

<b>Agenda Item</b>	A7
<b>Application Number</b>	22/01463/OUT
<b>Proposal</b>	Outline application for the development of up to 23 residential dwellings and creation of a new access
<b>Application site</b>	Land East Of Arkholme Methodist Church Kirkby Lonsdale Road Arkholme Lancashire
<b>Applicant</b>	Oakmere Homes (Northwest) Ltd
<b>Agent</b>	Mr Daniel Hughes
<b>Case Officer</b>	Mr Andrew Clement
<b>Departure</b>	Yes
<b>Summary of Recommendation</b>	Approval subject to conditions and a Section 106 legal agreement

## 1.0 Application Site and Setting

- 1.1 The site is located on the southern periphery of the village of Arkholme, located to the east of the B6254 (Kirkby Lonsdale Road) covering an area of 1.05 hectares. The existing use of the site is agricultural land enclosed by hedgerows to the western and northern boundaries (together with the existing Methodist Church Car Park), with open fields to the east and south. The land rises to circa 4 metres above the adjacent Kirkby Lonsdale Road to relatively level central section, and then falls away circa 7 metres in level difference towards the Public Right of Way to the east, and down to Bains Beck beyond the south of the site.
- 1.2 The application site is bound by Kirkby Lonsdale Road to the west, with Arkholme Methodist Church and a row of terraced cottages to the northwest, considered to be non-designated heritage assets along with Bainsbeck House on the opposite side of the Kirkby Lonsdale Road. The church carpark and churchyard land to the rear of the terraced cottages forms a designated open space area. To the north is 'The Sheiling' development (planning reference 14/00895/FUL), a recently constructed residential development of 14 dwellings, with open fields to the east and south. A Public Right of Way (footpath no.4) immediately abuts the southern periphery of the site and runs from a west to east orientation, beyond which are further fields and Bains Beck. The eastern end of the proposed development area is susceptible to surface water flooding in 1in30 year events, in line with an existing culvert, that the application proposes to reroute and drain into, discharging into Bains Beck to the south.
- 1.3 The site falls within the designated Open Countryside, and the western aspect of the site falls within a mineral safeguarding zone. The access and visibility splays are within the Arkholme Conservation Area, and a protect tree is situated to the land to the south of the proposed development. Arkholme Conservation Area is characterised by its linear plan form, which developed around the motte to the northeast of the village in the early medieval era. The village expanded in the C17 and many of the extant buildings date to this era and later, with most buildings fronting directly onto the pavement. The historic road layout is extremely well-preserved and legible. There is great variation in plot sizes,

but they are generally generous with large gardens to the side or rear (or both). Some are set back in large verdant grounds bounded by mature hedges, but despite variation in plot position, the historic buildings address the road. There is a strong historical and visual link to the surrounding countryside, which means the surrounding rural landscape contributes strongly to the conservation area's significance, and this setting has significantly retained the rural character of the village. The Conservation Area appraisal identifies the Wesleyan Methodist Chapel, Bainsbeck House and Chapel Cottages as positive buildings.

## 2.0 Proposal

- 2.1 The scheme proposes the erection of up to 23 units, a new access off the B6254, together with a new crossing and pavement footway to the northwest of the B6254. The application is in outline form, only seeking permission for the erection of up to 23 units and the new access into the site. Matters associated with layout, scale, appearance and landscaping would be assessed at the reserved matters stage, if outline consent is granted.
- 2.2 The proposed access into the site consists of a 5.5 metre road, in the same location as the extant permissions at the site. A pavement footway on the northern side of the new access with an uncontrolled pedestrian crossing is proposed to link with proposed pavement footways connecting to existing pavement provision on the B6254, circa 83 metres in length.

## 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
22/00637/FUL	Erection of 23 dwellings with associated access, internal access road, installation of a package treatment plant and diversion of a culvert	Refused
21/01164/ELDC	Existing lawful development certificate for the lawful commencement of planning permission 15/01024/OUT and reserved matters consent 18/00645/REM	Granted
20/01160/NMA	Seeking to amend Condition 7, relating to a surface water drainage scheme, attached to planning application 15/01024/OUT. Amend the trigger point at the beginning of the condition and remove the offending tailpiece at the end of the condition	Refused
18/00645/REM	Reserved matters application for the erection of 16 dwellings (C3)	Approved
15/01024/OUT	Outline application for the erection of up to 17 dwellings, associated access, provision of a new church car park and a new footway along the B6254	Approved

## 4.0 Consultation Responses

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

Consultee	Response
<b>Arkolme-with-Cawood Parish Council</b>	<b>Objection</b> , flooding from increased pressure on culvert, no mains sewerage despite application form checklist, increased density from extant consent, proposed development fails to enhance or preserve the character and appearance of the Conservation Area, insufficient visitor parking, increased traffic failing to ensure that highway safety is maintained or improved, Arkholme is an unsustainable village due to lack of services and facilities with schools at capacity, lack of public consultation.
<b>Cadent Gas</b>	<b>No objection</b> , informative note regarding works within proximity to gas infrastructure.

<b>County Highways</b>	<b>Support</b> the principle of development, subject to condition and s278 for highway improvements of Stop and Give Way thermoplastic lines, carriageway centre line markings, gateway treatment measures, hedgerow management, street lighting, northerly footway and defined crossing point, and tying into an existing footway in the vicinity of Arkholme Methodist Church. Recommend further conditions for construction management plan and wheel washing, in addition to financial contribution of £6,605 to highway projects predominantly in Lancaster and Morecambe.
<b>County Education</b>	<b>No objection</b> , subject to contribution to proportionate primary and secondary school places at nearest schools within the district.
<b>Environmental Health</b>	No observation received
<b>Environment Agency</b>	<b>No objection</b> , informative note required regarding wastewater hierarchy and environmental permitting.
<b>Historic England</b>	No observation received
<b>Lead Local Flood Authority (LLFA)</b>	<b>No objection</b> , operational standards achievable, subject to planning conditions for a Final Surface Water Sustainable Drainage Strategy, Construction Surface Water Management Plan, Sustainable Drainage System Operation and Maintenance Manual and Verification Report of Constructed Sustainable Drainage System, plus informative regarding Ordinary Watercourse (Land Drainage) Consent
<b>Conservation Section</b>	Unable to fully assess the outline application due to lack of information. The proposal would result in <b>minor harm</b> (less than substantial harm) to the significance of both the Conservation Area, rear views of the conservation area on the west side of Main Street and the NDHAs via their settings. While these problems may be overcome by high quality sensitive design and layout, and by retention of a buffer area free of development around the Methodist Church, more detail is required in order to confirm that this is the case. Design principles and particularly maintaining key view of the gable elevation of the Methodist Church encouraging, but limited indicative information.
<b>Tree Protection Officer</b>	Not provide enough detail to determine the full impact of the development. Information relates just to the access rather than the site as a whole, and current information submitted represents a net loss of hedgerows where a net gain would be expected.
<b>Fire Safety Officer</b>	<b>No objection</b> , subject to informative regarding emergency vehicle access and water provision.
<b>Public Rights Of Way (PROW)</b>	<b>No objection</b> , subject to installation of drainage to ensure that surface water is not directed onto or near a PROW, all landscaping at least 3 metres from PROW to keep the PROW clear, and all footpath connections must be minimum 2 metres wide constructed surface, only using stile/gates where necessary.
<b>Ramblers Association</b>	No observation received
<b>Public Realm</b>	<b>No objection</b> , subject to contribution to open space, towards amenity green space and outdoors sports and young persons provision for sports pitches and young persons equipment at Arkholme Village Hall. Parks or Gardens contribution also sought.
<b>Lancashire Constabulary</b>	No observation received
<b>NHS</b>	No objection, subject to £14,075 contribution to Ash Tree Surgery in Carnforth. <b>Objection</b> in absence of requested contribution.
<b>United Utilities (UU)</b>	<b>No objection</b> , subject to implementation in accordance with the submitted Flood Risk Assessment (FRA) and Drainage Strategy, management and maintenance of

	Sustainable Drainage Systems (SuDS) through planning condition, and informative regarding water and wastewater services and UU property.
<b>Engineering</b>	No observations received.
<b>Planning Policy</b>	<p>The scale of the development and its relationship with the existing settlement is a key consideration. Development should be well related to the existing built form of the settlement, be proportionate to the scale and character of the settlement, be located where the environment and infrastructure can accommodate the impacts of expansion and where the scheme demonstrates good siting and design in order to conserve and where possible enhance the character and quality of the landscape. Development should be in scale and keeping with the landscape character and appropriate to its surroundings in terms of siting, design, materials, external appearance and landscaping, both the individual and cumulative impacts of a proposal.</p> <p>The tenure of affordable homes is split into 50/60% affordable/social rent and 50/40% intermediate tenure, and as such the proposal should be amended to 5 homes for rent and 4 for home ownership.</p> <p>The proposal makes no provision to address national policy and guidance with regard to multifunctional SuDS or the emerging policies which reflect the national policy and guidance.</p>
<b>Strategic Housing</b>	No observation received
<b>Lune River Trust</b>	<b>Objection</b> , proposal does not adequately incorporate SuDS interventions, attenuation pond should be included, and treated foul drainage should be intercepted by a natural storage/treatment feature prior to discharging into the beck.
<b>Waste And Recycling</b>	No observation received
<b>Economic Development</b>	No observation received
<b>Archaeology</b>	<b>No objection</b> , subject to a condition for scheme of archaeological investigation and implementation of a programme of works to be agreed.
<b>Natural England</b>	No observation received
<b>Greater Manchester Ecology Unit (GMEU)</b>	<b>No objection</b> , subject to planning condition for an updated protected species appraisal, no works during nesting season, and Great Crested Newt (GCN), mammal and amphibian avoidance measures. Recommend a bird and bat box strategy through planning condition, SuDS measures to prevent negative impacts on the ecological status of the watercourse and biodiversity net gain metric is provided based on the final site layout if permission is granted that clearly demonstrates 10% net gain.
<b>Lancashire Minerals</b>	No observation received

4.2 **3 objections** have been received from local Member of Parliament (David Morris MP, Morecambe and Lunesdale), County Councillor (Cllr Phillippa Williamson, Lancaster Rural North) and Ward Councillor (Cllr Stuart Morris, Kellet Ward), raising the following concerns and reasons for objection:

- Over-development of the site, overcrowded density, resulting in a significant adverse impact on the character and appearance of the immediate surrounding area
- No change from recently refused proposal.
- Disproportionate to the small scale of Arkholme (circa 25% increase).
- Incongruent with the rural environment.
- Deficiencies in submitted Heritage Statement, proposal does not preserve Arkholme Conservation Area and Non-Designated Heritage Assets (NDHAs), for development in elevated prominent gateway position.

- Arkholme is not a sustainable settlement, with few amenity and local schools and services already at capacity.
- Fail to protect neighbouring residential amenity.
- Insufficient information regarding drainage and the cumulative impact of any sought culvert, and drainage to a beck with a history of flooding that would be exacerbated by the proposal.
- Submergence of the outfall from Bains Beck results in water backing up this pipe, flooding neighbouring residential areas, exacerbated by this proposal.
- Incorrectly states there is an existing foul drainage network locally.
- Insufficient information regarding Biodiversity Net Gain (BNG).
- Fails to demonstrate that the development ensures that highway safety and efficiency is maintained or improved, insufficient visibility splays proposed.
- Limited public transport available locally.
- No engagement with the community prior to the submission.
- No safe pedestrian access to the village.

4.3 **20 objections** have been received from members of the public, plus an **objection** from a neighbouring residential management company, raising the following concerns and reasons for objection:

- Overcrowded inappropriate density of development for rural location of Arkholme. Urban density (over 40 dwellings per hectare developable area) and likely appearance. Excessive overdevelopment of the site.
- Disproportionate expansion of the small rural village of Arkholme (circa 25% increase), cumulative impact with other recent developments (Sheilings and Herb Gardens).
- Elevated and prominent site.
- Harm to the Conservation Area and NDHAs without significant public benefits to outweigh this.
- Lack of landscaping and green buffer.
- Detract from the appearance, character, setting, landscape of the village, particularly as viewed from the open aspect on the main approach from the south.
- Adverse effect on the nearby designated Area of Natural Beauty.
- No evidence to support housing quantity proposed, increased by 40% over previous approvals and a 130% on 2015 housing land availability assessment.
- Poor standard of submission, presenting old information and lack of details.
- A detailed (full) planning application should be required.
- Concerns regarding the timings and outcome of the submitted ecology assessment, and lack of detail of the proposal and methodology in the submitted heritage assessment.
- No BNG within the proposal
- Lack of community consultation.
- No/little change from recently refused proposal.
- Unsustainable location for development.
- Lack of amenities and services to support such additional population.
- Part time post office, primary school at capacity, most other facilities/services several miles away.
- Concern this could lead to further development still beyond the application site.
- Lack of housing need in Arkholme.
- Detract from residential amenity standards of existing dwellinghouses, particularly at The Sheilings. Loss of views from existing dwellinghouses
- Existing culvert through the site, which forms the outflow from surface and treated wastewater from neighbouring residential areas, has a long history of backing up and flooding after storm events, concerns the proposal would exacerbate this, lack of assessment of existing pipe.
- Water levels in Bains Beck rise very quickly following storms, concerns the proposal would exacerbate this and flood risk.
- Submergence of the outfall from Bains Beck results in water backing up this pipe, flooding neighbouring residential areas, exacerbated by this proposal.

- Direct and maintenance impacts of developing over the culvert.
- No mains sewerage available locally.
- Flood risk to properties at lower topography to the north.
- Highway safety concerns regarding appropriateness of the sought access in an area evidenced to have an existing speed compliance issue.
- Insufficient access visibility splays.
- Poor public transport locally, over-reliance on private car ownership.
- Impact on adjacent footpath to the south (public right of way footpath no.4).

## 5.0 Analysis

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

- Principle of development, affordable housing and mix
- Landscape and heritage impacts
- Residential amenity and energy efficiency
- Access, transport and parking
- Flood risk and drainage
- Trees and ecology
- Other matters

5.2 **Principle of development, affordable housing and mix** Development Management (DM) DPD DM1 (New Residential Development and Meeting Housing Needs), DM2 (Housing Standards), DM3 (The Delivery of Affordable Housing), DM4 (Residential Development outside Main Urban Areas), DM46 (Development and Landscape Impact), Strategic Policies and Land Allocations (SPLA) DPD SP1 (Presumption in Favour of Sustainable Development), SP2 (Lancaster District Settlement Hierarchy), SP3 (Development Strategy for Lancaster District), SP6 (The Delivery of New Homes), SP9 (Maintaining Strong and Vibrant Communities), H2 (Housing Delivery in Rural Areas of The District), National Planning Policy Framework (NPPF) Section 2 (Achieving sustainable development), Section 4 (Decision-making), Section 5 (Delivering a sufficient supply of homes) Section 11 ( Making effective use of land)

5.2.1 Arkholme is a small rural village located within the Lune Valley, which is no longer identified as a sustainable rural settlement through policy SP2 of the SPLA DPD, but as a 'Rural Village' covering all other settlements that did not achieve the criteria to be considered sustainable settlements as part of the Strategic Housing Land Availability Assessment (SHLAA). Policy DM4 stipulates that proposals for new housing in such settlements, which have not been identified as sustainable settlements, will only be supported if it can be demonstrated that the development will enhance the vitality of the local community and meet an identified and specific local housing need. The site is not an allocated site through the local plan listed within SPLA DPD policy H2 for housing delivery in rural areas of the district, but has been identified in the SHLAA in 2018 as a deliverable site for 17 dwellinghouses. It is worth noting that the site is considered deliverable in the SHLAA due to an extant permission for outline and reserved matters consents for 16 dwellinghouses.

5.2.2 The proposal seeks 23 dwellings, 7 more than the current implementable consent at the site. The principle of residential development at the site is established by this extant consent and the SHLAA. Given the council's current position in being unable to identify 5 years of housing land supply, and the acute requirement to provide housing and affordable homes, the delivery of addition units at the site can be supported in making effective use of land and the contribution this modest uplift would make in addressing the lack of housing land supply and affordable homes at policy compliant affordable homes provision. To ensure the proposal meets a specific local housing need, the housing mix should be controlled through planning conditions to accord with the mix provided in DM DPD policy DM2, and at least 20% achieving M4(2) accessible and adaptable homes. Affordable housing should also be controlled to ensure this provides 40% on-site, as the application proposes 9 affordable units should 23 dwellings be provided, and controlling this as a percentage rather than quantum of dwellings would allow a policy compliant provision if fewer total number of dwellings are progressed at reserve matters. The affordable provision should also be controlled to meet local housing need in terms of housing mix, with equal or greater level of affordable/social rent than shared ownership, and to be distributed and largely indistinguishable from open market housing,

again to ensure this meets a specific local housing need. This can be controlled through legal agreement.

- 5.2.3 Despite Arkholme no longer forming a sustainable settlement, given the extant consent, the current deficiency in housing land supply, combined with the services available in Arkholme for a school, village hall, public house and every 2-hour bus service to larger settlements, in principle providing additional dwellings at the site could be supported. Whether NPPF paragraph 11.d) is engaged due to this housing land supply issue will depend on whether heritage impacts provides a clear reason for refusing the development proposed. Heritage matters will be explored in a following section of this report, however, irrespective of the heritage assessment at outline stage, the tilted balance would need to be reassessed at reserved matters stage, as matters of scale, design, layout and landscaping would undoubtedly have impacts upon heritage, and as such, the reserved matters may provide a clear reason in heritage terms to conflict with application of any tilted balance at such stage.
- 5.2.4 Such an approach of delivering additional homes with the same site area would require a higher concentration of development above the extant position. Further information was sought prior to determination regarding a parameters plan, design code and precedent images, to evidence how the sought number of dwellings may be provided. Whether such a quantum of development can be satisfactorily accommodated in this location, whilst enhancing the vitality of the local community, remains largely unevidenced. With the development area considered to be circa 0.6ha, provision of 23 dwellings at the site would result in a suburban density of circa 38dph (dwellings per hectare). A suburban style of development, such as that proposed in the preceding refused full application and shown within some precedent images, would again be considered inappropriate at this site.
- 5.2.5 This could be explored in full as part of a subsequent reserved matters application, and if development cannot be satisfactorily accommodated at this density, the up-to figure allows this to be reduced, as occurred with the preceding extant outline and reserved matters approved at this site. Evidence from the preceding refused full application at this site demonstrates that provision of 23 dwellings here has been unacceptable, and whilst it remains to be seen whether such a quantum can be satisfactorily provided, national planning policy seeks avoid low density development and make optimal use of the potential of each site, whilst maintaining prevailing character. Given the outline nature of the proposal for an up-to figure, this can be assessed through a subsequent reserved matters application, if outline consent is granted, and ultimately if a satisfactory scheme for 23 units cannot be devised, this could be reduced to fewer units through the reserved matters process, as occurred previously.
- 5.2.6 Given the current housing demand/supply position and provision of 40% affordable homes, addressing an acute housing need, combined with the fact the proposal seeks an up-to figure that could be reduced through reserved matters, it is considered that in principle the proposal can be supported as an up-to figure. The design, layout, landscape and scale, including precise quantity of dwelling proposed (at a maximum of 23), would all form reserved matters. As such, and given the proposal seeks policy compliant 40% affordable homes with housing mix controlled to comply with policy, it is considered that the proposal can be supported as an up-to figure. Final arrangements, layouts, scale and quantity of dwellings would be explored at reserved matters stage, if outline consent is granted, and will be determined accordingly as to whether such matters can be designed to achieve an acceptable scheme at the site, and ensure that heritage impacts are avoided and mitigated to ensure the tilted balance remains applicable to such subsequent applications.
- 5.3 **Landscape and heritage impacts** Development Management (DM) DPD DM29 (Key Design Principles), DM38 (Development affecting Conservation Areas), DM39 (The Setting of Designated Heritage Assets), DM41 (Development Affecting Non-Heritage Assets or their settings) DM42 (Archaeology), DM46 (Development and Landscape Impact), Strategic Policies and Land Allocations (SPLA) DPD SP7 (Maintaining Lancaster District's Unique Heritage), EN3 (The Open Countryside), National Planning Policy Framework (NPPF) Section 12 (Achieving well-designed places), Section 15 (Conserving and enhancing the natural environment), Section 16 (Conserving and enhancing the historic environment), Listed Building and Conservation Areas Act 1990 paragraphs 72 and 73, National Model Design Code (NMDC)
- 5.3.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed building, a Conservation Area or their setting, the local planning

authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the heritage asset or its setting. This is reiterated by policy DM38. DM38 sets out that development within Conservation Areas will only be permitted where it has been demonstrated that:

- Proposals respect the character of the surrounding built form and its wider setting in terms of design, siting, scale, massing, height and the materials used; and,
- Proposals will not result in the loss or alteration of features which contribute to the special character of the building and area; and,
- Proposed uses are sympathetic and appropriate to the character of the existing building and will not result in any detrimental impact on the visual amenity and wider setting of the Conservation Area.

5.3.2 The vast majority of Arkholme village is covered by a Conservation Area, with only the contemporary village hall and a cluster of properties separate to the northeast, adjacent to the railway line, beyond the boundaries of Arkholme Conservation Area. Arkholme Conservation Area is characterised by its linear plan form, which developed around the motte to the northeast of the village in the early medieval era. The village expanded in the C17, and many of the surviving buildings date to this era and later, with most buildings fronting directly onto the pavement. The historic road layout is extremely well-preserved and legible. There is great variation in plot sizes, but they are generally generous with large gardens to the side or rear (or both). Some are set back in large verdant grounds bounded by mature hedges, but despite variation in plot position, the historic buildings address the road. The surrounding views of agricultural land has significantly retained the rural character of the village, and the views are predominantly of rolling countryside and some distant views of fells, which emphasises the secluded rural setting of Arkholme. The conservation area appraisal identifies the Former Welseyan Chapel, Bainsbeck House and Chapel Cottages as positive buildings, which are adjacent to the application site and all three are considered to form non-designated heritage assets (NDHA) of local importance, and positively contribute to the national heritage asset conservation area.

5.3.3 The application is in outline, therefore, matters of layout, scale, landscaping and appearance are for subsequent approval and will be determined at the reserved matters stage. However, given the prominent elevated location at a key gateway and approach to the Conservation Area, a high-quality scheme that compliments the character and quality of the landscape and the Conservation Area would be essential at reserved matters stage. A standard suburban housing estate would appear incongruent and provide a harmful contrast to the rural character and heritage of Arkholme and the surrounding countryside. Given the prevalence of low heights of development in the village, elevated nature of the site and importance of maintaining the countryside setting and views of this rural village, it is considered appropriate to restrict the heights of the proposed dwellings on this site to no more than 2 storey. Trying to compress density through taller developments would harm the setting and heritage of the area, and taller townhouse style development would appear incongruent.

5.3.4 Development of the site would be expected to accord with the linear settlement pattern, built in local materials such as natural sandstone under grey slate in diminishing courses with individuality and vernacular construction, gabled roofs and traditional mullion windows, in low rise development retaining views of open countryside. In addition, boundary walls and landscaping offer further potential for mitigation, with details of the boundary and surface treatment to be controlled through planning conditions given the visual and heritage impacts such works would make. In short, a standard homogenous suburban housing estate would be inappropriate and harmful in this location, particularly given the prominence of the site as an extension to the settlement rather than an infill, and the scale of development in proportion to the existing scale of the village of circa 100 properties. Whilst the sought maximum number of units could result in a suburban density of development, whether this can be appropriate provided and mitigated through design, layout, scale and landscaping to ensure this is high quality and sympathetic to this rural historic setting would form part of any subsequent reserved matters, if granted outline consent. Housing mix will also likely play a key role, which should be controlled through planning condition to meet a full range of housing local need.

5.3.5 The application site is highly prominent on the approach to the Conservation Area. The rise in topography from the south on the approach to the Conservation Area allows for clear views to the NDHAs and the proposed development site, which is emphasised by the rising topography of the site itself. Views of the Methodist Church and Bainsbeck House on arrival into the Conservation Area would therefore be affected by the proposal, with the application site on the cusp and partially within



the Conservation Area. Development of the site would result in a degree of harm to the significance of both the Conservation Area and the NDHAs via their settings. A high-quality and sympathetically designed and density development would likely cause relatively minor harm to heritage assets, whilst a standardised scheme using suburban house types and layouts would result in a larger degree of heritage harm leading to a clear reason for refusal of this protected heritage area. Engaging a tilted balance at outline stage does not automatically carry across to any subsequent reserved matters, which will need to address heritage matters sympathetically and appropriately for this approach and balance weighting to be applied at any subsequent reserved matters proposal. However, overall, it is concluded that the principle of housing development on the site for up-to 23 dwellings would cause minor harm to the significance of heritage assets, which must be weighed against the public benefits of addressing an acute housing and affordable homes need in the planning balance.

5.3.6 The submission has included a written scheme of investigation, outlining archaeological works to be undertaken. This is considered to being an acceptable approach to recording archaeological interest of the site and will be controlled by planning condition.

5.4 **Residential amenity and energy efficiency** Development Management (DM) DPD DM2 (Housing Standards), DM29 (Key Design Principles), DM30 (Sustainable Design), DM57 (Health and Well-being), National Planning Policy Framework (NPPF) Section 8 (Promoting healthy and safe communities), Nationally Described Space Standards (NDSS)

5.4.1 A further constraint to the density of development for 23 dwellinghouses across the site is maintaining and providing satisfactory residential amenity standards, particularly given the topographical changes across the site. Whilst separation distances of 12 and 21 metres are required when openings face opposing blank and active elevations respectively, this increases by 1 metre distance for 0.5 metre change in finished floor levels (FFLs). The site rises to the north boundary and centre of the site, with neighbouring dwellings to the north set at a lower topography and changes across the site necessitating increased separation distances due to likely differences in finished floor levels (FFLs) across the site.

5.4.2 The precise site levels and FFLs can be controlled through planning condition, and given the fact this is a rural greenfield site with a character for ample gardens within the village, there is no urban grain justification for reduction in such distances and failure to achieve policy compliant garden areas to provide inappropriate density. Again, this would largely fall within reserved matters, and the outline as sought at present would not detract from neighbouring nor residential amenity standards within the site as an up-to figure. To ensure each dwellinghouse offers suitable residential amenity standards in accordance with DM DPD policy DM2, accordance with Nationally Described Space Standards (NDSS) should be controlled through planning condition. Subject to such conditions, the outline proposal results in no undue harm to residential amenity standards, with other impacts relating to residential amenity impacts through design, scale and layout to be assessed at reserved matters stage.

5.4.3 The energy statement submitted with this proposal details an enhances energy specification within the table below. These offer benefits above building control requirements, offering benefits in addressing the climate emergency, but also benefits to future occupants in terms of affordability of ongoing bills associated with occupation of such dwellinghouses. Subject to the enhanced specification and minimum 4% betterment detailed within the energy statement being controlled through planning condition and delivered as part of a detail scheme, this is considered to form a betterment of modest weight in favour.

Element	Part L 2013	Enhanced Specification
Wall	0.30W/m <sup>2</sup> K	0.17-0.22 W/m <sup>2</sup> K
Roof	0.20W/m <sup>2</sup> K	0.11-0.14 W/m <sup>2</sup> K
Floor	0.25W/m <sup>2</sup> K	0.14 W/m <sup>2</sup> K
Glazing & Doors	2.00W/m <sup>2</sup> K	1.20-1.60 W/m <sup>2</sup> K
Air Test	10m <sup>3</sup> /h.m <sup>2</sup> at 50Pa	5.00m <sup>3</sup> /h.m <sup>2</sup> at 50Pa

Table 5 - Enhanced Specification Summary & Comparison

5.5 **Access, transport and parking** 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), DM64 (Lancaster District Highways and Transport Masterplan), Appendix E (Car Parking Standards), Strategic Policies and Land Allocations (SPLA) DPD policies SP10 (Improving Transport Connectivity), T2 (Cycling and Walking Network), National Planning Policy Framework

(NPPF) Section 9 (Promoting sustainable transport)

- 5.5.1 The proposed vehicular access onto Kirkby Lonsdale Road is in the same location and similar to the extant access of the previously approved scheme, although this excludes the church parking provision within the application site, and the existing church parking area and existing vehicular access point is to remain within the visibility splay. Whilst the number of residential units using this access through the proposal could increase from 16 to 23, the proposal no longer includes 12 church parking spaces using the proposed access point. As such, the intensity of use of the proposed access is considered to be similar to the extant arrangement, albeit likely more continuous than intermittent peaks associated with a communal car park to a church.
- 5.5.2 It is acknowledged that there is a speed compliance issue locally, and as such off-site highway works are necessary to ensure visibility splays are appropriate to local road speed, rather than just the speed limit. Such speed control measures suggested within the County Highway consultation response include road markings, gateway measures to highlight to approach into the village, vegetation, lighting, provision of a pavement footway and a defined pedestrian crossing adjacent to the site, in addition to full details of the proposed pavement, crossing and vehicular access to the site. Such measures should be controlled through planning condition, and delivered through a section 278 process.
- 5.5.3 Given the limited bus service locally and restricted walking provision of narrow pavements requiring multiple road crossings to access the services within Arkholme, providing a direct link between the development and the public right of way network to the south is essential to discourage superfluous vehicle movements for short trips, and encourage sustainable transport. The red edge development area crosses this public right of way, and connection to this should be controlled through planning condition. To mitigate the highway impacts during construction, a construction management plan (CMP) should be controlled through planning condition. Subject to such planning conditions, the proposal is considered to cause no undue harm to highway safety.
- 5.5.4 County Highways have requested £6,605 towards delivering various highway developments in Lancaster and Morecambe. Given that Motorway Junction 34 is 7.5 miles from the site, and other highway projects sought for contributions are even further than this, it is also difficult to reach a planning view that the development should be refused if this was not provided, and fails to comply with the Community Infrastructure Levy (CIL) tests of being reasonable, necessary and proportionate for a development at such a separation. As such, this contribution will not be sought, and aforementioned visibility splays, CMP and off-site highway works are considered suitable mitigation to ensure no adverse impact upon highway safety, despite the fact that at present vehicle speeds may exceed the speed limit locally.
- 5.5.5 Car parking provision would be explored as part of any subsequent reserved matters application, however given the rural location and limited sustainable transport options available, policy compliant parking spaces would be expected, namely 2 parking spaces for 2/3 bedroom properties, and 3 parking spaces for 4 or more bedroom properties. Given the rural location and lack parking space to the front of dwellinghouses across the majority of the village, parking spaces would be expected to be between properties, rather than directly in front of them, particularly to the prominent southern end of the site. This would accord with the submitted indicative Design Principles of less visible parking and garages, avoiding vehicles dominating the streetscene. To encourage uptake of sustainable alternative transport options, cycle storage and direct footway connection from the site to the existing PROW footpath just beyond the southern boundary to the site should be controlled through planning condition. EV charging points are now required through building regulations, and as such should not be repeated in planning condition requirements.
- 5.6 **Flood risk and drainage 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), DM36 (Protecting Water Resources and Infrastructure), DM57 (Health and Wellbeing), Strategic Policies and Land Allocations (SPLA) DPD policy SP8 (Protecting the Natural Environment), National Planning Policy Framework (NPPF) Section 14 (Meeting the challenge of climate change, flooding and coastal change), Section 15 (Conserving and enhancing the natural environment)**
- 5.6.1 The submitted flood risk assessment identifies the site as within Flood Zone 1, with the majority of

the site at low risk of surface water flooding. The eastern edge of the site is at high risk of surface water flooding, likely to be impacted during 1in30 year surface water flooding events in-line with the existing culvert at the eastern edge of the site, which also forms a natural lower channel running north to south, with higher topography land to both the east and west of this furrow. Whilst this will need to be taken into account with layout through reserved matters, to sequentially place dwellings within the site away from areas of known high risk of surface water flooding and the existing culvert, this does not implicate this outline proposal, other than squeezing and already constrained developable area of the site.

5.6.2 A culverted watercourse lies just inside the site's eastern boundary and flows from the north to the south to discharge into Bains Beck, circa 60 metres south of the site. The culvert is a 375mm diameter pipe with a minimum fall of 1 in 625, and the submitted updated drainage details that this has a capacity of 72 l/s. It is proposed for a restricted discharge from the developed site of 9 l/s to be discharged into the culverted watercourse, at the pre-development greenfield runoff rate.

5.6.3 The precise nature of the drainage scheme, and how this would be attenuated to discharge at a controlled rate, has yet to be explored. This would be expected to be provided through multifunctional sustainable drainage features close to where it falls, mimicking natural drainage as closely as possible. However, whilst the submitted drainage information lacks this detail, there is sufficient outfall and opportunity to explore this fully through pre-commencement planning condition for a final detailed drainage strategy. This should be received before or alongside a reserved matters application to ensure layout does not prejudice the delivery of sustainable drainage features. Further conditions for the management/maintenance and verification of implemented drainage, and a construction surface water management scheme, will be necessary to ensure impacts upon drainage are satisfactorily mitigated from commencement and throughout the lifetime of the development. Such planning conditions are recommended with the no objections received from LLFA and UU. Subject to such conditions, to the proposal is considered to be acceptable with regards to flood risk and drainage.

5.6.4 Whilst the planning application form erroneously details that mains sewer will be used for foul sewage, the site and drainage plan detail a package treatment plant and pumping station. Whilst there is very limited detail regarding foul drainage, given the lack of mains sewer in the vicinity, a package treatment plant is the sequentially preferable option. Subject to details of the proposed foul drainage controlled through planning condition, an acceptable foul drainage scheme can be delivered at the site through a suitable design and scale of package treatment plant.

5.7 **Trees and ecology** Development Management (DM) DPD policies DM43 (Green Infrastructure), DM44 (Protection and Enhancement of Biodiversity) and DM45 (Protection of Trees, Hedgerows and Woodland), Strategic Policies and Land Allocations (SPLA) DPD policies: SP8 (Protecting the Natural Environment), National Planning Policy Framework (NPPF) Section 15 (Conserving and enhancing the natural environment)

5.7.1 Development of the site access can only be provided through the removal of circa 25 metres of roadside hedgerow, to provide the 5.5 metre wide access, north side pavement and associated visibility plays. Hedgerows play an important role in the amenity of the rural area and the character of the Conservation Area; however, this is unfortunately an inevitable loss to ensure a safe means of access and egress to the site. Replacement hedgerow planting is proposed behind the visibility splays adjacent to the site access, returning some of the lost appearance in the medium term. This in itself does not sufficiently mitigate the loss of hedgerow, which should be adequately replaced with additional planting within the site to mitigate the ecological and amenity impacts of the hedge removal required.

5.7.2 An Arboricultural Impact Assessment (AIA) has been submitted, detailing protection of other hedgerows and trees to the east of Kirkby Lonsdale Road, although a boundary hedge on the west side of this road is detailed for removal to facilitate the new proposed footway pavement along this road. Further information has been sought to evidence that the road, pavement and hedgerow can be retained or replanted in this location, to ensure there is no permanent loss and ideally protection in this location. The information provided details an adopted highway width of 10 metres in the locality, corroborated by County Highways. With off-site highway improvements of road narrowing as a traffic calming measure, there should be sufficient space for the provision of a suitable rural pavement and hedgerow along the west side of Kirkby Lonsdale Road. A final Arboricultural Method

Statement and Protection Plan should form part of pre-commencement conditions, hopefully exploring the retention of this western hedge and reducing the requirement for replacement planting, which is currently not fully detailed as part of this application. Landscaping would form a reserved matter, if outline consent is granted, however the submitted Ecology Appraisal details that 10% increase in biodiversity net gain is achievable as meaningful net gain, primarily through hedgerow planting although trees would be expected within this given national planning policy requirement for tree lined streets.

5.7.3 Given the layout and extent of landscaping is unknown at this stage, it is necessary that an updated metric is provided as part of the reserved matters application, that clearly continues to demonstrate 10% net gain can be secured. It would not be a reserved matter itself, but it is important that it is considered as part of the layout and is integral to the proposed landscaping. Accordingly, a Section 106 Agreement is required to secure the required net gain in biodiversity, together with a monitoring and maintenance plan for a 30-year period. It is therefore appropriate to include the Landscape and Ecological Creation and Management Plan within the legal agreement rather than as a condition. Overall, it is considered that whilst hedgerow loss is unfortunate particularly in short term landscape and heritage terms, ecology and landscaping can be mitigated through a sensitive layout and design at reserved matters stage and within the inclusion of the aforementioned planning obligation. In the medium to long term, this would help mitigate the landscape and heritage harm identified.

5.7.4 In addition to concluding that biodiversity net gain of 10% is achievable, the submitted Ecology Appraisal details additional mitigation recommended within this document to protect and enhance ecology. Work should take place during daylight hours, hedges to remain untouched between March and September or professionally inspected prior to works, mitigation for excavations and gaps beneath boundary treatments, new bat and bird roosting/nesting provisions across the site. Given potential impacts upon protected species and proportionate mitigation for this potentially changing from the point of impact at commencement of development, these should be updated and informed through details within a pre-commencement planning condition, with mitigation measures updated accordingly depending on the findings.

5.8 **Other matters (employment, education, open space, health, and minerals)** Development Management (DM) DPD policies DM27 (Open Space, Sports and Recreation Facilities), DM28 (Employment and Skills Plans), DM32 (Contaminated Land), DM57 (Health and Wellbeing), Appendix D (Open Space Standards and Requirements), Strategic Policies and Land Allocations (SPLA) DPD policies: SP9 (Maintaining Strong and Vibrant Communities), National Planning Policy Framework (NPPF) Section 8 (Promoting healthy and safe communities), Section 12 (Achieving well-designed places), Section 17 (Facilitating the sustainable use of minerals), Minerals and Waste Local Plan

5.8.1 This application has met the threshold for requiring production of an Employment and Skills Plan (ESP). The ESP details how opportunities for, access to and up-skilling local people through the construction phase of the development proposal will be provided. As such, and given mitigation would likely be met during construction phase of the development itself, this should be controlled through pre-commencement planning condition to ensure any consent granted delivers the ESP requirements.

5.8.2 It is crucial that development coming forward makes provision for essential community infrastructure, and education would fall within this. It is vital that there are sufficient school spaces to accommodate the additional pupils that the development is likely to generate. There is an existing primary school within Arkholme, whilst the nearest secondary school is located circa 9 minutes' drive time (5.4 miles road distance) away in Carnforth. Public consultation responses and the Parish Council have stated that the local primary school is currently at capacity. Whilst County Education have provided indicative figures, given the number of bedrooms and even dwellinghouses as part of the proposal are only maximum figures, and not defined at this stage, the indicative calculation requires 9 primary and 3 secondary school places as part of the proposed development, to be provided within the nearest primary and secondary schools within the district. These requests are considered to be related to the development and fair and reasonable in scale and kind, subject to the final figure being proportionate to the number of bedrooms proposed through reserved matters, controlled through legal agreement.

5.8.3 There is a deficiency of amenity green space, young people's provision and quality of outdoor sports

provision within the Carnforth/Rural area, and a lack of any 'parks and gardens'. The provision of up to 23 dwellinghouses would place additional pressure on the already deficient provision, and as such on-site provisions and financial contributions to these open space requirements should be controlled through legal agreement. The exception to this is 'parks and gardens', as there is no suitable facility within appropriate proximity for any contributions to be spent. Amenity greenspace could be proportionately provided on site, particularly given the expected setback of dwellings from Kirkby Lonsdale Road and potential multifunctional benefits of surface SuDS provision. Contributions would be calculated at reserved matters stage, proportionate to the number of bedrooms provided across the development, and should be controlled as such through legal agreement.

5.8.4 The NHS have requested contributions, however unfortunately these cannot be accepted at this time. No evidence has been provided by the NHS justifying the need or cost for the proposed works to the medical centre. Accordingly, the request does not meet the required CIL regulations tests.

5.8.5 A Phase 1 GeoEnvironmental Desk Study has been submitted with this application, identifying low risk of contamination from land use and to controlled waters. The study recommends soil samples are contamination tested during geotechnical investigation, and subject to this being carried out and submission of a remediation method statement if required through planning condition, the proposal can be made safe for construction workers and any future occupants.

5.8.6 The application site access and western end of the site is located within a Mineral Safeguarding Area under Lancashire's Waste and Minerals Local Plan. Policy M2 of the Waste and Minerals Plan states that planning permission will not be supported for any form of development that is incompatible by reason of scale, proximity and permanence with working the minerals. The policy sets out circumstances where the Local Planning Authority may accept incompatible development, for example where there is an overriding need for the incompatible development that outweighs the need to avoid mineral sterilisation. It requires proposals for development other than non-mineral extraction, to demonstrate that they will not sterilise the resource or that consideration has been given to prior extraction, on site constraints and the need for the proposed development.

5.8.7 The NPPF states that local planning authorities should not normally permit other development proposals in mineral safeguarding areas where they might constrain potential future use for these purposes. The application site partially covers the eastern edge of the mineral safeguard area, and whilst this would modestly reduce the theoretical potential area of extraction, this would not restrict extraction from the wider safeguarded area. Furthermore, given the topography of the site; its position in relation to surrounding land also allocated for mineral safeguarding, which is dissected by rural roads and scattered development; and the proximity of the site to residential property, that the application site is highly unlikely to attract significant commercial interest in the land for mineral extraction. As such, the proposal is considered to cause no undue harm to the very limited potential for mineral extraction locally.

## **6.0 Planning Obligations**

6.1 A Section 106 Legal Agreement is sought to secure the following:

- 40% provision of affordable housing (percentage, size, type, phasing to be agreed at Reserved Matters stage based on local housing needs and the tenure of affordable homes split into 50/60% affordable/social rent and 50/40% intermediate tenure);
- Detail, contribution and provision for open space (to be calculated at Reserved Matters Stage).
- Biodiversity net gain, including an updated metric at the time of a reserved matters application, that continues to demonstrate 10% net gain and a Landscape and Ecological Creation and Management Plan showing 30 year management.
- Provision for long term drainage, open space and landscaping/BNG, maintenance and management company; and,
- Contribution to Education (to be calculated at Reserved Matters Stage).

## **7.0 Conclusion and Planning Balance**

7.1 The proposal to deliver up to 23 dwellings (7 additional dwellings to that secured by the extant permission) offers greater social and economic benefits of additional housing, particularly at a time when there is a lack of housing land supply. The extant permission and the proposal are both policy

compliant in terms of proportion and number of affordable homes, albeit given the additional units the proposal will deliver a proportionate level of additional affordable homes. Given the position on housing land supply, a moderate degree of positive weight is attached to the provision of 7 additional dwellings, and a larger degree of positive weight is attached to the delivery of affordable homes at a time where there is a particular demand for affordable homes.

7.2 At this outline stage, a minor level of less than substantial harm to heritage assets has been identified, with high quality and sympathetic design and layout required at reserved matters stage required to maintain harm at such a level. Given the aforementioned consideration in terms of addressing housing and particularly affordable home supply, it is considered that this offers sufficient justification and public benefits to outweigh heritage impacts. As such, this would not provide a clear reason to refuse permission, applying a tilted balance towards the delivery of residential development. It therefore needs to be considered whether the adverse impacts outlined would significantly and demonstrably outweigh the benefits. The delivery of housing, and particularly policy compliant 40% affordable housing provision, weighs in favour of the proposal.

7.3 Given the significant undersupply of housing within the District, it is considered that the benefits of the proposal do outweigh the harm to heritage assets and their setting, the location within the open countryside and short term visual and heritage impacts through hedgerow removal. Whilst density remains a concern for local residents, politicians and the Parish Council, with unfortunately little information as part of this application to demonstrate how this can be satisfactorily provided, this would need to be explored as part of reserved matters, as impacts would largely relate to whether the design, layout and scale of development can accommodate 23 units. As an up-to figure, this may also be reduced through reserved matters, and combined with the government's objective of significantly boosting the supply of homes and make optimal use of the potential of each site, whilst maintaining prevailing character, it is recommended that outline consent is granted, with precise number of units (no greater than 23) explored through the reserved matters process.

## Recommendation

That Outline Planning Permission BE GRANTED subject to the following conditions and Planning Obligations (as set out at paragraph 6.1 of this report):

- Affordable housing
- Open space provision
- Biodiversity net gain and a Landscape and Ecological Creation and Management Plan
- Provision for long term drainage, open space and landscaping/BNG, maintenance and management company; and,
- Contribution to Education

Condition no.	Description	Type
1	Timescale for commencement (2 years)	Standard
2	Development in accordance with approved plans	Standard
3	Arboricultural Impact Assessment details, submission of Arboricultural Method Statement and Tree Protection Plan	Pre-commencement and reserved matters
4	Final surface water sustainable drainage strategy (SuDS)	Pre-commencement and reserved matters
5	Foul water scheme	Pre-commencement and reserved matters
6	Finished site and floor levels (including gardens and open space)	Pre-commencement and reserved matters
7	Full landscaping and ecological management plan	Pre-occupation and first planting season
8	Ecology mitigation measures, including updated protected species appraisal	Pre-commencement and reserved matters
9	Full energy efficiency measures, at least 4% enhancement	Pre-commencement
10	Submission of an Employment and Skills Plan	Pre-commencement
11	Submission of construction management plan	Pre-commencement
12	Submission of construction surface water management plan	Pre-commencement

13	Full details of site access/footway/crossing/lighting	Pre-commencement
14	Contaminated land - following recommendations of the report	Pre-commencement
15	Boundary and surface treatments remove permitted development	Pre-commencement of boundary/surface treatments
16	Scheme for the full engineering, drainage and construction details of the internal estate roads	Prior to commencement of estate roads
17	Off-site highway works, including pavements	Pre-use of access and occupation
18	Visibility splays	Pre-use of access and occupation
19	Sustainable drainage system operation and maintenance manual.	Pre-occupation
20	Verification report of constructed sustainable drainage system	Pre-occupation
21	Scheme of archaeological work	Pre-occupation
22	Public right of way (PROW) connection scheme	Pre-occupation
23	Cycle and bin storage details	Pre-occupation
24	Housing mix address local need/policy	Compliance
25	Requirements of M4(2) accessibility and adaptability	Compliance
26	Nationally Described Space Standards	Compliance
27	Limit up to 2 storey	Compliance

**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**

None