

Agenda Item	A7
Application Number	21/00249/VCN
Proposal	Erection of two 4-storey student accommodation buildings comprising of 12 7-Bed cluster flats (sui generis) and 14 6-bed cluster flats (C4) with associated car parking and bin and cycle stores (Pursuant to the variation of condition 9 on planning permission 19/00996/VCN in relation to hard and soft landscaping including increasing length of access and repositioning of some bins stores and cycle units)
Application site	Site of Former Filter House, Scotforth Road, Lancaster, Lancashire
Applicant	Mr Vivian Watts
Agent	Mr Barry Singleton
Case Officer	Mr Mark Potts
Departure	Yes
Summary of Recommendation	Approval (subject to no objection from Network Rail and the removal of the holding objection from National Grid)

(i) **Procedural Matters**

The application would ordinarily be determined under delegated powers, but the scheme was originally a departure from the Development Plan (given its then allocation within the Local Plan as employment land), and Officers are recommending support of the scheme. Therefore, it has to be determined by Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 The application site relates to a parcel of land of 0.8 hectares on the west side of the A6, south of the urban area of Lancaster and approximately 3km from Lancaster City Centre. The site is triangular - around 240m in length from north to south, 60m in width at the north end and tapering to a point at the southern end. The site is located within the Bailrigg Garden Village Broad Area of Growth under Policies SG1 and SG3. The site was cleared a few years ago, and the permitted two blocks of student accommodation are substantially complete save for the zinc facades, which are currently being applied to the buildings.

1.2 The application site is tightly positioned between the A6 to the east of the site, which is a busy strategic vehicular access corridor into and out of the city, and the West Coast railway line to the west side. It therefore occupies a very prominent position at the southern gateway to the city. Beyond these access corridors the site is surrounded by open countryside, predominately used for agricultural purposes. Burrow Beck runs along the northern boundary of the site and is identified as a Biological Heritage Site.

1.3 Vehicular access to the site is directly from the A6 into an area of hardstanding previously used for servicing and car parking. There is a pedestrian footway on the opposite (east) side of the A6. The northbound bus stop adjoins the site at its southern end whilst the southbound stop is opposite the northern part of the site. The closest strategic cycle network is to the east of the A6 near the settlement of Bailrigg. This cycle path links the residential areas of South Lancaster to the University.

2.0 Proposal

2.1 The application is made under Section 73 of the Town and Country Planning Act to vary the details associated with planning condition no 9. This condition is principally concerned with the hard landscaping arrangements. The application is made on the back of advice from the fire safety officer and building control colleagues. The amendments involve a larger area of hardstanding to the rear of the main block of student accommodation to allow a fire engine closer to the end of the building. This is to avoid a length of underground pipe for the dry riser serving the far stairwell. This has meant re-sizing the length of the access accordingly, and some repositioning of the bin and cycle stores together with a new retaining structure adjacent to the west coast mainline.

3.0 Site History

3.1 A number of relevant applications relating to this site have previously been received by the Local Planning Authority, the most pertinent are noted below. These include:

Application Number	Proposal	Decision
21/00069/VCN	Erection of two 4-storey student accommodation buildings comprising of 12 7-Bed cluster flats (sui generis) and 14 6-bed cluster flats (C4) with associated car parking and bin and cycle stores (Pursuant to the variation of condition 11 on planning permission 19/00996/VCN to remove the requirement for a scheme for street lighting)	Pending
19/00996/VCN	Erection of two 4-storey student accommodation buildings comprising of 12 7-Bed cluster flats (sui generis) and 14 6-bed cluster flats (C4) with associated car parking and bin and cycle stores (pursuant to the variation of condition 6 on planning permission 18/00637/VCN to allow for a phased programme of offsite highway works).	Approved
18/00637/VCN	Erection of two 4-storey student accommodation buildings comprising of 28 6-bed cluster flats (C4) with associated car parking and bin and cycle stores (pursuant to the variation of condition 2 on planning permission 16/00847/FUL for amendments to floor plans and elevations to provide 12 7-bed cluster flats (sui generis) and 14 6-bed cluster flats (C4) including amendments to the fenestration and heights of the buildings)	Approved
16/00847/FUL	Erection of two 4-storey student accommodation buildings comprising of 28 6-bed cluster flats (C4) with associated car parking and bin and cycle stores	Approved

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objection
Fire Safety Officer	No observations received
Waste and Recycling	No observations received
Scotforth Parish Council	No objection. This should be supported given it is for students safety.
Cadent Gas on behalf of National Grid	Raise a holding objection given the distance of the buildings to the overhead power lines.

4.2 There have been no public consultation received from members of the public:

5.0 Analysis

The key consideration with this application relates to design considerations.

5.1 **Design Considerations DMDPD Policies: DM29 Key Design Principles; DM45: Protection of Trees, Hedgerows and Woodland; DM46: Development and Landscape Impact; DM62: Vehicle Parking Provision, SPLA DPD Policies SG1 – Lancaster South Broad Location for Growth and SG3 Infrastructure delivery for growth in South Lancaster**

5.1.1 The application is made under Section 73 of the Town and Planning Country Planning Act to modify condition 9 below:

‘Notwithstanding the details indicated on the approved plans and supporting documents, within one month of the date of this decision, details of the hard and soft landscaping for the site together with their associated maintenance shall be submitted to, and approved in writing by, the local planning authority. The hard landscaping shall be implemented in full in accordance with the approved details prior to the buildings being occupied and the soft landscaping shall be implemented in full in accordance with the approved details in the first planting season following completion of the development, or following first occupation, whichever is the earlier. Both the hard and soft landscaping shall be maintained at all times thereafter in accordance with the approved maintenance regime’.

5.1.2 The amendments to the internal access, which are located to the rear of the main block of accommodation, are solely as a result of ongoing discussions with the fire service as part of Building Regulations approval. The amended internal access is appropriate and acceptable, albeit the fire service are still to provide their advice. As a result of the amended internal arrangement, two separate cycling stores are now provided which provide for 60 cycles in total. There has also been an increase in parking bays from 40 to 41. Whilst there is now further hard surfacing within the site than was originally envisaged, overall the safety of students is paramount in the unfortunate event there was a fire, and can be supported. Comments from Network Rail are awaited, and Councillors will be verbally updated.

5.1.3 Overall, the changes are considered acceptable, though no details have been shared of the re-designs of the cycle and refuse stores, which would have assisted officers making a decision as opposed to dealing with this by use of condition. The provision of cycle storage is the same as the refused discharge of condition application. At only 36% provision, this needs to be increased. This was a view shared by the County Council (as Highways Authority) in the determination of the discharge of conditions application in September 2020.

5.1.4 The changes do involve a greater quantum of hardstanding than was previously envisaged, and this is in the region of 44 square metres. This area was approved as a mosaic of greenspace/pathways, and therefore the development introduces further hard development onto the site. The surface water drainage scheme involves the use of 100 mm pipes which eventually feed directly into Burrow Beck. Whilst the LLFA has not been consulted, this is very minor development when compared against the scheme as a whole. Overall, the modifications will not exacerbate run off from the site, nor impact on the approved surface water drainage scheme.

5.1.5 There is some concern that National Grid have placed a holding objection on this planning application, and have asked for further information. The proposed changes are solely an amendment to the hard landscaping scheme, and are well removed from the pylons that run past the northern section of the site. Furthermore, they raised no objection to the original scheme which placed a building in close proximity to it. Officers have sought clarification from National Grid, and shared their advice received in early May 2021 with the applicant’s agent. Councillors will be updated verbally.

5.1.6 The applicant has also made a planning application to remove their obligations to provide street lighting along Bailrigg Lane (21/00069/VCN). This is subject of a separate application that is still to

be determined. In the event of a positive recommendation, this will be presented to the Planning Regulatory Committee, though should it be recommended for refusal then could be determined under delegated powers. A discharge of condition application was submitted in March 2021 (21/00032/DIS) to address the concerns that officers had on a number of planning conditions, and officers are still reviewing this submission. Given the lead time associated with the drafting of a Committee report, and the application being presented to Committee, officers are hopeful that once in receipt of comments from the relevant consultees that some of these conditions can be approved. A Section 73 approval results in the issue of a new grant of planning consent, and therefore conditions on the extant consent will need to be reimposed as included within the recommendation section of this report.

6.0 Conclusion and Planning Balance

6.1 The changes applied for within this planning application are being made in order to ensure the safety of students in the unfortunate event of a fire. From a visual perspective, the amendment to the hard landscaping scheme will be well screened by the built form, and officers are in support of these changes. The scheme is lacking in detail of the new cycle and refuse stores and therefore conditions will need to be imposed to deal with this aspect as with the new retaining walls. Subject to the imposition of conditions outlined below (and no objections being raised by the likes of Network Rail and the holding direction removed from National Grid) the scheme is acceptable and can be recommended for approval.

Recommendation

That Planning Permission **BE GRANTED** subject to the following conditions:

Condition no.	Description	Type
1	Approved Plans	Control
2	Surface Water Drainage Scheme	Control
3	Surface Water Management Scheme	Control
4	Materials	Control
5	Ventilation Scheme	Control
6	Electric Vehicle Charging Points	Control
7	Car Parking Management Scheme	Prior to occupation
8	Covered cycles/motorbike parking and refuse stores	Prior to occupation
9	Hard and Soft Landscaping	Prior to occupation
10	Off-site highways work associated with Phase I	Control
11	Off-site highways work associated with Phase II	Prior occupation
12	Remediation Certificate	Prior occupation
13	Access road detail	Control
14	Management Plan	Control
15	Finished Floor Levels	Control
16	Foul water drainage scheme	Control
17	CCTV and security	Control
18	Noise attenuation	Control
19	Southern Access Stopped up	Control
20	Student Restriction	Control

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

In accordance with the above legislation, the City Council can confirm that it has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers
None