIL and a multitude of other partners have now developed the Morecambe Bay Curriculum which showcases outstanding collaboration. LMC state that as the districts technical educational college, they have a key role to play in ensuring the community benefit from potential employment opportunities. Working with EPIL, they are working to prepare a local workforce for eco-education tourism, including the Eden Study Programme and the Eden Traineeship scheme. They now have created an EPN Learning Hub on campus (2019). LMC share many of the same values as EPIL, particularly in relation to social mobility and social justice. LMC state that they will strive to provide opportunities to all members of the community to upskill and gain sustainable employment as the local economy is revitalised by the prospects of

EPN. LMC hope that apprenticeships and work placements will be embraced not only by EPN but the supply chain too, especially during construction.

David Morris MP for Morecambe and Lunesdale has made representations to the planning application offering full support for the project. The reasons for support are as follows:

- It is a lifetime opportunity for our town and has the capability to be a game-changer not just for the economic fortunes of Morecambe but the whole of the North West.
- The project has overwhelming community support which is a testament to EPIL approach to community engagement and partnership working (noting the Eden curriculum being taught at schools/colleges across the area as well as investment made by Eden's partners to kick start early feasibility).
- The investment needed to build the project will be far outweighed by the economic benefits the project will bring to the community (noting the success of Eden Project Cornwall which cost an acclaimed £105 million to build but so far as contribution £2.2 billion to the regional economy).
- Every confidence in EPIL's business model and ability to operate a world class tourist facility.
- Recognises that the 1 million visitors a year EPN will bring this will inject around £200 million a year into the north-west regional economy, supporting 1,500 quality green-collar jobs across the supply chain.
- Such jobs are crucial, and the education programmes that provide training for them will be vital for both the Government to realise their zero-carbon ambitions, and will make the north-west a leading green hub.
- EPN will create obvious employment benefits and knock-on effects to the region's visitor economy and supply chains and will be a catalytic investment which will deliver an example of levelling up of the north-south economic performance.
- EPN will offer significant educational benefits to 427 schools in its catchment.
- EPN will provide a beacon for green initiatives and growth, collaborative and sustainable regeneration.

## 5.0 Analysis

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

- Principle of development
- Traffic, Transport, Parking and Accessibility
- Townscape effects and Open Space
- Cultural Heritage
- Natural Environment
- Flood Risk and Drainage
- Amenity and Pollution
- Climate Change
- Socio-economic and Health

5.2 **Consideration 1 - Principle of Development** (NPPF Section 2: Achieving sustainable development and Section 6: Building a strong, competitive economy; Policy SP2: Lancaster District Settlement Hierarchy, Policy SP3: Development Strategy for Lancaster District, Policy EC5 Regeneration Priority Area of the SPLA DPD; Policy DM22: Leisure Facilities and Attractions of the DM DPD and Policy SP3: Morecambe Seafront and Promenade and DO2: Strategic Leisure – Seafront Headland and Central Promenade of the Morecambe Area Action Plan (MAAP)).

5.2.1 The principal planning documents making up part of the Development Plan relevant to the Eden Project comprise the following:

- Lancaster Local Plan Part One – Strategic Policies and Land Allocations (SPLA) DPD (2020)
- Lancaster Local Plan Part Two – Development Management Policies (DM) DPD (2020)
- Morecambe Area Action Plan (MAAP) (2014).
- The emerging Climate Emergency Local Plan Review (2022) (This document is at the time of writing at the pre-publication stage and is not adopted, and so it currently has limited weight).

- 5.2.2 The SPLA DPD sets out a spatial vision and strategic objectives for Lancaster District in order to plan and identify land to meet future development needs and to identify land that should be protected for its environmental, social and economic importance. The Plan seeks to protect our unique landscapes and the natural environment, drive positive economic potential, deliver strong and diverse communities and to protect our built heritage. Within the SPLA DPD, the vision for Morecambe is to create a *'confident community with a regenerated living, working and leisure environment. The town will be a focal point on Morecambe Bay, where enjoyment of, and the opportunities to interact with, the wider natural environment are safely, responsibly and positively interpreted and supported'*. Securing sustainable development opportunities in Morecambe has a significant role to play in delivering the districts spatial vision. Morecambe is also identified as a Key Service Centre in the district's settlement hierarchy (Policy SP2) and as such, can accommodate significant forms of development to support and enhance the role of the districts regional centre (Lancaster City) and support economic development to serve more localised catchments. Development within the urban area of Morecambe equally aligns with the urban-focused development strategy for the district identified under policy SP3 of the SPLA DPD. The SPLA also identifies with site within a Regeneration Priority Area (RePA), which seeks to provide context and a framework to guide future development to make Morecambe a vibrant and successful town for the 21<sup>st</sup> century. Central Morecambe is identified as a RePA under policy EC5.1, recognised for its sub-regional importance and scope for tourism and heritage-led regeneration to re-invent the town as a visitor destination. This framework policy equally recognises the value and importance of the natural environment around the site and how this can complement future regeneration.
- 5.2.3 Policy DM22 of the DM DPD relates to major new leisure development. This states that such development should be located within the town centre boundaries of Lancaster and Morecambe, preferably in a brownfield land in Morecambe in accordance with policy EC5 (SPLA DPD); or where it is supported by a site-specific allocation or part of a direction of mixed-use growth set out elsewhere within the development plan. This policy aims to direct development to the most sustainable of locations. The site lies adjacent to Morecambe Town Centre and given the anticipated visitor numbers and the applicant's global reputation, will provide a catalyst for regeneration locally and regionally. Notwithstanding this, the site is allocated for site-specific uses in the MAAP.
- 5.2.4 The strategic objectives of the Development Plan relevant to Central Morecambe are to be delivered in line with the spatial plan set out in the MAAP. The focus of the MAAP is regeneration and maximising on the area's unique and beautiful marine setting, whilst protecting the natural environment. The proposed site is located within Development Opportunity Site DO2. This provides support for proposals incorporating leisure uses, a visitor/education centre, visitor accommodation or other holiday accommodation.
- 5.2.4 EPN will provide a regionally, if not nationally important, tourist attraction that shall comprise predominately leisure and education/exhibition-based uses, utilising previously developed land. The proposal represents a comprehensive redevelopment of the whole of the allocated site (DO2) and will deliver significant regeneration benefits for the town itself. The development equally seeks to protect and retain all the surrounding promenade. Consequently, the proposal is considered entirely consistent with the land use policy requirements set out in policy DO2 and SP3 of the MAAP, DM22 of the DM DPD and the wider strategic policies set out in the SPLA DPD.
- 5.2.5 The project is unique and truly exciting and provides a once in a generation opportunity to revive Morecambe as a seaside resort for the benefit of its local community, the wider district, the Bay area and the North-West region. EPN seeks to be an innovative and exemplar form of sustainable development that showcases and educates the importance of climate change, regenerative sustainability, and our integration with (and protection of) the natural environment. Whilst the principle of the development is supported in land-use terms, there are a number of key material considerations that need to be considered to ensure the development constitutes a sustainable form of development.

### 5.3 **Key Planning Material Considerations**

During pre-applications discussions and as part of the EIA scoping exercise, the local planning authority identified several key issues that would need to be satisfactorily assessed. This work focused on three key topic areas; (i) transport and access strategy; (ii) the effects of the development on nature conservation; and (iii) the impact on the built heritage of the site. These are addressed below, followed by consideration and assessment of the other considerations set out in paragraph 5.1.

- 5.3.1 **Consideration 2 - Traffic, Transport, Parking and Accessibility** (NPPF: Chapter 9 paragraphs 104,105,107, 108, 110-113:Promoting Sustainable Transport and Chapter 12 paragraph 130 Achieving well-design places; Strategic Policies and Land Allocations (SPLA) DPD policies SP10: Improving Transport Connectivity, T1 : Lancaster Park and Ride, T2: Cycling and Walking Network and T4: Public Transport Corridors; Development Management (DM) DPD policies DM29: Key Design Principles, DM60: Enhancing Accessibility and Transport Linkages, DM61: Walking and Cycling, DM62: Vehicle Parking Provision, DM63: Transport Efficiency and Travel Plans; DM64: Lancaster District Highways and Transport Masterplan and Morecambe Area Action Plan Policies SP1: Key Pedestrian Routes and Spaces, SP3: Morecambe Main Seafront and Promenade and DO2: Strategic Leisure – Seafront Headland and Central Promenade.

Planning policy and decision making should strive to deliver sustainable development. The above policies seek to ensure major development is located in sustainable locations in the first instance. Policy then expects priority to be given to sustainable transport modes with the protection and enhancement of pedestrian and cycle infrastructure. Development must be accessible to all modes in a safe and confident way with any residual traffic impact capable of being accommodate without severe impacts on the safe and efficient operation of the highway network. In relation to the MAAP, it seeks to ensure key pedestrian routes around the site are protected and the public realm enhanced, with improved connections across Marine Road Central towards the landward side of the town. EPN aims to ensure these policies are met in full.

- 5.3.2 The site lies within one of the districts main urban areas. Consequently, access to and from the site can be provided by public transport with both the bus network and the railway station within a short and easy walking distance from the site. It is equally well-connected for pedestrians and cyclists via the promenade, which forms part of the Lancashire Coastal Way. The Bay Gateway now provides a more direct route to the town from the Strategic Road Network (SRN) for those travelling by car. Consequently, the site is considered an accessible and sustainable location to support major development as it provides opportunity to encourage more sustainable modes of travel. The location of the site conforms with the strategic transport policies in the development plan in terms of locational sustainability.

5.3.3 **Active Travel and Sustainable Transport**

Given the sites' central location, it is anticipated that local visitors to the attraction will use sustainable modes of transport to access the development and will be incentivised through the ticketing to do so. Frequent bus services already operate along Marine Road Central and Central Drive. There is no requirement of the development to contribute to additional services. Whilst the site is served by the promenade offering a safe and attractive route to the development for pedestrians, many visitors will be arriving in the town centre and will need to cross Marine Road Central. Currently this is a barrier and as such highway improvements are proposed to enhance crossing facilities and create a safer and more legible pedestrian environment. An indicative highway improvement scheme has evolved during the determination of this application which now satisfactorily addresses policy requirements to enhance pedestrian environment and in particular links across to the town centre. This indicative proposal shall form the basis for an off-site highway scheme to be delivered and implemented before the development is operational. This will be a requirement of a planning condition and is supported by the local highway authority. As well as delivering improved crossing facilities, this scheme proposes changes to the roundabout junction at Central Drive and Northumberland Street and changes to Marine Road Central, providing dedicated drop-off and pick-up areas and servicing laybys, and effectively removing the unrestricted on-street parking that currently exists outside the site frontage.

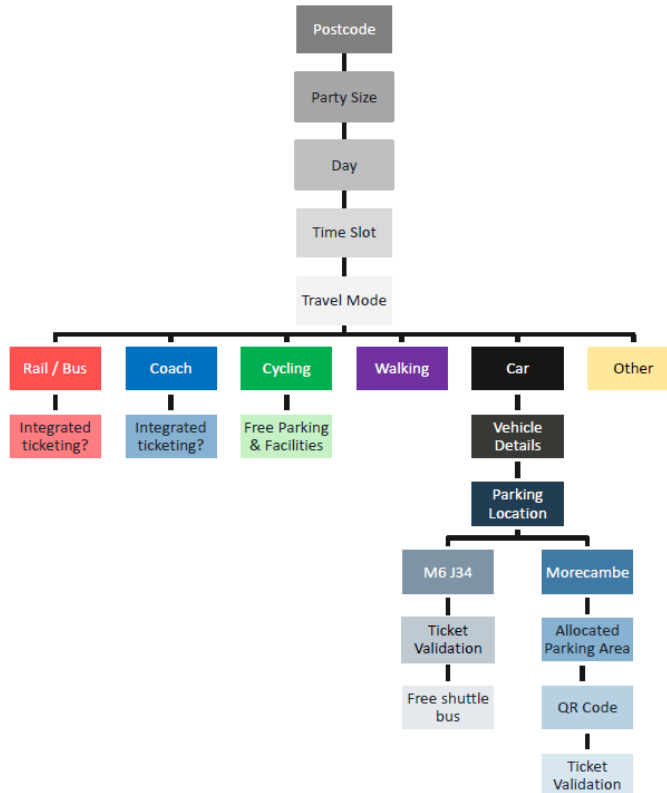
- 5.3.4 In terms of cycle provision and the promotion of cycling, the site is situated between two recognised cycle routes which shall be protected and retained as part of the development. EPIL have and shall continue to engage with Sustrans, who have indicated they would like to introduce changes to both routes passing through the site to avoid duplication and confusion for cyclists. This would be delivered outside the scope of the application; however, EPN will deliver improve wayfinding and signage focusing on the promotion of sustainable modes of travel, which is welcomed by Sustrans. In terms of direct improvements to the cycle network, it is accepted that the section of Route 69 between the promenade and Greenway is poor. It is anticipated that the off-site highway works condition will ensure improvements are provided to enhance part of this section of the route within the scope of their Marine Road Central proposals. The applicant intends to deliver 152 cycle spaces. While this falls short of the requirements set out in policy DM62, it is accepted that EPIL have considered the requirement based on the visitor/staff profile and modal split and consider this to be a reasonable starting point for the year



1 opening scenario. The cycle storage will be provided within the landscape areas, mainly the Energy Field. Precise details of the cycle parking can be controlled by condition. The Travel Plan shall provide targets to increase cycle use and therefore provide increased parking facilities as and when demand requires this. EPN also have an Active Travel Strategy to support and encourage walking and cycling which includes additional facilities on site such as changing rooms, drying facilities, locker facilities and free e-bike battery charging.

- 5.3.5 Recognising the benefits of the site's location, EPN developed an early Transport Vision (before the application was submitted) which is an ambitious long-term plan. The objectives within the Transport Vision align with the ethos and sustainability aspirations of the project and EPIL themselves. However, acknowledging a range of interventions are anticipated to be brought forward by external parties (such as the rail industry), a realistic Transport Strategy has been developed for the opening year scenario which supports this planning application and Environmental Statement. EPIL have stated in this submission, that they will continue to collaborate and work closely with their partners and sustainable transport providers to help meet the future ambitions of Eden's Transport Vision.
- 5.3.6 EPIL have developed a multi-modal Transport Strategy developed in consultation and collaboration with statutory consultees and non-statutory stakeholders. The key principle of the Eden Transport Strategy is to encourage people to arrive by non-car modes, particular for the last mile of the journey. Key aspects of the Transport Strategy include the utilisation of existing infrastructure to serve the needs of the development (this largely relates to parking), together with a time-controlled and advanced dynamic booking system. The Outline Business Case (OBC) submitted to HM Government demonstrated that the use of existing assets means that the proposed development can be developed without extensive transport infrastructure or operation costs and better aligns with EPIL sustainability ethos. The booking system will allocate visitors a specific time slot to arrive and enter the site. This provides operational benefits for EPIL, it should also enhance the visitor experience, as well as controlling the number of generated trips and subsequent parking to the site/area. EPIL developed a time controlled and advanced booking system for the Cornwall site in 2019, which at the time was not commonly used amongst major leisure attractions. However, the COVID pandemic has led to a substantial increase in the use of such systems. The proposed booking system is not simply a matter of booking a timed slot to visit the attraction. It will require visitors to select where they are travelling from (to identify travel options and routes) with ticketing incentivised to encourage active travel and sustainable travel options (such as integrated ticketing including rail/bus fares). The booking system will have options for day visitors or overnight visitors. The booking system will also be able to direct visitors to the most suitable car parks depending on their departure destination. It is proposed that each method of travel tickets will be accompanied by a sustainability accreditation, showcasing the environmental impact generation by the purchased method of travel. The purpose of this is to align with EPIL sustainability ethos and continue to raise awareness and encourage more sustainable options. The booking system would be controlled by EPIL.
- 5.3.7 The submitted Transport Assessment includes a Booking System flowchart which helps explain how the system would operate by asking a series of initial generic questions. This is provided below:

Figure 5-3 - Booking System Flowchart



The successful implementation of the booking system is integral to the delivery of the Transport Strategy and the impacts on the local highway network and parking requirements.

5.3.8 **Traffic Impacts - Trip Generation and Distribution.**

The application has been supported by a Transport Assessment (TA), Travel Plan and a TA Addendum that form appendices to the main Environmental Statement. The anticipation trip generation arising from the development is broken down into staff and visitor trips and for visitors this is broken down into peak, inter peak and off-peak periods over the year. The maximum number of daily visitors in the peak period is 3,750 with an absolute maximum of 750 visitors per hour. The peak period equates to 100 days in the year occurring in the summer holidays, school holidays, bank holidays and weekends occurring in these holiday periods. For the remaining part of the year between 1,250 to 2,500 visitors per day are anticipated to visit EPN. For the purposes of the TA, the maximum 750 visitors per hour per day is a known assumption for the purposes of calculating trip generation.

5.3.9 A visitor arrival and departure profile has been submitted based on the maximum 750 visitors per hour per day (worst case scenario). Detailed analysis and review of the trip distribution, modal split and car occupancy rate (a summary of the main assumptions are set out below) has provided the basis for calculating trip generation.

**Key assumptions/facts**

- circa 76% of the visitors to the attraction will be day visitors and the remaining 24% overnight visitors.
- Circa 60% of visitors will travel from the south, 14% from the east and 26% from the north within a 120+ minute catchment areas (Glasgow/Edinburgh in the north to Birmingham to the south).
- Modal share presented for day visitors in 3 scenarios 68%, 73% and 78%
- 90% of domestic overnight visitors will travel by car, 7% by rail and 3% by bus/coach.
- 16.7% of international overnight visitors will travel by car, 58.3% by rail and 25% by bus/coach.
- Car occupancy rate of 3 occupants per vehicle (consistent with occupancy rates for similar attractions).

From extrapolating the data from the TA, a summary of trip generation is provided in the tables below based on worst case scenario assumptions (these are labelled 4-6 as the initial assessment considered 6 scenarios in total – the first 3 were scoped out).

<b>Visitor Trip Generation (at peak hour arrivals only – 11:00 during the peak period)</b>			
	Scenario 4 (68% by car)	Scenario 5 (73% by car)	Scenario 6 (78% by car)
<b>Visitors (based on occupancy level of 3)</b>	456	483	513
<b>Vehicles</b>	152	161	171
<b>Rail</b>	225	195	167
<b>Bus/Coach</b>	70	70	70

<b>Trip Generation (two-way movements at peak time 2pm during the peak period)</b>			
	Scenario 4 (68% by car)	Scenario 5 (73% by car)	Scenario 6 (78% by car)
<b>Visitors (based on occupancy level of 3)</b>	552	588	624
<b>Vehicles</b>	184	196	208
<b>Rail</b>	273	237	202
<b>Bus/Coach</b>	84	84	84

Following the submission of further information and clarification, both the local highway authority and National Highways are satisfied with the visitor trip generation assumptions.

5.3.10 EPN anticipates 417 jobs annually created by the development. Of these 28 are expected to be working remotely in Cornwall. Therefore, a maximum of 389 employees are expected to be based in Morecambe. The type of employment has been broken down into 2 groups relating to the venue operation/facilities/services and opening hours. This assumes one group (G1) will work between 08:00–13:00 and will end between 17:00 and 22:00, and another group (G2) will work a standard working day from 08:00–17:00. The proportion of staff to each group is split as 68% (G1) and 32% (G2). The evidence presented in the submission indicates that the vast majority of employees will live in the local urban area and therefore can travel by sustainable modes of transport. That said, based on work census data it can be seen that the working populations with residence in the region usually commute to Morecambe by car (64%), 21% on foot, 9% by public transport, 4% by cycling and 1% by rail. Given regenerative sustainability is at the heart of the project, the applicant assumes most employees will travel by sustainable modes and will be incentivised to do so through the Travel Plan. It assumes a maximum of 278 employees expected to be on site at any given time of which 251 employees are expected to commute by active travel or sustainable transport and 28 by car. This is considered a very ambitious target which is to be expected given the project's environmental objectives. However, the local highway authority considers this to be unlikely to be achievable irrespective of the travel concessions offered by EPN. A comparison is drawn utilising journey to work data as presenting in the TA whereby demand to travel by private car is 57%, which equates to considerably more vehicles (159) and 72 during the morning peak. The LHA do not raise an objection on this matter and assume that any additional staff trips above that assumed by the applicant are likely to utilise on-street parking around the town. To overcome the uncertainty, the LHA recommend that travel to work patterns/modal split are accurately monitored to inform and deliver the Travel Plan targets (s well as ensuring through the parking strategy sufficient parking is available). Furthermore, it is recommended that on-street parking surveys are undertaken prior to opening and repeat surveys undertaken to determine any consequences of the development. The results of which shall be fed into the Travel Plan. These measures are capable of being controlled through a Travel Plan condition.

#### 5.3.11 Parking Considerations

The above trip generation assumptions are necessary to feed into the Parking Strategy, active travel and sustainable transport proposals. In terms of the Parking Strategy, the application (as set out in the OBC) relies on existing infrastructure outside the red edge boundary of the site to meet its parking demand. EPN propose to utilise parking at the junction 34 Park and Ride (P&R) site off the M6 as well as town centre parking in Morecambe. This strategy has been the subject of extensive pre-application discussion with the City Council and County Council (acting in their respective landowner capacities) as well as the LPA. The P&R site has a capacity for 650 vehicles. EPN intends to utilise a maximum of 389 spaces at this site at peak times. This will intercept a significant number of vehicles off the Strategic Road Network (SRN). The amount of available parking at the P&R and the capacity to accommodate the demand from this development has been sufficiently demonstrated to the satisfaction of the County Council and National Highways. Within Morecambe there are approximately 2000 surface parking

spaces distributed across council owned and private car parks. The TA indicates an average parking utilisation of 39% across the town (of peak), with the peak in the region of 70-80%. This evidence has been provided by the City Council at the pre-application stage. The surplus at peak times represents 450 parking spaces of the 1,800 parking spaces in the control of the City Council. As such, EPN intend to absorb this spare capacity to meet their parking demands. This is not necessarily disputed, although the capacity of some of the car parks may vary from the assumptions set out in the TA. The deviation from assumed spaces and spaces actually available will be relatively minor and any residual capable of being absorbed elsewhere within the town. At peak times this may be at the cost of reducing parking available to non-Eden visitors.

5.3.12 Parking demand is based on a vehicle requiring a parking space for the full day (in order to maximise dwell time in the town to achieve wider benefits) and does not assume any parking rotation. The assumed parking demands is set out below (taken from the TA):

**Table 8-3 - Parking Demand**

Period	Days / Year	Visitors / Day	Parking Demand
Peak	100	3,750	759 – 854
Inter Peak	200	2,500	506
Off Peak	60	1,250	253

The parking demand is expected to be split 50:50 between the P&R site and town and edge of centre car parks. Whilst Lancashire County Council has offered EPIL the use of the northern section of the P&R site (389 parking spaces), the remaining parking demand shall be met in Morecambe utilising existing car parks relatively close to the site, including the Telephone Exchange, Goods Yard, Central Drive, Billy Hill and the Town Hall car park (approximately 433 spaces). The total spaces available falls between the maximum parking demand identified. The City Council are in sperate discussions with EPIL regarding the precise arrangements for securing parking spaces across the Council’s portfolio of sites. The LPA have reassurance that such agreements are capable of being met. The LPA have similar reassurances that P&R parking spaces will be secured from the County Council. There is confidence therefore that the parking demand can be adequately met off-site. The applicant claims the maximum demand is likely to fall below the stated demand due to the worst-case scenario assumptions applied to the assessment. The local highway authority does not necessarily agree with the parking demand assumptions, but having tested them against their own assumptions, the net impact of the difference is likely to result in no/limited change to visitor demand, and as such would not lead to any significant harm to substantiate an objection on this basis. Whilst worst-case scenario testing has been considered and the likely impacts should be less, in terms of traffic and parking demands, it is clear that the project relies heavily on the implementation of their Transport Strategy and specifically their advanced booking ticketing system. The failure to secure this, together with the use of existing parking sites at both the P&R and the town (to meet the maximum demand parking spaces identified), would result in significant adverse highway impacts and would certainty dimmish some of the wider benefits to the town (because of parking being unavailable to the local community and non-Eden visitors).

5.3.13 In terms of the operation of the proposed shuttle bus, this will operate daily but potentially not at all during off-peak periods. During off-peak period parking, it is expected that ticketing will direct visitors to park in the identified car parks in Morecambe Town Centre. The shuttle bus will route along the Bay Gateway, down towards Broadway and along the seafront, operating a 10-20 min frequency service (a single deck bus with approx. 40 passenger capacity). It is anticipated 4 shuttle buses will be required for all inter peak and peak days with a potential fifth service during some evening hours of peak days. Given the links to the dynamic ticketing system, a private bus service will be provided to better understand and operate the services to meet real-time demands.

5.3.14 To remove uncertainty and to ensure the development meets its parking demands off site in accordance with the submitted Transport Strategy, it is recommended that a Visitor Access and Parking Strategy (VAPS) be secured by legal agreement. This must demonstrate legal agreements are in place with the respective landowners to use their car parks, as well as full details of the dynamic booking system, pricing for incentivising sustainable travel modes, details of the shuttle bus services, management and enforcement regimes, necessary infrastructure and ticketing, details of accessible parking provision and the provision of EV charging points. Such must be agreed in full before the development can open and operate and it shall be implemented for the lifetime of the development. There will be review

mechanisms in place within the VAPS, as circumstances may change (for example if the Council's future town regeneration proposals impact upon the location of existing car parking) and in future years when potentially the wider ambitions of Eden's Transport Vision may be realised with an increased uptake in sustainable travel (for example improved rail services). Both the local highway authority and National Highways support the requirement for a VAPS and they would be proactively involved post-decision (should permission be granted). EPN have also agreed to this requirement.

5.3.15 Given the high-profile nature of the attraction, it will also attract a number of coach trips, such as school visits. Within a 25 miles of the proposed development there are 427 education institutions. EPN expects to attract over 70,000 students visiting the attraction annually. These visits will be catered for most likely in the inter-peak periods and would equate to on average around 10 coaches / private buses per day. Organised tours may be less frequent but will mainly travel by coach. EPN propose a Coach Group Strategy which will include routing, coach drop of and pick up points, and timings for arrivals and departures to stagger the number of coaches at any one time. The visitor centre will also have real-time information transport screens available to inform visitors of next rail, bus and shuttle bus departures. This may include private coach information too. As part of the proposed off-site highway works along the site frontage, Traffic Regulation Orders will be required to limit waiting for pick up and drop off only. Coaches will be provided with information on where to layover during their passengers visit to the development. The TA identifies 21 coach parking spaces within the local area of Heysham, Morecambe and Lancaster with an additional 250 spaces available at Truckhaven in Carnforth. Provided EPN manage private coach visits appropriately and implement a Coach Group Strategy (to form part of the wider Parking Strategy controlled by legal agreement), there is sufficient confidence the effects of coach visits would not impact the operation of the local highway.

#### 5.3.16 Highway Capacity

Following concerns raised by National Highways and the local Highway Authority in relation to their initial highway capacity assessment, some highway/junction modelling was required to assess the impact of the scheme on the Strategic Road Network (SRN) and the local network. Utilising the original model prepared as part of the adopted Local Plan, the applicant has adjusted the model to assess the project impacts based on worst-case scenario assumptions. The Local Plan and its land allocations have been assumed as committed developments. It is important to note and critical to the assessment of highway capacity, that the EPN peak day and peak hours fall outside the highway network's peak day and peak hours (11:00 to 16:00 v typical morning peak of 8:00 and 17.00-18.00). The model demonstrates that the AM peak is not affected by the development with the DS (Do Something – Lancaster Local Plan Flows with forecasted growth) and the DS plus Eden flows remain the same. For the PM peak, the model has demonstrated that the M6 southbound off slip road is not affected by EPN traffic with the DS and DS plus Eden flows the same and within its degree of saturation and during remaining unaffected. The other arms of the junction demonstrate minor impacts. For those arms where EPN would add traffic, only the M6 northbound off slip operates above capacity. However, it would operate above capacity without EPN flows. National Highways concur with the assessment of 'no significant impact' and that EPN flows are minor compared to the existing baseline traffic in the 2024 and the 2034 DS scenarios. Notwithstanding this position and as agreed with the local highway authority, EPN will support the local highway authority by entering into agreement to review and optimise the signal timings of the junction to ensure the performance of the junction is not severely impacted in the future. This can be controlled by condition.

5.3.17 In additional to assessing and modelling J34 M6, the applicant has also undertaken an assessment of the Shrimp Roundabout to assess the effects of the development on the local network. Other junctions in and around the site were discounted and agreed with the local highway authority, largely due to the effects of dispersal. The Shrimp junction is a double roundabout comprising a 5-arm roundabout an a smaller 3-arm roundabout has been modelled to the satisfaction of the local highway authority. The outcomes of the modelling in terms of traffic impact is minor, but nevertheless, a mitigation scheme for this junction to improve traffic navigation which in turn would marginally improve queue lengths. The details of this can be controlled by condition.

5.3.18 Overall, the applicant has adequately demonstrated (with mitigation) that the traffic impacts of the proposal from the M6 to the site would not result in residual serve impacts on the safe and efficient operation of the SRN and local highway network. This is largely a consequence of the traffic demands being spread throughout the day avoiding the highway peak times and due to the utilisation of spare capacity within existing car parks. Rooting back to EPIL net-zero ambitions and substantiality ethos, the

traffic impacts over time should improve, with the modal split weighting more towards sustainable travel as the Travel Plan objectives and targets are met.

#### 5.3.19 Servicing

The submitted TA indicates that EPN has a minimum local support target of 80%. This therefore reduces the need for servicing of the site by large vehicles. Instead, a service of small vans is expected to form the main vehicle type for servicing the site. This is with the exception of waste and recycling collections. The main service yard is to the northeast of the building, though some will be required to the front of the development. All routes for servicing will be via the promenade. This will be undertaken in a controlled manner (with automated bollard restricting general traffic to protect this pedestrianised route). The traffic impacts from servicing are not significant given the baseline of the existing Bay Arena Car Park, which will be lost as part of the scheme. The project retains and provides enhanced routes for emergency vehicles and those associated with the RNLI through improvements to the existing route between the site and the Midland Hotel.

#### 5.3.20 Eden Outdoor Events

The applicant includes provision for a maximum of eight large music / concert style events each year, limited to the summer period only. These events are likely to attract around 6,000 visitors at any one time. This is substantially less than events such as the Morecambe Festival, which in comparison attracts around 55,000 people. These events will need event planning. For the purposes of planning, it is proposed that an Event Management Plan is controlled by condition capturing measures to manage and control traffic, parking and other considerations such as noise.

#### 5.3.20 Construction Period

The proposed development anticipates a 2+year construction period. Subject to the outcome of this planning permission and funding, EPIL are hoping for a 2024 opening. Due to the scale of the development and its constraints position with the urban area of Morecambe, the management of construction traffic, maintained safe pedestrian / cycle corridors and the management of associated pollution will be critical. Construction traffic will fluctuate over the build period, with an indicative average number of daily vehicles in the region of 30 vehicles dropping to approximately 12 vehicles movements towards the end of the build programme. There will be an inevitable impact locally on the network while construction takes place. However, this can be mitigated to minimise the level of impact. It is proposed that a Construction Traffic Management Plan (CEMP) be prepared setting out a traffic strategy, construction vehicle routing, temporary footways and highway closures/diversions, access retention for surrounding operates and air and noise quality control. This is typical for most major development and is controlled by planning condition. The TA sets out some heads of terms for the CTMP, which will form the basis of the planning condition.

5.3.21 The submitted Environmental Statement has considered the residual effects (having considered mitigation) arising from the transportation considerations of this project. The only effects resulting in residual effects of negative significance relates to construction, road safety and traffic. Construction effects are temporary in nature with the effects on road safety and traffic direct permeant effects, ranging from minor to moderate negative significance. For road safety and traffic this simply highlights that the project will have an impact above the baseline (without EPN) this is largely owing to the fact that the sensitivity of users of the highway from both a safety and traffic perceptive is high. Following the ES methodology and approach to assessing the level of effect it is necessary to consider the magnitude of change. Considering the development proposals and the considerations set out above pertaining to traffic impacts and road safety the magnitude of change is low (in the case of road safety) and medium (in the case of traffic), resulting in residual effects of minor-to moderate negative significance and moderate to major negative significance respectively. The outcome here highlights the importance of environmental effects as planning material considerations in the decision-making process. In accordance with the submitted ES, the effects of traffic with a residual effect of moderate – major negative significance is regarded significant in EIA terms. This is reflected in the extent of assessment, review and consideration that this has been given by both the applicant, consultees and our recommendation.

5.3.22 Officers are mindful of the policy observations received to the application and their fundamental concerns in connection with the transport strategy and how this may not align with the policy expectations of the Climate Change Local Plan Review. Notwithstanding EPN's Transport Vision, for the purposes of this planning application, a realistic Transport Assessment had to be provided based on the opening year scenario. The proposed development will be more car dominant in the opening year;

however, the modal split assumptions remain lower than what would be expected for comparable visitor attractions. This is accepted based on the sustainability objectives of the project and how this will be managed through the parking strategy and travel planning.

- 5.3.23 In conclusion, whilst the development will result in an increase in traffic locally, the applicant has adequately demonstrated that the development will be safely accessible for all modes and will not result in severe residual impacts on the local highway network or the operation of the SRN. The Transport Strategy and Parking Strategy satisfactorily evidence that there is capacity and scope to accommodate the parking demands utilising existing infrastructure (with separate agreements) which must be supported by the essential advanced-dynamic booking system. This will ensure EPN control and manage visitor flows and direct to the most sustainable transport methods and times of arrival to meet their demands without adverse impacts to the network and the operation and attraction of the town more generally. Aligning with EPN Net-Zero Transport Strategy, their Travel Plan and its implementation will be essential to ensure modal shift for visitors as well as staff gradually improves above the baseline proposals. Measures to improve and enhance the public realm and walking/cycling environment are provided as part of the extensive landscaping proposals, as well as off-site highway improvement works along Marine Road Central between Central Drive and Northumberland Street. Overall, the proposed development is considered to conform to the policies set out in paragraph 5.3.1. Subject to the imposition of conditions and a legal agreement to deliver the mitigation described above, the local highway authority and National Highways offer no objection to the scheme.

- 5.4 **Consideration 3 – Townscape effects and Open Space** (NPPF: Chapter 12 (Achieving well-design places), Chapter 15 paragraph 174 (Conserving and Enhancing the Natural Environment); Strategic Policies and Land Allocations (SPLA) DPD policies SP7 (Maintaining Lancaster's Unique Heritage), EN2 (Areas of Outstanding Natural Beauty), EN5 (Local Landscape Designations), SP8 (Protecting the Natural Environment) and EC5 (Regeneration Priority Area); Development Management (DM) DPD policies DM26 (Public Realm and Civic Space, DM27 (Open Space, Sports and Recreational facilities), DM29 (Key Design Principles), Policy DM38 (Development Affecting Conservation Areas), DM39 (The Setting of Designated Heritage Assets), DM45 (Protection of Trees, Hedgerows and Woodland), DM46 (Development and Landscape Impact) and DM57 (Health and Well-Being). and MAAP policies SP1 (Key Pedestrian Routes and Spaces) and DO2 (Strategic Leisure – Seafront Headland and Central Promenade). County Level: A Landscape Strategy for Lancashire, Landscape Character Assessment (2000) Seascape Character Assessment for the North West Inshore and Offshore Marine Plan Areas; Arnsdale and Silverdale AONB Landscape and Seascape Character Assessment

- 5.4.1 The above policies seek to promote high-quality designed development which conserves and enhances the locality, striking a balance between complementing the quality of the immediate townscape; the surrounding landscape features; and the dominant setting of Morecambe Bay. The site enjoys a remarkable prime location which will be a significant advantage to a project of this scale and importance. It is, however, necessary to ensure the impacts of the development on the townscape, seascape and visual environment are fully understood, including the impacts upon the Bay and on Morecambe Conservation Area.
- 5.4.2 The proposed development is significant in scale in comparison to the surrounding built form and therefore the visual impacts and potential effects on the character of the area will be striking. It is also reasonable to acknowledge that this site comprises previously developed land and has historically accommodated other substantial visitor and leisure attractions. In more recent times development proposals for the site included a comprehensive residential-led, mixed-use scheme which was refused by the City Council. In refusing that scheme, the design, heritage and townscape impacts were not considered unacceptable.
- 5.4.3 The application has been accompanied by an extensive Design and Access Statement setting out the design approach to the built development and the landscaping (amongst other considerations), as well as a Townscape, Seascape and Visual Impact Assessment (TSVIA) as part of the ES. The site itself is not located in any international, national or local landscape designation. The Arnsdale and Silverdale AONB is approximately 5.6km to the north of the site and the Forest of Bowland AONB is approximately 8km to the east of the site. Local landscape designations considered in the submitted TSVIA include three Key Urban Landscapes (KULs): Heysham Head, Torrisholme Barrow and Williamson Park. These were scoped into the assessment recognising the inter-visibility between the coastal edge or higher ground within the above KULs. The TSVIA also has regard to cultural heritage designations and nature conservation designations when assessing the effects on townscape, seascape and landscape.

- 5.4.4 At a National level the site falls within National Character Area (NCA) 31: Morecambe Coast and Lune Estuary, which is a relatively small and low-lying character area bordering Morecambe Bay. This Character Area is defined as being highly populated, with significant built form along the coastal edges, but encompassing areas of high tranquillity too. One of the key characteristics of NCA31 relevant to this proposal and assessment is the *coastal development that reflects a long history of a visitor economy and associated recreation, including the sea front facade at Morecambe, amusements and a promenade*. At the local county level, the site falls within the Industrial Age Urban Landscape Character Type (LCT). This is characterised by significant areas of Victorian and Edwardian planned development, characterised by distinct architectural character and street patterns, often in rectilinear or regular grid. The LCT is sub-divided into a number of Landscape Character Area (LCA)s, with the areas closest to Morecambe within LCA 12A: Carnforth-Galgate-Cockerham. This LCA supports a high proportion of built development including Lancaster and Morecambe. The TSVIA provides an extensive assessment of the LCAs/LCTs within study area around the site having regard to the Seascape Character Assessment for the North West Inshore and Offshore Marine Plan Areas, where the site is identified within Marine Character Area (MCA) 33: Morecambe Bay and the Arnside and Silverdale AONB Landscape and Seascape Character Assessment, with the AONB LCT H: Low Coastal Drumlins being relevant, as it encompasses parts of LCA12a, and AONB Seascape Character Type A: Intertidal Flats which includes expansive areas of Morecambe Bay within the AONB boundary.
- 5.4.5 Before assessing the impacts of the proposal on townscape, landscape and seascape, it is useful to provide details of the baseline conditions. The proposed site is bound by the promenade to the north, east and west, the Grade II\* listed Midland Hotel to the south-west, areas of formal open space and public realm (Promenade Gardens, War Memorial and Gardens) to the south before reaching Marine Road Central. North of the site lies the RNLi building with notable historic buildings south of Marine Road Central, including the Grade II\* Winter Gardens.
- 5.4.6 The site itself includes the central area of the former Bubbles and Dome sites, which is regularly used for festivals and seasonal fairgrounds and amusements. Part of this area sits in a depression (the former swimming pool) enclosed with concrete retaining walls with a vegetated, scrub embankment to the north providing access via steps to the promenade. The amphitheatre remains and rises to the eastern edge of the Bay Arena car park, which is relatively flat and open in character with modest planting. The Promenade Gardens comprise informal lawns and ornamental planting with seating and street furniture with quite distinct Scots Pine trees on the western boundary. The War Memorial gardens adjoin the southern boundary of the site. The listed War Memorial is enclosed by the gardens and hedgerows to create a space of peace and reflection. Public realm across the site, including surfacing treatments, is fragmented and not of high-quality. Notwithstanding this, it is a space enjoyed by the community and visitors alike and it retains an important social value. It equally benefits from extensive panoramic views along and across Morecambe Bay, towards the Lake District and the Arnside and Silverdale AONB, especially at the east and western ends of the site. The seascape character of the site and surroundings is relatively consistent. Key characteristics include areas of distinctive sea defence constructions, including the recently-constructed Wave Reflection Wall and the public realm works associated with this development, and the rip rap/rock armour defences around the Stone Jetty, the open character and extensive views that can be enjoyed and the presence of development along the coastline.
- 5.4.7 Existing land uses in and around the site are mainly leisure-based or retail/food and drink. The site is used on a temporary basis throughout the year to accommodate a travelling fairground, with tall rides, artificial lighting and noise adding to the character of the site. The promenade, the gardens an open space, the Stone Jetty and the Grade II listed former station building, which runs as a popular seafront café, have an extensive recreational offer complementing the more typical town centre shops/cafes and seafront amusements located opposite the site along Marine Road Central.
- 5.4.8 Potential Effects on Character  
The regeneration and development of the site will result in a marked change from the current condition of the site and therefore will inevitably have some effects on the character of the townscape, landscape and seascape. Where effects are anticipated, mitigation should be encouraged through good design. In the case of the proposed development, the design concept embraces many of the key characteristics of the surrounding LCAs/LCTs, particularly those of MCA 31. Its whole philosophy is centred upon sensitive interaction and greater understanding of Morecambe Bay and how we interact with it. Some of the design considerations to assist in minimising the potential impacts on townscape, seascape, landscape and views include:



- the varied formation and massing of the shell pavilions conjoined by connecting buildings with an undulating “green/blue” roof form,
- the layout designed to represent a colony of shells within a dunescape landscape;
- the heights of the shell pavilions response to corresponding heights of the Midland Hotel (22.8m AOD) and the Winter Gardens (27.5m AOD);
- detailed consideration given to the materiality of the buildings;
- extensive, innovate and creative “coastal” landscaping proposed to provide a setting to the buildings and the wider public realm;
- lighting strategy to maintain dark corridors along the Bay;
- maintaining views out towards the Bay from the promenade.

5.4.9 The TSVIA has appropriately and robustly assessed the value, susceptibility to change and sensitivity each of the townscape, seascape and landscape receptors (including the range of character areas designed in paragraph 5.4.4). This recognises that the immediate townscape, conservation area character areas, coastal character areas and the AONB landscapes are likely to be affected the greatest by the development.

5.4.10 The potential effects on the character of the townscape, seascape and landscape can be neatly split into the construction phases and the operational phases. The construction phases would result in alterations to the townscape, not least by site clearance, vegetation removal, earthworks, formation of construction compounds, ancillary structure, lighting and noise. However, this phase of the development is relatively short-lived and can be mitigated to a certain degree by hoardings and an appropriate CEMP. On the whole it is accepted the significance of effect on the townscape character of the site and immediate surroundings would be judged ‘moderate adverse’ in the short-term. The effect reduces to negligible significance on the wider townscape (up to 7km). It is agreed that the significance of effect during construction would be minor-adverse to negligible in the context of the conservation area character areas, the marine and seascape character areas, the AONBs, national character areas and county landscape character areas/types.

5.4.11 The effects during operation relate principally to the construction of new built development and the proposed new landscaping areas, together with increased use of this underused part of Central Morecambe. The submitted, verified photomontages help illustrate the development sitting within its surrounding context. The proposed buildings are substantial in size and massing and will result in comprehensive alteration of the townscape character. However, the development replaces an area of previously development land of limited townscape value, comprising unused buildings/structures and poor-quality public realm; it maintains and reinforces separation between the new development and the existing built environment; maintains views and vistas from the built environment over the Bay, adopts a high-quality unique and contemporary form and design that takes influence from the Bay, includes comprehensive, high-quality, innovative and creative landscaped areas which enables cohesion between the built development and the natural environment and fundamentally aims to deliver a new landmark for the town. Overall, it is considered that EPIL have adequately demonstrated that the potential impacts on townscape character can be mitigated. The conclusions drawn in the ES that the of effect arising from the development on the character of the townscape, seascape and landscape would range between major beneficial (the site and immediate townscape), moderate beneficial (western part of Conservation Area) to minor beneficial (NCA/NCT) and negligible effects (wider Conservation Area, KULs, AONBs and the MCA) are reasonable conclusions.

#### 5.4.12 Potential effects on the visual environment

The TSVIA in assessing the visual impacts of the proposal, a number of different viewpoints have been considered based on locations where different visual receptors will experience views of the development from within the 15km study area. Eighteen representative viewpoints have been assessed in agreement with the LPA and both AONB Partnerships. A selection of verified photomontages are included in the ES as part of the TSVIA. Like the assessment on character, the visual assessment considers sensitive receptor, potential impact on views during construction and operation and the potential impacts and significance of effects during both phases of development. Receptors include persons and cyclists on the promenade, persons using the open space including local attractions such as Torrisholme Barrow, Ashton Memorial and Heysham Coast), residents including the Midland Hotel, visitors and workers of the commercial uses near the site, persons on nearby by public rights of way and motorists.

5.4.13 During construction, it is inevitable that views for all receptors will be negatively affected for a short-term and on a temporary basis. Directly on the site there will be an immediate loss of open space so previous

views from these areas will be obliterated. Outside the site, the existing views will be replaced with views towards a construction site and all its associated infrastructure. However, to a certain degree, this can be mitigated with the use of consistent hoardings around the site boundary. The greatest impacts will be experienced by those receptors closest to the site where it is considered the significance of effect is moderate adverse. This would include those at the RNLI building, the Midland Hotel, the War Memorial and on the Lancashire Coastal Way and other receptors close to the site. The further away from the site receptors are the significance of effect on receptor views will reduce.

- 5.4.14 The potential impacts on views during operation are more significant due to the developments permanence. A description of the development and its positive design attributes have already been set out within this section of the report (and earlier). EPN would introduce a new and distinctive landmark into views from the site and its surroundings, which could have a positive impact on views. The verified photomontages illustrate the positive impact the development could have. This is most notably felt close to the site and as your sequentially view the project along the promenade. In the short distance views the development is likely to affect the majority of the view. As receptors view the site from further away, the development will begin to affect a smaller proportion of the view.
- 5.4.15 A critical component of the project is its landscaping. During the pre-application stages, officers were keen to deliver a contemporary and innovative project that could still sit comfortably within its existing built environment, particularly given the cultural heritage assets surrounding the site. In views close to the site, it is considered that the proposed landscaping, especially the dunescape roof and raised coastal edge, helps break the massing and scale of the new buildings, anchoring them to the ground and providing a graduated interface between the development and the existing public realm. This is notable in views from Northumberland Street and from Marine Road Central opposite the Midland Hotel, where the landscaping will perform an important role in softening the setting of the new structures, enabling the buildings to contribute positively in the representative views that have been assessed. In views from the Stone Jetty, the development would be highly prominent and would introduce a large form of development much greater in scale than surrounding development. It would also screen the Winter Gardens from this view resulting in a negative impact. Nevertheless, due to the innovative nature of the scheme and its integral landscaping proposals, it is considered to have a 'moderate positive' impact overall. The sequential views, when viewed from the promenade, generally provide positive impacts, although at one viewpoint the Midland Hotel - an equally iconic building, is lost from the view resulting in some negative impacts.
- 5.4.16 The TSVIA concludes 'major' or 'moderate' beneficial significance of effect on views close to the site, including from the Midland Hotel, Winter Gardens, The Platform, the NCR 700, the promenade, Stone Jetty and Northumberland Street. Further away from the site the visual effect reduces. Longer distance views from the AONB are considered negligible; a conclusion that is supported by the AONB Partnership who have raised no objection.
- 5.4.17 The effects of the development on the night-time character and views during construction and operation have also been considered in the assessment. Lighting during construction will have some impacts but with appropriate mitigation the effects can be minimised. The development (once operational) will result in increased artificial lighting both externally and internally. This will be varied across different parts of the site (as set out in the lighting strategy). It is also anticipated that light will emanate from the buildings due to the opaque character of the shell pavilion cladding. This will be most noticeable at night-time and will inevitably introduce additional sky glow to the townscape and seascape character. However, given its position along the seafront of Morecambe where there is existing lighting and sky glow already, the development would not result in an unacceptable impact. Whilst it would be a notable feature at night-time, the implementation of the proposal lighting strategy will help mitigate potential adverse effects.
- 5.4.18 Overall, Officers are satisfied and concur with the conclusions drawn in the submitted TSVIA and ES regarding the effects of the development on the character and visual amenity of the townscape, seascape and landscaping during construction and once operational. On this basis, the proposals are considered to conform with policies DM29 and DM46 of the DM DPD.
- 5.4.19 Open Space  
Notwithstanding policy DO2 of the MAAP, strategic policy SC3 and policy DM27 of the DM DPD seek to protect and retain existing designated open space. There are three areas of open space within the site that will be replaced by the development. This includes the promenade gardens, including the War Memorial (which will remain in situ), amenity greenspace on the site of the former bandstand, and the

outdoor arena. The promenade gardens, excluding the War Memorial Garden, will form part of a new public area of open space referred to as the Energy Field. This landscaped area will form a new dynamic, creative and active space for visitors of the attraction as well as the public. New landform mounds will be formed which will provide areas of natural play, as well as seating areas integrated into the Energy Pods. The area will be complimented by new planting with water features, which shall form part of the site's sustainable drainage strategy. This will result in enhancements to this area of open space. The existing amenity greenspace (Harbour bandstand area) will be reduced in size (in terms of the area that would be available to the public) by the development. The paid boundary of the development penetrates into this designated amenity greenspace. It will be replaced with an alternative landscape approach, including a lawned area across two levels, a shingle plaza, informal seating (concrete pebbles), cycle provision, and more formal seating areas wrapping around the edge of the Tide Gardens. Overall, the reduced area of open space is outweighed by its replacement with high-quality landscaping which will contribute to the visual amenity of the area and potentially produce an external space that can positively contribute to local health and wellbeing. The existing outdoor arena public open space (POS) will be lost to the development. The replacement proposals include extensive landscaping and the provision of a much larger outdoor arena. Its design is exceptional; however, this area falls within the paid boundary of the attraction and will not be publicly available all the time. In accordance with policy DM27 and DO2, it is considered that the public benefits of the project, including enhancements to retained open space land, would outweigh the loss of this area of public open space. On this basis, the proposal conforms to the above-mentioned policies in respect of open space provision.

5.5 **Consideration 4 - Cultural Heritage (NPPF: Chapter 12 (Achieving well-design places), Section 16 (Conserving and enhancing the historic environment); Strategic Policies and Land Allocations (SPLA) DPD policies SP7 (Maintaining Lancaster's Unique Heritage), EC5 (Regeneration Priority Area); Development Management (DM) DPD policies DM38 (Development Affecting Conservation Areas), DM39 (The Setting of Designated Heritage Assets) and MAAP policy DO2 (Strategic Leisure – Seafront Headland and Central Promenade); Morecambe Conservation Area Appraisal.**

5.5.1 Strategic policy SP7 (SPLA) states that '*Lancaster District has an extraordinarily rich and varied historic environment*' and that its heritage assets shape the district's distinctive identity. Policy S07 requires the Council, as well as fulfilling its statutory duty, and amongst other requirements, to protect and enhance local heritage assets and to maximise opportunities to reinforce the district's unique identity and the wider enjoyment of the historic environment.

5.5.2 Due to the scale of development and potential impacts of the proposal, the effects of the development on the surrounding historic environment is scoped into the Environmental Statement. Within the study area (500m) there are a number of designated heritage assets. The application site lies within the Morecambe Conservation Area. There are also several designated heritage assets surrounding the site, which include:

- Grade II listed War Memorial
- Grade II\* listed Midland Hotel
- Grade II\* listed theatre Winter Gardens
- Grade II Stone Jetty Former Station Building and Lighthouse
- Grade II The Clock Tower
- Grade II Morecambe Railway Station Main Building
- Grade II 217, 219 and 221 Marine Road Central; and
- Grade II Wall and 2 pairs of entrance piers enclosing south-east side of car park of Midland Hotel

5.5.3 When assessing development that affects designated heritage assets the Council must demonstrate it fulfils its statutory duty. This is provided below:

The local planning authority in exercising its planning function should have regard to s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which states "*In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have **special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses***"; and s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990,

which requires ***special attention to be paid to the desirability of preserving or enhancing the character or appearance of that area.***

- 5.5.4 This legal framework to *preserve* and *enhance* is reflected in national and local planning policy. Paragraph 197 of the NPPF provides the starting point for determination planning application that affect heritage assets. It requires the local planning authority to take account of:
- a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - b. the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - c. the desirability of new development making a positive contribution to local character and distinctiveness.
- 5.5.5 The proposed development will result in effects on heritage assets during the construction period and once the operational phase. It is considered that there will be adverse effects on the setting of designated heritage assets and on the character and appearance of the Conservation Area during construction period. Mitigation is re-proposed to minimise impacts, primarily through the implementation of a Construction Environment Management Plan and a lighting strategy. It is accepted that these impacts are temporary and short-term and would not prohibit the proposed development. This section of our recommendation focuses on the operational impacts of the development on the historic environment.
- 5.5.6 The site lies within Morecambe Conservation Area. Morecambe began as a small fishing village which grew to incorporate the medieval settlements of Bare, Poulton and Torrisholme. In the early-mid 19<sup>th</sup> Century the Northern Railway Company established the railway station on the jetty to serve the port, which led to the construction of the first Midland Hotel in 1848 and prosperity grew within the construction of the Central Pier and West End Piers (c1870 and 1890 respectively). When the port closed (early 20<sup>th</sup> century) it became a breakers yard. Following the construction of the second Midland Hotel (1933), the proposed site accommodated the Super Swimming Stadium (1936) and the tourism industry boomed. The positive fortunes of the British seaside resort continued until the rise of alternative package holidays, predominantly in Mainland Europe, and as a consequence many resorts experienced a sharp decline in footfall and in prosperity.
- 5.5.7 The Conservation Area derives its character and significance from the narrative of the town, its historical associations with leading lights of music and theatre, together with its relationship with the Bay. The proposed site sits in a prominent position within the Conservation Area, and it fails to make a positive contribution to the significance of the heritage asset. It is an area of reclaimed land that has a rich history and has changed considerably over the last 200 years. Despite such changes the land has typically provided a public use of community value.
- 5.5.8 The Midland Hotel and Winter Gardens are designated assets of the highest significance of national importance. The proposed development will affect these designated heritage assets, by virtue to its siting and scale and intervisibility between the two.
- 5.5.9 The Midland Hotel was constructed in 1933, replacing an earlier hotel, designed by the Architect Oliver Hill in a *Streamline Moderne* architectural style. Its significance derives from its exuberant and sharp statement of 1930s modernity – its bright white walls, curved plan-form, and regular and repetitive fenestration arranged in horizontal bands. It was purposefully designed with its convex wall facing out toward the sea to benefit from the expansive views across the Bay. Its iconic status was illustrative of the ambition to combine the series of smaller settlements and create a vibrant tourist resort.
- 5.5.10 With the exception of the RNLI life boat building and the grade II listed station building on the Stone Jetty, the Midland Hotel is the only substantial building to the north of Marine Road Central. The land to its east (the application site) forms part of its setting. Not dissimilar to the proposed development, at the time of its construction it would have been a pioneering building, bold in design and very much alien to the existing building in Morecambe.
- 5.5.11 The Winter Gardens was built in 1896 as the Victorian Pavilion Theatre and commands a prominent seafront position directly opposite the proposed site. Its architecture is also designed to embrace the panoramic views over the Bay. The Winter Gardens derives its significance also from its extravagant

and ornate frontage of terracotta and its elaborate interior including its vaulted ceiling. It is also one of the most extravagant theatres built in the heyday of the 19<sup>th</sup> century British seaside.

5.5.12 In assessing the potential impacts, policy DM38 (relating to conservation areas) requires development in conservation areas or preserve and enhance its character and appearance, specially requiring proposals to:-

- respect the character of the surrounding built form and its wider setting, in terms of design, siting, scale, massing, height and material used;
- not have unacceptable impacts on the historic street patterns/boundaries, open space, roofscape, skyline and sting including views into and out of the area;
- not result in the loss or alteration of features which contribute to the special character of the area; and
- uses that are sympathetic and appropriate to the character of the existing building and will not result in a detrimental impact on the visual amenity and wider setting of the conservation area.

5.5.13 Policy DM39 relates to development affecting the setting of designated heritage assets. Fundamentally, this policy requires there to be a good understanding of the heritage assets and their settings to enable an assessment of the effects of the proposed development. This policy states that the Council '*will look for opportunities for new development within the setting of heritage assets to enhance or better reveal their significance*'. It goes on to state that '*development that preserves those elements of the setting that make a positively contribution or better reveal the significance of the assets will be treated favourably*'. Policy DO2 of the MAAP equally requires new development to relate well to heritage assets and contribute to enhancing the public realm. In accordance with the NPPF and these local plan policies, the application and ES has been accompanied by a Heritage Statement.

5.5.14 The proposals will undoubtedly have an impact on the character and appearance of the Conservation Area, through the introduction of four substantially large buildings and their connecting structures and associated landscaping, together with the increased use of the site. However, no important features that contribute to the value of the Conservation Area would be lost. Some views from within and adjacent to the application site, looking back towards the historic coastal townscape, would be interrupted by the development (Stone Jetty viewpoint), whilst others would retain existing townscape views with the development adding interest and creating a sense of vitality once again. The scale of effect is considered 'minor adverse' but not significant in terms of environmental impact (EIA).

5.5.15 The site stands apart from the continuous developed Victorian and early 20<sup>th</sup> century town frontage. The site, whilst currently open in character and affording views across the Bay, is largely redundant and constitutes poor quality public realm and is not considered to contribute positively to the character and appearance of the Conservation Area. Like the Midland Hotel in the 1930s, the proposed development will introduce a further landmark building of pioneering design for the 21<sup>st</sup> Century. As a visitor attraction, the use would equally reinforce the historic character of the site and wider area.

5.5.16 The development responds well to its setting with a bold and active frontage to the southern promenade (facing in towards the town centre) to deliver an exciting and vibrant space. The northern façade at promenade level is less active at the ground floor level (largely due to the internal layout and the functionality of the attraction), however, this is mitigated by extensive planting and the provision of additional seating areas to be available to the public. The upper levels of the shell pavilions to the west and northern elevations provides extensive glazing which blends with the terraced areas and landscaping to create an interesting and cohesive composition. Its design ensures the development responds to its exposed position in all orientations. The landscaping is equally innovative and provides a pleasant interface between the buildings and the sea. The whole design concept maintains a distinct relationship with the Bay, which is clearly a special character and setting of the Conservation Area. Overall, the proposed development would preserve and enhance the character and appearance of the conservation area in compliance with policy DM38 and DO2, together with the requirements of the NPPF.

5.5.17 The relationship of the project to the Midland Hotel has been at the forefront of the design concept and was a key issue raised during pre-application discussions. The proposed development is located c78m from the closest part of the connecting dunescape building (entrance) and c100m to the closet shell pavilion. The intervening land (as proposed) comprises high-quality comprehensive landscaping, which purposefully responds to the circular arrangement of the Rotunda bar and terrace, providing scope for the proposed new lawn to be potentially used by patrons of the hotel. The existing public realm around

the Hotel is fragmented and untidy and does not positively contribute to the hotel's setting. The proposed development provides a more legible and attractive space around the hotel which provides benefits to the significance of the setting of the Midland Hotel.

- 5.5.18 The Midland Hotel's standalone position, separated from other development, is one of its most distinguishing characteristics which positively contributes to its setting. This can be experienced in long and short distance views (south and east) and in particular as you sequentially view the hotel walking along the promenade. The introduction of a large new development near the hotel will undoubtedly affect the significance of this distinct separate character and therefore the setting of this designated heritage asset. While the development has been carefully designed to respect the setting of the hotel it is inevitable that it will lead to a degree of harm as the new development will (in some views) dilute the prominence of the listed hotel. In close distant views the distinct separate character is preserved, however, some views to the east (and close to the site), of the hotel are likely to be largely obscured. The other photomontages indicate that the Midland Hotel would remain in view from the grade II listed Clock Tower onwards, with the development framing this view. From the south, the development would be less prominent, forming a less intrusive backdrop to the hotel. Views from the hotel would be affected but not adversely, given the degree of separation and views to the north would be largely maintained. The development would therefore result in moderate harm to the setting of the Midland Hotel. This is balanced against the benefits bought about by the improved public realm and landscaping immediately around the listed hotel, therefore the overall level of harm arising from the development would amount to less than substantial harm.
- 5.5.19 The proposed development is not considered to affect or sit within the immediate setting of the Winter Gardens. However, it will affect its wider setting. The layout of the proposed development has purposefully ensured the development does not sit in the immediate straight-line of the Winter Gardens. Instead views from the Winter Gardens will look over the Rhythm Gardens, which provides the outdoor arena (of a larger scale than existing) that reinforces the theatrical and historical associations with the Winter Gardens. Marine Road Central separates the site from the designated heritage asset with the Winter Gardens directly overlooking the Bay Arena car park. Due to the low-lying nature of the surrounding uses and character of land, the Winter Gardens enjoys panoramic views over the Bay from the upper terrace/gallery. The proposed development will affect these wider views, with the shell pavilions and connecting structures interrupting peripheral views to the west. The field of vision would be narrowed. It is anticipated panoramic views to the west would affect the inter-visibility from the first floor viewing gallery of the winter Gardens with parts of the promenade and the Stone Jetty.
- 5.5.20 Overall, the introduction of the proposed development is considered to have a positive impact on the Winter Gardens by introducing improved public realm and landscaping in its wider setting and adding drama and vitality back into this Central Attraction area of the Conservation Area and wider town. The use of the Rhythm Gardens for holding large events during the summer months would not have a harmful impact of the setting of the theatre - rather it would serve to reinforce their mutual function and purpose. While the new landscaping involves increased land levels toward the northern coastal edge (Glade Café Deck), it is design in creative and innovate and would add interest to the setting of the Winter Gardens. While the development will be visible in views from the frontage and upper gallery areas of the Winter Gardens (to the west), the proposals would continue to preserve the inter-relationship between the Winter Gardens and the Bay and Lake District beyond. Furthermore, it is considered that the proposed enhancements to the public realm and the visitor attraction itself, may provide an exciting opportunity to reinvigorate the Winter Gardens as a destination in its own right, thus complementing the wider visitor offer in Morecambe. Historic England contend the level of harm to be less than substantial whereas the Council's Conservation Officer contends the proposals would not harm the setting of the Winter Gardens. There is a degree of harm identified in terms of inter-visibility between the heritage asset and the western parts of the promenade and stone jetty. However, it is likely that the proposal will invigorate the site with life and activity and enhance the public realm, which far exceeds the retention of the current, poor visual character of the existing site. Therefore, on balance, officers contend there to be no harm.
- 5.5.21 The application site has a very close relationship with War Memorial (Grade II) and as such the impacts of the development will be significant. The Memorial was constructed in granite and bronze and was completed in 1921. Its stepped base inscribes the names of the fallen from World War I and World War II. The Memorial is set back from the road and is enclosed within a stone circular dwarf wall with small remembrance gardens to the east and west, forming its immediate setting. While the gardens offer peace and tranquillity for those paying their respects, it is acknowledged that the asset sits in a busy

area affected by passing traffic/visitors and the noise/activity associated with temporary uses (such as the fair) on the existing site.

- 5.5.22 The significance of the Memorial lies with its historic interest and has community value. This will not be lost as part of the development. The development will not directly impact the immediate setting of the Memorial, but it will impact its wider setting. This impact is considered to be beneficial because of the positive enhancements the wider setting of the heritage asset through the site's regeneration. The layout and design of development has purposefully ensured there remains association between the Memorial and the Sea. This is achieved by the juxtaposition of the shell pavilions with the Bay Hall and Bay Glade interface aligning with the Memorial – offering a line of sight out towards the sea and the associated skyline. Furthermore, the project will draw large numbers of visitors, who will be passing the Memorial, and as such its presence and function of memorial could be enhanced. Overall, the proposed development is considered to have a positive impact on the setting of the Memorial.
- 5.5.23 The immediate setting of B&M (Woolworths Building) and CB Warehouse (Littlewoods Building), both Grade II listed, remain unaltered. The significance of these buildings largely relates to its association with the Midland Hotel and its architectural style. The positive visual relationship with the Midland Hotel will continue and all three buildings would continue to be seen together as a legible group of 1930s buildings, continuing to make a positive contribution to the character and appearance of the Morecambe Conservation Area. The redevelopment of the Central Promenade site can only enhance the regeneration potential of these important buildings opposite.
- 5.5.24 The submitted assessment has robustly considered other heritage assets surrounding the site, including The Platform, the Clock Tower and the Stone Jetty former station building. In all cases the scale of effect was either minor adverse or negligible. Officers concur with the conclusions and overall do not consider the development, on balance, to cause harm to the settings of these heritage assets.
- 5.5.25 The special duties in relation to listed buildings and conservation areas under section 66 and 72 of the 1990 Act are reinforced within the NPPF, which states that great weight should be given to the conservation of heritage assets (NPPF 199) and account given to the desirability of sustaining and enhancing the significance of heritage (NPPF 197). These national policies are reflected in the Council's DM DPD Policies DM37, DM38 and DM39 which require sympathetic development that avoids harmful impacts, while ensuring any harm is appropriately justified.
- 5.5.26 In conclusion, it is considered that the proposed development will make a positive contribution to the Conservation Area adding drama and interest back into what is currently a poor and uninviting part of the town. It will reinforce and reinvigorate the town as a seaside resort for the 21<sup>st</sup> century, linking to its historic associations and having a good appreciation of the historic environment. The proposal therefore complies with paragraph 197 of the NPPF, policy DM38 of the DM DPD and policy DO2 of the MAAP. It is considered, however, that the proposed development would amount to less than substantial harm through impact on the contribution setting makes to the significance of the Grade II\*Midland Hotel. Paragraph 202 of the NPPF states '*where a development proposal will lead to less than substantial harm to the significance of a designated heritage assets, the harm should be weighed against the public benefits of the proposal...*'. This is a matter to weighed in the planning balance, however, it is likely that wider public benefits will also include heritage benefits of significantly enhancing the quality of the site and the setting of other designated heritage assets.
- 5.5.27 Finally, it should be noted both Historic England and the Council's own Conservation Officer raise no objections to the proposals, with the project also supported by the Civic Society.
- 5.6 **Consideration 5 – Natural Environment** (NPPF: Chapter 15 paragraph 174 and 179-182 (Habitats and biodiversity); Strategic Policies and Land Allocations (SPLA) DPD policies SP8 (Protecting the Natural Environment) and EN7 (Environmentally Important Areas); Development Management (DM) DPD policies DM44 (Protection and Enhancement of Biodiversity), DM45 (Protection of Trees, Hedgerows and Woodland) and DO2 of the Morecambe Area Action Plan (MAAP).
- 5.6.1 The NPPF (paragraph 174) requires '*planning policies and decisions to contribute to and enhance the natural and local environment by: ... (amongst a number of criteria) minimising impacts on and promising net gains in biodiversity...*'. Paragraph 180 then sets out the criteria for assessing planning applications requiring LPA's to apply a number of principles which fundamentally aims to avoid significant harm to biodiversity. Policy SP8 of the SPLA DPD echoes the NPPG and requires proposals to protect, maintain

and enhance the districts biodiversity, recognising the importance and value important landscapes, species and habitats contribute to the natural environment and the district's unique qualities. Policy DM44 of the DM DPD will be particularly pertinent in the assessment of the proposal. In summary, this policy requires the following:

- Proposals should protect and enhance biodiversity
- There should, in principle, be a net gain of biodiversity
- Where harm is identified, it should be mitigated, or as a last resort, compensated for. Where there is significant harm planning permission should be refused.
- Development affecting Internationally Designated Sites must ensure the integrity of the internationally important sites are protected.
- Ecological networks should be retained, protected and enhanced.

Policy DO2 equally states proposals that would result in significant adverse impacts on the Bay environment will not be permitted and requires projects to appropriately assess (and where appropriate) mitigate against potential impacts. Additionally, the requirements of the Conservation of Special and Habitat Regulations 2017 (as amended) is relevant. This places a duty of the LPA to ensure as part of exercising its planning function, the authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any statutory designated sites.

5.6.2 While the applicant has undertaken an extensive assessment of designated sites within 20km of the site, the most relevant are those that are close to the site. The application site lies adjacent to the following statutory designated nature conservation sites:

- Morecambe Bay Special Area of Conservation (SAC)
- Morecambe Bay and Duddon Estuary Special Protection Area (SPA)
- Morecambe Bay Ramsar
- Morecambe Bay Site of Special Scientific Interest (SSSI)

The SPA and Ramsar designations form part of a series of coastal estuaries of outstanding importance supporting numerous species of wader, wildfowl and seabird species, in particular over-wintering birds. The SAC is designated for a range of intertidal habitats as well as its great crested newt population. While there are other designated sites nearby, these are the principal sites relevant to assessing impacts on ecology against the project. The site itself is not designated for any nature conservation interest. In support of (and to inform) the application and ES, an extended Phase 1 Habitat Survey, Tree Survey, Bat Roost Surveys, Nocturnal Emergence/Re-entry Surveys and a Wintering Bird Survey have been undertaken. The application has also been accompanied by a shadow Habitat Regulations Assessment (as amended).

5.6.3 The application site extends to approximately 4.8 hectares predominately made up of hardstanding (2.41ha) with remains land comprises areas of amenity grassland and shrub scrub. There are 12 individual trees and 7 groups of trees within the site. There are existing buildings on the site which are proposed for demolition. The small pockets of habitat and ecological features across the site are fragmented and unmanaged. At the time of surveying the buildings, no bat roosts were identified and the buildings present had low to negligible suitability for roosting bats. No bats were identified using or roosting in the trees and as such the effect of the proposal on protected bats is limited. Apart from shrub habitat near the Midland Hotel and a small number of trees, the site has little potential to support breeding birds. On the whole the site is considered to be of low ecological value and would not constrain the development of the site.

5.6.4 EPN proposes to deliver an extensive landscape scheme that includes species mixes which are similar to coastal priority habitats, with the intention of increasing the botanical and invertebrate value of the site, whilst demonstrating to visitors the dynamic nature of coastal ecosystems. Securing the landscaping is an integral component of the project and its mission to education and raise awareness of the ecological importance of Morecambe Bay. The proposed landscaping will deliver significant net gains in biodiversity (41%) on site, which will mitigate the temporary, short-term impacts of habitat loss during the projects construction and provide substantial enhancement once the development is completed. GMEU have noted some potential disagreement over the Biodiversity Net Gain (BNG) figure, but in any case, are satisfied that this would far exceed the minimum 10% target that is required through the Environment Bill. This aspect of the scheme fully conforms with policy DM44 of the DM DPD.



5.6.5 Turning to the effects of the proposal on the adjacent designated sites, this is a significant material consideration, and at the request of the LPA it has been the subject of detailed pre-application discussions with Natural England. The submitted shadow HRA has been updated and amended during the application to address concerns raised by GMEU. It is the updated sHRA that has informed our Appropriate Assessment of the development. Although the site itself does not provide habitat for birds associated with the SPA and Ramsar site, significant aggregations of SPA and Ramsar birds were recorded in the surrounding area during winter bird surveys, backed up by desk based records. Significant numbers of these species rarely use habitats within 250m of the site and the nearest large roost sites are 700m - 1.2km from the site. Significant numbers of turnstone occasionally roost on the Bubbles Breakwater directly north east of the site.

5.6.6 Due to the scale of the development, its proximity to the designated sites and the anticipated number of visitors the project will attract, several potential impacts (having regard to embedded mitigation) have been screened into the HRA. The main impacts and mitigation are listed below:

Impact	Type	Mitigation
<b>Loss or degradation of SPA/SAC/Ramsar habitat</b>	Waterborne Pollution pathways / hydrological linkages	Construction Environmental Management Plan (CEMP) (for construction), foul and sustainable surface water drainage schemes.
	Airborne Pollution pathways	CEMP to maintain acceptable pollutant levels, placement of hoardings.
<b>Disturbance to SPA/SAC/Ramsar birds</b>	Visual effects, noise and lighting disturbance during construction	Lighting strategy Crane locations to be controlled/limited Limiting potentially disturbing construction works during periods of prolonged cold weather in the winter (shut-down protocol)
	Recreational disturbance	Outreach and Education Strategy
	Noise disturbance - operational (events)	Limiting events to summer period only Lighting strategy
<b>Injury or fatality of SPA/SAC/Ramsar birds</b>	Collision /bird strike	Timber structure and opacity of cladding.

The sHRA has assessed whether the potentially significant impact pathways (listed above) would have a likely significant effect (LSE) on the integrity of the designated site as a result of the development, having had regard to the conservation objectives and their qualifying features of each of the statutorily protected sites.

5.6.7 To mitigate against the potential impacts during the construction phase of the development a comprehensive CEMP is proposed. The CEMP needs to include the following:

- Airborne pollution – standard dust prevention measures.
- Noise/Visual – The use of acoustic hoardings and on-site standard management, working hours, silencers.
- Visual – avoid crane arm radii over the coast or phasing to prevent this from occurring in winter periods.
- Light – a construction lighting scheme should be provided to show light spillage and phasing approach to avoid construction lighting across the dark corridor (indicatively shown a large scale in Figure 9 of sHRA).
- A severe weather stoppage protocol and toolbox talks to contractors.

In addition to (or forming part of) the CEMP, there is a need for a scheme to manage surface water and water quality during construction. The CEMP can be secured by planning condition.

5.6.8 During the operational phases of the development LSE from waterborne pollution can be adequately controlled and mitigated as part of new sustainable surface water infrastructure and foul drainage systems on site. The applicant indicates that United Utilities have confirmed an allowable discharge for the foul water, and that the water treatment infrastructure has capacity to deal with the additional loads

from the development. UU have not indicated otherwise in their consultation response. Surface water is proposed to be dealt with either via infiltration or discharge to the existing culvert, which will provide pollution mitigation as per necessary guidance (CIRIA SuDS Manual). The provision of foul and surface water drainage scheme can be secured by planning condition.

- 5.6.9 The impacts on air quality from construction plant and traffic is expected to be negligible with no significant air quality impacts predicted on the designation sites during construction. However, to be certain this remains the case, standard mitigation in accordance with Institute Air Quality Management (IAQM) guidance is proposed. This can be captured in the CEMP. The effects of the development on ecological receptors from air quality (once operational) has been assessed in the submitted Air Quality Assessment and summarised in the sHRA. While there are some exceedances in pollutants anticipated for the opening year (but none for the future year 2039) the impacts are minor and given the qualifying features of the SPA are generally tolerable to the pollutants modelled (for example nitrogen) air quality impacts during the operation of the development would not adversely affect the integrity of the designated sites.
- 5.6.10 In terms of the effect of the development on disturbance of qualifying features of the designated sites, it is important to note a number of key skears (areas of hard substrate - boulders and cobbles) surrounding the site that are used by the SPA birds. During the 2019-2020 winter bird survey the largest numbers of feeding birds were recorded on the skears (compartment C6), with peak counts of 120 dunlin, 1,850 knot and 975 oystercatcher recorded on the skear to the north east of the site (closest part of skear 380m from site). During the 2019-2020 winter bird survey the large majority of roosting birds were recorded to the south and west of the site. However, a small number of wading birds were observed roosting on the Bubbles Breakwater (the flood defence breakwater structure extending from the northern edge of the site) at high tide.
- 5.6.11 It is known that different birds have different tolerances to noise and visual disturbance effects, but typically it is considered that such effects are likely within 250 metres. Visual disturbance is anticipated during construction, in particular from the mobile/crawler cranes needed to construct the timber superstructure. These will only just extend over the adjacent rock armour and not over the Bubbles Breakwater. Given the known tolerance and rapid habituation of the turnstone (SPA bird most affected), it is unlikely that this would deter the birds from roosting in this location. Nevertheless, the precise locations of the cranes and their radii shall be controlled as part of the CEMP. The CEMP will also capture mitigation to limit noise from the construction site, such as piling techniques and acoustic hoardings at 2.4m high. In terms of noise, there are likely to be some effects by increased noise during construction but such would not be significant, bearing in mind the baseline noise levels are already relatively high, with the birds already habituated to sudden noise levels. Birds are less tolerable to disturbance in prolonged cold weather conditions and as such a shutdown protocol is proposed. The details of the stoppage protocol will be set out in the CEMP. This would follow best practice guidance (in line with Joint Nature Conservation Committee (JNCC) guidance) and would entail a temporary cap placed on high disturbance construction activities (to be defined in the CEMP but as an example includes use of excavators, pile driving, use so dozers and tippers etc) in the event freezing conditions occur for 7 consecutive days (based on national and local weather station data) for a maximum period of 14 days.
- 5.6.12 Noise and visual effects in the operational phase are limited to the buildings themselves, the open air events and recreational disturbance. To avoid LSE on the integrity of the designated sites, the applicant only proposes to hold open air events during the summer months. This shall be limited to a maximum of eight events. This will ensure no impacts on the qualifying feature of the designated sites and can be controlled by planning condition. Impacts deriving from artificial lighting will be controlled by condition too and will align with the submitted lighting strategy. This seeks to maintain a dark corridor on its coastal edge where light levels will not increase above 0.5 lux higher than the base line lighting levels. With this mitigation, there will be no significant adverse effect on the integrity of the designated sites as a result of lighting impacts.
- 5.6.13 Recreational disturbance effects on the designated site is something that the LPA have become very familiar with, with most proposals within close distance to the designated sites having to secure mitigation (such as in the form of homeowner packs). The Morecambe Bay Disturbance and Access Management Report (Liley et al., 2015) was commissioned by the Morecambe Bay Partnership, and presents the results of a study on recreational disturbance to birds around Morecambe Bay. This found, unsurprisingly, that Morecambe Seafront was found to have the highest number of potentially disturbing activities observed across 15 across of the Bay. 50% of the observed activities related to dogs and dog

walkers. The submitted HRA provides extensive analysis and assessment of the areas used by birds and recreational disturbance. Their own winter bird survey (2019-2020) evidenced a large amount of disturbance in the study areas resulting in birds taking flight in response to dog walkers and other walkers along the coast of Morecambe.

5.6.14 There are considered to be two types of recreational pressures that may occur as a result of the proposed development during the operational phase:

- Direct pressures on birds on the actual day of visit – due to dogs or other recreational activity; and
- Diffuse pressure on birds using other areas around the Bay arising from extra stays in the areas – again from dogs and other activities, such as water sports.

The applicant has carried out visitor modelling work to establish the visitor profile. This concludes 76.3% of visitors will be day visitors and 23.7% overnight visitors, mainly at peak times. The average visit duration to the attraction is established between 3-4hours. As the main impact relates to the effects by dogs, the applicant has then determined the number of visitors likely to be bringing a dog with them. The attraction will not permit dogs therefore it is assuming only overnight visitors may bring their dogs. Of those overnight visitors staying locally (estimated to equate to 65,000 visitors a year) and based on evidenced dog ownership data, this would equate to 5,600 dog stays in the region. It is not assumed that all overnight visitors owning a dog would bring a dog, therefore the 5,600 is a worst-case scenario. Furthermore, most overnight visitors with or without dogs are most likely to happen outside the winter period. Subsequently, the effects of disturbance from dogs deriving from visitors of the attraction would not be significant. The increase in water-sport activities directly because of the development (and its visitors) is equally limited. While the impacts of diffuse recreational pressure will be limited, it is nonetheless a potential impact which could result in LSE on the integrity of the designated site.

5.6.15 EPN have been proactive in collaborating with other nature conservation stakeholders including Morecambe Bay Partnership, the RSPB and local educational institutions (delivering the Morecambe Bay Curriculum), and they will continue to engage throughout the project to deliver further outreach projects, specially to raise awareness and provide education on protected sites and their associated sensitivities. This will be achieved in the form of an Outreach and Education Plan (OEP), which shall be secured by legal agreement. The OEP is necessary to secure a positive outcome for the HRA.

5.6.16 Collision risk is not anticipated to be significant due to the embedded mitigation in the design and materiality of the buildings. However, taking a precautionary approach, regular bird collision monitoring will be undertaken in the first five years from the development becoming operational. If significant collision mortality occurs, remediation will need to be agreed with the LPA and Natural England. This too can be controlled by condition. With mitigation, there is no significant adverse effect on the integrity of the designated sites as a result of bird collision impacts.

5.6.17 The sHRA includes a robust in-combination assessments which does not identify any in-combination impacts. Overall, the LPA, as the competent authority, have adopted the applicant's sHRA and concur with its conclusions. Subject to the mitigation set out above being secured, there will be no significant adverse effect on the integrity of any European sites from the proposed development alone or in-combination with other projects of plans. On this basis, the proposed development equally conforms to the NPPF, SP8 of the SPLA DPD, DM44 of the DM DPD and DO2 of the MAAP. GMEU and Natural England have raised no objections to the development and concur with the conclusions of the HRA provided the mitigation identified is secured as part of any planning permission.

5.7 **Consideration 6 – Flood Risk and Drainage** (NPPF: Chapter 14 (Planning for Climate Change) paragraphs 152-154, 157, (Planning and Flood Risk) paragraphs 159–169, policy SP8 (Protecting the Natural Environment) and SP3 (Morecambe Main Seafront and Promenade) of the Strategic Policies and Land Allocations (SPLA) DPD; policies Development Management (DM) DPD policies DM33 (Development and Flood Risk), DM34 (Surface Water Run-off and Sustainable Drainage), DM35 (Water Supply and Waste Water) and DM36 (Protecting Water Resources and Infrastructure); Surface Water Drainage, Flood Risk Management and Watercourse Planning Advisory Note 3 (October 2020) and the North West England and North Wales Shoreline Management Plan (February 2011).

5.7.1 National and local planning policy requires development to be located in areas at least risk of flooding (subject to the developments flood risk vulnerability), to be safe from flooding and to not increase the

risk of flooding elsewhere taking account of climate change. For major development, sites should be drained in a sustainable manner using sustainable drainage systems (SuDS) and development should not impact upon existing water recourses and infrastructure and should maintain water quality.

- 5.7.2 The application site straddles floodzones 1, 2 and 3, although the majority of the site falls within floodzones 1 and 2. Floodzone 3 is limited largely to the northern edges of the site along the promenade and extends into the amenity greenspace to the north east of the Midland Hotel. The site has an average level of approximately 7.5m above Ordnance Datum (AOD). The minimum existing ground level is 4.5m AOD and a maximum level of 10.4m AOD on the northern side adjacent to the promenade. There is a culverted watercourse which flows from the south to the north beneath Marine Road Central and through the centre of the site. It is assumed the existing site drains into two soakaways with outfalls into the rock armour out into Morecambe Bay and at unrestricted rate. The EA maps indicate that the site does not benefit from formal flood defences, however, the shoreline management shows the site benefiting from the rock armour protection to the north. This protects the shoreline from coastal erosion and flooding. A secondary defence wall is set back from the primary defence structure and serves as a wave reflection wall.
- 5.7.3 The proposed development is classified a 'Less Vulnerable' (Table 3 of the Planning Practice Guidance (PPG) Flood Risk and Coastal Change) due to its leisure use. Based on the PPG Flood Risk and Vulnerability and Flood Zone Compatibility Table the proposed development would be classified as an appropriate land use across all floodzones affecting the site. This, together with the fact the site is allocated for leisure uses, means there is no requirement for sequential testing and the principle of development is acceptable.
- 5.7.4 Owing to the site's coastal location, the greatest risk of flooding is from coastal/tidal sources. Risk from surface water flooding is very low (less than a 0.1% probability of flooding) as is ground water flooding. Development proposals should consider the risk of flooding of the development itself and elsewhere for the lifetime of the development, accounting for climate change. In this case surface water drainage proposals shall be designed to cater for the 1% (1 in 100) Annual Exceedance Probability (AEP) event, including a 40% climate change allowance. This is an accepted position. Coastal and tidal flood risk is also expected to increase with an expected increase in seas levels and offshore windspeed with associated extreme wave heights.
- 5.7.5 The application and ES has been supported by a Flood Risk Assessment (FRA). Unfortunately, this was deemed insufficient by the Environment Agency (EA) and an objection was lodged against the application. Further Information has now been submitted in the form of technical appendices to the ES and the FRA showing the outcomes of hydraulic modelling to demonstrate the existing flood risk on site, the proposed mitigation measures to be incorporated into the development and how these impact flood risk on and off site. The conclusions drawn from this additional information have satisfied the EA, who have removed their objection subject to the imposition of conditions.
- 5.7.6 The applicant's model has been adapted and refined (to the site and immediate surrounds) and it updates the model that was initially developed for the EA's Lancashire Tidal Study (projected by JBA in 2014 and subsequently updated in 2020). When originally updated, the model did not account for updated wave modelling and overtopping assessments or changes in topography, which for the application is relevant due to the recent installation of the wave reflection wall. The applicant's updated model addresses the above deficiencies to provide a robust assessment and greater understanding of tidal risk rise at the site. The model accounts for static sea level rises in response to climate change. The model provides an understanding of flood risk for the existing baseline scenario, a post-development scenario and post-development with mitigation scenario.
- 5.7.7 The hydraulic modelling shows in the baseline scenario (0.5% (1 in 200yr) Annual Exceedance Probability (AEP) event in the future year (2124)) that water would propagate across the site and its surrounds and would inundate the buildings. The post-development scenario for the same event, which includes the raised embankment to the north coastal edge that serves as an informal flood defence and flood gates to the service entrances on the northern elevations, shows flooding of the site from the east and west, although flood extent and depths are reduced from the baseline model. This is a result of the proposed embankment running along the north of the development site providing a degree of protection to the wider area in terms of still water and wave overtopping. The preferred 'with-mitigation' model (for the same event), includes flood gates/barriers on all entrances of the shell pavilions and demonstrates the buildings would be protected from flooding and, like all other options modelled (there were three),

the maximum flood extent and depths would reduce off-site providing a small betterment in terms of tidal flood risk to wider areas of Morecambe to the south of the site.

- 5.7.8 The EA has had the applicant's hydraulic model reviewed by a third party. This confirmed that further calibration and sensitivity testing is needed in the modelling to increase the confidence levels in the model results and the appropriateness of the mitigation strategy. Nevertheless, the EA have removed their objection and confirmed from the evidence to date they are satisfied the development would be safe from flooding and not pose a flood risk elsewhere, subject to precise mitigation measures being agreed following an update and re-calibration of the hydraulic model. The EA recommend a condition requiring updates to the hydraulic modelling and a condition for a Flood Management Plan (as proposed), which will confirm the mitigation measures (namely the location and heights of flood barriers and maintenance of such identified following the re-modelling), and a flood alert and warning system, evacuation protocols, management of food water on site and any re-occupation of the site following a flood event.
- 5.7.9 In this regard, the application has adequately demonstrated with mitigation the potential effects of flood risk would not be significant and that the proposal conforms with the NPPF and policy DM33 of the DM DPD.
- 5.7.10 With regards to site drainage, the project will include a Sustainable Urban Drainage System (SuDS), which based on the submitted drainage strategy will include several key features:
- Blue roof systems to capture rainwater from roofs of the shell pavilions and this water to be recycled and reused in the development;
  - Surface water from the public realm to be conveyed where possible into the proposed indicative SuDs features (detention ponds, swales and rain gardens);
  - Surface water shall either discharge to soakaways (subject to further ground investigation) at a controlled rate, or; discharge to the existing culverted watercourse controlled to a greenfield rate (note this is betterment) with attenuation tanks provided within the site. The outfall will be to the sea.

The surface water drainage strategy requires further detailed ground investigation. While this level of detailed would generally be expected for full applications, officers and statutory consultees are satisfied the site will be capable of being drained in a sustainable way and that such is capable of being controlled by planning condition. The site area already provides ample scope to include attenuation and can be achieved within the layout of the proposed landscaping. Indicative suggestions are included in the drainage strategy with potential gravel attenuation provided in the "Shingle Plaza" and swale and detention ponds accommodated within the 'Energy Field'. The multifunctional benefits of above ground SuDS features is encouraged and clearly embedded in the EPN ethos. The drainage system will also incorporate pollution controls to maintain and enhance water quality.

- 5.7.11 Exceedance flows are largely out to sea or toward Marine Road Central (as existing). In the event of tidal surge, the submitted drainage strategy indicates the need for a pumping system to be activated at basement level, which would also deal with surface water exceeded events that reach the lower parts of the site.
- 5.7.12 The Lead Local Flood Authority (LLFA) has raised no objection to the proposal, subject to conditions requiring the development to be carried out with the submitted FRA and a surface water drainage scheme (based on the submitted drainage strategy) and maintenance plan to be submitted and agreed. In response to the *Further Information* consultation, the LLFA maintain their position but noted that the FRA addendum does not address concerns regarding exceedance events, specifically how, when closed, the flood barriers will interact with and re-direct surface water leaving the site. The LLFA require clarity if the proposed flood mitigation (proposed in response to the hydraulic modelling) will still require a pumping solution for surface water exceedance flows. The LLFA indicate that such issues must be addressed as part of the final surface water drainage condition.
- 5.7.13 Overall, the ES and supporting FRA (and its addendums) and the Drainage Strategy, demonstrate the risks from surface water flooding and contamination of the water environment (pollution control) are not significant in EIA terms, provided that final sustainable drainage proposals and their maintenance plans are secured by planning condition (to mitigate potential impacts). On this basis, the proposal is considered to compliant with the requirements of policies DM33, DM34 and DM26 of the DM DPD.

- 5.7.14 The foul drainage strategy has been developed in consultation with United Utilities confirming a connection to the public network at a restricted pass flow rate of 5l/s. The strategy will seek to connect to the system under Marine Road Central. The existing manhole has an invert level of 4m AOD, therefore flows from the development at ground level will be conveyed by gravity. At the lower ground level a pumped system will be required. The pumping station will be located in the proposed South Plant room. United Utilities had raised no objection to the proposals and recommend foul and surface water drainage conditions (aligning with the submitted drainage strategy).
- 5.7.15 The proposed development will inevitably increase demands on potable water supplies, though embedded mitigation will seek to minimise consumption (through rainwater harvesting for example). This will result in a slight significant effect but not such that would render the proposal unacceptable. United Utilities has not objected on the grounds of water supply considerations. Instead, they advise the applicant to engage with them at the earliest possible opportunity to ensure the water network can meet the demand and should reinforcements be required, this can be considered and addressed early. This is a matter that shall be addressed outside the planning arena.
- 5.7.16 Policy DM35 requires new development to drainage (foul water) in according with the drainage hierarchy, which requires connection to the public sewer in the first instance. This is proposed and capable of being achieved. In terms of water supply and consumption, this policy requires water efficiency measures to be incorporated and for non-residential development such measures should achieve BREEAM 'Excellent' standard. EPN are working to achieve this level and accept a planning condition to this affect. Consequently, policy DM35 shall be satisfied in full.
- 5.7.17 During the construction period there is the potential for increases in surface water and pollution entering the water environment. These impacts are capable of being mitigated through appropriate construction management practices, which can be controlled via the CEMP condition and drainage conditions. With mitigation, the potential effects are temporary, short-term and overall, not significant.
- 5.8 **Consideration 7 – Amenity and Pollution** (NPPF: Chapter 8 paragraph 92 and 97 (Promoting Healthy and Safe Communities), Chapter 12 (Achieving Well-Designed Places) paragraph, 130 and paragraphs 183 – 186 (Ground Conditions and Pollution); Development Management (DM) DPD policies DM2 (Housing standards), DM29 (Key Design Principles), DM30 (Sustainable Design), DM31 (Air Quality Management and Pollution), DM32 (Contaminated Land) and DM57 (Health and Well-Being).
- 5.8.1 The fundamental aims and objectives of the above policies is to ensure new development is well designed, safe and secure for its users and the wider public, protects the amenity of existing and future occupants and promotes health and well-being, by ensuring the effects of pollution arising from development or the interaction between uses is adequately mitigated.
- 5.8.2 **Noise Considerations**  
The Noise and Vibration chapter of the ES is supported by a Noise Impact Assessment which assesses the effect of construction noise and vibration, in addition to operational noise and development generated road traffic noise, of the proposed development on nearby sensitive receptors. These include residential premises and hotel accommodation located primarily along Marine Road Central.
- 5.8.3 The proposed development is in a central position within a relatively dense urban location. There are many sensitive receptors that are likely to be affected by the introduction of a new, large visitor attraction. Given the proximity of the site to sensitive receptors, during construction temporary, short term minor adverse noise effects are predicted and moderate adverse effects from construction vibration impacts. The effects of noise from construction activity would result in a lowest observed adverse effect level (LOAEL). These impacts are capable of being mitigated through an appropriate Construction Environmental Management Plan (CEMP). The Council's Environmental Health Officer (EHO) is generally satisfied with the level of impact and proposed mitigation, subject to the CEMP stating no impact-driven piling to be used (unless supported by further assessment and mitigation) and further details relating to rolling operations (and if necessary further mitigation) due to the potential for 'moderate' adverse impacts from this construction technique. Contrary to the submitted proposals, the Council's EHO recommends a construction working hour condition limited to 08:00-18:00 with no weekend working or on bank holidays. No weekend working has been resisted by EPIL as this would simply prolong the building programme. The LPA have received no information during the consultation process from neighbouring businesses/operators or from Lancaster or Morecambe BID to suggest

weekend working would be prohibitive (to their business etc). As such, the LPA is of the opinion that working hours on a Saturday could be permissible between the hours of 08:00-16:00. Such are not deemed unreasonable given prevailing background noise levels and activity along the seafront at should times.

- 5.8.4 In terms of operational noise impacts, this will derive mainly from road traffic noise, servicing and deliveries, plant and the outdoor events. In terms of traffic noise associated (from visitors) the level of cars anticipated to be travelled along Marine Road Central arguable should be less than existing due to the loss of the Bay Arena car park and dispersal of visitor traffic before arriving at the venue. Most cars will be intercepted either at the P&R site or in town centre car parks to the south. As such the impacts are negligible and shall result in a no observed adverse effect level (NOEL).
- 5.8.5 Noise from delivery vehicles varies between ambient good deliveries and chill good deliveries (assuming vehicles will have refrigeration units and therefore noisier). There are no adverse effects during the daytime, but adverse effects are anticipated during the night for both ambient and chilled good vehicle. The level of effect ranges from negligible/minor (LOAEL) to moderate/major (SOAEL). The most adverse effects are from the chilled vehicles likely to be serving the cafes/restaurant. The applicant intends to mitigate this impact by prohibiting chilled deliveries between night-time periods (23:00-07:00) and for ambient deliveries between (midnight and 06:00). The Council's EHO has recommended limiting service deliveries to take place between 09:00–21:00. The recommended condition is considered overly onerous. However, the applicant's position equally results in LOAEL in some instances therefore a negotiated position must be reached. A verbal update will be provided in relation to this matter. Notwithstanding the delivery hours condition, a Service Delivery Management Plan is also the subject of condition and could refine this point further. It is an issue that can be satisfied by condition.
- 5.8.6 Noise deriving from plant is not precisely known at this stage as more detailed assessment is required as part of the next design stage. However, it is accepted that a condition controlling fixed plant noise limits to the daytime and night-time Rating Levels (47dB and 30dB respectively) at any noise sensitive receptor including hotels and dwellings, as set out in the ES (and in compliance with BS4142). This approach is accepted by the Council' EHO.
- 5.8.7 EPN proposes to host a maximum of 8 outdoor large music events at the attraction. These events would all take place primarily in the summer months (due to the impacts of the adjacent designated site) with music ceasing by 23:00. The layout of the arena, which will support a temporary stage above the permeant stone stage in the Rhythm Gardens, is purposefully designed to direct noise away from sensitive receptors along Marine Road Central (facing out toward the sea). The event space has a capacity of around 6,000.
- 5.8.8 The Code of Practice for Environmental Noise Control at Concerts 1995 (CoP) advises 1-3 concerts a year in urban locations between the hours of 09:00 and 23:00 not to exceed 75dBA over a 15 minute period. For 2-12 concerts the noise levels should not exceed the background noise level by more than 15dBA over a 15 minute period. For reasons set out in the submitted noise assessment, the applicant contends that there is scope to agree an alternative noise limit to those set out in the CoP depending on the number of events per year.
- 5.8.9 The baseline noise survey indicates an arithmetic background noise level of 46dB  $L_{A90,1900-2300}$  at the monitoring located at the Winter Gardens assumed to be applicable to noise sensitive receptors along this stretch of Marine Road Central. The modelling indicates moderate impacts (LOAEL – SOAEL) at the closest locations to the south of the arena on Marine Road Central dropping to negligible (LOAEL) further away from the venue. The highest predicted noise level at the nearest non-residential sensitive receptor (Lakeland Rooms Hotel) is 73 dBA, approx. 150m southeast of the stage. The 61 dBA MNL level (equivalent to LOAEL) is not reached until at a distance of approximately 300m from the stage. Those property within 300m of the stage are anticipated to experience adverse noise impacts. The proposed mitigation includes:
- Temporary Acoustic Screening (c2.8m in height) along the southern boundary of the arena.
  - Specialist PA to accurately model and optimise the speakers to achieve more focused sounds with reduced side loading.
  - Noise Management Plan (for each a event and required in any case for licensing, which would include computer modelling of noise from the concert, noise limits to be agreed and set, event management for community engagement, noise monitoring)

- 5.8.10 Given the inherent variability in noise arising from music related events/amplification arrangements, and the indicative nature of predictive noise modelling around events, the Council's EHO has recommended the LPA adopt a precautionary approach to the number of events permitted and recommends this is set at a lower level (3 events) than that proposed (8 events). The Council's EHO recommended any planning condition provides arrangements for periodic review where impacts arising from completed events can be considered. EPN have resisted the suggested lower limit of events on the grounds that the outdoor arena/event space forms a critical component to the overall operation and viability of the scheme (and was included in the OBC) and that a restriction by condition should not be necessary given the requirement (by condition) for an Event Management Plan. This would suitably secure details of the number of events and any mitigation measures required to keep noise within acceptable limits on each event day. With the comfort of planning conditions requiring implementation of the various mitigation and management measures and adherence to noise levels this would adequately control noise impact and abatement. The applicant has indicated that if there was a breach of noise levels for a particular event, then further events could not take place until it was adequately resolved. With this safeguard in place, the proposals present a proportionate and appropriate response to the issues raised.
- 5.8.11 With the mitigation measures, the concert noise impacts are likely to be direct, temporary, local, adverse minor or moderate at worse. The effect is not significant. The adverse effects shall be considered in the overall planning balance. However, it is acknowledged that many of the sensitive receptors (hotels and guest houses) will be offering accommodation to those who are attending the events, thus reducing the overall impact. Furthermore, it is noted that Morecambe already hosts an annual music festival and other events, plus the fairground. These attractions generally operate well and without undue effects locally. The LPA does acknowledge, as identified by Morecambe BID, that there are residential properties close to the site which would be affected. This is considered and modelled in the noise assessment and ES. While the impacts overall are not considered significant in EIA terms, the mitigation (in the form of an Events Management Plan) will provide a set of mitigation measures to minimise these temporary impacts in the interest of these nearby residents.
- 5.8.12 Air Quality  
The proposed site lies outside any Air Quality Management Area (AQMA). The closest AQMA is in Lancaster City Centre. The application and ES is supported by a detailed Air Quality Assessment which assesses the effects on air quality during construction and the operational phases of the project. Planning policy DM31 requires development to minimise the levels of air pollution generated to adequately protect new users, existing users from the effect of poor air quality. Critically, emissions should not significantly worsen any emissions of air pollutants in areas where pollution levels are close to objective/limit value levels.
- 5.8.13 Existing air quality around the site and nearby is considered to be good with no indication of exceedance or close to exceedance levels identified. The main source of air pollution deriving from the development will be from construction traffic, plant and activities and traffic emissions from vehicles trips on the local network and from the car parks.
- 5.8.14 During construction, potential adverse effects are anticipated. However, appropriate construction management protocols and mitigation to reduce pollution impacts will ensure the level of impact is not significant. This can be appropriately controlled by condition requiring the submission and approval of a CEMP.
- 5.8.15 For the operational phase, dispersion modelling has been undertaken in accordance with an agreed scope of works. This concludes that for the opening year the annual mean concentration levels for NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>25</sub> will not be exceeded in the 'with' and 'without' the development scenarios. While the development will result in slight increases in concentration levels, the increase is minor and would result in negligible impacts on air quality. The same occurs in the future year scenario (2039). No direct mitigation measures are therefore required to minimise development-generated road traffic emissions. The Council's EHO had raised queries over the transport strategy and the assumed Annual Average Daily Traffic (AADT) figures used in the assessment, noting that should the strategy change it would have impacts on the noise and air quality assessments. The transport strategy has not changed during the determination period of the application. Furthermore, the council's EHO indicates that even with quite marked transport changes (for example, to anticipate higher average traffic flows or lower flows as a consequence of an expansion of park and ride measures to reduce the number of car trips travelling to Morecambe), this would not have any significant consequence on the headline conclusions drawn



above. Overall, the proposal will not result in a negative impact on local air quality and therefore accords with Development Management DPD DM31 and paragraph 185 of the NPPF.

5.8.16 Ground Conditions

The site occupies an area of previously developed land with a diverse history ranging from a breakers yard associated with the railway line and more recently a range of leisure uses. The majority of the land was originally reclaimed from the sea. As such there is the potential for contamination. A Preliminary Risk Assessment has been undertaken to support the application providing a baseline of the expected ground conditions, potential sources of contamination, sensitive receptors and pollution pathways. The assessments submitted demonstrate that there will be no significant effects as a result of contamination during either construction or once the development is operational. The desk-based assessments undertaken to date indicate any risks will be capable of mitigation through remediation of the site once detailed ground investigations have been undertaken. A condition is recommended to require a full site investigation and remediation strategy. Contamination during construction can be suitably controlled and mitigated through a CEMP. The Council's EHO is satisfied with the approach to contamination.

5.8.17 The ES has equally had regard to the effects of the development on the stability of the flood defence structures (sea wall) around the site. A geotechnical/structural assessment of the sea wall and the site itself will be required to inform the development construction design and its associated embedded mitigation. The structural assessments will need to demonstrate no adverse effect on the integrity and functional of the sea wall to proceed. The requirement of a stability assessment of the sea wall and details of any retaining structures sitting along side the promenade/highways shall be a requirement of a planning condition.

5.8.18 Sunlight, daylight, overshadowing and wind effects

Given the scale of the development, the ES also considered the effects of the development on daylight, sunlight, overshadowing and wind (microclimate effects). This has been carried out using advanced computer software to assess the potential impacts of the development on both residential development and commercial/hospitality, such as the Midland Hotel, in accordance with best practice guidance.

5.8.19 Simulations showed that all the neighbouring habitable rooms and public amenities will continue to receive adequate levels of daylight, sunlight, and solar access. No negative effects were found. The LPA do not have access to the modelling software or the expertise to validate the findings. However, the assessment appears robust and as such there is no reason to dispute the outcomes of the assessment. The LPA have not received any objections to the proposal on these grounds from any surrounding businesses or residential properties.

5.8.20 The applicant's consultants have also undertaken a ground level wind microclimate assessment. Again, this is carried out using advanced computer modelling. The current site is largely open and exposed to the seafront, despite shelter being provided by the depression and embankment to the northern end of the site. The proposed development will introduce 4 substantial buildings, connecting structures and extensive landscaping, altering the potential aerodynamics of the site and its surrounding environment. The effects have been assessed using UK industry standards. This is known (in part) as the Lawson criteria, which defines a comfort criteria (acceptable windiness) for different activities (walking, sitting etc). This is all embedded in delivery high-quality design and place-making.

5.8.21 The assessment concludes that off-site the wind conditions (pedestrian comfort) will not deteriorate and therefore all off-site effects are negligible. Simulations show that, following the proposed development, off-site regions of distress for frail pedestrians and cyclists are significantly reduced resulting in a minor beneficial impact. On-site generally evidences an improvement, with slightly milder conditions than existing, except within some of the most exposed areas of the site and within the landscaped areas (plus the raised decked terrace). In these locations moderate adverse impacts have been identified. The increase in wind and thus discomfort to those sitting/walking/cycling through these areas can be mitigated with appropriately high boundary treatments, landscaping and shelters. Such features are already incorporated into the design. Overall, with mitigation the effects are considerable negligible although the LPA do not have access to the modelling software or the expertise to validate the findings. However, the assessment is robust and as such there is no reason to dispute the outcomes of the assessment.

5.8.22 Security

The proposed development and its embedded mitigation will be delivered to achieve Secured by Design (SBD) security standards. This aligns with policy DM29 of the DM DPD and paragraph 97 of the NPPF. The NPPF states planning decisions '*should promote public safety and take into account wider security and defence requirements*. For proposals where large numbers of people are expected to congregate, development should be informed by most up-to-date evidence from the police and other agencies and should include appropriate and proportionate steps to be taken to reduced vulnerability, increase resilience and ensure public safety and security and is compromised. EPN have engaged with Lancashire Constabulary and their placemaking resilience advisors at the pre-application stage. This has informed many embedded mitigation measures as part of the design proposals. For example, the building configuration and public realm areas provide highly legible spaces and routes around the buildings with access areas are clearly defined. Landscaping proposals includes embedded security and resilience features, together with a combination of fixed and retractable bollards (for access). There will be a detailed lighting scheme, together with CCTV linked back to a central security control room, developed as part of the project.

5.8.21 The design-related security measures are considered acceptable overall with lighting and CCTV matters capable of being secured by condition. Lancashire Constabulary have raised no objections to the proposed and invite further engagement on a confidential basis (for obvious reason). Overall, the proposal is considered to conform to policy DM29 of the DM DPD and the NPPF.

5.9 **Consideration 8 – Climate Change** (NPPF: paragraph 7-8 (Achieving sustainable development) and paragraph 154 of the NPPF, Policies DM29 (Key design principles), DM30 (Sustainable design), DM31 (Air Quality management and pollution), DM35 (Water supply and waste water), DM53 (Renewable and low carbon energy generation) of the DM DPD and draft emerging policies of the Climate Emergency Local Plan Review including DM29 (Key design principles), DM30 (Sustainable design), DM30b (Sustainable Design and Construction – Water Efficiency), DM30c (Sustainable Design and Construction – Water Materials, Waste and Construction))

5.9.1 The review of the recently adopted Local Plan is an immediate response to the Council's Climate emergency, which was declared in 2019. Current planning policy seeks to encourage (DM30) development to deliver high standards of sustainable design and construction. Emerging policy removes the term encourage and sets are a number of key requirements which would positively contribute to tackling climate change. The emerging Climate Emergency Local Plan Review carries limited weight at this stage but remains a material consideration.

5.9.2 Notwithstanding the current policy position, EPN are proposing to delivery a net-zero building in the opening year with regenerative sustainability at the heart of the project. Its overall energy and sustainability strategy aligns with the emerging policy expectations. EPN is intended to be a leader in this area, not only aiming to keep its environmental impacts to an absolute minimum, but to deliver environmental benefits. EPN have devised a regenerative sustainable framework based on five principal capitals (Natural capital, Human Capital, Social Capital, Manufactured Capital and Financial Capital) which ensures a comprehensive and holistic approach to the project design. This extends beyond the sustainability of the new buildings and includes the outreach and educational ambitions of EPN in connecting people with the environment, the importance of protecting the planet and the value this has on health and wellbeing. The ethos and ambitions set out in the application align closely with the Council's ambitions to tackle climate change

5.9.3 For EPN to meet the Net-Zero target the buildings must satisfy the requirements:

- Reduce construction impacts (minimise embodied carbon emissions from construction materials as much as possible and complete a whole life carbon assessment.
- Reduction operational energy use.
- Increase renewable energy supply.
- Offset any remaining carbon.

This ambition has been a driver for the design of the development. EPN have applied a '*Lean, Clean, Green*' hierarchical approach to energy for the project. A similar approach with taken to water. Both aiming to minimise demands and consumption from the outset. The submitted Energy Statement provides an extensive assessment of the approach adopted and the embedded mitigation in the design of the development to meet their ambitions. The information provided also demonstrates how the development will achieve a BREEAM 'excellent' rating.

5.9.4 A summary of the key targets/measures proposed are as follows (much of these fall within the scope of Natural Capital forming part of the regenerative sustainable framework):

- Achieve BREEAM 'Excellent'. The initial pre-assessment demonstrates this is achievable.
- No fossil fuels on site and run solely on electric from renewable sources.
- Heat source pumps are proposed – the intention is to use open loop ground source heat pumps, but this is subject to further investigation. EPN have subsequently designed the proposal to have flexibility to use either air or ground source heat pumps. The Energy Pods have been designed to suitably accommodate necessary infrastructure, as well as education the public and visitors of the sustainability qualities of the project.
- Net-zero building on opening day.
- Targeting an annual energy consumption of 2.32 GWh/yr (below their benchmark model based on Eden Cornwall)
- All energy from 100% renewable sources. The scheme involves the provision of photovoltaic cells as part of the building cladding system to the southern elevations. The precise detail will be provided late, however this is only likely to generate around 7% of the electricity demands needed. The remaining demand will be via high quality 100% renewable electricity tariffs in the first instance. EPN have aspirations to explore other arrangements such as power purchase agreement with local generation projects, but these may not be realised for the opening year. Passive wiring/infrastructure should be designed into the development.
- Waste and Recycling Plans will be implemented across the project and will be confirmed in the Operational Waste Management Strategy. This is a key target to be met as part of the BREEAM accreditation.
- Sustainable drainage scheme with rainwater harvesting incorporated into the design of the development.
- Cycle provision and changing facilities on site for staff and visitors.
- Transport Strategy and Parking Plans – aimed at promoting and incentivising sustainable travel.
- In the longer term, EPN will continue to strive to deliver the 2019 Transport Vision as part of wider collaboration and projects outside the scope of this planning application, but also as part of the targets, review and monitoring of the Travel plan.
- Designed to cope with the effects of climate change over the lifetime of the project (e.g. flood risk mitigation and drainage design, construction and materiality of the shells allows for them to operate passively without the need for active energy systems).
- Biodiversity Net Gain.

5.9.5 The sustainability of the project extends much further than this, with the social and economic aspects of the project equally integral and vitally important to the objective of reinventing Morecambe for the 21<sup>st</sup> century. EPIL's ambitions to collaborate are already evident within the wider district community, and there is no reason to doubt that this level of engagement will continue through the construction phases and beyond. EPN will be at the heart of the town and a new focal point for the community. While there is a paid boundary for the wider visitor attraction, the scheme provides significantly improved landscaping and open space for the wider community to enjoy (approximately 50% of the site). All existing community assets, such as the promenade, cycle route and the War Memorial remain in place and will be enhanced by the proposals. The project has been designed for all users with accessibility build into the external and internal components of the development. The development is designed to be highly inclusive and accessible, including the experiences envisaged as part of the attraction.

5.9.6 The effort and analysis undertaken to demonstrate how sustainable the project would be is in our experience, unprecedented locally and it reflects the motivation and ambition of the project to deliver a flagship development which not only supports EPIL's objectives as an environmental, educational charity but aligns with the council's ambitions to meet its climate change objectives too. In planning terms, the scheme is considered to fully conform and exceed policy requirements in relation to sustainable design and climate change mitigation. Planning conditions are recommended. This includes a requirement to meet BREEAM excellent and a detailed scheme of the final proposals (air or heat pump, extent, and details of PV provision within the development scheme).

- 5.10 **Consideration 9 – Socio-economic and health considerations** (NPPF: paragraph 7-8 (Achieving sustainable development) and paragraph 154 of the NPPF, Policies SP4 (Priorities for Sustainable Economic Growth) of the SPLA DPD, EC5 (Regeneration Priority Areas), TC4 (Central Morecambe), SC5 Recreation Opportunity Areas); policies DM22 (Leisure Facilities and Attractions), DM26 (Public Realm and Civic Space, DM28 (Employment and Skills Plan), DM29 (Key design principles), DM57 (health and Well-being)
- 5.10.1 The ES includes a chapter on socio-economic impacts of the proposed development. This is an extensive assessment and considers the effects on population and demographics, economic activity, education and skills, health and deprivation. The project as set out at the beginning of this report is not simply the creation of a visitor attraction, it is far more inclusive and transformational. EPN seeks to reinvent Morecambe as a seaside resort for the 21<sup>st</sup> century. The focus is therefore on the integration, opportunity, collaboration, and engagement the project with its communities.
- 5.10.2 The proposed development will create employment during construction. Once the attraction is open to the public, it will operate with established local supply chains and will also create a significant enhancement to the local visitor economy. Additional footfall within the town should support local businesses and will equally raise investor confidence locally to attract further inward investment. The off-site highway improvements required as part of the project support linkages to the town centre, as well as the parking strategy, which assumes visitors will require a parking space for the whole day providing opportunity for visitors to spend time before or after their visit to EPN to dwell around the rest of the town.
- 5.10.3 The ES sets out several baseline assumptions in relation to population and employment. Of note, the ES indicates that in Lancaster (2019 data) there was 66,000 jobs. The job density figure produced showed Lancaster below that of the Northwest and the average for Great Britain. A similar correlation is made in relation to earnings (gross weekly pay). In terms of economic activity at a more refined level, the ES shows within the Poulton Ward (in 2011) 10.4% of people were unemployment, which was higher than the district average (6.7%) and England and Wales average of 7.6%. Within the Poulton ward, the portion of the population claiming out-of-work benefits in Poulton was 11%, significantly higher than the rate for the district (5.4%) and Great Britain (6.1%). Of those working in Poulton ward, the greatest proportion of people were working in lower skilled occupations (above the figures for the district and England and Wales), which correlates with a higher percentage of people in Poulton ward without qualifications (compared to Lancaster and England and Wales). Ward level health data also shows higher levels of limiting long-term illness or disability, higher mortality and higher child obesity in the Poulton ward compared to Lancaster and nationally. This baseline information sets a scene as to the level of deprivation (not in all areas) that is apparent in Morecambe. The English Indices of Deprivation (EID, 2019) places the site within 3% of the most deprived neighbourhoods in England.
- 5.10.4 EPN therefore offers significant opportunity to revive Morecambe, support its economic prosperity and drive social inclusivity. There are several key socio-economic benefits that are anticipated by EPN. These include:
- Estimated net additional construction employment would generate gross value added (GVA) to the regional economy of around £47.3 million.
  - Training and apprenticeship schemes available working in partnership with Lancaster and Morecambe College. This will be reinforced through the planning permission with a requirement for an Employment Skills Plan.
  - Once operational EPN is estimated to create 280 full time equivalent (FTE) jobs at the local level, 166 FTE additional jobs at regional level and 28 FTE jobs at head office in Cornwall (directly linking to EPN) (equates to 389 FTE jobs on-site).
  - It is estimated that the jobs supported by EPN and the supply chains could contribute approximate GVA to the North West economy of up to £21 million annually in perpetuity.
  - Business rates of £116,000.
  - the applicant indicates that the total annual overall spend in England by visitors to Eden Project North is estimated to be £233 million, based on approximately one million visitors annually.
  - Research and collaboration with the University.

The key health and well-being benefits include:

- EPN aims to support local employment providing significant opportunities in an area of high unemployment.
- Training and Education links – (this links to the ESP and wider educational objectives delivered through the Morecambe Bay Curriculum, local school trips).
- Provision of high quality public realm and open space, with biodiversity net-gains.
- Opportunities for temporary food, beverage and mechanised stalls to help create opportunities for local businesses.
- Exemplar example of a net zero development.
- Collaboration with the health services to promote the health and well-being benefits of the nature environment.
- Volunteering opportunities.

The effects identified above will have beneficial impacts (the significance of which ranges from major to minor beneficial impacts across the varying effects). Officers concur with these conclusions, recognising these positive effects are significant benefits of the proposal to be weighed in favour in the overall planning balance. No adverse impacts were identified in the assessment. In conclusion, the proposals fully accord with the aims and objectives of the policies listed above.

- 5.10.5 It is accepted that the redevelopment of the site will affect the way other operators and users have previously occupied the site. For example, the travelling circus and the fun fair will no longer be able to operate from the site. While this may disappoint some people, the loss of these temporary uses to make way for a comprehensive regeneration of the site in accordance with the MAAP's land allocation ambitions would not affect this planning decision.
- 5.10.6 Some public representations have commented on what would happen to the Festival Market site. The Market site is located outside of the boundary of this planning application, and it is unaffected by the proposals and its parking strategy.

## **6.0 Conclusion and Planning Balance**

- 6.1 Coastal communities throughout the United Kingdom have faced a unique set of challenges during the latter part of the 20<sup>th</sup> Century, exacerbated by the downturn of the domestic tourism market leading to significant economic decline. There have however been recent signals that Morecambe is well-positioned to take advantage of the opportunities for sustainable regeneration.
- 6.2 As this report discusses, the Central Promenade site is one that has a rich and vibrant history. In later years the site has been under-used despite its geographical prominence within the town. Much like the vacant Frontierland site (which has recently been purchased by the City Council to facilitate the town's regeneration ambitions), Central Promenade comprises a critical element of the town's future offer.
- 6.3 The current planning application aims to remedy the under-utilisation of the site and it will deliver an exciting and highly-innovative tourism and leisure destination that will be attractive to both locals and visitors alike.
- 6.4 The environmentally-responsible nature of the attraction is underpinned by EPIL's global mission to create a movement that builds relationships between people and the natural world. This aligns neatly with the Council's declared Climate Emergency and the pioneering work being undertaken by the local planning authority via its Climate Emergency Local Plan Review.
- 6.5 Most observers consider that EPN will provide a catalyst for transformation of the town; the district; and the wider economic region. Whilst EPN will be different to the existing Eden Project in Cornwall in terms of its content and built form, it is nonetheless tempting to note the impact that the Cornwall site has had on the local economy. It is a significant local employer that operates a variety of education and social projects and has attracted over 18 million visitors since it first opened over twenty years ago. It is estimated that it has contributed £1.7 billion to the local economy during that time.
- 6.6 The Morecambe site is centrally located, and consequently there is genuine optimism that the positive impacts arising from the development will quickly become firmly embedded within the town. The

benefits arising from this weather-proofed attraction will be experienced by local hoteliers, retailers, food and drink providers and other businesses within Morecambe and the wider north-west region.

- 6.7 The development itself represents a new landmark building within the town, with its bold architecture and dynamic landscaping and an embedded appreciation for the natural environment. Its BREEAM 'Excellent' and net-zero ambitions are fully supported, and through EPN's own charitable objectives and values, the development will showcase the benefits of successful regenerative sustainability. The development fully aligns with the strategic spatial vision set out in the SPLA DPD and the MAAP (D02).
- 6.8 The scheme will deliver substantial benefits including:
- Employment and training opportunities (construction and operation);
  - Investment - significant GVA contributions as well as the potential to provide a catalyst for other investments (construction and operation);
  - Re-use and regeneration of a large brownfield site in the centre of Morecambe;
  - Heritage benefits (expect the Midland Hotel);
  - Bio-diversity net gain on site far exceeding 10%;
  - Minor flood risk improvements to parts of Morecambe to the south;
  - Leading sustainable design – flagship project aiming for net-zero and BREEAM 'Excellent';
  - Improved public open space and public realm;
  - Highway improvement scheme along Marine Road Central to prioritise pedestrians and to enhance connections to the town centre;
  - Education - training, upskilling and research in collaboration with the University and the implementation of the Morecambe Bay Curriculum for local primary schools;
  - Raising awareness of nature conservation and Morecambe Bay (the whole project ethos).

Outside of the planning arena, EPN continue to work with many local organisations, community groups, partners and charities to foster new exciting relationships and projects that build on and support the vision and objectives of EPN.

- 6.9 At a technical level, the ES and its supporting information, together with the further information submitted to address the transport, flood risk and nature conservation considerations, demonstrates that the environmental effects arising from the development are not significant (in EIA terms). With extensive mitigation in the form of a detailed parking strategy (to be secured by legal agreement), off-site highway improvements works and travel planning (amongst other matters to be conditions), the traffic and parking demands arising from the development are considered acceptable and compliant with the Development Plan. EPN remain committed to their 2019 Transport Vision and therefore, through effective travel planning and collaboration, the impacts of vehicle trips and parking should improve in future years. The effects on the adjacent designated nature conservation sites have been adequately addressed with mitigation necessary to ascertain the development would not lead to likely significant effects and the integrity of the sites would not be harmed. In terms of flood risk, the nature of the use is compatible with the sites flood risk classification. Identified mitigation is required to inform a suitable Flood Risk Mitigation and Management Plan to safeguard the development from flood risk and from flood elsewhere (following updated modelling). Sufficient evidence has demonstrated that this is achievable (subject to condition) to accord with the NPPF and Development Plan in respect of flood risk. Finally, the effects of the proposal on cultural heritage have been assessed in full and there are beneficial impacts arising from the development on the Conservation Area and the setting of all listed buildings, except the Midland Hotel. The level of harm arising from the development and the impacts it has on the significance of the setting of this Grade II\* listed building is considered to be less than substantial. Paragraph 202 of the NPPF applies which requires the less than substantial harm to be weight against the public benefits of the proposal. In this case the public benefits are substantial, including the identified heritage benefits, and such would outweigh the less than substantial harm identified to the Midland Hotel. Potential noise arising from outdoor events (largely affecting a small area along Marine Road Central where there are residential receptors (dwellings and hotel/guest houses)) may lead to some adverse effects. These events are limited to a maximum of 8 events in any year. The applicant also proposes an Events Management Plan to be imposed by condition to prescribe appropriate community engagement, noise limits, mitigation, monitoring and review protocols. Whilst departing from the Council's EHO' recommendation, this approach, on balance, in view of the benefits in favour of the proposal, is considered acceptable. All other technical and environmental consideration have been addressed, raising no significant environmental issues subject to mitigation where identified.

- 6.10 This report concludes a two and a half year pre-development and planning application process. During that period there have been wide-reaching consultation and engagement events that have revealed overwhelming local support for the project. The local planning authority's recommendation that planning permission should be granted takes this support into account, but it is also founded upon a robust technical assessment of the development. EPN has the potential to be a key component of the Northern Powerhouse and it represents a once-in-a-generation opportunity to establish an outstanding visitor attraction that is also a responsible local employer, a creative social charity and an advocate for global environmental sustainability. Subject to the recommended planning obligation and conditions, it will be a very welcome addition to Morecambe.
- 6.11 For the reasons set out above, and on balance, the proposed development would constitute sustainable development with far-reaching environmental, social and economic benefits and therefore fully accords with the development plan and the NPPF. On this basis, Members are recommended to support the application.

### Recommendation

That Planning Permission Consent **BE GRANTED** subject to the a **legal agreement** requiring the submission and approval of:-

1. Submission, approval and implement of **Full Travel Plan**.
2. **Travel Plan Contribution** to the sum of £10,000.
3. A **Visitor Access and Parking Strategy** comprising the following heads of terms:
  - Details and confirmation of contractual agreements for the locations of car parks and quantum of car parking spaces, including accessible parking, allocated to Eden Project North visitors and staff. This detail should evidence parking demand by EPN would not compromise capacity and demand for the P&R site itself;
  - Details of necessary infrastructure (physical works and/or technology) required at the designated car parks to accommodate Eden Project North visitors and staff, such as ticketing facilities/barriers with implementation before first use/operation of the development;
  - A strategy setting out how access and usage of the designated car parks for both Eden Project North visitors/staff and members of the public will be managed on a day-to-day basis including enforcement;
  - Details of the advanced dynamic ticketing system and pricing regime, including car park charging/integrated ticketing (where relevant) and entrance requirements into the attraction (for example, evidence of bus/rail or parking ticket);
  - No access without an advanced ticket during peak times (as defined in the TA);
  - Details of maximum duration of stay for parking (this should aligned with the assumptions in the TA);
  - Mechanisms to manage vehicle demands when capacity is exceeded (for example events);
  - Details of the shuttle bus service and frequency (no less than 15 mins);
  - A coach parking and facilities strategy, including drop up and pick up points;
  - Confirmation of the maximum number of visitor tickets sold limited to 750 per hour;
  - A strategy for monitoring modal choice of staff and visitors (to be based on the Travel Plan and its monitoring outcomes);
  - A process to regularly monitor and review and if necessarily update the approved Visitor Access and Parking Strategy.
4. An **Outreach and Education Plan** comprise the following heads of terms:
  - A scheme detailing the delivery of no less than 12 external engagement sessions per annum (for the lifetime of the development) promoting the importance of the Bay and how to avoid recreational disturbance;
  - Details of the number and content of interpretation boards within the attraction itself – to be retained at all times;

- Details of the content within promotional material (based on the importance of the Bay and how to avoid recreational disturbance) for external distribution (hotel stays etc) and on the website (time of booking for example) to be available/distributed before operation;
- Details and progress of other partnership engagement projects;
- Monitoring (idea of timescales would be good), reporting and review of the above and impact assessment/effectiveness of actions in OEP/research, to be carried out every three years;
- Milestone reflection;
- Flexibility to review OEP linked to monitoring.

and, the following **conditions**:

Condition no.	Description	Type
1	Time Limit	Control
2	Approved Plans	Control
3	Phasing Strategy (construction)	Pre-com
4	Employment Skills Plan	Pre-com
5	Construction Environment Management Plan (CEMP)	Pre-com
6	Traffic Management Plan (TMP) for construction	
7	Site Investigation (Remediation Strategy)	Pre-com
8	Surface Water Drainage Scheme	Pre-com
9	Demolition and Construction Phase Surface Water Management Plan	Pre-com
10	Foul Drainage Scheme	Pre-com
11	Flood Risk Mitigation Scheme	Pre-com
12	Geotechnical / structural assessment of the sea wall and details of any retaining structures adjacent to the highway.	Pre-com
13	Flood Management Plan	Pre-com (of building)
14	Precise scheme for on-site renewable technology and energy efficient measures.	Pre-com (of building)
15	Details and samples (where relevant) of all external materials, including the construction pattern and cladding of the shell pavilions, window/door details and curtain glazing features and flood gates (pursuant to condition 11).	Pre-com (of building)
16	Details of retaining wall and vegetated embankment with seating to northern façade	Pre-com (of building)
17	Details and samples precise details of the Energy Pods and Canopy structure, street furniture and boundary features and enclosures	Before the construction of the structures set out in the condition.
18	Lighting scheme	Pre-com (of building)
19	Security scheme to be agreed with details of CCTV and development to meet Secure by Design standards	Pre-installation of security measures
20	Access and off-site highway scheme to be submitted and agreed including: <ul style="list-style-type: none"> <li>• Marine Road Central Improvement Scheme</li> <li>• Cycle provision improvements connection Marine Road Central to Greenway</li> <li>• M6 junction calibration</li> <li>• Shrimp roundabout improvements</li> <li>• Signage Strategy</li> </ul>	Pre-com (of building)
21	Detailed scheme for cycle provision (sheltered and secure)	Before the provision of the cycle parking is provided
22	Landscaping/public realm scheme to be implemented with planting schedule submitted for approval	Prior to first use and before implementation of landscaping.
23	Landscape and habitat (BNG) Maintenance and Management Plan	Before first use/operation



24	Collision Monitoring programme (sHRA mitigation)	Before first use/operation
25	Additional bat surveys if the existing buildings are not demolished by April 2023 identifying any change and necessary mitigation.	Control
26	Operation, Maintenance and Verification Report of constructed Sustainable Drainage System.	Before first use/operation
27	Delivery, Collections and Service Strategy	Before first use/operation
28	Service access and turning facilities to be provided and retained at all times	Before first use/operation
29	Protocol to define and then restrict size and nature of large scale outdoor events to a maximum of 8 within the summer period only in accordance with the HRA.	Before first use/operation
30	Events Management Plan providing require noise assessment and reciprocal noise management practices to mitigate impacts to include flexibility to review for specific events.	Before any event takes place
31	Noise Limit for plant to accord with BS4142 Rating Levels	Control
32	Construction hours limited to 08:00-18:00 Mon-Fri, 08:00-16:00 on Sat and no working Sundays and bank holidays unless otherwise agreed in writing with the LPA (for exceptional reasons).	Control
33	Goods/servicing delivery times restrictions (TBC)	Control
34	BREEAM 'Excellent' standard	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**

<b>Agenda Item</b>	A6
<b>Application Number</b>	21/00784/FUL
<b>Proposal</b>	Erection of 59 dwellings (C3) with associated vehicular and cycle/pedestrian access, parking, land regrading, landscaping, provision of open space and equipped play area and construction of an attenuation basin
<b>Application site</b>	Land Off Ashton Road, Lancaster
<b>Applicant</b>	WVC Lancaster Ltd
<b>Agent</b>	Mr Dan Ratcliffe
<b>Case Officer</b>	Mr David Forshaw
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Approve (subject to s106 legal agreement)

## 1.0 Application Site and Setting

- 1.1 This 2.5ha site is part of the wider policy H6 Royal Albert Fields housing allocation. Therefore, the principle of development is established and the issues to consider relate to those specifically relevant to this proposal as submitted.
- 1.2 The site is located adjacent to and south of the Oakmere Homes' Pathfinders Drive development (also part of the H6 allocation). To the west and south is land and buildings at Canal Bank Stables with Ashford House and Ashford Avenue beyond to the south, to the east is Ashton Road with residential development off Caspian Way opposite. The site is currently green field, used for animal grazing and enclosed by boundary hedgerows and trees. The site slopes up steeply to the west and north to a sloping ridge running north to south.
- 1.3 The site is within a mineral safeguarding area, is subject to up to 25% chance of groundwater flooding and within Smoke Control Area 2. There are protected trees (TPO 269) on the south, east, and part of the north boundaries.

## 2.0 Proposal

- 2.1 The proposal has been amended to reduce the number of dwellings from 64 to 59. All houses are two stories although 22 are split level to deal with the slope. One semi-detached apartment building is split into lower ground and ground in one half and ground and first floor in the other half. The proposed housing mix is:

OCCUPANCY	TYPE	NUMBER	M4(2) ADAPTABLE
1Bed 2Person	Apartments	8	No
2B 3P	Terraced	4	No
3B 4P	Semi (split level)	14	No
3B 6P	Detached	8	No

3B 6P	Detached (split level)	2	No
4B 7P	Detached	6	Yes
4B 7P	Detached (split level)	6	No
4B 8P	Detached	7	Yes
5B 8P	Detached	4	Yes

- 2.2 The houses will be constructed from natural slate to all roofs and a mixed palette of wall materials comprising natural coursed stone, anthracite grey woodgrain finish timber/resin composite vertical cladding and white render with black fascias, barge boards, rainwater goods, windows and doors. The design and materials are similar to the same developer's site at Forrest Heights in Halton.
- 2.3 Vehicular access is proposed off Ashton Road via a new vehicular access north of the Ashton Road/Caspian Way roundabout. The internal road layout is to adoptable standard apart from one cul-de-sac serving 5 houses. Cycle/pedestrian links are shown through to the adjacent Pathfinders Drive development at the end of two culs-de-sac and onto Ashton Road in the southeast corner. Two areas of amenity/play space are proposed totalling 1592m<sup>2</sup>. A surface water attenuation basin and additional planting areas are proposed outside the housing allocation boundary west and south of the site. No buildings are proposed in these areas.
- 2.4 All the dwellings are inward facing apart from a terrace of four houses fronting Ashton Road alongside the site entrance.

### 3.0 Site History

- 3.1 The following applications relate to this site:

Application Number	Proposal	Decision
21/00943/FUL	Siting of a marketing suite and construction of a car park for a temporary period of up to 5 years	Refused
21/00959/ADV	Advertisement application for the display of 2 non-illuminated freestanding signs and 4 flagpoles	Refused
15/01372/FUL	Erection of a detached dwelling and associated access	Refused

### 4.0 Consultation Responses

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

Consultee	Response
United Utilities	<b>Comments made</b> - Drainage scheme unacceptable because insufficient evidence is provided that the drainage hierarchy has been investigated. Standard conditions requested to agree the final scheme. Water main crosses the site so condition requested to agree protection measures.
LLFA	<b>No objection</b> subject to conditions requiring final scheme design (including infiltration test results), management and verification
CSTEP	<b>Comments made</b> Applicant only "aims" to achieve outcomes in ESP rather than a clear written commitment
Civic Society	<b>Objection</b> Described in application as similar to others in the area but it should be better quality and with a more imaginative and spacious layout than this, especially on a sloping site. Increase in traffic on already dangerous road with no footpath in parts; no affordable housing.
Environmental Health Officer	<b>No objection</b> subject to conditions requiring electric vehicle charging points and construction in compliance with the submitted method statement
Natural England	<b>Comments made</b> Agrees with the submitted shadow habitat regulations assessment that homeowner packs will adequately mitigate the adverse effects caused to the protected Morecambe Bay and Lune Estuary sites.

GMEU	<b>Comments made</b> Agree with the overall conclusions of the habitat regulations assessment provided a survey is carried out to check for nesting birds and homeowner packs are provided to residents
Dynamo Cycle Campaign	<b>Objection</b> – No measures are proposed to improve cycling or walking facilities in the area which increases dangers to cyclists and pedestrians in conjunction with other nearby developments and does not address air quality or health issues; premature in advance of Bailrigg Garden Village/Lancaster South proposals;
Conservation Team	<b>No comments to make</b>
Lancaster Canal Trust	<b>No comments to make</b>
County Education	<b>Comments made</b> Contribution of £145,086.78 required for 6 additional secondary school places at present but this is subject to future reassessment
County Highways	<b>No objection in principle.</b> The access location and internal layout are acceptable. Footpath improvements along the site frontage are restricted due to existing trees and acceptable as shown. Accident records follow no pattern and are not of a nature that will be worsened by the development. This is one of a number of developments which will have an influence across the district and will be required to contribute to a combination of measures such as M6 J33 reconfiguration and link road, Bailrigg Garden Village infrastructure, district wide cycle superhighway, public transport and park and ride facilities, City Centre Movement and Public Realm Strategy and other traffic management and key corridor measures. Development of these schemes is ongoing but it will be some months before the details and costs are known. It is expected the developer of this site will confirm commitments to a s106 contribution to these measures. A sustainability assessment has not been completed and further comments will be provided in due course.
Aldcliffe with Stodday Parish Council	<b>Objection</b> - Although the site is outside the parish, traffic will affect roads within it, especially Aldcliffe Lane which is a narrow country lane with occasional passing places, from rat-running, increased traffic, conflict with HGVs
Fire Safety	<b>Standard advice</b>
Policy Team	<b>Comments made</b> Due to lack of a 5 year supply of housing the presumption is in favour of sustainable development and the application should be considered favourably unless material considerations imply otherwise. No improvements are proposed to the local pedestrian or cycle network so the site is poorly connected to local services and contrary to policies H6, DM59 and DM60. Additional evidence is required to justify the abnormal costs and financial appraisal seeking to prove affordable housing provision is not possible. No bungalows and over reliance on larger family houses are provided contrary to the SHMA and policies DM1 and DM3.
Arboricultural Officer	<b>Comments made</b> Positive amendments have been made to the layout following initial objections. However, additional roadside hedgerow will be lost and 5 plots encroach further into the root protection area of 3 trees. As part of my original objection I commented that the mature trees should not be incorporated into the gardens of homes, preventing additional pressure on the trees to be managed in the future. The revised layout has moved housing closer to important roadside trees. The canopies of retained trees are shown dominating gardens, with the trees sitting within falling distance of the houses. These trees have not been positively incorporated into the design of the new development. The landscaping has been improved with regards to the boundary features, with hedgerows to the south and west improved and planted with standard trees, creating good habitat links around the site. Internally, the planting is limited as it is influenced by the layout of the housing, rather than leading the design of the development creating a place for people and wildlife.
NHS Clinical Commissioning Group	<b>Objection</b> unless contribution of £19,868 is secured towards reconfiguration of Lancaster Medical Practice to increase capacity
Lancs Police	<b>Secured By Design advice provided</b>
Public Realm	<b>Comments made</b> Policy H6 requires sufficient levels of open space in accordance with up to date evidence. The development must provide 1089.2 m2 of onsite amenity space, including an equipped play area, and an offsite contribution of £95,092.20 towards outdoor sports (changing facilities at Royal Albert playing fields).

4.2 Objections from 16 members of the public have been received stating:

- **Highways and transport** The A588/Ashton Road is very dangerous with multiple accidents including fatalities, increased traffic, local road network already has standing traffic at peak times and blocked by vehicles at various points, lack of buses
- **Drainage and flooding** Increase in flooding, likely drainage problems
- **Natural Environment** Loss of green fields, effect on wildlife, loss of trees, loss of agricultural land
- **Climate change** Development is contrary to the Council's climate change emergency declaration, no commitment to Future Homes Standard
- **Landscape/design issues** Effect on view from canal, high density with insufficient open space, site steeply slopes increasing visibility of houses,
- **Amenity issues** loss of view,
- **Environmental Issues** Increased air pollution, air Quality assessment contains many inaccuracies, increased light pollution, effect on wind patterns, site was formally a tip, hospital and farm on which chemicals may have been stored
- **Affordable homes** lack of provision
- **Local Facilities** Insufficient in area
- **Other matters** Why is a loss making development going to be built? lack of detail, loss of stables' car park, loss of property value

## 5.0 Analysis

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

- Principle and housing land supply position
- Affordable housing and viability
- Housing Mix
- Layout, design and landscape impact
- Access and transport
- Ecology and trees
- Flood Risk and Drainage
- Other matters

### 5.2 Principle and Housing Land Supply Position (NPPF sections 2, 4 & 5; SPLA Policies SP6 and H6; DMDPD Policy DM1)

5.2.1 The site is allocated as part of the wider H6 former Royal Albert Hospital site. Paragraph 4.4 of the DMDPD states the delivery of allocated sites is a priority for this council having been assessed and concluded to be suitable for residential accommodation and deliverable within the plan period. Policy H6 identifies the whole allocation for delivery of approximately 137 dwellings and a range of infrastructure necessary to facilitate them including that required by SPLA policy SG3 in the South Lancaster Broad Location for Growth. The adjacent pathfinders Drive site has approval for 69 dwellings. The principle of development is therefore established although compliance with the wider policy requirements, including H6, are assessed below.

5.2.2 The National Planning Policy Framework (as updated in 2021) is a material consideration in the determination of planning applications. In this instance, the NPPF reiterates that there is a need to 'significantly boost' the supply of homes and chapter 5 sets out the priorities that LPAs should pursue in delivering an appropriate number of dwellings to meet their objectively assessed need. The most recent five year housing land supply position document (November 2021) confirms that the LPA is not presently able to demonstrate a 5 year supply. As a consequence, there is a clear expectation in the NPPF that residential proposals should be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole (the tilted balance).

### 5.3 **Affordable Housing and Viability (NPPF section 5; SPLA policy H6; DMDPD Policy DM3)**

5.3.1 SPLA policy H6 states that affordable housing requirement and viability matters will be determined in accordance with DMDPD policy DM3. DM3 expects an on-site provision of affordable homes of 30% of the total development unless compelling and detailed evidence demonstrates meeting this requirement would have a disproportionate and unwarranted negative impact on viability. Evidence must be provided through an open book financial viability appraisal.

5.3.2 The application has been submitted with a financial viability appraisal (FVA) demonstrating that no affordable housing can be provided. The FVA illustrates the significant abnormal costs to deal with the site's slope due to a cut and fill exercise and, particularly, the need for retaining structures and split-level houses. In accordance with the emerging Financial Viability Protocol SPD independent viability experts were appointed to review the FVA and their initial conclusion was that the scheme could deliver 30% affordable homes as well as the relevant s106 contributions. This was based on costs calculated by the independent experts using data from the Build Cost Information Service (BCIS) and their experience. The applicant argued that costs specific to the site's constraints were more relevant and submitted a cost plan as an accurate indicator. Given the significant difference in the respective positions an independent quantity surveyor was commissioned to review the cost plan and determine the appropriate costs.

5.3.3 The QS visited the site, assessed the applicant's cost plan and compared that to their own assessment of standard and abnormal costs including rates and quantities. In addition to the costs associated with the slope, a significant price increase was identified for timber frame and insulation materials which may not be reflected yet in the BCIS data. The cost consultant identified over £400k savings in costs compared to the applicant's latest FVA. However, the costs are considerably higher than those used in the original independent review which concluded the development could provide 30% affordable housing. The abnormal costs amount to over £450,000 per net developable acre which are a very significant constraint for a site of this size. A much larger site could more readily absorb such abnormalities without affecting viability to the same degree.

5.3.4 Following the cost analysis, the viability experts have updated their appraisal using the QS's costs but maintaining their own projected sales values. As a result, their conclusion agrees with the applicant that with nil affordable housing but s106 contributions of c. £500k the scheme returns a lower than viable level of developer profit. The applicant's appraisal returns a 2% developer profit whereas the independent appraisal shows a 14.3% profit, albeit assuming a nil land value (which is unrealistic). With a land value included the scheme is unviable even with no affordable housing provided. Minimum viable profit levels are normally accepted as 17.5% on revenue. Therefore, it is agreed by the independent viability expert that the scheme is unable to viably support any affordable housing.

5.3.5 This lack of viability raises the question how/whether the developer can deliver the scheme in light of the potential inability to raise finance. However, this is a commercial decision for the developer who would have to accept a lower overall profit. Given the sales revenue is projected and that costs may reduce if supply and manufacturing conditions improve it is appropriate to include a review mechanism in the s106 to enable affordable housing to be recovered if the development performs better than anticipated. This is in accordance with the government's Planning Practice Guidance on viability.

### 5.4 **Housing Mix (NPPF section 5; SPLA policy H6; DMDPD Policy DM1)**

5.4.1 DMDPD policy DM1 states the Council's support for proposals which ensure land is used effectively taking into account the characteristics of locations and specific circumstances of individual sites including viability. Support is also expressed for proposals that promote balanced communities and meet evidenced housing needs as set out in the latest Strategic Housing Market Assessment. However, it is accepted there may be circumstances where it is not appropriate to provide for the full range of identified needs. Table 4.1 of the DM DPD sets out the indicative mix of properties that the LPA expects proposals to deliver. The comparison with the proposed scheme is as follows:

PROPERTY TYPE	STRATEGIC MARKET HOUSING ASSESSMENT GUIDANCE %	PROPOSED %
House (2 bed)	17.6	6.8
House (3 bed)	36.7	40.7
House (4+ bed)	20.3	39
Bungalow	7.4	0
Flat/apartment	11.8	13.5
Other	6.3	0
TOTAL	100	100

5.4.2 The proposed housing mix deviates from the identified open market housing need (based on household aspiration and expectation). The number of 2 beds is lower and 4 beds' exceed the guidance. There are no bungalows but more flats are proposed and 3 beds are broadly as expected. There is though, an overall mix of property sizes, more so than the adjacent Pathfinders Drive development which provided no 1/2 bed houses and more 4 bed and flats. Furthermore, the proposed layout has been subject to a rigorous review of the applicant's financial viability appraisal which concludes it is not viable to provide affordable housing. Therefore, further increases in cost and/or reduction in revenue by inclusion of bungalows (which will be more expensive to construct on the sloping site), reducing the number of larger and increasing the number of smaller properties is likely to worsen the financial viability position. This may prevent delivery of an allocated site. Therefore, refusal based on the proposed mix is not considered justified given the terms of the tilted balance set out in the NPPF.

5.5 **Layout, Design and Landscape Impact (NPPF sections 2, 5, 11, 12 and 15; SPLA policy H6; DMDPD Policies DM2, DM27, DM29, DM30, DM 45, DM46)**

5.5.1 The layout is heavily constrained by the site's steep slope from a high point of 54.50m AOD at the north west boundary to 35.10m AOD at the south east corner. According to the submitted design and access statement the slope necessitates the building platforms to be located to allow access roads at an adoptable standard gradient. The easiest way to achieve this is to build the rows of houses across the slope on either side of the road which cuts across the slope in two directions (turning back on itself). The resulting layout in plan form is a little uninspired having a long curved road with rows of houses on either side and two short spurs off it. Some lengths of the rows of houses are regimented with fixed building lines. However, there are 9 different house types which are spread out across the site rather than confining certain types to the same areas. There is a mix of materials of render, coursed stone and cladding, including different combinations of materials across the same house types. Most houses include a gable feature facing the road, some with a right angle ridge to the gable, which adds interest and breaks up the bulk of what could otherwise be monotonous frontages at first floor level. The slope itself ensures different ridge heights which adds interest.

5.5.2 Following negotiations to reduce the visual impact of the development and improve interface relationships within the site the finished floor levels near the top of the site have been reduced (plots 30-35) requiring less fill. To reduce the level drop to the rear of these, the floor levels of plots 54-59 have been raised which requires less cut in that part of the site. There is the need for a significant amount of cut and fill to provide suitable development levels enabling drainage and minimising external impact. The main areas of ground reduction are near the top of the slope along the western boundary and in from the north boundary to the middle of the site. Levels will be raised in from the western boundary by up to approximately 1.5m and along the Ashton Road frontage and returning up the northern and southern boundaries by up to 2m.

5.5.3 To maximise and address the inside curve of the road, two blocks of apartments are proposed. These are two storeys in height although one is split level. The benefit of utilising apartments is that no external amenity space standards apply so garden areas are minimal enabling a more efficient use of land on the inside of the road's curve. The apartments are designed internally not to suffer from or cause loss of outlook or light by having all principle habitable windows facing the access road.

5.5.4 The most disappointing part of the layout is that most of the properties along the Ashton Road frontage face away from the road meaning their rear elevations and back gardens are visible from

the main road. Officers have sought amendments to turn these properties to face Ashton Road but this would push the internal access road further into the site, resulting in loss of plots and a more difficult formation of the required development platforms at a higher position on the slope. To mitigate the outward effect the existing boundary hedge along Ashton Road will be retained along with the mature trees as the boundary treatment. This is much more preferable than timber fences and although stone walling was discussed this is not possible due to the foundations damaging roots of the existing trees and hedge. Furthermore, the row of 4 terraced houses has been amended to be sited facing and closer to Ashton Road with parking to the rear which improves that part of the front of the site. Officers reluctantly accept this is the best compromise for the site's frontage and of itself would not justify a reason to refuse the application.

- 5.5.5 Some on-site separation distances fall below the normally required separation distances where rows face each other across the middle and towards the west of the site. Whilst there is generally 21 to 23 metres between dwellings, given the level changes it would have been preferable to increase this up to 30 metres (which is achieved in places). The development has been amended following negotiations to improve distances resulting in additional plots with smaller house types, re-orientation and removal of some plots to provide greater space. Given the sloping nature of the site, need for effective and efficient use of land and the viability case underpinning the development it is accepted that these changes are the best that can be achieved and full separation is not possible. Indeed, the adjacent Pathfinders Drive site has similarly reduced interface distances. Perhaps more important is that adequate separation is maintained with all properties outside the site (12m is provided between proposed blank side elevations and main elevations to the nearest Pathfinders Drive housing).
- 5.5.6 Following negotiations, two areas of open space are proposed. The combined area is 1592m<sup>2</sup> which exceeds the required 1089m<sup>2</sup>. The main play space will be formed of a significant slope but will contain an equipped play area. The other area is more of an amenity space being behind the Ashton Road boundary hedge and trees. Nevertheless, it will provide some value. Overall, Public Realm accepts the location and make-up of the onsite open space.
- 5.5.7 As this is a greenfield site there will inevitably be a significant change to the character and appearance of the locality. However, this is an allocated site, the remainder of which to the north is also intended to be developed. It is important however, to ensure the outward impact on local views from publicly accessible points and longer views across adjacent open land are minimised in the interests of the appearance of the landscape.
- 5.5.8 The submitted landscape and visual impact assessment (LVIA) identifies the site as being within the Morecambe Coast and Lune Estuary National Character Area. Using the Lancashire County Council local character studies, the site is within the character area called Carnforth-Galgate-Cockerham of the wider Low Coastal Drumlins type. The study finds this character type supports an extremely high proportion of built development and recent development and provides a convenient transport corridor. Buildings on top of the drumlins are particularly visible. To conserve and enhance this landscape type it is suggested existing hedgerows and woodland be retained and more planted, new ponds be created, and new development should respond to the local vernacular and provide landscaping.
- 5.5.9 The LVIA identifies 17 viewpoints of between 5m and 1.3km from the site and concludes there will be an immediate change in the site's character, but impact will reduce over time as the planting becomes established. The proposed additional boundary and on-site planting will enhance the setting. There will be some minor effects on the closest residential properties but no effect from further away on Hala Hill. Users of the public footpath network will experience minor effects to start with but this will reduce to negligible as planting matures. Where views are possible, they will be in the context of the existing settlement edge. Overall, the conclusion of the LVIA is that construction and early phase effects will reduce over time.
- 5.5.10 The LVIA assessed the original layout of 64 dwellings. The revised layout has reduced the number of houses, improving the relationship with the external boundaries and provides much more planting. There will inevitably be a major change in the character of the site and locality, but this is expected through allocation as a housing site. The landscape impact has been appropriately assessed and mitigated as much as possible. The inclusion of secured amendments, proposed range of house types, palette of materials and landscaping results in an acceptable layout design given the constraints arising from the site's topography in line with the enhancements suggested in the County



wide character study.

5.6 **Access and Transport (NPPF sections 9 and 12; SPLA DPD policies T2, T4 and H6; DMDPD policies DM29, DM60, DM61, DM62, DM63, DM64)**

5.6.1 **Site accesses and internal road layout** - Vehicle access to the site is proposed via a single new junction on Ashton Road (A588) north of the Caspian Way/Ashton Road roundabout. In this locality Ashton Road is subject to a 30mph limit and has street lighting. A zebra crossing is located on Ashton Road immediately north of Pathfinders Drive. Bus stops in both directions are just north of the zebra crossing. To facilitate the site access junction and visibility splays one tree and a 44m length of roadside hedge will be removed (out of a total site frontage length of 170m). Localised widening of the existing pavement along the frontage will take place. County Highways requested widening of a uniform 2m for the site's frontage but the need to keep the existing roadside hedge and trees means this is possible in places but not others. The footpath will be, as a minimum, widened to 1.5m which is double the existing pavement width. This widening is acceptable to County Highways and will be controlled through the s278 works. Additional footpath and cycle links are proposed onto Ashton Road to the south (albeit not to adoptable standard) and linking with the adjacent pathfinders Drive development in two locations (at the end of both culs-de-sac to the north). The layout provides sufficient off road parking for all plots. One proposed cul-de-sac is not to adoptable standard and will remain in private ownership. County Highways has confirmed the access arrangements and internal access road are acceptable.

5.6.2 **Local Highway Network/Sustainable Travel** - County Highways' review of local accident data shows there have been 2 incidents in the last 5 years which followed no pattern regarding location or time and are not of a nature that would be worsened by this development. There is a range of key facilities accessible by walking, cycling and public transport including 9 primary to university level education establishments, 4 health facilities (including the hospital and a medical practice), 3 retail sites and 3 major employers. There is a network of existing public footpaths and cycle routes and a bus route with stops close by. County Highways has not yet completed its sustainability assessment which will inform whether the proposed additional non-car links are appropriate and any other local highway/sustainability improvements are justified. Members will be updated verbally at the meeting following receipt of this assessment. Any financial contributions towards transport improvements will be secured through the s106 agreement.

5.6.3 **Strategic Transport Matters** – Policy H6 expects development of this site to deliver infrastructure to make it acceptable in planning terms, particularly through appropriate contributions to the requirements of SPLA policy SG3 (South Lancaster). In its response County Highways refers to the fact all development will influence across the district and should contribute towards the combination of measures such as M6 jn33 reconfiguration, infrastructure around Bailrigg Garden Village and connecting corridors and wider cycle superhighway, public transport and City Centre Movement strategies. County confirms in due course the level of those contributions will be shared with the LPA and agreed but in the meantime, it expects the applicant to commit to a s106 contribution towards these strategic measures. Unfortunately, as County recognises in its comments, the development of these measures is ongoing, and it will be some months before this is completed and costs known. While County's stance is understood, developments such as this on allocated sites should not be held up pending completion of this work. Until such time as the precise details of the design and costs of these schemes are known a request such as this does not meet the statutory tests and cannot be justified.

5.7 **Ecology and Trees (NPPF: section 15; SPLA DPD policy H6; DMDPD policies DM44 and DM45)**

5.7.1 An ecological assessment and shadow habitats regulation assessment have been submitted in support of the application. The former found that the site is not recognised as priority habitat or for any statutory or non-statutory importance and there are no statutory sites within 1km. The nearest Biological Heritage Site is Lancaster Canal 200m to the west, but this is separated by a marked difference in ground levels and an intervening field with no direct visual, footpath or hydrological connection. The site is predominantly poor, semi-improved grassland used for grazing but is a habitat for bats, breeding birds and invertebrates. The hedgerows do not qualify as statutorily important. There is negligible potential for trees to support bats. Birds were seen to use the site but

no nests were found. There are no signs of use by badgers.

- 5.7.2 The site is within the lowest tier of the hierarchy of nature conservation sites for its ecological value. The development will result in the total loss of the site level habitat but this will be mitigated and compensated for by the extensive new landscaping proposals comprising of grassed garden areas, over 4000 new shrubs and trees and the SuDS scheme. Overall, a slight bio-diversity net gain will result. Conditions are proposed to address potential nesting birds, transplanting of the removed hedgerow, low impact lighting and ensure the landscaping is carried out.
- 5.7.3 The shadow habitat regulations appropriate assessment has been reviewed by Natural England and GMEU which both concur with its findings that increased recreational pressure on the protected Morecambe Bay and Lune Estuary sites can be mitigated by issue of homeowner packs. As competent body responsible for such an assessment the LPA has been advised by Natural England and GMEU to adopt the shadow assessment. A condition is proposed requiring homeowner packs.
- 5.7.4 The on-site trees are found on the borders and most are protected. The layout will result in the felling of 7 trees to facilitate the development. Four of these trees are in impaired or poor condition and not suitable for long term retention in any case. Their loss is mitigated by replacement planting within the landscaping scheme. A further 6 trees are potentially affected by development within the root protection zone. Where this occurs digging will be carried out by hand in accordance with the arboricultural impact assessment. There is a concern about future pressure to prune or remove trees which overshadow gardens and it would have been preferable to have greater space around the trees. In response the applicant's arborist considers the pressure is limited because as mature trees their canopies are not likely to increase in size so future levels of shading will not worsen. The LPA has control over pruning of protected trees.
- 5.8 **Flood Risk and Drainage (NPPF: section 14; SPLA DPD Policies H6 and SP8; DMDPD policies DM33, DM34, DM35; Strategic Flood Risk Assessment (October 2017); Surface Water Drainage, Flood Risk Management and Watercourses Planning Advisory Note (PAN) (2015)**
- 5.8.1 The site is within flood zone 1 and is at a low risk of all types of flooding. The site's slope and soakaway tests suggest it is not appropriate for infiltration drainage. Connection to the nearest watercourse (Lancaster Canal) is not feasible due to the distance and need to pump. Therefore, the proposed drainage strategy is for a piped network restricting flow to existing greenfield rate to enter an attenuation basin south of the site. The outfall from this will combine on site with foul water prior to connecting into the existing combined sewer network in Ashton Road.
- 5.8.2 Both United utilities and the LLFA request imposition of conditions requiring submission of a final drainage design. The LLFA express this in terms of complying with the submitted strategy although United Utilities state the strategy is unacceptable due to lack of proof the drainage hierarchy has been fully assessed. Although such a different approach is unhelpful, it is appropriate in this case to impose conditions as neither have suggested there is no acceptable technical solution to draining the site.
- 5.9 **Other Matters**
- 5.9.1 Education and Health (DMDPD policies DM1, DM57 and DM58) - As with previous applications on the wider allocation, there has been concern raised with respect to education provision locally. The County Council has confirmed as of November 2021 there needs to be a contribution of £145,086.78 towards the delivery of 6 secondary school places. They have advised that there is currently projected to be sufficient capacity within the local primary school network in 2026. This will be reviewed before the s106 is completed.
- 5.9.2 The NHS request for contributions cannot be accepted at this time. No evidence has been provided by the NHS justifying the need or cost for the proposed works to the medical centre. Accordingly, the request does not meet the required CIL regulations tests.
- 5.9.3 Air Quality (SPLA Policy EN9; DMDPD Policy DM21) - The site is not located within any Air Quality Management Area (AQMA) but given the level of traffic anticipated from the development and the proximity to both the city centre and Galgate AQMAs, an Air Quality Assessment (AQA) has been undertaken. The AQA addresses air quality impacts during construction and the operational stages

of development and concludes basic plus further mitigation measures are required including electric vehicle charging points to each property, an emissions management plan, promotion of car clubs and active travel options and use of low emission boilers. The Environmental Health Officer concurs with these findings and requires implementation of the identified measures by condition.

- 5.9.4 Reducing Carbon Emissions (DMDPD policy DM30) – the design of the houses incorporates a series of fabric and building service enhancements which will provide better than current minimum building regulation standards and will meet or exceed proposed Future Homes Standards. Main design features used to achieve this are management of solar gains through east/west alignment of most houses, use of large windows and reduction of thermal bridges. Use of air source heat pumps is being explored.
- 5.9.5 The EHO confirms no issues are anticipated relating to noise or contamination.
- 5.9.6 Cultural heritage – Although part of the wider H6 allocation, this part of the site does not directly affect the listed buildings of Derby Home, agricultural buildings associated with the former Royal Albert Hospital or Storey Home or non-designated heritage assets along Ashton Road in the way the Pathfinders Drive application had the potential to. That site separates the listed heritage assets from the current application site so it is not considered the relationship is a material consideration in this case. Reference is made here purely to inform members of the difference with the Pathfinders Drive proposal.

**6.0 Conclusion and Planning Balance**

- 6.1 This is part of an allocated site in the local plan, the rest of which has planning permission. A lack of viability has been demonstrated through a rigorous assessment by independent external experts so the non-provision of affordable housing has been justified in accordance with policy. The layout is heavily constrained by the steep topography of the site and while it could be improved, this would likely reduce the number of units and viability even further. At a time when the council cannot demonstrate an adequate supply of housing refusal on this basis is not justified.
- 6.2 On the whole, the development is acceptable in terms of appearance of the dwellings and wider landscape impact. Financial contributions are required to mitigate impacts on recreation and education and further requirements to improve sustainable travel and local highway improvements will be reported verbally at the meeting.
- 6.3 There are no material considerations which alone or cumulatively outweigh the presumption in favour of granting permission for development of this allocated site as set out in the NPPF.

**Recommendation**

That Planning Permission BE GRANTED subject to a s106 legal agreement to secure

- £145,086.78 for provision of 6 secondary school places;
- £95,092.20 towards outdoor sports provision (changing facilities at Royal Albert playing fields);
- Highways/sustainable travel contribution (to be confirmed by the Highway Authority)
- On site play area
- Long term maintenance of landscaping, open space and non-adopted drainage and highways and associated street lighting
- Viability review mechanism with ability to achieve affordable housing contributions if viability improves sufficiently

and the following conditions:

Condition no.	Description	Type
1	Standard Timescale – 3 years	Control
2	Approved Plans	Control
3	Submission of SW Drainage Scheme	Pre-commencement
4	Submission of foul water scheme	Pre-commencement

5	Street Management/Maintenance	Pre-commencement
6	Water Main Protection	Pre-commencement
7	Employment and Skills Plan	Pre-commencement
8	Access/Off Site Highway Works	Pre-commencement
9	Boundary Details	Above Ground
10	Estate Road Construction	Above Ground
11	Scheme for cycle provision and refuse	Above Ground
12	Lighting scheme	Above Ground
13	Electric Vehicle Charging Points	Above Ground
14	Scheme for frontage Hedgerow to be transplanted and gapped up	Above Ground
15	Materials Sample Panels	Above Ground
16	Drainage Maintenance and Verification	Prior to Occupation
17	Visibility Splays	Prior to Occupation
18	Homeowner Packs	Prior to Occupation
19	Approved Landscaping Implementation	First planting season
20	Nesting Birds	Control
21	Wheel washing	Control
22	In Accordance with Ecological Mitigation Measures	Control
23	In Accordance with FRA	Control
24	In Accordance with Energy Statement	Control
25	Hours of Construction	Control
26	In accordance with approved Construction Phase Surface Water Management Plan	Control
27	In Accordance with Approved AIA	Control
28	Retention of trees and hedgerows	Control
29	NDSS/M4(2)	Control
30	In accordance with Construction Phase SW Management Plan	Control
31	Remove boundary PD for frontage plots	Control
32	Remove PD Rights	Control
33	In Accordance with Air Quality Mitigation Details	Control
34	In accordance with Construction Method Statement	Control
35	Unforeseen Contamination	Control
36	In Accordance with Travel Plan framework	Control

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

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**

<b>Agenda Item</b>	A7
<b>Application Number</b>	20/01265/FUL
<b>Proposal</b>	Erection of a two storey building comprising 10 studio flats (C3) for student accommodation, removal of existing boundary wall, construction of bin store, bike store and boundary wall and installation of an attenuation tank
<b>Application site</b>	Car Park Adj 13 Sun Street Lancaster
<b>Applicant</b>	Ashton Homes (Lancashire) Ltd
<b>Agent</b>	Mr Michael Harrison
<b>Case Officer</b>	Mr David Forshaw
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Approve

## 1.0 Application Site and Setting

- 1.1 This is a 267 sqm site currently used for car parking at the north end of Sun Street. It is bounded by Sun Street to the west, the former RBS bank fronting Church Street to the north, commercial and student accommodation fronting New Street to the east and to the south is a pedestrian access serving the rear of, and beyond is, a row of buildings fronting and extending south along Sun Street. On the opposite side of Sun Street is the beer garden rear of the Sun Inn, the entrance to Back Sun Street and the end terraced property of the row on that side of the street. All surrounding properties are three storeys in height and constructed of stone under natural slate roofs with painted stonework to the former RBS bank and a small amount of concrete render to the rear of two New Street properties.
- 1.2 The site is within the Lancaster Conservation Area and all surrounding buildings apart from 10 New Street are Grade II listed. It is also within the Smoke Control and Air Quality Management Areas and at risk of 25-50% groundwater flooding.

## 2.0 Proposal

- 2.1 Redevelopment of the site is proposed with a 2 storey building providing 10 studio flats for student accommodation. The first floor units include mezzanine gallery bedrooms in the roof space. The ground floor studios will be accessed directly from Sun Street. The first floor studios will be accessed via the existing alley along the southern boundary to an enclosed staircase which opens into a corridor at the rear of the building. The rear yard will contain bin and cycle stores and a below ground attenuation tank for surface water collection and connection to the mains system in Sun Street.
- 2.2 The revised design of the building breaks up the mass into three distinct sections which appear from the front as 4 separate dwellings of differing status. This enables the building to step up with the slope of Sun Street. The front and north elevations will be constructed from coursed natural ashlar stone to match the surrounding buildings. The rear and south elevations will be white, rough render.

The roof will be Burlington regular sized natural slate and windows and doors will be grey powder coated aluminium. A black finish is proposed for the flush fitting roof lights, gutters and rainwater goods, bike store frame and roof and yard gates. External areas will be stone flagged and random stonework used in the yard wall.

### 3.0 Site History

3.1 The following relevant applications relating to this site have previously been received by the Local Planning Authority:

Application Number	Proposal	Decision
18/01285/PREONE	Erection of a three storey apartment block comprising up to 9no. two-bed units	Advice Provided
20/00431/FUL	Erection of 15 studio flats (C3) for student accommodation, construction of bin store, bike store and boundary wall and installation of an attenuation tank	Withdrawn

### 4.0 Consultation Responses

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

Consultee	Response
Conservation	<b>No objection</b> The intense siting of studio apartments remains a concern but in design terms the development has improved. Amendments have improved the quality of design and better relate it to the historic context. Concerns remain about the rear elevation and some detailing which can be conditioned
County Historic Environment Team	<b>Comments made</b> Requests condition for pre-commencement written scheme of investigation due to potential for evidence of previous settlements to be found.
County Highways	<b>No objection</b>
NHS CCG	<b>Objection</b> unless contribution of £1,608 is made towards extension and reconfiguration at King St surgery and Queen Sq Medical practice
Natural England	<b>Comments made</b> Agrees with HRA/AA to impose a condition requiring homeowner pack and information in communal area regarding recreation pressure on Morecambe Bay designated sites.
Waste and Recycling Officer	<b>Advice provided</b> on waste requirements
Fire Safety	<b>Standard comments</b> provided
Police	<b>Secured by Design advice provided</b>
LLFA	<b>No objection</b> subject to standard conditions
Environmental health Officer	<b>No objection</b> Double glazing with acoustic trickle vents to be installed to mitigate noise and air quality issues for occupants
United Utilities	<b>No objection</b> subject to standard conditions
Civic Society (on original scheme)	<b>Comments made</b> welcome site being developed but there is a surplus of student housing already and would prefer to see it for town houses; bland exterior design not respecting style of nearby buildings; poor detailing and materials; insufficient internal light; photographic record of rear of New Street properties should be carried out
Lancaster University	<b>Comments made</b> want to see evidence of supply and demand; accommodation should be developed under the LU Homes remit and safety, lighting and amenity considerations.

4.2 Responses have been received from 15 members of the public including the City Centre Residents Association making the following points:

- Current empty plot detracts from the conservation area
- Saturation of student accommodation within 100m radius (contrary to local plan)
- No need for further student accommodation

- negative impact on conservation area and listed buildings
- increase in environmental health issues from waste disposal
- loss of privacy
- light loss/overshadowing
- access problems on Sun Street
- Preferred alternative uses as green space, town houses or car park
- Loss of boundary wall will affect access
- Intensive use with no parking or servicing
- Poor internal layout
- LCC should produce a development brief for the site
- Too close to pub beer garden resulting in loss of its character
- Inadequate analysis of noise
- Noise disturbance caused by students
- Noise disturbance on students
- Current sewer issues
- Fails Secured by Design principles
- Residential upper floor use on New Street, particularly a rear facing bedroom, in which the occupants will be subjected to loss of light and construction noise, especially while studying.

## 5.0 Analysis

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

- Principle of development
- Layout, design and heritage
- Neighbour amenity
- Internal space standards and occupier amenity
- Air quality, drainage, ecology and highways

### 5.2 Principle of development (NPPF sections 2, 8, 9, 11, 12 and 16; SPLA DPD Policies SP1 and SP2; DM DPD Policies DM1 and DM7)

5.2.1 As a city centre site, the location is sustainable as set out in policy SP2 of the SPLA DPD and the NPPF. The broad principle of purpose-built student accommodation is covered by policy DM7 of the DM DPD which states proposals will generally be considered favourably subject to meeting 8 criteria and other relevant policies. The first criterion in DM7 is that student accommodation should be located on campus or within or adjacent the city centre and not on an allocated housing site. The proposal is therefore locationally acceptable in principle. The other policy considerations are assessed in this report.

5.2.2 There have been a number of large-scale student schemes approved in the city centre and some concerns have been raised in the consultation responses, in particular from Lancaster University, about the need for this development. The Council engaged with Lancaster University during the preparation of the Local Plan, but LU did not provide evidence on projected student numbers or the need for accommodation on campus or in the city centre. There is no evidence available to suggest that there is no longer a need for the accommodation which would warrant a refusal on this basis.

### 5.3 Layout, design and heritage. (NPPF sections 12 and 16; SPLA policy SP7; DM DPD policies DM29, DM37, DM38, DM39, DM42)

5.3.2 When making a decision on a planning application for development that affects a listed building or its setting, a local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Preservation in this context means not harming the interest in the building, as opposed to keeping it utterly unchanged. This obligation, found in sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, applies to all decisions concerning listed buildings. In addition, section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on the LPA to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area in exercising planning functions. These provisions have been

factored into the determination of this planning application and the requirements have been duly considered by Officers in making this recommendation to Members.

- 5.3.3 In conjunction with the NPPF, policy DM29 seeks to secure developments which contribute positively towards the identity and character of the areas in which they are proposed. Good design should respond to local distinctiveness and in locations such as the historic core of Lancaster, a focus on an appropriate palette of materials will be important. The revised NPPF also places an increased focus on good design through advocating 'beautiful' buildings and places to reside. In this instance, given the site's location within the Conservation Area and the proximity of adjacent listed buildings, the importance of appropriate design is heightened further. In addition, DM DPD policies DM38 and DM39 are also relevant to this proposal. NPPF Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 5.3.4 Lancaster Conservation Area was designated for its Roman and medieval origins which have been overlain with Georgian, Edwardian and Victorian buildings with varying architectural styles. This site is in the City Centre Character Area which retains the medieval street layout with a fine grain of sandstone buildings. Sun Street was laid out in c.1797 in the garden of a former house on Church Street and is associated with the growth in merchants' wealth. The street is characterised by Georgian 3 storey sandstone ashlar buildings of Neo-Classical design opening directly onto the highway. The two terraced rows on Sun Street, 2 Church Street, Sun Inn and 6 and 8 New Street are all Grade II listed buildings. The significance of all these buildings is derived from, inter alia, retention of historic fabric and layout, association with the growing wealth in the C18th including development of commercial uses and Georgian townhouse style with Neo-classical influences. Their setting is provided by the surrounding urban landscape and, where relevant, the fine grain of Sun Street and collection of Georgian townhouses which make a positive contribution to their significance as listed buildings.
- 5.3.5 The rear elevations of the New Street properties are visible from the site but do not make a strong contribution to the significance of the listed buildings as they are not designed to be prominent. Historically there appears to have been 4 buildings on the site (shown on the c.1890s OS map). The current car park use for the site does not make a positive contribution to the setting or significance of the surrounding listed buildings or significance of the Conservation Area. It is an empty plot which forms a physical break in the dense and fine urban grain of the narrow Georgian street and the tarmac surface does not relate to the historic character. The current site detracts from the urban character and appearance of the conservation area and does not make a positive contribution to the setting of the surrounding listed buildings.
- 5.3.6 The agent has commented on the revised design: "*The design draws on a mix of modest workers dwellings with paired entrance doors either side of a party wall and simple hole in the wall windows. Adjoining and enclosed is a more substantial gentleman's residence with a finely detailed ashlar facing including stone door and window surrounds. The ridge height/massing of the elements has been broken by using first the fall along the street frontage, an increased floor to floor height of the gentleman's residence, stone copings with kneelers at the change in roof heights and the addition of chimney stacks reinforcing the individual elements making up the overall frontage.*" The revised scheme is an improvement on earlier iterations. The altered front elevation window arrangement and design, part increase in ridge height, breaking up into three discrete elements, introduction of coped gables and chimneys, the stepping of the building up the street and the use of stone surrounds to windows all help to improve the quality of the design and better relate it to its historic context. From a historical design perspective, it would be better if the building was 3 storeys to reflect the surrounding buildings. However, due to modern daylight and sunlight needs an additional floor could result in unacceptable loss of light to 10 New Street. The Conservation Officer has commented on the impact of the dense studio apartment proposal on the form of development in layout terms. The LPA must consider the effects of the development as submitted and it is the case that no objections have been raised from a heritage perspective to the layout. Further consideration of the consequences of the layout in neighbour amenity terms is set out below. The current amended proposal is considered a good compromise of making effective use of the land while minimising outward impact which enables appropriate re-development, ridding the conservation area of a negatively impacting site.



- 5.3.7 The rear elevation has been further amended to improve the window design and proportions as they are viewed from the listed buildings on New Street. The agent has confirmed roof materials will be a high quality uniform sized Burlington slate. Further Conservation Team comments on these changes will be reported verbally. The proposed use of high quality natural slate and coursed sandstone, the building opening directly onto Sun Street, stepping up the slope, revised window and elevation design and overall proportions now reflects the character of the conservation area and setting of surrounding listed buildings. Subject to acceptance of the latter further amendments it is considered the scheme meets the statutory and policy requirements relating to developments in the conservation area and affecting the setting of listed buildings and is therefore acceptable in design and heritage terms.
- 5.4 **Neighbour amenity** (NPPF section 12; DMDPD policies DM7 and DM29)
- 5.4.1 To the rear are properties fronting New Street which are primarily in commercial, town centre uses: shops, dentist, beauty salon and restaurant. They have ground floor rear yards and extensions up to the boundary and rear facing upper floor windows overlooking the site serving storerooms, staff rooms and operational floorspace. The upper floors of 10 New Street are student accommodation and have rear facing living room, bedroom, bathroom and stair windows. The rear of no 1/2 Church Street (former RBS) has a ground floor extension up to the boundary with rear facing upper floor windows. The gable end of 13 Sun Street to the south is blank. Buildings on the opposite side of Sun Street have ground and upper floor windows facing the site. Properties on Sun Street are a mix of residential and commercial.
- 5.4.2 The layout of the development will bring the building close to the facing windows in the main rear elevations of the New Street properties: 4.75m from no 4; 6.9m from no 6; 6.3m from no 8 and 6.8m from no 10. This is much closer than normally expected and the relationship requires careful consideration. All windows in the rear elevation of the proposed studio apartments will be obscure glazed so no overlooking will occur.
- 5.4.3 The biggest concern relates to the effect from loss of light/overshadowing on living conditions of occupiers of the student accommodation in the upper floors of 10A New Street. This point has been the subject of much of the neighbour objection to the proposal. To address this a daylight/sunlight assessment has been carried out by the applicant's expert consultant using the numerical tests set out in the current Building Research Establishment guide to good practice in the context of the NPPF. The BRE guide states that windows to rooms requiring daylight (habitable rooms) should be assessed but not bathrooms, stores or circulation areas. However, all windows in the front and rear elevations have been assessed including to living, dining, kitchen, bedroom, bathroom and staircase areas within the student accommodation. The results of the assessment show that all windows with a requirement for daylight and sunlight pass the range of tests set out in the good practice guide and the development will have a low impact on light receivable at the student accommodation. The proposed development therefore satisfies the BRE direct sunlight to windows requirements.
- 5.4.4 The BRE guide states the tests may be applied to non-domestic buildings where there is a reasonable expectation of daylight such as schools, hospitals, hotels, small workshops and some offices (although the latter is not defined and practice dictates no commercial premises are subject to the tests). Due to the commercial use of the other buildings in New Street there is no loss of amenity caused that would justify refusal because of their use. No objections have been raised by any of the buildings' occupants.
- 5.4.5 Across Sun Street the building will face the side/rear of the Sun Inn and beer garden and no 10 Sun Street, currently being converted to studio apartments (albeit without the relevant permissions). The window to window interface distances with 10 Sun Street are 5.7m, significantly below that normally required. However, this is an area characterised by an existing dense pattern of development with reduced separation distances between adjoining properties accepted as the norm. As a result of the prevailing built form and reduced separation, there is a similar degree of mutual overlooking already established between surrounding buildings. The new building will result in a change in the outlook and visual amenity for a number of occupants but given the urban nature and built form of the locality, this is not judged to be a significant constraint or justifiable reason for refusal.

5.5 **Internal space standards and occupier amenity** (NPPF section 12; DMDPD policies DM7 and DM29)

5.5.1 The submitted plans demonstrate the requirements of appendix G of the DMDPD are achieved with respect to internal spacing standards and provision of facilities. Four of the five ground floor units achieve light through both front and rear elevations. One ground floor unit has no rear window so light is achieved through the open plan studio from the window at the front. The first floor flats achieve light to the main living areas through two windows to each in the front elevation and from rooflights above the mezzanine level to the bedrooms. The lack of natural light to the bedroom of one unit is not sufficient to justify refusal. All units have adequate outlook over Sun Street through either one or two windows. External cycle and refuse storage and secure access is provided.

5.5.2 Due to the proximity of the Sun Inn's beer garden a noise assessment has been carried out to ensure amenity of future occupiers is not adversely affected which could lead to complaints against the pub's use of the outside area, threatening its ability to trade. Due to current abnormal trading conditions for hospitality venues "likely" effects are assessed based on experience rather than actual noise readings which may underestimate the position. The assessment's conclusion is that noise levels from the pub are unlikely to reach the noise level that hearing protection is advised. The beer garden wall acts as a noise barrier, especially for the ground floor units which are closest to the source. With closed windows the residual noise levels would be well below the current guidance for acceptable conditions. Therefore, double glazed, non-opening windows with trickle vents retained to the front elevation will provide adequate noise mitigation and should not result in nuisance for occupiers. The Environmental Health Officer agrees with the conclusions and proposed mitigation, which is subject to condition to agree details.

5.6 **Air quality, drainage, ecology, energy and highways** (NPPF sections 8, 9, 14 and 15; DMDPD policies DM30, DM31, DM33, DM35, DM44, DM60, DM62 and DM63)

5.6.1 Air quality – The site in the city centre is inherently sustainable, enabling use of a choice of non-car modes of travel. Measures to protect occupants from air pollution are the same as for noise mitigation.

5.6.2 Drainage – The outline drainage strategy is to discharge surface water into the combined existing sewer in Sun Street at an attenuated rate via an on-site underground storage tank. This is acceptable to United Utilities and the LLFA subject to standard conditions.

5.6.3 Ecology – There are no on-site ecological considerations. There is the potential for additional recreational pressure on the designated Morecambe Bay sites which can be adequately mitigated through provision of ecology packs and information to all future occupants.

5.6.4 Energy – The building will be designed with fabric first measures to reduce carbon, utilising high levels of insulation and natural materials capable of future recycling. Double glazing with trickle vents will account for solar gain. Given the constrained site area no other energy saving measures are proposed.

5.6.5 Highways – No parking is provided which, in the city centre, is acceptable. An review of street lighting and traffic regulation orders is required which is conditioned.

5.7 **Other matters**

5.7.1 The NHS request for contributions cannot be accepted at this time. No evidence has been provided by the NHS justifying the need or cost for the proposed works to the medical centre. Accordingly, the request does not meet the required CIL regulations tests.

**6.0 Conclusion and Planning Balance**

6.1 This development represents re-use of a previously developed site which currently detracts from the character and appearance of the conservation area and adversely affects the setting of several listed buildings. In principle, the development is acceptable and the requirements of DM7 and appendix G are met. Any concerns about the scale and layout and impact on surrounding uses are outweighed by the benefits it brings. Remaining concerns about design details can be appropriately conditioned.

**Recommendation**

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Standard Timescale 3 years	Standard
2	Amended Plans	Standard
3	Archaeology Written Scheme of Investigation	Pre-commencement
4	Submission of SW Drainage Design	Pre-commencement
5	Construction Phase SW Management Plan	Pre-commencement
6	Construction Traffic Management Method Statement	Pre-commencement
7	Off Site Highway Works	Above ground
8	Materials Samples	Above ground
9	Submission of stone details	Above ground
10	Details of vents/flues/verges/eaves/windows/doors	Above ground
11	Security measures	Above ground
12	SW Drainage Management Plan/verification	Prior to occupation
13	Ecological Packs	Prior to occupation
14	Details of Double Glazing/Trickle Vents	Prior to occupation
15	Obscured Glazing	Prior to occupation
16	Provision of Cycle Storage	Prior to occupation
17	Separate Drainage Systems	Control
18	In accordance with FRA	Control
19	Unforeseen Contamination	Control
20	Hours of Construction	Control
21	Restriction to Students Only	Control
22	No outside storage	Control
23	Conservation rooflights	Control
24	In accordance with energy statement	Control

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

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**

<b>Agenda Item</b>	A8
<b>Application Number</b>	21/01405/FUL
<b>Proposal</b>	Construction of a new pumping station comprising inlet and outlet headwalls and a fenced compound with control kiosk, with below-ground pipework connections and associated infrastructure
<b>Application site</b>	Proposed Pumping Station Caton Road Quernmore Lancashire
<b>Applicant</b>	Mr G Bowker
<b>Agent</b>	Mr Russell Spencer
<b>Case Officer</b>	Ms Charlotte Greenhow
<b>Departure</b>	Yes
<b>Summary of Recommendation</b>	Approval subject to no objection from Natural England

## 1.0 Application Site and Setting

- 1.1 The application site relates to 0.07-hectare area of land located close to the southern bank of the River Lune within the Riverside Park Industrial Estate. It is situated directly adjacent to the River Lune and River Lune Millenium Footpath to the north and is separated by an approx. 2m high flood defence wall. The River Lune itself is heavily tree lined along the embankment. The site currently comprises of a gravel-surfaced parking area associated with an existing haulage business. Other industrial/warehouse units are located in close proximity. Directly adjacent to the site to the east lies an existing water course which currently dispenses downstream water from the nearby golf course and surface water from the industrial estate into the River Lune.
- 1.2 The site is located within Flood Zone 3, an Air Quality Management Area, and Mineral Safeguarding Area designation. The Duddon Estuary Special Protection Area, Morecambe Bay Ramsar Site, and Morecambe Bay Special Area of Conservation are located approximately 3.1km away. The River Lune is classed as a Biological Heritage Site. The nearest listed building is the Grade I Lancaster Canal Lune Aqueduct approximately 190m to the south-west.

## 2.0 Proposal

- 2.1 Planning permission is sought for the construction of a new pumping station comprising inlet and outlet headwalls and a fenced compound with control kiosk, with below-ground pipework connections and associated infrastructure.
- 2.2 The new pumping station compound will comprise of a below-ground valve chamber and wet well with associated pipework connections to the inlet and outlets. Access will be restricted through the installation of a 2.1m high paladin style fence, with a 1m wide pedestrian gate inserted to the

western side. The proposed valve chamber will measure approximately 2.4m x 2.4m and the proposed wet well will have an internal diameter of 3.6m, both of which will be located underground with only a ground hatch/cover visible. A new control kiosk will be installed on a concrete plinth and will measure 2.1m in width, 0.6m in depth, and 1.75m in height. This will likely be constructed from dark-green glass reinforced plastic.

- 2.3 A new pre-cast inlet will be installed in the bank of the existing drainage channel. This will comprise of a pre-cast concrete headwall structure with an integrated steel trash screen. A new pre-cast concrete outfall will be installed on the riverbank. This will include a flap valve and associated pipework and pumping infrastructure. A low 1m high timber fence will sit atop the outfall structure.

### 3.0 Site History

- 3.1 A number of applications relating to the Lancaster Flood Risk Management Scheme (FRMS) have been previously received by the Local Planning Authority. The most relevant applications include:

Application Number	Proposal	Decision
16/01039/FUL	Erection of a pump house	Granted
18/00751/FUL	Erection of flood defence walls, security fences, lighting columns, alterations to footpaths and demolition of former pumping station and storage tanks	Granted
19/00046/FUL	Creation of a car parking area, HGV loading bays, a new internal road layout, installation of a new weighbridge, erection of perimeter fencing, access gates and alterations to drainage	Granted
20/01123/PAD	Prior approval for demolition of three pump houses	Prior Approval Granted

### 4.0 Consultation Responses

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

Consultee	Response
Environment Agency	<b>No objection</b> , advice provided.
Greater Manchester Ecology Unit	<b>No objection</b> subject to conditions.
Environmental Health Public Realm Officer	<b>No objection</b> subject to contamination land condition requiring on-site investigation.
Public Rights of Way	No response within statutory timescales
Ramblers Association	No response within statutory timescales
County Highways	<b>No objections</b> . Recommends advice note in relation to the Public Right of Way.
Mineral Safeguarding	No response.
Lune River Trust	No response.
Canal and Rivers Trust	No comments.
Lead Local Flood Authority	No comments.
Cadent Gas	<b>No objection</b> . Informative note required.
Property Services	No response.

Dynamo	No response.
Natural England	Comments awaited, and will be reported verbally to councillors
Arboricultural Officer (via email)	<b>No objection.</b>
United Utilities	<b>No objection</b> , however, highlights that a public sewer and an easement crosses the site which may result in the modification or diversion of the site layout. Councillors will be verbally informed of this.

4.2 No public representations have been received.

## 5.0 Analysis

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

- Principle of development
- Design, appearance and impact on heritage
- Impacts on trees
- Ecological impacts
- Highways and access

5.2 **Principle of development (NPPF paragraphs 7-10, 11-14, 47-50, 81, 92, 94, 96 and 98, 126-131, 153, 174, 179-182; policies DM26, DM29, DM33, DM36, DM43, DM44, DM45, DM61 of the Development Management DPD, and policies SP1, SP7, SP8, EC1, EC5, EN7, EN9, SC3, T2 of the Strategic Policies and Land Allocations DPD.**

5.2.1 There is a long-established employment area along the eastern side of the cycle path that benefits from strong transport links to Lancaster City Centre, the M6 and the Port of Heysham. Serious flooding in December 2015 affected a number of parts of the district, including the immediate area around Caton Road. There was also disruption caused due to flooding at the junction of Halton Road, Mainway and Aldrens Lane during this flood event. The submission explains that while activities have gradually resumed, some businesses have moved away and those that remained have reported difficulties in securing ongoing flood insurance.

5.2.2 In response, the City Council has worked in close partnership with the Environment Agency (EA) to deliver the Caton Road, Lancaster Flood Risk Management Scheme (FRMS). The scheme entailed constructing a flood wall along the left bank of the River Lune which was completed in December 2020 and provides 2.8 kilometres of improved flood defences, significantly reducing flood risk to the area, protecting businesses, and helping to safeguard more than 2,000 jobs. However, whilst flood risk had been greatly reduced, there still remains to a residual risk of surface water flooding. This is due to the current gravity-fed outfall which can only discharge when the River Lune is below the level of outfall meaning surface water can build up behind the flood wall. As a result, the proposed pumping station will help to manage the residual risk of surface water and address existing issues with surface water drainage.

5.2.3 Based on the above, there is clear, strong justification for the proposals on the basis of protecting a designated employment site on Caton Road as well as housing and commercial units on the western bank of the river. The principle of the proposal is therefore deemed to be acceptable.

5.3 **Design, appearance and impact on heritage (NPPF paragraphs 126-132, 174, 189, 194-197, 199-202; policies DM26, DM29, DM37, DM49, DM45, DM46 of the Development Management DPD)**

5.3.1 New developments are expected to contribute to improvements and enhancements of the public realm in accordance with policy DM26. Policy DM29 states that new development should be as sustainable as possible and make a positive contribution to the surrounding landscape. These provisions are also reflected within section 12 of the NPPF which seeks to achieve well-designed places.

5.3.2 Given the nature of the development, the majority of the proposal will be concealed beneath the ground, with only the operating control kiosk, compound fence, and ground grid/covers visible within

the industrial estate. On the embankment side, the outfall head wall will be built into the side of the riverbank and will feature a 1.1m timber fence above for safety.

5.3.3 The overall development is small scale and akin to the industrial character of its surroundings. It will be mainly concealed from the adjacent public footpath by the existing flood defence wall with only the compound fence partly visible through the railings. The applicant has confirmed (via email dated 11.01.2021) that the fencing will be 'Securifor 3D' (or similar) colour 'black' (to match adjacent flood wall fencing colour) and 2.1m in height. Given its siting and similar appearance to that already in place, it is not thought that the development would appear intrusive or out of place. The industrial estate itself is restricted to the public and is only accessible via employees of the businesses in the area. In terms of the outfall head wall and safety fence, these will be mainly concealed from view from the existing vegetation and undergrowth along the riverbank. As such, it is not considered that the development would result in any harm to the visual amenity of the area.

5.3.4 The proposed development will lie approximately 190m away from the Grade I Listed Lancaster Canal Lune Aqueduct to the south-west. However, given its overall small scale, the fact the majority of the development is located underground, and its siting within an existing industrial estate with a number of industrial/warehouse uses in the close proximity, it is not thought that the development would result in any harm to the character, setting or significance of this heritage asset.

5.4 **Impact on trees (NPPF paragraphs 131, 174, 180; policies DM44, DM45, DM46 of the Development Management DPD)**

5.4.1 The application has been accompanied by an Arboricultural Report. This highlights that the development will result in the loss of one category C tree as well as a number of smaller self-set trees, briars and shrubs. In terms of this, it is noted that the application site is not located within a Conservation Area nor are the trees protected under a Tree Preservation Order. In addition, a category C tree is recognised as an unremarkable specimen of very limited merit that only offers low or temporary benefit.

5.4.2 The Arboricultural officer was consulted on the scheme and presented no objections; citing that the route chosen appears to have kept tree losses to a minimum and the proposed tree protected is appropriate and will protect the retained trees in the area. However, details of a landscaping scheme have been requested including compensation for the felled tree and the reinstatement of the flood defence wall planting. This was relayed to the agent, who instead specified that the removal of the proposed category C tree has no implications for tree cover at the site and so no compensatory planting is considered necessary in this case. Furthermore, it was deemed that the overall benefits of the proposed development in reducing flood risk to one of Lancaster's important employment sites is considered to outweigh the minor tree removal. It was however confirmed that the flood defence wall planting will be reinstated following completion of the works.

5.4.3 Taking all of this into account, on balance, given the small-scale nature of the development and the overarching necessity for an improved water drainage system, it is not thought that the loss of this tree and subsequent small area of vegetation would result in any significant harm to the landscape character of the area. However, a condition to ensure that the flood defence wall planting is reinstated following completion of the works is recommended, in the interests of the amenity of the area.

5.5 **Ecological impacts (NPPF paragraphs 174, 175, 179-182; policies DM29, DM33, DM44, DM45, DM46 of the Development Management DPD)**

5.5.1 The site is located partly within and adjacent to the River Lune Biological Heritage Site (BHS) which is a non-statutory designated site for nature conservation and the application is supported by an ecology appraisal of the site. The habitats present within site comprise semi-natural and plantation broadleaved woodland, scrub, grassland, inundation habitat and the River Lune. The habitats provide opportunities for commuting and foraging bats, breeding birds, otter and common species of reptile. Several mature trees located along or adjacent to the cycle/footpath provide opportunities for roosting bats and nesting birds.

5.5.2 Policy DM44 seeks to ensure that where adverse effects are unavoidable, development proposals should ensure that such effects are minimised and provide appropriate mitigation and compensation

measures. Section 15 of the NPPF also seeks to ensure that any impacts on habitats and biodiversity are adequately mitigated.

- 5.5.3 The submission includes an Ecological Impact Assessment and the ecological impacts have been considered by Environment Agency and the Greater Manchester Ecology Unit (GMEU) who are satisfied with the proposed mitigation measures. The case officer has also carried out a Habitats Regulations Assessment and an Appropriate Assessment in respect of the proposal. There will inevitably be a small risk of disruption during the construction phase with temporary disturbance to the River Lune and loss of bankside habitat connectivity. Further disturbance is also anticipated during the operational stage of the development. However, given the small scale of the development and provided that the mitigation measures proposed within the Ecological Impact Assessment are followed, it is considered that there would be no likely significant effects on the adjacent Biological Heritage Site or the nationally designated sites which lay downstream of the proposal site.
- 5.5.4 In terms of protected species, bats and otters have been identified as being present in relation to the development. The data submitted indicates that 40 records of bats were identified within 2km of the application site and four low potential trees for roosting bats were identified within 50m of the application site. However, none will be directly impacted upon by the development. The development will be carried out under a Precautionary Method of Working (PMW) and a number of mitigation measures have been put forward within the document. In addition, the footpath and buildings located within the industrial estate are well lit and subject to regular disturbance via noise and vibration from vehicles and pedestrians. As such, it is considered that both the construction phase and operational phase of the development would not increase disturbance levels significantly above the current baseline. GMEU also raise no concerns in this regard, subject to the implementation of species-specific mitigation measures attached as a condition.
- 5.5.5 The submitted Ecological Impact Assessment sets out that 21 records of otters were identified within 1km of the application site and potential resting sites were present within 50m of the application site (via drone survey). However, upon further inspection, no evidence of otters was recorded at any of these locations nor was there any evidence of otters or otter holts along the stretch of River Lune within 50m of the application site in the monthly otter monitoring process. In addition, given that the River Lune floods regularly and is subject to disturbance via noise, it is unlikely that the otters would be significantly impacted by the proposal. GMEU also raise no concerns in this regard, subject to the implementation of species-specific mitigation measures attached as a condition.
- 5.5.6 Notwithstanding the above, no comments have yet been received by Natural England. As set out above, whilst it is unlikely that the development would give rise to any significant ecological impacts, the approval of this scheme is subject to Natural England raising no objections. Furthermore, any recommended conditions will need to be considered and added to the grant of permission.
- 5.6 **Highways and Access** (NPPF paragraphs 97-100, 130; policies DM26, DM61 of the Development Management DPD; policy SC3 of the Strategic Policies and Land Allocations DPD).
- 5.6.1 The adjacent River Lune Millennium Footpath is a well-established and popular cycle/footpath along the eastern bank of the river. As per the submitted Open Space Assessment, this cycle/footpath will be kept open at all times during construction works. No excavations works are expected to take place upon the footpath itself, with all works taking place within the proposed compound area (within the industrial estate itself) and riverbank area. Materials will also be stored away, either within the compound area or on the land which separates the footpath from the riverbank. As such, the developments would not impact upon the footpath or affect its accessibility in any way.
- 5.6.2 The scheme has also been reviewed by County Highways and the Public Realm Officer. Both consultees are satisfied that the works can be carried out without interruption to the footpath and thus raise no objections. However, an advice note has been recommended to remind the applicant that the grant of planning permission does not entitle a development to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be subject of an Order under the appropriate Act.



**6.0 Conclusion and Planning Balance**

- 6.1 In conclusion, the proposed development seeks to manage the residual risk of surface water and address existing issues with surface water drainage within the area. As such, there is clear justification for the proposal. While clarity is sought regarding the compensation of the felled tree, it is considered that the submission has addressed the key issues arising from the proposal. It is considered that the scheme will provide appropriate ecological mitigation and will not impact unduly on designated heritage assets, although comments from statutory consultees are required before the decision can be issued. In addition, while it is accepted that there will be disruption to accessibility during the construction period, this must be balanced against the significant benefits that would be secured in the long term, particularly to an important employment area for the district. It is considered that on balance, permission should be granted.

**Recommendation**

That subject to no objection from Natural England that Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Standard timescales	Standard
2	Approved Plans	Standard
3	Implementation of ecological mitigation measures set out in the Ecological Impact Assessment	Standard
4	Hours of construction Mon to Fri 0800-1800 and Sat 0800-1400 (no night-time working)	Control
5	Standard contaminated land condition requiring on-site investigation in accordance with the Phase 1 findings, remediation method, final report and completion certificate is required	Pre-commencement
6	Implementation of approved Arboricultural Details and reinstatement of flood defence planting	Control

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

Lancaster City Council has made the decision 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 decision 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.

<b>Agenda Item</b>	A9
<b>Application Number</b>	21/01186/FUL
<b>Proposal</b>	Relevant demolition of existing lean to and outbuilding, erection of a single storey side/rear extension, construction of roof and projecting walls over existing courtyard, creation of terrace, installation of external steps, erection of stone wall and erection of detached outbuilding and installation of an Air Source Heat Pump
<b>Application site</b>	South Lodge Greaves Road Lancaster Lancashire
<b>Applicant</b>	Mr and Mrs Cardiff
<b>Agent</b>	Miss Jo Clark
<b>Case Officer</b>	Ms Charlotte Greenhow
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Refusal

**(i) Procedural Matters**

This form of development would normally be dealt with under the Scheme of Delegation. However, Lancaster City Council are the current leaseholders and as such the application must be determined by the Planning Regulatory Committee.

**1.0 Application Site and Setting**

1.1 The application site relates to South Lodge, a detached two-storey former lodge located within the parkland setting of Greaves Park within Greaves Road Conservation Area. The property is typical of the Italianate style of the early Victorian era and as such has been identified as a Non-Designated Heritage Asset (NDHA). It has been constructed from stone, under a hipped slate roof, and features fine architectural details to each facade. A lean to and covered courtyard area is located to the north side. The property is enclosed by a stone wall of varying heights along Belle Vue Terrace to the west, a low stone wall to the south, and mature vegetation and timber fencing to the east. A moderately sized garden wraps around the property to the north, east and west. The position of the property on relatively high ground and its distinct ornate style makes it a highly prominent and significant property within the area.

1.2 Greaves Road Conservation Area is characterised by early Victorian suburban development, with large villas which were built for wealthy merchants, philanthropists and industrialists outside the boundary of the city. The lush greenery, sparse grain of buildings and architectural grandeur create a contrast to the centre of Lancaster. Historically, the ‘pointer’ marked the boundary of the old town of Lancaster and the villas and detached houses which were built south of this are referred to as ‘The Pointer Houses’ on the c.1840s Ordnance Survey map.

1.3 The landscaped area now known as Greaves Park and used as public recreation space is formed from the former landscape gardens of several of the villas. The Jacobean style Greaves Park is now in use as a pub and is listed at Grade II. The others, Parkfield and the Greaves, as well as their surviving ancillary buildings, are of high significance and should be treated as Non-Designated Heritage Assets (NDHAs). Both Parkfield, formerly known as West Bank, and The Greaves are neoclassical villas in sandstone ashlar with a hipped slate roofs and large sliding sash windows. The Greaves is a former home of E.G. Paley, a prominent local architect, who designed the building himself. Paley, in partnership with Edmund Sharpe and Hubert Austin, was responsible for the design of many of the most prominent buildings in the district. Greaves Park forms the shared setting of these assets, contributing to their significance by reinforcing their aesthetic and illustrative values.

**2.0 Proposal**

2.1 Planning permission is sought for the demolition of existing lean to and outbuilding, erection of a single storey side/rear extension, construction of roof and projecting walls over existing courtyard, creation of terrace, installation of external steps, erection of stone wall and erection of detached outbuilding and installation of an Air Source Heat Pump.

2.2 The proposed single storey extensions will project from the northern side of the property. They consist of a single storey flat roof ‘middle’ section and a further single storey dual pitched roof extension with a glazed link in-between. The flat roof extension will measure approximately 4m in width, 6.8m in depth, and 2.95m in height when viewed from the western elevation. It will be constructed from stone with a sedum roof and lantern light feature. The pitched roof extension will measure approximately 4.9m in width, 8.9m in depth, and 4.3m in height to the roof ridge when viewed from the western elevation. It will be finished in render under a standing steam metal roof. The glazed link between the two will be approximately 0.65m in width.

2.3 The proposed developments will allow for the property to increase from 2 to 3/4 bedrooms (taking into account the ground floor study). One off street parking space will be provided on site. The proposal also includes the introduction of a metal garden shed along the southern boundary and a replacement wrought iron entrance gate measuring approximately 1.6m in height.

2.3 The proposal has been amended several times to help overcome issues of design and its overall impact on the NDHA and Conservation Area.

**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
Public Realm	<b>No objection.</b>
Conservation	<b>Objects.</b> The proposal is considered to be harmful (less than substantial) to the significance of the Greaves Road conservation area and fails to preserve or enhance its character or appearance.
County Highways	<b>No objection.</b>
Property Services	Supports the application.
Tree Protection Officer	<b>No objection.</b>
Environmental Health	<b>No objection</b> subject to specific conditions being attached to any subsequent permission.
Lancaster Civic Society	<b>Objects.</b> Raises concerns in regard to the appearance of the development and impact on heritage assets.

4.2 No public representations have been received.

## 5.0 Analysis

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

- Design and impact on Conservation Area
- Impact on residential amenity
- Impact on trees
- Highways and parking

5.2 **Design and impact on Conservation Area (NPPF Section 12 (Achieving well-designed places), Section 16 (Conserving and enhancing the historic environment); policies DM29, DM38 and DM41 of the Development Management DPD)**

5.2.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed Building and or a Conservation Area or their setting, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the heritage asset or its setting. Any harm (substantial or less than substantial) to such elements will only be permitted where this is clearly justified and outweighed by the public benefits of the proposal. This is reiterated by the relevant heritage policies in the Development Plan DPD.

5.2.2 The proposed developments are considered to lead to less than substantial harm to the setting of both the Conservation Area and non-designated heritage asset (NDHA). The former lodge is modest in character, with a neat original plan form, fine symmetry, and attractive architectural features throughout. As such, the two distinct extensions, which project to the northern elevation in a continuous manner, are considered to unbalance the symmetry of the host dwelling and result in harm to the historic character of the site. This is also cited by the Conservation Officer, who affirms that the proposed extensions appear out of context and take no visual reference from the style and character of the host dwelling.

5.2.3 This is further not helped through the use of the various materials and modern windows which significantly contrast with the character of the property. The pitched roof extension will be finished in render under a standing seam roof whilst the flat roof extension will be constructed from stone. While regard has been given to the existing covered courtyard to the north side elevation, which is similar in size to the proposed 'middle' flat roof extension, the addition of a further extension is considered to confuse the character of the property and detract from the strong architectural features of the site. Furthermore, while contrast between old and new can be very successful in some contexts, the overall shape of the extensions, together with their size, scale, and design, would result in significant harm to the illustrative value and small scale intended plan form of the property

5.2.4 Amended plans have also been received with the overall width of the flat roof section reduced and the total amount of standing seam condensed to the roof only. This reduction in size along with the reduction in modern materials is considered to improve the design of the developments to some degree. However, the combined width of the developments together with the differing designs would still result in significant harm to the character and planform of the dwelling as mentioned above. In addition, whilst the single storey nature of the extensions ensures that they remain subservient in some sense, the overall projection to the north side would result in undue overdevelopment of the site. The Conservation Officer has not formally commented on these plans, however, given the existing concerns in relation to proportions, balance, symmetry, and scale, it is deemed that the development would still result in significant harm to the character and setting of the host dwelling and Conservation Area.

5.2.5 Regard has also been given to the siting of the development and its overall limited visibility. Existing vegetation helps to screen the site to the north, east and west and the siting of the developments to the north side ensure that they would not be visible when travelling along the road to the access road to the south. However, the host dwelling is situated within a prominent position within the Conservation Area being situated within Greaves Park itself and at an elevated position in relation to the adjacent roadside. The Conservation Officer also raises concerns that the development could become more prominent during the winter months and if trees or hedges were ever to be removed in the future. Therefore, the proposal has the potential to result in less than substantial to the special

interest of the Greaves Road Conservation Area through inappropriate design.

5.3 **Impact on residential amenity (NPPF Section 12 (Achieving well-designed places); policies DM29 of the Development Management DPD)**

5.3.1 The closest neighbouring properties to the host dwelling are neighbours 1 Belle Vue Terrace to the south and the recently permitted dwellinghouse within the garage at The Greaves to the north-east. However, the siting of the proposals towards the north side ensures that there would be no adverse impact upon neighbour no. 1 to the south. Furthermore, whilst the proposed developments would be visible from this neighbour to the north-east, this neighbour is located at a slightly higher ground level than the host dwelling and a distance of approximately 18m will remain between the two properties. The fact that the developments are single storey only further minimises their overall impact. As such, given the distances, siting, and single storey nature of the developments, it is not considered that the proposals would result in any significant harm to the residential amenity of these neighbouring properties.

5.4 **Impact on trees (NPPF Section 12 (Achieving well-designed places); policies DM29, DM44, DM45 of the Development Management DPD)**

5.4.1 The submission has been accompanied by an Arboricultural Impact Assessment (AIA) which highlights the impacts of the developments on the trees and hedges within the site. It is noted that 8 category C trees will be removed to facilitate the development, however, these will be mitigated through the replanting of new small native trees such as rowan and fruit trees. In addition, appropriate measures such as hand digging, erection of a tree protection barrier, permeable geotextile membranes, no fires, chemicals etc, will be followed to protect the retained trees and hedges on site. This is considered acceptable and has been reviewed by the Councils Arboricultural Officer who raises no concerns. However, a condition to ensure that the development is carried out in accordance with the submitted AIA is recommended if planning permission were to be granted.

5.5 **Highways and parking (NPPF Section 9 (Promoting sustainable transport); policies DM62 of the Development Management DPD)**

5.5.1 The proposed developments will see the total number of bedrooms within the property increase from 2 to 4 (taking into account the ground floor study/bedroom). The Councils Car Parking Standards highlighted within Appendix E of the Development Management DPD requires 3 car parking spaces for a property of this size. The host dwelling only benefits from one off street parking space to the east side of the property which will be retained as part of the development. As such, the property has a shortfall of 2 car parking spaces. However, despite the short fall, it is noted that ample on street parking is available along Belle Vue Terrace to the west and all nearby properties benefit from their own separate off street parking provisions. With this, it is not considered that increase in on street parking would result in any significant harm to the surrounding highway network. County highways has also been consulted on the scheme and presented no concerns.

**6.0 Conclusion and Planning Balance**

6.1 In conclusion, by virtue of the design, scale and width, the proposed developments are considered to result in less than substantial harm to the special interest of the character and appearance of the NDHA and surrounding Conservation Area. Any harm (substantial or less than substantial) to such elements will only be permitted where this is clearly justified and outweighed by the public benefits of the proposal. However, other than extending the property into a larger four-bedroom family home, there are not considered to be any public benefits of the development which outweigh the harm caused. Rather, the development is thought to significantly detract from the architectural and illustrative value of the host dwelling and appear at odds with the special character and desirability of the Conservation Area. The proposal is therefore recommended for refusal.

**Recommendation**

Planning Permission BE REFUSED for the following reason:

1. By virtue of the design, scale and width, the proposed development would significantly detract from the strong architectural form and illustrative value of the host dwelling, whilst adding a considerable amount of bulk to the north side elevation. The resulting dwellinghouse would be significant in size, harming the significance of the non-designated heritage asset and appearing at odds with special character and desirability of the Conservation Area. For these reasons, the scheme is considered to be contrary to the requirements of Policy DM29, DM38 and DM41 of the Development Management DPD and Section 12 (Achieving Well Designed Places) and Section 16 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework.

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

In accordance with the above legislation, Lancaster City Council takes a positive and proactive approach to development proposals, in the interests of delivering sustainable development. As part of this approach the Council offers a pre-application service, aimed at positively influencing development proposals. Regrettably the applicant has failed to take advantage of this service and the resulting proposal is unacceptable for the reasons prescribed in the Notice. The applicant is encouraged to utilise the pre-application service prior to the submission of any future planning applications, in order to engage with the local planning authority to attempt to resolve the reasons for refusal.

## **Background Papers**

<b>Agenda Item</b>	A10
<b>Application Number</b>	21/01385/CU
<b>Proposal</b>	Change of use of 4 parking spaces to beer garden area until 31st December 2022
<b>Application site</b>	Charter House Car Park Bulk Street Lancaster Lancashire
<b>Applicant</b>	Mr Mike Dent
<b>Agent</b>	N/A
<b>Case Officer</b>	Mr Patrick Hopwood
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Approval

(i) **Procedural Matters**

This form of development would normally be dealt with under the Scheme of Delegation. However, the land is in the ownership of Lancaster City Council, and as such the application must be determined by the Planning Regulatory Committee.

**1.0 Application Site and Setting**

1.1 The site that forms the subject of this application relates to a small area of a public car park immediately west of the property known as The Old Stables. This property is a two storey detached stone building with a slate roof with timber windows and doors, located on Bulk Street in Lancaster. The car park to the rear is enclosed on its southern boundary by a high stone wall and established trees.

1.2 This section of Bulk Street is characterised by commercial properties with the Polish Centre located to the east of the site and numerous commercial properties located along Dalton Square which back on to the car park to the west. The ground floor of The Old Stables is used as an office and computer repairs business whilst the first floor has a permitted use as a microbrewery and micropub known as The Accidental Brewery. This current proposal relates to the established micro-brewery/pub use.

1.3 The Old Stables is considered a non-designated heritage asset and the site is located within the Lancaster Conservation Area.

**2.0 Proposal**

2.1 This application proposes the change of use of 4 parking spaces within the existing car park to form a 100sq.m beer garden area associated with the adjacent microbrewery and pub within the first floor of The Old Stables. The proposed area is to contain moveable timber picnic tables whilst a

combination of planters and ‘café barriers’ will form the northern boundary enclosure to the beer garden. The Old Stables building itself will form the eastern boundary whilst the existing raised planting beds and stone walls will form the enclosure to the southern and western boundaries. Black gazebos will keep customers dry during inclement weather.

2.2 Temporary permission is sought for a period expiring 31st December 2022.

### 3.0 Site History

3.1 A number of relevant applications relating to this site have previously been received by the Local Planning Authority. These include:

Application Number	Proposal	Decision
18/00457/CU	Change of use of mixed use unit comprising an office (B1) and physiotherapy (D1) to mixed use unit comprising an office (B1), bar (A4) and micro brewery (B1)	Permitted
19/01033/CU	Change of use of 4 parking spaces to beer garden area	Permitted (Temporary Permission)

### 4.0 Consultation Responses

4.1 At the time of writing this report, the following responses have been received from statutory and internal consultees:

Consultee	Response
Arboricultural Officer	<b>No objection.</b> The beer garden area is bordered by two semi-mature trees but they do not currently impact on the area which is covered by three tents.
Parking Services	No response received.
Property Services	Lancaster City Council owns Charter House car park and will enter into a legal agreement with the applicant for this temporary use. As landowner, the city council supports this application and is happy to assist this small business to continue to trade during these difficult times.
County Highways	<b>No objection</b> to the planning application and is of the opinion that the proposed development should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site.
Environmental Health	No significant environmental health implications were noted, and we offer no adverse comments or advice.
Conservation Team	<b>No objection</b> to this application.
Canal & River Trust	No comment.
Lancashire Constabulary – Designing Out Crime Officer	Recommends various crime and security measures.
Lancashire Constabulary – Licensing Team	No response received.

4.2 At the time of writing this report, no letters of representation were received from members of the public. Any further consultee or public comments will be summarised by way of a verbal update.

### 5.0 Analysis

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

- Economic and Social Benefits
- Design and heritage matters
- Parking and Highways
- Residential amenity and security

5.2 **Economic and Social Benefits** (NPPF Section 6: Economy, Section 7: Town Centres; Policies



- 5.2.1 The Council will encourage and support the sustainable growth of the district's evening and night-time economy, which will contribute to the vitality of town centres, subject to the proposed development meeting the criteria set out in Policy DM25 of the DPD. Furthermore, development proposals that seek to support the creation or expansion of small businesses within the district are also supported in accordance with Policy DM16.
- 5.2.2 The existing micro-pub/brewery which the proposed beer garden will serve is located within a central and accessible location within the urban area of Lancaster and close to the city centre. The provision of a beer garden will contribute to the continued growth of this business and will provide both economic and social benefits. In addition to this, the micro-pub business has been impacted by the prolonged periods of lockdown during which this business was either severely restricted with respect to its service offer or non-operational entirely. In light of the likelihood for continued restrictions imposed as a result of the Covid-19 pandemic, the provision of a beer garden would allow this element of the business to adapt and respond to the constantly evolving constraints. It would facilitate a more appropriate layout with respect to social distancing if necessary (which cannot be achieved internally due to the constraints of the building and layout), whilst it would also encourage customers to visit such a venue in the knowledge that open air seating is available. The beer garden use would also encourage increased footfall within the city centre which would serve to contribute to the wider economic recovery as well as providing social benefits for the local community.
- 5.2.3 However, as set out above, the Old Stables is separated into two uses - a computer repairs business to the ground floor and the micro-pub/brewery to the first floor. The two businesses at present are operated by the same owner/operator. The two units share the same point of access from Bulk Street with a shared internal lobby from which customers either attend the service counter for the repairs business or utilise the stairs to access the first-floor micro-pub. The business uses within the building operate separately, however, they are inter-related by virtue of this shared access and internal layout. What is more, the customers utilising the beer garden would be required to enter the building from Bulk Street and in order to access the beer garden would be required to follow the corridor and pass through the kitchenette area within the ground floor computer repairs business. Whilst it is stated that the computer repairs business would not be operating during the evening and weekends when customers would be utilising the access to the beer garden, the internal layout, access and relationship between the two uses within the building is unfavourable. Alternatively, patrons would have to walk into the car park, passing the car park entrance (with no designated footpath), along a relatively narrow pavement to enter the building to use the toilet facilities, creating a conflict between patrons and vehicles. Whilst planning policy would seek to encourage proposals that secure economic and social benefits, such proposals must be appropriate within their context, including existing surrounding uses. The provision of the beer garden facility should not hinder the operation of this already established computer repairs business.
- 5.2.4 To this end, in order to adapt the building to accommodate both uses successfully, the potential for internal layout alterations were discussed with the applicant during the previous application. For example, the possibility of either relocating the computer business at the first floor and locating the micro-pub to the ground or the creation of a new separate front and rear access and internal lobby for the micro-pub/brewery was raised. However, such internal changes are considered to be unviable at present due to operational constraints. Despite the clear benefits of this scheme, the layout and access arrangement and relationship between the existing uses is such that the proposal for the beer garden would not be acceptable on a permanent basis.
- 5.2.5 However, it is acknowledged that the proposal would facilitate the recovery of a small business from the impacts of the response to the Covid-19 pandemic as well as its adaptation to the likely continuation of operational restrictions. This would both secure benefits in terms of the business itself, but also more broad economic benefits through encouraging footfall within the city centre and social benefits to potential customers following the lifting of restrictions and opening of services which encourage social interaction. As a result, it is considered that there would be benefit in granting a further temporary permission, based on the existing layout, for the operation of the beer garden until the end of December 2022. However, it must be acknowledged that this is solely in the interest of aiding the economic recovery and adaptation of a business in the short term. In order for the beer garden facility to be considered acceptable in the longer term, an alternative layout

internally, that respects the operation of the existing business which shares this building must be provided. It is intended that as well as aiding business recovery, the temporary period would allow opportunity for the mix of uses at the site to be reviewed and after this initial period for a new application to come forward with a more appropriate layout to be considered for a permanent solution. After the end of currently proposed timeframe, no further temporary permissions will be supported by the Local Planning Authority.

5.3 **Design and heritage matters (NPPF Section 16 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 Assets of their Settings)**

5.3.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed Building and or a Conservation Area or their setting, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the heritage asset or its setting. This is reiterated by the relevant heritage policies in the Development Plan DPD. The proposal will lead to a level of harm to the setting of both the Conservation Area and non-designated heritage assets (NDHA). This level of harm, considered to be less than substantial, must be weighed against the benefits of the proposal.

5.3.2 In the first instance, the harm to the heritage assets is considered to be mitigated by the location of the development site. The car park does not contribute positively in itself to the setting of the Conservation Area or heritage assets. In this respect the proposal could also be considered to result in an enhancement to the Conservation Area by reason of introducing activity and vibrancy to an area that would otherwise be occupied by vehicles. In addition, the 4 spaces which would form the beer garden are effectively screened by The Old Stables building itself, such that views from along Bulk Street would be restricted. Secondly, whilst the furniture itself cannot be controlled, the proposal includes the provision of simple and subdued timber tables and chairs, minimalist barriers/chains and timber planters, all of which will appear appropriate in the site context. Images of the appearance of the beer garden taken when it operated for a short period in the summer of 2020 have been provided by the Applicant. No external alterations to the appearance of The Old Stables building itself are required to facilitate the change of use.

5.2.3 Overall, whilst the proposal will result in some harm to the setting of the Conservation Area and NDHA, the harm is considered to be appropriately mitigated through the siting of the development within a corner of a car park, use of simple and subdued furniture and barriers and the fact that the harm would be for a temporary period. Given the temporary nature of the proposal it is considered unnecessary to control the barriers and planters by condition, but should an application be submitted for a permanent use, the imposition of such a condition could be considered appropriate.

5.4 **Parking and Highways (NPPF Section 9: Sustainable Transport; Policies DM60: Enhancing Accessibility and Transport Linkages, DM62: Vehicle Parking Provision)**

5.4.1 The disabled spaces, electric vehicle charging spaces, pool car spaces and bicycle spaces within Charter House car park are to be unaffected by the proposal. With surrounding public car parks offering alternative car parking provision, the temporary loss of 4 standard spaces at this car park is of no particular concern. In addition, since the Council declared a Climate Emergency in 2019, there is a desire to move away from the use of private motor vehicles in favour of sustainable transport options to access the city centre. The site is within easy reach of bus and cycling routes.

5.4.2 The Highway Development Control Section of Lancashire County Council has no objections to the planning application and is of the opinion that the proposed development should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site. Due to the site's sustainable location with good access to public transport and public car parks, the County Highways Officer is of the opinion that the loss of 4 parking spaces to a beer garden area for a temporary period is acceptable from a highways perspective.

5.5 **Residential amenity and security (NPPF Section 6: Economy, Section 7: Town Centres, Section 12 Achieving Well Designed Places; Policies DM15: Small Business Generation, DM16: Town Centre Development, DM25: The Evening and Night Time Economy, DM29: Key Design Principles)**

5.5.1 The site is located within the urban area of Lancaster, close to the city centre and as a result it can

be expected that background noise levels would be elevated predominantly by reason of traffic noise. The beer garden would be located approximately 27 metres from the northern elevation of the residential apartments within The Roundhouse which is located on Nelson Street to the south. There are also residential dwellings approximately 50 metres to the north which back on to the car park area. Whilst the proposal would result in an increase in noise levels compared to the existing use of the space as a car park, due to the separation from the nearest residential receptors and the city centre location, it is considered that the proposed development will not result in significant harm to the standard of amenity that these nearby occupants could reasonably expect to enjoy. Should issues of noise arise, appropriate measures can be introduced by way of both the premises licence and Environmental Health Regulations.

5.5.2 Lancashire Constabulary has made recommendations regarding safety measures including surveillance, lighting, secure fixings and perimeter barriers. The site already has CCTV to the front and rear of the building as well as adequate lighting. As part of the proposal a ‘cafe barrier’ will demarcate the beer garden from the rest of the car park. The premises also operates a restricted opening schedule as controlled by the premises licence. Overall, it is considered that the proposal will not have a detrimental crime or security impact, though having to circumnavigate the building to enter the premises from the beer garden (say to use the toilet facilities) is a weakness of the scheme. It puts patrons in conflict with vehicles using the car park and the beer garden is not secure space as recommended by the Police. This is another reason why only a short term consent is acceptable. The recommendations made by the Police will form an advice note attached to the permission if granted.

**6.0 Conclusion and Planning Balance**

6.1 In general, planning policy seeks to support development proposals that will facilitate the continued growth of businesses that contribute towards local economy. It is clear that businesses have been significantly impacted upon by the restrictions imposed as a result of the ongoing Covid-19 pandemic and the provision of a beer garden would contribute towards the recovery and adaptation of the micro-pub business moving forward, which is clearly supported by the City Council. However, the layout and internal arrangement of the building and the relationship of the beer garden with an existing separate use within the same building results in an unfavourable proposal that could threaten the longer-term viability of an already established and successful business use. There are also concerns about patrons’ safety and security matters due to not direct access from the beer garden back into the building. For these reasons, a permanent consent for the beer garden cannot be supported. However, it is considered on balance that a further temporary permission until 31st December 2022 could be supported to enable the micro-pub to continue operations and to enable a period of time during which the mix of uses within the building can be reviewed and a more appropriate layout solution be developed that could be supported on a permanent basis.

**Recommendation**

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

Condition no.	Description	Type
1	Temporary permission until 31st December 2022	Control
2	Development in accordance with approved plans	Control

**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



<b>Agenda Item</b>	A11
<b>Application Number</b>	21/01410/CCC
<b>Proposal</b>	Amendment of condition 1 of permission 1/97/1298 to allow continuation of mineral extraction until 21 February 2034 with site restoration being completed by 21 February 2035
<b>Application site</b>	Dunald Mill Quarry Long Dales Lane Nether Kellet Lancashire
<b>Applicant</b>	Tarmac Trading LTD
<b>Agent</b>	Heatons
<b>Case Officer</b>	Ms Charlotte Greenhow
<b>Departure</b>	No
<b>Summary of Recommendation</b>	That in response to the County Council consultation, the City Council offers no objection subject to the imposition of conditions associated with the parent consent.

(i) **Procedural Matters**

This application has been submitted to, and will be determined by, Lancashire County Council as they are responsible for planning matters that relate to waste and minerals. Lancaster City Council has been consulted as the proposal falls within their District, and as such this report sets out the City Council's proposed **consultation response** to the continuation of mineral extraction at Dunald Mill Quarry, Nether Kellet.

**1.0 Application Site and Setting**

- 1.1 Dunald Mill Quarry is a large limestone quarry located on both sides of Long Dales Lane, approximately 6km northeast from Lancaster and to the east of Nether Kellet Village. Quarrying activities at Dunald Mill Quarry ceased several years ago but some reserves remain above the permitted limits of extraction. The quarry is divided into two areas by Long Dales Lane. To the west is the main quarry excavation, the deepest part of which is now a lake. To the east is a much shallower quarry formerly used for the processing plant and stocking area. Permission has since been granted here for a storage and distribution depot, car park and quarry canteen building. Access to the site is taken directly onto Long Dales Lane.
- 1.2 The site lies within the Site of Special Scientific Interest (SSSI) Impact Risk Zone for Thwaite House Moss SSSI which lies approximately 1.3 km north-west of the site boundary. The site is also located within Flood Zone 1. A public right of way (FP 10) trails along the north-western boundary of the site from Hill Lane up to Long Dales Lane.

## 2.0 Proposal

- 2.1 The scheme is made under Section 73 of the Town and Country Planning Act for the amendment of condition 1 of permission 1/97/1298 to allow continuation of mineral extraction until 21 February 2034 with site restoration being completed by 21 February 2035.
- 2.2 The proposed development would seek to extend the lifetime of Dunald Mill Quarry for a 12-year period. This would tie in within the exhaustion of the current remaining reserve at Leapers Wood to enable the recovery of existing permitted reserves within the western extent and avoid sterilisation of an important limestone resource for the county. There is an estimated permitted reserve of 600,000 tonnes to be worked.

## 3.0 Site History

- 3.1 Dunald Mill Quarry benefits from a number of old mining permissions for limestone quarrying. These permissions were reviewed under the provisions of the Environment Act 1995 (ref 1/97/1298) in which new conditions were approved in November 2002. Condition 1 (Time Limits) of the updated conditions requires quarrying activities to cease no later than 21st February 2022 with the site being restored within a further period of one year.
- 3.2 The concrete batching plant benefits from a planning permission ref LCC/2016/0061 granted in 2016. The permission is time limited to the same end date as the old mining permission for the quarry. Relevant applications include:

Application Number	Proposal	Decision
01/97/1298	Review of Old Mineral Permission (ROMP)	Granted
01/98/0495	Continued use and retention of batching plant and ancillary facilities	Granted
01/06/1004	Variation of condition 1 of planning permission 01/98/0495 to permit the use of the existing batching plant until 31 <sup>st</sup> July 2016	Granted
LCC/2016/0061	Variation of condition 1 of planning permission 01/06/1004 to permit the use of the existing batching plant until 21 February 2022	Granted

## 4.0 Consultation Responses

- 4.1 Because this planning application is submitted to (and will be determined by) the County Council, it is they who are responsible for the public and statutory consultation process.
- 4.2 In co-ordinating our response to the County Council, the City Council has consulted the following consultees:

Consultee	Response
Tree Protection Officer	<b>No objection</b>
Environmental Health	<b>No objection</b>
Engineering team	No response

## 5.0 Analysis

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

- Air Quality and Dust

- Noise
- Landscape and Visual

5.2 **Air Quality and Dust** (NPPF Section 2 Achieving Sustainable Development, Section 17 Facilitating the sustainable use of Minerals; Policies DM29, DM31, & DM57 of the Development Management DPD; Policies M1, M2, SA2, AMS1 and MRT10 of the Site Allocations and Development Management Policies Local Plan Part 1 & Part 2)

5.2.1 The site is situated within a fairly isolated location with the closest residential property 'Dunald Mill Cottage' located approximately 120m away to the south-east. Whilst sections of the site are open and visible from the adjacent highway network, the site is predominantly concealed by mature vegetation and the existing landform. Further properties are located approximately 160m away to the west within the boundary settlement of Nether Kellet.

5.2.2 The site has been used for mineral extraction for many years, with control conditions and mechanisms currently in place to prevent unacceptable impacts upon air quality in the area. These include control condition 6 (scheme identifying areas for mineral stockpiling and height of stockpiles); condition 17 (sheeted transportation of mineral less than 100mm in size); and condition 30 (dust mitigation measures) of the existing permission reference 01/97/1298. Given these existing control measures, and which could be extended if permission were granted by the County Council, it is not thought that the development would result in any unacceptable impacts upon air quality and pollution. The Environmental Health Officer has also presented no concerns, and the case officer has no reason to question the current mitigation measures in place.

5.3 **Noise** (NPPF Section 2 Achieving Sustainable Development, Section 17 Facilitating the sustainable use of Minerals; Policies DM29 and DM57 of the Development Management DPD; Policies M1, M2, SA2, AMS1 and MRT10 of the Site Allocations and Development Management Policies Local Plan Part 1 & Part 2)

5.3.1 Due to the nature of the site, the extension of the mineral extraction would have the potential to generate noise pollution throughout the phases of development. In particular, the wining and working of minerals has the potential to generate significant noise impacts within the area (together with vibration associated with blasting)

5.3.2 However, similar to the above, the parent permission has control conditions in place to prevent unacceptable noise pollution increasing above the previously agreed levels. These include conditions 9-12 (hours of operation); conditions 19-23 (scheme and programme for noise monitoring and permitted noise levels); and conditions 24-26 (control blasting and vibration). Given these existing mitigation measures, and which could be extended if permission were granted by the County Council, it is not thought that the extension of the site would give rise to any unacceptable noise impacts. The Environmental Health officer also presented no concerns, and the case officer has no reason to question the current mitigation measures in place.

5.4 **Landscape and Visual** (NPPF Section 2 Achieving Sustainable Development, Section 15 Conserving and Preserving the Natural Environment, Section 17 Facilitating the sustainable use of Minerals; Policies DM29, DM44, DM45, DM46 of the Development Management DPD; Policies EN3, EN7 of Strategic Policies and Land Allocations DPD; Policies M1, M2, SA2, AMS1 and MRT10 of the Site Allocations and Development Management Policies Local Plan Part 1 & Part 2)

5.4.1 The site is not located within an Area of Outstanding Natural Beauty (AONB), National Park (NP), or any other nationally designated landscape. There are no Listed Buildings, Scheduled Ancient Monuments, or Site of Special Scientific Interest (SSSI) within or adjacent to the site. However, the site is designated as Open Countryside in the Strategic Policies and Land Allocations DPD.

5.4.2 As referenced within the planning statement, the valued landscape elements around the perimeter of the site, including tree lines, hedgerows, woodland and agricultural land will all be retained. The maturation of the existing woodland planting, as part of the previously approved landscaping plan, has also helped to screen the development from visual receptors. This is apparent to the western side of the site (to the west of Long Dales Lane) and around the western border. Although parts of the quarry are still visible to the east.

5.4.3 Whilst the continuation of the site would inevitably delay the reinstatement of the open countryside landscape, it is not thought that the development would result in any further harm to the existing visual amenity of the area. It is also considered that the development would continue to operate under the existing approved landscaping scheme as part of condition 35 of the extant permission (landscaping scheme). Given these existing mitigation measures in place, and which would be extended if permission were granted by the County Council, it is not thought that proposal would give rise to any unacceptable landscape or visual impacts.

5.4.4 The Arboricultural officer was consulted on this application and had no comments on the scheme. The planning statement and ecological appraisal both indicate the important landscape features which border the site (woodland and grassland) and specifies that these would be retained. The appraisal also appears very thorough in identifying these areas and notes their importance. However, the ecological appraisal states the need for biodiversity net gain and highlights areas where this can be achieved. The County Council will need to fully consider these aspects of the development, as this indicates that the development will operate under a revised landscaping scheme, rather than the currently approved landscaping scheme (as part of condition above). In any instance, given the recommendation for further net gain as part of the scheme, it is not considered that the development would result in any adverse impacts on the landscape character of the area.

## 5.5 **Other issues**

5.5.1 There are a number of other issues that will be considered in detail by the County Council when determining the application. These include flooding, highways impacts, and ecology, which includes the adjacent designated sites. Many of these will rely on responses from statutory and non-statutory consultees in which the County Council will receive directly. Given that the County Council will be required to consider all relevant planning issues in detail in determining the application, the City Council presents no comments on these aspects of the development.

## 6.0 **Conclusion and Planning Balance**

6.1 In view of the existing control conditions in place, and which could be extended if planning were to be granted by the County Council, it is not thought that the continuation of mineral extraction would give rise to any adverse air quality, noise, or landscape and visual impacts. This is reinforced by both the Environmental Health Officer and Arboricultural Officer who raise no concerns to the scheme. However, whilst of no major concern due to the proposed increase in biodiversity net gain, the County Council will need to question the proposed changes to the landscaping scheme, as indicated within the submitted ecological appraisal. The existing landscaping condition as part of the previous approval (ref: 01/97/1298) may need to be updated to facilitate this.

## **Recommendation**

That the City Council has **NO OBJECTION** to the proposal, subject to the imposition of conditions associated with the parent consent remaining.

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

This is not relevant as Lancashire County Council is the determining authority. Lancaster City Council is simply a consultee for this application.

## **Background Papers**

None.



## LIST OF DELEGATED PLANNING DECISIONS

## LANCASTER CITY COUNCIL

APPLICATION NO	DETAILS	DECISION
19/01595/CU	The Hawthorns Caravan Park, Main Road, Nether Kellet Change of use of amenity land for the siting of 11 static caravans and creation of an associated internal road for Deryck Wright (Kellet Ward 2015 Ward)	Application Permitted
20/01021/FUL	Lancaster Vintage And Classic Spares, Lord Street, Morecambe Change of use of commercial building (sui generis) into dwellinghouse (C3), demolition of garage and installation of dormer windows for Mr Colin Swift (Poulton Ward 2015 Ward)	Application Permitted
20/01372/FUL	Highwood, Bay Horse Road, Quernmore Change of use of dwellinghouse (C3) to a children's care home (C2) for Mr P Watson (Lower Lune Valley Ward 2015 Ward)	Application Permitted
20/01373/FUL	New England Caravan Park, Capernwray Road, Capernwray Change of use of agricultural land to site 27 static caravans with alterations to land levels, creation of an access track, amenity areas, hardstandings and installation of a package treatment plant for Mr John Chippendale (Kellet Ward 2015 Ward)	Application Refused
21/00113/FUL	11 Albert Road, Morecambe, Lancashire Change of use of ground floor shop (Class E) into one 2-bed flat (C3) including removal of shop front and creation of new window and doorway for Mr John Keegan (Harbour Ward 2015 Ward)	Application Refused
21/00114/DIS	The High Farm, Docker Lane, Arkholme Discharge of conditions 3, 4, 5, 6 and 7 on approved application 20/00879/FUL for Mr and Mrs Geoff and Deb Pye (Kellet Ward 2015 Ward)	Split Decision
21/00123/DIS	15 Albert Road, Morecambe, Lancashire Discharge of condition 3 on approved application 21/00471/FUL for Mrs Kathryn Proctor (Harbour Ward 2015 Ward)	Application Permitted
21/00135/DIS	Field Adjacent To Woodlands View, Over Kellet, Lancashire Discharge of conditions 4 and 6 on approved application 20/00136/FUL for Mrs Karen Drinkall (Kellet Ward 2015 Ward)	Application Permitted
21/00136/DIS	The Farm House, Back Lane, Wrayton Discharge of condition 3 on approved application 21/00288/FUL for Mr & Mrs John Lowery (Upper Lune Valley Ward 2015 Ward)	Application Permitted
21/00137/DIS	The Farm House, Back Lane, Wrayton Discharge of condition 3 on approved application 21/00289/LB for Mr & Mrs John Lowery (Upper Lune Valley Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

21/00146/DIS	5 And 6 Cable Street, Lancaster, Lancashire Discharge of conditions 4 and 7 on approved application 15/01369/LB for Bob Priestley (Bulk Ward 2015 Ward)	Split Decision
21/00147/DIS	25 Hest Bank Lane, Hest Bank, Lancaster Discharge of condition 3 on approved application 19/00033/FUL for Mr Edmund Metcalfe (Bolton And Slyne Ward 2015 Ward)	Application Permitted
21/00153/DIS	Glebe House, Melling Road, Melling Discharge of condition 3 on approved application 21/00457/LB for Mr James Mallaband (Upper Lune Valley Ward 2015 Ward)	Application Permitted
21/00166/DIS	30-32 Claremont Road, Morecambe, Lancashire Discharge of condition 3 on approved application 21/01175/FUL for Bell (Harbour Ward 2015 Ward)	Application Permitted
21/00266/FUL	Westbank Stables, Greaves Road, Lancaster Change of use of former stable to dwelling (C3), erection of a single storey side extension, construction of external steps, installation of doors and windows and construction of a new chimney stack for Miss O. Hartley (Scotforth West Ward 2015 Ward)	Application Withdrawn
21/00489/FUL	Mill Hall, Moor Lane, Lancaster Erection of a two storey front extension linking Mill and annexe, reconfiguration layout from 96-bed into 62-bed ensuite student accommodation with associated facilities, and demolition of an enclosure wall for Afar Properties Limited (Bulk Ward 2015 Ward)	Application Refused
21/00490/LB	Mill Hall, Moor Lane, Lancaster Listed building application for erection of a two storey front extension linking the Mill and annexe and reconfiguration of internal layout from 96-bed into 62-bed ensuite student accommodation, and demolition of an enclosure wall for Afar Properties Limited (Bulk Ward 2015 Ward)	Application Refused
21/00506/OUT	Land North Of Bailrigg Lane, Lancaster, Lancashire Outline application for the development of 5 dwellings (C3) and associated access for Mr Stratford-Hall (University And Scotforth Rural Ward)	Application Refused
21/00536/FUL	Parkfield Garage, Bowerham Road, Lancaster Erection of a retail unit (use class Ea) for DP Letting Ltd. (Scotforth West Ward 2015 Ward)	Application Refused
21/00541/FUL	Sunderland Brows Farm, First Terrace, Sunderland Point Change of use of part of barn into agricultural workers accommodation including installation of external staircase and insertion of windows and doors for Mr. David Hargreaves (Overton Ward 2015 Ward)	Application Refused
21/00613/FUL	45 Dutton Drive, Lancaster, Lancashire Erection of a single storey orangery extension to rear for Mr Lancaster (Bulk Ward 2015 Ward)	Application Refused

## LIST OF DELEGATED PLANNING DECISIONS

21/00688/FUL	55 Caton Green Road, Brookhouse, Lancaster Erection of a single storey side and rear extension, excavation of land to form lower ground floor extension to the rear, creation of raised decking area with verandah to the rear, construction of a front porch, increase in the overall roof height and construction of dormer extension to the rear for Miss Joanne Inman (Lower Lune Valley Ward 2015 Ward)	Application Permitted
21/00696/FUL	Agricultural Building, Sandside, Cockerham Erection of extension to agricultural livestock building for Mr Terry Billington (Ellel Ward 2015 Ward)	Application Permitted
21/00723/FUL	8 Woodlands View, Over Kellet, Carnforth Demolition of existing conservatory at first floor level, erection of a first floor rear extension and construction of elevated walkway incorporating balustrade for Andrew Trevvett (Kellet Ward 2015 Ward)	Application Refused
21/00840/FUL	Throstle Croft, Main Road, Thurnham Part retrospective application for the change of use of existing garage and agricultural building to industrial and associated office building (B2) for Slyne Consulting Ltd. (Ellel Ward 2015 Ward)	Application Withdrawn
21/00850/FUL	Hill Top Farm, Hill Lane, Nether Kellet Relevant demolition of agricultural buildings, change of use and conversion of two agricultural barns to form four dwellinghouses (C3), erection of extension and external stairs, erection of one detached dwellinghouse (C3), excavation of land levels, erection of retaining walls and formation of new access, passing place, erection of a car port with storage, creation of car parking, creation courtyard and associated landscaping and installation of drainage infrastructure for Mrs M Cornthwaite (Kellet Ward 2015 Ward)	Application Permitted
21/00851/FUL	Sheep Fold, Borwick Road, Borwick Erection of a single storey side extension for Mr & Mrs MacKay (Kellet Ward 2015 Ward)	Application Permitted
21/00862/FUL	The Parlour, Quernmore Road, Quernmore Erection of a single storey infill extension, change of use and conversion of existing attached workshop area and former milking parlour to additional living accommodation in association with The Parlour for Mr Z Johnson (Lower Lune Valley Ward 2015 Ward)	Application Permitted
21/00879/FUL	1 Rutland Avenue, Lancaster, Lancashire Erection of a part two storey part single storey rear extension and construction of raised decking area with balustrade and external steps to the rear for Mrs & Mrs Kind (Scotforth East Ward 2015 Ward)	Application Permitted
21/00884/FUL	The Owls Nest, Bare Lane, Morecambe Retrospective application for the erection of covered seating pods for Barker (Bare Ward 2015 Ward)	Application Refused
21/00937/FUL	Mill House, Millhouses Road, Tatham Change of use and conversion of domestic garage/workshop to holiday accommodation and installation of associated package treatment plant for Mr G Cooper (Lower Lune Valley Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

21/00969/FUL	Pear Tree Cottage, Borwick Lane, Borwick Replacement of existing single storey link extension, erection of a single storey rear extension, installation of replacement bay window to the front elevation, installation of dormer window to the front, installation of rooflights and installation of package treatment plant for Miss C. Waine (Kellet Ward 2015 Ward)	Application Permitted
21/00970/LB	Pear Tree Cottage, Borwick Lane, Borwick Listed building application for the replacement of existing single storey link extension, erection of a single storey rear extension, installation of replacement bay window to the front elevation, installation of dormer window to the front, installation of rooflights, installation of new doors/windows, creation of new openings, works to partition walls, removal of existing staircase and installation of new staircase, removal of existing fireplace and installation of package treatment plant for Miss C. Waine (Kellet Ward 2015 Ward)	Application Permitted
21/00986/FUL	4 Lees Court, Heysham, Morecambe Landscaping of existing garden including alterations to land levels, raised terraces and retaining walls for Mr & Mrs Cowey (Heysham Central Ward 2015 Ward)	Application Permitted
21/00997/FUL	141 Bare Lane, Morecambe, Lancashire Erection of single storey side and rear extension and construction of dormer extension to rear elevation for Mr. B. Barnes (Bare Ward 2015 Ward)	Application Permitted
21/00998/FUL	139 Bare Lane, Morecambe, Lancashire Demolition of attached garage, erection of single storey rear extension, construction of dormer extension to rear elevation, insertion of rooflight window to the side and erection of detached outbuilding for Mr. D. Speak (Bare Ward 2015 Ward)	Application Permitted
21/01007/FUL	New Brows Farm, Carr Lane, Middleton Creation of an earth banked slurry lagoon and associated landscaping for Mr Liam Baxter (Overton Ward 2015 Ward)	Application Permitted
21/01049/FUL	Lancaster And Morecambe College, Morecambe Road, Lancaster Erection of 2.4m high fence to the south east boundary for Mr Peter France (Torrisholme Ward 2015 Ward)	Application Permitted
21/01057/FUL	Carnforth House Farm, 109 North Road, Carnforth Installation of 2 replacement rooflights for Steven Richmond (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
21/01058/LB	Carnforth House Farm, 109 North Road, Carnforth Listed building application for the installation of 2 replacement rooflights for Steven Richmond (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
21/01071/FUL	Sellet Mill, Mill Lane, Whittington Demolition of existing rear extension, erection of a replacement single storey rear extension and erection of a detached double garage for Mr and Mrs Colin Tomlinson (Upper Lune Valley Ward 2015 Ward)	Application Permitted

## LIST OF DELEGATED PLANNING DECISIONS

21/01072/LB	Sellet Mill, Mill Lane, Whittington Listed building application for demolition of existing rear extension, erection of a replacement single storey rear extension and erection of a detached double garage for Mr and Mrs Colin Tomlinson (Upper Lune Valley Ward 2015 Ward)	Application Permitted
21/01081/FUL	Land North Of Manor Farm Barn, Chapel Lane, Overton Erection of four holiday cottages (C3) with associated access, parking and landscaping, erection of detached communal outbuilding and erection of a bin/bike store for Mr & Mrs Williams (Overton Ward 2015 Ward)	Application Refused
21/01089/FUL	Old Waterslack Farmhouse, Waterslack Road, Silverdale Change of use of agricultural land to create extension to existing caravan site to site 2 additional timber lodges, alterations to existing site to include replacement of 4 existing static caravans with timber lodges with associated parking, hardstanding, landscaping and soakaway drainage system, installation of electric vehicle charging points and erection of a bin store for Mr Brian Hevey (Silverdale Ward 2015 Ward)	Application Refused
21/01090/FUL	Pastordale Farm, Kellet Lane, Over Kellet Demolition of existing stable and erection of a stable and storage building for Miss and Mr Bellamy (Kellet Ward 2015 Ward)	Application Permitted
21/01091/FUL	15 Spring Bank, Silverdale, Carnforth Erection of a two storey front extension and construction of dormer extensions to front and rear elevations for Mr Paul Jones (Silverdale Ward 2015 Ward)	Application Permitted
21/01092/FUL	Green Farm, Mewith Lane, Tatham Erection of single storey store building and plant room to existing detached building on ancillary garden area for Mr M Harrison (Lower Lune Valley Ward 2015 Ward)	Application Permitted
21/01097/FUL	Highfield, Cove Road, Silverdale Demolition of existing garage, erection of two storey side extension comprising of garage and workshop, erection of single storey rear extension, construction of a terrace area with steps to the rear and construction of a terrace area with retaining wall to the side, and construction of a pitched roof over existing front entrance for Mr Rab Young (Silverdale Ward 2015 Ward)	Application Permitted
21/01124/FUL	15 Belle Vue Terrace, Lancaster, Lancashire Erection of part two storey, part single storey rear extension, and replacement of existing flat roof with pitched roof to ground and first floors for Mr & Mrs Green (Scotforth West Ward 2015 Ward)	Application Permitted
21/01128/FUL	Hillam Farm, Hillam Lane, Cockerham Erection of an agricultural building for livestock for Mr Bob Gardner (Ellel Ward 2015 Ward)	Application Withdrawn
21/01140/LB	Gornalls Farm, Flintron Brow, Over Wyresdale Listed building application for reinstatement of window opening to rear elevation and installation of two rooflights to rear roof for Mr Declan Hoare (Ellel Ward 2015 Ward)	Application Permitted

## LIST OF DELEGATED PLANNING DECISIONS

21/01149/FUL	Oaklands, 111 Hest Bank Lane, Slyne Construction of a dormer extension to an existing outbuilding for Mr Shaun McGuire (Bolton And Slyne Ward 2015 Ward)	Application Permitted
21/01185/FUL	7 Warwick Avenue, Lancaster, Lancashire Construction of a hip to gable roof extension, construction of a dormer extension to the rear elevation, and installation of three rooflights to the front elevation for Mr Peter Sowerby (Scotforth East Ward 2015 Ward)	Application Refused
21/01190/FUL	15 And 17 Albert Road, Morecambe, Lancashire Removal of rear chimney stack for Joint applicants Greenwood and Proctor (Harbour Ward 2015 Ward)	Application Permitted
21/01191/FUL	10 Strickland Drive, Morecambe, Lancashire Construction of a raised roof to incorporate a dormer extension to create first floor accommodation, erection of a two storey rear extension, single storey side extensions and construction of a flat roof over existing side extension for Mr Dan Windle (Bare Ward 2015 Ward)	Application Permitted
21/01203/HLDC	Royal Kings Arms Hotel, 75 Market Street, Lancaster Certificate of Lawfulness for proposed works to a Listed Building for the repair/replacement of existing roof and replacement lead work to chimneys, valleys and abutments for Mr Tony Flanagan (Castle Ward 2015 Ward)	Lawful Development Certificate Granted
21/01204/FUL	Lancashire Fire And Rescue Service, Fire Station, Bye-pass Road Demolition of existing fire station training tower and construction of new training tower for Clare Hedingham (Bolton And Slyne Ward 2015 Ward)	Application Permitted
21/01234/FUL	39 Clougha Avenue, Halton, Lancaster Demolition of existing garage, erection of two storey rear and side extension for Mr Peter Reid (Halton-with-Aughton Ward 2015 Ward)	Application Refused
21/01243/FUL	144 Greaves Road, Lancaster, Lancashire Change of use of lower ground and ground floor offices (Use Class E) to 6 self-contained studio flats (C3) for student accommodation only, removal of garage doors, installation of replacement windows/doors, and installation of railings to the front elevation for Bob Cowan (Scotforth West Ward 2015 Ward)	Application Withdrawn
21/01248/FUL	320 - 323 Marine Road Central, Morecambe, Lancashire Extension of existing raised terrace area to front elevation and installation of two french windows and associated glass screens to the lower ground floor for Mr Paul Bury (Poulton Ward 2015 Ward)	Application Permitted
21/01256/FUL	Lune View, Docker Lane, Newton Installation of a sewage treatment plant for Natalie The Trustees of R C North dec'd (Upper Lune Valley Ward 2015 Ward)	Application Refused
21/01259/FUL	5 Wythop Croft, Morecambe, Lancashire Demolition of existing garage, erection of single storey front extension and construction of new roof to existing side extension for Mr Will Gardner (Westgate Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

21/01277/FUL	Land East Of 61 Stankelt Road, Silverdale, Carnforth Demolition of existing garage and erection of a detached dwelling (C3) with associated driveway and landscaping, erection of a garden shed, and installation of drainage infrastructure for Ripley (Silverdale Ward 2015 Ward)	Application Permitted
21/01286/FUL	Land Adjacent To, 3 The Glen, Caton Erection of a dwelling (C3) with associated access for Irving & Wood (Lower Lune Valley Ward 2015 Ward)	Application Withdrawn
21/01299/ADV	306 Lancaster Road, Morecambe, Lancashire Advertisement application for the display of an internally illuminated wall mounted LED advertisement screen for Gavin Ferguson (Torrisholme Ward 2015 Ward)	Application Refused
21/01305/FUL	Harbour House, Victoria Terrace, Glasson Dock Erection of porch to the side, construction of new access ramp to the front and side elevations, demolition of existing outbuildings to the rear and rendering of rear boundary wall, installation of new windows and doors to all elevations for Mr Jody Lauder (Ellel Ward 2015 Ward)	Application Permitted
21/01306/PAA	Parkside Farm, Woodman Lane, Cowan Bridge Prior approval for the change of use of 4 agricultural buildings to 5 dwellings (C3) for Mr And Mrs Warburton (Upper Lune Valley Ward 2015 Ward)	Prior Approval Granted
21/01317/FUL	111 Main Street, Warton, Carnforth Installation of solar panels on the south east (front) facing roof slope for Mr John Spendlove (Warton Ward 2015 Ward)	Application Withdrawn
21/01320/FUL	Scar Close, Crag Road, Warton Change of use and conversion of three stone field shelters to glamping bothies (sui generis) and installation of an associated package treatment plant for Anne Carroll (Warton Ward 2015 Ward)	Application Permitted
21/01324/FUL	The Green, Whitebeck Lane, Priest Hutton Construction of canopy to the rear elevation, installation of replacement roof to existing WC outbuilding, partial conversion of existing detached barn to ancillary living accommodation incorporating installation of first floor window and replacement doors/windows, installation of rooflights and flue to the front elevation for Mr T Smith (Kellet Ward 2015 Ward)	Application Permitted
21/01328/FUL	18 Kayswell Road, Morecambe, Lancashire Partial demolition and conversion of existing garage to ancillary living accommodation and erection of a parapet wall to the front elevation for Mr & Mrs. S. Russell (Torrisholme Ward 2015 Ward)	Application Permitted
21/01345/FUL	90 South Road, Morecambe, Lancashire Construction of a raised decking area with glass balustrade and pergola to the rear and raising of part of boundary fence for Mr Crookall (Bare Ward 2015 Ward)	Application Permitted

## LIST OF DELEGATED PLANNING DECISIONS

21/01354/NMA	69 Coulston Road, Lancaster, Lancashire Non material amendment to planning permission 21/00226/FUL to reduce footprint of extension and some changes to fenestration for Mr & Mrs Harding (John O'Gaunt Ward 2015 Ward)	Application Permitted
21/01355/CU	134 Greaves Road, Lancaster, Lancashire Retrospective change of use from nail salon (sui generis) to dessert parlour (Class E) for Mr Qaiser Fayyaz (Scotforth West Ward 2015 Ward)	Application Permitted
21/01360/FUL	14 Goodwood Road, Lancaster, Lancashire Erection of a single storey rear extension and construction of a patio area with steps to the rear for Mr M Connor (Scotforth East Ward 2015 Ward)	Application Permitted
21/01363/FUL	79 Norwood Drive, Morecambe, Lancashire Erection of a 2 storey side extension, construction of a hip to gable extension and front and rear dormer extensions and replacement parking provision to the front for D. Wild D. Faraday (Torrisholme Ward 2015 Ward)	Application Permitted
21/01367/LB	Keepers Cottage, Corless Mill Farm, Chipping Lane Listed building application for removal of masonry paint and repointing of mortar for Ms Laura Airton (Ellel Ward 2015 Ward)	Application Permitted
21/01368/FUL	Far Field, Bay Horse Road, Quernmore Demolition of existing attached garage and erection of a 2 storey side extension for Mr and Mrs Kidd (Lower Lune Valley Ward 2015 Ward)	Application Permitted
21/01371/FUL	1 Damside Street, Lancaster, Lancashire Change of use of Shop (Use Class E) to Hot Food Takeaway (Sui generis), installation of a flue and associated extraction equipment to the rear elevation for Tekin (Castle Ward 2015 Ward)	Application Withdrawn
21/01383/FUL	17 North Road, Carnforth, Lancashire Creation of dropped kerb for James Crossfield and Sons Ltd (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
21/01384/FUL	22 Keats Avenue, Bolton Le Sands, Carnforth Demolition of existing porch and erection of a two storey front extension for Mr and Mrs Sciville (Bolton And Slyne Ward 2015 Ward)	Application Refused
21/01386/LB	59 Market Street, Lancaster, Lancashire Listed building application for repairs to the existing chimney stack, including the removal of red brick and render and repointing/render works for T Singer (Castle Ward 2015 Ward)	Application Permitted
21/01387/FUL	11 Malham Close, Lancaster, Lancashire Partial conversion of existing garage to utility room and erection of a single storey rear extension for Mr.&Mrs. D. Crawford (Skerton West Ward 2015 Ward)	Application Permitted
21/01406/FUL	14 Wyresdale Gardens, Lancaster, Lancashire Erection of single storey rear extension, conversion of existing garage into habitable room including hip to gable roof extension for D. Ellis & R. Gregg (John O'Gaunt Ward 2015 Ward)	Application Permitted



## LIST OF DELEGATED PLANNING DECISIONS

21/01407/FUL	160 Coastal Road, Bolton Le Sands, Carnforth Restrospective application for the erection of a modular launderette unit for Mr Robert Mortimer (Bolton And Slyne Ward 2015 Ward)	Application Permitted
21/01408/FUL	24 Hatlex Lane, Hest Bank, Lancaster Demolition of existing garage, workshop, conservatory and lobby, and erection of a two storey front/side/rear extension, erection of a single storey side extension, erection of a detached garage/workshop, and alterations to existing access for Mr & Mrs Burrow (Bolton And Slyne Ward 2015 Ward)	Application Permitted
21/01413/FUL	47 - 49 West End Road, Morecambe, Lancashire Installation of replacement roof and cladding to existing outrigger, replacement cladding to existing dormers, replacement decking and cladding to existing balconies and installation of replacement UVPC door and windows to the rear elevation for Lisa Breeze (Harbour Ward 2015 Ward)	Application Permitted
21/01414/FUL	11 Hawthorn Close, Brookhouse, Lancaster Erection of single storey side and rear extensions for Mr and Mrs Fawcett (Lower Lune Valley Ward 2015 Ward)	Application Permitted
21/01415/FUL	51 West End Road, Morecambe, Lancashire Installation of replacement cladding to existing dormers, replacement decking and cladding to existing balconies and installation of replacement UVPC doors and windows to the rear elevation for Lisa Breeze (Harbour Ward 2015 Ward)	Application Permitted
21/01416/FUL	57 - 59 West End Road, Morecambe, Lancashire Installation of replacement cladding to existing dormers, replacement decking and cladding to existing balconies and installation of replacement UVPC doors and windows to the rear elevation for Lisa Breeze (Harbour Ward 2015 Ward)	Application Permitted
21/01419/ELDC	63 Westminster Road, Morecambe, Lancashire Existing lawful development certificate for the use of the building as three self-contained flats (C3) for Mr M Nicholls (Harbour Ward 2015 Ward)	Lawful Development Certificate Granted
21/01422/FUL	67 - 69 West End Road, Morecambe, Lancashire Installation of replacement roof and cladding to existing outrigger, replacement cladding to existing dormers, replacement decking and cladding to existing balconies and installation of replacement UVPC door and windows to the rear elevation for Lisa Breeze (Harbour Ward 2015 Ward)	Application Permitted
21/01423/FUL	71 - 73 West End Road, Morecambe, Lancashire Installation of replacement roof and cladding to existing outrigger, replacement cladding to existing dormers, replacement decking and cladding to existing balconies and installation of replacement UVPC door and windows to the rear elevation for Lisa Breeze (Harbour Ward 2015 Ward)	Application Permitted
21/01425/FUL	Lock Up Garages, Back Calton Street, Morecambe Erection of a garage for Mr Colin Matthews (Poulton Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

21/01431/HRA	Downlands Farm, Moss Road, Heaton With Oxcliffe Regulation 77 application for agricultural determination 21/00272/AD for Mr Grant Thornton (Overton Ward 2015 Ward)	Application Permitted
21/01433/HRA	Downlands Farm, Moss Road, Heaton With Oxcliffe Regulation 77 application for agricultural determination 21/00273/AD for Mr Grant Thornton (Overton Ward 2015 Ward)	Application Permitted
21/01436/FUL	49 Hest Bank Lane, Hest Bank, Lancaster Construction of a raised roof to existing rear extension, and construction of a dormer extension to the front elevation and the south east side elevation for Mrs Michaela Parkinson (Bolton And Slyne Ward 2015 Ward)	Application Permitted
21/01438/VCDN	Land To The Side Of 5 Wallings Lane, Silverdale, Carnforth Erection of a dwelling (C3) with parking and associated access (pursuant to the variation of condition 2 on planning permission 18/01343/FUL to amend the proposed plans) for Mr And Mrs Richardson (Silverdale Ward 2015 Ward)	Application Permitted
21/01443/PLDC	16 Monkswell Avenue, Bolton Le Sands, Carnforth Proposed lawful development certificate for the erection of a single storey rear extension, construction of a dormer extension to the side elevation and installation of two roof lights to the side elevation for Mr James Warwick (Bolton And Slyne Ward 2015 Ward)	Lawful Development Certificate Granted
21/01446/FUL	34 Fairhope Avenue, Lancaster, Lancashire Erection of a single storey rear extension for Mrs J D Carvalho (Skerton East Ward 2015 Ward)	Application Permitted
21/01447/PAD	Bainsbeck Farm, Kirkby Lonsdale Road, Arkholme Prior approval for demolition of outbuilding for Mr Edward Hayton (Kellet Ward 2015 Ward)	Prior Approval Refused
21/01455/AD	Yealand Hall Farm, Silverdale Road, Yealand Redmayne Agricultural determination for the erection of an agricultural store building for Mr M Holgate (Silverdale Ward 2015 Ward)	Prior Approval Refused
21/01463/LB	Lancaster Railway Station, Westbourne Road, Lancaster Listed building application for works to Platform 3 buildings, including the installation of three flueless gas stoves, new plaster ceilings, raised floor, fixed internal seating, exposed beer cellar with new lining to walls including waterproof wet room panels and glazed wall, installation of four external ventilation grilles, four air conditioning units, one cooling condenser, installation of uplights/downlights, external lighting, creation of outdoor seating area, installation of planters and subdivision of existing bin store to form bin and LPG Gas store with installation of gate and the fitting of one totem sign, one hanging sign, one projecting sign and one wall mounted sign for Lancaster Brewery (Castle Ward 2015 Ward)	Application Permitted

## LIST OF DELEGATED PLANNING DECISIONS

21/01464/FUL	15 Church Bank, Over Kellet, Carnforth Erection of a part two storey, part single storey, front, side and rear extension and erection of a detached garage for Mrs Helen May (Kellet Ward 2015 Ward)	Application Permitted
21/01466/EIR	59 Yealand Road, Yealand Conyers, Carnforth Screening opinion for construction of a porch to the side elevation, raising of existing roof trusses, creation of terrace area with external steps, creation of a new access and erection of new gate for Dr And Mrs Proctor (Warton Ward 2015 Ward)	Closed
21/01468/EIR	Hyning Barn, Borwick Lane, Warton Screening opinion for erection of an agricultural livestock building for Mr Matthew Allen (Warton Ward 2015 Ward)	Closed
21/01469/EIR	Mill House, Millhouses Road, Tatham Screening opinion for change of use and conversion of domestic garage/workshop to holiday accommodation and installation of associated package treatment plant for Mr G Cooper (Lower Lune Valley Ward 2015 Ward)	Closed
21/01470/EIR	Old Waterslack Farmhouse, Waterslack Road, Silverdale Screening opinion for change of use and conversion from former agricultural shippon to holiday cottage with associated parking space (sui generis) for Mr Brian Hevey (Silverdale Ward 2015 Ward)	Closed
21/01483/FUL	Cricket Ground Pavilion, Victoria Street, Carnforth Installation of replacement cladding to all elevations for Mr Peter Robinson (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
21/01487/FUL	55 South Road, Morecambe, Lancashire Erection of a single storey rear extension for Ms M Milner (Bare Ward 2015 Ward)	Application Permitted
21/01489/AD	Lower Barn, Littledale Road, Littledale Agricultural determination for erection of an agricultural storage building for Mr Riley (Lower Lune Valley Ward 2015 Ward)	Prior Approval Refused
21/01506/FUL	96 Broadway, Morecambe, Lancashire Erection of a single storey rear and side extension for Mr Adrian Jones (Bare Ward 2015 Ward)	Application Permitted
21/01514/EIR	7 Lunesdale Court, Hornby, Lancaster Screening request for the installation of replacement package treatment plant for Mrs Sandra Whalley (Upper Lune Valley Ward 2015 Ward)	Closed
21/01527/PAD	Ridge Lea Hospital, Quernmore Road, Lancaster Prior approval application for the demolition of all buildings on former Ridge Lea Hospital site for Seemore Properties Limited (Bulk Ward 2015 Ward)	Prior Approval Refused
21/01530/PLDC	50 Barton Road, Lancaster, Lancashire Construction of hip to gable extension and construction of a dormer extension to the rear elevation for Mr Hugh Gibson (Scotforth East Ward 2015 Ward)	Lawful Development Certificate Granted

## LIST OF DELEGATED PLANNING DECISIONS

21/01539/EIR	The Hawthorns Caravan Park, Main Road, Nether Kellet Screening request for the change of use of amenity land for the siting of 11 static caravans and creation of an associated internal road for Deryck Wright (Kellet Ward 2015 Ward)	Closed
21/01540/AD	New Coverts Wood, Doeholme Rake, Over Wyresdale Agricultural determination for forestry track for Declan Hoare (Ellel Ward 2015 Ward)	Prior Approval Granted
21/01541/AD	Land South West Of Emmetts Wood, Rakehouse Brow, Abbeystead Agricultural determination for forestry track for Declan Hoare (Ellel Ward 2015 Ward)	Prior Approval Granted
21/01546/NMA	2 Grange View Road, Nether Kellet, Carnforth Non-material amendment to planning permission 20/00029/FUL to alter the finish of the side extension from render to stone cladding for Miss Kirsty Moir (Kellet Ward 2015 Ward)	Application Permitted
21/01550/PAH	11 Slaidburn Drive, Lancaster, Lancashire Erection of a 6.00 metre deep, single storey rear extension with a maximum roof height of 2.60 metres and a maximum eaves heights of 2.60 metres for Z Mister (Scotforth East Ward 2015 Ward)	Prior Approval Refused
21/01556/EIR	Stanley Farm, Quernmore Road, Quernmore Screening opinion for the change of use of barn to 3 residential dwellings (C3) with associated access road, parking and landscaping for Claughton Hall Estate Ltd (Lower Lune Valley Ward 2015 Ward)	Closed
21/01563/PAD	Lower Kit Brow Farm, Kit Brow Lane, Ellel Prior approval for the demolition of two agricultural buildings for Mr Rob Rhodes (Ellel Ward 2015 Ward)	Prior Approval Refused
21/01565/PLDC	57 Broadway, Morecambe, Lancashire Proposed lawful development certificate for the construction of a hip to gable extension, construction of a dormer extension to the rear elevation and alterations to ground floor layout for Mr.&Mrs. G. Grainger (Bare Ward 2015 Ward)	Lawful Development Certificate Granted
22/00003/DIS	Leapers Rock, Kellet Road, Over Kellet Discharge of conditions 5, 6 and 8 on approved application 21/00517/FUL for Mr and Mrs David Wilson (Kellet Ward 2015 Ward)	Application Permitted
22/00005/EIR	Upper Ashleys, Millhouses Road, Tatham Screening opinion for installation of a gate and creation of new vehicular access for Mrs Lisa Oliver-Hannis (Lower Lune Valley Ward 2015 Ward)	Closed
22/00031/PLDC	44 Fairhope Avenue, Morecambe, Lancashire Proposed lawful development certificate for erection of single storey rear extension for Mr. M. Suart (Torrisholme Ward 2015 Ward)	Lawful Development Certificate Granted