



Mr Peter Callingham  
The Fairfield Association  
55 Regent Street  
Lancaster  
Lancashire  
LA1 1SH

**Regeneration and Planning  
Development Management Team**

PO Box 4  
Town Hall  
Lancaster  
LA1 1QR

**TOWN & COUNTRY PLANNING ACT 1990**

**PLANNING PERMISSION**

- Application No. : 13/00962/CU**
- Applicant : Mr Peter Callingham**
- Site Address : Basin Bridge Chancelor Wharf Aldcliffe Road Lancaster Lancashire**
- Proposal : Demolition of lean to buildings and change of use building (B1 Use) and land to create a community resource centre and public amenity space with associated landscaping**

Lancaster City Council hereby give notice that **PLANNING PERMISSION HAS BEEN GRANTED** for the change of use described above in accordance with your planning application dated 12 September 2013, and the plans, drawings and documents which form part of the application, subject to the following conditions and reasons:-

1. The development to which this permission relates must be started not later than the expiration of 3 years beginning with the date of this permission.  
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out in accordance with the submitted approved plans or any amended plans subsequently approved in writing by the local planning authority.  
Reason: To ensure a satisfactory standard of development.
3. The workshop bulding shall only be used in association with the community resource centre (and public amenity space), and shall not be occupied, sold, disposed of or otherwise let without the express permission of the local planning authority.  
Reason: The use could not be undertaken independently without the likelihood of associated problems of amenity to the locality.
4. No site clearance or construction of the development shall occur on the site except between the hours of 0800-1800 Monday to Friday, and 0800-1400 on Saturdays. In particular no work shall be undertaken on Sundays or on Public Holidays without the prior written agreement of the local planning authority.  
Reason: In the interests of residential amenity.

5. In the event that any unforeseen soil contamination is found during the development hereby permitted, it shall be quarantined and reported immediately to the Local Planning Authority. An investigation and risk assessment shall be undertaken by a competent person in accordance with a scheme agreed with the Local Planning Authority prior to commencement and, where additional remediation is necessary, a supplementary Remediation Scheme shall be agreed in writing with the Local Planning Authority. The agreed scheme shall be completed before work recommences unless otherwise agreed in writing with the Local Planning Authority.

Following completion of the supplementary Remediation Scheme as approved, a verification/validation report and certificate shall be agreed with the Local Planning Authority.

Reason: To ensure that risks from soil contamination to the future occupants of the development and neighbouring occupiers are minimised, together with those to controlled waters and ecological systems and to ensure that site workers are not exposed to the unacceptable risks from contamination during construction.

6. No development shall commence until details of the hard and soft landscaping of the site, including wherever possible the retention of existing trees and hedges have been submitted to, and approved in writing by, the local planning authority. If trees/hedgerows are identified for removal, replacement planting will be required at a minimum ratio of 3:1 (3 new trees for each tree removed or damaged). The approved scheme shall be implemented in the first planting season following completion of the development, or following first occupation/use, whichever is the earliest.

The approved scheme shall be maintained by the applicant or their successors in title thereafter for a period of not less than 5 years to the satisfaction of the local planning authority. This maintenance shall include the replacement of any tree or shrub which is removed, becomes seriously damaged, seriously diseased or dies, by the same species or different species and shall be agreed in writing by the local planning authority. The replacement tree or shrub must be of similar size to that originally planted.

Reason: In the interests of the amenity of the area and to ensure that the approved landscaping scheme is implemented and maintained to an appropriate standard.

7. Prior to the commencement of any site activity associated with the development, including site preparation, clearance work and demolition, the following details must be submitted to and agreed in writing with the local planning authority
- A Tree Works Schedule for works proposed to any on or off site trees and hedges in compliance with "BS 3998 (2010) Tree Work"
  - A detailed Arboriculture Method Statement (AMS) for all work proposed within identified root protection areas (RPAs) and within 1m of protective barrier fencing, to include the location, and identification of special measures, materials and method of installation for all new surfaces and underground utility services proposed, onsite arboriculture supervision must be included.

The development shall be carried out in accordance with such agreed detail.

Reason: To prevent damage to trees during construction works.

8. The development shall be carried out in accordance with the submitted Arboricultural Implications Assessment Bowland Tree Services, 10.12.2012. In particular, no tree within the site shall be cut-down, up-rooted, topped, lopped or destroyed, nor any hedge within the site cut-down or grubbed out, other than those identified within the approved application, without the prior written approval of the local planning authority. The development shall then be carried out in accordance with such agreed detail.

Reason: In the interest of visual amenity and to ensure the development is carried out in accordance with "BS 5837 (2012) Trees in relation to design, demolition and construction".

9. Before any site activity is commenced in association with the development, a Tree Protection Plan (TPP), in compliance with "BS 5837(2012) Trees in relation to design, demolition and construction", shall be submitted to and agreed in writing by the local planning authority. The development shall then be carried out in accordance with such agreed detail. No development or any site activity associated with the development, including site preparation/clearance and demolition shall commence until the approved scheme of tree/hedge protection has been fully implemented and has been inspected on site by the Tree Protection Officer. It is the applicant's responsibility to arrange this inspection. The

protection measures shall be retained for the duration of the works, and only removed once the development is complete and all machinery and works material removed from the site.

Reason: To prevent damage to trees during construction works and in the interest of the amenity of the area.

## **ARTICLE 31 – DEVELOPMENT MANAGEMENT PROCEDURE ORDER**

Please see the attached statement which forms part of your decision notice.

### **ADVICE**

This permission does not imply that any work may be carried out to any trees which are the subject of a Tree Preservation Order, or any trees that are situated within a Conservation Area nor does it imply that such work would be authorised.

Guidance on species diversity in relation to new planting schemes can be found within Lancaster City Council's, Tree Policy (adopted October 2010) Section 9, Specific Advice, Policies & Standards - Tree Planting, Policy: Tree planting - guiding principles.

A landscape scheme must include the following information: quantity of new trees/plants to be planted, exact location, size at planting, support systems including stakes, ties etc., weed control, watering regime during dry period of weather in spring and summer months; a dry period must be considered as 5-days without rainfall at which point in time a watering regime must be implemented; any trees/plants that fail to establish during the initial 5 year or 10- year period post planting must be replaced on a 'like for like' basis unless otherwise agreed in writing with the local planning authority.

The developer should be aware that a detailed Arboriculture Method Statement will be required, in accordance to "BS 5837 (2012) Trees in relation to design, demolition and construction". The AMS must include all work, or ground disturbance proposed within identified root protection areas or within 1m of protective barrier fencing. A generic AMS must include arrangements for site access, site layout, parking areas, storage areas etc with respect to the protection of above and below ground structures of trees. This statement must be made by an arboriculturist who is suitably qualified and experienced.

The developer should be aware that a detailed landscaping scheme and replacement planting proposal, together with details of a long term management plan for the landscaped parts of the site will be required. Details must include species selection, size of trees/plants at planting, location, spacings, support systems and quantity of plants/trees.

The maintenance regime for plants and trees must include details of a regular watering regime plus additional watering during periods of dry weather, in spring and summer months (maximum of 5 days without rainfall), weed control, adjustment/removal of stakes and ties, and a commitment to replace (on a like for like basis) any plants/trees that fail during the stipulated maintenance period.

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Signed:



Date: 1 November 2013

Andrew Dobson Dip EP MRTPI PDDMS  
CHIEF OFFICER (REGENERATION & PLANNING)

Your attention is drawn to the notes to be read in conjunction with the notice of decision. A copy can be downloaded from <http://www.lancaster.gov.uk/documents/planning/decnotes.pdf>





## TOWN AND COUNTRY PLANNING ACT 1990

### ARTICLE 31 – DEVELOPMENT MANAGEMENT PROCEDURE ORDER

#### **Development Plan Policies, Proposals and Reasons for Decision**

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

In the Lancaster District, the Development Plan comprises the saved policies of the Lancaster District Local Plan (2004) and the adopted Lancaster District Core Strategy (2008).

The proposal complies with the relevant policies and provisions of the Development Plan and on consideration of the merits of this particular case, as presented in full in the officer report, there are no material considerations which otherwise outweigh these findings.

#### **Statement**

In accordance with Article 31 of the Development Management Procedure Order, the City Council can confirm the following:

The local planning authority has considered the application as submitted and has visited the site, and it is able to conclude that the proposal is one that can be proactively supported without any amendments being necessary.

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Signed:

Date: 01 November 2013

Andrew Dobson Dip EP MRTPI PDDMS  
CHIEF OFFICER (REGENERATION AND PLANNING)