

<b>DECISION DATE</b> 11 July 2005	<b>APPLICATION NO.</b> 05/00654/FUL A 8	<b>PLANNING COMMITTEE:</b> 27 June 2005
<b>DEVELOPMENT PROPOSED</b>  CONSTRUCT DISABLED PARKING AREA AND TURNING AREA, RETAINING WALL, LIMESTONE INFILL AND TERRAM GEOTEXTILE AND VEHICLE BARRIER		<b>SITE ADDRESS</b>  GAIT BARROWS NATIONAL NATURE RESERVE, MOSS LANE, SILVERDALE, CARNFORTH.
<b>APPLICANT:</b>  English Nature, Roudsea Wood, Fish House Lane, Haverthwaite, LA12 8PE.		<b>AGENT:</b>  Limestone Heritage Project Arnside/Silverdale AONB

#### REASON FOR DELAY

Not applicable

#### PARISH NOTIFICATION

**Silverdale Parish Council** – No objections subject to the two “blue badge” spaces being controlled with a Traffic Regulation Order.

#### LAND USE ALLOCATION/DEPARTURE

Arnside/Silverdale Area of Outstanding Natural Beauty.

#### STATUTORY CONSULTATIONS

**County Council Highways** - Observations awaited.

#### OTHER OBSERVATIONS RECEIVED

Five letters have been received from local residents who object on the following grounds:-

- Increased traffic using Moss Lane.
- Access to the site is already available at Challan Hall, off Ford Lane.
- Destruction of woodland.
- Increased use will encourage crime and anti-social behaviour.
- Car park will be a waste of public money.

Another neighbour does not object to the car park in principle but is concerned that other plans do not show any form of control over access to it, he would like it controlled so that it can only be used by disabled people.

## **REPORT**

This application has been reported to Committee, rather than dealt with under delegated powers, as it has been submitted by the Arnsdale/Silverdale AONB office acting as agents for English Nature.

The purpose of the proposal is to provide a means of access to Gait Barrows Nature Reserve suitable for use by disabled people. This reflects English Nature's responsibilities under the Disability Discrimination Act.

The site concerned is at the northern end of Moss Lane, a long cul-de-sac serving an area to the north east of the Carnforth - Barrow railway line. At the point where the surfaced area of Moss Lane ends and the public footpath into Gait Barrows begins it is intended to provide a turning area and two spaces suitable for use by disabled people. In deference to the character of the AONB, the area concerned would be surfaced like the path with limestone hardcore rather than tarmac; the parking bays would be defined with pieces of wood set into the ground.

Some levelling work will be needed to create a useable parking area. Three trees will have to be felled to provide sufficient space for the development. None of them are of any special individual significance.

Policy E3 of the Lancaster District Local Plan requires that development within AONBs should be of an appropriate scale and use materials appropriate to the area. Policy R21 states that in considering development proposals the City Council will, where appropriate, require access provision for people with disabilities.

Moss Lane is narrow, and the section where it crosses the railway line has an awkward and potentially hazardous alignment. It does not provide a route to Gait Barrows which can be regarded as suitable for general traffic. However, the other access to the site, at Challan Hall, involves steep gradients and is far from ideal for wheelchair users. The question of controlling the access with a barrier has been discussed with the applicants' agents and it is understood that they are willing to provide one. It is therefore recommended that consent should be subject to the provision of a gate controlled by a "RADAR" key or similar. In this form the parking spaces will be a welcome additional facility at Gait Barrow.

Members are recommended to grant consent subject to the conditions below.

## **HUMAN RIGHTS ACT IMPLICATIONS**

The proposal has to be considered in relation to two sections of the Human Rights Act. These are Article 8 (privacy/family life), and Article 1 of the First Protocol (protection of property). Article 8 is particularly relevant here as the proposal affects the quality of life for disabled people. Despite this the issues involved do not appear to be such as 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.

## **RECOMMENDATIONS**

**THAT PLANNING PERMISSION BE GRANTED** subject to the following conditions:

1. Standard five year condition.
2. Development to be carried out in accordance with the approved plans.
3. Trees adjoining the site to be protected from damage while construction work is in progress.
4. Barrier to be provided before the parking spaces are made available for use.