

Agenda Item	A6
Application Number	22/01071/FUL
Proposal	Erection of 27 specialist bungalows for older people, with detached garage and associated access, internal roads, infrastructure, open space, landscaping and parking
Application site	Land West Of Sea View Drive Hest Bank Lancashire
Applicant	L Gittins
Agent	Catherine Thomas
Case Officer	Mrs Eleanor Fawcett
Departure	Yes
Summary of Recommendation	Refusal

1.0 Application Site and Setting

- 1.1 The application relates to an agricultural field located adjacent to the built-up area of Hest Bank, between dwellings on Sea View Drive, to the east, and the Lancaster Canal, to the west. The site is located approximately 1 kilometre from the northern edge of Morecambe and is within the North Lancashire Green Belt, on an edge where it abuts Hest Bank. It has an area of approximately 2 hectares and the western boundary is curved, due to the position of the canal, making it narrower at its northern end. The land rises from the canal towards a highest point along the eastern boundary, which is slightly to the north of its mid-point by approximately 4.25 metres. There are hedgerows along most of the eastern and southern boundaries, and the site is mostly open to the canal to the west, with some groups and individual trees and also some low vegetation. There is an existing field access at the north of the site, off Sunningdale Crescent and one to the south that links to Rakes Head Lane, which is a public right of way.
- 1.2 A very small part of the site at the northern end is identified as being at a high risk from surface water flooding (1 in 30) with a slightly larger part in this area identified as a lower risk (1 in 100 and 1 in 1000). There is also a small part towards the southern boundary of the site identified as at risk of surface water flooding (1 in 100). The site is also identified as being susceptible to ground water flooding (50% – 75%). There are two listed canal bridges close to the site. Rakes Head Bridge is Grade II and is approximately 20 metres to the south, and Occupation Bridge is also Grade II and is approximately 250 metres to the north. Slyne-with-Hest Conservation Area lies approximately 700 metres to the east. The west coast main railway line is located approximately 330 metres to the west.
- 1.3 The Lancaster Canal is designated as a Biological Heritage Site and is also identified as a Green Space Network in the Local Plan. Rakes Head Biological Heritage Site is also located approximately 160 metres to the southeast. The site is located approximately 370 metres from Morecambe Bay, which is designated as a Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Protection Area (SPA), and Ramsar Site. The site is also within the Open

Countryside, as defined by the Local Plan, and the Neighbourhood Planning Area for Slyne-with-Hest.

2.0 Proposal

2.1 Planning permission is sought for the erection of 27 bungalows with access created off Sea View Close, which is towards the northern end of the eastern boundary. The creation of the access will involve the removal of a section of hedgerow. The dwellings are proposed to be specialist bungalows for older people, restricted to households with at least one person aged 55 and over. They are proposed to be built to comply with the standards of Part M4(2) Category 2: 'Accessible and Adaptable Dwellings' of the Building Regulations. A mix of one, two and three bedroom detached and semi-detached dwellings is proposed, which would be faced in brick and render with grey tile roofs and either vertical boarding or tile hanging gable features.

2.2 The main road into the site is proposed to be curved. Roughly following the shape of the eastern boundary with the canal, but set back from this. Dwellings would front onto this road, facing towards the canal, with two cul-de-sacs proposed off this to the west. The area at the north of the site, above the access road, is proposed to be left free of built development and partly planted. A footpath access is proposed to Sunningdale Crescent and would follow the line of the road to the southern boundary where it would stop. The land between the footpath and the canal would accommodate some drainage infrastructure, including a drainage basin at the southwest corner.

3.0 Site History

3.1 No relevant applications relating to this site have previously been received by the Local Planning Authority.

4.0 Consultation Responses

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

Consultee	Response
Slyne-with-Hest Parish Council	<p>Object for the following reasons:</p> <ul style="list-style-type: none"> • The land is within the North Lancaster Green Belt, and contributes to the wider landscape character, and is therefore not appropriate for development; • The examiner's report makes it clear that the Neighbourhood Plan cannot amend the Green Belt Boundary and that the land west of Sea View Drive should remain in the Green Belt and not built on. • No evidence to suggest that the number and type of homes proposed are required to meet an identified need within Slyne-with-Hest and provide exceptional circumstances; • Increase the number of vehicle movements along Sea View Drive with a consequent impact on residents.
Environmental Health	No comments received.
Arboricultural Officer	<p>Comments. The tree protection measures are appropriate but need amending to reflect amendments to the footpath as described above. To avoid future conflicts it would be preferable to plant standards within the proposed hedgerows and open space to the west of the site rather than on the boundary with existing properties. It would be preferable to see greater connectivity across the site and trees planted outside of the domestic curtilage within a roadside verge for example. The area of scrub planting to the east of the site provides an area of separation between the existing and proposed dwellings but is fragmented and would be better located along the canal corridor, connecting habitat to the north and south.</p>
Planning Policy	<p>Comments. The scheme comprises inappropriate development within the Green Belt. The North Lancashire Green Belt Review Full Report concludes that land to the west of Seaview Drive, Hest Bank makes strong contribution to the Green Belt. The</p>

	Slyne with Hest Neighbourhood Plan sought to allocate the site for residential development. The Inspector concluded removal from the Green Belt and its allocation for housing, "would be contrary to the Secretary of State's policies for keeping Green Belt land permanently open and also would not be in general conformity with the strategic policies in the Local Plan, especially with regard to the North Lancaster Green Belt". Very special circumstance which outweigh harm to the openness of the Green Belt would be required for the proposal to be acceptable and it is not considered that the scheme provides this. The SHMA does not provide evidence for the need for the type of accommodation proposed in this location. A determination as to whether the scheme accords with policy DM3, to provide 30% affordable housing, cannot be undertaken without the receipt and independent assessment of a viability appraisal. There is a missed opportunity to further reduce the associated CO2 emissions of the site given the use of gas boilers and it is not understood why solar PV installation has not been maximised across the site. A site specific "Agricultural Land Classification Report" or similar should be submitted to ensure that the land on this site is classified as grade 3b or below. It should be ensured that there is access to the canal path to help provide cycling connectivity.
Engineering Team	No comments received.
Conservation Team	Not providing comments.
Economic Development	Comments. The submitted Employment Skills Plan demonstrates a positive commitment to the objectives of the policy. Request a condition for a details Plan prior to commencement unless provided during the application.
Public Realm Officer	Comments. Concerns about the location on Green Belt Land, which has been protected from development which could constitute urban sprawl by keeping land permanently open. 401.1m2 amenity space would need to be provided on site. Amenity Space needs to be 'a mown informal space where young children could have a kick about'.
Waste and Recycling Team	No comments received.
County Highways	Comments: raise the following concerns: <ul style="list-style-type: none"> • Internal carriageway widths internal and on Sea View Close; • Impact on the wider highway network; • Lack of footways along property frontages; • Removal of existing turning head; • Position of remote footway to the West of the internal road; and • sustainable links
Lead Local Flood Authority	Object. Inadequate surface water sustainable drainage strategy.
Public Rights of Way Officer	No comments received.
GMEU	Comments. Advise that there will be no likely significant effects on nearby National Sites Network (SPA/Ramsars/SAC) designated sites. Recommend conditions requiring: <ul style="list-style-type: none"> • Habitat protection measures during construction; • A construction environmental management plan; • Vegetation clearance to avoid the bird breeding season unless it can be demonstrated that there is no nesting activity present; • Amphibian reasonable avoidance measures; • Design of the external lighting scheme; • Ecological permeability measure (small mammal/amphibian gaps at the foot walls and/or the 1.8m board fencing) • Drainage Surface Water Attenuation and Pollution Prevention Measures; • Landscaping specification, including locally native standard trees;

	<ul style="list-style-type: none"> • Landscape & Ecological Management Plan, indicating how the open space and other habitats will be managed for a 30 year period in order to reach their prescribed condition; • Biodiversity enhancement plan for bird, bat and bee boxes and amphibian hibernacula.
Natural England	Comments. A Habitats Regulations Assessment is required demonstrating consideration of the potential impacts on the nearby designated sites from recreation disturbance associated with the development.
Sport England	No comments. The proposal does not fall within their statutory or non-statutory remit.
RSPB	No comments received.
Ramblers Association	No comments received.
Canal and River Trust	No objection subject to conditions requiring: <ul style="list-style-type: none"> • A construction management plan to ensure that excavation works do not undermine the canal structure; • A construction and environmental management plan to reduce the risk of pollution to the canal; • A landscaping scheme to limit the impact of the development on the character and appearance of the waterway; and • Drainage details to ensure that any new discharge to the canal is adequately designed.
Lancaster Canal Trust	Comments. Supports the comments made by the Canal and River Trust in relation to the impacts of excavations on the canal, pollution risk, visual impacts and surface water drainage.
Lancashire Constabulary	Comments. Recommendations regarding heights or fences; management of landscaping; design of street furniture; visibility of parking areas from windows; security of windows and doors; visibility and illumination of garage doors; intruder alarms and external lighting. Raise particular concern around the green area and the footpath which snakes the site and what this area will be used for. Open green space can become vulnerable to antisocial behaviour and drug related crime if hidden away, therefore recommend ensuring the area is well lit with clearly defined footpaths to reduce the opportunity for desire lines.
United Utilities	No comments received.
NHS	No objection , subject to a financial contribution of £15,580 towards the extension and reconfiguration at Ash Trees surgery (Bolton-le-Sands)
Lancashire Fire and Rescue	Comments. It should be ensured that the scheme fully meets all the requirements of Building Regulations Approved Document B, Part B5 'Access and facilities for the Fire Service'.
Network Rail	No comments.

4.2 32 pieces of correspondence have been received which raise an objection to the application and the following concerns:

- **Loss of Green Belt:** Exceptional circumstances to change the Green Belt boundary have not been demonstrated; development is not appropriate due to the site's contribution to the wider landscape; green belt land protects against urban sprawl; the housing need is based on anecdotal evidence and a housing survey has not been undertaken; similar proposal to that contained in the Slyne with Hest Neighbourhood Plan which was rejected and the land to remain as Green Belt; will lead to continued erosion of the Green Belt; the Green Belt boundary was recently reviewed.

- **Landscape and visual impact:** impact on open aspect of the landscape when viewed from the canal; impact on rural environment
- **Access and highway safety:** Access to Sea View Drive is already difficult and dangerous due to parking and right angle bends and will be exasperated by additional traffic; impacts on safety from large construction vehicles; existing issues with road condition; larger vehicles, including emergency services will struggle to access the site; should include requirement to repair Rakes Head Lane leading to the canal bridge so it can be used all year; no suitable bus stops in reasonable walking distance of the site to serve the intended occupants..
- **Impact on and loss of wildlife:** great crested newts are present in most gardens on Sea View Drive and believed to be on the site; Kingfishers, otters, herons, water voles, bats and many other species can be spotted around this parcel of land; impacts to wildlife on canal banking from noise and construction;
- **Housing need:** No need for additional houses in this location; there is other development proposed within the Slyne-with-Hest boundary; the case for building retirement homes to release larger family homes is no longer relevant; question age restriction as people with disabilities also need bungalows to live in due to access needs and can be of any age
- **Drainage:** The existing sewerage system is at capacity; any large amount of rain causes flooding and sewerage water to Sunningdale; concern about flooding to neighbouring properties; the site is generally saturated with overflow running to the west;
- **Impacts on tourism/ recreation:** Impact on the use of this part of the canal for moorings and loss of visitors to village and local amenities
- **Impact on neighbouring housing and security:** footpath link will open up access to a quiet cul-de-sac and increase footfall on Sunningdale; impact on views and outlook from properties on Sea View Drive.
- **Covenants on the land**

5.0 Analysis

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

- Principle of development, including impact on the Green Belt
- Traffic impacts, access, parking and sustainable travel
- Landscape impact, layout, design and open space
- Flood risk and drainage
- Residential amenity
- Biodiversity and trees
- Impacts on Heritage Assets
- Affordable housing, housing standards and mix
- Education and health
- Sustainable Design and Renewable Energy

5.2 **Principle of development, including impact on the Green Belt NPPF paragraphs: 7 – 12 (Achieving Sustainable Development), 60-61 and 73-79 (Delivering a Sufficient Supply of Homes) and 137-138, 140-142 and 147-150; Strategic Policies and Land Allocations (SPLA) DPD policies SP1 (Presumption in Favour of Sustainable Development), SP2 (Lancaster District Settlement Hierarchy), SP3 (Development Strategy for Lancaster District), SP6 (The Delivery of New Homes), EN3 (The Open Countryside) and EN4 (the North Lancashire Green Belt); Development Management (DM) DPD policies: DM1 (New Residential Development and Meeting Housing Needs), DM4 (Residential Development Outside Main Urban Areas), DM8 (Accommodation For Older People and Vulnerable Communities), DM50 (Development in the Green Belt)**

5.2.1 The site is located adjacent to the built-up area of Hest Bank and Slyne-with-Hest, between existing residential development and the Lancaster Canal, and currently comprises agricultural land. Hest Bank and Slyne-with-Hest are both identified in Policy SP2 of the Strategic Policies and Land Allocations (SPLA) DPD as a Sustainable Rural Settlement which will provide the focus for growth outside the main urban areas. Policy SP3 goes on to say that development will be supported in sustainable settlements and, in general, the scale of housing growth in rural areas will be managed to reflect existing population size, be proportionate to existing scale and character of the settlement and the availability of, or the opportunity to provide, infrastructure, services and facilities to serve

the development and the extent to which development can be accommodated within the local area. Hest Bank and Slyne-with-Hest are both considered to be sustainable locations for new housing development. However, the site is also located within the North Lancashire Green Belt.

5.2.2 Local Plan policy, within EN4 of the SPLA DPD and DM50 of the Development Management (DM) DPD, sets out that proposal within the North Lancashire Green Belt will be considered in accordance with the NPPF and inappropriate development will be restricted. Policy DM50 sets out considerations in relation to certain types of the development, but does not cover this type of development and instead relies on the NPPF rather than repeating its requirements. Paragraph 137 of the NPPF sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and the essential characteristics of Green Belts are their openness and their permanence. Paragraph 138 goes on to set out the five main purposes that the Green Belt serves, which are:

- To check the unrestricted sprawl of large built-up areas
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

5.2.3 The NPPF sets out that the construction of new buildings should be regarded as inappropriate development which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 149 does set out some exceptions to this, which includes limited infilling in villages and limited affordable housing. However, it is considered that the proposal does not fall into either of these categories as it would form an extension out towards the canal from the existing development and does not propose a wholly affordable housing scheme. Paragraph 148 sets out that, when considering any planning application, it should be ensured that substantial weight is given to any harm in the Green Belt and very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm from the proposal, is clearly outweighed by other considerations.

5.2.4 The allocation of this site for residential development has been proposed as part of the Slyne-with-Hest Neighbourhood Plan. Neighbourhood Plans are independently examined and, if found to meet the basic conditions set out in legislation, the Plan then moves to a local referendum. If over 50% of those voting support the plan, it will attain significant weight in decision making and then move forward to adoption and will then form part of the Development Plan. The Slyne-with-Hest Neighbourhood Plan has recently been considered by an Independent Examiner and the report has been submitted to the Local Planning Authority. In the report, the Examiner makes several recommendations for modifications to the submitted plan before it can be considered at a referendum. This includes the removal of the proposed housing allocation on this site which would have amended the existing Green Belt boundary. The proposed allocation therefore has no weight in the determination of this application. The Examiner also made several observations which are also relevant to the consideration of this application.

5.2.5 The Report on the Examination of the Neighbourhood Plan concluded that the allocation would be contrary to the strategic policy EN4 covering the North Lancaster Green Belt, the boundary for which had been confirmed following the Review of the Green Belt and had been endorsed by the Local Plan Inspector who had noted the review to be a robust piece of work. It also set out that the allocation would not have regard to the Secretary of State's policy for the Green Belt, where its fundamental aim is to ensure the permanence of the Green Belt and to maintain its openness. A key point was made about the Council having up to date plan which had released land from the Green Belt, following a review, but had not proposed the release of this land to meet the District's housing needs.

5.2.6 The planning application was submitted prior to the report being received from the Examiner. The submission acknowledges that the proposal represents inappropriate development but sets out that very special circumstances exist to justify the development in the Green Belt. It states that there are a number of material considerations that are capable of contributing and/ or amounting to very special circumstances. These are:

- Lancaster City Council’s longstanding support for specialist bungalows on the site, including through the Neighbourhood Plan submission;
- The draft allocation in the Neighbourhood Plan;
- The evidence submitted by the City Council to support the removal from the Green Belt through the Neighbourhood Plan, including that Slyne-with-Hest is a sustainable settlement and the site will help to meet identified strategic housing needs up to 2031;
- The absence of a non-Green Belt alternative site or a less harmful Green Belt site;
- Meeting the specialised local housing needs of older people in Slyne-with-Hest;
- Health and wellbeing benefits of age-restricted specialist bungalows for older people;
- Wider benefits of age-restricted bungalows for older people including enabling and encouraging downsizing and providing cost savings for local social care and health care systems;
- The housing land supply position in Lancaster which is 2.6 years and represents a significant shortfall; and
- Further benefits including a new footpath, biodiversity net gain in excess of what will be required by the Environment Act 2021 (10.58%) the addition of 27 households to support local services and facilities and economic, employment and skills benefits during construction.

5.2.7 It is acknowledged that the Local Planning Authority supported the submission of the Neighbourhood Plan, which included the allocation of this site for housing. However, as the Plan will not be progressing with this allocation, it will not form part of the Development Plan, even if the Plan passes the referendum stage. The submission relies on evidence that was submitted to support the allocation within the Neighbourhood Plan. Some of the comments made in the Examiner’s report are therefore relevant to the consideration of this application. In particular, it sets out that, whilst policy SP6 of the SPLA DPD sets out an expectation for neighbourhood plans across the district to deliver 557 homes it does not set any parameters as to how much each settlement should deliver. The Examiner noted that Policy SP3 sets out general requirements which includes the wording: “the extent to which development can be accommodated within the local area” which would consider the constraints provided by the Green Belt. In terms of the housing need, the report sets out that the Local Plan does not specify a specific housing figure for the settlement nor has the Parish Council asked for a housing figure from the City Council. The Examiner therefore goes on to question the need and justification for housing in the village, setting out that this had not been quantified or based on any housing needs assessment due, in part, to the constraints imposed by the Green Belt. The report also notes that it could be assumed that Policy SP3 would be delivered from sites within the settlement boundary, otherwise it would have been expected that the Local Plan would make explicit statements of how the strategic Green Belt Policy (EN4) would be applied.

5.2.8 The Strategic Housing Market Assessment (SHMA) 2018 provides the most up to date evidence with regard to housing need. However, this relates to the district as a whole and the sub-areas assessed span extensive areas. The sub-area in which Slyne with Hest is located includes considerable land outside the Green Belt and also includes allocated housing sites. There is no evidence to suggest that the number and type of homes proposed are required to meet an identified need within Slyne with Hest or on this Green Belt site. The proposal does relate to age restricted bungalows and policy DM8 of the DM DPD supports accommodation for older people where it meets the genuine need. The SHMA suggests that there is a need to diversify the range of older persons housing provision and identifies a need for additional accommodation to meet this need. However, it considers specialist accommodation provision (sheltered housing, enhanced sheltered housing, extra care, residential care and nursing care) and does not provide evidence of need with regard to non-specialist older persons accommodation, such as that simply restricted by age and with M4(2) provision.

5.2.9 It is also important to consider whether, and to what degree, the proposal conflicts with the openness of the Greenbelt and the purposes set out in paragraph 138 of the NPPF. The site comprises an agricultural field which is open and free from development and visible from public view points, particularly the Lancaster Canal and its towpath. The North Lancashire Green Belt Review (November 2016) concludes that the parcel which covers this site (SWH03) makes strong contribution to the Green Belt stating that, “The parcel makes a strong contribution to one purpose and a moderate contribution to one purpose. The parcel is free from development and forms a strong and important gap between Slyne with Hest and Morecambe” (page 50). The parcel forms part of a

strategic parcel (SP28) which also provides a strong contribution, in particularly to the strategic gap between the settlements of Slyne with Hest and Morecambe” (pg58). The contribution of this site to the Green Belt has been questioned in the submission. Within the report on the Examination of the Neighbourhood Plan, the Examiner sets out that he was not convinced that the disagreements of the Parish Council with some of the Green Belt Review’s findings in respect of the site were so compelling to lead him to disagree with the Local Plan Inspector’s conclusion that it is fit for purpose. The report also sets out that that he was able to appreciate the openness of the site on his site visit, which contributes to the rural setting of the Lancaster Canal in this location.

5.2.10 The landscape and visual impacts are considered in more detail within a separate section below. However, it is clear the siting of 27 bungalows on this site, and the associated infrastructure, will introduce significant and permanent development and consequently result in a loss of openness both spatially and visually. Whilst the development will be seen in the context of some residential development, the proposal will erode an open and attractive piece of land which provides an important rural setting to the canal and buffer from the adjacent development, which is mostly low in scale and separated from the site by hedgerows. Whilst this development in isolation would not necessarily lead to coalescence with adjacent settlements, it would clearly result in an encroachment into the countryside which abuts the urban area.

5.2.11 On the basis of the above, it is considered that the scheme therefore fails to provide for very special circumstances to justify inappropriate development in the Green Belt. It is also considered that it would cause significant harm to the openness of this part of the Green Belt as a result of the scale and permanence of the development, in addition to important views gained from the Lancaster Canal and its towpath, and would result in an encroachment into the countryside from the existing edge of the settlement, contrary to one of the purposes of the Green Belt. It is considered that this harm is not outweighed by the benefits that have been put forward in the submission, and set out above. The proposal would not meet an identified housing need in this location and, whilst it would provide a contribution towards housing in the District, where there is an acknowledged shortfall, this does not provide for very special circumstances required to justify the harm to the Green Belt.

5.3 **Traffic impacts, access, parking and sustainable travel** NPPF paragraphs: 104-106 and 110-113 (Promoting Sustainable Transport); Strategic Policies and Land Allocations (SPLA) DPD policies: SP10 (Improving Transport Connectivity), T2 (Cycling and Walking Network) and T3 (Lancaster Canal); Development Management (DM) DPD policies DM29 (Key Design Principles), DM57 (Health and Well-being), DM58 (Infrastructure Delivery and Funding, DM60 (Enhancing Accessibility and Transport Linkages), DM61 (Walking and Cycling), DM62 (Vehicle Parking Provision), DM63 (Transport Efficiency and Travel Plans), and DM64 (Lancaster District Highways and Transport Masterplan)

5.3.1 The site is proposed to be accessed off Sea View Close, which is a small cul-de-sac that is accessed from Sea View Drive which then links onto Hest Bank Lane. County Highways have raised a number of concerns regarding the scheme. The existing turning head on Sea View Close is proposed to be removed. They have advised that this is acceptable in principle, however the redundant turning head would need to be stopped up and the new estate road, including its turning head, would need to be constructed to an adoptable standard and subsequently offered for adoption therefore providing a replacement turning area within the adopted highway. A continuation of the existing 1.8 metre footway has been shown across the redundant turning head on the south side of Sea View Close into the site, but not on the north side. County Highways have requested that the footway on the north side is extended into the site linking into the proposed internal footway. They have also recommended that all access roads to new developments are at least 5.5 metres wide and have highlighted that Sea View Close is only 4.8 metres wide. However, they have confirmed that as Sea View Close is short and with good visibility, they would not raise an objection to the se of this, although have requested that the road is widened to 5.5 metres at the location of the existing turning head.

5.3.2 In relation to the internal layout, County Highways have advised that all internal roads to be offered for adoption need to be at least 5.5 metre wide and the site plan currently shows a width of 4.8 metres. This is required to allow for the free flow of vehicles and to accommodate occasional on street parking. A 2 metre wide footway has also been requested where any property fronts onto the proposed adopted carriageway and they have also requested a 0.5 metre hard paved margin on the west side of the access road. The footway does appear to be 2 metres to the front of most properties,

with the exception of some at the southern end of the site which appear to share a private driveway. A remote footway has been indicated running north to south to the west of the internal carriageway. County Highways have advised that this would not be considered for adoption and needs to be located outside of the required 0.5 metre wide hard paved margin. The location of this aspect could be covered by a condition as there is scope to reposition this within the open space.

5.3.3 County Highways have advised that the development is currently unacceptable due to the above concerns. However, the response was not clear whether the development would fail to provide a safe and suitable access and, as such, further clarification was sought. Although the layout is not currently suitable for adoption, this would not necessarily mean that it is not safe. However, County Highways have confirmed that the existing turning head could not be stopped up due to the site's access road not being constructed to adoptable standards as it would be required to facilitate turning within the adopted highway. Therefore, it is considered that the proposed access and internal arrangements would not provide a safe and suitable access as no suitable turning head would be provided within the adopted highway.

5.3.4 County Highways have also advised that all development will have an influence on highway infrastructure across the district and will therefore be required to contribute to the combination of measures in Lancaster, following an equitable approach that considers all development in the district. The keys measures being developed include:

- M6 Junction 33 reconfiguration with link road (Central 1 option being assessed further);
- Infrastructure in and around the Bailrigg Garden Village area and connecting corridors supporting access both north and south;
- Lancaster wide sustainable transport improvements, including;
- Cycle superhighway
- High quality public transport route
- Park and Ride
- Lancaster City Centre Movement and Public Realm Strategy;
- Traffic management measures to the north and south of the Lune; and
- Changes to other key corridors in the district.

5.3.5 The centre of the site lies just under 1km from nearest convenience store and approximately 600 metres from the nearest school. The bus stops on Hest Bank Lane are over 400 metres away from the site. However, given the sites location within the settlement and its proximity to a range of services, it is considered to be an accessible location. Although the distance from services and bus stops does raise some concerns regarding the intended end user. The nearest existing bus stops are currently just post and flag and do not comply in every respect with Lancashire County Council's quality bus stop provision, lacking raised kerbs or appropriate thermoplastic lining. To encourage public transport usage from the proposed development, and make facilities more attractive, County Highways have advised that these stops should be upgraded to Quality Bus standard. This could be covered by a condition. Cycle storage can also be provided in garage or sheds in rear gardens and can be covered by condition, in addition to a condition requiring vehicle charging pints, although this is now required by Building Regulations.

5.3.6 The response from County Highways also sets out that that the funding for the Junction 33 link road scheme has been identified, however, the remaining elements of the infrastructure required will need to be delivered through contributions secured from development. A wider strategy is being developed by the highway authority that incorporates the above, providing levels of contribution from all developments in Lancaster in an equitable and evidence based manner to support Lancaster's Local Plan. The amount required has not yet been provided by County Highways, and it will need to be ensured that any contribution request complies with the CIL tests, in particular that it relates to the impacts of the development proposed. However, as the proposal has a clear conflict with the development plan and national policy, in particular relation to the location within the Green Belt, it is not necessary to delay the determination of the application to allow for the figure to be provided and agreed as this would be secured by a Section 106 Agreement in the event the permission was resolved to be granted.

5.3.7 The centre of the site lies just under 1km from nearest convenience store and approximately 600m from the nearest school. The bus stops on Hest Bank Lane are over 400m away from the site which

is considered to be an acceptable distance. However, given the site's location within the settlement and its proximity to a range of services it is considered to be an accessible location. Reference is made to Policy HE2 of the Submission version of the Neighbourhood Plan and the provision of links north and south of the site. These have been reflected in the applicant's layout with a footpath linking Sunningdale Crescent to the southern boundary. However, the footpath appears to end at the southern boundary and does not link to the footpath on Rakes Head Lane and the canal path. The towpath forms part of the cycle network identified in Policy T2 of the SPLA DPD and also forms part of the Sustrans National Cycle Network (NCN6). This potentially connects the site by cycle to Lancaster and the wider network. Policies DM 60 (II) and DM 61 require proposals to provide convenient and appropriate linkages to the existing network. It is considered that improvements should be sought, including clarification about the connectivity to the adjacent footpath network to ensure that suitable access can be gained.

5.3.8 As set out above, the proposed access and internal arrangements, would fail to provide an acceptable safe and suitable access to serve the development, as no suitable turning head would be provided within the adopted highway. In addition, the lack of a link to the canal path, as the proposed footpath ends at the south of the site, also raises concerns in terms of connectivity and encouraging the use of sustainable modes of transport. The proposal is therefore contrary to the aims and objectives of the Development Plan, in particular policies DM60 and DM61 in addition to section 9 of the NPPF.

5.4 **Landscape Impact, Layout, Design and Open Space** NPPF paragraphs: 92-93, 98-100 (Promoting Healthy and Safe Communities including Open Space and Recreation), 126-134 (Achieving Well-Designed Places), 174 (Valued Landscapes and the Countryside); Strategic Policies and Land Allocations (SPLA) DPD: SP8 (Protecting the Natural Environment), EN3 (The Open Countryside) and T3 (Lancaster Canal); Development Management (DM) DPD policies: DM27 (Open Space, Sports and Recreational Facilities), DM29 (Key Design Principles), DM43 (Green Infrastructure), DM46 (Development and Landscape Impact) and DM57 (Health and Well-Being)

5.4.1 The site relates to an area of agricultural land which abuts the Lancaster Canal, in addition to existing residential development to the north and east. When viewed from the canal it provides an open and attractive buffer between this and the existing residential development. Whilst the existing dwellings are visible, they are not overly prominent, given their position set back from the canal, their relatively low height and hedgerow boundaries. The land rises from the canal by approximately 4.25 metres at the eastern boundary, making the land quite prominent locally. The site is located within the landscape character type Low Coastal Drumlins, sub type 12a Carnforth-Galgate-Cockerham. This type of landscape is characterised by areas of low, whaleback hills around 40m high, with broad rounded tops towards the northwest coast of the study area. The landscape is characteristically gentler and of lower altitude than that of the Drumlin Field and individual drumlins are more isolated and the alignment of drumlins gives the landform a distinctive grain. The strong pattern of pastures emphasises the undulating topography, with neat, low cut thorn hedges traversing the drumlins. Trees and shrubs are limited in this agricultural landscape, although small copses occur on the tops and sides of the drumlins and minor roads and the canal wind around the drumlins. The site appears to be on the lower slopes of a drumlin although the higher land to the east contains housing development.

5.4.2 Policy DM46 of the DM DPD sets out that the Council will support development which is of a scale and in keeping with the landscape character and which is appropriate to its surroundings. Policy DM29 also sets out that new development should make a positive contribution to the surrounding landscape. Paragraph 130 of the NPPF sets out that proposals should ensure that developments are sympathetic to local character and history, including the surrounding building environment and landscape setting. Whilst it is acknowledged that the site is not within a designated landscape area, it is considered that the site provides an important setting to the Lancaster Canal, which is a popular recreational route, both in terms of the waterway and the towpath. Paragraph 174 of the NPPF sets out that decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside.

5.4.3 The proposal will introduce new built development onto this agricultural land, comprising bungalows and associated infrastructure. Whilst a separation has been proposed between the canal and the built development, and the height of the buildings is relatively low, the land does rise from the canal

and the buildings will appear prominent and will erode the existing open and undeveloped character of the site. Whilst the site does lie adjacent to existing development, the site currently provides an open and attractive separation from this which would be lost by the development. It would not be possible to effectively screen the development, given the rising nature of the land. This would also likely harm the open character of the site. Whilst the impacts are likely to be relatively localised, it is considered that the development would have a detrimental impact on the character and appearance of the landscape and the area in general, would appear overly prominent and would result in the loss of the open and attractive field which contributes positively to the setting of the Lancaster Canal in particular and views from this, contrary to both local and national policy.

5.4.4 Notwithstanding the above harm caused by the development, it would provide a frontage to the canal with an area of open space separating this. Driveways are mostly provided to the front, however it still leaves quite a lot of green space with the gardens to the front given the width of the plots. As such it would not appear overly car dominated. The layout is therefore considered to be appropriate in these regards. The dwellings are all true bungalows and have a slight variation of design which provides some interest across the street scene. There are concerns regarding some aspects of the design as it is considered that these does not positively respond to the local distinctiveness of the area or improve the overall quality, as advocated by local policy and the NPPF. It is acknowledged that the adjacent development mostly comprises relatively modern bungalows which are not overly attractive in terms of the design. However, the proposal would be very prominent from the canal and should therefore provide a high quality design.

5.4.5 In terms of materials, the design utilises a mix of brick and render and also proposed some cladding and uses a tiled roof. It is acknowledged that there is a mix of material in the local area, although brick does not appear to be an overly dominant material in the local area and it would be more appropriate to incorporate some natural stone to break up the render and provide some interests which would better reflect the more traditional buildings that can be seen further along the canal. There are also concerns regarding the large chimneys, although not used on every house type, however a more modern approach to this may improve the overall design. The dwellings also incorporate a mock Tudor detail and, whilst this is present on some dwellings in the area, it is not a dominant feature and would be more reflective of the overall area if removed and the elevations simplified. The use of natural slate for roofs would also be more appropriate, particularly given the prominent position in relation to the canal and that the roofs will be a key feature as these are single storey buildings. However, it is considered that the materials and finishes could be controlled by condition.

5.4.6 The development provides open space between the road and the canal and at the north of the site, in a relatively long and thin strip, although some of this would be planted and used for drainage infrastructure. The Public Realm Officer has advised that, using calculations set out in the Planning Advisory Note, the development should provide 401 square metres of amenity space which should provide a mown informal space where young children could have a kick about. However, it should be noted that the development is proposed to be age restricted, so there is probably less requirement for this to be suitable for young children. Overall, it will provide significantly more than this and, given the age restriction, is considered to be appropriate to serve the development.

5.4.7 Overall, it is considered that the proposal would result in the loss of this open field which provides an attractive rural setting to this part of the Lancaster Canal and the development would appear as a prominent intrusion into the open countryside to the detriment to the character and appearance of the landscape and area in general. This links to the concerns raised above with regards to the impact on the openness and purposes of the Green Belt. The proposal therefore fails to comply with policies DM29 and DM46 in particular, in addition to sections 12 and 15 of the NPPF.

5.5 **Flood Risk and Drainage** NPPF paragraphs: 159-165, 167 and 169 (Planning and Flood Risk); Development Management (DM) DPD policies DM29 (Key Design Principles), DM35 (Surface Water Run-off and Sustainable Drainage); 152, 154, 159-167 and 169 (Flood Risk and Drainage); Strategic Policies and Land Allocations (SPLA) DPD policies SP8 (Protecting the Natural Environment); Development Management (DM) DPD policies DM33 (Development and Flood Risk), DM34 (Surface Water Run-off and Sustainable Drainage) and DM35 (Water Supply and Waste Water)

5.5.1 Paragraph 167 of the NPPF sets out it should be ensured that flood risk is not increased elsewhere and applications on sites over 1 hectare should be supported by a site-specific flood risk

assessment. Paragraph 169 goes on to say that major developments should incorporate sustainable drainage systems that:

- take account of advice from the Lead Local Flood Authority;
- have appropriate proposed minimum operational standards;
- have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
- where possible, provide multifunctional benefits.

5.5.2 Whilst a drainage drawing has been submitted with the application, a supporting drainage strategy has not been included. This was requested at the beginning of November, however this has still not been provided. As such, it is not possible to determine whether the drainage scheme shown on the plan would adequately deal with surface water within the site and comply with the requirements of the NPPF, Planning Practice Guidance, or local planning policy set out in DM34 of the Development Management DPD.

5.6 **Residential Amenity** NPPF paragraphs: 92 (Promoting Healthy and Safe Communities), 130 (Achieving Well-Designed Places), 183-189 (Noise and Pollution); Development Management (DM) DPD policies DM29 (Key Design Principles), and DM57 (Health and Well-Being).

5.6.1 The site abuts residential properties on Sea View Close and Sea View Drive to the east and Sunningdale Crescent to the north. The new dwellings will be separated from the properties on Sunningdale Crescent by an area of open space. The proposed dwellings are all true bungalows and the side wall of five of these would face the rear gardens of the dwellings on Sea View Drive and the side wall of a further one would face the side of a dwelling on Sea View Drive. Given the small scale of the buildings and the distance from the boundaries and the adjacent dwellings, it is considered that the proposal will not have a detrimental impact on the residential amenity of the adjacent residential properties. There is an existing strong boundary comprising hedging, which could be bolstered, in addition to a small section of wall.

5.6.2 In terms of the amenity of the proposed dwellings, the shortest separation distance between rear walls is 20.5 metres. Whilst just under the recommended separation distance between windows of habitable rooms, as these are bungalows with no upper floor, any overlooking would be prevented by boundary treatments. Other separation distances are acceptable in terms of potential impact on light. There are a few situations where the gable of a dwelling is very close to the rear boundary of an adjacent garden. However, given the relatively low height, it is considered that this would not have an overbearing impact on future occupants. Almost all the gardens are at least 10 metres in length and are over 50 square metres in areas. As such, it is considered that the layout provides adequate private amenity space for all the dwellings.

5.7 **Biodiversity and Trees** (NPPF paragraphs: 174 and 179-182 (Habitats and biodiversity); Strategic Policies and Land Allocations (SPLA) DPD policies: SP8 (Protecting the Natural Environment and EN7 (Environmentally Important Areas); Development Management (DM) DPD policies DM43 (Green Infrastructure), DM44 (Protection and Enhancement of Biodiversity) and DM45 (Protection of Trees, Hedgerows and Woodland).

5.7.1 The site is located approximately 370 metres from Morecambe Bay, which is designated as a Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Protection Area (SPA), and Ramsar Site. As a competent authority under the provisions of the Habitats Regulations, the Local Planning Authority should have regard for any potential impacts. It therefore needs to be determined whether the proposal is likely to have a significant effect on the designated areas, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out.

5.7.2 GMEU have undertaken a Habitats Regulations Assessment (HRA) screening opinion on behalf of the LPA. The site is considered to be on the margins of the settlement envelope where Likely Significant Effects such as land take or functionally linked land would occur. However, the site is relatively small and is bound on the north and east by housing development, with the western boundary being formed by the Biological Heritage Site the Lancaster Canal. The southern boundary is short but does abut open countryside, however, it is separated from the grazing 'birds-eye views' by three hedges and a public right of way. The response also considers drainage and recreational

disturbance, from future occupants, and considers that these will not have a likely significant effect given the distance and the presence of the canal which provides a recreational route.

- 5.7.3 Natural England have commented on the HRA and have advised that it is not possible to conclude that the proposal is unlikely to result in significant effects on the designated sites. In particular, the development will result in a net increase in residential dwellings within the area and recreational pressure is an issue across the Lancashire area particularly through in-combination effects. They have therefore advised that an appropriate assessment should be undertaken in relation to recreational disturbance. As such, the Habitats Regulations Assessment has been amended to acknowledge that impacts from recreational disturbance cannot be screened out without mitigation. However, impacts could be mitigated by a condition requiring homeowner packs to be distributed to occupants which advise on the characteristics and sensitivities on the designated site and particularly the need to avoid disturbing birds on visits to the coastline.
- 5.7.4 An ecological appraisal and biodiversity net gain report have been submitted with the application. GMEU have advised that the report appears to have used reasonable effort to survey the habitats on site and make an assessment of their suitability to support protected/species of principal importance. The surveys were conducted in 2019 and 2021, however, given the nature and size of the proposal this is not considered to be a constraint on the assessment and does not invalidate its findings. The report concludes that the site lies adjacent to a Biological Heritage Site but itself does not support high value biodiversity habitats. Whilst not being completely satisfied with the methodologies of survey, in relation not birds and bats, GMEU have advised that there is no merit in requiring additional survey work to be undertaken. The report has utilised the Natural England Rapid risk assessment to conclude that there is no likely risk of a breach to the Habitats Regulations in respect of great crested newt, but notes that toad are present on the site, which is a Species of Principal Importance (NERC 2006 [Natural Environment & Rural Communities Act]).
- 5.7.5 It is recommended that, in order to comply with planning policy, mitigation will be required which can be controlled by condition. The Ecological Assessment shows hedgerow and canal-side vegetation to be retained and this should be securely temporarily fenced to avoid accidental spillage of spoil or stored material onto features of interest. A Construction Environmental Management Plan should be provided and include protection measures and a Construction Surface Water Drainage Plan, to ensure that the water quality of the canal is protected from uncontrolled run-off and sediments prior to the creation of the drainage basin. This should also include a construction lighting plan to avoid light spillage during construction onto the canal and adjacent hedgerows. Reasonable Avoidance Measures for amphibians, set out in the report, can also be included within the management plan, in addition mitigation to protect breeding birds, namely the timing of works unless further surveys are undertaken to demonstrate their absence.
- 5.7.6 In addition to the mitigation during construction, a lighting scheme should be designed to avoid impacts to habitats, particularly along the western and southern boundaries. It is also recommended that gaps are created within walls and/ or fencing to allow for small mammals and amphibians permeability across the site. The drainage basin and headwalls should be designed so that they do not present amphibian traps and all road run-off should be directed into suitable sediment traps and oil interceptors. The management within the basin should also take account of biodiversity.
- 5.7.7 The Arboricultural Implications Assessment (AIA) identifies five sections of hedgerow, six individual trees and two groups located around the perimeter of the site. It sets out that two groups (6G & 7G) will be impacted by the development of a footpath to the north of the site, and two hedgerows (1H, 4H) will require partial removal to install the pumping station and site access. However, it would appear that the design of the footpath has been amended since the AIA was produced, with the footpath falling outside of the root protection area of both groups. The tree protection measures are considered be appropriate but would need amending to reflect amendments to the footpath and this could be covered by a condition. The boundaries to the site are shown on the OS Map published in 1895, indicating that they could be of notable age. However, the small scale losses outlined in the AIA are not a barrier to this development and are adequately compensated for in the submitted landscape plan.
- 5.7.8 The landscaping appears extensive, with a mix of habitats located around the perimeter of the site. To avoid future conflicts it would be preferable to plant standards within the proposed hedgerows and open space to the west of the site rather than on the boundary with existing properties. This

would also allow longer living, larger growing tree species to be planted and greater numbers. It would be preferable to see greater connectivity across the site and trees planted outside of the domestic curtilage within a roadside verge for example. The area of scrub planting to the east of the site provides an area of separation between the existing and proposed dwellings but is fragmented and would be better located along the canal corridor, connecting habitat to the north and south. A native species hedgerow specification has been provided, but it is also recommended that standard trees are utilised and on the western margins these are locally native species. The landscaping should include the specification for grass seeding mixes and drainage basin marginal planting.

5.7.9 Biodiversity Net Gain has been demonstrated to be achieved and this should be supported by a management plan indicating how the open space and other habitats will be managed for a 30 year period in order to reach their prescribed condition. Additional information will be necessary to identify how remediation will occur if required. It is also considered that additional species specific enhancement is achieved via condition with the introduction of a biodiversity enhancement plan for bird, bat and bee boxes and amphibian hibernacula. Overall it is considered that the proposal will not have a detrimental impact on biodiversity and can provide an appropriate net gain, subject to a number of conditions, as discussed above.

5.8 **Impacts on Heritage Assets** NPPF paragraphs: 189, 194 - 197, 199 – 206 (Conserving and Enhancing the Historic Environment); Strategic Policies and Land Allocations (SPLA) DPD policies SP7 (Maintaining Lancaster District's Unique Heritage); Development Management (DM) DPD policies DM37 (Development Affecting Listed Buildings), DM39 (The Setting of Designated Heritage Assets)

5.8.1 Rakes Head Bridge crosses the canal approximately 20 metres to the south and is Grade II listed. Occupation Bridge is also Grade II and crosses the canal approximately 250 metres to the north. Slyne-with-Hest Conservation Area also lies approximately 700 metres to the east. Rakes Head Bridge is similar to others along the Lancaster Canal which were built to accommodate crossings in both rural and urban situations. There is a buffer between the site and the bridge and some vegetation. The site is not overly prominent from the canal path at the location of the bridge and it is likely that intervisibility will be limited. As such, it is considered that the development would not have a detrimental impact on the significance of the heritage asset as a result of any impact to its setting. In addition, given the distance from the other bridge and the Conservation Area, and the intervening development, it is considered that the development would also not cause harm the setting of these heritage assets.

5.9 **Affordable housing, housing standards and mix** NPPF: paragraphs 62 and 63 and 78 (housing needs and affordable housing); Strategic Policies and Land Allocations (SPLA) DPD policy: SG1 (Lancaster South Broad Location for Growth) Development Management (DM) DPD policies: DM1 (Residential Development and Meeting Housing Needs), DM2 (Housing Standards), DM3 (The Delivery of Affordable Housing) and DM8 (Accommodation for Older People and Vulnerable Communities)

5.9.1 Policy DM8 requires that accommodation for older people falling within Use Class C3 contributes to the provision of affordable housing in accordance with policy DM3. Policy DM3 sets out that 30% affordable housing will be required on site on greenfield sites, for 15 units and over. The scheme would be expected to provide 8 affordable homes as a 50/50 split of affordable rented and shared ownership properties. Table 5.5 of the SHMA identifies the need for older people affordable homes to be 1 and 2 bedroom homes and it is considered that the affordable homes should be amended to reflect this identified need, with an even mixture of 1 and 2 beds for both the affordable rented and shared ownership properties. However, the affordable rented properties should not be restricted by age, to ensure that they meet wider affordable housing needs for this type of property. Policy DM3 requires the provision of 30% of new housing as affordable homes on the application site. The Affordable Housing Statement within the Planning Statement indicates an assumption that the scheme could not viably achieve this requirement and that a viability appraisal will be provided if the scheme is considered acceptable. Notwithstanding the constraints and policy relating to the sites location within the Green Belt, the amount of affordable housing provision would be an integral part of determining if development is sustainable and provides for very special circumstances. A determination as to whether the scheme accords with policy DM3 cannot be undertaken without the receipt and independent assessment of a viability appraisal.

- 5.9.2 The application proposes the whole of the site to be restricted to older people and for it all to meet the accessible and adaptable requirement of the Building Regulations (M4(2)). Policy DM8 supports accommodation for older people where it meets the genuine need. The SHMA suggests that there is a need to diversify the range of older persons housing provision and identifies a need for additional accommodation to meet this need. It however considers specialist accommodation provision of sheltered housing, enhanced sheltered housing, extra care, residential care and nursing care, and does not provide evidence of a need with regard to non-specialist older persons accommodation, such as that simply restricted by age and with M4(2) provision. The proposed scheme will provide a significant number of larger 3 bed bungalows rather than meeting the district wide need identified in the SHMA. The SHMA does not provide evidence for the need for the type of accommodation proposed for the village of Slyne with Hest. It is therefore considered that the type and mix proposed fails to meet an identified housing need and is therefore contrary to Policy DM1 and DM 8 of the Development Management DPD.
- 5.9.3 Policy DM2 sets out that all new dwelling should meet the Nationally Described Space Standards. All of the dwellings proposed meet the minimum sizes set out in the standards.
- 5.10 **Education and Health NPPF paragraphs: 93 and 95 (Services and School Places); Development Management (DM) DPD policies: DM57 (Health and Wellbeing) and DM58 (Infrastructure Delivery and Funding)**
- 5.10.1 As the application proposes age restricted houses for older people it is not anticipated that it would generate a requirement for additional school places. As such, the Schools Planning Team have not been consulted on this application and no contribution would be expected from this development.
- 5.10.2 The response from the NHS sets out that the proposal will generate approximately 62 new patient registrations based on average household size of 2.4. The site falls within the catchment area of Ash Trees Surgery and they have advised that this need, along with other new developments in the area, can only be met through the extension and reconfiguration of the existing premises in order to ensure sustainable general practice. The response goes on to say that the growth generated from the development would not trigger consideration of the commissioning of a new general practice but would trigger a requirement to support the practice to understand how the growth in the population would be accommodated and therefore premises options. However, no details have been provided in relation to any projects or how the money would be spent. With a lack of evidence to support this request, it is considered that it fails to meet the requirements of the CIL regulation tests and could not therefore be requested at this time.
- 5.11 **Sustainable Design and Renewable Energy NPPF paragraphs: 126 (Achieving Well-Designed Places) and 154 -155 and 157 (Planning for Climate Change); Development Management (DM) DPD policies: DM29 (Key Design Principles), DM30 (Sustainable Design) and DM53 (Renewable and Low Carbon Energy Generation)**
- 5.11.1 In the context of the climate change emergency that was declared by Lancaster City Council in January 2019, the effects of climate change arising from new/ additional development in the District and the possible associated mitigation measures will be a significant consideration in the assessment of the proposals. The Council is committed to reducing its own carbon emissions to net zero by 2030 while supporting the district in reaching net zero within the same time frame. Buildings delivered today must not only contribute to mitigating emissions, they must also be adaptable to the impacts of the climate crisis and support resilient communities.
- 5.11.2 One of the primary areas for emissions reductions for residential development in supporting the transition to net zero is in building to high fabric standards and supplying the new homes with renewable and low carbon energy. This is highlighted in the adopted Local Plan in policies DM29 and DM30 and supported by 'PAN9 – Energy Efficiency in new Development Planning Advisory Note'. It is encouraging to see that the energy statement provided stipulates a fabric first approach to construction, albeit with u-values/air tightness moderately exceeding the minimum standards required by current building regulations. However, the proposal will make use of gas boilers for heating supply which contribute to CO2e emissions, cannot be decarbonised, and will have to be retrofitted out in the future. This is a particular shame given that the fabric efficiencies of the proposed properties are approximately in line with those required for heat pumps to be effective. This is therefore a missed opportunity to further reduce the associated CO2 emissions of the site,

provide for homes that can be decarbonised when the grid decarbonises and improve the reduction over the minimum building regulations. Solar PV installation could also be maximised across the site and typologies.

6.0 Conclusion and Planning Balance

- 6.1 The proposal represents inappropriate development within the Green Belt and would also cause permanent harm to its openness and would conflict with one of the purposes of the Green Belt as it would result in an encroachment into the countryside. The proposal fails to demonstrate that very special circumstances exist to justify the inappropriate development and the additional harm identified. Whilst the Council cannot currently demonstrate a 5 year supply of deliverable housing site, this does not in itself provide very special circumstances and the type of development proposed would also fail to meet a specific identified local need. The development of this site would have cause harm to the character and appearance of the landscape and area in general, particularly when viewed from the Lancaster Canal and its towpath. The current layout also fails to provide a safe and suitable access, and the proposal has not demonstrated that it would provide an appropriate level of affordable housing or housing mix. The submission also fails to demonstrate that an appropriate sustainable drainage scheme can be provided within the site due to the lack of a detailed drainage strategy. The development is therefore contrary to both Local and National Planning policy as discussed above.
- 6.2 Whilst the concerns regarding drainage and highway impact are likely to be able to be addressed through amendments and additional information, it is considered that the harm to the Green Belt and the landscape and visual impact could not be overcome. As set out above, the Council cannot currently demonstrate a five year supply of housing and it is acknowledged that there is significant shortfall. In accordance with the NPPF, and the presumption in favour of sustainable development, a tilted balance should be applied unless other policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the proposal. In this case, there is harm to the Green Belt by reason of inappropriateness and the other harm identified, without demonstrating very special circumstances exist. As such, it is considered that a normal planning balance, rather than a tilted one would apply. However, even if a tilted balance was to be applied it is considered that the adverse impacts identified would significantly and demonstrably outweigh the benefits provided by the 27 age restricted bungalows in this location.

Recommendation

That Planning Permission BE REFUSED for the following reasons:

1. The proposal represents inappropriate development within the Green Belt, results in an encroachment into the countryside and fails to preserve its openness, without demonstrating the very special circumstances exist. It is therefore contrary to the aims of objectives of the National Planning Policy Framework, in particular Section 13, Policy EN4 of the Strategic Policies and Land Allocations Development Plan Document and Policy DM50 of the Review of the Development Management Development Plan Document.
2. As a result of the location and sloping nature of the site and the nature of the proposal, the development would have a detrimental impact on the character and appearance of the landscape and area in general and would result in the loss of an open field that provides an attractive setting to this part of the Lancaster Canal. As such, the proposal fails to comply with the National Planning Policy Framework, in particular Sections 12 and 15, Policy T3 of the Strategic Policies and Land Allocations Development Plan Document and Policies DM29 and DM46 of the Review of the Development Management Development Plan Document.
3. The proposed access and internal arrangements would fail to provide an acceptable safe and suitable access to serve the development, as no suitable turning head would be provided within the adopted highway. In addition, the scheme fails to provide appropriate connectivity to the canal towpath. The proposal is therefore contrary to the aims and objectives of the National Planning Policy Framework, in particular Section 9, Policy T3 of the Strategic Policies and Land Allocations Development Plan Document and Policies DM60 and DM61 of the Review of the Development Management Development Plan Document.
4. Due to the lack of the submission of a drainage strategy, the proposal fails to adequately demonstrate that surface water can be appropriately accommodated within the site. It is therefore contrary to the aims and objectives of the National Planning Policy Framework, in particular Section 14, Policy SP8

of the Strategic Policies and Land Allocations Development Plan Document and Policy DM34 of the Review of the Development Management Development Plan Document.

5. The development fails to provide affordable and open market housing in line with the identified housing needs within the District. As a result, the proposal is contrary to the aims and objectives of the National Planning Policy Framework, in particular Section 5, and Policies DM1, DM3 and DM8 of the Review of the Development Management Development Plan Document.

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

In accordance with the above legislation, the City Council can confirm that it takes a positive and proactive approach to development proposals, in the interests of delivering sustainable development. As part of this approach the Council offers a pre-application service, aimed at positively influencing development proposals. Regrettably the applicant has failed to take advantage of this service and the resulting proposal is unacceptable for the reasons prescribed in this report. The applicant is encouraged to utilise the pre-application service prior to the submission of any future planning applications, in order to engage with the local planning authority to attempt to resolve the reasons for refusal.

Background Papers

None