

Agenda Item A10	Committee Date 28 September 2009	Application Number 09/00644/OUT
Application Site Former Frontierland Site Marine Road West Morecambe Lancashire	Proposal Renewal of Phase 2 element of application 05/00928/OUT for Outline application for mixed use development including residential, hotel and leisure with associated parking and servicing	
Name of Applicant WM Morrison Supermarkets PLC	Name of Agent Mr Gareth Glennon	
Decision Target Date 23 October 2009	Reason For Delay N/A	
Case Officer	Mr Andrew Drummond	
Departure	No	
Summary of Recommendation	Approval	

1.0 The Site and its Surroundings

- 1.1 The application site (2.95ha) is located on Marine Road West in Morecambe. With the exception of the dominant Polo Tower and a few 'ranch styled' buildings and old theme park rides in the south west corner of the site, there are no structures on the site. The painted blue wooden hoardings along Marine Road West conceal a fairly level, undeveloped site.
- 1.2 The site is predominantly surrounded by 2 uses: retail to the north and east and residential to the south. The rear elevations of Aldi, Morrison's and JJB Sports (which also includes a health and fitness facility) face onto the site. Some of the residential properties on the south boundary directly face into the site (the frontages of the properties on Highfield Crescent) whilst the side elevations of the end terraces on Cedar Street and Grove Street flank the site.
- 1.3 Marine Road West forms the western boundary, which separates the site from the sea. This road and the promenade form part of the cycle and bus network, as well as the main vehicular route along the waterfront. Generally the site is relatively flat, though the properties on Grove Street and Cedar Street immediately to the south of the site are set approximately 5 metres higher than the site's average ground level.
- 1.4 The site falls within a Tourism Opportunity Area and on the edge of Morecambe Town Centre. The two nearby shopping centres of Central Morecambe and the West End are a small distance away.
- 1.5 The promenade forms part of a wider Informal Recreation Area and Strategic Cycle Network. The site is separated from this by Marine Road West, which is designated as part of the District's Access Corridor and Primary Bus Corridor. Morecambe's bus and train stations are situated to the north east of the site, about a 5 minute walk away.
- 1.6 The residential properties to the south on Highfield Crescent forms part of a Conservation Area. These are partially screened from the development site by a group of trees which are protected (TPO). The site's frontage also forms a setting for the iconic Listed building of the Midland Hotel located to the north.

2.0 **The Proposal**

- 2.1 The redevelopment of this site would remove the remnants of the old Frontierland theme park and provide an 80-bed hotel, 65 retirement flats, 125 further apartments, 28 town houses, a new public square and a pub/restaurant adjacent to the retained Polo Tower.
- 2.2 The plans submitted are illustrative only. The layout of the scheme, scale and form of the buildings, the architectural details and materials, and the development's landscaping and boundary treatments are all details to be submitted as part of a Reserved Matters application should outline permission be granted. Therefore these are not described at this stage.
- 2.3 It is proposed to provide the main access off Marine Road West, although Morrison's service access may also provide some limited access for parts of the site. Pedestrian and cycle linkages through the site to neighbouring roads and Frontierland Phase 1 (Next, Homebase and JJB Sports) would provide better access to the wider cycle network, bus and train stations, and other community facilities.

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
00/00967/FUL	Erection of a factory outlet centre with food court, parking, landscaping and servicing	Granted (following a Call-in Inquiry)
04/00947/FUL	Erection of two non-food retail units and combined leisure/retail unit and parking	Withdrawn
05/00928/OUT	Outline application for a mixed use development including residential, hotel, leisure and retail with associated parking and servicing	Granted

- 3.2 Following the closure of the amusement park in September 2000, the applicants acquired the surplus land and lodged a planning application (Ref: 00/00967/FUL) for the erection of a factory outlet centre including 8,800 sq m of retail development, with a food court, parking, landscaping and servicing. This was recommended for approval by the City Council in March 2001 but planning permission was only granted in February 2002 following a 'Call-In' Public Inquiry. In the event, the delay in reaching this decision by the Secretary of State, combined with a downturn in the market, resulted in a loss of momentum and this combined with only a limited demand for a factory outlet centre in Morecambe, and led to the scheme not being pursued.
- 3.3 Accordingly, in the light of the market interest that had been shown in the site, the applicants submitted an application in July 2004 (Ref: 04/00497/FUL) for leisure and non-food retail development on the part of the application site to the immediate south of the existing Morrison superstore. However, it was felt that this represented a piecemeal use of the site and did not provide sufficient links with the surroundings. Additionally, certain retail policy matters required further clarification. As a result, and particularly following the publication of the West End Masterplan in January 2005, the application was withdrawn in pursuit of a more comprehensive scheme for the site.
- 3.4 The outline application submitted in 2005 (Ref: 05/00928/OUT) tried to address the piecemeal concerns by showing how the site as a whole could be developed with a mix of uses. However, a full application (Ref: 05/00929/FUL) was submitted at the same time for 3 retail warehouses on part of the site, which was subsequently approved, developed, occupied and became operational. Though the applicant marketed the remainder of the site, and received strong interest from a residential developer, again the market overtook events and the developer in question went into receivership. The permission then lapsed earlier this year.
- 3.5 Therefore the applicant is now applying for outline permission again, in line with the 2005 submission, though this time only for the western (undeveloped) part of the site.

4.0 Consultation Responses

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

Statutory Consultee	Response
County Highways	<p>No objection, though they note that several issues will need to be addressed at the reserved matters stage including parking, servicing, and pedestrian/cycle links. A substantial transport-related planning contribution will be sought at reserved matters stage for pedestrian, cycle and public transport improvements, including a cycle link from the Lancaster-Morecambe Greenway through Morrison's car park to the site and on to the Promenade.</p> <p>They request several conditions relating to a scheme for the construction of the site access (including its precise location) and off-site highway improvements, and wheel cleaning facilities for vehicles leaving site during construction.</p>
County Travel Plan Co-ordinator	<p>The submitted Framework Travel Plan is acceptable, but there must be a condition that the requirement to produce a Final Travel Plan is included in any sale or lease of any part of the development. The different elements of the development will require its own Travel Plan which will need to include the following as a minimum:</p> <ul style="list-style-type: none"> ▪ Appointment of a Travel Plan co-ordinator; ▪ Pedestrian/cycle links to and through the site; ▪ Provision of secure, covered cycle parking; ▪ Action Plan of measures to be introduced and appropriate funding; ▪ Production of Travel Packs as described in the Framework Travel Plan; and ▪ Details of arrangements for monitoring and review of the Travel Plan.
County Planning	<p>Generally the proposal conforms to Regional Spatial Strategy (RSS) policy, though the development should minimise construction waste, provide for the segregation of occupiers' waste generation, deliver 10% of the development's predicted energy requirement from renewable energy sources and provide affordable housing to meet local housing needs.</p>
County Archaeology	<p>No comments.</p>
County Ecology	<p>They request that an ecology survey (including an assessment for bats) is provided before the application is determined. Furthermore they recommend that Natural England be consulted regarding potential impacts on Morecambe Bay SPA. If these matters can be adequately addressed and the City Council is minded to approve the application, the following planning conditions may also be necessary:</p> <ul style="list-style-type: none"> • Any necessary and approved bat mitigation proposals will be implemented in full. • Any necessary and approved mitigation/compensation measures for the loss of bird breeding habitat/other habitat will be implemented in full. • Tree felling, vegetation clearance works, or other works that may affect nesting birds will be avoided between March and July inclusive, unless the absence of nesting birds has been confirmed by further surveys or inspections.
Natural England	<p>No comments received within the statutory consultation period.</p>
Environment Agency	<p>A satisfactory Flood Risk Assessment has been submitted with the application. The Agency has no objection in principle to the development subject to the implementation of the Flood Risk Assessment and inclusion of appropriate land contamination conditions.</p> <p>They also recommend the use of Sustainable Drainage Systems (SUDS) at this site, and that the residential development should meet Level 3 of the Code of Sustainable Homes.</p>
United Utilities	<p>No objection to the proposal provided the site is drained completely on a separate system, with only foul drainage connected into the foul sewer. The connection of highway drainage from the proposed development to the public wastewater network will not be permitted.</p> <p>A water supply can be made available to the proposed development. A separate</p>

	metered supply to each unit will be required at the applicant's expense.
Police	No comments received within the statutory consultation period.
Fire & Rescue	No comments received within the statutory consultation period.
Town Council	No objections.
Environmental Health	Recommends conditions to control hours of working during the construction period, acoustic controls over design of buildings including ducts, outlets and air conditioning plant, odour control measures, refuse storage and collection, and contaminated land.
Tree Protection Officer	<p>Generally the trees within the site are of poor overall condition and form, by and large as a result of poor management in the past (structural damage and/or root damage). The condition of many trees has resulted in trees with significantly reduced aesthetic value and remaining useful life potential. However, despite the condition of many trees they do still provide a reasonable level of screening and greening between the site and the residential properties notably to the south-west. The Sycamore trees established along the south-western boundary of the site are subject to a Tree Preservation Order (TPO).</p> <p>The applicants have submitted an arboriculture report and tree survey which has identified a total of 4 individual trees and 11 groups. The initial proposals have identified a single sycamore and 4 groups of trees to be felled in relation to their poor overall condition and others to be considered for removal in order to accommodate the development.</p> <p>Any Landscaping Scheme for the site must reflect the following:</p> <ul style="list-style-type: none"> ▪ Minimum replacement ratio of 3 new trees for each tree lost; ▪ Extensive screening along Highfield Crescent - new trees will assume the protected status of the existing TPO; ▪ The use of heavy standard trees must be incorporated into the scheme to maximise the impact at planting and the development of screening and greening - important along Highfield Crescent, and around the existing Aldi & Morrison stores; ▪ Detailed maintenance regime including support systems, ground anchorage for larger specimens, underground watering systems, weed control, formative pruning, replacement programme for any trees/plants that fail to establish or die/vandalised within the initial 10-year period post planting; ▪ The incorporation of specimen tree features appropriately; ▪ New tree plantings must be planted at suitable distances/orientation from the proposed development to avoid future conflicts for light/space affecting windows, and living space. <p>It is recommended that:</p> <ol style="list-style-type: none"> 1. Applicant to submit detailed proposals for the replacement of the existing tree stock where tree condition is such that retention in the long-term is severely limited. 2. Trees that are of a good structural form and with the potential to provide significant amenity value beyond the development period should be retained - to be agreed by the LPA Tree Protection Officer on site. 3. A detailed Arboriculture Implications Study will be required prior to the consideration of any future, full planning application; AIS to include Tree Survey, Tree Constraints Plan, Tree Protection Plan, detailed Method Statement and landscape scheme in compliance with <i>BS 5837 (2005) Trees in relation to construction</i>.
Land Drainage	No objections in principle.

5.0 Neighbour Representations

5.1 1 item of correspondence has been received with the following concerns:

- Height of the buildings and therefore their impact on natural light to surrounding properties;
- Noise pollution generated by the scheme.

6.0 Principal Development Plan Policies

6.1 National Planning Policy Statements (PPS) and Guidance Notes (PPG)

PPS 1 (Delivering Sustainable Development) - provides generic advice for all new built development, including how proposals should optimise the full site; deliver an appropriate mix of uses and spaces; deliver safe and accessible environments and visually pleasing architecture; prudently use natural resources and assets; encourage the use of sustainable modes of transport (advice echoed in **PPG13** – Transport); A high level of protection should be given to most valued townscapes, landscapes, wildlife habitats, biodiversity interests and natural resources (advice echoed in **PPS 9** – Biodiversity & Geological Conservation).

PPS3 (Housing) - illustrates the need for good quality residential development in sustainable locations which have good access to a range of services and facilities. The use of previously-developed (brownfield) land is an explicit objective, as is the delivery of different types of affordable housing.

PPG17 (Planning for Open Space, Sport and Recreation) - seeks to protect, enhance and provide new open space and sport facilities by assessing existing supply and demand, and making planning decisions based on that robust assessment.

PPS25 (Planning and Flood Risk) - aims to ensure that flood risk is taken into account to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas at highest risk. Where new development is, exceptionally, necessary in such areas, the policy aims to make it safe without increasing flood risk elsewhere and where possible, reducing flood risk overall.

6.2 Regional Spatial Strategy - adopted September 2008

Policy **DP2** (Promote Sustainable Communities) - fostering sustainable relationships between homes, workplaces and other concentrations of regularly used services and facilities, improving the built and natural environment, conserving the region's heritage, promoting community safety and security including flood risk, reviving local economies especially in areas in need of regeneration and housing restructuring such as Morecambe, promoting physical exercise through opportunities for sport and formal / informal recreation, walking and cycling.

Policy **DP4** (Make Best Use of Existing Resources and Infrastructure) - development should accord with the following sequential approach: first, using existing buildings (including conversion) within settlements, and previously developed land within settlements.

Policy **DP5** (Reduce the Need to Travel, Increase Accessibility) - development should be located so as to reduce the need to travel, especially by car, and to enable people as far as possible to meet their needs locally. All new development should be genuinely accessible by public transport, walking and cycling, and priority will be given to locations where such access is already available.

Policy **DP7** (Promote Environmental Quality) - understanding and respecting the character and distinctiveness of places and landscapes, the protection and enhancement of the historic environment, promoting good quality design in new development and ensuring that development respects its setting, reclaiming derelict land and remediating contaminated land and use land resources efficiently, maximising opportunities for the regeneration of derelict or dilapidated areas, promoting green infrastructure and the greening of towns and cities.

Policy **RDF3** (The Coast) - enhance the economic importance of the coast and the regeneration of coastal communities in ways that safeguard, restore or enhance and make sustainable use of the natural, built and cultural heritage assets of the North West Coast and address issues of environmental decline and socio-economic decline.

Policy **W6** (Tourism and the Visitor Economy) - seek to deliver improved economic growth and quality of life, through sustainable tourism activity in the North West. Focus should be on the regeneration of the North West's coastal resorts as priority locations for major footloose tourism development, where tourism is a critical component of the economy.

Policy **W7** (Principles for Tourism Development) - ensure high quality, environmentally sensitive, well-designed tourist attractions, infrastructure and hospitality services, which improve the region's overall tourism offer, support the provision of distinct tourism resources that harness the potential of sites and their natural attributes, encourage and facilitate regeneration, and improve the public realm.

Policy **L4** (Regional Housing Provision) - encourage new homes to be built to Code for Sustainable Homes standards and promote the use of the Lifetime Homes standard, ensure that the transport networks (including public transport, pedestrian and cycle) can accommodate additional demand generated by new housing, and maximise the re-use of vacant and under-used brownfield land and buildings.

Policy **L5** (Affordable Housing) - secure the provision of affordable housing by seeking a proportion of affordable housing on all development sites which are above the relevant thresholds and ensuring that wherever possible (and subject to continuing evidence), that property remains affordable and available in perpetuity.

Policy **RT2** (Managing Travel Demand) - measures to discourage car use (including the incorporation of maximum parking standards) should consider improvements to and promotion of public transport, walking and cycling. Major new developments should be located where there is good access to public transport backed by effective provision for pedestrians and cyclists to minimise the need to travel by private car.

Policy **RT9** (Walking and Cycling) - encourage the delivery of integrated networks of continuous, attractive and safe routes for walking and cycling to widen accessibility and capitalise on their potential environmental, social and health benefits.

Policy **EM2** (Remediating Contaminated Land) - encourage the adoption of sustainable remediation technologies.

Policy **EM3** (Green Infrastructure) - encourage the delivery of wider spatial outcomes that incorporate environmental and socio-economic benefits by conserving and managing existing green infrastructure, creating new green infrastructure, and enhancing its functionality, quality, connectivity and accessibility.

Policy **EM10** (A Regional Approach to Waste Management) - promote and require the provision of sustainable new waste management infrastructure, facilities and systems that contribute to the development of the North West by reducing harm to the environment and improving the efficiency of resources (waste management principles set out in Policy **EM11**).

Policy **EM16** (Energy Conservation & Efficiency) - ensure that the developer's approach to energy is based on minimising consumption and demand, promoting maximum efficiency and minimum waste in all aspects of development and energy consumption.

Policy **EM18** (Decentralised Energy Supply) - new non residential developments above a threshold of 1,000m² and all residential developments comprising 10 or more units should secure at least 10% of their predicted energy requirements from decentralised and renewable or low-carbon sources.

Policy **CNL4** (Spatial Policy for North Lancashire) - secure the regeneration of Morecambe through the development of tourism and the restructuring of the housing market.

6.3 Lancaster District Local Plan - adopted April 2004 (saved policies)

Policy **H12** (Layout, Design and Use of Materials) - aims to achieve a high quality of design and local distinctiveness with new housing schemes.

Policy **H18** (Retirement Homes) - such homes are permissible where they are well located in relation to local services, facilities and public transport provision, can provide a good standard of external amenity space and are physically suitable in size and general layout.

Policy **TO2** (Tourism Opportunities) - the Council will direct new visitor attractions to Morecambe

centre. Proposals which would prejudice the possibility of achieving this will not be permitted.

Policy **T9** (Providing for Buses in New Developments) - seeks to locate development, which will significantly increase the demand for travel as close as possible to existing or proposed bus services (i.e. within a 5 minute walk or 400m).

Policy **T17** (Travel Plan) - Requirement to produce a Travel Plan for development likely to generate large numbers of daily journeys.

Policy **T26** and **T27** (Footpaths and Cycleways) - Requirements to include cycle and pedestrian links for new schemes.

Policy **E35** (Conservation Areas and their Surroundings) - development which would adversely affect views into and across a Conservation Area or lead to an unacceptable erosion of its historic form and layout will not be permitted.

R11 (Open Space in New Housing Developments) - housing developers will be required to provide open space within the housing scheme.

6.4 Lancaster District Core Strategy - adopted July 2008

Policy **SC1** (Sustainable Development) - Development should be located in an area where it is convenient to walk, cycle or travel by public transport between homes, workplaces, shops and other facilities, must not result in unacceptable flood risk or drainage problems, does not have a significant adverse impact on a site of nature conservation or archaeological importance, uses energy efficient design and construction practices, incorporates renewable energy technologies, creates publicly accessible open space, and is compatible with the character of the surrounding landscape.

Policy **SC2** (Urban Concentration) - 95% of new employment floorspace to be provided in the urban areas of Lancaster, Morecambe, Heysham and Carnforth.

Policy **SC4** (Meeting the District's Housing Requirements) - housing development should secure units of "in perpetuity" affordable housing and support regeneration within Regeneration Priority Areas.

Policy **SC5** (Achieving Quality in Design) - new development must reflect and enhance the positive characteristics of its surroundings, creating landmark buildings of genuine and lasting architectural merit.

Policy **SC6** (Crime and Community Safety) - Developments should be pedestrian friendly, incorporate Secure by Design principles, avoid car dominated environments, deliver safe high quality public realm and open spaces, and achieve greater use of pedestrian and cycle networks.

Policy **SC7** (Development and the Risk of Flooding) - Development must not expose workplaces, homes and public areas to unacceptable levels of flooding.

Policy **SC8** (Recreation and Open Space) - new residential development to make appropriate provision for formal and informal sports provision in line with the Open Space and Recreation Study, especially in specific areas including central Morecambe.

Policy **ER2** (Regeneration Priority Areas) - The key area identified for regeneration is central Morecambe where a tourism, housing renewal and heritage led regeneration is prioritised.

Policy **ER6** (Developing Tourism) - Maximise the potential of tourism to regenerate the local economy, especially by creating a quality leisure offer in central Morecambe.

Policy **ER7** (Renewable Energy) - To maximise the proportion of energy generated in the District from renewable sources where compatible with other sustainability objectives, including the use of energy efficient design, materials and construction methods.

Policy **E1** (Environmental Capital) - Development should protect and enhance nature conservation sites and greenspaces, minimise the use of land and non-renewable energy, properly manage

environmental risks such as flooding, make places safer, protect habitats and the diversity of wildlife species, and conserve and enhance landscapes.

Policy **E2** (Transportation Measures) - This policy seeks to reduce the need to travel by car whilst improving walking and cycling networks and providing better public transport services.

6.5 Supplementary Planning Guidance

- Morecambe Resort Action Plan - adopted October 2002;
- SPG 11: Morecambe Town Centre Strategy - adopted September 2004;
- SPG15: Poulton Spatial Strategy - adopted January 2005; and
- Winning Back Morecambe's West End (Masterplan and Delivery Strategy) - adopted January 2005

6.6 These policy documents are particularly important as they pull together the strands of many of the above policies and strategy statements and interpret them in relation to the Frontierland site which is identified as one of the key sites for regeneration. They support a mixed use redevelopment of this site, incorporating housing and leisure uses. However, it emphasises the need to achieve this by supporting positive linkages with both the West End and Town Centre areas and providing economic opportunities for its residents, creating a high quality scheme that lifts the appearance of the area and improving the housing market.

7.0 Comment and Analysis

7.1 Proposed Uses

This application replicates the 2005 outline permission, but the permission subsequently lapsed, so the current submission is a stand-alone application and should be determined on its own merits. That said, it remains the case that the mix of proposed uses is still appropriate. The housing element must conform to the Council's housing needs for the area at the time the reserved matters application is submitted, including housing mix (type and size) and affordability. It is also important that the scheme provides for the tourism offer within Morecambe. The hotel aspect of this application is therefore very much encouraged.

7.2 Design, Layout and Materials

The Masterplan is illustrative only. It therefore provides no indication of the scheme's layout, design, massing, architecture or materials. Any reserved matters application will need to address these issues in due course and will need to take into consideration the setting of the iconic Listed building of the Midland Hotel and the view across the adjacent Conservation Area.

7.3 Access and Connectivity

The only detail provided in this application relates to the access from Marine Road West. The submission includes a drawing (Figure 14, Rev A) that shows a traffic light controlled junction on Marine Road West which would provide vehicular access into the site and associated pedestrian crossings. However, this drawing provides little in the way of locational detail, so it would be appropriate to condition any planning permission to enable County Highways to agree the final access point with the applicant.

Furthermore it is essential that this site delivers the links set out in Morecambe West End's Masterplan. These include the foot and cyclepaths into Phase 1 (the retail park), and into Cedar Street and Grove Street as well as onto Marine Road West and the Promenade. This connectivity will help the development achieve the targets that will be set in the scheme's final Travel Plan(s). Providing easy access to the town centre, West End, bus and rail stations, seafront and a range of community facilities will benefit the scheme's residents and users in addition to those in the neighbouring areas. Whilst promoting sustainable forms of transport, it should also be backed up with appropriate levels of car, cycle and motorcycle parking. As such this should be conditioned so numbers can be agreed.

7.4 Open Space

This part of Morecambe is generally in short supply of green space (as evidenced by the District's PPG17 survey). This site should therefore provide an area of public open space. It is quite appropriate to seek on-site provision on development opportunities of this scale. Not only would such provision help towards balancing the need for open space in Morecambe, but also provide an attractive environment for people to live and stay in, and to visit.

The County Ecologist has asked that an Ecological Survey be carried out to establish whether there are habitats which require mitigation before any permission is contemplated. No actual evidence has been put forward in this or the previous application to show that there are habitats or protected species on the site which require retention or mitigation. There appear no reasons therefore, which go to the heart of any permission to delay its granting on these grounds.

7.5 Public Art, Public Realm and Landscaping

Not only can the provision of green space make an area attractive, but with associated other improvements it can lift the image of that area too. It is therefore important to get the development's design, as a whole, right and this includes the layout, massing, materials and so on, but also the public realm. By using an imaginative yet appropriate (for its setting) palette of materials, the public realm can be designed to create more than a functional space. Good use of lighting, green space, foot/cycle ways, elevational treatments on the buildings, landscaping and so on can make a scheme exciting, attractive, usable and even a catalyst for further investment. Getting this part of the development right will be a key element of the reserved matters application. As part of this, the protected trees along Highfield Crescent must be incorporated into the layout whilst the Polo Tower should either be removed, or at least re-clad to make it an attractive feature. It is also important to get the short term improvements right and therefore it is relevant to seek an upgrade to the hoardings along Marine Road West. All of these issues will help regenerate a site and a part of Morecambe that is overdue regeneration.

7.6 Renewable Energy and Energy Efficiency

All new development should seek to minimise its impact on the environment. In line with national, regional and local planning policy, schemes should reduce their energy requirements where possible and generate their own renewable energy to meet a proportion of the development's energy needs. Regional policy requires a minimum of 10% of the development's predicted energy requirement to be provided by on site renewable energy technologies. The Environment Agency suggests that the residential development meets at least Level 3 standards of the Code for Sustainable Homes. Such standards will assist the developer in meeting the renewable energy target.

7.7 Contaminated Land and other Environmental Issues

One of the benefits of regenerating this site is that the site will be decontaminated to accommodate the development scheme. Though a contaminated land assessment has been submitted as part of the application, it is appropriate to attach conditions to any planning permission to ensure that the contamination is dealt with appropriately and the remediation accords with the relevant regulations.

The development of this site could temporarily adversely affect local amenities. Due to the site's proximity to the seafront, it is likely that pile driving will be required. In addition to earth movement, this will create noise and dust. More permanent impacts such as cooking odours arising from the hotel and pub/restaurant may require air conditioning solutions. As such it is important to control noise, dust, odours and other ventilation and therefore relevant conditions are recommended if planning permission is granted.

7.8 Flooding

The Environment Agency has commented positively to the submitted Flood Risk Assessment for the site. However, they would like to see a sustainable drainage system to be incorporated into the design and this is supported by Officers as a suitable sustainable measure for this development to minimise flood risk.

8.0 Conclusions

- 8.1 As the plans accompanying this outline application are illustrative only, little discussion can be had on the scheme's details. However, as set out above, there are a number of key principles that can be established, such as high quality design, affordable housing, energy efficiency and renewable energy, access arrangements, connectivity, open space provision, decontamination, landscaping and the public realm. As these can be appropriately conditioned so the details can be agreed with the Council at a later date, the application is recommended for approval.

Recommendation

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

1. Outline permission - all reserved matters required except access
2. Masterplan drawings are illustrative only
3. 10% on site renewable energy - details required
4. Affordable housing scheme to be agreed in accordance with the Council's adopted policy at the time of the Reserved Matters application
5. Provision of an area of public open space - details required
6. Public art/realm - details required
7. Works to the Polo Tower - details required
8. Temporary hoardings to Marine Road West - details required
9. Landscaping scheme - details required
10. Retention of all existing trees/hedges unless otherwise agreed in the detailed landscape scheme
11. Tree protection scheme - details required
12. Boundary treatments - details required
13. Adoptable highway details required
14. Construction of a new access - details required including its precise location
15. On-site footpath/cycle links to Cedar Street, Grove Street, Highfield Crescent and Phase 1 to be agreed
16. Off-site works to facilitate pedestrian/cycle linkages
17. Travel plan - details required
18. Car parking - details required
19. Cycle parking - details required
20. Site management arrangements for construction period (including security fencing)
21. Construction hours 08.00-18.00 Monday to Saturday only
22. Wheel cleaning facilities (temporary during construction) - details required
23. Noise assessment and control
24. Construction noise - pile driving
25. Scheme for dust control
26. Standard land contamination condition
27. Contaminated land - importation of soil and materials
28. Contaminated land - prevention of new contamination
29. Bunding of tanks
30. Scheme for odour control - cooking and food
31. Ventilation details
32. Separate drainage system
33. Use of SUDS
34. Provision of interceptor - car parks
35. Refuse storage - details required
36. Level 3 of Code for Sustainable Homes
37. Bat survey to be undertaken prior to any works on site commencing, and the mitigation measures to be agreed with the LPA and implemented

Human Rights Act

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this report, the issues arising do not appear to be of such magnitude 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.

Background Papers

None.