

Development Control Committee
Meeting to be held on 12th April 2017

Electoral Division affected:
Lancaster Central

Lancaster City: Application number. LCC/2017/0026
Retrospective application for the retention of a workshop building.
Lancaster Waste Water Treatment Works, Stodday Lane, Lancaster.

Contact for further information:
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Executive Summary

Application - Retrospective application for the retention of a workshop building.
Lancaster Waste Water Treatment Works, Stodday Lane, Lancaster.

Recommendation - Summary

That planning permission be **granted** subject to conditions controlling duration of the permission, working programme and hours of use of building.

Applicant's Proposal

The application seeks retrospective permission for the retention of a two storey workshop building. The ground floor of the building measures 12.1 metres by 9.7 metres with a height of 2.7 metres. The first floor of the building measures 12.1 metres by 4.87m with the remaining area covered by wooden decking for access. The total height of the building measures 5.5 metres.

The elevations of the building are metal wall cladding coloured green (RAL 6007) with a flat roof. The building has white UPVC double glazing windows and doors and 2 external steel staircases with handrails to the northern and southern elevations of the building. Lighting is located to the front and side elevations of the building.

Description and Location of Site

The building is located at Lancaster Waste Water Treatment Works, located 3km south west of Lancaster City Centre and 700m north west of Stodday. The treatment works is accessed via a number of minor roads that link with the A588. The building is sited to the northern side of Lancaster Waste Water Treatment Works (WwTW). The building has operational areas of the WwTW to the southern and eastern boundaries with open agricultural land to the north and an area of solar panels to the west. There are two residential properties at Low Wood which are located approximately 70 metres from the building.

Background

The application site is located immediately to the north of Lancaster WwTW where a number of permissions have been granted for waste water treatment infrastructure and ancillary development.

Planning permission was granted in January 2017 for the erection of solar photovoltaic panels and associated works including switchgear housing, security fencing and integral connection to Lancaster WwTW. (LCC/2016/0065)

Planning permission was granted in June 2012 for the erection of a belt press building, four kiosks, 2.4m high fencing around transformers, temporary construction compound and highway improvements. (01/12/0316)

Planning Policy

National Planning Policy Framework

Paragraphs 7, 11 - 14, and 56 of the NPPF are relevant with regard to the definition of sustainable development, core planning principles and the need for good design.

Lancaster District Core Strategy

Policy SC1 - Sustainable Development

Policy SC5 - Quality in Design

Lancaster District Local Plan (Development Management DPD)

Policy NPPF 1 - Presumption in favour of Sustainable Development

Policy DM29 - Protection of Trees, Hedgerows and Woodland

Policy DM35 - Key Design Principles

Consultations

Lancaster City Council - No objection subject to conditions requiring additional planting being carried out between the building and the nearest properties to assist in screening and also to restrict the hours of use of the new building.

Representations - The application has been advertised by site notice and neighbouring residents informed by individual letter. One representation on behalf of two local residents has been received raising objection to the height and location of the workshop building and stating the building should be single storey and sited away from residential properties.

Advice

The application seek retrospective planning permission for the retention of a two storey workshop located adjacent to Lancaster WwTW. The workshop building was constructed to provide a facility to contain pumps and parts for wastewater assets

throughout the south Cumbria and North Lancashire area along with a workshop area for welding and carrying out repairs to pumps.

Previously, these facilities were located at a number of smaller sites across the region. However, due to break ins and other security issues, a decision was made to establish a central storage and maintenance facility at Lancaster WWTW. The applicant has stated that they expect use the building for the transport of parts between the hours of 08:00 and 16:00. The workshop building also contains an office area for a part time administration team.

The waste water treatment works is a large industrial complex in a rural area and is surrounded by landscaped bunding. However, the building subject to this application is located to the north on land outside of the landscaped area and which has been previously used as a contractors compound to serve major improvement works that were being undertaken to the waste water treatment works at that time..

The applicant has stated that even though there were other areas of open land within the WWTW itself, the building could not be located in those areas due to the presence of underground cables, ducting and pipework to which access would be needed for ongoing maintenance.

Policy DM35 of the Lancaster Local Plan seeks to ensure that there is no significant impact in relation to overshadowing and visual amenity. An objection has been received from the occupiers of the two closest properties stating the building has been erected with no consideration for residential amenity. The building is located approximately 70m away from the nearest property. To reduce impacts to the nearest properties frosted glass has been installed on windows and bamboo screening has also been placed along the edge of the front elevation on hand railing. Also additional boundary planting is proposed in the area between building and the adjacent properties as part of a condition to a previous planning permission for solar panels at the WWTW. (LCC/2016/0065).

To ensure that there would be no impacts on the amenities of the properties, a condition is recommended to control the hours of use to 08:00 to 18:00 Monday to Saturday. External lighting has been added to the northern, western and southern elevations of the building, which has been angled downwards and therefore should not result in any impacts at the nearest properties. The hours of use of the lighting can be controlled so that it is only illuminated during the hours when the building is used.

With such conditions, the building would not impact upon the amenity of the nearest properties. However, it is located outside of the existing waste water treatment works and due to its size and design has an incongruous appearance in the area and would not be acceptable as a permanent form of development in this location. Under section 267 of the Town and Country Planning Act 1990, no conditions can be imposed on any operational land belonging to statutory undertakers which would require any buildings to be removed or use of land discontinued at the end of a specified period. However, In this case the application site is not considered to be operational land and therefore it would be both lawful and necessary in terms of planning considerations to impose a condition restricting the life of the building.

The development would not have any adverse ecological impacts and is located on a hardstanding area. Due to the small scale of the development and not being located in a flood risk area it is expected there would be no flooding impacts from the proposed development. The applicant has also confirmed there were no trees, hedgerows or vegetation affected by the development, complying with Policy DM29 of the Lancaster District Local Plan.

Overall, the building is considered to be acceptable in terms of visual amenities subject to a condition limiting its life. With this condition, the development conforms with Policies DM29 and DM35 of the Lancaster District Local Plan Development Management DPD (2014).

In view of the nature, location and purpose of the development it is considered that no Convention Rights set out in the Human Rights Act 1998 would be affected.

Recommendation

That planning permission be **Granted** subject to the following conditions

Time Limits

1. The building authorised by this permission including all foundations and services shall be removed from the site within 5 years from the date of this permission.

Reason: To provide for the removal of the building within the approved timescale and in the interest of local and visual amenities and to conform with Policy SC5 of the Lancaster District Core Strategy and Policy DM35 of the Lancaster Local Plan.

Working Programme

2. The development shall be carried out except where modified by the conditions to this permission in accordance with the following documents:

a) The Planning Application and supporting statement received by the County Planning Authority on 23rd February 2017.

b) Submitted Plans and documents:

Drawing No - UU.ES.E.LancasterWwTW.501.01 / Location Plan

Drawing No - UU.ES.E.LancasterWwTW.501.03 / Elevation Key Plan

Drawing No - UU.ES.E.LancasterWwTW.501.04 / Photograph Key Plan

Drawing No - 0073/BR01-A / Proposed Ground Floor Plan

Drawing No - 0073/BR02 / Proposed First Floor Plan

Drawing No - 0073/BR03 / Proposed Elevations

Drawing No - 0073/BR04 / Proposed Elevations

Drawing No - 0073/BR05 / Proposed Section A-A

Reason : For the avoidance of doubt, to enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area and to conform with policy DM35 of the Lancaster District Local Plan (Development Management DPD)

Hours of Opening

3. The building shall not be used for any administration or equipment maintenance activities outside the hours of:-

08:00 to 18:00 hours Monday to Fridays (except Public Holidays)
08.00 to 13.00 hours on Saturdays

Reason: To safeguard the amenity of local residents and to conform with Policy SC1 of the Lancaster District Core Strategy.

4. The lighting attached to the external facades of the building shall not be illuminated outside the hours of use specified in condition 3 above.

Reason: In the interests of local amenity and to conform with Policy DM35 of the Lancaster Local Plan.

Local Government (Access to Information) Act 1985

List of Background Papers

Paper	Date	Contact/Ext
LCC/2017/0026	March 2017	Faiyaz Laly / Planning and Environment / 01772 538810

Reason for Inclusion in Part II, if appropriate
N/A