

<b>Agenda Item</b>	A5
<b>Application Number</b>	19/01100/REM
<b>Proposal</b>	Reserved matters application for the demolition of existing agricultural buildings, retention and residential conversion of stone barn for up to 2 dwellings and erection of up to 68 dwellings with associated access
<b>Application site</b>	Ward Field Farm Main Road Galgate Lancaster
<b>Applicant</b>	Hollins Homes
<b>Agent</b>	N/A
<b>Case Officer</b>	Mrs Jennifer Rehman
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Approve

## 1.0 Application Site and Setting

- 1.1 The site relates to a 4.5 hectare parcel of agricultural land associated with Ward Field Farm located to the north of Galgate village, approximately 4 miles south of Lancaster City centre. The site lies adjacent to the existing built-up area of the village within a Countryside Area designation. The site is predominately 'greenfield' but comprises a small farmstead including a traditional stone-built farmhouse and stone barn, a large portal framed agricultural building and two smaller outbuildings. The site last operated as an agricultural enterprise with a small butchers/farm shop with a dog kennels business. The farm is served by a single vehicular access taken off the A6 (Preston-Lancaster Road) to the south side of the farmhouse with a driveway along the southern edge of the complex and parking to the north via the courtyard.
- 1.2 The site borders two major transport corridors. The West Coast Main Line runs alongside the western boundary of the application site with a landscaped embankment forming a strong linear feature along the edge of the development site in this location. The A6 runs along the eastern boundary of the site and provides a major transport corridor between the M6 motorway, Preston and Lancaster city centre. Agricultural land extends to the north of the application site where the topography begins to gradually rise to 31.5 Above Ordnance Datum (AOD) in the far northwest corner of the site. The River Conder forms a strong boundary along south-eastern edge of the site where the site is at its lowest elevation (19.3m AOD). The river itself is defended by a 1.3 metre high sectional concrete flood defence wall, which separates the river channel from the proposed field. A vehicle scrap yard neighbours the southern part of the site. This is separated by a post and wire fence and high conifer trees (on the scrap yards side). The red edge extends to the western side of the scrap yard towards the rear of properties on Salford Road.
- 1.3 The application site straddles across floodzones 1, 2 and 3 with parts of the site affected by surface water flooding. The site is also located on land identified as mineral safeguarding land. The public right of way (FP2) previously running through the site (between the A6 and the WCML) has now

been formally diverted. There are no designated heritage assets (DHAs) directly affected by the proposals. The closest listed buildings are those associated with Galgate Silk Mill and Chapel Cottages to the east side of Chapel Lane, with a grade II listed structure (Galgate Old Bridge) to the south of the site on Salford Road. The existing farmhouse and barn on the site are non-designated heritage assets (NDHAs). There are no protected trees on or within the vicinity of the application site nor are there any ecological designations affecting the site directly. The site is located circa 250m (from Galgate Bridge) to the village's Air Quality Management Area (AQMA).

## **2.0 Proposal**

2.1 The applicant has applied for reserved matters following the grant of outline planning permission. An application for approval of reserved matters is not an application for planning permission. Reserved matters are those aspects of a proposed development that an applicant can choose not to submit details of with an outline planning application (i.e. they can be 'reserved' for later determination). An outline planning permission allows for the general principles of how (and if) a site can be developed. In this case, the site benefits from an outline planning permission, subject to several conditions and a legal agreement. Condition 1 of the planning permission requires the subsequent approval of the appearance, layout, scale and landscaping of the development, herein the 'reserved matters'. Only these 'reserved matters' are the subject of this application. Matters relating to traffic, access, air quality, flood risk, biodiversity and impacts on local infrastructure such as school places, have been considered and previously accepted as part of the outline planning permission. Despite the number and level of objections raised by local residents and the Parish Council in relation to such matters, this application is not a re-examination of these key planning considerations and the principle of residential development on the site.

2.2 The application includes reserved matters details relating to the conversion of the existing stone barn into 2 dwellings and the erection of 67 dwellinghouses within the developable area identified and conditioned as part of the outline planning permission (condition 2). The access to serve the development is taken off the A6 in the location determined and granted under the outline planning permission (condition 7). Of the 69 homes overall, 21 homes have been identified as affordable homes, equating to 31 percent of the dwellings overall. The breakdown of the proposed accommodation is as follows:

- 6 one-bedroom apartments
- 4 two-bedroom bungalows
- 3 two-bedroom dwellings
- 24 three-bedroom dwellings (including barn conversion)
- 24 four-bedroom dwellings
- 8 five-bedroom dwellings

2.3 The proposal includes fifteen different housetypes, comprising a mix of apartments, bungalows, terraced, semi-detached and detached dwellings. These are two-storey in scale finished in either (or a combination) of natural stone, brick and render under grey slate roofs with black uPVC rainwater goods. For the new build dwellings, windows are proposed to be white uPVC with stone surrounds/heads and cills. The barn conversion adopts a more bespoke approach.

2.4 Extensive landscaping is proposed within the southern part of the site, which includes an informal circular path, an equipped play area and trim trail. The landscaping plans also mark up a bund along the southern edge of the site, which is intended to mark out the area for a potential new flood defence structure. This does not form part of the application. Its inclusion is to demonstrate that the proposed landscaping would not compromise any potential Environment Agency proposals in the area.

2.5 The layout of the development accommodates the bus layby (required as part of the outline planning permission) and a pumping station.

## **3.0 Site History**

3.1 The outline planning permission is the only relevant planning application to consider. The outline planning permission was for 68 dwellings and the conversion of the existing barn to two dwellings

with access considered. The outline development was approved conditionally and with a s106 planning obligation securing the following:

- Affordable Housing Scheme to be agreed at reserved matters stage;
- Applicant to agree a scheme for the provision of the Education Contribution with the County Council prior to the submission of the first reserved matters application;
- Public Open Space Contribution to be calculated at reserved matters stage;
- Details of the Play Provision to be agreed as part of the reserved matters approval
- Provision, Management and Maintenance of on-site Open Space.

The development has not commenced and nor have any of the pre-commencement conditions (pursuant to the outline planning permission) been satisfied. No applications to satisfy conditions have been received at this stage.

Application Number	Proposal	Decision
17/00944/OUT	Outline application for the demolition of existing agricultural buildings, retention and residential conversion of stone barn for up to 2 dwellings and erection of up to 68 dwellings with associated access.	Approved

#### 4.0 Consultation Responses

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

Consultee	Response
<b>Ellel Parish Council</b>	<p><b>Objection</b> on the following grounds:</p> <ul style="list-style-type: none"> <li>• The site is in a flood risk area;</li> <li>• The additional traffic cannot be accommodated by the current highway.</li> <li>• Amenities in the village already at capacity with no planned facilities to accommodate the development;</li> <li>• The development will pull the development closer to the boundary with Lancaster.</li> </ul>
<b>Local Highway Authority (Lancashire County Council)</b>	<p>Following submission of amendments, the LHA have confirmed that their initial concerns have been addressed and that they <b>no longer have any objections</b> to the proposals, subject to a Construction Management Plan condition.</p> <p><i>NB: The imposition of a CMS condition is not a matter relevant to reserved matters approval.</i></p>
<b>Highways England</b>	No comments to make in respect of this reserved matters application.
<b>Environment Agency</b>	<p><b>No objection</b> noting the proposed layout accords with the requirements of the approved Flood Risk Assessment in relation to the location of development (ensuring the development will not be at an unacceptable risk of flooding or exacerbate flooding elsewhere) and that the layout includes the required compensatory storage to provide the bus layby. The EA have provided further comments on the revised landscaping plan, confirming the inclusion of the flood defence bund aligns with the discussions between the EA and Hollins Homes and that there are no objections to this.</p>
<b>Lead Local Flood Authority</b>	<p><b>Initial objection removed</b> (absence of any surface water drainage details to evidence the layout accommodates sufficient space for attenuation). Following further re-consultation, the LLFA have raised <b>no objection</b> subject to a precise SW drainage condition.</p> <p><i>NB: this is a matter controlled by the outline planning permission.</i></p>

<p><b>United Utilities</b></p>	<p>The following comments (summarised) have been received:</p> <ul style="list-style-type: none"> <li>• UU had previously commented on the outline planning application;</li> <li>• Standard advice received in relation to sustainable drainage design and maintenance;</li> <li>• A sewer crosses the site and easements will be required suggesting the layout may need to be modified.</li> </ul> <p>No further comments received in relation to the amended plans. However, the drainage strategy plans show buildings clear of the sewer easement.</p>
<p><b>Galgate Flood Action Group</b></p>	<p><b>Objection</b> on the following grounds:</p> <ul style="list-style-type: none"> <li>• Proposal makes inadequate provision for flooding;</li> <li>• No protection is made for the protection (against flooding) for existing houses on Main Road and Salford Road;</li> <li>• No provision to upgrade the 60 year old flood defence walls on the River Conder;</li> <li>• The emerging Local Plan includes a zone for separation between the southern boundary of the Garden Village allocation and Galgate village. This means the development will join Galgate to south Lancaster.</li> </ul>
<p><b>Conservation Team (Lancaster City Council)</b></p>	<p>The Conservation Team initially raised several design concerns relating to the design of the barn conversion, its setting and the layout and design of the new dwellings and landscaping. The Conservation team recognise that there have been some improvements to the proposals, though some issues remain. These include:</p> <ul style="list-style-type: none"> <li>• excessive number of rooflights and their size,</li> <li>• window to the sliding door is a poor detail,</li> <li>• highway layout around the barn is overly standardised and adversely affects the setting of the historic buildings,</li> <li>• while recognising there has been marginal improvements to the layout, concerns remain over the excessive and inefficient use of detached dwellings, which are at odds with the largely terraced character of the village and,</li> <li>• landscaping would benefit from more tree planting as it seems quite sparse.</li> </ul> <p>Additional consultation has been undertaken based on the latest amendments submitted. No further comments have been received. A verbal update shall be provided if comments are received.</p>
<p><b>Historic Environment Team (Archaeology) Lancashire County Council</b></p>	<p>Comments received reminding the developers archaeological work conditions are imposed on the outline planning permission that need to be satisfied before development commences.</p>
<p><b>CLOUD (Citizens of Lancaster Opposed to Unnecessary Development)</b></p>	<p><b>Objection</b> on the following grounds:</p> <ul style="list-style-type: none"> <li>• After providing context to the decision-making process of the outline planning permission and having regard to emerging plans for South Lancaster, CLOUD raise concerns over the cumulative effects of development in advance of strategic plans being put in place to deliver appropriate infrastructure to support such development. The main concerns relate to the impacts of additional traffic on the existing, constrained highway network, the effects on climate change and the increased risk of flooding.</li> </ul>

	<ul style="list-style-type: none"> <li>• CLOUD provide detailed comments over some of the outcomes of the Environment Agency's recommendations to Ou Beck, Whitley Beck and the Conder following the November 2017 floods. They note concerns over the methods for calculating and designing SuDS in new development having particular regard to the effects of climate change.</li> <li>• Criticism over the effectiveness of the private management and maintenance of SuDS;</li> <li>• Concerns that pumping stations demonstrates the site is an unsafe site for development;</li> <li>• Developing more houses and roads in flood risk areas is unwise and will make existing situations significantly worse;</li> <li>• Existing drainages system unable to cope with expansion. This was clear during the flood event:</li> <li>• Insufficient school places to meet the demands of new development. Nearby schools are inaccessible by public transport therefore likely that traffic and air pollution would increase as a consequence.</li> <li>• Poor and unsafe pedestrian connections between the site and the local primary school – the provision of a signalised crossing would help pedestrians but would exacerbate air pollution in the village;</li> <li>• Impact on existing services, in particular the overloaded medical practice.</li> </ul>
<p><b>Waste and Recycling (W&amp;R)Team (Lancaster City Council)</b></p>	<p>The Waste and Recycling (W&amp;R) Team initially raised several concerns over the road layout and design. These have in-part been addressed although the latest position from the W&amp;R team maintain concerns over the road layout adjacent to plots 6, 22, 31 and 58 and request sept path analysis to demonstrate the roads can be used by large refuse vehicles.</p> <p>Additional consultation has been undertaken based on the latest amendments submitted. No further comments have been received. A verbal update shall be provided if comments are received.</p>
<p><b>Environmental Health Service</b></p>	<p>No comments</p>
<p><b>Network Rail</b></p>	<p><b>Holding Objection</b> for the following reasons:</p> <ul style="list-style-type: none"> <li>• Drainage proposals must be agreed with Network Rail and the Council must ensure suitable arrangements are in place for the future maintenance of the drainage systems</li> <li>• Network Rail to review and agree methods of construction in close (10m) proximity to railway.</li> <li>• Provision of a 1.8m palisade fence to the boundary of the railway land, all fencing on the applicant's land and 1m away from the railway boundary. Agreement will be required with Network Rail for any fencing along the boundary with railway.</li> </ul>

	<ul style="list-style-type: none"> <li>• Developer required to provide Risk Assessment and Method Statements to Network Rail.</li> <li>• Protection of the operational railway and liabilities during construction and once the development is operational.</li> <li>• 3m easement between buildings and structures and the railway land</li> <li>• Noise mitigation to be provided given proximity of the railway line.</li> <li>• No tree planting within the boundary of the railway land (with some exceptions).</li> <li>• Measures to prevent vehicle incursion onto the railway land.</li> <li>• A BAPA (Basic Asset protection Agreement) will be required from Network Rail.</li> </ul> <p>Following the submission of amended plans, Network Rail have not removed their holding objection and reiterated the need for a BAPA. No detailed comments have been provided in relation to the submitted layout, boundary treatments or landscaping.</p>
<b>Lancashire Constabulary</b>	<p>The following comments have been received:</p> <ul style="list-style-type: none"> <li>• Scheme to be designed to 'Secure by Design' Homes 2019;</li> <li>• Recommendations over the design of the brick/timber fence boundary treatments to avoid ledges which would aid climbing;</li> <li>• Open space must benefit from natural surveillance;</li> <li>• Equipped play area to be relocated closer to the new development;</li> <li>• Fencing alongside POS to be increased in height with defensible planting adjacent;</li> <li>• Rear alleyways to be avoided or fencing reduced in height with trellis tops and lit with locked gates;</li> <li>• Standard security measures to be incorporated into the building design (glazing, lock specifications and alarm systems);</li> <li>• Site to be secure during construction.</li> </ul>
<b>Lancashire Fire and Rescue Service</b>	Standard Advice received in connection with Part B5 of Building Regulations 'Access and facilities for the Fire Service'.
<b>Planning Policy</b>	<p>Comments received in relation to the housing mix for the affordable housing and the need for 1-bedroom rented homes.</p> <p><i>NB: since their initial comments, the Policy team are satisfied with the revised housing mix and affordable housing scheme (a matter for the s106).</i></p>
<b>Arboricultural Officer</b>	<p>Comments that the green infrastructure is squeezed into pockets of the site, and recommends the following (assuming the layout is agreed):</p> <ul style="list-style-type: none"> <li>• plant more standard trees within the existing hedgerow boundary with the A6 and if possible use larger growing species such as oak, sycamore, beech etc.</li> <li>• The northern boundary could also take some larger species rather than a group of birch and a group of field maple.</li> <li>• The internal layout means planting is restricted to lot of cherry, which would be good to change is space allows.</li> </ul>

4.2 At the time of compiling this report, **49** objections have been received. A summary of the reasons for opposition are as follows:

- **Principle matters** including: unnecessary development, loss of agricultural land; lack of demand for housing, land could be put to better use such as planting trees, lack of jobs to support increased population, lack of jobs likely to increase commuting needs (to the cost of the

environment, economy and health and well-being of the community), cumulative impacts of housing growth ahead of the emerging Local Plan, removes the zone of separation between Galgate and future growth in South Lancaster (Bailrigg Garden Village), concerns the scheme is being dealt with separately from the Garden Village.

- **Flood risk concerns** including: adequacy of the flood risk assessment, inappropriate location for housing as the site floods, exacerbates existing flooding problems in South Lancaster and Galgate, concerns about the drainage proposals including, lack of detail and uncertainty in the submission; whether SuDS will work on land susceptible to flooding; questions the evidence/data to be used to design a suitable SuDS scheme taking account of climate change; poor management of private SuDS likely to increase flood risk; effectiveness and purpose of a pumping station; existing sewerage system unable to cope with additional development, flood storage provision benefits the development only; the LPA should have regard to the Environment Agency's report of the November 2017 flood event; the proposals could compromise potential flood improvement plans.
- **Infrastructure concerns** highway impacts noting no further development in Galgate should be considered until Junction 33 is reconfigured, increase in traffic on already constrained highway network, access is unsafe, parking to be provided on site to alleviate congestion on the A6 including, insufficient infrastructure and services to support the development including, an inadequate drainage system; an oversubscribed primary school with little prospect of expansion, and; increased demand on local healthcare provision that is already over-stretched;
- **Amenity and Design concerns** including adverse impact on amenity (loss of privacy and daylight) and the health and well-being of existing residents; location of open space between a railway line and river is dangerous; location of open space inappropriate due to flooding, ground conditions and proximity to neighbouring dwellings; house designs are characterless and boring, landscaping insufficient to screen development; village identity will be lost, there is scope to provide more 'green features' and set a standard for future development in the Garden Village.
- **Other matters** including: concerns over the decision to grant outline planning permission despite the level of public objection and the implications of the Council's own Climate Emergency in assessing development proposals and decision-making, adverse impacts on Biodiversity (both flora and fauna) including, loss of habitat in particular hedgerows, wildlife corridors destroyed, increased pollution (air/dust/noise) exacerbating existing poor air quality and increase risk to health;

1 letter neither objecting or supporting the development raising the following points:

- The village is short of parking spaces, the proposed site offers an opportunity to provide a public car park given its within easy walking distance of local services. This would be a gesture to the community with the precise details of the car park and its operation and management to be agreed with the local authority.

## 5.0 Analysis

### 5.1 Procedural Matters

5.1.1 Reserved matters are those aspects of a proposed development that an applicant can choose not to submit at the outline stage. They are fundamentally details reserved for subsequent approval. Reserved matters applications are not applications seeking 'planning permission'. The grant of planning permission is established under the outline planning permission. Article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 defines reserved matters as access, appearance, landscaping, layout and scale. In this case, only access was applied for and considered as part of the outline planning permission.

5.1.2 The applicant has chosen to submit all the remaining reserved matters (appearance, layout, scale and landscaping) as part of this pending application. The submission of this application for reserved matters complies with condition 1 of the outline planning permission (and therefore section 92 of the Town and Country Planning Act 1990) in relation to the time limit within which an application for reserved matters approval can be made pursuant to the outline permission.

5.1.3 The local planning authority can only assess the details submitted relating to the 'reserved matters'. Matters relating to the principle of the development, such as the need for housing, traffic impacts, flood risk, loss of agricultural land, impacts on geodiversity and ecology are matters previously considered and accepted conditionally as part of the approval of outline planning permission. This does not mean that some aspects covered by the outline permission, such as landscape/townscape considerations will not be assessed as part of the consideration of reserved matters, but such will relate only to whether the proposed reserved matters enables or prejudices compliance with the outline permission. In short, consideration of the reserved matters is not an opportunity to re-examine the principle of the redevelopment of the site for residential development. This has been accepted by the grant of outline planning permission in February 2019.

5.2 The key considerations in the assessment of this application for reserved matters approval are:

- Design, landscape and open space considerations;
- Residential amenity considerations;
- Accessibility and parking considerations;
- Compliance with outline conditions and s106 planning obligation.

5.3 **Consideration 1 - Design, landscape and open space** (NPPF: Chapter 8 paragraphs 92 -94, 98-100 (Promoting healthy and safe communities), Chapter 11 (Making effective use of land) paragraphs 124-125, Chapter 12 (Achieving Well-Designed Places) paragraphs 124-136), Chapter 15 paragraph 174 (Conserving and Enhancing the Natural Environment and Chapter 16, paragraphs 197 and 203 (Conserving and enhancing the historic environment); Strategic Policies and Land Allocations (SPLA) DPD policy SG1 Lancaster South Broad Area of Growth; Development Management (DM) DPD policies DM29 (Key Design Principles) and DM27 (Open Space, Sports and Recreational Facilities), DM41 (Development affecting non-designated heritage assets), DM43 (Green Infrastructure), DM45 (Protection of Trees, Hedgerows and Woodland), DM46 (Development and Landscape Impact) and DM57 (Health and Well-Being).

### 5.3.1 Housing Design

The layout of the development has first and foremost been based on the developable area plan approved as part of the outline planning permission. This sought to limit the built development (the dwellings) to floodzone 1, with open space and recreational facilities within floodzones 2 and 3 to the south of the proposed dwellings. The layout to the development has also been designed around the approved access arrangements, including closing off the existing farmhouse access. The reserved matters detail also include the retention of the barn for conversion into two dwellings.

5.3.2 As the principle of residential development on this site is accepted, the main objective is to ensure the layout, scale, appearance and landscaping of the approved development is acceptable, constitutes high quality design and therefore accords with the Development Plan. Since the planning permission was granted, the new Development Plan has been adopted and the NPPF has been updated. Promoting good design and the creation of high quality beautiful and sustainable places is considered fundamental to what planning should achieve. These objectives are equally



reflected in the development plan policies centred around design and ensuring new development in in scale and keeping with landscape character and townscape settings.

- 5.3.3 When considering and subsequently granting the outline planning permission, it was recognised that the location where the dwellings would be located would appear slightly divorced from the main built-up part of the village. This is an inevitable consequence of the site's relationship to the river and the fact it straddles floodzones 1, 2 and 3. The gap between the existing built-up area and the proposed development will be transformed into a public area of open space. This will offer recreational facilities to existing and future residents and will provide enhanced green infrastructure in the centre of the village. Whilst the gap provides community and environmental benefits, it does not remove the fact the new buildings will appear disconnected from the village.
- 5.3.4 The existing built environment in the immediate vicinity of the application site is characterised by high-density, linear rows of terraced housing built in natural stone under slate. Properties here are predominantly two-storey with some taller buildings as they form bookends to the terraces. The building vernacular is relatively simple and understated. Common architectural features, which contribute to the character and beauty of the built environment, include chimneystacks, stone window surrounds, slate roofed canopies to ground floor windows/bays and traditional eaves details (exposed rafters to the roof). The roofscape is simple and generally undisturbed. This high-density development is primarily arranged around and alongside the highway network in the historic core of the settlement. However, lower density development (mainly detached and semi-detached/mews houses) is mainly located on the periphery of the village, such as the Laund's Field Persimmon Homes development, Story Homes development (off Stoney Lane) and most recently the new development off Chapel Lane.
- 5.3.5 Amongst other reasons, officers considered the initial proposal unacceptable because it failed to positively reflect or compliment the appearance and character of the existing settlement. Nor did the layout positively protect or enhance the non-designated heritage asset (NDHA) on the site. As such, Officers have been in negotiation with the applicant for some time to secure improvements to the layout and appearance of the proposed development. The most fundamental changes relate to the appearance and design of the housetypes, their general form and arrangement and the layout of the development around the retained barn (identified as a NDHA).
- 5.3.6 While there remain a high proportion of detached and semi-detached dwellings across the site, the applicant has now introduced several short rows of terraced dwellings and apartments, which positively reflect, and complement the existing character and appearance of the village. The fenestration has been amended to respond better to the local vernacular and the materials proposed consist of natural stone, slate roofs, brick and render. The use of brick within the development is judged acceptable (brick is not uncommon in the village; however, it is more reflective of the village's industrial heritage), provided brick samples positively complement the stone and render. The amended proposal ensures the dwellings fronting Main Road and the area of public open space are predominately stone. This will provide a visual connection to the existing settlement – despite the development's separation from existing properties. The amendments to the housetypes have been very positive. The proposed dwellings have been simplified (through the removal of dormer windows, gablet and gable features and the loss of three storey dwellings) and include many of the traditional architectural features found on existing buildings.
- 5.3.7 The types of housing proposed is varied reflecting housing needs and the local housing market. For a scheme of this scale, it would not be appropriate (from a housing needs perspective) to secure all the dwellings as terraced houses (to reflect the immediate built environment). A mix of housing types is necessary and inevitable. The challenge has been securing a suitable housing mix, which overall, positively reflects and compliments its surroundings. The initial proposals included a greater proportion of terraced dwellings fronting the A6 (but these were located north of the existing farmhouse and barn) and a greater proportion of detached dwellings along the western boundary and south of the existing farmhouse. A combination of townscape consideration, acoustic considerations, and highway concerns (to be discussed below) has led to a slight reduction of terraced properties fronting the A6 and a greater proportion located along the western boundary of the site. The slightly lower density development to the north also provides greater opportunity for landscaping to provide a suitable transition between the built-up part of the village and the surrounding countryside.

- 5.3.8 The barn conversion proposals have also undergone several changes during the determination of this application. The amendments relate mainly to the removal of an excessive number of overly large rooflights to the front roof slope, the window arrangements generally and alternations to the detached garage. This is now in the form of two simple car port structures set either side of the barn. The housing layout around the barn has also been improved to enable the setting of the barn to be better revealed (and enjoyed) from within the development itself and when viewed along the A6. The Conservation Officer's last set of comments were encouraging in relation to the barn conversion, despite their remaining some areas of concern over the use of detached dwellings, the highway layout around the barn and the quality of the landscaping. No formal comments have been provided on the latest plans; however, the main areas of concern would remain (housing mix/types).
- 5.3.9 Subject to conditions securing the precise details/specifications/samples of the elevation features/roof details/external surfacing treatments and materials, overall the proposed dwellings and the barn conversions are considered acceptable and compliant with the key design principles set out in policy DM29 and DM41.
- 5.3.10 Landscape and Open Space  
Good design is about the interaction of buildings and spaces around them. In this case, the open space and landscaping areas are notably separate from the housing area. This is an inevitable consequence of the floodzones that straddle the site. Notwithstanding this, the open space and landscaping to the south of the developable area is extensive and far exceeds (in area) what would be required for a development of this scale. The open space provides general amenity space, a circular footpath with connections to the A6 and to the southern boundary of the site (to the rear of Salford Road) if future connections later become feasible in this location (currently there is private land between the site and the adopted part of the highway) and play facilities. Landscaping is also proposed within the open space land.
- 5.3.11 The equipped natural play area / trim trail comprises a climbing frame, scramble net and boulder steps, pendulum swing, inclusive play equipment, stilts, a Willow den, balancing logs, stepping logs and slide. This type of equipment and its general arrangement will suitably cater for children and young persons (a requirement of the s106). Examples of the type of equipment proposed have been provided as part of the submission. The position of the main play area has been relocated further away from the river for safety reasons (during the determination period). While there remains some equipment closer to the river as part of the trim trail, this does not make the proposals unacceptable, particularly given such uses are considered water-compatible uses within the NPPG's flood risk vulnerability classification table. The equipment will be positioned a substantial distance from existing property (more than 20 metres from the rear garden boundaries of property Main Road to the play equipment) to prevent any unacceptable impacts on residential amenity. Planning policy recognises that access to good quality open space is a vital component to the delivery of sustainable and healthy places. Overall, the open space and play provision forming part of this application (and the associated requirements set out in the outline planning permission) exceeds policy requirements and will offer a bespoke, high quality area of open space for future residents of the development and the wider public to enjoy. The proposals fully accord with the NPPF and policies DM29 and DM27 of the Development Management DPD.
- 5.3.12 The landscaping of the southern section of the site is well-planned and comprises a good mix of planting typologies. This includes appropriate wetland planting in areas alongside the river with a mix of wildflowers wet grassland. This serves to provide an ecology buffer between the built development and recreational facilities and the river itself. Native mixed planting is proposed along the wooded embankment to the WCML with shrub and mixed grassland planting within the amenity areas and around the recreational facilities. Tree planting is not extensive in this area and requests have been made to enhance this, but overall, the level of planting and landscaping is acceptable and will complement the functionality of the proposed open space land. Landscaping within the developable area is largely restricted to street trees and ornamental planting to the front of houses. The development has been pulled away from the northern boundary to provide a new native hedgerow and planting along the street frontage to visually help soften the edge of the development when approaching the village. The hedgerow to the eastern boundary shall be protected and retained, with new planting alongside this to help bolster this landscape feature. Further planting is proposed around the pumping station to screen this essential infrastructure – recognising its position against the access is not ideal. The western woodland embankment (outside the application site) will be retained and within the open space land this will be enhanced. Collectively the proposals will

secure valuable green infrastructure and open space to the benefit of the local environment and to the health and well-being of the wider community. In this regard, the proposal is considered to accord with policies DM43, DM45 and DM46.

- 5.4 **Consideration 2 – Residential Amenity** (NPPF: Chapter 8 paragraph 91 (Promoting Healthy and Safe Communities), Chapter 12 (Achieving Well-Designed Places) paragraph, 130 and paragraphs 183 – 186 (Ground Conditions and Pollution). Strategic Policies and Land Allocations (SPLA) DPD policy SG1 Lancaster South Broad Area of Growth and EN7 (Air Quality Management Areas); Development Management (DM) DPD policies DM2 (Housing standards), DM29 (Key Design Principles), DM30 (Sustainable Design), DM31 (Air Quality Management and Pollution), DM32 (Contaminated Land) and DM57 (Health and Well-Being).)
- 5.4.1 National and local planning policy requires new development to provide a high standard of amenity for all. Policy DM29 specifically sets out key design principles to help achieve this, such as (not exclusive to) providing suitable interface distances between dwellings and securing adequate garden space. The layout, scale and orientation of dwellings has been amended during the determination period to remove initial concerns of overlooking and overbearingness (due to properties being too close together). The scheme largely meets the recommended interface distances of 12 metres and 21 metres (habitable windows to blank walls and habitable windows to habitable windows respectively) and all plots have acceptable garden space. There remain a few pinch points within the scheme where interface distances are not met, but this is limited to no more than eight plots. The plots affected are separated by the estate road with separation distances more than 17 metres but under 21 metres. Scope to increase the interface distances would comprise the garden depths to the plots backing the WCML, which was deemed a greater requirement. On balance, the slightly reduced interface distances for these eight plots would not result in serve impacts on future residential amenity to substantiate a refusal of reserved matters. Given the separation between the developable area and existing development along Main Road/Salford Road, the proposed dwellings will not impact existing residential amenity.
- 5.4.2 The principle of providing open space and recreational facilities in the southern section of the site (to the rear of properties on Main Road) has been established by the grant of outline planning permission. Whilst existing residents will experience a change in their outlook from previously agricultural land to amenity open space and play provision, the provision of such would not lead to significant adverse impacts on amenity. In terms of the play equipment, the main play area has now been located further away from existing properties (and the river). Some equipment is located off the circular path which runs along the back of Main Road, but these are not significant pieces and given the natural play theme, such featured will not be visually intrusive or result in a loss of privacy given the minimum 20 metres separation. There is also no direct physical connection between the open space land and existing residential property due to the river dissecting these land uses.
- 5.4.3 Given the proximity of the development to the WCML and the A6, necessary acoustic mitigation will be required. It is anticipated that the scheme for noise mitigation (required by condition of the outline planning permission) shall include a combination of measures, such as acoustic glazing and ventilation to achieve internal noise levels and layout and acoustic barriers to provide external noise levels within the external garden areas. The submitted Boundary Treatments plan proposes a 2.2m acoustic fence backing the rear gardens of the properties running alongside the WCML. This will not be a visually prominent feature given the orientation of the dwellings. Along the A6, there are two sections where solid stone walls at 1.8 metres high are proposed. Subject to the precise details of the stone walling, these will not be visually harmful. The existing hedgerow will to a certain extent also help screen these boundary walls. The layout could have been improved to address noise from the WCML (such as not having gardens directly backing onto the railway line), however, other considerations (such as highway design, residential amenity, townscape/design matters) have led to the current layout. Given mitigation options remain feasible (based on the outline noise report) the proposed layout would not be unacceptable and would not compromise future compliance with the outline planning permission. Thus, future residents would be protected from environment noise sources in the vicinity of the site.
- 5.4.4 Unlike when the outline planning permission was determined, planning policy now requires new housing development to meet the national described space standards (DM2). This is a matter initially raised with the applicant upon receipt of the application. Whilst most of the larger units meet the standards, the smaller units fall short. Unfortunately, having obtained legal advice from Counsel

on this matter, the local planning authority cannot impose these standards (or prescribe a specific housing mix) as part of the reserved matters application in the absence of planning conditions imposed to secure such on the planning permission (noting the reserved matters is not an application for planning permission).

5.5 **Consideration 3 – Accessibility and parking (NPPF: Chapter 9 paragraphs 104 -105, 107, 110-112 (Promoting Sustainable Transport) and Chapter 12 paragraphs 126 – 131, 134 and 135 (Achieving well-design places); Strategic Policies and Land Allocations (SPLA) DPD policies T2: Cycling and Walking Network and T4: Public Transport Corridors; Development Management (DM) DPD policies DM29: Key Design Principles, DM60: Enhancing Accessibility and Transport Linkages, DM61: Walking and Cycling and DM62: Vehicle Parking Provision.**

5.5.1 The proposed access was considered as part of the outline planning approval and therefore is not a matter to be re-examined as part of this application for reserved matters approval. The main considerations relate to highway safety, accessibility throughout the development and parking provision. The proposed layout has undergone several changes. These changes have been driven by feedback from the local highway authority and the Council's Waste and Recycling team concerning the estate road layout, its geometry and turning provision for emergency and refuse vehicles (as well as providing a safe environment for pedestrians). The revised scheme has now resolved earlier concerns (indicating the scheme has now been design to suitable adoptable standards) enabling the estate to be a safe and accessible place for all. There is good pedestrian connectivity between the development and the open space and onto the A6 and the proposed new bus layout. Overall, the development is considered compliance with the Framework and policies DM60 and DM61.

5.5.2 The proposed layout of the development, and particular housetypes (with garages) ensures adequate off-road parking is provided as part of the development. This is generally proposed as driveway parking. Some larger dwellings have larger driveways or detached/integrated garages to provide additional parking space. Given the sites highly sustainable location, the provision of one parking space for each of the one-bedroom apartments and two to three/four spaces for the larger dwellings is acceptable and conforms with policy DM62 of the DM DPD. A condition is required to ensure parking provision is provided and retained for such purpose.

5.5.1 The provision of electric charging points is a matter controlled under the outline planning permission and therefore is not relevant to assess at this stage. The provision of cycle parking is a requirement of the Travel Plan condition (also pursuant to the outline planning permission). No details have been provided at this stage but it is anticipated that such provision can be suitably catered for within each residential plot. As both matters are controlled by the outline planning permission, no further assessment is required as part of the reserved matters.

5.6 **Consideration 4 – Compliance with outline planning permission and s106 planning obligation.**

5.6.1 The outline planning permission requires the development to be restricted to the Developable Area Plan approved as part of the outline (condition 2). This essentially limits the new dwellings to floodzone 1 only. The submitted layout accords with this requirement. The layout has been designed around the approved access (although precise details of the access and off-site highway works are controlled by condition on the outline planning permission. Officers are satisfied that schemes for noise mitigation and ecology mitigation (both required by condition on the outline planning permission) are capable of being achieved based on the reserved matters details being sought as part of this application. The layout of the development will not prejudice the requirements to secure a scheme for the provision of electric charging points and cycle provision for each dwelling, nor the requirements for the outline conditions pertaining to tree protection, site levels, site investigations and archaeological investigations. Furthermore, the delivery of the barn conversion (as part of the whole development) can be controlled as part of the phasing plan condition pursuant to the outline consent. This leaves the matter of site drainage. The outline planning permission requires details of a surface water drainage scheme to be submitted and satisfied before development commences. To assist in the determination of the reserved matters application (i.e. to ensure the layout would not compromise the ability to secure a suitable surface water drainage scheme), the applicant has submitted their drainage strategy. This has not been scrutinised as part of the reserved matters application – as it is not a reserved matter. The strategy recognises that attenuating surface water

in the southern section of the site (the open space land) is unlikely to be feasible, as this land would be inundated with flood water in extreme events. This means that attenuation will be required within the developable area. Due to competing requirements in the developable area (not least making an efficient use of the land for housing), it is highly probable that attenuation will need to be catered for within the highway. The drainage strategy drawings indicate this could be a combination of oversized pipes and attenuation tanks/storage in parking court areas. Surface water would then be discharged at a controlled greenfield rate (yet to be determined) to the adjacent watercourse. At this stage, the evidence presented offers a feasible drainage proposal and as such, there are no grounds to suggest the amended layout would compromise the ability to comply with the outline drainage condition.

5.6.2 With regard to the S106, a summary of the main terms are set out below, together with commentary regarding compliance (where relevant):

- *Prior to or as part of the first Reserved Matters Application, an Affordable Housing Scheme shall be submitted to the Council for approval and development shall not commence until the AHS has been approved in writing by the Council.*

Following amendments to the scheme, an AHS has been submitted which comprises 31% of the total number of dwelling units (21 dwellings). These are well distributed across the scheme and include 10 affordable rented units and 11 shared ownership units. The submitted scheme is acceptable and accords with planning policy and the terms of the agreement.

- *Prior to the submission of the first Reserved Matters Application, a scheme for the provision of the Education Contribution must be submitted to and approved by Lancashire County Council (as the Education Authority).*
- The applicant has obtained an updated Education Assessment from the County Council which confirms (based on the amended proposal) a requirement for a contribution of £284,749.32 towards the provision of 17 primary school places (Ellel St Johns Primary School or Cockerham Primary School); and a contribution of £161,432.25 towards the provision of 7 secondary school places (Lancaster Central or Our Lady's Catholic College). The applicant has submitted a scheme to the County Council for approval including these contribution figures, plus details of payment triggers. The s106 required this scheme to be agreed prior to the submission of Reserved Matters. This is impractical as the scheme has been amended, which would affect the Education Scheme. The County Council were satisfied to undertake the assessment once the layout had been agreed. Final agreement of the Education Scheme remains outstanding. This does not affect the determination of the reserved matters application – rather becomes a matter to be pursued under the s106 (in terms of compliance).
- *The Public Open Space (POS) contribution to be calculated at Reserved Matters stage.*
- Based on the amended layout/bedroom mix, the POS contribution equates to £80,272.95. This contribution shall be spent on improvements to the recreational grounds (cricket/football pitches and/or a MUGA) at the village hall in accordance with the terms of the agreement. The applicant has not yet confirmed agreement to this figure. A verbal update will be provided but nonetheless, this would not prohibit determination of this reserved matter application.
- *Prior to or as part of any Reserved Matters Application, to submit to the Council for approval details (as part of an approved site layout plan) of play facilities (children and Young Person play) and open space land (landscaping). An Open Space Management Scheme to be provided to the Council for approval before the commencement of development.*

The amended site layout plan provides for a natural children's/young persons' play area/trim trail, significant areas of amenity space and landscaping. Recognising there have been previous concerns raised by the Planning Committee over the proximity and use of flood risk

areas for POS, the latest amendments seek to reposition the children's play facilities further away from the river. This has been discussed in the earlier section of the report.

## **5.7 Other Matters**

- 5.7.1 The submitted application has given rise to significant public objection to the scheme. As set out in the consultation section of this report, the majority of concerns relate to matters of principle. Whilst the concerns remain valid material considerations, the acceptance of the redevelopment of the site for housing and open space has been established by the grant of outline planning permission. During the course of the determination process, concerns over design and landscaping have evolve and improved to hopefully address some public concern over the character and identity of the village.
- 5.7.2 Network Rail have imposed a holding objection relating to matters largely controlled by conditions on the outline planning permission and/or the need for the developer to enter into Basic Asset Protection Agreement (BAPA) with Network Rail (a separate process from planning). Officers are trying to establish whether there are any elements of the layout before us that cause concern at this stage. A verbal update will be provided in relation to this matter.
- 5.7.3 The submitted landscaping plans mark up a potential area/proposal being investigated by the Environment Agency as part of potential plans to review and improve the existing flood defences alongside the site. This application has not assessed the merits of these plans. The purpose for the inclusion of the bund on the landscaping plan is to demonstrate that the proposals will not prejudice potential flood defence works should they come to fruition.

## **6.0 Conclusion and Planning Balance**

- 6.1 The layout, scale, appearance and landscaping (the reserved matters) of the proposed residential development and associated open space and landscaping, satisfactory addresses the requirements of the Framework and policies of the development plan. Despite there being a noticeable gap between the existing built environment and the proposed development, the proposal (in its amended form) is considered a well-planned proposal that constitutes high-quality design positively complementing the existing build form and settlement pattern of the village. The open space proposals are extensive, bespoke and offer an exciting natural play offer for the development and the wider community. This also provides a functional and attractive space that will create a degree of environmental and social cohesion between existing and new development in the village. Furthermore, despite some shortcomings the development overall will provide acceptable standards of amenity for all and will not compromise the residential amenity of exiting residents. The layout and design of the development is also considered safe (for all users) from a highway perspective with adequate off-street parking provided as part of the proposals. To ensure the development remains compliance with the Development Plan several conditions are required including the removal of permitted development rights. It is recognised that the removal of permitted development rights should only be used in exceptional circumstances to demonstrate the tests of necessity are met. In this case, the effects of domestic permitted development and some minor operations would lead to potential adverse townscape and residential amenity impacts which would result in a conflict with the Development Plan. The conditions listed below have been accepted by the applicant and are considered to meet the relevant tests set out in paragraph 56 of the NPPF. Finally, the applicant has demonstrated that the proposals would not conflict with the outline planning permission and its associated legal agreement. For the reasons set out above, it is recommended that the reserved matters details submitted are conditioned granted approval.

## **Recommendation**

That Reserved Matters Consent BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Time limit	Control
2	Approved plans list	Control
3	Parking provision plan	Pre-commencement

4	Precise details and samples of materials to be submitted for approval for elevations, external treatments and boundaries.	Before commencement of development above slab level
5	Precise details of architectural features (eaves/fascia's, windows/doors inc. reveals).	Before commencement of development above slab level
6	Precise details for windows, doors, rooflights to barn conversion).	Before commencement of works to development of barn conversion
7	Details of bin storage for apartments	Before commencement of development above slab level
8	Precise details of all play equipment, street furniture and paths to Open Space to be provided in accordance with the POS plans	Before any works to the open space land or first occupation
9	Landscaping maintenance plan	Before implementation of the landscaping or before first occupation
10	Landscaping scheme to be implemented	Control
11	Removal of PD (Parts 1, A – G, Parts 2, A and C)	Control

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

Officers have made this 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 decision 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 officer 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