

Agenda Item A11	Committee Date 7 January 2019	Application Number 18/01418/FUL
Application Site Land To The East Of 315 Health Club Mannin Way Lancaster Lancashire		Proposal Change of use of car park to facilitate the erection of a three storey office building (B1) with associated parking, access road, bin store, landscaping and boundary fencing
Name of Applicant Butarose Ltd		Name of Agent Mr Tony Hills
Decision Target Date 4 February 2019		Reason For Delay None
Case Officer		Mr Andrew Clement
Departure		None
Summary of Recommendation		Approval in principle but delegate back to agree drainage details with Lead Local Flood Authority

1.0 The Site and its Surroundings

- 1.1 The site that forms the subject of this application is within the Lancaster Business Park on Mannin Way, accessed off Caton Road near junction 34 of the M6 Motorway. Access to the site is currently managed via a traffic light controlled (signalised) junction from Caton Road. More specifically the site forms part of the existing car parking and landscaping to a Leisure and Health Club, which currently has 428 spaces. This application is located within a modern business park built in 2002 that comprises mainly office development. There are a number of standard trees and low level shrub planting established within designated planting areas of the existing car park. These trees are generally early-mature trees with long periods of useful remaining life potential with good management. To the east of the car park lies disturbed land, colonized by a range of low vegetative cover and no significant trees. To the south and south-east is a significant woodland area, known as Long Bank Wood Biological Heritage Site, which provides a significant backdrop to the site and wildlife resource within the Lansil Golf Course, which is a designated open space. To the north of the site is a slightly raised area of land containing a large number of early-mature trees.

2.0 The Proposal

- 2.1 The proposed development seeks to utilise the area of car park to the east of the main leisure centre for the erection of a three storey office building with associated parking, access, bike shelter, landscaping, boundary treatments and bin storage. The proposed 3 storey building measures 42.7 metres long by 13.8 metre wide, with a 1.7 metre eaves overhang to all sides. The development is under a shallow duo-pitched gable roof with a maximum 12 metre eaves height and maximum ridge height of 13.5 metres tall. The development is to be finished in reconstructed stone walling with Cromwell split face sandstone under a merlin grey galvanised steel roof sheeting, with floor to eaves high tinted window openings in aluminium frames in anthracite grey colour. A boundary treatment of 1.2 metre tall green paladin fencing is proposed, with extended parking area surfaces in permeable tarmac. The new parking areas will be illuminated by LED lighting on 5 metre tall poles.

3.0 Site History

3.1 The most relevant planning history is set out below.

Application Number	Proposal	Decision
15/00618/CU	Change of use of part of car park for use as car boot sales on Sundays with associated parking	Permitted
15/00640/CU	Change of use of part gymnasium (D2) to a nursery (D1) and erection of a single storey front extension	Permitted
13/00678/CU	Change of use of car parking spaces into play area and construction of fencing and footpath	Permitted
00/00886/FUL	Erection of a two storey exercise, hydrotherapy and rehabilitation centre with associated car park	Permitted
00/00939/OUT	Outline application for erection of mixed use Business Park incorporating B1 and B2 uses, hotel and public house, and exercise, hydrotherapy and rehabilitation centre and new access	Permitted

4.0 Consultation Responses

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

Consultee	Response
Parish Council	No observations received within the consultation period
County Highways	No objection. Recommend a condition regarding secure provision of bicycles and motorbikes
Tree Officer	No objection , subject to the development and mitigative planting being carried out in accordance with submitted documents
Lead Local Flood Authority	No observations received within the consultation period
United Utilities	No objection , subject to the development being carried out in accordance with the Flood Risk Assessment, with no surface water draining directly into the public sewer
Engineering Team	No observations received within the consultation period
Planning Policy	No observations received within the consultation period
Fire Safety Officer	No objection. Informative regarding access and water provision for the fire service
Environmental Health	No observations received within the consultation period

5.0 Neighbour Representations

5.1 No observations received within the consultation period

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 11). The following sections of the NPPF are relevant to the determination of this proposal:

Paragraphs 8 and 11 – Sustainable Development
Section 4 – Decision-making
Section 6 – Building a strong, competitive economy
Section 9 – Promoting sustainable transport
Section 12 – Achieving well-designed places
Section 14 – Meeting the challenge of climate change, flooding and coastal change
Section 15 – Conserving and enhancing the natural environment

6.2 Development Management Development Plan Document (adopted July 2014)

DM15 – Proposals Involving Employment Land & Premises
DM16 – Small Business Generation
DM20 – Enhancing Accessibility and Transport Linkages
DM21 – Walking & Cycling
DM22 – Vehicle Parking Provision
DM26 – Open Space, Sports & Recreation Facilities
DM29 – Protection of Trees, Hedgerows & Woodland
DM35 – Key Design Principles
DM37 – Air Quality Management and Pollution
DM38 – Development & Flood Risk
DM39 – Surface Water Run-Off & Sustainable Drainage
Appendix B – Car Parking Standards

6.3 At the 20 December 2017 meeting of its Full Council, the local authority resolved to publish the following 2 Development Plan Documents (DPD) for submission to the Planning Inspectorate:

- (i) The Strategic Policies and Land Allocations 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. The DPDs were submitted to the Planning Inspectorate on 15 May 2018 for independent Examination, which is scheduled to commence in spring 2019. If the Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council later in 2019.

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 2017, 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.

6.4 Lancaster District Core Strategy - saved policies (adopted July 2008)

ER2 – Regeneration Priority Areas
ER3 – Employment Land Allocations
SC5 – Achieving Quality in Design

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

EC2 – New Employment Sites

7.0 Comment and Analysis

7.1 The key considerations arising from the proposal are:

- Principle of the development;
- Scale, design and landscape;
- Drainage impacts;
- Impacts upon trees;
- Impact upon the highway, parking and transport; and
- Other matters (minerals, ecology, geology and air quality).

7.2 Principle of the Development

- 7.2.1 The application proposes a 3-storey office block at the Mannin Way business park, within the existing car parking provision to this site. The site has existing land designations as a regeneration priority area and employment site, which are also within the recently published draft Local Plan. These published policies have received no significant objections and therefore can be afforded significant weight in the context of NPPF paragraph 48. The economy and employment site encourages B1 and B2 uses classes within this designated site, which accords with the proposed new office block (B1 use class). The impact upon the visual landscape, drainage, trees and highways will be discussed in the following sections, but the principle of the development is considered to be acceptable and is encouraged by the land designation at the site and supports both local and national planning policies encouraging business generation and employment.

7.3 Scale, Design and Landscape

- 7.3.1 The visual context of the site is predominantly 2 and 3 storey tall detached office buildings, constructed just after the turn of the millennium and finished in buff and sandstone colour walls under grey tiled roofs. The style of window openings varies between buildings depending on their use and design, with a floated ceiling window design beneath the roof eaves on some of the office blocks. The application site is located adjacent to a large building used as a leisure centre and nursery, which takes a more industrial appearance, located at the far southern end of the business site in relation to the A683 Caton Road public highway.
- 7.3.2 The proposed scale and design of the development will appear inconspicuous in this visual context, and the development is visually contained from the public highway and other public vantage points. The development would be visible from the adjacent Lansil Golf Course site, which is a designated open space. However, in the visually context of the existing built form and with mitigative planting to the south and east boundaries, the proposal will have no detrimental visual impact upon this recreational sports designation. The reconstituted sandstone wall facing material and floor to ceiling grey tinted windows will provide a modern appearance, similar to the existing office buildings to appear inconspicuous in this setting. The shallow pitched merlin grey steel sheet roof is similar to the adjacent leisure centre building, and this would only be visible from elevated long distance views such as from the golf course. The proposed design, scale and materials are considered to be acceptable and congruent to the existing business park, and this will be softened further once landscaping establishes and grow to maturity. The site is to be bounded by a low wall in artstone with railings above to the west boundary, and 1.2 metre tall high palladin fencing to the other boundaries. Although the wider business park site is predominantly open from boundary treatments, the proposal is similar to the adjacent office block to the north, which is bounded by paladin fencing, and the boundary approach to provide secure car parking provision is considered to be acceptable.

7.4 Impact upon the Highway, Parking and Transport

- 7.4.1 The site is located within the existing business park, which benefits from a large signalised controlled junction to Caton Road. Given that this access provision serves 13 existing business and leisure units, this is considered to be sufficient to accommodate the additional vehicle movements generated by the proposed use. The traffic statement data submitted as part of this application would suggest that access arrangements will operate in a safe and efficient manner, with no objection received from County Highway. The site benefits from a variety of sustainable transport methods, despite the location outside of a town or city centre. There are bus stops in both directions along Caton Road near the aforementioned site access point, and the site is within walking distance of the recently constructed park and ride provision near junction 34 of the M6 motorway. Furthermore, the site benefits from convenient access to the hardsurfaced, off-road footway and cycle provision along the River Lune, which links to the centre of Lancaster, Morecambe, Glasson Dock and Caton. Given the existing junction and variety of transport options available and business park designation of the site, the proposal is considered to have an acceptable impact upon the highway, subject to satisfactory parking provision.
- 7.4.2 The proposed building is to be sited on an existing car parking area, with the proposed site to occupy 132 existing parking spaces used by the adjacent existing leisure centre. The application proposes to create 55 tarmacked parking spaces for the leisure centre, resulting in a reduction in parking provision by 77 space for this existing use. Given the floorspace and use of this building, a maximum

parking provision of 162 space is stipulated for assembly and leisure uses within Appendix B car parking standards within the Development Management DPD. The proposal will retain far in excess of this maximum parking provision with 351 spaces available, even though some of this would be used by the nursery use within the building. Given the location of reduced parking away from the leisure centre building, which is underused as overflow parking, the proposal maintains an ample parking provision for existing uses.

- 7.4.3 The proposed use is to benefit from a secure car parking area containing 50 parking spaces, including 2 accessible spaces near the front entrance, in addition to secure bicycle storage provision for 12 bikes. The car parking provision is just 1 space less than the maximum provision within the aforementioned planning policy appendix, with twice the bicycle provision required. There is an omission of designated motor cycle parking, but given these can be parked in car spaces or within the ample space beyond the security auto barrier, there is sufficient parking provision for the proposed use. Therefore, the proposal is considered to have an acceptable impact upon the highway and parking provision, subject to the provision and maintenance of the parking provision for the stated uses.

7.5 Drainage Impacts

- 7.5.1 The proposed office block is located on an existing asphalt parking area, which has very little permeability. The proposed building will have an impermeable roof and drainage. However, the parking provision for the proposed office, and any extended area of parking for the adjacent leisure centre, are all to be finished in permeable paving and permeable tarmac. This will reduce the overall area of impermeable surface compared to the existing situation. The proposal is to connect to the existing private foul sewer network, which outfalls to a United Utilities foul sewer at the site entrance within Mannin Way.

- 7.5.2 A substantial amount of flood risk and drainage information has been submitted as part of this application, detailing that the existing access (outside of the development site) is with flood zone 2, and the surface water drainage arrangements through the proposal. Drainage is proposed to infiltrate into the land through the permeable surfaces and soakaways, which is acceptable in principle, with United Utilities satisfied with the surface water drainage documents submitted. These have been discussed informally with the Lead Local Flood Authority, with no immediate concerns raised, but unfortunately they are not in a position to provide a formal response to this submitted information. Further information, including an updated infiltration test and site investigation is likely to be submitted before the end of December. Given the determination date of this application (4 February) and the principle of the surface water drainage system established, subject to these updated investigations, it is recommended that the determination of this application be delegated back to the Planning Manager to continue to work with the applicants and the Lead Local Flood Authority to have the drainage details clarified prior to determination.

7.6 Impacts upon Trees

- 7.6.1 The proposal requires the removal of 4 groups of low to moderate quality trees in order to accommodate the development. To mitigate the loss, a landscaping and planting scheme proposes to plan 33 new trees around the development site, plus a section of perimeter hedgerow planting. This is considered sufficient mitigation to have an acceptable impact upon trees, which will have the benefit of softening the appearance of the development from the perspective of the adjacent golf course once this planting has established and matured. Subject to the development being carried out in accordance with the submitted arboricultural details, and mitigative planting being implemented soon after the completion of the development, the proposal is considered to have an acceptable impact trees, with no objection from the Tree Officer.

7.7 Other Matter (Minerals, Ecology, Geology and Air Quality)

- 7.7.1 The proposed development is within a mineral safeguard area. Considering that the site surface is already bound by tarmac, and the site is in relatively close proximity to existing residential dwellinghouses to the west, the site is very unlikely to be brought forward for mineral extraction. Therefore, the development in this location is considered to have an acceptable impact upon minerals.

- 7.7.2 The site is outside the Lancaster Air Quality Management Area (AQMA) but would generate vehicle

movements that contribute to emissions. The proposal results in the reduction in overall parking provision, but proposes a new use and building that would generate additional traffic movements. These movements are calculated at an average of 164 vehicles per day, which is a small proportion of anticipated movements along Caton Road (circa 1%), which were projected to be reduced through the recently developed Bay Gateway. No observation has been received to date from Environmental Health, though the proposal is considered to have an acceptable impact upon Air Quality, if carried out in accordance with the mitigation measures within the submitted Air Quality Statement. Specifically, these mitigation measures consist of the provision of two parking bays with electric vehicle (EV) charging facilities. It is not, however, appropriate to apply conditions that are controlled by other legislation, such as dust control during construction as part of a construction management plan. Given the mitigation proposed and variety of transport options to access the site, as detailed in paragraph 7.4.1 of this report, the proposal is deemed acceptable from an air quality perspective.

- 7.7.3 The existing site is predominantly tarmac car parking area, and it is considered unlikely that the proposed works will have a significant impact on the prevalence of habitats within the local area. Habitats found at the site are common within the wider semi-urban landscape, and despite the loss of some trees through the proposal, this impact can be satisfactorily mitigated if the works are carried out in accordance with the submitted habitat survey. External lighting must be directed by hoods/cowls away from potential habitats, as proposed with the proportionate parking illumination, with timers and motion sensors attached. Vegetation clearance must take place outside of nesting bird season (September to February) and leave any discovered active nests undisturbed.
- 7.7.4 A phase 1 geo-environmental assessment of the site's history, surroundings, geological and environmental information has been submitted as part of this proposal. Given the limited development history of the site and the surrounding land, it is unlikely that significant made ground or ground contamination is present at the site. The underground geology dictates that risk of ground gasses cannot be disregarded, and therefore the submitted phase 1 report recommends 2 months of ground gas monitoring. The site is considered to be of medium sensitivity due to the underlying aquifers, however, due to a lack of groundwater abstractions in close proximity and the lack of source protection zones, the risks to controlled waters have been assessed as moderate to low within the submitted report. The report concludes that Phase 2 investigations should be undertaken for site investigations for gas monitoring, potential contaminants, to inform foundation design and soakaway testing for drainage design. Subject to these recommended investigations being undertaken prior to development, the proposal is considered to have an acceptable impact upon these matters.

8.0 Planning Obligations

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

9.0 Conclusions

- 9.1 The designated land uses of the site and planning policies relating to employment and business generation strongly support the proposed development, which will create 1,636 sq.m additional office floorspace within the existing business park. The design of the building is congruent to the existing built form and inconspicuously located. The removal of existing low to moderate quality trees is to be mitigated through additional tree planting, further softening the appearance of the proposed development once this planting establishes. The proposed and retained access and parking provision will have an acceptable cumulative highway safety impact. Although the final reports on drainage infiltration test and site investigation remain outstanding, the surface water drainage arrangements can be resolved in due course in consultation with the Lead Local Flood Authority. Other matters can be satisfactorily mitigated through the implementation of the recommendations within the reports received prior to determination.

Recommendation

Delegate back to the Planning Manager to agree drainage details with Lead Local Flood Authority, but resolve that Planning Permission **BE GRANTED** in principle subject to conditions:

1. Standard three year timescale
2. Development in accordance with amended plans
3. Agreement of details of soil permeability test and surface water drainage and flooding scheme

4. Accord with Geo-Environmental Appraisal Report recommendations
5. Accord with the arboricultural details
6. Accord with Habitat Survey Report recommendations, including external lighting details
7. Accord with Air Quality Report recommendations, namely 2 electric vehicle charging points
8. Provide parking, bike and bin store, retain and maintain at all times for the office and leisure centre uses
9. Implement landscaping and planting scheme

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

In accordance with the above legislation, Lancaster City Council 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 made 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

None