

<b>Agenda Item</b> A6	<b>Committee Date</b> 8 May 2017	<b>Application Number</b> 17/00226/FUL
<b>Application Site</b> Land North Of 27 Coach Road Warton Lancashire	<b>Proposal</b> Erection of one 4-bed dwelling with associated landscaping, re-grading of land and creation of a new access point	
<b>Name of Applicant</b> Mr & Mrs M. Dawson & P. Brown	<b>Name of Agent</b> Mr Sam Edge	
<b>Decision Target Date</b> Extension of time agreed until 11 May 2017	<b>Reason For Delay</b> Committee Deadline	
<b>Case Officer</b>	Mrs Eleanor Fawcett	
<b>Departure</b>	No	
<b>Summary of Recommendation</b>	Approval	

**(i) Procedural Matters**

This form of development would normally be dealt with under the Scheme of Delegation. However, the outline application in 2014 for two dwellings, over a larger site, was reported to the Planning Committee following a request from a Councillor. At this meeting it was requested that any future reserved matters application was reported to the Planning Committee to give the opportunity for Members to consider the scale and design before consent was granted. Although this is not a reserved matters application, it is a full application for the development of one of the two dwellings previously proposed, and as such it seemed appropriate that the application was determined by the Committee given the previous request.

**1.0 The Site and its Surroundings**

- 1.1 This application relates to an agricultural field adjacent to Coach Road at the northern end of the village of Warton. The land slopes upwards away from the highway to the east towards Warton Crag. There are no trees in the centre of the site. However, there is a hedgerow along the boundary with the highway, some trees along the southern boundary and a large wooded area, beyond the site boundary to the west. To the south of the site is a row of residential properties, predominantly detached, located on either side of the highway. The closest is a bungalow and is positioned at a higher level than the road. To the north of the site is the remainder of the field, beyond which is a detached dwelling and associated garden. The neighbouring dwelling is in a more elevated position than the application site. On the opposite side of Coach Road is agricultural land which slopes down from the highway.
- 1.2 The site is located within the Countryside Area as identified on the Local Plan Proposals Map, and the Arnside and Silverdale Area of Outstanding Natural Beauty (AONB). Warton Crag Site of Special Scientific Interest (SSSI) is approximately 50 metres to the west of the site and there is a Biological Heritage Site, Limestone Pavement Order and Ancient Woodland within approximately 12 metres. Warton Crag has a designated Nature Reserve which is approximately 380 metres to the south west.

## **2.0 The Proposal**

- 2.1 Planning permission is sought for the erection of a detached dwelling over three levels and the creation of a new access. The dwelling would be set back from the highway by approximately 16 metres and would be 14.8 metres wide and predominantly 8.2 metres deep. A gable is proposed at the front of the building which would project 1.45 metres from the front wall and be 7.6 metres wide. As a result of the change in levels across the site, a significant amount of engineering works are proposed to accommodate the dwelling. The site is at similar level to the highway at the southwest corner which allows access to be created to a garage at the southern side of the dwelling which would form the lower ground floor level. This part of the dwelling would be three storeys and the remainder would be two storeys and would be built into the hillside. Some of the land levels are proposed to be raised close to the highway to provide a banking to the south of the access point. The ridge of the building would be 9.3 metres high at its highest point, approximately 10 metres above the road level, and would have an eaves height of 6.8 metres. The building is proposed to be predominantly finished in render and have a concrete tiled roof.

## **3.0 Site History**

- 3.1 Outline planning permission was granted in 2014 for the erection of two dwellings on a larger site. Following this, two applications have been submitted for the development of a single dwelling on part of the original site and have both been refused. The first included a highway reason but this was subsequently resolved. The sole reason for refusal of the second application is as set out below:

“By reason of its height, siting and design, the proposed dwelling will be overly prominent and have a detrimental impact on the character and appearance of the locality and the Arnside and Silverdale Area of Outstanding Natural Beauty. It is therefore contrary to the aims and objectives of the National Planning Policy Framework, in particular the Core Planning Principles, Section 7 and Section 11, Saved Policies E3 and E4 of the Lancaster District Local Plan and Policies DM28, DM35 and DM42 of the Development Management Development Plan Document.”

- 3.2 The site history is set out below:

Application Number	Proposal	Decision
16/01388/FUL	Erection of one 4-bed dwelling with associated landscaping, re-grading of land and creation of a new access point	Refused
16/00565/FUL	Erection of one 4-bed dwelling with associated landscaping, engineering works and creation of a new access point	Refused
14/00499/OUT	Outline application for the development of 2 residential dwellings	Approved
13/01293/OUT	Outline application for the development of 3 residential dwellings	Withdrawn

## **4.0 Consultation Responses**

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

Consultee	Response
Parish Council	<b>No comments received</b> within the consultation period.
County Highways	<b>No objections</b> subject to conditions requiring: creation of visibility splays 2 x 22 metres; access to be a minimum width of 5 metres, surfaced with a bound material for a minimum distance of 5 metres; construction of a vehicular drop crossing; existing boundary hedge to be reduced to 1 metre above the carriageway; and layout to include provisions to enable vehicles to enter and leave the highway in a forward gear.
Environmental Health	<b>No comments received</b> within the consultation period.

<b>Tree Protection Officer</b>	<b>No objections</b> subject to conditions requiring: development to be carried out in accordance with the submitted Arboricultural Implications Assessment, Arboriculture Method Statement and landscaping scheme.
<b>Arnside and Silverdale AONB Unit</b>	Some of the concerns have been addressed and it is considered that the current design is more sympathetic to the local setting than in the previous applications. However, the design could be improved further by including stone cladding on the front wall of the dwelling and the use of appropriate finishes and local materials for all the proposed hardstandings, retaining walls, pavings etc. is essential in order to minimise the impact on the character and visual amenity of this part of the AONB.
<b>Natural England</b>	<b>No comments received</b> within the consultation period.
<b>The Wildlife Trust</b>	<b>No comments received</b> within the consultation period
<b>United Utilities</b>	<b>No objections.</b> Advise that there are no United Utilities owned Wastewater assets shown on the public sewer records in the immediate vicinity of the development and recommend that a surface water drainage scheme is implemented in accordance with the surface water drainage hierarchy, set out in the NPPG.

## **5.0 Neighbour Representations**

- 5.1 1 letter of objection has been received which raises the following concerns:
- Detrimental effect on the local amenity and a significant detrimental visual impact due to the scale and height with no continuation of roofline from the adjacent bungalows
  - The highways authority has requested that the hedge should be maintained at 1 metre which will allow the dwelling to be clearly visible from Coach Road
  - Loss of privacy from windows proposed in the north elevation and a boundary hedge should be incorporated to ensure that overlooking is avoided.

## **6.0 Principal National and Development Plan Policies**

### **6.1 National Planning Policy Framework (NPPF)**

Paragraphs 7, 14 and 17 – Sustainable Development and Core Principles  
Paragraph 32 – Access and Transport  
Paragraphs 49 and 50 – Delivering Housing  
Paragraphs 56, 58 and 60 – Requiring Good Design  
Paragraphs 115 and 116 – Areas of Outstanding Natural Beauty

### **6.2 Local Planning Policy Overview – Current Position**

At the 14 December 2016 meeting of its Full Council, the local authority resolved to undertake public consultation on:

- (i) The Strategic Policies and Land Allocations Development Plan Document (DPD); and,
- (ii) A Review of the Development Management DPD.

This enabled progress to be made on the preparation of a Local Plan for the Lancaster District. Public consultation took place from 27 January 2017 to 24 March 2017. Whilst the consultation responses are currently being fully considered, the local authority remains in a position to make swift progress in moving towards the latter stages of: reviewing the draft documents to take account of consultation outcomes, formal publication and submission to Government, and, then independent Examination of the Local Plan. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in 2018.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan. Following the Council resolution in December 2016, it is considered that the Strategic Policies and Land Allocations DPD is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan's preparation progresses through the stages described above.

The **Review of the Development Management DPD** updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan

the current document is already material in terms of decision-making. Where any policies in the draft 'Review' document are different from those adopted in 2014, and those policies materially affect the consideration of the planning application, then these will be taken into account during decision-making, although again with limited weight. The weight attributed to the revised policies in the 'Review' will increase as the plan's preparation progresses through the stages described above.

The local authority is also in the process of preparing a Development Plan Document for the whole of the Arnsdale and Silverdale Area of Outstanding Natural Beauty, jointly with South Lakeland District Council. A consultation took place of the Draft **Arnsdale and Silverdale AONB DPD** between 10 November 2016 and 5 January 2017 and is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan's preparation progresses through the stages described above.

### 6.3 Development Management Development Plan Document

DM20 – Enhancing Accessibility and Transport Linkages  
DM28 – Development and Landscape Impact  
DM29 – Protection of Trees, Hedgerows and Woodland  
DM35 – Key Design Principles  
DM41 – New Residential Development  
DM42 – Managing Rural Housing Growth

### 6.4 Lancaster District Core Strategy (adopted July 2008)

SC1 – Sustainable Development  
SC5 – Achieving Quality in Design

### 6.5 Lancaster District Local Plan Saved Policies

E3 – Development affecting Areas of Outstanding Natural Beauty  
E4 – Development within the Countryside

## **7.0 Comment and Analysis**

### 7.1 The main issues are:

- Principle of development
- Scale, design and impact on the AONB
- Impact on residential amenity
- Highways impacts
- Ecological Impacts
- Drainage

### 7.2 Principle of development

7.2.1 Policy SC1 of the Core Strategy requires new development to be as sustainable as possible, in particular it should be convenient to walk, cycle and travel by public transport and homes, workplaces shops, schools, health centres, recreation, leisure and community facilities. Policy DM42 of the Development Management DPD sets out a list of villages within which new residential development will be supported, of which Warton is one. The site is well related to the existing built up development and will form a continuation of the houses on Coach Road. The site does suffer from a lack of footways and a narrow road to access the services in the centre of the village. However, given the small scale nature of the proposal and the need for houses within the District, including the rural area, the development of a single dwelling in this location is considered to be acceptable in principle. An outline application has also been previously approved for two dwellings on a larger site in this location.

### 7.3 Scale, design and impact on the AONB

7.3.1 The site is located within the Arnsdale and Silverdale AONB, with the land rising at the rear towards Warton Crag. An indicative plan was submitted with the outline application for two dwellings but was not approved. This showed two 2-storey detached dwellings, set back from and at a higher level than

the highway. Concerns were set out at this stage regarding the design of these as it was not considered that these were in keeping with the rural setting, although it was accepted that there is a mix of dwellings along this road and a predominance of bungalows. It was accepted, through the granting of the previous outline consent, that a dwelling could be accommodated on this site. The report set out that, providing that the scale and design of the dwellings is appropriate to the character of the area, care is taken over how these will sit within the sloping landscape and any associated lighting is well designed and located, it is not considered that they will have a detrimental impact on the character and appearance of the AONB.

- 7.3.2 The current application proposes a dwelling which is partly over three floors, with a garage at lower ground floor level and living accommodation above. Most of the land at the front of the site is a similar level to the highway and slopes gradually upwards before a significant rise towards the centre of the site. Land will need to be excavated to accommodate the dwelling given the changing levels. Some of the excavated land is proposed to be used to create a banking to the south of the access point. The land will be higher in front of the entrance to the dwelling, and a ramped path is proposed from close to the highway, almost to the front door. Retaining walls will be required at either side of the driveway. At the rear, the land will be excavated to provide a terraced area at ground floor level and a bridge is proposed across this at first floor to provide access to the sloping garden proposed at the rear. The dwelling has been designed with a hipped roof and a relatively wide projecting gable at the front which contains an oriel window. At present, the majority of the external walls are proposed to be finished in render, with the exception of the surround to the garage, and the roof would be finished in a concrete tiles. At its highest, the dwelling would be 6.3 metres to the eaves and 9.3 metres to the ridge. A streetscene has been provided which shows the ridge level of the dwelling approximately 2.6 metres higher than the ridge height of the bungalow to the south, 27 Coach Road.
- 7.3.3 Two previous applications for a single dwelling on this site were refused as a result of the scale and design and impact on the character and appearance of the landscape. The main alterations that have been made from the initial application for one dwelling are a slight reduction in eaves and ridge height, the introduction of a hipped roof, two additional windows on the front elevation, the alteration to the roof over the oriel window and additional windows on the north elevation. The lower ground floor has also been reduced to just the garage in order to take more account of the land levels. Prior to the previous applications, a pre-application enquiry was submitted for a similar scheme to these, although with an integral double garage that projected beyond the front wall. It was advised that, whilst it is recognised that Coach Road has a lot of variation in its house types, it would be beneficial to look at the character of the houses in the AONB as a whole and reconsider the design in light of the findings. It went on to say that the nearest dwellings to the site on the west side of Coach Road are single storey, or single storey with rooms in the roofspace.
- 7.3.4 The proposal is for a part 2 and part 3 storey house. The ridge heights of the other properties on the west side of Coach Road increase (in relation to the adjacent one to the south) slightly as they rise up the hill. As set out above, the dwelling would have a ridge height approximately 2.6 metres higher than the bungalow to the south, although it is recognised that the nearest dwelling to the north, Potts Cottage, is at a higher level than the application site. However, there was an existing dwelling in this location and the alterations to this, and eventual rebuilding were considered in the context of this. It was suggested that the ridge height be lowered to better relate to the row of bungalows adjacent to the dwelling and that this could be done by reducing the depth of the building by around half a metre. The introduction of a hipped roof has helped to reduce the bulk and massing of the building, which is large in scale at 14.8 metres wide, although it is acknowledged that this is not a typical traditional feature of this area.
- 7.3.5 There are still some concerns regarding the design and alterations have been suggested particularly to the front elevation, so that the building better respects the character and appearance of the AONB. Looking at examples of other buildings with hipped roofs and gable projections, it is considered that it would be more appropriate to move the gable off the side wall to give better definition to the end elevation, as this will likely be visible when travelling down the hill. There are particular concerns regarding the oriel window on the front elevation as it is not a typical feature within Warton and would look particularly unusual positioned on the gable. It is also considered that the windows on the front elevation lack consistency, with some having a very horizontal arrangement. It was suggested that more of a feature could be added to the gable if a full height glazed element was introduced, rather than having the narrow masonry gap. In terms of the materials, slate is considered to be a more appropriate material for the roof, and the use of a concrete tile would not usually be recommended within the AONB, particularly on an elevated site.

Most of the adjacent bungalows on the same side of the road appear to have slate roofs, whilst those on the opposite side, at a lower level, appear to be tiles. It has been strongly advised that slate is used, however the tile proposed does have a relatively thin edge which will give it more of a slate type appearance than some other tiles. Given the scale and mass of the building it has been suggested that the gable is finished in natural limestone to break up the amount of render which could appear quite stark. A narrowing of the width of the gable slightly was also suggested as it was considered that the proportions would relate better to traditional properties in the area.

- 7.3.6 Although no amended plans have been provided, the applicants have set out that they would be willing to take on board the AONB Unit's comments in relation to the use of stone on the front elevation, but would prefer to use reconstituted stone. It is considered that natural stone, typical to the area should be used and that a reconstituted stone would be inappropriate in this location. Despite meeting with the applicants and their agent the applicants appear unwilling to make any other changes to the plans to address the concerns set out above. It is not considered that the proposal would result in the high standard of development that fully reflects and respects the character and appearance of the AONB and would usually be expected. However, despite the concerns regarding various elements of the design, it is not considered that this would be sufficiently detrimental to the character and appearance of the area to justify the refusal of the proposal. Given the elevated nature of the site, the sensitive location and the large scale of the proposed dwelling, it is considered appropriate to remove permitted development rights for extensions and outbuildings in order to ensure that any impact of these can be fully assessed by the Local Authority.

#### 7.4 Impact on residential amenity

- 7.4.1 There are no dwellings to the rear and none on the opposite side of the highway for most of the width of the site. Number 26, is opposite a small portion of the southern end of the site, but is set back from the highway. The proposed dwelling is set back from the highway by approximately 17 metres and, as such it is not considered that the proposal will have a detrimental impact on the amenity of this property. Number 27, to the south of the site, is a bungalow and has some windows in the side wall facing north. The proposed dwelling is approximately 13 metres from the side wall of this neighbouring dwelling and, as such, it is not considered that the proposal will result in a loss of light. There is one window in the side wall of the dwelling, but this is proposed to serve an en-suite and as such, can be fitted with obscure glazing so that there is no overlooking. There is potential for overlooking from the raised access around the side of the dwelling and the bridge at the rear. However, given that these are set away from the boundary and likely to be used for access rather than for longer periods, it is unlikely that there would be a significant loss of privacy. There is also potential for overlooking from the garden area, but this could be controlled by appropriate boundary treatments.
- 7.4.2 There will be no adverse impacts on the dwelling to the north given the separation distance. However, there is outline consent for the erection of two dwellings on a larger site and there is therefore potential for a proposal for a dwelling to the north. As such, there would be potential for overlooking from the windows proposed at the first floor in the north elevation and it would be appropriate if these were installed with obscure glazing. The ground floor windows are around 1.6 metres above floor level and, as such, there is unlikely to be significant overlooking from these, particularly if an appropriate boundary treatment is proposed.

#### 7.5 Highways Impacts

- 7.5.1 The Highway Authority has advised that there are no valid highway reasons to object to the proposal, though given the site's location in a rural environment, have highlighted a range of material concerns associated with the site's point of access. Coach Road in the immediate vicinity of the application site is considered sub-standard in terms of its overall width, limited forward visibility and lack of contiguous lengths of pedestrian footway or verge areas where pedestrians could seek refuge from oncoming vehicles should the need arise. There is little in the way of suitable vehicular passing places between the application site and Main Street, to the south, other than use of a variety of driveways associated with existing properties.
- 7.5.2 The Highways Officer has confirmed that visibility splays measuring 2 metres by 22 metres are acceptable, as shown on the submitted layout plan. The application proposes the removal of the hedge at the front of the site with this being set back into the site to help create visibility and possible passing place on the road. It is therefore considered that the application will provide a safe and

suitable means of access and that keeping the height of the hedgerow at 1 metre would not be necessary given that adequate visibility splays are proposed.

## 7.6 Ecological Impacts

7.6.1 Warton Crag Site of Special Scientific Interest (SSSI) is located approximately 50 metres to the west of the site and there is a Biological Heritage Site, Limestone Pavement Order and Ancient Woodland within approximately 12 metres. Warton Crag has a designated Nature Reserve which is approximately 380 metres to the south west. Natural England previously advised that the development would not have a detrimental impact on the SSSI subject to a condition requiring a construction method statement be submitted to outline how dust and pollution will be managed during the construction phase. They also previously advised that directional lighting is used for any external lighting to ensure no light spill enters the SSSI at the operational phase. In response to the outline application they set out that the proposed buffer should only be planted with native species such as oak, rowan, birch and hazel.

7.6.2 In relation to the previous outline application, much investigation of the ecological value of the site was undertaken with consultation with County Ecology. It was considered that the development would not have a significant ecological impact, subject to a buffer between the development and the protected sites to the west and the transplanting of the hedgerow to be lost to the western boundary. It was also considered that the re-establishment/creation of hedgerows along the southern and northern boundaries of the site (in addition to planting along the site frontage and any possible planting between the site plots) would provide sufficient length of hedgerow to compensate for losses and would also ensure habitat connectivity is retained for species such as bats. County Ecology previously advised that there may be potential for badgers to move into the site and surrounding area in the time period between surveys and commencement of works, and recommended that should the badger surveys still be valid when a reserved matters application is submitted, a further precautionary survey be carried out immediately prior to commencement of works subject to planning condition.

7.6.3 On the basis of the above, it is considered that the development can be carried out without having a significant impact on ecology. This is on the basis that suitable hedge and tree planting and an appropriate habitat management plan is submitted, in addition to the agreement of a lighting scheme and mitigation during construction. This can be controlled by condition.

## 7.7 Drainage

7.7.1 The submission sets out that surface water will be taken to a number of SuDS soakaways within the curtilage of the house, consisting of modular water storage and attenuation cells. The attenuation tanks will be utilised to even out discharge rates at peak rainfall. Site investigations have shown there is sufficient ground above the bedrock to ensure these can be installed and that this allows suitable percolation rates to discharge the surface water adequately. A new package treatment plant is proposed in order to dispose of foul water. There does not appear to be precise details of the surface water and foul drainage, but these can be controlled by condition.

## 8.0 Planning Obligations

8.1 There are none to consider as part of this application

## 9.0 Conclusions

9.1 Whilst the principle of a dwelling on this site has been established, there are still some concerns regarding elements of the design. However, it is not considered that this would have a significantly detrimental impact on the character and appearance of the area, subject to appropriate materials, to justify the refusal of the application of design grounds. The proposal will not have a detrimental impact on highway safety, biodiversity or residential amenity and is therefore considered to be acceptable, on balance.

## Recommendation

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

1. Standard 3 year timescale
2. Development in accordance with plans
3. Details of foul and surface water drainage
4. Ecology mitigation including: protection measures for reptiles and amphibians during construction; provision of bird boxes; precautionary badger survey; creation of bat roosting opportunities; construction method statement to outline how dust and pollution will be managed during construction.
5. Scheme for wildlife buffer/ habitat creation area including management/ maintenance
6. Finished site and floor levels
7. Details/ materials including: natural stone, render, roof tile, ridge tile, windows, doors, eaves, verges, rainwater goods, surfacing materials, boundary treatments (including to the northern boundary)
8. Installation of obscure glazing in first floor windows in the north and south elevation
9. Development in accordance with Arboricultural Implications Assessment, Method Statement and Landscaping scheme
10. Creation of visibility splays and parking/ turning area
11. Removal of permitted development rights for extensions and outbuildings

**Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015**

In accordance with the above legislation, the City Council can confirm the following:

Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

**Background Papers**

None