

Agenda Item	Committee Date	Application Number
A10	20 July 2020	19/00804/FUL

Application Site	Proposal
Lancaster Brewery Lancaster Leisure Park Wyresdale Road Lancaster	Erection of a single storey extension to the front and side

Name of Applicant	Name of Agent
Mr Allan Blackburn	Mr Anthony Gilmour

Decision Target Date	Reason For Delay
Extension of time until 31 st August 2020	Awaiting additional information

Case Officer	Mr Andrew Clement
Departure	None
Summary of Recommendation	Refusal

(i) **Procedural Notes**

Lancaster City Council is the freeholder of the application site, so in line with the Scheme of Delegation in the Council's Constitution, the application must be determined by the Planning Regulatory Committee.

1.0 The Site and its Surroundings

- 1.1 The site that is the subject of this application relates to the Lancaster Brewery, located to the south of the Antiques Centre on the Lancaster Leisure Park complex. The site comprises a large single portal framed building, operating as a mixed-use brewery, visitor centre and bar/function room. Externally there is a marquee and an open area incorporating a beer garden to the southeast, and a service yard and external storage area to the rear (south west) of the building enclosed with high fencing. A limited car parking area lies to the north. The Leisure Park itself is on the eastern edge of Lancaster, accessed off Wyresdale Road, approximately 350 metres south of the junction with Coulston Road within the Bowerham area of Lancaster. To the north of the Leisure Park is the cattle market and abattoir. Burrow Beck runs along the eastern boundary of the application site with the residential area of Pottery Gardens and fields separating the site from the motorway. To the south, the site is separated from the residential area of Bowerham by allotments, and to the west lies open wooded parkland rising steeply to Coulston Road.
- 1.2 The rear (south west) of the brewery site is adjacent to Urban Greenspace with the surrounding land retained by stone gabion walls. Between the application site and the existing allotments and Burrow Beck there is relatively dense screen planting. Residential properties at Colchester Avenue and Chelmsford Close lie to the south east of the site. The nearest houses are approximately 90 metres north east of the proposed development within the relatively recent residential development of Pottery Gardens.
- 1.3 The majority of the Leisure Park is unallocated in the Local Plan but the part of the site that the application relates is allocated in the Lancaster District Local Plan as Urban Greenspace.

2.0 The Proposal

- 2.1 The application seeks planning permission to erect a single storey extension to the front (north east) facing elevation of the existing building, with modest projections either side of the existing property. The proposed extension measures 5.6 metres tall to the ridge with a 3.9 metre eaves height, projecting a maximum of 22.45 metres to the front elevation, across a total width of 24.2 metres, including two setback side projections 2.65 metres wider than the existing building on both sides. The development is proposed to be finished in anthracite grey colour composite sheets and composite timber cladding, with anthracite grey aluminium framed glazed windows and doors under a goosewing grey composite sheet roof. The extended internal area is to be predominantly used as addition function/bar space, and ancillary space of bathrooms, kitchens, porches, storage, sales and display areas.

3.0 Site History

- 3.1 Lancaster Leisure Park has an extensive planning history. The table below contains the most relevant applications.

Application Number	Proposal	Decision
10/00569/CU	Change of use of former Redwood Garden Centre to Brewery and visitor centre	Approved
11/00445/VCN	Variation of condition 2 on planning permission 10/00569/CU	Approved
13/00650/FUL	Retention of marquee	Approved
16/00704/PRETWO	Creation of temporary park and ride car park	Advice provided
19/00522/FUL	Alterations to existing land levels to facilitate the construction of a car park consisting of 124 spaces	Concurrent, yet to be determined

4.0 Consultation Responses

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

Consultee	Response
County Highways	Concerned regarding anticipated customer numbers arriving in vehicles, and whether sufficient car parking provision exists at the site to accommodate the proposed development. There is insufficient information submitted to determine how increased floor area of the development would be mitigated in terms of increased trips to the site.
Environmental Health	No Objection , though recommends a condition regarding mitigation measures within the submitted Noise Assessment
Environment Agency	No Objection
Fire Safety	No comments received within the statutory consultation period.
Lancashire Constabulary	No Objection , though provided advice regarding security measures

5.0 Neighbour Representations

- 5.1 There are no neighbour representations in respect of the application.

6.0 Principal National and Development Plan Policies

- 6.1 National Planning Policy Framework (NPPF)
Paragraphs 80 and 82 (economy)
Paragraph 91 (safety)
Paragraph 97 (open space)
Paragraphs 102, 103, 108 to 111 (transport)
Paragraphs 124 and 127 (design)
Paragraph 150 (climate change and carbon emissions)

6.2 Lancaster District Core Strategy 2008
Policy SC1 – Sustainable Development

6.3 Development Management DPD 2015
Policy DM5 – The Evening & Night-time Economy
Policy DM15 – Proposals Involving Employment Land & Premises
Policy DM20 – Enhancing Accessibility and Transport Linkages
Policy DM21 – Walking and Cycling
Policy DM22 – Vehicle Parking Provision
Policy DM23 – Transport Efficiency and Travel Plans
Policy DM25 – Green Corridors
Policy DM26 – Open Space
Policy DM27 – Biodiversity
Policy DM28 – Development & Landscape Impact
Policy DM35 – Design
Policy DM39 – Surface water run-off

6.4 Lancaster District Local Plan 2004 (saved policies)
Policy E29 – Urban Greenspace

6.5 Following receipt of the Inspector's Report, the policies in the emerging Local Plan are considered to have substantial weight. The policies in this emerging Local Plan that are relevant to this application are:

Review of the Development Management DPD 2020
Policy DM14 – Proposals Involving Employment Land and Premises
Policy DM25 – The Evening and Night-Time Economy
Policy DM29 – Design
Policy DM34 – Surface water run-off
Policy DM43 – Green Infrastructure
Policy DM44 – Biodiversity
Policy DM45 – Development and Landscape Impact
Policy DM60 – Enhancing Accessibility and Transport Linkages
Policy DM61 – Walking and Cycling
Policy DM62 – Vehicle Parking Provision
Policy DM63 – Transport Efficiency and Travel Plans

Strategic Policies and Land Allocations
Policy SC3 – Open Space, Recreation and Leisure
Policy SC4 – Green Space Networks

7.0 Comment and Analysis

7.1 There are 5 key material considerations arising from the proposal, namely:

- Principle of the development
- Design, scale and landscape impact upon the Urban Greenspace;
- Highways, transport and parking;
- Residential amenity and noise; and
- Drainage;

7.2 Principle of the development

7.2.1 The site forms an established brewery with an associated functions area, which has expanded upon the public and private functions delivered at the site since the original consent at the site, expanding into an adjacent permitted marquee area. This proposal seeks to extend the existing building on site, retaining the existing level of floorspace used for brewing and storage, but expanding the floorspace of the building by circa 480sq.m, as additional space to be used directly or indirectly in association with the function space of the site, which currently totals approximately 365sq.m excluding the marquee (108sq.m). The proposal is a significant increase in scale of this existing use of the site.

7.2.2 The proposal contributes positively to local and national policies relating to economic sustainability and development, and the sustainable growth and expansion of businesses is encouraged. Given the established mixed-use and function space in this location for over a decade, combined with the wider uses within the Leisure Park, the current use is considered to be the optimal viable use of this site. Its retention and sustainable expansion should be encouraged and weighs in favour of the proposal. The proposal is considered to be compatible with local and national policies relating to the economy and expanding businesses within their existing premises.

7.3 Design, scale, and landscape impact upon the Urban Greenspace

7.3.1 The proposed development is a relatively large extension to the existing building. However, with a subservient height to existing, this is considered to be proportionate in scale to the existing building. The existing property has a functional vernacular appearance, similar to some of the surrounding built form within the Leisure Park. This industrial appearance is compounded by the large silo storage vessels as existing to the frontage. The proposed extension creates a more welcoming entrance to the function space of the site, with a projecting front entrance feature, substantially more glazing and a mix of external wall materials creating a more defined and inviting frontage. The proposal is considered to accord with design policies in terms of scale, external materials and congruent design.

7.3.2 The site previously formed a garden centre, and was included within the Urban Greenspace designation covering the allotments to the southwest and woodland open space to the north and west. The proposed development is to occupy an existing hardsurfaced area, and whilst this is predominantly open as existing, the surfacing and use of the area is akin to the wider Leisure Park use, as opposed to the surround landscape designation. Combined with the proposed removal of the two tall silo storage vessels from the frontage of the property, the proposed extension is considered to cause no harm to this Urban Greenspace designation. The limited expansion of an existing uses is one of the exemptions to a general presumption against development within the Urban Greenspace designations, and the proposal is considered to be compatible with this. Whilst there are green and open space designations around the site within the emerging land allocations and strategic policies, the site is excluded from these areas and considered to cause no harm to these surrounding emerging allocations.

7.4 Highways, transport, and parking

7.4.1 Given the site is predominantly visited as a function space, as opposed to a public house or brewery, combined with the sought proposal and floorplans, this has been considered a function space in terms of anticipated parking and vehicle movements. The proposed floor plan indicates 101 customers could be accommodated in this extended area, with a similar amount within the existing retained functions area, assuming this was a seated event. Therefore, at peak times or during popular events or large private functions, the site may accommodate over 200 customers at a time. The site benefits from the shared use of an existing carpark area containing 264 space, which is also used by the other 10 commercial premises on site, containing mainly retail, restaurant, leisure and office uses. Considering the nature of the use, shared facilities and detachment from the main commercial centre of Lancaster, a robust Travel Plan was sought to evidence the impact of the proposal on the shared parking provision, and how additional movements would be mitigated and encourage more sustainable transport methods in accordance with planning policy. This matter of sustainable transport has become even more pertinent since the council declared a climate change emergency, which ties into paragraph 150 of the National Planning Policy Framework to reduce carbon emissions.

7.4.2 Both local and national planning policy requires developments to reduce reliance on private cars and encourage more sustainable forms of travel. Developments resulting in increased vehicular movements should be accompanied by measures to encourage other forms of travel, such as, but not exclusively, electric vehicle charging points, provision of foot and cycle path links to nearby built-up areas to reduce travel times, support of local public/shared transport, provision of secure and covered cycle parking and a robust Travel Plan.

7.4.3 The no.18 bus that serves Wyresdale Road from the city centre has been enhanced recently through financial contributions from 3 nearby residential developments (though when the contributions have been spent the service will reduce unless it has become self-funded during the period of the enhancement). At present, there is a bus service from the site to/from Lancaster city centre between the hours 7:18am and 6:43pm, with a bus approximately every 30 minutes, although there is no bus service on Sundays. Wyresdale Road itself has recently undergone improvements, including reduced speed limits, cycle improvements, street lighting and bus stop enhancements. The area is becoming more user-friendly for non-car travel and any proposals at the Leisure Park must not undermine this,

but seek to maximise opportunities to develop these local highway improvements further. A Travel Plan has been submitted but it relies on travel to work data for Lancaster that is about 10 years old and is not specific to a site on the urban edge of Lancaster. This Travel Plan only highlights existing facilities, failing to assess the impacts of the proposed development, and does not propose any measures (other than publicity) to encourage more sustainable forms of travel.

7.4.4 Whilst the proposed site plan indicates an area of cycle storage for 12 bicycle spaces, this is to the north west side of the building, set away from the customer frontage to the site and is only accessible via an access used by delivery vehicles accessing the brewery storage facilities for distribution. This provision would be unsafe and unsecure, and would do little to encourage customers or employees to cycle to the site without a safe access and secure storage. The site plan also indicates 8 parking spaces within the rear external storage and deliveries area, resulting in similar safety issues, with no turning spaces indicated for delivery vehicles in this area nor any formal management of turning area evidenced for the indicated drop-off area to the front of the proposed extension. A formal Travel Plan has been sought on multiple occasions during the extended determination period, with encouragement for improved provision for foot and cycle provision, and potential broader and formalised use of shared transport service for events over a certain size, similar to the shuttle bus used for events at the site as existing. However, suitable information has not been forthcoming, and therefore the application must be determined on the basis of the information received to date.

7.4.5 The County Highway request for additional information and appropriate mitigation to any calculated anticipated additional trips has not been provided. Given the substantial increase in floorspace of the function space use of the site, during peak times this would likely result in additional private motor vehicle trips, to the detriment of the shared parking provision as part of the wider site and the other uses reliant upon this provision. As events at the proposed development would include wedding receptions on Saturdays, potentially attracting over 200 guests, this would put pressure on the existing car park during its peak demand. If guests then utilise the Leisure Park car park, this could have a detrimental impact on the other commercial uses at the Leisure Park as their customers may turn away if there is insufficient parking. As stated earlier, the brewery should offer at least a shuttle bus service to the city centre, railway station and/or other suitable locations for larger events to prevent this occurring. Despite many requests to the agent for a commitment to this form of travel plan, nothing to date has been submitted in this regard. The indicated cycle parking provision is considered to be unsafe and unsuitable. A sufficient Travel Plan and suitable sustainable mitigation to the additional vehicle movements associated with the increase in function space has not been forthcoming, and therefore the application as it stands cannot be supported as it is contrary to local and national planning policy.

7.5 Residential amenity and noise

7.5.1 The proposed development is within the Leisure Park setting. However, there are residential properties within 100 metres of the site, and the expanded use sought is a potential source of noise if this is unmitigated. The application was supported by the submission of a noise assessment containing several mitigation measures, namely the sound insulation qualities of the sought materials and openings to the development, air conditioning, and use of a noise limiting device. Given the existing use of the site and the addition measures included within the submitted assessment, subject to the implementation of these measures prior to first use, the proposal would not exacerbate any noise generation from the site, despite the significantly increased floor area of the function use of the site. The Environmental Health consultee returned no objection to the proposal on the basis of the Noise Assessment submitted.

7.6 Drainage

7.6.1 The proposed site plan indicates a sustainable drainage (SuDS) tank measuring 75sq.m footprint with a flow control chamber to the open space to the south east of the proposed extension, which currently contains the marquee and open areas of the site. There is no further information provided regarding drainage, though the Environment Agency returned no objection to the proposal in relation to impacts upon the nearby Burrow Beck. Whilst this development falls below the scale of development for consulting the Lead Local Flood Authority, informal discussions regarding the proposal suggest that this could be suitable mitigation for the proposed development over an existing hardsurfaced area. This is subject to the precise details of the SuDS system, which could be controlled through planning condition. Subject to such a planning condition, the proposal could ensure no increase in on-site or off-site surface water run off rates upon completion, as required by relevant policy.

8.0 Planning Obligations

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

9.0 Conclusions

9.1 The application seeks planning permission to support the expansion of an established business and use at Lancaster Leisure Park, which is an economic benefit of the proposal that weighs in favour of the development. However, in the planning balance this is outweighed by the insufficient information regarding suitable transport measures to accommodate events of potentially over 200 attendees. The site plan indicates some motor vehicle and cycle parking in the external storage area of the site and its access point, which may conflict and raise safety concerns with delivery vehicles to the site. The submission lacks a suitable Travel Plan to evidence the likely vehicle movements associated with the proposal, nor does this offer satisfactory sustainable transport mitigation measures to offset the likely addition trips associated with the substantial increase in function space and capacity at the site. Without such mitigation, visitors are likely to use the shared car parking area, to the detriment of surrounding businesses within the Leisure Park. Encouraging additional visitors to the Leisure Park via private motorised vehicles as opposed to more sustainable forms of transport is contrary to local and national planning policies. For this reason, the application is recommended for refusal.

Recommendation

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

1. The proposal seeks to substantially increase the function room floorspace and use of the site without adequately evidencing the additional trips or proposing suitable mitigation measures to accommodate the additional capacity of the site and associated increase in travel requirements. Furthermore, the application has not been supported by any adequate measures to encourage more sustainable forms of travel. As such the proposal is considered to be contrary to National Planning Policy Framework paragraphs 102, 103, 108 to 111, Development Management DPD policies DM20 to DM23, and emerging Review of Development Management DPD Policies DM60 to DM63.
2. The proposed external layout and location of cycle storage provision and vehicle parking spaces would lead to a conflict between pedestrians and delivery vehicles accessing the external storage area, to the detriment of pedestrian safety. Therefore, the proposal is considered to be contrary to National Planning Policy Framework paragraphs 102, 108, 110 and 127, Development Management DPD policies DM21 and DM35, and emerging Review of Development Management DPD Policies DM29, DM60 and DM61.

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

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. Regrettably the applicant has failed to take advantage of this service and the resulting proposal is unacceptable for the reasons prescribed in the Recommendation. The applicant is encouraged to utilise the pre-application service prior to the submission of any future planning applications, in order to engage with the local planning authority to attempt to resolve the reasons for refusal.

Background Papers

None