

Agenda Item A5	Committee Date 6 February 2017	Application Number 16/00847/FUL
Application Site Filter House Scotforth Road Lancaster Lancashire	Proposal Erection of two 4-storey student accommodation buildings comprising of 28 6-bed cluster flats (C4) with associated car parking and bin and cycle stores	
Name of Applicant William Mason	Name of Agent Mr David Hall	
Decision Target Date 27 February 2017	Reason For Delay Not applicable	
Case Officer	Mr Mark Potts	
Departure	Yes	
Summary of Recommendation	Approval (Subject to No Objections from National Grid and Environmental Health Officers otherwise the scheme be refused)	

1.0 The Site and its Surroundings

- 1.1 The application site relates to a parcel of land of 0.8ha on the west side of the A6, south of the urban area of Lancaster. The site is triangular, around 240m in length from north to south and 60m in width at the north end, tapering to a point at the southern end. The site is located within designated countryside area approximately 3km from Lancaster City Centre. Under the saved Local Plan the site is allocated for business use and adjoins land to the east (opposite the A6) that is allocated for the Bailrigg Science Park (Health Innovation Campus).
- 1.2 The site remains vacant and has done now for some considerable length of time. It was occupied by a former water filter house which has since been demolished. The only building now on the site is an electricity substation which dates from the 1960's. The site has suffered from quite extensive vandalism and graffiti over recent years.
- 1.3 The application site is tightly positioned between the A6 to the east of the site, which is a busy strategic vehicular access corridor into and out of the city, and the West Coast railway line to the west side. It therefore occupies a very prominent position at the southern gateway to the city. Beyond these access corridors the site is surrounded by open countryside, predominately used for agricultural purposes. Burrow Beck runs along the northern boundary of the site and is identified as a Biological Heritage Site. It also forms part of the Urban Greenspace designation which creates a natural edge to the boundaries of the urban area of Lancaster.
- 1.4 Vehicular access to the site is directly from the A6 into an area of hardstanding previously used for servicing and car parking. There is a pedestrian footway on the opposite (east) side of the A6 but no pedestrian crossing, although there is a pedestrian refuge at the centre of the carriageway. The south bound bus stop adjoins the site at its southern end whilst the north bound stop is opposite the northern part of the site. The closest strategic cycle network is to the east of the A6 near the settlement of Bailrigg. This cycle path links the residential areas of South Lancaster to the University.

2.0 The Proposal

- 2.1 The proposed development consists of two purpose-built accommodation blocks. The first of which is a 4 storey building which measures 14 metres in height at its highest point and would be 107 metres in length by 11 metres wide. The proposed materials consist of un-coursed stone facing to the ground floor, with darkened larch along the A6 frontage and native larch cladding within the inner courtyard elevation. The roof material would consist of a membrane in lead effect finish with standing seams.
- 2.2 Block B is located north of the existing substation on the site, and would be 30 metres in length, 8 metres in width and a maximum of 14 metres in height. Materials would include a mix of native larch cladding and un-coursed stone to the lower ground floor.
- 2.3 The proposed accommodation consists of student “cluster unit” consisting of 28 flats, being up to 6 bedrooms per cluster flat. In total the scheme would provide for 168 bedrooms across the two buildings. Car parking is to be provided in the form of 38 car parking spaces. Cycle stores would accommodate 56 bicycles, and provision is also made for refuse storage together with amendments to the position of the site access.

3.0 Site History

- 3.1 The site has been the subject of a number of planning applications.

Application Number	Proposal	Decision
15/00135/FUL	Demolition of existing buildings	Approved
13/00321/OUT	Demolition of former car showroom and erection of a food store (use class A1) and construction of a new access, servicing and parking areas	Refused and appeal withdrawn.
09/01102/CU	Resubmission of application 09/00859/CU for change of use from car showroom to A1 non-food bulky goods retail	Refused and dismissed at appeal.
09/00859/CU	Change of use from car showroom to A1 Non-food bulky goods retail	Withdrawn
99/01191/CU	Change of use to two units for the sale of cars/motor vehicles including works for parking, access and landscaping	Approved subject to the provision of a right turn lane and all other accesses to be closed.
99/00690/CU	Change of use to specialist car sales/servicing and carpet storage	Refused on highway grounds and landscaping.
98/00075/CU	Engineering/demolition works, incidental to the existing use of the land including altering land levels and resurfacing to facilitate temporary use of the site for storage purposes	Approved
98/00593/CU	Change of use to class B1 (Business/Light Industrial Use). Retention of new access and car parking.	Approved

4.0 Consultation Responses

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

Consultee	Response
Scotforth Parish Council	Concerns – safety implications for students crossing the A6, poor standard of access and the built form is out of context with the adjacent approach to the city.
County Highways	Initially requested additional information, however following receipt of additional information raise No Objection to the scheme subject to planning conditions controlling offsite highway works, a construction method statement, cycle and

	motorcycle facilities, a traffic regulation order restricting waiting on the A6, together with conditions for car parking and wheel cleaning.
Tree Protection	No objection.
Greater Manchester Ecology Unit	No objection; recommends conditions to protect Burrow Beck during construction activities and a boundary between the site. A water vole survey is also recommended should any works to the becks banks occur.
Lancaster Civic Society	Object to the development on the basis that it is in an unsustainable location and would advise that the City Council suspend further consideration of the planning application.
Conservation Officer	No objection.
Environment Agency	No objection, subject to conditions controlling contamination and highlight that Burrow Beck is main river and works within 8 metres will require their consent.
Lancaster University	Objection on the basis of planning policy conflict, sustainability credentials, highway safety concerns, noise, residential amenity concerns and design. Further Objection (19 th January 2017) raising concerns regarding the compatibility of the proposal with the prospective garden village, concerns on layout and design, and transportation issues.
University of Cumbria	No observations received within the required timescales.
Mineral Safeguarding	No observations received within the required timescales.
National Grid	No objection to the initial proposals. Awaiting observations regarding the siting of Block B adjacent to overhead lines and these observations will be reported to members.
Network Rail Asset Protection	No objection in principle, however raise issues in connection with the safe operation of the existing west coast mainline.
Lead Local Flood Authority	Objection based upon a non-suds compliant drainage scheme. Members will be verbally updated regarding their stance to the applicant's revised proposals.
United Utilities	No objection on the basis that the applicant disregards the suggestion that the site will be drained via the existing oversized pipe and should be drained to the watercourse at Burrow Beck.
Lancashire Constabulary	No objection, recommend conditions associated with secured by design, physical security, CCTV and lighting.
Environmental Health (Air Quality)	Objection to the proposal as insufficient information has been supplied in relation to Air Quality in particular in relation to the Air Quality Management Areas at Galgate and Lancaster.
Environmental Health (Contaminated Land)	No Objection, recommends conditions associated with contaminated land.
Environmental Health (Noise)	No Objection, recommends conditions ensuring the internal noise levels meet the required standards. Advice has been sought on the amended proposals given the proximity of Block B to the overhead power cables and members will be informed verbally at Committee.
Local Plans	No objection to the scheme, whilst the scheme is a departure from the local plan the marketing that has been carried out over recent years is considered acceptable.
Electricity North West	No objection, however note that the development is adjacent to the ENWL substation.
Dynamo	No objection to the development for student accommodation however they do raise objection as cycle provision is on piecemeal basis and that development of South Lancaster is not joined up.

5.0 Neighbour Representations

5.1 The application has been advertised in the press and by site notice. To date there has been no representations received in response to the scheme.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework

Paragraph 12 and 14 – Presumption in favour of Sustainable Development
Paragraph 17 – Core Principles
Section 1 (paragraph 18 – 22) – Building a strong, competitive economy
Paragraph 28 – Supporting the rural economy
Section 4 (paragraphs 29 – 41) – Promoting sustainable transport
Paragraphs 56, 58, 61, 64 – Good Design
Paragraph 69 – Promoting healthy communities
Paragraph 123 - Noise
Paragraphs 188-190 – Pre-application engagement
Paragraphs 196-198 – Determining planning applications

6.2 Local Planning Policy Overview – Current Position

At the 14 December 2016 meeting of its' Full Council, the local authority resolved to undertake public consultation on:

- (i) The Strategic Policies and Land Allocations Development Plan Document (DPD); and,
- (ii) A Review of the Development Management DPD.

This will enable progress to be made on the preparation of a Local Plan for the Lancaster District. It is envisaged that the public consultation will commence on 27 January 2017 and conclude on 24 March 2017, after which (if the consultation is successful), the local authority will be in a position to make swift progress in moving towards the latter stages of; reviewing the draft documents to take account of consultation outcomes, formal publication and submission to Government, and, then independent Examination of the Local Plan. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in 2018.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan. Following the Council resolution in December 2016, it is considered that the Strategic Policies and Land Allocations DPD is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan's preparation progresses through the stages described above.

The **Review of the Development Management DPD** updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making. Where any policies in the draft 'Review' document are different from those adopted in 2014, and those policies materially affect the consideration of the planning application, then these will be taken into account during decision-making, although again with limited weight. The weight attributed to the revised policies in the 'Review' will increase as the plan's preparation progresses through the stages described above.

6.3 Lancaster District Core Strategy (adopted July 2008)

E1- Environmental Capital
SC1 – Sustainable Development
SC2- Urban Concentration
SC4 – Meeting the District's Housing Requirement
SC5- Quality in Design

6.4 Lancaster Local Plan

EC1 – Lancaster Science Park
E29 – Urban Greenspace

6.5 Development Management DPD

DM20 – Enhancing Accessibility and Transport Linkages
DM21 – Walking & Cycling
DM22 – Vehicle Parking Provision
DM23 – Transport Efficient and Travel Plans

DM35 – Key Design Principles
DM36 – Sustainable Design
DM37 – Air Quality Management and Pollution
DM38 – Development and Flood Risk
DM39 – Surface Water Run-Off and SUDS
DM46 – Accommodation for Students
Appendix B – Car Parking Standards
Appendix D – Purpose Built and Converted Shared Accommodation
Appendix F – Studio Accommodation

6.6 Strategic Policies and Land Allocations DPD (Consultation January 2017)

Policy DOS5 – Land at the Old Filter House, South Lancaster
Policy SG1 – Bailrigg Garden Village

7.0 Comment and Analysis

7.0.1 The main considerations with the application are as follows;

- Principle of Student Accommodation (including Prematurity);
- Loss of Employment Land;
- Highways/Accessibility;
- Design and Amenity;
- Ecology;
- Drainage and Infrastructure;
- Noise and Vibration;
- Air Quality;
- Landscaping;
- Other Matters.

7.1 Principle of Student Accommodation (including Prematurity)

7.1.1 The Local Planning Authority are supportive of new purpose built student accommodation, and would generally look to direct this to Lancaster City Centre. Generally, the development of purpose-built student accommodation provides an opportunity to seek to return some of the traditional housing stock (including areas of Primrose, Bowerham and Greaves) back to the residential open market, hopefully providing much-needed affordable accommodation for first time buyers. The site can be accessed via a 1.5km walk from Lancaster University (walking along the A6 and then via Bigforth Drive – although students are more likely to walk via Bailrigg Lane which is around 1.25km) and is approximately 3km from the University of Cumbria. However the site is located on the main bus stop route (which will change slightly as part of the Health Innovation Campus proposals) and is served by a variety of bus services which go directly to both Universities. The nearest supermarket is Booths – also located on the same bus route – and lies approximately 1km from the site. There is also the Shell Garage (Spar Convenience Store) on Scotforth Road (775 metres to the north). Whilst other amenities are slightly further away than ideally would be required for a scheme that proposes the number of bedrooms that this scheme does; given its relationship to the University, and being on the main bus route, this weighs in support in terms of the planning balance. The nature of the use proposed – student accommodation – has greater potential for linkage with the University and the proposed Health Innovation Campus than other previous proposals for the site (e.g. retail).

7.1.2 The need for student accommodation in Lancaster is identified within the Development Management DPD and Policy DM46 sets out criteria by which proposals will be assessed, such as ensuring appropriate living conditions, occupancy conditions, development that is sympathetic to heritage assets and satisfies all relevant planning policies. The local authority are supportive of student accommodation, however would ordinarily wish to see this located within the City Centre as highlighted in Paragraph 7.1.1. Lancaster University have significant concerns with regards to the sites location and question the sustainability credentials, and considers the application is highly speculative and offers nothing in the way of significant benefits to ensure that the students receive the best possible experience whilst studying at the University. Officers share the views of the University in-so-far as the site is quite isolated, and to get to basic amenities there will be a need to cross the busy A-Road, with the pavement along the A6 (to the rear of Oakwood Gardens) being

under the standard 2m pavement width, however a number of students and non-students currently use this route to get to the local amenities in Scotforth.

- 7.1.3 At the start of the year the area of Bailrigg was announced as one of 14 new Garden Villages in the country. The Government has emphasised that the Garden Villages would be distinct new places with their own community facilities, rather than extensions to urban areas. The application site is located within the Bailrigg Garden Village area.
- 7.1.4 The Garden Village is also an emerging land allocation in the Development Plan with the intention to create a well-planned and distinctive place. Under emerging Policy SG1 developments will be supported where they satisfy design, environmental, transport and infrastructure considerations. These issues are examined in more detail throughout this report. Whilst at present the site does feel quite divorced from surrounding development and infrastructure, it is still a brownfield site in a prominent location. It is envisaged over time that development will come forward around the application site, but of course each application has to be assessed on their own specific strengths and weaknesses.
- 7.1.5 More recent correspondence regarding this planning application includes representations that say that the planning application should not be determined until more is known about the Garden Village. Local Planning Authorities must determine planning applications in a timely manner and cannot defer them indefinitely. To do so would almost certainly lead to an applicant appealing against 'non-determination' of the planning application. Whilst indefinite deferral is clearly not an option, there is (in extreme circumstances) the option of refusing an application on the grounds of prematurity.
- 7.1.6 National Planning Practice Guidance provides useful commentary on the issue of prematurity. It states:
- "Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process".*
- 7.1.7 When considering whether this particular development is premature (i.e. ahead of masterplanning the Bailrigg Garden Village), the two questions that need to be considered are:
- (a) Is the development proposed so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and,
 - (b) Is the emerging plan is at an advanced stage (even though it is not yet formally part of the development plan for the area).
- 7.1.8 In response to the first issue, whilst masterplanning will be so fundamental to successfully delivering the Garden Village, it is considered that the Filter House site can be developed ahead of this work. This is because the site is unique in being immediately bounded by Burrow Railway Bridge to the south, the West Coast mainline to the west and the A6 to the east. This means that the concept or eventual layout of the Garden Village is unlikely to be constrained by approving this site for student accommodation. On the second issue, Paragraph 6.2 provides an accurate summary of the current position.
- 7.1.9 It is therefore considered that redevelopment of this individual site is not premature ahead of masterplanning the Garden Village.

7.2 Loss of employment land

- 7.2.1 The application site was considered to have had a long term potential to perform an ancillary role to the Lancaster Science Park, and this was the reason for its inclusion within the former science park designation under Policy EC1 of the Local Plan. However the site is not included on current permission for the Science Park (or Health Innovation Campus as it is now known), and is land within

separate control. The 1999 planning application (99/01191/CU) allowed, on an exceptional basis, a non-B1 use and it is clear that the retention of the site in business use is not essential to the development of the Innovation Campus, (but there are naturally benefits to this). Under the current emerging Land Allocations Policy DOS5 goes onto say that the local planning authority will support the regeneration and redevelopment of the site which could include employment, commercial and recreational uses. Notwithstanding the above, any student residential use would be considered a Departure from the Development Plan.

7.2.2 Paragraph 22 of the NPPF states that the long term protection of employment sites should be avoided where there is no reasonable prospect of a site being used for that purpose. Given the repeated submission of planning applications for this new uses for this site, and the length of time that it has remained vacant, it is clear that the site has either not proved attractive or viable to developers; or that the use being proposed was inappropriate (e.g. retail); or that the natural constraints of the site are such that render development impractical.

7.2.3 The applicant has submitted marketing material to demonstrate that the site is no longer viable or appropriate. Whilst it provides a narrative of how the site has been marketed over the last few years it would have been more beneficial to see some further information in support of marketing for employment-generating uses. Lancaster University have stated in their letter of objection that they would remain interested to purchase the site to ensure compatible development with the wider growth masterplan of the University and particularly the Health Innovation Development side. Notwithstanding this point, on balance it is considered that sufficient information has been provided to allow for this departure from policy and therefore the scheme accords with the principles contained within Policy DM15 of the Development Management DPD.

7.3 Highways

7.3.1 Given the scale of the development proposed the scheme is accompanied by a Transport Statement. The proposed site access will remain essentially the same as the existing, however widened slightly with provision made for a 2 metre footway either side with the kerb radii at 10 metres. This extends outwards to 3 metres in width along the building frontage before arriving at a proposed toucan crossing on the site frontage, which is aimed at improving safety for pedestrians crossing between the site and the eastern part of the A6. On the eastern side of the A6 it is proposed to provide a 3 metre footway/cycleway in replacement of the existing footway. A new bus stop to quality bus standards is proposed for the southbound bus stop opposite the site. Visibility splays in the region of 2.4 metres x 120 metres were initially proposed however this has since increased to 4.8m x 120m visibility in the leading direction and 4.5m x 120m visibility splay in the non-leading direction. Whilst parking has been provided on the site, it is likely that this would be more utilised for drop-off at the start of term/collection etc. Officers did question the need for permanent parking areas and the applicant was amenable to reducing the number, however County Highways considered that the 38 parking spaces were required to allow capacity for drop off and collection of students in this particular location, otherwise it could represent a highway safety concern with dropping off potentially occurring on the A6.

7.3.2 The County Council initially requested that further information was supplied with respect to off-site highway works, parking, the illumination of Bailrigg Lane, waiting restrictions between the site and Collingham Park, servicing arrangements for the substation and covered motorcycle parking. The applicant has provided additional information to satisfy these concerns, including providing four disabled car parking spaces and a secured bike store to serve Block B. This results in no objection being offered by the County Council on highway grounds nor in terms of geographical sustainability. The County Council accept that a key consideration of the sustainability of this site is that students will be the only occupiers and on that basis they ask that this is controlled by planning condition.

7.3.3 Whilst there is no objection from County Highways. Officers retain some concern regarding students walking down Bailrigg Lane to access the University, as Bailrigg Lane does not feature a pavement nor is it lit (until the junction with the cycle track). The applicant has committed to illuminate this and this can be delivered. In terms of widening this to accommodate a footway, it is unlikely to be possible without the benefit of third-party land and the County Council have not requested that this is necessary, and therefore whilst it has merit, there is no prospect of this satisfying the national tests without support from County Highways. Furthermore none of Bailrigg Lane currently benefits from a pavement; however its junction with the A6 is particularly narrow and the alignment is not straight.

7.3.4 The University appointed their own transport consultant (White Young Green) to review the applicant's transport assessment who considered that the assessment lacked detail on matters such as highway safety, visibility splays, pedestrian and cycle improvements, car and cycle parking, servicing arrangements and general concerns regarding the accessibility of the site. Additional information has been supplied by the applicant's transport consultant to address some of these concerns. Since the submission of the amended transport statement in November 2016, comments have been received from Lancaster University (19th January 2017) who continue to raise concern regarding the crossing facility across the A6. They cite the possible problems with international students who they consider could be vulnerable given different traffic rules apply. The same is true for students not used to the area or indeed the speed of the A6. Additionally they maintain concerns regarding the swept path analysis used for refuse vehicles and also the security barrier, which is only 17 metres from the A6 and therefore they consider that this could cause vehicles backing onto the A6 should a fault occur. Given the response from the statutory consultee - County Highways - there does not appear to be sufficient highway safety or efficiency grounds to merit a refusal of permission. Should permission be granted the off-site highway works will have to occur before any occupation of the building, and this would be controlled via planning condition.

7.4 Design and Amenity Considerations

7.4.1 The initial proposals were considered by officers to represent inappropriate design on such a prominent location, being rather lacklustre and homogenous in form and massing and not befitting a gateway location. In view of these concerns the scheme has been amended to be more imaginative, and whilst the massing of the main block of accommodation (Block A) is similar, the use of saw-tooth windows and emphasis upon the northern and southern elevations of the building have helped to make the building more striking. The revised proposals for Block A have attempted to animate the northern and southern elevations of the building given these are the principal elevations that would be viewed for motorists. The applicant has appeared to try to take some inspiration from some of the buildings that are on the University Campus. It is considered that the cantilevered design, use of saw tooth windows and darkened larch cladding to the A6 frontage will deliver a building that is contemporary. The site's isolated position allows the applicant to adopt such an approach. The proposal includes a series of pitched roofs that run through this main block. The length of the building does raise concerns, given that it could be 'read' as one singular mass of (107 metres in length), and ideally the provision of two smaller blocks would have introduced some relief into this building.

7.4.2 Block B is sited to the north of the site and is more modest in scale, standing at 30 metres in length and 4 storeys in height. In design terms it is splayed to the east and west and would contain a flat roof within the centre of the building. When viewed from the north and south (assuming the delivery of high-quality materials controlled via planning condition) it is considered that this building would assist in screening the existing substation. The success of the scheme will be dependent on those high quality materials, such as the un-coursed stone to the ground floor. Whilst there is some reticence about the use of larch cladding on such a mass of a building, over time this is likely to turn quite silver and could be quite striking assuming the development is executed well. All design is subjective, however it is considered that compared to the previous iteration of the scheme there has been significant progress made, and on balance does demonstrate a standard of design that officers feel that they can support and therefore conforms to Policy DM35 of the Development Management DPD.

7.4.3 In terms of room sizes these all comply with Appendix D of the DM DPD in terms of bedrooms being in excess of 11sqm with an acceptable kitchen/living space. The vast majority of the rooms would receive an acceptable outlook but there is some concern for the southern part of Block A where 8 of the bedrooms of the ground floor overlooking the railway would be looking onto fencing. There has been significant improvement over the earlier iteration of the scheme which for certain bedrooms would have compromised privacy, together with bedrooms overlooking the substation. Block B does raise concerns with amenity associated with the overhead power lines such as the low frequency hum and associated concerns with the electric and magnetic fields and potential health risks. At the time of compiling this report none of the consultees have objected to the development on health and amenity, and it would appear that the minimum separation to the overhead lines can be achieved; however confirmation from National Grid is still required. Environmental Health Officers have still to provide comment to the amended plans and therefore this element will be reported verbally to Members.

7.4.4 As mentioned, the scheme provides good levels of communal living accommodation associated with the cluster flats, but it is considered that a weakness of the proposal is that it does not contain private dining, gymnasiums, games room, or quiet study areas which - given the number of bedrooms may have assisted in providing a better student experience. Notwithstanding this, there is nothing in policy requiring these additional facilities, and on balance it is considered that residential amenity will not be compromised and that the scheme provides for adequate room sizes and overall when taken as a whole, outlook levels would be acceptable.

7.5 Ecology

7.5.1 Given the developed nature of the site in between two significant transportation routes the site is not of substantive ecological value but the northern boundary of the site does abut a Biological Heritage Site (BHS) in the form of Burrow Beck. Whilst no physical development is proposed to the BHS, the surface water from the development and the car park is to be directed towards the beck in line with the sustainable urban drainage system (SUDs) hierarchy. Whilst no objection has been raised by the Council's ecological advisors they have suggested that a water vole survey should be carried out prior to works commencing on the site that would involve direct encroachment into the BHS and also direct works to the banks of the beck. The applicant's ecological assessment did not highlight any impact on water voles, but given the comments of Greater Manchester Ecological Unit it is considered reasonable to impose a condition should members determine to approve the application. Measures to protect Burrow Beck and prevent encroachment into the beck are also proposed and given Burrow Beck is a main river any works within 8 metres of the watercourse are likely to require the consent of the Environment Agency.

7.5.2 Natural England initially raised concerns as there was insufficient information to determine whether the likelihood of significant effects could be ruled out on Morecambe Bays Internationally Designated Conservation Interests and to address the concern the applicant supplied a construction method statement for the works around Burrow Beck and also a drainage plan (which showed a connection to the sewer and not directly to Burrow Beck as what should be sought). Natural England also suggested the provision of information packs to inform future occupiers of the Bay and its important qualities. Officers consider there is unlikely to be increased pressure exerted on the Morecambe Bay Special Protected Area (SPA), Ramsar Site, Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) (2km to the west of the scheme) as a result of this application. However planning conditions associated with drainage and ecology should be imposed on any permission. The site is not used by protected species and it is considered that concerns of pollution entering burrow beck can be addressed by means of planning condition.

7.6 Drainage and Infrastructure

7.6.1 The application is accompanied by a Flood Risk Assessment. The majority of the site falls within Flood Zone 1 (at least possible risk of flooding), how a small section to the north of the site is within Flood Zone 2 however this area proposes to accommodate the car parking together with a very small element of Block B. The applicant's initial proposal was to direct surface water towards Burrow Beck, however the applicant changed the proposal midway through the application process to connect to the existing infrastructure which consists of a 15" diameter site sewer (given this already exists and therefore is a logical suggestion by the applicant). There is however Burrow Beck watercourse adjacent to the site, and given the applicant did initially propose to connect to this within their original Flood Risk Assessment and then amended their proposal based on the fact there is existing infrastructure here, but there is no justification as to why the proposal to connect into Burrow Beck cannot be facilitated. The views of the Lead Local Flood Authority (LLFA) on the applicant's initial proposal to connect to Burrow Beck was one of No Objection subject to conditions. The LLFA and United Utilities have objected to the applicant's intention to drain surface water direct to the existing sewer, since the objections raised the applicant has confirmed that they would be amenable to draining the site sustainably via Burrow Beck and therefore a condition to this effect should be attached to any grant of consent directing surface water to be drained sustainably and the foul via the existing foul drainage network. The applicant has supplied an amended drainage strategy and the views of the LLFA and UU will be reported verbally to Members.

7.6.2 There are overhead power lines running along the northern boundary of the site and whilst National Grid raised no objection to the original site layout, the revised proposal seeks to site Block B in very close proximity to these power lines. Officers consider the outer line is approximately 6 metres to

the north of Block B and are in the region of 20 metres above ground level. Block B is proposed to be a maximum of 14metres in height. The above however does not cater for any swing which can be associated with pylons. National Grid do advocate that 5.3 metres should be provided between lines and any object or building and therefore on face value it would seem to imply that the relevant separation distances can be met. National Grid's response is required to enable a positive recommendation, should they object to the scheme, then Members will be advised that planning permission should be refused for the development. It should be noted however that officers do have concerns regarding the levels of the site for a four storey development and consider that the site levels should be lowered in any event to facilitate a positive recommendation (Paragraph 7.10.1).

7.7 Noise and Vibration

7.7.1 The application is supported by a noise and vibration assessment given the presence of the West Coast Mainline and also the A6. The views of Environmental Health have been sought on the application who do not raise an objection to the scheme on the basis that the triple glazing and acoustic wall vents are incorporated into the build and that the buildings are constructed in standard blockwork and not a lightweight cladding system. The applicant's acoustician recommends a condition requiring a condition demonstrating compliance with the recommended internal noise levels of BS 8233:2014. This is considered reasonable as the applicants noise report has not been amended following the amended site layout. With respect to vibration the applicant's vibration assessment concludes there will be a low probability of adverse comment, Environmental Health comments are still to be received in relation to this report, and will be reported verbally to members.

7.8 Air Quality

7.8.1 The Council's Air Quality Officer considers that the traffic generated by the development will potentially impact on the two Air Quality Management Areas in Lancaster and Galgate, and the Air Quality Officer considered that whilst the impact from the development is not expected to be large, measures should be put in place to mitigate the anticipated impact and considers the application should be refused. In reality this is student accommodation and occupants are more likely to travel to Lancaster University on a daily basis (should they opt to use a car – which for the reasons in Paragraph 7.3.1 officers note that this may not happen in any event) and therefore unlikely to pass through each of the Air Quality Management Areas. The concerns of the Air Quality Officer are noted but Officers consider that it would not be sufficient to warrant refusal of the planning application and it is considered a reasonable suggestion to include electronic vehicle charging points as part of the scheme.

7.9 Landscaping

7.9.1 There is potential to provide hard and soft landscaping within the scheme (notably to the west of Block A and also to the south of the site) and the initial proposal did include a landscape scheme in support of the submission, which has not been updated to reflect the amended scheme and therefore a condition is recommended requiring the submission of a landscaping scheme and associated long term maintenance.

7.10 Other Matters

7.10.1 Officers do have concerns regarding the differing levels of the site, because the site is higher than the A6. These concerns are exacerbated now that the scheme has evolved to provide 4-storey buildings as opposed to a combination of 3 and 4-storey buildings. A condition regarding site levels is necessary to ensure that the buildings are built at the same level as the A6 and not the current level of the site. This will assist in making the scheme less dominant and should also afford further protection to the overhead pylons. A condition restricting the use of the building for student occupation at Lancaster University and University of Cumbria is also recommended. Given the historical nature of the site (as an old filter house) there is likely existing pipework and there are water mains on the site and therefore United Utilities will need access for operating and maintaining it, although no objection has been raised. The site is adjacent to the West Coast Mainline, and Network Rail have no objection to the development however they have raised some concerns in terms materials, landscaping, and issues associated with maintenance, the applicants attention has been drawn to the need to obtain the relevant agreements from Network Rail for the proposed works.

8.0 Planning Obligations

8.1 There are no planning obligations proposed.

9.0 Conclusions

9.1 The Filter House site has been in a poor condition for too long. The development of the site is capable of positively regenerating the locality and the setting of the wider area. It is an unusual design, and the scale and massing of the proposal is unusual, but then the site is an unusual shape and has almost unique constraints. The amendments that have been sought mean that the proposal is more innovative. The use of high quality materials should ensure that this prominent gateway site benefits from a building capable of standing the passage of time.

9.2 Although the site is not in a location where student accommodation would routinely be supported, the geographical relationship that the site would have with Lancaster University (in particular) is such that on balance it is considered to represent an appropriate location for this particular use. The package of off-site highway works that have been proposed are required to enable occupiers to travel to and from the University safely and the application has the support of the County Council as Highway Authority.

9.3 The scheme has found to be acceptable in general amenity terms for future occupiers, however there are concerns regarding the presence of the overhead power cables in relation to Block B and Members updated verbally as to the response of Environmental Health and National Grid on this point. Members are therefore advised that subject to no objections from Environmental Health and National Grid that the scheme be supported.

Recommendation

That subject to the receipt of further consultation responses from the statutory consultees, Planning Permission **BE APPROVED** subject to the below conditions:

1. Timescales
2. Approved Plans
3. Ecological Mitigation
4. Submission of finished floor levels
5. Access Details
6. Offsite highway works (fully implemented prior to first occupation)
7. Car Parking in accordance with approved details including submission of Car Parking Management Plan
8. Access to the south of the site to be permanently stopped up.
9. Cycle Facilities
10. Contaminated Land
11. Foul Drainage
12. Surface Water Drainage
13. Landscaping (Hard and Soft Landscaping)
14. Building Materials (Accommodation blocks, refuse, motorcycle, cycle and refuse stores, fencing and gates and acoustic fencing)
15. Noise Mitigation
- 16.. Ventilation
17. Student Accommodation Only
18. Security Measures
- 19: Electric Vehicle Charging Points

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

In accordance with the above legislation, the City Council can confirm that it 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

Not applicable