



GOVERNMENT OFFICE
FOR THE NORTH WEST

Mark Cassidy
Planning Services
Lancaster City Council
Palatine Hall
Dalton Square
Lancaster
LA1 1PW

City Tower
Piccadilly Plaza
Manchester
M1 4BE

Tel: 0161 952 4229
Fax: 0161 952 4106

michael.morris@gonw.gsi.gov.uk

Your Ref: MPC/08/00866/OUT
Our Ref: PNW/5292/219/32

/4 January 2009

Dear Mr Cassidy,

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 77
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE
ORDER 1995
TOWN AND COUNTRY PLANNING (SHOPPING DEVELOPMENT) (ENGLAND
AND WALES) (NO.2) DIRECTION 1993
TOWN AND COUNTRY PLANNING (DEVELOPMENT PLANS AND
CONSULTATION)(DEPARTURES) DIRECTIONS 1999
TOWN AND COUNTRY PLANNING (INQUIRIES PROCEDURE) (ENGLAND)
RULES 2000
APPLICATION NO: 08/0866/OUT
COMPREHENSIVE REDEVELOPMENT COMPRISING A RETAIL LED MIXED
USE SCHEME TO INCLUDE DEMOLITION OF EXISTING BUILDINGS AND
ASSOCIATED STRUCTURES, THE DEMOLITION OF ALL RESIDENTIAL
DWELLINGS, THE CLOSURE AND ALTERATION OF HIGHWAYS,
ENGINEERING WORKS AND CONSTRUCTION OF NEW BUILDINGS AND
STRUCTURES TO PROVIDE RETAIL, RESTAURANTS, CAFES, WORKSHOP,
REHEARSAL SPACE AND RESIDENTIAL ACCOMMODATION, TOGETHER
WITH ANCILLARY AND ASSOCIATED DEVELOPMENT INCLUDING NEW
PEDESTRIAN LINK BRIDGE AND ENTRANCED PEDESTRIAN ROUTES AND
OPEN SPACES, CAR PARKING AND VEHICULAR ACCESS AND SERVICING
FACILITIES AT CANAL CORRIDOR NORTH SITE, EDWARD STREET,
LANCASTER, LANCASHIRE**

1. I am directed by the Secretary of State for Communities and Local Government to refer to the above application by Centros Lancaster LP for planning permission for of the above proposal.

2. The Secretary of State's policy on call-ins is set out in Richard Caborn's statement of 16 June 1999 in reply to a Parliamentary Question tabled by Mr Bill Michie MP. Her policy is to be very selective about calling in planning applications. She will, in general, only take this step if planning issues of more than local importance are involved. Having regard to this policy the Secretary of State is of the opinion that the application is one that she ought to decide herself because she considers that the proposals may conflict with national policies on important matters. The Secretary of State accordingly directs, under her powers in Section 77 of the 1990 Act, that the application shall be referred to her instead of being dealt with by your Council.

3. To consider all the relevant aspects of the proposed development, the Secretary of State has decided to hold a local inquiry. For the purposes of the 2000 Rules this letter is the "relevant notice" that an inquiry is to be held and the date of this letter is the "starting date". All the arrangements for holding the inquiry will be made by the Planning Inspectorate in Bristol. They will write to you within the next few days to let you know the name and telephone number of the case officer who will handle these matters. Meanwhile, the original application, together with any plans and other documents accompanying it which have not already been supplied to this office (including any related certificates and correspondence) should now be sent to the following address:

The Planning Inspectorate
PINS SAC(B)
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

(For the attention of Mrs Hazel Conibere)

Mrs Conibere's telephone number is 0117 372 8918 (fax 0117 372 8181).

4. On the information so far available, the following are matters which the Secretary of State particularly wishes to be informed about for the purposes of her consideration of the application:-

- a. Whether the proposed development accords with the development plan for the area (in this instance the Regional Spatial Strategy for the North West and Lancaster Local Plan) having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004;
- b. The physical suitability of the site for development of the kind proposed;
- c. Whether the application would deliver a sustainable form of development, as outlined in PPS1: "Delivering Sustainable Development", with particular regard to:

- i. whether the proposed development would contribute appropriately to the sustainable economic development of the City and its surrounding area;
 - ii. whether it would ensure high quality development through good and inclusive design; and
 - iii. whether it would accord with the Key Planning Objectives set out in the PPS1 Supplement: "Planning and Climate Change".
- d. The extent to which the proposed development is consistent with Government policies in Planning Policy Guidance Note 15 (PPG15) '*Planning and the Historic Environment*' with particular regard to:
 - i. the likely impact of the development on the listed structures and on the setting of the Conservation Areas within and adjacent to the site;
 - ii. the extent to which the proposed scheme accords with the historic character and townscape of the City, and respects the setting of the site itself having particular regard to the enhancing the character or appearance of the Conservation Areas;
- e. The extent to which the proposed development is consistent with Government policies in Planning Policy Statement 6: '*Planning for Town Centres*', with particular regard to:
 - i. whether a need for the retail and other types of development, as proposed, has been adequately demonstrated;
 - ii. whether the scale of the proposed development has been demonstrated to be appropriate;
 - iii. whether there are any more central, sequentially-preferable sites capable of accommodating the proposed development as a whole or in disaggregated
 - iv. the impact of the proposed development on the vitality and viability of Lancaster City Centre and other centres within and beyond the City, including Kendal, and

- v. the degree to which the proposal would be accessible by a choice of transport modes.
- f. The extent to which the proposed development is consistent with Government policies in Planning Policy Guidance Note 13 (PPG13) 'Transport', with particular regard to whether:-
 - i. it would help to promote sustainable transport choices;
 - ii. it would provide a satisfactory level of accessibility by means of public transport, walking and cycling;
 - iii. it would pay due regard to the necessity to reduce the need to travel, especially by car.
- g. Whether the housing elements of the development, insofar as they are amenable to analysis, generally accord with Government policies in Planning Policy Statement 3: "Housing".
- h. Whether any permission which may be granted should be subject to any conditions and, if so, the form they should take; and
- i. Any other relevant matters.

This is to be taken as the Secretary of State's statement under Rule 6(12) of the 2000 Rules.

5. In accordance with Rule 6(1) and (2), the local planning authority shall ensure that two copies of a statement of case are received by the Secretary of State, and one copy has been received by any statutory party as defined in Rule 2 **within six weeks of the starting date (unless the Planning Inspectorate notifies you otherwise)**. Your attention is drawn to Rule 6(11). The Secretary of State will comply with Rule 6(4).

6. The statement of case should contain the full particulars of the case which you propose to put forward at the inquiry and a list of any documents to which you intend to refer or put in as evidence. If you are proposing to give evidence, at the inquiry by reading a written statement (i.e. proof of evidence), your attention is drawn to Rule 13.

7. Your attention is drawn to Rules 4 and 6(2), in particular to the requirement upon your Council to inform forthwith the Secretary of State of the names and addresses of any statutory parties.

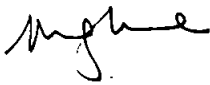
8. Your attention is also drawn to the provisions in Rule 14 of the 2000 Rules that the local planning authority and the applicant shall together prepare an agreed statement of common ground and ensure that a copy is received by the Secretary of State and by any statutory party not less than 4 weeks before the inquiry opens.

9. In pursuance of Article 14 of the 1995 Order, the Secretary of State hereby directs the Council not to grant planning permission for any development which is the same kind as that which is the subject of the application referred to above on any land which forms part of, or includes, the site to which the application relates until the Secretary of State has issued his decision on that application.

10. Although I have written to the applicant's agents in similar terms to this letter, your attention is drawn to Article 18 of the 1995 Order. This requires the Council to serve on the applicant notice of the terms of, and the reasons for, the Section 77 direction.

11. A copy of this letter sent today to the applicant's agent is enclosed for your information.

Yours faithfully

A handwritten signature in black ink, appearing to read 'M Morris', written in a cursive style.

M Morris
Authorised by the Secretary of State
to sign in that behalf