

Agenda Item A6	Committee Date 18 September 2017	Application Number 17/00731/FUL
Application Site The Tractor Yard Capernwray Road Capernwray Carnforth	Proposal Demolition of existing buildings and erection of four industrial buildings comprising mixed use Light Industrial (B1) and Storage and Distribution (B8) with associated access road and parking	
Name of Applicant Mr S Wightman	Name of Agent JWPC Chartered Town Planners	
Decision Target Date 18 September 2017	Reason For Delay None	
Case Officer	Mrs Eleanor Fawcett	
Departure	No	
Summary of Recommendation	Refusal	

(i) Procedural Matters

The application was deferred at the August Planning Committee meeting to allow a site visit to be undertaken.

1.0 The Site and its Surroundings

1.1 The site relates to an area of land located within the dispersed hamlet of Capernwray, approximately 2.3km to the north of Over Kellet and 3.9km to the north east of Carnforth. It comprises a large area of hardstanding, a single storey rendered building with a metal roof and a portable building, and is used for the sale, hire and servicing of agricultural vehicles. The site was originally part of the adjoining farm complex, Capernwray Old Hall Farm, and is still under the same ownership. This includes a number of large modern agricultural buildings, and a Grade II Listed farmhouse located approximately 90m from the application site. Most of these buildings appear to be used in association with the applicant's caravan site for the storage of caravans. However, part of the building to the north of the application site is used as a workshop in association with the tractor yard.

1.2 The site has an existing access from Capernwray Road and adjoins a field to the east. The south west, south east and north east boundaries comprise stone walls and a row of mature trees which are predominantly conifers. There are some other smaller groups of trees within the site. There is a group of residential properties located to the east, the closest boundary of which is approximately 60m from the site. Two of the buildings within this group, Rose Cottage and New Capernwray Farm, are Grade II Listed. The Lancaster Canal is located approximately 130m to the west and is a Biological Heritage Site. The site is located within the Countryside Area, as identified on the Local Plan Proposals Map, and is within a Radon Affected Area where basic radon gas protection measures are necessary.

2.0 The Proposal

2.1 Planning permission is sought for the erection of four buildings in order to provide eight industrial units. These will have a mixed use of light industrial and storage and distribution. The proposal also includes the removal on one building on the site which measures approximately 18m by 8m. Three

of the buildings would be 19.7m by 11.6m, with a height of 4m to the eaves and 6 metres to the ridge. One of these would be divided into two units. The fourth building would be a combination of two of these buildings with a longer, thinner one in the centre, giving a total length of 63.2m. These would have the same eaves and ridge height from the front but each section would be stepped up, presumably following a change in levels across the site. A total of 54 parking spaces are proposed, and an additional area of hardstanding appears to be proposed in the northeast corner of the site, although its use is unclear. The buildings are proposed to be finished in timber boarding above a blockwork plinth and have a fibre cement or profile steel roof.

3.0 Site History

- 3.1 Planning permission was refused at Planning Committee in December 2016 for the demolition of existing buildings and the erection of four industrial buildings comprising mixed use Light Industrial (B1) and Storage and Distribution (B8) with associated access road and parking, similar to the current proposal. It was refused for the following reason:

The site is in an unsustainable location within the open countryside, remote from services. Sufficient justification has not been provided to warrant the erection of the industrial units in this isolated location. As a consequence, the proposal is contrary to the aims and objectives of the National Planning Policy Framework, in particular the Core Principles and Section 3, Policy SC1 of the Lancaster District Core Strategy and Policies DM7, DM15 and DM20 of the Development Management Development Plan Document.

- 3.2 When the last application was determined, the site benefited from a certificate of lawful use of the land and buildings for agricultural engineering, sales and support workshop which was granted in 2001. This was very specific in relation to the areas used for the parking and turning of vehicles for customers, staff, sales and hire and restricted the number of vehicles for sale to 10, the number of vehicles for hire to 10, the number of staff vehicles to 5 and the number of employees to 6 full time equivalent. In May 2017 a lawful development certificate was granted for the use of the land and building for agricultural engineering, sales, hire, repair, without any of the previous restrictions. A lawful development/use certificate cannot impose conditions, rather the limitations set out provide a benchmark from which any future use may be examined to determine if there has been a material change of use.

Application Number	Proposal	Decision
17/00263/ELDC	Existing lawful development certificate for the use of land and building for agricultural engineering, sales, hire, repair and storage	Approved
16/01060/FUL	Demolition of existing buildings and erection of four industrial buildings comprising mixed use Light Industrial (B1) and Storage and Distribution (B8) with associated access road and parking	Refused
16/00392/PRETWO	Change of use and erection of industrial units (B1 and B8)	Advised that planning permission would not be supported
06/00243/FUL	Construction of an open air wash bay for the use of forestry, agricultural and construction, plant and equipment.	Withdrawn
04/00362/FUL	Erection of an building for the storage of tractors and combine harvesters	Approved
03/00250/CU	Change of use of vacant agricultural building to storage use	Approved
01/00786/ELDC	Application for Certificate of Lawful use for land and buildings used for agricultural engineering, sales and support workshop	Approved
01/00052/ELDC	Application for certificate of lawfulness for land and buildings used for agricultural engineering, sales and support workshop	Refused
00/00996/CU	Change of use of existing buildings to agricultural engineering sales and support workshop	Withdrawn

4.0 Consultation Responses

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

Consultee	Response
Over Kellet Parish Council	Object. Concerns include the height of the buildings and the visual impact on the surrounding area; loss of trees which screen the existing buildings; the disposal of foul and surface water and flooding issues on adjacent land; precise details of lighting and hours of operation as unclear from the submission; and vehicular movements to and from the site due to narrow places on the road and at Over Kellet.
County Highways	No objection subject to conditions requiring: improvements to the access; surfacing of first 10 metres with a bound material; gateposts to be erected 10 metres back from carriageway; access to be constructed to a minimum width of 6 metres; and boundary wall/ hedging along the frontage to be reduced to no higher than 1 metre for 70 metres.
Environmental Health	No comments received during the statutory consultation period. In relation to the previous application they raised no objection and suggested that hours of operation of 0730-1800 Monday to Friday and 0800-1300 Saturday would be acceptable.
Tree Protection Officer	No objection subject to conditions requiring: submission of a tree planting scheme; development carried out in accordance with the arboricultural implications assessment.
Natural England	No comments to make.
Lead Local Flood Authority	No comments received during the statutory consultation period.
Cadent Gas (formally National Grid)	No comments received during the statutory consultation period.
British Pipeline Agency	No comments received during the statutory consultation period.
Canal and River Trust	No comments to make.
Lancashire Fire and Rescue Service	Recommendations - It should be ensured that the scheme fully meets all the requirements of Building Regulations Approved Document B, Part B5 'Access and facilities for the Fire Service' and the proposal is provided with suitable provision of Fire Fighting water.

5.0 Neighbour Representations

5.1 1 piece of correspondence has been received objecting to the proposal and raises the following concerns:

- Provision for 50 designated parking spaces indicates heavy vehicular use and Capernway Road can be dangerous at times as it is narrow and winding. Suggest the percentage of B8 is reduced below 25%;
- Hours should be limited from 0800-1800 Monday to Friday to reduce impact on residents;
- Additional planting should be provided along boundaries and lighting should be discreet;
- Clarification is required in relation to disposal of foul and surface water drainage;
- Clarification on the use of the building to north outside the site, used as a machinery workshop;
- This development appears to be speculative and the demand in this area for this facility has not been proven;
- This is a remote site, located within open countryside, remote from services and public transport and will significantly increase number of people working and visiting the site, will bring no benefit to the community and is therefore unsustainable.
- Agricultural use would be more appropriate in this location.

5.2 1 piece of correspondence, on behalf of three residential properties, has been received which does not raise objections to the proposal but highlights the following comments, queries or concerns:

- Could hours of use be restricted so as not to detract from the tranquillity of the area,

particularly in the evenings and at weekends;

- There should be a minimal level of external lighting given the rural nature of the area;
- The use of the north east corner of the site is unclear;
- Important to ensure that the soakaways function correctly in order to avoid flooding to adjacent land as the land drains poorly;
- Crown raising of trees to 4 metres will have a negative effect on screening.

5.3 1 piece of correspondence has been received in support of the application which raises the following point:

- Has a tree surgery business and this site would provide somewhere to operate this from.

5.4 The agent has provided a copy of an email from an officer of the Council within the Regeneration Team which neither supports or objects to the proposal but sets out the following points:

- Carnforth and pockets of the “rural north” of the district contain clusters of employment land characterised by lower densities and smaller premises, however the individual characteristics and requirements of these means that they are not necessarily “immediately” available, they can have significant infrastructure restrictions or they do not have the quality demanded by industrial tenants;
- New units with exemplar features in terms of services/utilities which save business money are also welcome;
- The Lancashire Rural LEADER programme which supports the establishment of rural business hubs if need and viability is established.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraphs 7, 14 and 17 – Sustainable Development and Core Principles

Paragraph 28 – Supporting economic growth in rural areas

Paragraph 32 – Access and Transport

Paragraphs 56, 58 and 60 – Requiring Good Design

Paragraph 109 – Protecting valued landscapes and minimising impacts on biodiversity

Paragraph 118 – Conserving and Enhancing Biodiversity

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 enabled progress to be made on the preparation of a Local Plan for the Lancaster District. Public consultation took place from 27 January 2017 to 24 March 2017. Whilst the consultation responses are currently being fully considered, the local authority remains 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)

SC1 – Sustainable Development
SC5 – Achieving Quality in Design

6.4 Lancaster District Local Plan - saved policies (adopted 2004)

E4 – Countryside Area

6.5 Development Management Development Plan Document (DM DPD)

DM7 – Economic Development in Rural Areas
DM15 – Proposals Involving Employment Land and Premises
DM20 – Enhancing Accessibility and Transport Linkages
DM21 – Walking and Cycling
DM27 – Protection and Enhancement of Biodiversity
DM28 – Development and Landscape Impact
DM29 – Protection of Trees, Hedgerows and Woodland
DM35 – Key Design Principles
DM39 – Surface Water Run-Off and Sustainable Drainage

7.0 Comment and Analysis

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

- Principle of the development
- Size, siting, design and landscape impact
- Highways and parking issues
- Biodiversity
- Heritage assets
- Residential amenity
- Drainage

7.2 Principle of the development

7.2.1 The site is located within the small, geographically-dispersed settlement of Capernwray. It is in the open countryside, divorced from any settlements containing services and public transport routes. Policy SC1 of the Core Strategy promotes sustainable development, in terms of its location, and sets out that development should be located where it is convenient to travel to and from the site by walking, cycling and public transport. Policy DM20 of the Development Management DPD sets out that proposals should minimise the need to travel, particularly by private car, and maximise opportunities for the use of walking, cycling and public transport. In relation to economic development in rural areas, Policy DM7 sets out that proposals which maintain and enhance rural vitality and character will be supported where it is demonstrated that they improve the sustainability of rural communities by bringing local economic, environmental and community benefits.

7.2.2 The application proposes eight units in total, to be used for light industrial and storage and distribution purposes (Use Classes B1(c) and B8), and will replace a building on the site and some of the existing area of hardstanding. It is acknowledged that there was another larger building on the site, associated with the existing use, but this was damaged by fire in 2015, and has been removed. The site did benefit from a certificate of lawful use, issued in 2001, for the use of land and buildings for agricultural engineering, sales and support workshop. This was very specific in terms of the use of different areas of the site, the number of vehicles and number of employees. A further certificate was issued earlier this year, without the limitations, as it was clear that there had been an intensification of the use and this use has continued to operate for at least the last 10 years, with the current operator leasing the site from February 2007. However, the existing certificate could not restrict the use in the same way that planning conditions can, only provide a benchmark against

which to assess any intensification of the use.

- 7.2.3 The submission sets out that the site was once part of the neighbouring Capernwray Hall Farm which, following the need to diversify in the 1980s, came to be used for the storage, sales and repair of machinery by the current owner. The site has been occupied over the years by a number of operators specialising in this field and is currently occupied by Bryan Hoggarth Ltd, an agricultural tractor and machinery hire, sales, servicing and repair business. It goes on to say that the use of the site is intensive and operations can run from 0500 until 2200 and that there are no planning restrictions to control matters such as numbers of vehicles or hours of operation. Whilst the existing use is one that has never been considered through a planning application, there is a clear justification for it to be in a rural location, given the area served by the business, and would be unlikely to be appropriate in an urban location given the type of machinery provided. It also started as a farm diversification scheme.
- 7.2.4 The proposal would not re-use existing buildings and would increase the number of businesses and employees operating from the site. Given the isolated rural location, people working from this site would likely be wholly reliant on private transport and the type of use proposed is likely to result in a number of vehicle movements to and from the site. The submission sets out that it is expected that the units would be rented by small businesses. It goes on to say that the applicant has been in discussions with a local chartered surveyor and estate agent who has identified that there is demand for units of this scale in this part of the Lune Valley. However, no evidence was initially provided in relation to this, including details of any potential end users, or why they would require a specific site at Capernwray.
- 7.2.5 The applicant considers that there is an established use of the site, which is more intensive than the proposed use in terms of vehicles trips which is clear from the conclusions of the Transport Assessment. From surveys carried out in June 2016, the Transport Assessment sets out that the current daily average of trips generated is 150 and the estimated daily average for the proposed use is 224, which therefore highlights an increase. It goes on to say that the owner of the site has indicated that there has been a reduction in the number of trips by 60% to/from the site since the fire in 2015. Therefore prior to the fire incident, the number of trips has been calculated at 375. However, there is no evidence to support this and, it was queried in a neighbour representation during the last application. Irrespective of the current number of vehicle movements, the use does relate to one specific user, which is one probably more suited to a rural area. However, it is considered that this does not justify a speculative development for light industrial and storage purposes for a number of different users, not necessarily linked to the rural area, which will also displace the current use.
- 7.2.6 There may be justification for the redevelopment of the site, but it would be inappropriate for general industrial units to be sited in this location which had no link to the rural economy. The agent has been advised that if evidence can be provided to demonstrate that there is a specific need for this type development in Capernwray then the proposal may be supported, but sufficient controls would need to be put in place to ensure that the development continued to serve this need rather than encouraging businesses that would be more appropriate in an urban location. The need in this area may not relate to what is proposed, which appears to be speculative and not based on evidence and the need may relate to something similar to the existing use that is difficult to locate in the urban area.
- 7.2.7 Additional information has now been received, including a Sequential Test and some three letters from businesses who might be interested in units at this site. This evidence has been considered by the Planning Policy team. Whilst there is no specific requirement for an assessment of alternative sites within the DM DPD, it is a logical starting point as it assists in demonstrating whether what is proposed is sustainable development in the context of the NPPF. In looking at the area of search it has been suggested that the new units will be meeting specific rural needs. However, no evidence has been supplied to support this, or any exceptional circumstances put forward to demonstrate why a rural location is necessary. Therefore it is reasonable to expect that the Sequential Assessment takes a wider focus on employment opportunities focusing on Carnforth, the rural north of the District and opportunities in sustainable locations in South Lakeland (for example Milnthorpe) rather than the three mile radius used in the assessment. A number of 'essential requirements' have been set out in assessing whether alternative sites exist. However, given the lack of end users for the proposal, it is not clear how these can be considered as essential.

- 7.2.8 It is important to highlight the significant levels of allocated employment land in the Carnforth area which reflects the town's industrial past. In total there are 7 allocated employment sites in Carnforth which provide the town with 26.09 hectares of employment land, and this allocated land is supplemented by a number of smaller employment spaces, such as the Lyne Riggs Estate on the A6, which provides opportunities for economic growth in the rural north of the District. The Council, through the emerging Local Plan process, will be investigating whether further employment land should be allocated to increase the portfolio of employment sites in the District. There are a range of employment sites in the Carnforth area which have significant vacancy and opportunity for employment growth. Whilst there are concerns over the deliverability of the remainder of Carnforth Business Park there remain significant portions of this site available for development and allocated in the Local Plan, and it is the Council's understanding from correspondence earlier this year that the site is continuing to be marketed for employment purposes. The former TDG site is currently allocated for employment purposes under the adopted plan and identified as a development opportunity site within the emerging plan. Both policies actively seek to promote employment opportunities for the site (subject to HGV movements through the town centre) and the site is currently being marketed for a range of employment units under the title of Keer Park. Beyond the opportunities on wider employment land, a range of employment premises currently on the market have been noted within the Carnforth/Milnthorpe area (three have been found from a brief search). Therefore it is considered that the assessment has not genuinely taken account of employment opportunities in the area and does not make a sufficient case for the lack of employment opportunities in the northern parts of the District.
- 7.2.9 As set out above, three letters have been provided by the agent from local businesses who highlight their desire to find alternative accommodation, in addition to one received as a public representation. These, however, do not demonstrate that there is a specific local need for employment units in the Capernwray area and the key theme which re-occurs in all the letters is the issue of affordability, not availability. The issue of providing low cost, affordable, small employment units is primarily a matter which is out of the control of the planning system and not an issue which will be clearly addressed through the approval of this application. At least two, and possibly three, of the uses put forward in the letters do not appear to fall within the use classes being applied for and appear to be B2 (General Industrial). These therefore cannot be considered to show that there is a need for the type of business accommodation proposed. Policy DM7 of the adopted Development Management DPD does provide support for economic growth in rural areas but this should be considered in the wider context of the policy, and it does not appear that the proposal seeks to identify how it improves the sustainability of rural communities.
- 7.2.10 The submission also refers to a number of applications and sets out that these are in similar locations to the site. It should be emphasised that each application must be determined on its own merits and the specific site, surroundings and nature of the development taken into account when assessing the proposal. It is also worth noting that planning permission was refused, and the decision upheld at appeal twice, for a development for a B1 use a similar distance from Over Kellet, but to the south east. This also related to a previously developed site, but for equestrian use, and partly related to an existing business at the site. The Inspector concluded that the proposal would make use of previously developed land and would be well designed, but the combined development would be relatively isolated such that it would not be economically and environmentally sustainable. The decision went on to say that the development taken as a whole would not represent the sustainable growth of a rural business and would be contrary to the Framework and Policy DM7 of the DM DPD as it would not be of an appropriate scale. There would also be a degree of conflict with Policies DM15 and DM20 due to the lack of accessibility for walking and cycling and the non-sustainable travel patterns that would result from the speculative elements of the overall development.
- 7.2.11 Four of the units are proposed to have 104 square metres of floor space, whilst the other four would have 210 square metres, each with associated office and washroom facilities. The submission states that approximately 942 square metres will be B1(c) and 314 square metres will be B8, creating a light industrial/storage/distribution mixed-use site. 54 parking spaces have been shown on the submitted plans. There is also another area of hardstanding in the northeast corner of the site, the use of which is unclear, but could be used to park larger vehicles. The number of spaces appears excessive and would indicate quite an intensive use of the site, although the submission does say that it is not envisaged that this number will be required. As already set out, the development is speculative, with no end users known. Some cycle storage is proposed, but it is not considered that this overcomes the issues relating to the accessibility of the site. Light industrial and particularly

storage and distribution uses will require access for not only the people employed on the site but for deliveries to and from the site. There is also potential for ancillary retail uses which would further increase numbers of visitors to the site, who would be reliant on private transport. During the previous application a letter from the applicant set out that there was an opportunity for the redevelopment of the site following the fire in 2015 and the current tenant did not wish to renew the tenancy agreement, which ran out in January 2017. It went on to say that the tenant was looking to purchase his own site, ideally in the Carnforth area, but possibly moving back to Kendal to a site already owned. The use is still operating from the site and the agent has advised that it is understood that an application for the existing business to relocate to the A6 north of Carnforth is to be submitted soon. It would raise concerns if the granting of this consent for general industrial units then resulted in the existing business relocating to a greenfield site that equally raised policy concerns.

7.2.12 Although the site would utilise previously developed land, it is located in the open countryside in a relatively isolated position in terms of services and facilities. Whilst it is important that planning decisions support a strong and prosperous rural economy, in accordance with paragraph 28 of the NPPF, in terms of the economic and social dimensions of sustainability it is considered that the current proposal is unsustainable and no exceptional justification has been provided for the type of development proposed in this location. The proposal is therefore considered to be contrary to the Core Strategy and Development Management Policies set out above in addition to the aims and objectives of the NPPF.

7.3 Size, siting, design and landscape impact

7.3.1 The site currently contains a relatively low industrial building and large areas of hardstanding. The south and south-east boundaries comprise a stone wall and a number of mature trees which provide a significant amount of screening to the site. It is most visible close to the entrance but there are a number of existing agricultural buildings at Capernwray Old Hall Farm adjacent to the site. Although the proposal will result in a number of additional buildings, they would be located within the confines of the existing developed area and would be well-related to the large modern farm building on the adjacent site. They would also be set back from the highway but closer than the existing buildings.

7.3.2 It has been indicated that trees along the south east and south west boundaries will be mainly retained and protected during construction and some additional planting is proposed. This screening is important as it predominantly prevents views into the site and softens the buildings, machinery and hardstanding. There will, however, be one long building adjacent to the south east boundary, some of which is likely to be visible outside the site given the height. The design for the buildings put forward is of a modern agricultural style. It was previously advised that this would be more appropriate if the lower portion of the wall was not left as exposed blockwork, but finished in render or stone, and the roof finished in dark grey. Provided that appropriate additional planting and finishes to the buildings, given the existing nature of the site and its location adjacent to the some large farm buildings, it is considered that the proposal will not have a detrimental impact on the character and appearance of the area.

7.4 Highways and parking issues

7.4.1 A transport assessment has been submitted with the application. The Highways Authority agrees with the conclusions of the report, in that the re-development could be delivered without detrimental impact on highway operation or safety and the volume of trips likely to be generated by the proposed development can be satisfactorily accommodated on both the local highway network and through limited improvements to existing visibility splays at the site's point of access with Capernwray Road. The response does also set out that the residual cumulative impact of the number of trips generated by the proposed development, when assessed against the area's existing use can be considered sustainable. However, as set out in section 7.2, there are questions with how the number of existing trips has been reached, as it is based on an assumption rather than actual data, and there are other factors to take into account.

7.4.2 In considering an appropriate site layout, the Highways Officer has recommended that:

- A 2 metre wide footway along the access roads easterly or westerly boundary is provided for the benefit of employees / visitors to the estate;
- The minimum overall width of site access road should be 6 metres to allow for the passage of

two heavy goods vehicles without conflict;

- A 10 metre kerb radii is created at the site's point of access with the highway;
- The first 10 metres of the access road is surfaced in a bound material; and
- The movements of HGVs can be successfully accommodated within the site.

Capernwray Road has a speed classification of 60 mph. However, the transport assessment data suggests that 85% of vehicular speeds are in the region of 38mph. The Highways Officer has confirmed that reduced visibility splays of 2.4 metres by 70 metres, in each direction, is acceptable. It has been advised that this could be achieved through the removal of established "leylandii conifers" and reduction in height of the intervening boundary hedging / dry stone walling to 1 metre. However, there are concerns about this as it would open up views of the site. The visibility splay has been shown on the plan and does appear to be achieved without impacting on the trees, although the condition would need to be carefully worded as some of the canopy overhangs the highway but at a higher level.

7.4.3 In terms of parking standards, the Highways Authority has advised that the maximum number of parking spaces should be around 30, and the level proposed is above that normally required for this use. However, no objections have been raised given the site's rural location and lack of alternative transport arrangements to and from the site. Overall, it is considered that the development will not have a detrimental impact on highway safety.

7.5 Biodiversity

7.5.1 The proposal involves the demolition of a building which, although of a modern construction is in close proximity to a row of mature trees and the canal. As such, there is potential for bats to roost within the buildings. A bat survey has been submitted which sets out that there are no records for bats immediately adjacent to the site. However, recent surveys have located bats using the surrounding habitat which would provide a moderate level of foraging opportunities for bat species. The building was inspected for potential use by bats and it was considered that overall it is well sealed and its construction materials and methods provide negligible potential for bat roost sites. The report also concludes that the proposal is not considered likely to impact upon the foraging potential of the local area. General working guidelines have been recommended. The report does not include an assessment of any trees, however, this is not considered to be essential given that most of these are now proposed to be retained. As such it is not considered that there would be a detrimental impact on protected species.

7.6 Impact on Heritage Assets

7.6.1 There are some Grade II Listed Buildings located relatively close to the site. However, given the intervening buildings and screening, it is not considered that the proposal will have an adverse impact on the setting of these buildings.

7.7 Residential amenity

7.7.1 There are no residential properties immediately adjacent to the site, with the closest being Capernwray Old Farm, which is within the former farm complex. The others close to the site are separated by screening and a field and as such, it is unlikely that the proposal would have a significant adverse impact on residential amenity. The industrial use is one that should not cause harm to residential amenity, being B1 (light, not general, industrial uses). The most likely impact would be as a result of vehicle movements. The agent has advised that the proposed hours of operation are: 0800 to 1800 Monday to Friday, 0800 to 1400 Saturday and Closed Sunday, although it is not clear if this includes deliveries. However this could be adequately covered by a condition.

7.8 Drainage

7.8.1 A package treatment plant and soakaways have been shown on the site plan to serve the development. Some concerns have been raised by residents in relation to the drainage of the site, but it is considered that this could be adequately covered by condition to ensure that foul and surface water drainage can be disposed of and that the soakaways proposed will achieve this.

8.0 Planning Obligations

8.1 There are none to consider as part of this application.

9.0 Conclusions

9.1 Although the site would utilise previously-developed land, it is located in the countryside area as designated in the Development Plan in a relatively isolated position in terms of services and facilities. Whilst there may be a justification for the redevelopment of the site, it would be inappropriate for industrial units to be sited in this location which had no link to the rural economy. Unfortunately, no substantive evidence has been provided to demonstrate that there is a need in Capernwray for this type of development that could not be met in more accessible, sustainable locations. Therefore, in terms of the economic and social dimensions of sustainability, it is considered that the site is not sustainable and no exceptional justification has been provided for the development in this location. The proposal is therefore considered to be contrary to the Core Strategy and Development Management Policies set out above in addition to the aims and objectives of the NPPF and as such is unlikely to be supported.

Recommendation

That Planning Permission Prior **BE REFUSED** for the following reasons:

1. The site is in an unsustainable location within the open countryside, remote from services. Sufficient justification has not been provided to warrant the erection of the industrial units in this isolated location. As a consequence, the proposal is contrary to the aims and objectives of the National Planning Policy Framework, in particular the Core Principles and Section 3, Policy SC1 of the Lancaster District Core Strategy and Policies DM7, DM15 and DM20 of the Development Management Development Plan Document.

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

In accordance with the above legislation, the City Council can confirm the following: 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. Whilst the applicant has taken advantage of this service prior to submission, the resulting proposal is unacceptable for the reasons prescribed in the report.

Background Papers

None