

|   |   |  |
|---|---|--|
| <b>DECISION DATE</b><br>24 April 2007   | <b>APPLICATION NO.</b><br>07/00044/FUL <b>A22</b> | <b>PLANNING COMMITTEE:</b><br><br><b>19 March 2007</b>   |
| <b>DEVELOPMENT PROPOSED</b><br><br><b>ERECTION OF NEW VILLAGE HALL</b>  |   | <b>SITE ADDRESS</b><br><br><b>GALGATE CRICKET CLUB PAVILION<br/>MAIN ROAD<br/>GALGATE<br/>LANCASHIRE</b> |
| <b>APPLICANT:</b><br><br>Ellel Parish Council<br>Clerk To The Parish Council –<br>Mrs L Hargreaves<br>35 Leachfield Road<br>Galgate<br>Lancaster<br>LA2 0NX |   | <b>AGENT:</b>  |

#### **REASON FOR DELAY**

N/A

#### **PARISH NOTIFICATION**

Parish Council is the applicant.

#### **LAND USE ALLOCATION/DEPARTURE**

**Lancaster District Local Plan** - The site is within a Countryside Area, adjacent to the Lancaster Canal which is identified as an Informal Recreation Area.

#### **STATUTORY CONSULTATIONS**

**County Highways** - Observations awaited.

**Environment Agency** - Holding objection on flood risk grounds - final observations awaited.

#### **OTHER OBSERVATIONS RECEIVED**

No representations have been received from the general public in respect of these proposals.

One letter has been received on behalf of the adjacent land owners objecting to the creation of new pedestrian links directly between the sports field and the village across their land.

## REPORT

This site is located within the existing sports field to the south of the village of Galgate. The site is currently occupied by a small cricket pavilion. To the west lies the cricket ground with the River Conder and open fields beyond. To the north lies the tennis courts and bowling green surrounded by open fields and allotments. To the east lies the football ground with the Plough Inn, 6 terraced houses, the A6 and the west coast main line embankment beyond. To the south lies the Lancaster Canal with open fields beyond. At present the site is only accessed from the A6 adjacent to this between the terrace of cottages and the pub car park.

The proposal is a full application to demolish the cricket pavilion and to erect a new multi purpose Village Hall to replace the existing facility in Stoney Lane. The building would cover an extensive footprint but would include separate facilities for the whole range of community and sports activities. The main central hall would accommodate a badminton court and have associated stage, bar, kitchen and storage facilities. The northern end of the building would house day nursery and youth group facilities, while the southern end would accommodate changing rooms, sports/social club, adult education and community meeting rooms. Viewing areas would be located along either side of the main hall facing out over the cricket and football pitches respectively. The total floor area being 1100 sq. m and overall dimensions being 55m x 30m x 9m.

Architecturally, the building design is modern, functional and typical of such facilities with large glazed areas. The materials would be brick and render walls under tiled roofs, all to be agreed at a later date.

The sports ground contains adequate spaces for vehicle parking and proposed vehicular access improvements can satisfy normal highway requirements.

It is considered therefore, that in principle this proposal does not raise any significant land use issues and the general principle is one which the local authority would wish to support.

There is however an outstanding issue in respect of the flood risk from the River Conder since the building would be located just within its flood plain. However, it is anticipated that the Parish Council will have satisfied the Environment Agencies concerns before Committee.

The major outstanding issue is pedestrian access. At the present time this can only be achieved from the A6. There is no footpath on the west side of the A6 through the bridge under the railway embankment. This means that all pedestrian access from the village must cross the A6 on the village side of the embankment, pass under the bridge on a footpath of substandard width, and then cross back over the A6 from a point on the inside of a bend where visibility in both directions is poor and where traffic speeds, outside rush hours, can be significant.

Little can be done to improve these conditions other than the erection of railings on the east side of the A6 to restrict the crossing points to the least unsafe points on the road and to improve safety under the bridge, together with non-statutory signs warning drivers of potential pedestrian movements. These could be provided by the Parish Council as part of the scheme.

Of much greater benefit would be the two new alternative pedestrian access proposed by the Parish Council to link the sports ground directly with the centre of the village under the viaduct and also with Vernon Close via a new footbridge across the River.

The first of these (Option A) is the one which would provide the most direct and functional option to the A6 route and the only one likely to be used by residents to the east of the railway as a voluntary option to the A6 route. It is the highway authorities view that the development should not proceed unless this particular pedestrian access route can be established.

The second alternative access route (Option B) would provide a practical alternative route for the western half of the village only. Although this in itself would considerably reduce the pedestrian volumes needing to use the A6 route and thus significantly reduce the additional highway safety impact of the development. Both of these alternative access options lie outside the Parish Council's ownership and the owner's representative has indicated that negotiation regarding Option B might be possible, Option A would not be entertained. It is considered that the issue of pedestrian safety is one of paramount importance. Discussions with the Council's Legal Officer have concluded a Grampian Condition requiring the provision of appropriate alternative access before any development is commenced would be legal and justifiable because there is no certainty that such an access would continue to be denied in the future.

In these circumstances therefore, it is considered that subject to the views of the Environment Agency, this proposal can be supported subject to the provision of appropriate alternative pedestrian access, preferably including Option A and to the provision of guard rails to the footpath on the east side of the A6.

## **HUMAN RIGHTS IMPLICATIONS**

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to the principles of proportionality, it has been concluded that there are no issues arising from the proposal which appear to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

## **RECOMMENDATIONS**

That subject to the views of the Environment Agency, **PERMISSION BE GRANTED** subject to the conditions covering the following issues:

1. Standard full permission.
2. Development in accordance with approved plans and details.
3. No development to be commenced on site prior to appropriate alternative pedestrian access rights in accordance with the submitted proposals being secured.
4. Development not to be brought into use until the access/s above have been provided in accordance with a detailed scheme to be submitted to and agreed in writing by the local planning authority.
5. Pedestrian guard rails to the east side of the A6 to be provided before use.
6. Vehicular access and passing places to be improved in accordance with submitted scheme.
7. Use of the building to be for the purposes indicated in the application unless agreed in writing.
8. Details of the external materials to be agreed.
9. As may be requested by outstanding consultees.