

Agenda Item	A11
Application Number	25/01313/FUL
Proposal	Creation of a new opening in an existing wall and construction of a new pedestrian ramped access
Application site	Boundary Wall and Footway to Moor Mills Car Park Off Nelson Street Lancaster Lancashire
Applicant	Lancaster City Council Parking
Agent	HPA Architects
Case Officer	Mr Anthony Foster
Departure	No
Summary of Recommendation	Approve with conditions

(i) Procedural Matters

This form of development would normally be dealt with under the Scheme of Delegation. However, the application site is owned by Lancaster City Council, and as such, the application must be determined by the Planning Committee.

1.0 Application Site and Setting

- 1.1 The application relates to a section of wall which currently forms part of the western boundary of the existing Moor Lane Mills Car Park. At present, pedestrian access to and from the carpark is not separated from the vehicular access, which enter and exit the car park through a narrow gateway on Moor Lane.
- 1.2 The existing wall is circa 0.9 metres in height and is in the location of a historic vehicular access, which has subsequently been blocked up. The wall is made of squared sandstone blocks laid in regular courses. The lower section of the wall is faux random rubble with the inclusion of jumpers. The wall includes modern coping stones.
- 1.3 The wall is deemed to be Grade II listed as part of the wider mill complex. It is apparent that following the demolition of the weaving sheds, the wall was constructed to create a boundary for the site.
- 1.4 The site is also located within Lancaster Conservation Area within Character Area 5 - Canal Corridor North.

2.0 Proposal

- 2.1 The proposal looks to demolish a small section of wall, which has previously been altered following the demolition of a series of mill buildings, some of which previously formed the site boundary.

- 2.2 The works will see the inclusion of a ramp through a shrubbed area to provide safe pedestrian access to and from the car park.
- 2.3 The scheme looks to create a modest opening within the existing boundary wall which will be flanked by masonry quoins which are in keeping with those details found on the existing wall. The ramp and steps will be formed of concrete, with a simple metal railing atop.
- 2.4 The gradients and handrails / guarding on the ramp are in accordance with Parts M & K of the Building Regulations.

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
25/01318/LB	Listed building application for the creation of a new opening in an existing wall	Pending consideration

4.0 Consultation Responses

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

Consultee	Response
Conservation Team	No Objection - Subject to details of the proposed railings and handrail, the proposals would not result in any harm to the significance of surrounding heritage assets, or to the character and appearance of the Conservation Area. As such, we have no objection but would recommend that these details are required by condition for any permission granted.
Historic England (HE)	Comments – no need to consult HE under the relevant statutory provisions.
Lancashire Highways	No Objection – Whilst the location of proposed works is not highway-maintained at public expense, their assessment of the proposal in the context of the NPPF concludes there would be no highway grounds to support an objection.

- 4.2 The following responses have been received from members of the public:

- No responses received

5.0 Analysis

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

- Design and heritage
- Highways
- Trees

- 5.2 **Design and heritage** National Planning Policy Framework Chapter 2 (Achieving sustainable development), Chapter 16 (Conserving and enhancing the historic environment); Strategic Policies and Land Allocations DPD Policy SP7 (Maintaining Lancaster District's Unique Heritage), Development Management DPD Policies DM29 (Key Design Principles), DM37 (Development affecting Listed Buildings), DM38 (Development affecting Conservation Areas), DM39 (The Setting of Designated Heritage Assets).

- 5.2.1 In determining planning applications, local planning authorities have special duties with regard to preserving the setting of listed buildings and the character and appearance of conservation areas under s66 and s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, respectively.

- 5.2.2 Local plan policy DM29 sets out that new development should make a positive contribution to the surrounding landscape and / or townscape and will be expected to contribute positively to the identity and character of the area through good design, having regard to local distinctiveness, appropriate siting, layout, orientation and scale.
- 5.2.3 Local plan policy DM38 relates to development affecting conservation areas. This policy requires any development proposals and alterations to buildings and open spaces in conservation areas to preserve or enhance its character. The policy states that the appearance and setting of development, in terms of design, siting, height, should not have an unacceptable impact on open spaces and designation setting including important views into and out of the conservation area, and should not result in the loss or alteration of features which contribute to the special character of the buildings and area. Local plan policy DM39 sets out that development proposals affecting the setting of designated heritage assets will be expected to include an assessment of the setting and the impact of the proposal upon this. In accordance with policy a Heritage Statement accompanies the application which considers the potential impacts upon the identified heritage assets.
- 5.2.4 The new access is a relatively minor insertion into the boundary wall, given the overall length of the existing wall, which forms both the southern and western boundary of the site. The scheme also seeks to make use of the quoin design feature for the new entrance, the materials for which will be relocated from the existing wall. The proposed railings are simple in their design and form.
- 5.2.5 Consequently, this minor change is considered to be undertaken sympathetically and will result in a neutral impact on the significance of the Conservation Area. As such, there is no requirement to weigh up the public benefits of the scheme.
- 5.2.6 The Conservation Officer has considered the proposal and raises no objections to the scheme, subject to full details of the proposed railings, which can be secured by a suitable condition.
- 5.2.7 The overall scale of the development is relatively minor and as such, it is considered that there will be no undue impacts on the identified Heritage Assets in accordance with Policies DM29, DM37, DM38 and DM39 of the Development Management DPD and chapter 16 of the NPPF.
- 5.3 **Highways (NPPF Chapter 9 Promoting Sustainable Transport and Chapter 12 Achieving Well-designed and Beautiful Places; Strategic Policies and Land Allocations (SPLA) DPD policies: SP10: Improving Transport Connectivity, T2: Cycling and Walking Network; Development Management (DM) DPD policies DM29: Key Design Principles DM60: Enhancing Accessibility and Transport Linkages, DM61: Walking and Cycling.**
- 5.3.1 Policy DM60 requires development proposals to maximise the opportunities for the use of walking, and Policy DM61 seeks to protect, maintain and improve the pedestrian environment.
- 5.3.2 The application seeks to provide an improved means of pedestrian access to the site, as the current single access is a narrow access shared with vehicles. Accordingly, it is considered that the proposal results in the formation of a safer pedestrian access in accordance with policies DM29, DM60 and DM61 of the Development Management DPD and chapters 9 and 12 of the NPPF.
- 5.3.3 Whilst the works are not within the adopted highway, the local highway authority has considered the application and is satisfied the development would not result in an unacceptable impact on highway safety in accordance with paragraph 116 of the NPPF.
- 5.4 **Trees (NPPF: Chapter 15 paragraph 170 and 174-177 (Habitats and biodiversity); Strategic Policies and Land Allocations (SPLA) DPD policies SG1 Lancaster South Broad Area of Growth and EN7 (Environmentally Important Areas); Development Management (DM) DPD policies DM44 (Protection and Enhancement of Biodiversity) and DM45: Protection of Trees, Hedgerows and Woodland.**
- 5.4.1 The effect of development on trees and hedgerows is considered principally under DM DPD Policy 45, with the emphasis echoed through SPLA Policy SG9. The policy approach is twofold, whereas the Council will support the protection and incorporation of existing trees and hedgerows, which includes other natural features. Then, to encourage appropriate opportunities to encourage new

planting of new trees, hedgerows and woodlands. The protection of existing trees, woodland and hedgerows will be where they positively contribute either as individual specimens or as part of a wider group to the visual amenity, landscape character and / or environmental value of the location. The policy states new development should positively incorporate existing trees and hedgerows, which is further echoed throughout the SPLA and DM DPDs.

5.4.2 There are 2no. Cherry Trees in the vicinity of the proposed new footpath. The application is supported by a tree survey and root protection area plan which details the protective measures to be used during construction to ensure that the trees adjacent to the access remain unharmed.

5.4.3 Subject to the development being carried out in accordance with these details, the scheme is in accordance with policy DM45 of the Development Management (DM) DPD.

6.0 Conclusion and Planning Balance

6.1 The proposed development is considered to have a neutral impact upon the identified heritage assets, including the conservation area. It also facilitates improved pedestrian safety and linkages within the area, without adverse impacts to existing trees on site. Accordingly, the development is considered to comply with the Development Plan and NPPF and is therefore recommended for approval, subject to the appropriate conditions relating to the design of the railings and securing the proposed tree protection.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Time limit	Control
2	Approved plans	Control
3	Carried out in accordance with Tree Protection Measures	Control
4	Details of the proposed Railings	Prior to Installation

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

In accordance with the above legislation, 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 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