

<b>Agenda Item</b>	A7
<b>Application Number</b>	26/00023/FUL
<b>Proposal</b>	Erection of flood defence wall, flood barrier and associated works
<b>Application site</b>	Land East of Central Promenade Regeneration Site Marine Road Central Morecambe Lancashire
<b>Applicant</b>	Eden Project Morecambe Limited
<b>Agent</b>	Mr Daniel Jackson
<b>Case Officer</b>	Mr Andrew Clement
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Approve with conditions

(i) **Procedural Matters**

This application is reported to planning committee due to intrinsic links to an earlier committee item, referenced 25/01118/VCN

**1.0 Application Site and Setting**

- 1.1 The application site is located on Morecambe Promenade, to the east of the access to the Bay Arena carpark, north of the junction of Marine Road Central and Northumberland Street. This location is atop of existing flood defences and retaining walls that create Morecambe's characterful elevated Promenade. The site is located within Morecambe's Conservation Area, with several significant designated heritage assets surrounding the site. These include the Grade II\* Winter Gardens, and multiple Grade II Listed Buildings including the War Memorial to the west of the site. The location is immediately adjacent to Morecambe Bay, which is internationally significant and offers impressive views towards the Lake District. Morecambe Bay is a designated Special Protection Area (SPA), Special Area of Conservation (SAC), Site of Special Scientific Interest (SSSI), and Ramsar designations, forming part of a series of coastal estuaries of outstanding importance. The site itself is not designated for any nature conservation interest.
- 1.2 The promenade is a well-pedestrianised and traffic-free corridor (other than service access and carpark customers), extending from Hest Bank to Heysham. The promenade supports existing designated cycle routes - Sustrans Route 69 (Way of the Roses) and routes 6 and 700. The site is immediately east of a recently granted planning permission 21/01113/FUL, for a major mixed leisure development, Eden Project North (EPN), which concurrently seeks variations to that permission through 25/01118/VCN. This application site is outside the application site boundary of the original Eden Project Morecambe scheme but is intrinsically linked to that development, to facilitate the flood mitigation requirements. The application site is within Flood Zones 2 and 3.

## 2.0 Proposal

- 2.1 This application relates to a proposed flood defence wall, barriers and associated works. The length of wall measures circa 17 metres long, just to the south of a slope access to the beach, and opposite Marine Road No.1 short stay carpark. This wall would replace some existing railing, tailing slightly away from this to create connections for temporary flood barriers (during flood warning events), with a small section of wall on the southern side of the promenade to link to existing flood defence walls.
- 2.2 The proposed flood defence wall is of a similar design and height to those existing and approved through permission 15/00119/FUL and 17/00304/FUL along miles of the promenade as existing. The flood defence wall will be constructed in buff colour precast concrete, circa 1.6 metres tall above the existing promenade, although raising to just under 2 metres tall close to the Bay Arena access crossing to support 'stop logs' (temporary flood barriers). The ends of the proposed flood wall will contain gateway artwork, with full details to be confirmed at a later stage.
- 2.3 The proposed flood defence wall is incorporated within the suggested mitigation and assessment through screening opinion 25/00682/EIO under the Town and Country Planning (EIA) Regulations 2011 (as amended). This has been assessed within the Environmental Statement (ES) Addendum, and the cumulative scheme (predominantly 25/01118/VCN) is considered EIA development. The ES Addendum reports that there are no material changes through the variations sought, including this flood wall seeking permission through this application. This ES Addendum is aligned to the 2021 ES, finding that the scheme will have overall positive impacts on health and wellbeing, including new employment, education, public realm improvements, and support for active travel. Temporary adverse impacts during construction can be mitigated through a Construction Environmental Management Plan (CEMP) planning condition.

## 3.0 Site History

- 3.1 A number of relevant applications relating to this site have previously been received by the Local Planning Authority. These include:

Application Number	Proposal	Decision
25/01118/VCN	Demolition of existing buildings and proposed construction of major mixed leisure development in association with Eden Project (including use classes E, F1 and F2), outdoor arena (including live music performances), public realm, landscaping works, cycle parking, detached shelter and energy pods, and associated infrastructure and engineering operations (pursuant to the variation of condition 2 on planning permission 21/01113/FUL to amend the design and layout of the approved development)	Pending consideration
25/00682/EIO	EIA Scoping Opinion request relating to proposed changes to the approved development which comprises the demolition of existing buildings and the proposed construction of major mixed leisure development in association with Eden Project, outdoor arena, public realm, landscaping works, cycle parking, detached shelter and energy pods, and associated infrastructure and engineering operations	Completed
21/01113/FUL	Demolition of existing buildings and proposed construction of major mixed leisure development in association with Eden Project (including use classes E, F1 and F2), outdoor arena (including live music performances), public realm, landscaping works, cycle parking, detached shelter and energy pods, and associated infrastructure and engineering operations	Granted
17/00304/FUL	Demolition and reconstruction of the Wave Reflection Wall, incorporating creation of new occasional-use	Granted

	vehicular accesses onto the Morecambe Promenade from the Marine Road West, Marine Road Centre and Central Drive roundabouts and at the Marine Road West/Regent Road Junction, creation of new keynote 'up and over' access points opposite the Frontierland Development Site and opposite Regent Road, demolition of an existing toilet block and shelter, upgrading the existing stepped access at West End Gardens and associated works	
15/00119/FUL	Demolition and reconstruction of the Wave Reflection Wall along Morecambe Promenade	Granted

#### 4.0 Consultation Responses

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

Consultee	Response
Morecambe Town Council	No observation received to date
County Highways	<b>No objection.</b> It is likely existing signals of the crossing will need to be review. Recommend a Construction Management Plan (CMP) planning condition.
Public Realm	No observation received to date
Engineering Team	No observation received to date
Conservation Team	No observation received to date
Lancashire Constabulary	No observation received to date
Natural England	No observation received to date
United Utilities	Automatic reply response, no substantive comment received to date
Morecambe Town Council	No observation received to date

4.2 No observations have been received to date from members of the public. The newspaper publication period expires on 5<sup>th</sup> February 2026. Any observations received in the leadup to planning committee will be reported through written committee updates.

#### 5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- Principal of development
- Flood risk
- Design, Scale, Townscape and Heritage
- Transport, Accessibility and Safety
- Natural Environment

5.2 **Principle of development** NPPF Section 2. (Achieving sustainable development) and Policy SP3 (Morecambe Seafront and Promenade) and DO2 (Strategic Leisure – Seafront Headland and Central Promenade) of the Morecambe Area Action Plan (MAAP)

5.2.1 The proposed works will link to existing and proposed flood defences through concurrent application 25/01118/VCN. This would contribute towards mitigating the impacts of flood risk upon this major leisure development proposal, and in turn also reduce flood risk within the immediate surrounding vicinity. The proposal is necessary to ensure the delivery of the identified flood risk mitigation supporting the Eden Project Morecambe ensuring this important visitor attraction is protected from tidal flooding. This proposal will also maintain vehicular and pedestrian access to the promenade. Given the intrinsic links to the wider project, the principle of the proposed flood wall is considered acceptable.

- 5.3 **Design, Scale, Townscape and Heritage** NPPF: Section 12 (Achieving well-design places), and Section 16 (Conserving and Enhancing the Natural Environment); Strategic Policies and Land Allocations (SPLA) DPD policies SP7 (Maintaining Lancaster’s Unique Heritage), SP8 (Protecting the Natural Environment); Development Management (DM) DPD policies DM26 (Public Realm and Civic Space, DM29 (Key Design Principles), Policy DM38 (Development Affecting Conservation Areas), DM39 (The Setting of Designated Heritage Assets), DM46 (Development and Landscape Impact) and DM57 (Health and Well-Being) and MAAP policies SP1 (Key Pedestrian Routes and Spaces) and DO2 (Strategic Leisure – Seafront Headland and Central Promenade), Morecambe Conservation Area Appraisal and Listed Buildings and Conservation Areas) Act 1990
- 5.3.1 Due to the prominent location within the Morecambe Conservation Area, the proposal may impact the setting of this national heritage asset and several other listed buildings surrounding the site, which include:
- Grade II\* Winter Gardens
  - Grade II War Memorial, and
  - Grade II 217, 219 and 221 Marine Road Central
- 5.3.2 The local planning authority, in exercising its planning function, should have regard to s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which states “*In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority ... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*”. S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 5.3.3 The proposed development would appear congruent in design, scale and location for any users of the promenade, due to the appearance, design and materials to match those of flood defence walls elsewhere on the promenade. The existing walls are located in even more sensitive heritage sites than this site, including immediately south of the Grade II\* Midland Hotel, and its Grade II walls. The details of matching materials, colour and design to the existing walls should be controlled through planning condition, as should details of the proposed gateway artwork to link to the surrounding areas.
- 5.3.4 In isolation, and more unusually located on the Bay side of the promenade, as opposed to the landside, there would be some townscape and visual impacts. These are primarily derived from loss of views and sense of enclosure in an area characterised by openness and famous views across the Bay. However, the development is to be legally tied to the adjacent major leisure development, including flood defences delivered through that proposal 25/01118/VCN. Subject to these being developed together, and not in isolation, the proposed flood wall would be more in-keeping, avoiding harm to aforementioned national heritage assets. The proposal would still result in harm to views and openness, even developed as part of the wider major leisure scheme. However, being brought forward tied to this wider project reduces harm to a modest weight, and one that is judged less than substantial.
- 5.3.5 Paragraph 215 of the NPPF states ‘*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal...*’. This is a matter to weighed in the planning balance; however, subject to this proposal being brought forward as part of the wider major leisure scheme, the mitigation to flood risk immediately west of this flood defence wall and to surrounding areas is a public benefit, which is considered to outweigh the identified harm. As such, the proposal is considered to be acceptable and policy compliant from a heritage perspective, as the flood risk mitigation benefits of the proposal are considered to outweigh the identified harm.
- 5.4 **Transport, Accessibility and Safety** Strategic Policies and Land Allocations (SPLA) DPD policy T2: Cycling and Walking Network; Development Management (DM) DPD policies DM29: Key Design Principles, DM60: Enhancing Accessibility and Transport Linkages, DM61: Walking and Cycling, and Morecambe Area Action Plan Policies SP1: Key Pedestrian Routes and Spaces, SP3: Morecambe Main Seafront and Promenade and DO2: Strategic Leisure – Seafront Headland and Central Promenade

- 5.4.1 The proposed development would cross an existing carpark access road, which through 25/01118/VCN would provide a route for servicing vehicles to the major leisure development, whilst remaining open and accessible to the public. The proposed design requires 1.9 metre long walls on both sides across the promenade, to provide supports to 'stop log' temporary flood barriers. This will narrow the promenade, although, this will retain an open width of 5.4 metres at all times other than during flood warning through use of temporary barriers. This is considered sufficient to maintain full open access for pedestrians, cyclist, and any other service vehicles and events requiring promenade access, for movements and uses that must be retained unimpeded. The precise details of when, and how, the temporary barriers will be installed during periods of flood risk can be controlled through planning condition.
- 5.4.2 The proposed flood defence wall will impede visibility and openness, as assessed within the previous section. This has the potential to generate safety issues. The location of the wall predominantly in place of existing railings limits the opportunity for hiding beyond such features, with security of the area benefitting from existing CCTV and proposed security measures through the concurrent linked major leisure development. However, visual impediment from the perspective of service vehicles travelling perpendicular to promenade foot and cycle traffic would require mitigation to prevent adverse impacts. In addition to the existing traffic light system, measures to signal and clearly mark this crossing are required to ensure all users are aware of this crossing point, given vehicles will be less visible through the proposed flood defence wall. This can be achieved through planning condition.
- 5.4.3 The proposed development is minor in scale, but very sensitive in location, particularly for more vulnerable foot and cycle traffic. As such, the County Highways recommendation for a Construction Management Plan condition is shared by officers and should mitigate any potential adverse impacts during the construction phase. Subject to such mitigation, the proposal is considered to cause no adverse impact upon transport, accessibility and safety.
- 5.5 **Natural Environment** NPPF: Section 15 (Habitats and biodiversity); Strategic Policies and Land Allocations (SPLA) DPD policies SP8 (Protecting the Natural Environment) and EN7 (Environmentally Important Areas); Development Management (DM) DPD policies DM36 (Protecting Water Resources and Infrastructure) and DM44 (Protection and Enhancement of Biodiversity), and DO2 of the Morecambe Area Action Plan (MAAP)
- 5.5.1 There are no trees or hedgerows that would be affected by this proposal. The site itself is considered to be of low ecological value and would not constrain the development of the site. However, the site is extremely close to the Bay, and the various environmental sensitivities associated with multiple international designations of this area. The Bay supports numerous species of wader, wildfowl and seabird species, in particular over-wintering birds. It is designated for a range of intertidal habitats, as well as its great crested newt population. While there are other designated sites nearby, these are the principal sites relevant to assessing impacts on ecology.
- 5.5.2 Morecambe Bay is very important for many species of birds. As such, there is the potential for development and recreational use close to the designated sites to have impacts on birds associated with the SPA and Ramsar designations. It is considered that these impacts could be avoided, but only through mitigation. In light of the People Over Wind ruling by the Court of Justice of the European Union, likely significant affects cannot be ruled out without mitigation and therefore an Appropriate Assessment (AA) is required. This is contained within a separate document and concludes that, with the implementation and retention, where appropriate, of mitigation the development will have no adverse effects on the integrity of the designated sites, their designation features or their conservation objectives, through either direct or indirect impacts either alone or in combination with other plans and projects.
- 5.5.3 Subject to the implementation of the mitigation measures within the AA, namely for appropriate construction and environmental management practices and procedures, to be controlled through a Construction Environmental Management Plan (CEMP), the proposal is considered to have an acceptable impact upon the environment, habitats and protected species and sites. The CEMP must include avoiding noisy construction works/development taking place in the overwintering bird period (November to March inclusive), and measures to avoid dust and water pollution runoff to the immediately adjacent Morecambe Bay, amongst other requirements. Subject to this planning condition, the proposal is considered to adequately mitigate the impacts upon ecology and risk of

contamination, compliant with relevant policies. A response from Natural England is expected before Planning Committee. This will be covered in written updates.

5.6 **Flood risk NPPF: Section 14 (Planning for Climate Change), (Planning and Flood Risk), policy SP8 (Protecting the Natural Environment) and SP3 (Morecambe Main Seafront and Promenade) of the Strategic Policies and Land Allocations (SPLA) DPD; policies Development Management (DM) DPD policies DM33 (Development and Flood Risk) and DM36 (Protecting Water Resources and Infrastructure) and Lancaster District Level 1 Strategic Flood Risk Assessment (SFRA) 2025**

5.6.1 Whilst the site itself is within Flood Zone 2 and 3, by its very nature this type of flood control infrastructure is required in such flood risk locations, which are considered water-compatible developments in terms of flood vulnerability. The submitted flood risk assessment covers the mitigation sought through 25/01118/VCN and at this site, due to their intrinsic links. This report concludes that this mitigation scheme cumulatively ensures that the major leisure development would be safe without exacerbating flood risk elsewhere. This proposal is to the satisfaction of the Environment Agency through the concurrent application.

5.6.2 The benefit of this development is the flood mitigation it provides to facilitate a major leisure development, and the aspirations of the Morecambe Area Action Plan (MAAP), and residual flood risk benefits to immediately surrounding areas. In isolation, the wall itself would not offer such mitigation, but combined with the flood defence mitigation proposed through 25/01118/VCN, these measures together will provide planning benefits to the wider area. These should be controlled legally to be developed together, and neither should come to fruition without the other. This will be controlled through the legal mechanisms as part of 25/01118/VCN.

## **6.0 Conclusion and Planning Balance**

6.1 The proposed flood defence wall is an essential element of mitigating the flood risk for a proposed major leisure development, which is required to facilitate this development coming forwards. The tangible flood risk benefits of this scheme come through its links to delivery of the aspirations of the leisure investment opportunity allocation of the MAAP. The benefits and positive weight attributed to facilitating delivery of this project, and residual flood risk mitigation beyond the adjacent development site, are considered to outweigh the modest harm from loss of views and openness along a short section of the promenade. As these benefits are only realised if developed alongside the neighbouring major leisure development, these must be legally tied through the concurrent application 25/01118/VCN. Subject to this and other planning conditions to fully mitigate other material planning matters, the benefits outweigh the identified harm set out in this report. On this basis, it is recommended planning permission be granted.

## **Recommendation**

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Timescale	Control condition
2	Plans	Control condition
3	Construction Environmental Management Plan (CEMP)	Pre-commencement
4	Scheme for signal and crossing marking design through safety audit	Prior to development above ground
5	Gateway artwork	Prior to development above ground
6	Flood warning plan	Prior to development above ground
7	Materials to match	Control condition

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

Officers have made this 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**

25/01118/VCN – Concurrent major leisure development