

Agenda Item A7	Committee Date 5 May 2015	Application Number 15/00119/FUL
Application Site Land Adjacent Marine Road East Morecambe Lancashire	Proposal Demolition and reconstruction of the Wave Reflection Wall along Morecambe Promenade	
Name of Applicant Lancaster City Council	Name of Agent Mr David Conway	
Decision Target Date 5 May 2015	Reason For Delay N/A	
Case Officer	Mr Andrew Drummond	
Departure	No	
Summary of Recommendation	Approval	

1.0 The Site and its Surroundings

- 1.1 The application site stretches for approximately 1.8 km along the Morecambe seafront between Lord Street to the west and Happy Mount Park to the east. The site is immediately adjacent to Marine Road East (A5105). To the north of the application site is Morecambe Bay, with some areas of rock armour forming the primary sea defence adjacent to the promenade. The application site predominantly comprises the existing sea wall and promenade, the latter having a tarmac finish. The existing wave reflection wall is located between the promenade and the A5105.
- 1.2 The promenade was designated in the 2004 Local Plan as an Informal Recreational Area, a part of the Strategic Cycle Network and adjacent to an Access Corridor. The Strategic Cycle Network designation remains in place but the other 2 designations have been superseded by the Development Management DPD policies relating to good quality design (DM35) and the need to enhance and protect open space environments (DM26).

It also falls in very close proximity to Morecambe Bay which is designated as a Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Protection Area (SPA) and a Ramsar site.

2.0 The Proposal

- 2.1 The entire reflection wall project is proposed to take place over the next 6 years in 3 phases. This application relates to Phase 1 of the works between Lord Street and Happy Mount Park. The works are proposed on the same alignment as the existing wall. It is proposed to replace the existing degraded wall with a new wall of the same height and width, with the exception of between Church Lane and Broadway where the wall will be raised by 0.3m (as a result of overtopping in this location in the past). The new wall would incorporate new embossed patterns and road names at the openings to add visual interest. The works will involve the removal of the existing wall section down to the construction joint, some 0.5m below the tarmac surface. It will then be replaced with a pre-cast wall that will be bolted into the existing concrete foundation. The proposals include provisions to take large pieces of broken materials off site to be crushed and recycled. Re-surfacing of the new footpath on the road side will also occur with replacement of existing kerbs where necessary. The

majority of existing apertures will be maintained with some widening of these access points, though some will be lost or relocated to more appropriate locations that relate better with pedestrian/cycle movements along and across the A5105. Three of the apertures will be replaced with 'up and over' designs (steps up and down both sides). Associated with this will be the refurbishment of the promenade. The existing lighting will be replaced with the addition of low-level wash lighting at foot level every 10m, and low-level arm brackets mounted on the existing road side columns approximately every 30m, which will provide focussed down lighting over the promenade and will not spill onto the stone rock armour. The design will also provide re-surfacing to the entire length of the promenade, whilst the out-dated balustrade starting between Church Lane and Rosendale Avenue, ending between Royal Road and Broadway will be replaced. There will also be seating provided (attached to the wave wall every 50m); 25 new bins replacing the existing 17; gym equipment (three items in one location); power and water supply for a retail kiosk in one location (no kiosk to be installed as part of the scheme); two dog wash facilities; replacement of two shelters and the provision of additional signage (9 finger posts, 5 tower signage and 3 interpretation boards).

3.0 Site History

3.1 There is no site history directly related to this application.

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objection subject to conditions regarding off-site highway improvements and related traffic regulatory order and safety audits, and a construction method statement.
Environment Agency	No objection subject to a condition requiring the wall to the works being undertaken in accordance with the submitted Flood Risk Assessment.
Natural England	No objection.
Ramblers	Supports the application on the basis that the public right of way improvements can have economic benefits.
Environmental Health	No objection subject to conditions relating to hours of construction and dust control.
Conservation Officer	No objection.

5.0 Neighbour Representations

5.1 One letter has been received supporting the principle of a sea defence but questions why there is a balustrade in place on the wall opposite their property when this feature does not exist on other sections of wall which are lower.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

The National Planning Policy Framework indicates that the purpose of the planning system is to contribute to the achievement of sustainable development. At the heart of the NPPF is a presumption in favour of sustainable development (**paragraph 14**). The following paragraphs of the NPPF are relevant to the determination of this proposal:

Paragraph **17** – 12 core land-use planning principles
 Paragraphs **56** and **58** – good design
 Paragraphs **94, 99, 103** and **107** – flood risk
 Paragraph **118** – Biodiversity
 Paragraphs **129, 131, 132** and **135** – conservation

6.2 Lancaster District Core Strategy

SC1 – Sustainable development
E1 – Environmental capital

6.3 Development Management DPD

DM21 – Cycling and walking
DM32 and **33** – Development affecting heritage and non-designated heritage assets and their setting
DM26 – Open spaces
DM27 – Biodiversity
DM35 – Key design principles
DM38 – Flood risk

6.4 District Local Plan (saved policies)

T24 – Strategic Cycle Network
T26 – Improvements to the Strategic Cycle Network

7.0 Comment and Analysis

7.1 The key material considerations arising from this proposal are:

- Flood risk;
- Impacts on Morecambe Bay/Ecological Interests
- Design; and
- Highway safety

7.2 Flood risk

The existing wall protects approximately 13,000 properties to the south within Bare and Morecambe. The proposed works seek to enhance this protection. The Environment Agency supports the proposal subject to the works being undertaken in accordance with the submitted Flood Risk Assessment. The key mitigation measure identified in the assessment relates to the risk of surface water runoff. To reduce this risk the development will incorporate features that allow water to drain naturally to the estuary. This will primarily be achieved by laying the new promenade so that it slopes towards the estuary.

7.3 Impacts on Morecambe Bay/Ecological Interests

Natural England is satisfied that the updated information submitted with the application adequately addresses the potential impacts of this proposal on the interest features of Morecambe Bay's designated sites (Special Area of Conservation, Special Protection Areas, Ramsar). The project includes suitable mitigation to negate the potential impacts. Natural England agrees with the assessment of 'no likely significant effect' based on the revised Habitat Regulations Assessment. Measures to protect the designated site include use of silencers on machinery, erection of acoustic screens during the winter period, locating site compounds away from the high tide mark, and the implementation of good practice construction methods and Environment Agency Pollution Prevention Guidelines to minimise risk of pollution. Birdlife will be monitored to ensure that the avoidance measures are having the desired effect. Furthermore, the additional lighting proposed is sensitively designed to meet the needs of promenade users without having an impact on the adjacent natural habitats (low level wash lighting at foot level and focussed down lighting that does not spill off the promenade). This can be conditioned by condition. Whether as an isolated project or combined with other works along the shoreline, it is considered that there will be no likely significant effect.

7.4 Design

The proposed design seeks to address the aspirations of Lancaster City Council who has spent many years developing an understanding of the magnitude and direction of the coastal processes affecting the Morecambe town frontage, based on investigation and modelling by various consultants. The replacement wall is expected to meet a number of required performance and aesthetic criteria and will be accompanied by a suite of proposed improvements to the promenade and seafront. The submitted details provide a palette of materials which are acceptable and appropriate, but the documentation is caveated to state that the precise details will be subject to

agreement with the Local Planning Authority. Therefore a condition is proposed relating to materials.

7.5 Highway safety

The works are proposed adjacent to the promenade and the A5105. The former is busy with pedestrian and cycle traffic and the latter with vehicular movements. It is therefore critical that the works are undertaken in a manner which protect the safety of all users and the efficiency of these key routes. The Highway Authority has not objected to the application but has highlighted in their response that they will require specific off-site highway works to occur, which will need to be subject to a safety audit. Traffic Regulatory Orders (TROs) are also likely to be required. These requirements can be conditioned. Likewise, the request for a Construction Method Statement has also been made. It is important to control the parking of vehicles, storage of plant, waste and materials, and loading and unloading of vehicles and the erection of securing fencing/hoarding. Therefore it is appropriate to secure the Statement by way of a condition.

7.6 Other Matters

7.6.1 Heritage

Only a small section of this phase is adjacent the Morecambe Conservation Area and within the wider setting of a number of Listed Buildings (Town Hall and residential terrace – 333 to 343 Marine Road Central). In view of the distance of the proposed works from the Listed Buildings and the Conservation Area, and that the proposal effectively seeks to replace existing walls (albeit with additions of artwork), it is not considered that there will be any undue impact on the character or setting of the aforementioned identified heritage assets. In fact, due to the improved design of the wall it is deemed that the assets' setting will be slightly enhanced.

7.6.2 Residential amenity

The construction, which if planning permission is forthcoming is due to commence in June/July 2015, undertakes work on 100m sections at any one time and last approximately 12 months. Due to the existing levels of noise, visual, air quality and lighting disturbance associated with the activities along the Promenade, especially related to the highway, it is not envisaged that the works will have an adverse impact on residential amenity. However, there are conditions relating to dust control, noise mitigation measures and hours of work.

8.0 Planning Obligations

8.1 There are no planning obligations to consider as part of this application.

9.0 Conclusions

9.1 The existing wave reflection wall needs to be refurbished. This application proposes replacement (or in places improvements) of the existing wall. The required works have been assessed to the satisfaction of the relevant consultees to ensure that there are no adverse impacts on flood risk, ecology, highway safety and efficiency, heritage assets, and residential and environmental amenity. It is on this basis that the application is recommended for approval.

Recommendation

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

1. Standard 3 year timescale
2. Development in accordance with approved plans
3. Materials, including wall and steps, balustrades, surface treatments, seating, lighting, signage, bins, bollards, gym equipment, water/wash and electrical facilities
4. Ecological mitigation measures
5. Works to be undertaken in accordance with the submitted Flood Risk Assessment
6. Hours of work (Mon to Fri 0800-1800 and Sat 0800-1400)
7. Noise mitigation measures
8. Construction Management Plan (including dust control)
9. Off-site highway works, including safety audit and associated traffic regulatory orders and any necessary repair works to footpaths/cycleways

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

In accordance with the provisions of the above legislation, 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 developments that improve 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 Supplementary Planning Documents/Guidance.

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.