

<b>Agenda Item</b>	A7
<b>Application Number</b>	21/00799/REM
<b>Proposal</b>	Reserved matters application for the erection of 9 dwellings
<b>Application site</b>	Land At Higher Bond Gate Abbeystead Road Dolphinholme Lancaster
<b>Applicant</b>	c/o
<b>Agent</b>	Mr Paul Tunstall
<b>Case Officer</b>	Mr Stuart Hammond
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Approval of application (subject to counterpart conditions 21/00798/REM)

## 1.0 Application Site and Setting

- 1.1 The application relates to land of Abbeystead Road in Higher Bond Gate, Dolphinholme. The site has outline consent via permission 17/00970/OUT approved in December 2018.
- 1.2 Adjacent the site is further site with outline consent application 18/01106/OUT approved on appeal in November 2019. 17/00970/OUT and 18/01106/OUT have overlapping redlines and as obligated by the appeal decision (18/01106/OUT), the reserved matters applications must come forward together so that they represent a comprehensive development of the site. Consequently, two reserved matters applications were submitted at the same time for both sites. Application 21/00799/REM (this application) is made pursuant 17/00970/OUT and application 21/00798/REM pursuant to 18/01106/OUT.
- 1.3 The determination of this application has been undertaken alongside application 21/00799/REM. More information about the relationship, proposal and site history is provided below, however this report considers the applications together, but outlining specific detail of each to members and making separate recommendations and conditions.
- 1.4 Both sites are located to north-eastern fringe of the village of Dolphinholme, a small village located approximately 11 km to the south of Lancaster city centre. The village itself lies to the west of the Forest of Bowland Area of Outstanding National Beauty (AONB).
- 1.5 Application site 21/00798/REM relates to a c.1.3 hectare parcel of land that is bound by Abbeystead Road to the south, open fields to the north and Brookside Drive to the west with residential properties beyond this. Immediately to the east lies application site 21/00799/REM relates to a c.0.6 hectare parcel of land, bound as above and to the east by open fields.
- 1.6 Together the site falls to the south being approximately 102 metres above ordnance datum (AOD) in the north west corner of the site falling to 89 metres AOD to the south of the site where the proposed access is to be located. There is a shallow valley that runs from north to south, roughly in the middle of both sites.

- 1.7 Forming the southern and western boundaries are hedgerows. There are isolated trees that run along the western boundary of the site. The site is relatively unconstrained, though it is within an area that is susceptible to groundwater flooding. There is a beck beyond to the west adjacent to the redline.
- 1.8 A Tree Preservation Order (TPO no.574, 2016) covers several trees that exist within the site (notably along the boundaries). Lower Starbank Farm is Grade II Listed and is located c150 metres to the north of the development proposal, and Castle Hill motte scheduled monument is situated c180m to the south. A watercourse is located on the western boundary of the site and Footpath 39 is located to the south of Abbeystead Road (20 metres away) and Footpath number 43 is 175 metres to the north. The proposed development is approximately 350 metres to the north-west of Dolphinholme Conservation Area.

## 2.0 Proposal

- 2.1 As discussed, the applications relate to two adjacent overlapping outline permissions.
- 2.2 Application reference 17/00970/OUT proposed the erection of 18 dwellings with the means of access and all other matters reserved. Application 18/01106/OUT sought a further 9 dwellings, with all matters reserved, and was initially refused on 12th October 2018, but subsequently allowed on appeal on 14th November 2019. Taken together, they confer outline consent for the principle of residential development for up to 27 units with a common vehicular and pedestrian access from Abbeystead Road. Both applications provide layouts within their respective red edges, taking into account the element of overlap and reflect each other's layouts.
- 2.3 This application 21/00799/REM includes plots 12A, 14, and 20-26, and application 21/00798/REM is the larger of the two and includes 18 dwellings, (plots nos. 1-12, 15-19 and 27). See figures 1, 2 & 3 in appendix A for a visual example of how the proposals relate.
- 2.4 When both plans are considered together, they illustrate a coherent development of 27 dwellings across both application sites.
- 2.5 The overall dwelling mix (which was not secured at outline stage) is as follows:

Type	Beds	No	% of overall
Mews	2	5	18.5%
Semi Detached	3	6	22%
Detached	4	8	30%
Detached	5	8	30%
<b>Total</b>	-	<b>27</b>	<b>100%</b>

Tenure	No	% of overall
Market	16	59
Intermediate	6	22%
Affordable	5	19%
<b>Total</b>	<b>27</b>	<b>100%</b>

- 2.6 Overall, both proposals will deliver a mix of house types and 41% affordable housing by unit. Affordable units will be focussed towards smaller typologies reflecting need in the area. The house types are all two storey in height and will comprise vernacular materials. Boundary treatments for the majority and specially on the edges will be soft as per existing and landscaped. The layout enables the connection of Footpath 39 with Footpath number 43 with a new footway.
- 2.7 Sustainable drainage measures are proposed, including a swale/basin at the site entrance of the site, and connection into an existing drainage network present on site which runs south under Abbeystead Road to the adjacent beck downstream.

### 3.0 Site History

3.1 A number of relevant applications relating to this site have previously been received by the Local Planning Authority. These include:

Application Number	Proposal	Decision
21/00799/REM	Reserved matters application for erection of nine dwellings	Pending
21/00798/REM	Reserved matters application for the erection of 18 dwellings	Pending
20/01049/PRETWO	Pre-application advice for erection of 27 dwellings	Advice Provided
18/01106/OUT	Outline application for the development of 9 residential dwellings with associated access, public open space and associated infrastructure	Refused (allowed on Appeal)
17/00970/OUT	Outline application for the development of 18 residential dwellings with associated access	Approved
17/00498/PREONE	Pre-application advice for the erection of 24 residential units	Advice Provided
16/01599/OUT	Outline application for the erection of up to 49 dwellings, 1 shop unit (A1) and the provision of an underground foul pumping station with creation of a new vehicular access point, public footpath and associated landscaping	Refused
16/00041/OUT	Outline application for the erection of 68 dwellings with creation of a new access	Withdrawn prior to determination
15/00907/PREONE	Pre-application Advice	Advice Provided

### 4.0 Consultation Responses

4.1 The first round of consultation commenced with letters sent on the 6 August 2021 until 08 September 2021 given the allowance provided on the site notice.

4.2 A further round of consultation was triggered by the submission of further information by the applicant to address concerns. The second round commenced on the 7<sup>th</sup> February 2022 and was extended until March 1st 2022. That being said comments, have been received after this date which have been considered and will continue to do so until committee. A verbal update will be given if necessary.

4.3 The following responses have been received from statutory and non-statutory consultees to date:

Consultee	Response
NHS	<b>No objection</b> – Subject to securing £10, 795 which reflects the population yield of both 21/00799 & 21/00798 and will support extension and reconfiguration at Galgate Health Centre.
Natural England	<b>No comment</b>
Conservation Officer	<b>No comment</b>
Local Lead Flood Authority	<b>No objection</b> – Subject to following conditions and previous outline conditions: Construction Surface Water Management Plan Verification Report of Constructed Sustainable Drainage System
County Highways	<b>No objection</b> – Subject to following conditions: Management details of road network

<b>Strategic Housing Officer</b>	<p><b>No objection –</b>  Comments: Dolphinholme is not sustainable settlement so housing should meet local need. SHMA identified need for affordable homes in Ellel sub area is predominantly for smaller units – 1, 2 &amp; 3 beds. For market housing 2 and 3 beds are most in need. RP justification would be accepted as justification for need.</p> <p>Application is supported by recognised RP seeking to take on the affordable housing proposed given the demand they experience.</p> <p>The proposal reflects maximum viable amount of affordable housing, in a mix and tenure that is considered to meet the local identified affordable housing need given support from RPs which is in line with housing policies.</p> <p>It is accepted the open market housing is not directly met by the proposal, but amending the mix would undermine the delivery of smaller affordable units and this has been tested by the external viability consultant.</p> <p>Overall therefore given affordable housing meets the identified need and outline obligation and this is enabled by the market housing the offer is accepted on balance.</p>
<b>Tree Protection Officer</b>	<p><b>No objection –</b>  Comments: seeks updated AIA and management of canopies.</p>
<b>Fire Safety Officer</b>	<p><b>No objection –</b>  Comments: highlights approved building regulation approved documents in relation to fire.</p>
<b>Lancashire Constabulary</b>	<p><b>No observations received</b></p>
<b>Planning Policy Team</b>	<p><b>No observations received</b></p>
<b>Lancashire Archaeological Advisory Services</b>	<p><b>No objection –</b>  Comments: that original outline applications did not trigger need to condition/consider given proposal/location.</p>
<b>United Utilities</b>	<p><b>No objection –</b>  Comments: recommend conditions associated water drainage subsequent maintenance.</p>
<b>Greater Manchester Ecology Unit</b>	<p><b>No objection –</b>  Comments: Seeks bird and bat boxes and submitted CEMP to be secured and implemented.</p>
<b>Environmental Health Officer</b>	<p><b>No objection –</b>  Subject to following conditions:  Standard air quality measures as per the Low Emissions and Air Quality PAN  Electric vehicle parking for each dwelling  CEMP further to that submitted outlining details on dust emissions</p>
<b>Dolphinholme Residents Association (DRA)</b>	<p><b>Objection –</b>  Affordable Housing – not in-line with outline S106 of 40% by unit</p> <p>Officer Response – the application now meets the obligation.</p> <p>Materiality – use of artificial stone, slate and white UPVC</p> <p>Energy and Climate Emergency – reduction of 3.6% against Part L, lack of electric charging points</p> <p>Transport infrastructure and off-site highway works</p>

	<p>Suggestion of controlling construction traffic and agricultural traffic in the area during specific times</p> <p>FRA, Surface Water Drainage and Foul Water Drainage is not adequately addressed as per outline conditions</p> <p>External Lighting – area seeks to minimise light pollution.</p>
<b>Waste and Servicing</b>	<p><b>No Objection -</b> Subject to following conditions: Collection points provided for dwellings</p>
<b>Ellel Parish Council</b>	<p><b>Objection –</b> 27 Homes is too large, mix and style not in keeping with rural area</p> <p>Risk of flooding</p> <p>Local infrastructure at capacity</p> <p>Local highway network at capacity</p> <p>Lack of bus service</p>

4.4 At the time of drafting this report there has been 52 letters of objection received in relation to the application based the grounds below:

- **Layout and Design** – Development is too close to existing residential development, layout suggests further extension of development;
- **Heritage** – Impact to Conservation Area and archaeological assets;
- **Landscaping** – Impact to existing trees and hedgerows;
- **Highways** – including increase in traffic in the village and on minor roads; poor visibility a site’s junction; safety around the school at peak times and a general lack of footways;
- **Drainage and flooding issues** – including concerns regarding waste-water management and existing flooding from the brook adjacent to the site;
- **Ecology** – loss of greenfield land, impact to ecological value of site and local wildlife
- Insufficient/incorrect information submitted with application

## 5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- Extant outline permissions;
- Housing Mix;
- Design and Layout;
- Drainage Matters;
- Ecology;
- Open Space;
- Education;
- Heritage;
- Energy and Sustainability;
- Highways;
- Waste and Servicing;
- Consultation Comments

## 5.2 Extant outline permissions (NPPG Paragraph 005 & 006)

5.2.1 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.

### **5.3 Housing Mix (SPLA policy H6; DM DPD Policy DM1; NPPF section 5)**

5.3.1 The housing mix proposed would provide 40% affordable housing as required by the outline permission. The identified housing need in Ellel is smaller affordable units and 2/3 bed market units. Whilst the mix favours larger houses, these are the market dwellings and overall the mix provides affordable homes in line with need. The offer has been tested and found to be the maximum viable amount, with the market dwellings supporting the affordable offer. Consequently, it is accepted that the open market need is not directly met by the proposal but amending the mix would undermine the delivery of smaller affordable units and this has been tested by the external viability consultant. Furthermore, the mix has been informed by discussion with Strategic Housing Team who do not object and interest has been shown by Registered Providers.

5.3.2 Overall, given affordable housing proposed meets the outline obligation and identified affordable need, to which greater weight is given in this instance, the offer is accepted on balance.

### **5.4 Design and Layout (SPLA policy H6; DM DPD Policies DM2, DM27, DM29, DM30, DM 45, DM46; NPPF sections 2, 5, 11, 12 and 15)**

5.4.1 Consideration has been given to the applicants Landscape Visual Impact Assessment (LVIA), revised site layout plan, revised housing details and landscaping and materials information.

5.4.2 The proposed layout follows that indicated at outline stage. It is considered to follow existing characteristics of the village as noted by the previous officer in their report in so far as a linear scheme with access that largely runs perpendicular from the Abbeystead Road. The combined sites have a total area of c. 2hectares over which 27 dwellings will be provided, giving a density of less than 15 dwellings per hectare, which is considered to be acceptable in the context of densities found in the village. At the access point development is set back away from the road which is welcome as it is considered to better reflect the edge of village density and decreasing ribbon development as one leaves the village. Internally, units on the eastern side have been reorientated north south so that they address the internal road and views into the site from Abbeystead Road.

5.4.3 There are a range of house designs and materiality that comprise to create Dolphinholme's character. The typologies proposed include terrace, semi-detached and detached, of two storeys. Officers have worked with the applicant to revise and simplify their materials palette and house design. The principal materials are now a reconstituted rough stone and thin leading edge slate like tile. These materials are now considered to better reflect that expected Lancaster rural areas and adjacent to the AONB. The further details such as window frames, downpipes and hard landscaping will be conditioned. In terms of space standards, all units would now meet the national, and 5 units (19%) would be M4(2) compliant.

5.4.4 Considerable hedge- and tree-planting will be provided around the boundaries of the site with heavy standard trees including lime, field maple, wild cherry and common oak to ensure an appropriate native mix and appearance, which will soften and partly obscure views into the site from the east. In terms of landscaping these elements are welcome in that they are considered to soften and screen development, in addition there are biodiversity and ecology benefits discussed below. The details, planting and maintenance of the landscaping will be conditioned to ensure the quality and quantum expected by Officers. Whilst policy seeks 20% it can be applied flexibly and managing drainage is a consideration set out in DM2. On this point, it is accepted that the outline did not seek or apply a condition for 20%, the proposal is only slightly below the standard of policy and managing the drainage on this site is given greater weight in applying this policy.

5.4.5 Given levels and existing development, longer distance views of the site are predominantly from the east, from the Forest of Bowland AONB which is approximately 1.15 kilometers east of the

site. Due to the low density, soft boundary treatments and proposed materiality, the impact on the AONB is considered to be slight. Overall, in-line with the inspector to 18/01106/OUT, the impact is considered to be offset by the delivery of housing given the current lack of supply.

- 5.4.6 With regards to the existing bungalow immediately east, the layout proposed is an improvement against that indicated in the approved application in that distances between dwellings have been increased to c.18m. There is no direct overlooking between habitable windows due to orientation. Separation distances could be increased however, the balance must be struck between this and housing delivery, and in this instance planting at the rear gardens of plots 1, 3, 4 and 5 which will be conditioned can suitably manage this matter. In terms of properties on Brookside Drive, the highway itself, a planting buffer and large gardens remain between the dwellings which would satisfy policy requirements for separation distances. Due to orientation, planting and distances the layout is not considered to give rise to any unacceptable overlooking or overt intrusion to privacy.
- 5.4.7 There has been concern raised that the applicant's intentions have been to develop the whole entire field and the layout proposed enables this. Officers have to base each application on their own merits and therefore whilst Officers understand the concerns raised, should this scheme be supported and a future scheme come forward then Officers would have to assess that application on its own merits, including the cumulative impacts.
- 5.4.8 Overall, the layout and design are considered to reflect key considerations of the approval at outline stage. The design and materiality is now considered acceptable, and there is sufficient soft landscaping to manage the impact of the development in terms of views. The layout in terms of relationship with immediate neighbours would not lead to unacceptable impacts for the reasons above. On this basis, the application is considered to be in-line with design policies DM29 and DM30 of the DM DPD.
- 5.5 **Drainage Matters (SPLA DPD Policies H6 and SP8; DMDPD policies DM33, DM34, DM35; Strategic Flood Risk Assessment (October 2017); Surface Water Drainage, Flood Risk Management and Watercourses Planning Advisory Note (PAN) (2015); NPPF sections 14)**
- 5.5.1 Flooding and both surface and foul drainage were considered for both outline applications, and they were approved on the basis that such could be suitably managed if attached conditions setting standards were met.
- 5.5.2 As set out both sites are susceptible to groundwater flooding, as are surrounding sites. Adjacent neighbours, local residents and Dolphinholme Residents Association have made it clear to Officers in consultation their grave concerns regarding flooding and drainage infrastructure, which extends to foul water, in the village.
- 5.5.3 Officers are aligned with local residents that the development of this site should not exacerbate flood risk elsewhere. Officers have been liaising with the LLFA and sought the comments of the EA. The EA did not comment. In response to initial concerns raised by the LLFA on this matter the applicant has provided further information on surface water systems proposed in support of the application.
- 5.5.4 The proposed drainage strategy is to drain the site to an attenuation basin located at the south of the site at a naturally low point near the site entrance which will have the capacity of 296m<sup>3</sup> to cater for the 100-year storm event plus allowance for climate change, which is considered a worst-case scenario. This is then attenuated in the basin and discharged at a rate reflecting existing run off rates into an existing 225mm culvert on site which drains into the beck running to the west of the site but further downstream off site and on the land of Higher Bond Gate Farm immediately south of the site.
- 5.5.5 The applicant has undertaken a CCTV survey of the culvert at the request of the LLFA to ensure that the drainage solution proposed is firstly capable of being utilised for this development, and secondly to ensure that connection would not cause flooding issues elsewhere. Whilst the applicant has provided the CCTV survey of the condition of the existing culvert there is still some concern given the state of the culvert and how the drainage scheme would connect to the culvert and how the spare capacity of the culvert has been established.

- 5.5.6 The final position of the LLFA is no objection subject to all outline conditions relating surface water being discharged. No new conditions can be imposed as part of this reserved matters application as this is catered for as part of the outline application. Whilst it would be prudent to include a Grampian condition to upgrade the culvert to reflect the expected lifetime of the development as well as the specific details of the connection, legally this cannot be done, although would expect it to be a feature of the discharge of condition process on the outline.
- 5.5.7 Overall, the developer has no obligation to fix off site flooding issues, they just can't make them worse under the NPPF and Local Plan policy. By attenuating the water in the basin and discharging at a rate that matches the pre-development runoff rate they are mimicking the pre-development conditions, subsequently no change in any flood risks downstream. By this definition, there is no change from current conditions. If there are issues with the beck downstream, it will be the responsibility of the adjacent riparian landowners to maintain the section of watercourse on their land as per existing legislation on the matter. Such management is considered beyond planning powers to remedy or control in perpetuity.
- 5.5.8 There has also been concern raised by the local community regarding foul water drainage. There is an existing condition which controls the foul drainage details which will have to be discharged to implement the outline. The applicant proposes to utilise a foul pumping station (located close to the site entrance) to adoptable standards of United Utilities and connect to existing infrastructure. Neither the EA, or United Utilities have objected to the proposed development. On this basis, and given the condition attached to the outline there is nothing before Officers to conclude that the site cannot be drained of foul water.
- 5.5.9 For the above reasons, it is considered that the proposal does conform to Policy DM33 and DM34 of the Development Management DPD and therefore whilst the concerns of local residents are noted it is considered that the scheme, subject to conditions, can be drained, and that flooding will not increase elsewhere in the event of the approval of this scheme.
- 5.6 **Ecology and Trees** (NPPF: section 15; SPLA DPD policy H6; DMDPD policies DM44 and DM45)
- 5.6.1 The existing site is open farmland which is considered to provide limited biodiversity value. Concern has been raised given the loss of the farmland in terms of impact on ecology and birds.
- 5.6.2 The outline application accepted the loss of the farmland and impact on birds, on the basis of suitable conditions reflecting the conclusions of a habitat survey to mitigate impact. The site has remained largely as it was when consents were granted. On this basis, to mitigate the loss of farmland and impact to habitat, conditions requiring the protection of the western boundary stream from pollution during the operational and construction phase, sensitive lighting is utilised, together with enhancing habitats for roosting bats and nesting birds and removing vegetation outside of roosting seasons, will again be added.
- 5.6.3 As part of these applications, further detail has been set out as to how such enhancements can be secured as well as bat and bird boxes and the details of planting and soft landscaping across the site which is considered to increase biodiversity. Natural England did not comment, and Greater Manchester Ecology Unit do not object subject to conditions, which reflect those matters conditioned at outline stage. In response to local concerns regarding the quality of information, no such comment has been made by the statutory consultees.
- 5.6.4 The Arboricultural officer has sought specific amendments to tree planting which the applicant should consider when satisfying the landscaping condition. It is also requested that the management of canopies to T6 and T7 are captured in the environment management plan required by condition.
- 5.6.5 Overall, given the conditions to mitigate and manage impact, and secure enhancements to biodiversity it is therefore considered that the development complies with Policy DM29 of the Development Management DPD.
- 5.7 **Open Space** (DM DPD Policies DM27; Appendix D; PAN04 – Open Space Provision in New



## Residential Development Planning Advisory Note)

5.7.1 As per Appendix D of the DM DPD the quantum of units triggers the requirement for on site amenity greenspace. The guidance for suitable spaces is set out in the LPA planning advisory note on the matter. The general yardstick is if the space is suitable for a 'kick about'.

5.7.2 The delivery of and management of open space is controlled via the legal agreements supporting the extant outline permissions, in so far as it requires such to be provided to reflect the

There is on site provision of open space around the attenuation swale and a larger grassed area of Public Open Space is also provided between Plots 26 and 27, adjacent to the eastern boundary akin to a 'pocket park' more centrally located which is preferred.

The sum total across the site is c.560sqm in total, and this is deemed to meet the required amount of public open space, as per Appendix D of the DM DPD. The applicant has set out that it will be managed and maintained, and this will be conditioned, and overall this is deemed sufficient.

5.7.3 Beyond the onsite provision the public realm officer has set out a requirement for £89,397.75. This is to respond to the KKP Playing Pitch and Outdoor Sport Strategy and Action Plan (2018) which shows the existing tennis court needs to be improved to encourage use, and the Bowling Green needs sustaining to support existing uses levels. Furthermore, the existing parish council play area is substandard for several reasons as per an assessment in 2021. Consequently, the sum is broken down as follows with the identified works set out:

- Outdoor sports provision calculation £33,747.75: towards the Parish Councils tennis court and bowling green
- Childs Play and Young Persons Provision calculation £55, 650: towards the Parish Councils Play Area

5.7.4 To ensure that these contributions meet the legal tests required of contributions it will be stipulated that unless they can be spent within 5 years, the sums will be repaid to the developer.

5.7.5 Overall, whilst it is considered that on site provision could be improved by providing a single space, the units are served by generous gardens which would primarily cater for play and amenity, the total sum required is provided, the space will be maintained and will enable a 'kick about'. In addition, the development will support facilities which are currently in poor state to support the wider community.

## 5.8 Education Matters (DM DPD Policies DM56; DM57)

5.8.1 On education matters, the extant legal obligations require both sites to provide contributions to offset their impact on education. The obligations require the sum to be informed by the approved mix of units at reserved matters which is now known and will inform this obligation.

5.8.2 Given the obligations wording there is sufficient provision for mitigation of this matter. On this basis, it is considered that the development can meet the requirements of Policy DM48 of the Development Management DPD.

## 5.9 Heritage Assets (NPPF: Section 12, Section 16; SPLA DPD Policy SP7; DM DPD Policy DM38; DM39)

5.9.1 The proposed development is approximately 150 metres to the south of Lower Starbank Farm which is a Grade II Listed building, and about 180m to the north of Castle Hill motte scheduled monument. After reviewing the scheme, no comments have been provided by the LPA's Conservation team, however Officers are satisfied given the distances Given the (and in the case of the motte, the topography) and proposed layout and design the development would not give rise to unacceptable impacts on heritage assets. Lancashire Archaeological Advisory Service (LAAS) raises no objection to the scheme.

5.9.2 Overall, having regard to Section 66 of the Planning (Listed Building and Conservation Area) Act 1990, and policies Policy DM32 of the DM DPD the proposal would not give rise to unacceptable impacts on heritage assets.

5.10 **Energy and Sustainability (DMDPD policy DM29; DM30)**

5.10.1 Information regarding how the application will address energy and sustainability matters has been provided in support of the application. Local Plan policy does not set a standard for reduction merely that opportunities are seized. To reduce energy demand on site from the dwellings a number of strategies are proposed inline with the fabric first approach:

- Building fabric improvements
- Fabric air tightness
- Low energy lighting
- Heating systems and controls
- Limiting thermal bridge heat loss
- Renewable Technology Feasibility
- Passive solar

5.10.2 The following standards set out in the report Energy Statement dated 13<sup>th</sup> May 2021 by Code Connect will be conditioned to ensure that the benefits identified will be realised. These are:

- all dwellings will achieve a maximum result of 7.0m<sup>3</sup> hm<sup>2</sup>
- install 100% of light outlets of low energy lighting as per Part L 2013
- minimum of 'A' rating for all boiler systems installed
- minimum reduction of 3.36% against Part L baseline of 470.03kg CO<sub>2</sub> per m<sup>2</sup>

5.10.3 Further to this, as required at outline stage each dwelling will be supported by a EV charger required before occupation. On this basis, it is considered that the development is inline with Policy DM30: Sustainable Design and DM29 Key Design Principles in so far as electric charging points are provided.

5.11 **Highways (SPLA DPD policies T2, T4 and H6; DMDPD policies DM29, DM60, DM61, DM62, DM63, DM64; NPPF sections 9 and 12)**

5.11.1 The scheme provides a road at a tangent to Abbeystead Road in line with agreed principles at outline stage, with private access drives for vehicular parking and a turning head at the north west corner of the site. The internal network has been under discussions between the applicant and County Highways regarding adoption.

5.11.2 County Highways has no objections to the access, or internal road network, but seeks a condition to evidence suitable management, which will be attached.

5.11.3 As required by Condition 11 of both applications 17/00970/OUT and 18/01106/OUT the proposal will provide a pedestrian link from Abbeystead Road to Footpath 1-13-FP 43 as part of the layout. This is welcomed by Officers and will support non-vehicular trips in the area.

5.11.4 Concern regarding construction and heavy vehicles impacting the network at peak times in terms of school drop off and pick up and also given the location peak periods in the agricultural year have been raised during consultation. Given this, it is considered reasonable to require the developer to use reasonable endeavours to schedule construction deliveries and vehicle movement outside of these times, which will be controlled by condition as part of the CEMP.

5.12 **Waste and Servicing (DM DPD Policy DM29; PAN 01 - Waste Storage and Collection Guidance for Domestic and Commercial Developments Planning Advice Note)**

5.12.1 The application has been commented on by colleague in the City's waste department. It is noted that there are instances where distances from dwellings to the kerbside are over 25m, however the breaches are slight, for market dwellings, and the routes are smooth, with manageable gradients and continuous. Collection points will be required for plots 5-9 and plots 21-24 and the details of this will be conditioned in line with comments. On this basis, the proposed development is deemed suitable in terms of waste and servicing.

## 5.13 Consultation Comments

5.13.1 There were considerable objection to the grant of both outline applications, and this has been sustained at reserved matters stage. The concerns of the community are noted and have informed the determination, with specific regard to drainage, there has been further information and assessment to address this. Within the context of what was agreed at outline, a number of the issues, affordable housing, layout, drainage, highways and ecology have since been satisfactorily addressed by the applicant and subsequent provision of previous conditions or new conditions.

## 7.0 Conclusion and Planning Balance

7.1 Outline permission has been granted for both sites which accepts the principles of development subject to meeting certain conditions. No objections from statutory consultees to information addressing those matters have been raised. There is an obligation requiring both sites to be built out together and as such the proposals have been assessed together.

7.2 The context of member's decision is that where the Local Planning Authority is unable to demonstrate a five year housing land supply. Consequently, the NPPF states permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The development proposed contributes towards meeting this housing need, which reflects the need for affordable homes in the village. The provision of such housing should enable local residents to access housing and the wider influx of residents should help sustain the village services.

7.3 The community are concerned about flooding and drainage due to ongoing issues. Officers have worked hard to assess this matter within the context of what was agreed at outline, and neither the LLFA, EA and United Utilities object to the proposed development. On this basis, Officers are satisfied that the development would not exacerbate existing issues and suitably manage these matters.

7.4 A degree of visual and heritage harm was accepted at outline stage, but this could be suitably balanced and managed with conditions. The details provided in terms of layout and materials reflect agreed principles at outline stage, gives rise to no unacceptable issues in terms of overlooking and provides a suitable amenity in terms of gardens and open space. Highways raise no objection and Greater Manchester Ecology Unit accept their will be an uplift in biodiversity from measures proposed on site.

7.5 Clarity on Education is hoped prior to committee (however it is dealt with by the outline), which will enable the matters to be suitably addressed and on balance, with the above in mind it is recommended to Members that the proposed development is supported subject to the imposition of planning conditions and planning obligations.

## **Recommendation**

That Reserved Matters BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Standard timescale;	<b>Standard</b>
2	Development in accordance with Approved Documents;	<b>Standard</b>
3	Materials/Details	<b>Above grade</b>
4	Landscaping Details	<b>Above grade</b>
5	Boundary Treatments	<b>Above Grade</b>
6	Plant Screening	<b>Pre such works</b>
7	Environment Management Plan	<b>1<sup>st</sup> Planting Season</b>
8	Waste Collection	<b>Pre Occupation</b>
9	Minimum Reduction against Part L 2013	<b>Control</b>
10	Development in accordance with BNG Enhancement Measures inc. Bird and Bat boxes	<b>Control</b>

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

In accordance with the above legislation, 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 made 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**