

<b>Agenda Item</b> A10	<b>Committee Date</b> 8 December 2014	<b>Application Number</b> 14/00939/FUL
<b>Application Site</b> Moor Platt Lancaster Road Caton Lancaster	<b>Proposal</b> Installation of a foul waste pumping station and construction of an associated compound	
<b>Name of Applicant</b> Mr Christopher Gowlett	<b>Name of Agent</b> None	
<b>Decision Target Date</b> 7 November 2014	<b>Reason For Delay</b> Further information sought	
<b>Case Officer</b>	Catherine Spreckley	
<b>Departure</b>	No	
<b>Summary of Recommendation</b>	Approval	

**(i) Procedure**

This application is one which would normally be dealt with under the Scheme of Delegation but has been placed on the Committee at the request of Councillor Jackson due to highway access concerns.

**1.0 The Site and its Surroundings**

- 1.1 The application relates to a small piece of land which forms part of the wider residential development currently being undertaken on the site of the former Moor Hall Care Home. To the south, the application site adjoins the driveway to 24 Ashcroft Close with a concrete panel and post fence marking the common boundary. To the west boundary, the site adjoins the highway to Ashcroft Close with a hedgerow to the boundary. The site benefits from a vehicular access point onto Ashcroft Close. The land rises up slightly from the level of the road.
- 1.2 The application site is located in the Countryside Area, as designated under the Lancaster District Local Plan, and within the Forest of Bowland Area of Outstanding Natural Beauty (AONB).

**2.0 The Proposal**

- 2.1 This application seeks consent for the installation of a pumping station to assist in connecting the residential development at Moor Platt to the mains foul sewer. The application is partly-retrospective as the pumping station is in place and operational. The pumping station itself is located below ground. Above ground are 3 access covers set in concrete, a two-metre high vent and a kiosk. A parking space for a tanker will be created alongside the boundary with 24 Ashcroft Close and will utilise an existing access point. The proposed compound will be created with the addition of bollards to the north and east boundaries and a 1.8 metre high close boarded fence and gate to the highway boundary.

### 3.0 Site History

Application Number	Proposal	Decision
13/00668/FUL	Demolition of the existing 2 storey disused care home and the erection of 6 two-bed houses, 15 three-bed houses and 12 four-bed houses including internal road layout and associated parking and landscaping	Approved
13/01131/VCN	Demolition of the existing 2 storey disused care home and the erection of 6 two-bed houses, 15 three-bed houses and 12 four-bed houses including internal road layout and associated parking and landscaping (pursuant to variation of condition 2 on planning permission 13/00668/FUL to amend the site layout in relation to plots 21-23 to allow for drainage easement)	Approved

### 4.0 Consultation Responses

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

Consultee	Response
<b>Environmental Health</b>	No significant implications for Environmental Health matters have been found.
<b>County Highways</b>	No objection. Condition requested in relation to the gate.
<b>Tree Protection Officer</b>	Conditions suggested.
<b>United Utilities</b>	<u>Initial comments:</u> Concern raised regarding the proximity of the pumping station to existing premises and the potential to cause noise, odour and vibration pollution to these properties. In line with Sewers for Adoption 6 <sup>th</sup> edition, the pumping station should not be located within 15m of any habitable dwelling. <u>Further comments:</u> Following discussions with the applicant, it has been agreed to work to the latest standards set out in Sewers for Adoption 7 <sup>th</sup> edition. This sets out varied stand-off distances for pumping stations. As the proposal is for a 'Type 2' pumping station, the classification for which is set out in the 7 <sup>th</sup> edition, it has been agreed that the stand-off distance between the wet well and any habitable dwelling should be a minimum of 10m. No objection subject to a condition requiring this separation distance.
<b>Parish Council</b>	Access to the pumping station should be through the Moor Platt development. Ashcroft Close is not suitable for heavy traffic. The amenity of existing residents should be foremost consideration. The pumping station should be fully screened from local residents. Noise levels should be monitored. Further information regarding vehicle movements should be requested.

### 5.0 Neighbour Representations

5.1 19 objections have been received to the proposed development in response to neighbour notification letters and the site notice. The issues raised in the objections are summarised as follows:

- Increase in traffic and highway safety.
- Vehicular access unsuitable for maintenance vehicles.
- Use of Ashcroft Close as the means of access.
- Existing parking problems.
- Tankers currently visit the site on a regular basis.
- Inappropriate site/location.
- Harmful appearance.
- Noise from pumps and maintenance vehicles.
- Air pollution.
- Overlooking.
- Sewerage odours have already been experienced.
- Kiosk will prevent maintenance of an adjoining garden fence.

- Lack of and incorrect information.
- The pumping station was not part of the original consent.
- Child safety concerns.

## **6.0 Principal National and Development Plan Policies**

### **6.1 National Planning Policy Framework**

Paragraphs 7, 14 and 17 – Sustainable Development and Core Principles  
 Paragraphs 56 and 58 – Requiring Good Design  
 Paragraphs 115 – Conserving and Enhancing the Natural Environment

#### Lancaster District Local Plan

Saved Policy H7 – Housing in Villages  
 Saved Policy E3 – Development affecting AONBs  
 Saved Policy E4 – Development in the Countryside Area

#### Lancaster District Core Strategy

Policy SC5 – Achieving Quality in Design  
 Policy E1 – Environmental Capital

### **6.2 Emerging Development Management DPD**

The Council is in the latter stage of preparing its emerging Local Plan. The Development Management DPD and Morecambe Area Action Plan have both been found to be soundly prepared, subject to the Inspector's binding modifications. It is anticipated that both documents will be reported to Full Council shortly with a resolution to formally adopt them as part of the Local Plan for Lancaster District 2011-2031. Given the advanced stage of preparation, the policies contained in both documents are now considered to hold significant weight in decision-making. Policy DM35 – Key Design Principles is relevant:

## **7.0 Comment and Analysis**

7.1 The main issues to be considered in the determination of this application are:

- Residential amenity;
- General design and impact on the landscape of the AONB; and
- Highway safety.

### **7.2 Residential amenity**

7.2.1 The applicant has explained that the odour reported by local residents has been due to the pumping station not being fully operational. Environmental Health Officers have visited the site and have not detected an odour. To reduce the risk of noise, odour and vibration pollution to nearby dwellings, United Utilities have requested, in accordance with the latest relevant guidance, that the wet well to the pumping station be positioned over 10m from the nearest dwelling. (This distance is measured from the centre of the wet well.) The proposal complies with this standard. As such, whilst the pumping station may generate some odour, noise and vibration pollution, this is unlikely to be to an extent that would be detrimental to the amenities of nearby residents.

7.2.2 The applicant has explained that a tanker will visit the site in the event that pump breaks down and a few times a year for necessary cleaning. The tanker will be no bigger than a refuse collection vehicle. In addition, regular maintenance will occur once every 3 months and this will be done from a single van. Given the frequency such visits are likely to occur, any impact to residential amenity will be minimal.

7.2.3 Tanker and van drivers may have views from their vehicles into the rear garden and side windows of 24 Ashcroft Close. Given the nature and frequency of such opportunities for overlooking, there will be no significant harm to the privacy of number 24.

### **7.3 General design and impact on the landscape of the AONB**

7.3.1 The proposed fence and gate will be visible from the A683 and along the length of Ashcroft Close. As such, the applicant has agreed to use a close boarded fence and gate. This is considered to be

appropriate for the residential character of the road. The existing hedge will help to soften the appearance of the fence. The top of the flue and kiosk will be visible from Ashcroft Close and fully visible from the Moor Platt development. The kiosk is of a green colour to limit its impact on its surroundings. Given the setting of the site, between two modern housing developments, it is not considered that the proposal will adversely affect the appearance and character of the locality or the landscape quality of the AONB.

#### 7.4 Highway safety

7.4.1 Ashcroft Close is a no-through residential road, approximately 5 metres wide. There are no parking restrictions on the road and it is understood from local residents that cars often park along it. The footway along the east side of the road stops adjacent to the southern boundary of the application site. A footway runs along the west side of the road for its entire length. The tanker that will be used will be no larger than a bin lorry. County Highways has raised no objection to the proposal. Ashcroft Close, its junction with the main road and the site access are therefore considered to be suitable for use by a tanker.

#### 7.5 Other matters

7.5.1 A number of objections have been received over the use of Ashcroft Close as the means of access to the pumping station, rather than through the Moor Platt development. Ashcroft Close is an adopted highway and this matter is therefore of little weight.

### **8.0 Planning Obligations**

8.1 Given the nature of the proposal there are no requirements for a legal obligation.

### **9.0 Conclusions**

9.1 It is considered that the proposed pumping station, the fencing and gate and the associated vehicle movements will not be of harm to residential amenities, will have minimal impact on the character and appearance of the locality and will not adversely affect highway safety.

### **Recommendation**

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

1. Development to be undertaken in accordance with amended plans.
2. Fence and gate to be installed within 4 months of the date of decision.
3. Retention of the hedge.
4. Tree work specification and Arboriculture Method Statement required in relation to proposed fencing.
5. Gate to open without encroaching onto highway.

### **Article 31, Town and Country Planning (Development Management Procedure) (England) Order 2010**

In accordance with the above legislation, the City Council can confirm the following:

The local planning authority has proactively worked with the applicant/agent in negotiating amendments which have now positively influenced the proposal and have secured a development that now accords with the Development Plan and the National Planning Policy Framework.

### **Human Rights Act**

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this report, the issues arising do not appear to be of such magnitude to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

### **Background Papers**

None.