

<b>DECISION DATE</b> 3 October 2008	<b>APPLICATION NO.</b> 08/00864/OUT A17	<b>PLANNING COMMITTEE:</b> 13 & 14 October 2008
<b>DEVELOPMENT PROPOSED</b>  <b>OUTLINE PLANNING APPLICATION FOR THE REDEVELOPMENT OF THE SITE TO PROVIDE SELF CONTAINED RESIDENTIAL ACCOMMODATION AND ASSOCIATED CAR PARKING</b>		<b>SITE ADDRESS</b>  <b>SITE AT JUNCTION OF ALFRED STREET AND ST LEONARDS GATE LANCASTER LANCASHIRE LA1 1QS</b>
<b>APPLICANT:</b>  Centros Lancaster LP C/O Agent		<b>AGENT:</b>  Mr Julian Stephenson

**REASON FOR DELAY**

Joint determination with main outline planning application (16-week application).

**PARISH NOTIFICATION**

None.

**LAND USE ALLOCATION/DEPARTURE**

This application constitutes a departure from the Lancaster District Local Plan in respect of Policy T13 – Car Parking in connection with the wider development of the site considered under 08/00866/OUT.

The Lancaster District Local Plan contains a number of land designations for this site. Part of the site is reserved for highway improvements. Part of the site is allocated as a Shopper and Visitor Car Park. The site is also enclosed by the Lancaster Central Parking Area designation. The southern boundary of the site forms part of the Strategic Cycle Network. It enjoys Housing Opportunity Site status as part of the wider Canal Corridor designation.

**STATUTORY CONSULTATIONS**

**A number of statutory consultees have made comment on the main outline planning application.**

**Where the comments relate to this particular site, the comments from the statutory consultee are considered to be relevant to the consideration of this committee report, and therefore their views are provided below.**

**County (Strategic) Planning & Landscape** – No separate comments to this outline application. The existing housing supply in the district would satisfy the annual rate of provision beyond 2016. However as the wider proposal is a major mixed-use development, and may provide some affordable housing, it is acceptable because it complies with the criteria adopted in the Joint Lancashire Structure Plan (JLSP).

**County Highways** – County Highways do not object to the wider development, providing that all Highway Agreement measures indicated on the plans for the main outline application are provided along with a suitable level of planning obligation.

Proposed changes to sections of St. Leonard's Gate, Bulk Road and Alfred Street alter route choice availability for existing and committed movements. These changes are not considered to the detriment of the network as a whole.

The new residential parking proposed at Alfred Street should be included within the applicant's Car Park Management Strategy. The proposals will remove rat running through Alfred Street.

The replacement coach parking (off-site) should be appropriate in that it should include a safe access/egress and be of a size that can satisfy demand.

Pedestrian and cycle matters shall also be conditioned. Cycle parking was agreed with County Highways. It is important that the (wider site)Travel Plan provides a strategy to ensure that future employees use sustainable transport modes rather than the private car. The plan should be adhered to and kept up to date for an agreed period after first opening.

During the demolition and construction phases there will inevitably be local traffic problems. A programme and method of construction, including issues relating to the temporary closure of local streets, parking (both on and off site) and the delivery of materials to the site, must be agreed prior to work starting on site.

**County Archaeologist** – The applicants should provide a pre-determination archaeological evaluation of the site. There is insufficient information for a reasoned and informed assessment of the archaeological potential of the site. Therefore deferral is recommended.

If the local planning authorities are minded to grant permission, then a condition requiring a phased programme of archaeological evaluation will be required.

The removal of unlisted structures (of varying degrees of importance) require some level of building recording prior to demolition. They advise that a Level 2/3 recording would be required. Alteration of the listed buildings will necessitate Level 3 building recording.

**County Planning Contributions Officer** – The list of planning contributions considered necessary to support and enable the wider outline development are listed on application 08/00866/OUT. No specific contributions are requested for this stand-alone application.

**Commission for Architecture and the Built Environment (CABE)** – CABE did visit the site and the proposal was being discussed at their Design Panel Review. These comments are provided for the site as a whole and include this submission.

The ambition to extend the city centre is supported and the architects are commended for the clear presentation of the scheme.

The location of residential development is welcomed but the blank façade of the multi-storey car park could pose qualitative problems in the Alfred Street area.

Environmental sustainability should be incorporated at this stage. There is the potential, for example, for heat recovery technologies to be implemented.

In conclusion the design as a whole needs to be more contextual and responsive to this unique site and the application requires further work if it is to be granted permission.

**CPRE** – Submitted objections to the original scheme as a whole based upon traffic, historic impact, impact upon retail centres and lack of public consultation. However they also referred to this particular application within their response, and therefore their comments are recorded here.

**Environment Agency** – No objections subject to the imposition of a land contamination condition, and a condition requiring a scheme for a Sustainable Urban Drainage System to be agreed. Generic advice is provided regarding sustainable construction methods, energy-efficient buildings and water management.

**United Utilities** – No objection to the proposal provided the site is drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the watercourse/soakaway/surface water sewer. Other generic advice is also provided.

**Lancaster Civic Society** - No objections to the principle of residential development of this site. If outline permission is to be granted then it should be made clear, by imposition of a condition, that the density and scale of the development are matters reserved for future consideration.

**Police** – No objection to the scheme subject to the applicant achieving ‘Secured by Design’ as a requirement of the planning permission, with a view to reducing the opportunities for crime, disorder and anti-social behaviour.

**Fire Safety** – No comments received within statutory time period, although comments in 2007 stated that the development would have to comply with Part B5 of the Building Regulations.

**(With the exception of the Council for British Archaeology, the comments from the Conservation and Heritage bodies’ consultees are not included in this particular report due to the absence of any statutory protective designation within the red edged site).**

**Council for British Archaeology** – The CBA suspects that the proposals in the main may well be acceptable but would prefer to see further justification. The CBA commented last year and made a site visit on June 12<sup>th</sup> 2007. In respect of the works affecting Listed Buildings they commented that the documentary research on the built environment had been extensive, although the fabric analysis seems limited to a very basic level. The CBA would like to know more about the buildings and their additions to assess the significance and impact of the structures. The CBA believes that additions and changes of use are part of the organic growth of a building and as part of the history of the site are potentially of interest/merit.

For the Listed Building applications the CBA would prefer to see clearer justification for the demolition of buildings, such as the Musicians Co-op Building and Dance School, those with townscape merit, and those that are the evidence for the industrial archaeology of the city such as the Heron Works. The Spiritualist Church for example does have historic merit but if it causes access problems then that merit will be weighed against the benefits the scheme brings and recording in mitigation might well be the solution.

With regard to the Conservation Area applications, the CBA have concerns regarding the number of buildings in the Conservation Areas that are recognised as making positive contributions to them and are being demolished. They query whether the new access routes require such demolition. They have concerns at the loss of the Mitchells Brewery and malthouse which lie outside the Conservation Areas and the loss of the Heron Works and canalside warehouses. These historic buildings and street patterns are the physical evidence for Lancaster’s growth – much of it associated with the canal, river and railway.

The CBA would be happy to be involved during building conversion stage, should permission be forthcoming.

**Environmental Health Service** – The Service have provided separate air quality and contaminated land responses. In respect of air quality, their second response supersedes the first, because it contains the response to the applicant's air quality appendices in addition to their Environmental Statement.

Environmental Health Services is satisfied that:

- The scope of the air quality assessment in assessing operational phase impacts is suitable and sufficient
- A suitable methodology has been adopted
- The characteristics of the locality have been considered and taken into account
- Existing knowledge of local air quality is reflected in the assessment
- Other committed developments and cumulative impacts on local air quality have been considered
- Receptors at which air quality impacts should be assessed have been correctly identified, including permitted residential developments not yet completed
- Uncertainties have been minimised and limitations have been identified and considered when reaching conclusions

The scheme would generate additional traffic within and adjacent to the Air Quality Management Area and would have potentially significant implications for it. The submitted Air Quality Assessment predicts a slight worsening of air quality around the Management Area in terms of nitrogen dioxide and fine particulate matter (PM<sub>10</sub>). It could interfere to a degree with the actions required to improve local air quality under the Environment Act 1995. However where this gives rise to adverse impacts the Environmental Statement assesses those as negligible or minor in all cases. No residential areas are predicted to become new exceedance areas as a result of the development. Within the proposed development, air quality at new residential locations is predicted to achieve the air quality objectives.

The Service recommends that if approval is granted, compensatory benefits regarding highway improvements and public transport planning should be conditions.

Any ventilation exhausts from restaurant, café and car parking activities should be the subject of prior detailed agreement before commencement of the development.

With regards to contaminated land, the Service is satisfied that the applicant's report is comprehensive. The Preliminary Conceptual Site Model has been developed which will assist in defining and refining further phases of site investigation and any remediation.

Post demolition site investigation and risk assessment will be required across the site. Therefore the standard Land Contamination Investigation conditions are required.

**Property Services** – As a landowner affected by the scheme the Council has been served with the relevant information. In addition under the development agreement the Council as landlord has considered the planning application and has no objections to the content of the application.

**Housing Policy Officer** – In principle the development of housing is supported and the Service is pleased in relation to the mix of housing. There is no housing justification for a reduction of the percentage of affordable housing. However it is for Planning Services to determine if the applicant's abnormal costs case is valid, justifying the reduction from 40% to 25%. The affordable housing would have to be distributed throughout the site. In addition, two-thirds of the housing should be provided for rent rather than shared ownership.

**Legal Services** – No comments to make.

**Engineers/Land Drainage/Cycling (CDT)** – No land drainage comments received. In terms of cycling, the long-term objective is to gain full cycle permeability into the existing pedestrian zone. Edward Street is an existing cycle route as cyclists are permitted to ride on public highways. The applicant has relented to

allow north/south cycle access through the development, but it is disappointing that this cannot be signed as a route. Moor Lane/Church Street should be marked as an existing route/desire line, it is not a proposed council route.

Cycle parking provision does not appear to be adequate and as a Cycling Demonstration Town more could be achieved.

The canal cycleway width should be maintained and linkage from Phoenix Street explored in detail.

## **OTHER OBSERVATIONS RECEIVED**

**The observations received on 08/00866/OUT contain full details of all the objections received. These are not repeated in full here, although it should be stated that out of the individual objectors/groups who opposed the main outline application, 197 chose to object to this application too. The following grounds of objection are valid in respect of this outline application.**

**It's Our City Group** – They have produced a detailed objection to the proposals with the main headline themes:

- Inadequate public consultation and Statement of Community Involvement documentation
- Contrary to national, regional and district planning policies and development plans
- The decision to grant Centros 'preferred developer' status
- Transport Assessment is unclear as to the extent of the traffic increase
- Questions the 'increased attractiveness' of Lancaster as a destination
- Do not accept that shoppers will visit the development as part of existing visits to the city
- Impacts upon the gyratory system
- No resolution of the rat-running problems – closure of Alfred Street and Edward Street will only exacerbate matters
- Contrary to national and regional air quality standards – study is not robust enough to demonstrate that there is no detrimental impacts
- Lack of study concerning other pollutants (e.g. NO2 and PM10)
- Concerns regarding the quoted '24-hour' society
- Visual impact of the pedestrian bridge and concerns over its deliverability
- Spatial departure from the Supplementary Planning Guidance
- Value of the unlisted buildings scheduled for demolition
- Relocation of the multiples from the centre
- Retail leakage to Kendal and Manchester is not significant
- Absence of evidence of significant population growth

**Bulk Ward City Councillors** – They object to the proposals on the following grounds:

- Contrary to national planning policy and the Lancaster District Local Plan
- Generation of significant additional traffic on an already congested highway system and the proposed highway measures do not deliver a fundamental solution and will add to the volume of rat-running and environmentally damaging traffic impacts on Derwent Rd and Ullswater Rd
- The job creation claims are not credible and do not take into account job loss amongst existing retail and service sectors of the local economy
- The development will damage retailing in Lancaster City Centre, Morecambe and Carnforth
- The applications will result in a development that will generate considerable amounts of extra greenhouse gases and this is inconsistent with Planning Policy Supplement PPS1 "Planning and Climate Change" and the binding CO2 reductions in the Climate Change Bill currently completing its parliamentary progress.

Of the 197 separate objections that have been received to this specific application, the grounds for opposition relate mostly to the wider site, and in particular the impact upon the historic environment, the impact upon the retail centre, the impacts upon the highway network and the developer's consultation exercise. But there has also been comment that there is a lack of open space in the residential development and an over-dominance of car parking. The access arrangements to the underground car park are also considered to be unclear, whilst other objectors are concerned that there are too few spaces for the dwellings proposed and not enough cycle and motorcycle spaces.

Objections have also been received in respect of non-compliance with development plan policies, most particularly the Supplementary Planning Guidance for the site, and National Planning Policy Statements 1 and 3.

Concerns are also raised about the lack of consultation in respect of this 'stand-alone' site.

## **REPORT**

### **Introduction and Procedural Matters**

The outcome of application 08/00866/OUT will affect whether the Listed Building Consent and Conservation Area Consent applications submitted can be determined in accordance with the recommendations reached. The other three outline applications, including this one, are submitted independently because they are considered to be 'stand alone' applications and could, theoretically, be considered irrespective of whether the main outline application gains approval or not.

As a stand-alone proposal these works involve a departure from LDLP Policy T13, because a small area of public car parking is included within the red edge of the site, and these proposals would remove this small area of shopper/visitor parking. Therefore it does have some slight dependency on the wider scheme, because it would be removing these spaces without compensatory provision being provided (unless 08/00866/OUT is approved). If the main application is refused, this separate application could still be considered with a recommendation for approval, but would involve a departure from planning policy in terms of its impact upon the car parking provision.

### **The Site and its Surroundings**

The site is a corner plot at the junction of Alfred Street with St Leonardgate. At present the site accommodates an ice-cream depot. At the northern end of the site lies an area of grass verge and trees, whilst a line of trees bound Alfred Street to the east. The remainder of the site is occupied by split-level public car and coach parking.

The site is an important one in many ways; it marks the transition from existing, nearby retailing uses to residential accommodation on Alfred Street, De Vitre Street and beyond. It is a prominent site, being situated on one of the routes into the city from the north, and it is largely elevated above St Leonardgate, making it a visually-important location.

### **The Proposal**

This application is submitted in outline form with only the Means of Access being applied for at this stage. Therefore, all other matters such as layout, scale and appearance are reserved for future consideration.

Once again the application adopts a parameters-based approach, which is intended to provide some assurance regarding the minimum and maximum levels of development at this outline stage. Discussion of the parameters is provided later in this report.

The proposal entails the construction of a block of residential units, horse-shoed around the Alfred Street junction. The number of units will be between 58 and 68, and will contain a mix of housing, including one

and two-bedroom units and larger family-sized houses. It is envisaged that 50-60 of the units will be apartments, with 8 townhouses along Alfred Street. The applicant has indicated that 25% of the total number of units will be affordable.

Access to the site will be via a new entrance leading to a basement car park. There was some confusion regarding the access and egress points serving this car park. This was attributed to an error in the Transport Assessment and Planning Statement which indicated that there would be an access point from St Leonardgate. This is not the case. The applicant has now confirmed in writing that the access and egress arrangements would be taken from the same highway – Alfred Street – via the new entrance shown on the proposed layout plans.

The car park will provide parking for between 28 and 45 cars, with a further 6 vehicle spaces being provided on a remodelled Alfred Street (see the main outline application). 3 mobility spaces will be provided. Details of the cycle parking are provided later in this report.

A new internal courtyard will be provided for the new residents and this will front onto the extended Phoenix Street. The application excludes the new pedestrian and cycle link on Phoenix Street, but this is being applied for under the main outline application instead. It is however an important feature affecting this proposal, because it enhances the linkage from St Leonardgate up to the new canalside public park.

## **Scale Parameters**

Although the site plan indicates a homogenous form of development, the illustrative sectional plans show that the proposal has two contrasting blocks. The first area, immediately visible on the vehicular approach from the St Leonardgate and Bulk Road junction, is considerably taller and takes advantage of the much lower ground level at this part of the site. The height of this block will depend upon the final roof form of the building, and whilst some of the sectional drawings indicate a flat roof arrangement, other massing drawings and 3-dimensional sketches illustrate a 'reversed-pitch' arrangement, which could be quite striking on this corner. The height will remain within the parameters of 24.15m and 29.95m high above Ordnance Datum, which equates to a block of 5-storeys in height, with the basement storey comprising a partially subterranean car park.

The second block is the row opposite Alfred Street. This clearly needs to be of a much more discreet scale to respect the amenity enjoyed by the existing residents, and to respond to the height of the existing dwellings. Therefore development is envisaged to take the form of two-storey townhouses lining the street, with a minimum height (above Ordnance Datum) of 22.75m and a maximum height of 25.15m.

The plan also allows for some horizontal deviation of the building lines, and again much of this will depend upon the final design solution applied for under Reserved Matters, should this application be successful. All these matters would of course be brought before the Planning Committee for consideration as part of that future application.

## **Site Layout**

Because the layout is not a matter being applied for at this stage, only a general assessment can be made. However the submission of the indicative layout drawings as part of the Design and Access Statement does assist in reaching some conclusions.

As previously stated the basement floor will house the majority of the car parking. It will also accommodate the refuse storage and recycling room, plant room and a cycle store. All of these areas are designed to be accessible from the basement courtyard. New units will line St Leonardgate at this level.

At the upper ground floor level, the development continues around the Alfred Street corner, and a new internal courtyard will be visible from the extended Phoenix Street. The townhouses will have private rear gardens, with a 'green wall' at the foot of the gardens extending along the length of the courtyard. Beyond

this lies a communal area for the apartments, comprising of low level shrub planting, semi-mature tree planting and decked areas.

The upper floors continue to provide residential accommodation to the heights stated in the Parameters section of this report.

## **Design**

The architects have researched the design and fenestration of the surrounding area thoroughly, and the Design & Access Statement contains some images of alternative preliminary sketches, all of which have contributed to the final design solution.

On the outward-facing elevations of the development, the use of traditional 'Lancaster' style materials will be used to respond to the surrounding context. However the internal elevations are largely obscured, and allow a more contemporary approach to be considered. This may take the form of glazing (where privacy between residential units can be adequately maintained), or rainscreen claddings, louvre shuttering or timber. The use of colour on the internal elevations would, in the opinion of the local planning authority, help enhance the appearance of this internal area.

Within many major planning applications there is often reference to the need to develop 'landmark' buildings. In some cases this is misguided, but in this particular case the location of the site on the remodelled vehicular entrance to this part of the city does require some imaginative treatment, and this will need to be developed through the Reserved Matters, should this current application be successful.

## **Planning Policy**

This summary of appropriate planning policy commences with the relevant policies at the local level.

The site is of course subject to Supplementary Planning Guidance Note 8 (SPG 8) - 'Lancaster Canal Corridor North Development Brief' - which was adopted in May 2002. The land designations referred to at the start of this report are also applicable and form part of the Lancaster District Local Plan.

SPG 8 is an appropriate starting point, providing the most detailed direction for the development of the site. As part of the key objectives listed, the brief states that the Council wishes to achieve:

- An attractive entrance to the city centre and a seamless join between the commercial centre of Lancaster and the surrounding residential areas;
- Sensitive integration of new buildings within the historic fabric;
- A significant element of residential development with a mix of tenure types

Aims for the St Leonard's Gate car parks and Alfred Street include:

- The retention and enhancement of a significant quantity of city centre shopper and visitor related car parking on the site with the subdivision of car parking into visually contained areas by the use of tree and shrub planting;
- The retention and enhancement of the Grand Theatre as a cultural resource and a historic building;
- The completion of a car park access road;
- The creation of a network of pedestrian and cycle routes linking the Brewery area Phoenix Street and the Canal Towpath.

One of the key concerns expressed in the SPG related to the impact of new development upon the existing, and proposed, residential areas. The creation of a 'Home Zone' in the Alfred Street and De Vitre Street areas was stated as a principle of development, and SPG 8 advised that this "could include the restriction of traffic to residents only and the removal of through traffic" - something that would be achieved should the main outline application be granted.

Other key principles in the Alfred Street area included:

- The redevelopment of the Alfred Street North site for residential purposes, having regard to the technical limitations imposed by the canal retaining wall;
- The phasing of residential development to ensure that such development does not occur close to industrial uses;

With regard to the former, this area has been given over to the canalside public park, and therefore the residential development has instead been concentrated on the site being currently proposed and on a separate site along Moor Lane (Ref: 08/0865/OUT). With regard to the latter point, this is a key concern and would be controlled at this stage via a planning condition.

SPG 6 – The Lancaster City Centre Strategy – encourages residential uses as part of the wider development.

Other local planning documents include SPG 16 - The Phasing of New Residential Development. However this document has been superseded by Core Strategy Policy SC4. The thrust of the Policy is to redress any imbalances in the local housing market, achieve housing that meets local housing needs, and secure units of "in-perpetuity" affordable housing. SPG 10 also refers to affordable housing, and this issue is discussed later in this report.

In respect of this particular application, the proposal is generally compliant with Lancaster District Local Plan (LDLP) saved policies. It seeks to provide housing, in accordance with a wider site designation. It respects the land reservations for highway improvements around Bulk Road and St Leonardgate. It does not however provide compensatory public car parking (to replace the small area of existing car park areas covered by this outline submission), but the main outline application does provide for this.

In the event that the main outline application is refused, then this application would not provide any substitute car parking for shoppers and visitors, in order to comply with Policy T13 of the LDLP. The local planning authority would however take the view that the improvements to this area of the site would warrant a departure from that policy, given the small amount of car parking being lost in favour of new residential development.

The Council's adopted Core Strategy forms part of the Local Development Framework, which will eventually replace the LDLP. The Strategy contains a number of generic policies and ambitions for the district, and the ones most appropriate to this development can be summarised as follows:

- Policy **SC1** - Sustainable Development - ensuring developments are as sustainable as possible locationally and incorporate appropriate uses, design and construction methods;
- **SC2** - Urban Concentration - building healthy, sustainable communities by focusing development where it is needed and assisting regeneration;
- **SC4** - Meeting the District's Housing Requirements - setting out the principles where the district's housing needs are met, including the delivery of affordable housing;
- **SC5** - Achieving Quality in Design - encouraging a high-quality environment and public realm, especially in areas such as the City Centre;

- **SC6** - Crime and Community Safety - delivering safe environments by incorporating 'Secure by Design' principles;
- **SC7** - Development and the Risk of Flooding - ensuring places are not exposed to flood risk;
- **SC8** - Recreation and Open Space - delivering access to green spaces and sports facilities;
- **ER2** - Regeneration Priority Areas - setting out the spatial strategic framework for the district, including design-led regeneration of Central Lancaster;
- **ER4** - Town Centres and Shopping - establishing the roles of the district's centres, including Lancaster's role as a sub-regional centre;
- **ER5** - New Retail Development - focusing retail need on regenerating and reinforcing the vitality and viability of existing centres;
- **ER6** - Developing Tourism - maximising the potential of tourism in the district;
- **ER7** - Renewable Energy - to maximise the proportion of energy generated from renewable sources;
- **E1** - Environmental Capital - seeking to improve the district's environment, including protecting and enhancing Lancaster City Centre's sense of place;
- **E2** - Transportation Measures - to support regeneration, improve resident's quality of life and minimise the environmental impacts of traffic;
- **MR1** - Planning Obligations - to ensure that development contributes to the needs of local communities and the delivery of sustainable development.

The regional position is complex. The current Strategy, initially published as Regional Planning Guidance, became the Regional Spatial Strategy for the North West (RSS) in September 2004 with the enactment of the Planning and Compulsory Purchase Act. The RSS establishes the spatial plan for the development of the region for employment, housing, transport and the environment.

A draft revision of the Regional Spatial Strategy was submitted to Government in January 2006 by the North West Regional Assembly. It was subsequently tested in an Examination in Public between November 2006 and February 2007, and the report of the independent panel which conducted this Examination was published in May 2007. The Secretary of State considered the recommendations of this independent panel, and took into account the representations made on the draft revision, and also changes in Government policy since the draft revision was submitted, before publishing Proposed Changes for further public consultation between March and May 2008.

The consultation period ended on 23 May and the City Council understands that all representations have now been considered and amendments made to parts of the Plan, along with updates to the Habitat Regulations Assessment and Sustainability Appraisal/Strategic Environmental Assessment.

At the time of drafting this report, it was anticipated that the final revision of the RSS would be published on 30 September 2008. This is later than the deadline for this committee report and therefore officers will provide a verbal update at the committee meeting. The publication of RSS would remove the Joint Lancashire Structure Plan (JLSP) tier of policies.

The Draft Regional Strategy (RSS), and the Secretary of State's Proposed Changes to the Draft RSS are discussed at length in the main outline application. However it is clear that a residential proposal of this scale satisfies the spatial objectives, such as urban concentration and sustainable regeneration of

brownfield land. In particular the over-arching regional (and national) themes of providing sustainable communities, managing the demand for private travel and providing high-quality places where people want to live and work are especially relevant to this proposal.

The Joint Lancashire Structure Plan 2001-2016 (JLSP) provides a county-wide series of policies, including those promoting development on previously-used land, the enhancement of existing town and city centres, and the requirement for 75% of new housing development to be situated within the main urban areas and towns.

Nationally, the sustainable development principles outlined in Planning Policy Statement (PPS) 1 - 'Delivering Sustainable Development' and PPS 3 - 'Housing' are key considerations. In considering these, the development must ensure that it is appropriately located, is of good-quality, delivers affordable housing where needed, and provides a mixed and balanced community that is inclusive and a safe place to live. Sustainable methods of construction and energy production, as advocated throughout national guidance (and in particular the supplement to PPS 1 concerning Climate Change) is a matter which must be reinforced via the imposition of planning conditions, should this outline application be approved.

Planning Policy Guidance (PPG) 13 relating to 'Transport' is now rather dated, but its principles of managing private transport demand and encouraging the growth of public transport are still key governmental themes. The need to locate new development, including housing, in accessible urban areas is a fundamental part of national policy, and one that this proposal adheres to.

## **Traffic and Highways**

The site is considered to have good public transport accessibility, given its proximity to the Lancaster Bus Station and given that the nearest bus stop to the site is Bulk Road, approximately 160m away. The site's position upon the Strategic Cycle Network is also advantageous. The wider development will see the creation of the extended Phoenix Street route, which will be non-vehicular, and will therefore provide the necessary linkage from the Lancaster Canal down towards the River Lune and the Lancaster-Morecambe Cycle Route.

The JLSP provides car parking standards for the county, and in respect of residential development within accessible locations the figure of 1.5 spaces (or less) per dwelling is the requirement. In terms of the development parameters, the parking spaces would be between 28 and 45, with 6 spaces on Alfred Street, thus resulting in car parking of between 34 and 51 spaces. Measured against the number of dwellings (58-68), it becomes apparent that this amount of car parking accords with the JLSP standards and is in fact considerably less than the applicant might have proposed. However the locational factors referred to in this report have influenced the applicant's decision to limit private car parking.

Cycle parking will be provided in the basement car parking, on the basis of 1 space per 1-2 bed dwelling and 2 spaces per 3-4 bed dwelling.

Traffic generation has been calculated using the TRICS (Trip Rate Information Computer System) database. This is an appropriate method of assessing trip rate assumptions for individual developments, such as this residential submission.

Taking into account the existing uses on site - the Ice Cream Depot and the part of the public car parks covered by this application, there is clearly some traffic generation associated with the current use of the site. However the Transport Assessment does not allow for the removal of existing traffic from the site, and solely considers new traffic generated by the proposal. Therefore it is considered to be a robust assessment.

By considering a peak (am) period of 0800-0900 and peak (pm) period of 1615-1715, the traffic attraction for the development was calculated at 19 vehicles in the morning peak, and 15 vehicles in the evening peak. It concludes that this is a minimal amount of traffic, and when measured against the reduction in

vehicles from the existing uses within the red edge of this application site, then further detailed assessment is not required.

County Highways have no objections to this particular proposal, although both they and the City Council's highway consultants, MVA, have indicated that the internal arrangements within the underfloor car parking would require reworking at the detailed design phase to provide appropriate manoeuvrability.

## **Neighbour Amenity**

The nearest residential neighbours are the terrace of properties on Alfred Street. Their current outlook is somewhat restricted in the summer months given the line of trees that are located within the car park. However their removal and replacement with residential townhouses will affect their outlook. In some circumstances, the tree removal will improve the amount of light gain to the current dwellings.

However at the distances proposed (across Alfred Street highway, which is retained at this part of the site), their privacy is not compromised, nor is their property overshadowed by the development. The sensitive positioning of the two-storey element of the development allows for a natural extension of this residential zone, and the closure of the 'rat run' (considered under the main outline application) through this street should considerably improve private amenity and living conditions for existing residents.

## **Impact upon Heritage Assets**

Unlike much of the Canal Corridor North site, this application does not include any Listed Buildings. The former Crown Hotel on St Leonardgate is listed, but is not directly connected to the site and its setting would not be compromised by the development of this individual application.

The development would, if constructed using traditional materials on the outward elevations and appropriate fenestration details, represent an opportunity to enhance the approach to the Conservation Area.

## **Affordable Housing**

The developer has offered 25% affordable housing. This equates to a delivery of between 15 and 17 units.

The 25% figure is stated within SPG 10. However as Members will be aware, the Planning Policy Cabinet Liaison Group resolved to pursue an amended approach to affordable housing negotiations, involving a figure of 40% affordable housing provision, in response to the Lancaster District Housing Needs Survey Update Report 2007. Whilst this figure is not formally adopted through revised local planning guidance, developers are informed that 40% is a figure that the local planning authority would wish to achieve.

The applicant has cited the unusual and major infrastructure costs (including those outside the site, such as highway reconfiguration towards Skerton Bridge and Kingsway), and the other planning contribution matters, such as the contributions towards the Grand and Dukes Theatres, provision of new Canalside open space and remedial works to listed buildings, as mitigating factors. The local planning authority accepts that in this case, these costs are more burdensome than usual, and that the figure of 25% would be appropriate in this location.

However, in the event that application 08/00866/OUT is refused, the above obligations would not be required as part of a wider scheme, and consequently Members may wish to reconsider the percentage of affordable housing.

If Members are minded to accept the 25% figure, then the precise tenure and dwelling size mix would be controlled via a Section 106 Agreement.

### **Relocation of Existing Businesses**

The applicant has been involved in discussions with the occupants of the existing site, with a view to providing appropriate relocations for their business. These discussions remain ongoing.

### **Renewable Technologies**

There is no Environmental Statement necessary for this particular proposal.

It is intended to create dwellings which achieve Level 3 of the Code for Sustainable Homes.

The applicant has indicated that the orientation of the buildings on the Moor Lane elevation will assist in terms of capitalising on solar gain.

However green roof technology and alternative types of fuel sources will be considered at the Reserved Matters stage, should the current application be approved. A standard condition is imposed regarding renewable energy generation.

### **Conclusion**

The proposed development seeks to deliver an appropriate amount of housing on an area of land which is in need of regeneration on this key route into the city. It will improve the setting of the Conservation Area and nearby Listed Buildings. The means of access proposed is acceptable and the traffic impacts associated with this stand-alone development should involve a reduction in traffic when considered with the current uses across the site.

The development offers the opportunity for interesting design styles, but it is important to remember the close proximity of existing residences. Therefore, development should be kept to a minimum (in terms of height) along Alfred Street, and traditional materials should be used on all external-facing elevations. The local planning authority is pleased to note that this advice has been followed.

The site would deliver a choice of housing options and would introduce affordable housing in a central location. The development would reinforce the residential setting of Alfred Street. With the potential introduction of Phoenix Street to the south, the site would become even more accessible for cyclists and pedestrians.

In conclusion the residential redevelopment of this site is supported, subject to the following conditions.

### **RECOMMENDATIONS**

That **SUBJECT TO A SECTION 106 PLANNING AGREEMENT TO DELIVER AFFORDABLE HOUSING, OUTLINE PLANNING PERMISSION BE GRANTED** subject to the following conditions:

1. Standard outline consent
2. Reserved Matters to be submitted
3. Standard Reserved Matters time limit condition (5 years from date of outline consent)
4. Detailed plans to accord with Parameter Plans and Parameters Report
5. All external materials, including roofing and floorspace treatments to be agreed and samples provided
6. All windows, doors and rainwater goods to be agreed
7. All boundary treatments, including plot boundaries to be agreed
8. Standard Arboricultural Implications Assessment condition
9. Standard landscaping maintenance condition
10. 10% of development's energy requirements to be generated by on-site renewable technologies, to be agreed with LOCAL PLANNING AUTHORITY

11. Sustainable urban drainage system and separate sewerage details to be agreed
12. Standard land contamination condition
13. Contaminated land – importation of soils and materials standard condition
14. Contaminated land – prevention of new contamination
15. Bunding of tanks
16. Car parking ventilation details to be agreed
17. Car parking details to be agreed and maintained Car Park Management Strategy
18. Covered and secure cycle parking details to be agreed and maintained
19. Existing coach facilities to remain in use until replacement facilities are fully operational
20. Sustainable methods of construction to be agreed
21. Details of all waste management, including refuse storage and recycling areas to be agreed.
22. Standard hours of construction condition
23. Phasing of development (including demolition) to be agreed
24. Phased programme of archaeological evaluation to be agreed and implemented
25. As required by consultees