



Committee: PLANNING REGULATORY COMMITTEE

Date: MONDAY, 3 JUNE 2019

Venue: LANCASTER TOWN HALL

Time: 10.30 A.M.

A G E N D A

Officers have prepared a report for each of the planning or related applications listed on this Agenda. Copies of all application literature and any representations received are available for viewing at the City Council's Public Access website <http://www.lancaster.gov.uk/publicaccess> by searching for the relevant applicant number.

1 Apologies for Absence

2 Appointment of Vice-Chair

To appoint a Vice-Chair for the duration of the 2019/20 municipal year.

3 Minutes

Minutes of meeting held on 29 April, 2019 (previously circulated).

4 Items of Urgent Business authorised by the Chair

5 Declarations of Interest

To receive declarations by Councillors of interests in respect of items on this Agenda.

Councillors are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 9 and in the interests of clarity and transparency, Councillors should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code Of Conduct, Councillors are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

Planning Applications for Decision

Community Safety Implications

In preparing the reports for this agenda, regard has been paid to the implications of the proposed developments on community safety issues. Where it is considered that the

proposed development has particular implications for community safety, the issue is fully considered within the main body of the individual planning application report. The weight attributed to this is a matter for the decision-taker.

Local Finance Considerations

Section 143 of the Localism Act requires the local planning authority to have regard to local finance considerations when determining planning applications. Local finance considerations are defined as a grant or other financial assistance that has been provided; will be provided; or could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments), or sums that a relevant authority has, will or could receive in payment of the Community Infrastructure Levy. Whether a local finance consideration is material to the planning decision will depend upon whether it could help to make development acceptable in planning terms, and where necessary these issues are fully considered within the main body of the individual planning application report. The weight attributed to this is a matter for the decision-taker.

Human Rights Act

Planning application recommendations have been reached after consideration of The Human Rights Act. Unless otherwise explicitly stated in the report, the issues arising do not appear to be of such magnitude to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

6	A6 18/01183/FUL	Land North East of Ex Servicemens Club, Scotland Road, Carnforth	Carnforth and Millhead Ward	(Pages 1 - 16)
		Erection of a care home building comprising of 118 bedrooms and communal, staff and services areas with associated internal road layout, car parking and landscaping, creation of a new access and construction of a new retaining wall		
7	A7 18/01589/REM	Warton Grange Farm, Farleton Close, Warton	Warton Ward	(Pages 17 - 24)
		Reserved matters application for the demolition of the existing farm buildings and the erection of 21 dwellings with associated access and landscaping		
8	A8 18/01603/FUL	Warton Grange Farm, Farleton Close, Warton	Warton Ward	(Pages 25 - 32)
		Erection of 4 dwellings with associated access, residential curtilage, and landscaping		

9	A9 19/00088/FUL	Land Adjacent To Meadowcroft, Hill Lane, Nether Kellet	Kellet Ward	(Pages 33 - 42)
		Erection of a two storey dwelling with associated access and alterations to land levels		
10	A10 18/00380/FUL	The Corner House, Woodwell Lane, Silverdale	Silverdale Ward	(Pages 43 - 51)
		Demolition of existing property and outbuilding, erection of replacement detached dwelling, alteration to vehicular access and associated landscaping		
11	A11 18/01367/OUT	Land Off Hadrian Road, Morecambe	Torrisholme Ward	(Pages 52 - 61)
		Outline application for erection of 13 dwellings (C3)		
12	A12 18/00472/FUL	Land Off Wyresdale Road, Lancaster	John O'Gaunt Ward	(Pages 62 - 71)
		Erection of 27 dwellings (C3) with associated access		
13	A13 19/00336/OUT	Land off Bay Horse Lane, Bay Horse	Ellel Ward	(Pages 72 - 79)
		Outline application for the erection of two dwellings and associated access		
14	A14 19/00456/VCN	Land South of Hala Carr Farm, Bowerham Road	Scotforth East Ward	(Pages 80 - 85)
		Erection of 25 dwellings and creation of a new access and access roads (pursuant to the variation of conditions 2, 4, 5, 10, 11, 12 and 17 on planning permission 18/01413/VCN to amend the list of approved plans, remove the southern footpath, and provide details of boundary treatments, landscaping scheme, surface water drainage, foul water drainage and materials)		

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|-----------|---|--|---------------------------------------|------------------------|
| 15 | A15 19/00245/VCN | Whittington Farm, Main Street,
Whittington | Upper Lune
Valley
Ward | (Pages 86 - 93) |
| | | Outline application for the erection of 18 dwellings with associated access and change of use of barn to a mixed use comprising a dwelling (C3) and a shop/tearoom (A1/A3) and Relevant Demolition of the existing agricultural buildings (pursuant to the variation of conditions 2 and 13 on planning permission 16/00397/OUT to alter the site layout and remove the play area) | | |
| 16 | A16 19/00406/REM | Whittington Farm, Main Street,
Whittington | Upper Lune
Valley
Ward | (Pages 94 - 98) |
| | | Reserved matters application (consisting of landscaping only) for the demolition of existing buildings, erection of 18 dwellings, change of use of barn to a mixed use comprising a dwelling (C3) and a shop/tearoom (A1/A3) and associated landscaping | | |
| 17 | Delegated Planning List (Pages 99 - 108) | | | |

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Anna Thornberry (Chair), Paul Anderton, Richard Austen-Baker, Mandy Bannon, Alan Biddulph, Victoria Boyd-Power, Dave Brookes, Abbott Bryning, Keith Budden, Tim Dant, Janice Hanson, Cary Matthews, Michael Mumford, Robert Redfern and Malcolm Thomas

(ii) Substitute Membership

Councillors Kevin Frea, Jake Goodwin, Mike Greenall, Mel Guilding, Tim Hamilton-Cox, Colin Hartley, Joyce Pritchard and David Whitworth

(iii) Queries regarding this Agenda

Please contact Tessa Mott, Democratic Services: telephone (01524) 582074 or email tmott@lancaster.gov.uk.

(iv) Changes to Membership, substitutions or apologies

Please contact Democratic Support, telephone 582170, or alternatively email democraticsupport@lancaster.gov.uk.

KIERAN KEANE,
CHIEF EXECUTIVE,
TOWN HALL,
DALTON SQUARE,
LANCASTER, LA1 1PJ

Published on Wednesday 22nd May, 2019.

Agenda Item A6	Committee Date 3 June 2019	Application Number 18/01183/FUL
<p align="center">Application Site</p> <p align="center">Land north east of Ex-servicemen's Club Scotland Road Carnforth Lancashire</p>	<p align="center">Proposal</p> <p align="center">Erection of a care home building comprising of 118 bedrooms and communal, staff and services areas with associated internal road layout, car parking and landscaping, creation of a new access and construction of a new retaining wall</p>	
<p align="center">Name of Applicant</p> <p align="center">Mr Simon Tomlinson</p>	<p align="center">Name of Agent</p> <p align="center">Melissa Magee</p>	
<p align="center">Decision Target Date</p> <p align="center">17 December 2018</p>	<p align="center">Reason For Delay</p> <p align="center">Awaiting further information</p>	
<p>Case Officer</p>	<p>Mrs Petra Williams</p>	
<p>Departure</p>	<p>No</p>	
<p>Summary of Recommendation</p>	<p>Approval</p>	

(i) **Procedural Matters**

This application was brought before Planning Committee on 4 March 2019 but was subsequently deferred to allow the applicant time to provide an in depth Care Needs Assessment.

1.0 The Site and its Surroundings

- 1.1 The proposal relates to a greenfield site which occupies a north-west facing slope on the eastern edge of Carnforth. The site is a little over 1 hectare in area and is currently in agricultural/grazing use with a gated access off North Road. Oliver Place which is a cul-de-sac abuts part of the south-western site boundary. The site is surrounded by housing to the west and south and fronts Scotland Road to the north-west and has open pastoral land to the east. Beyond the site to the north is the Aldi retail store and Norjac car workshop. The Carnforth Working Men's Club abuts the western corner of the site.
- 1.2 The ground levels vary significantly across the site with the ground rising very steeply from its boundary with Scotland Road then climbing more gradually further up to the site boundary with the rear gardens of North Road. Current ground levels are approximately 17m above Ordnance Datum (AoD) at the Scotland Road frontage rising to 32m AoD at a point 50m from the site frontage, then climbing more gradually to a maximum level of approximately 40m AoD, 110m into the site. The current gradient of the land at its steepest section close to Scotland Road is a gradient less than 1 in 4 and terminates on the Scotland Road boundary with a short retaining wall some 0.8m high.
- 1.3 The majority of the surrounding residential properties are two storey houses with rear gardens abutting the site. The depth of the gardens vary in length. North Road Conservation Area abuts part of the boundary in its south-west quadrant following the curtilage boundaries of 95-109 North Road and includes the Grade II listed building, Carnforth House Farm (109 North Road).
- 1.4 Carnforth town centre is located around 200m from the site and provides a range of local services and facilities, including a medical centre, supermarkets, post office, some comparison retail, offices, restaurant/cafes/public houses, and employment land. The railway station is located around 500

metres from the site. Scotland Road also provides regular bus services along its length. The closest bus stop on the A6 is around less than 100 metres south west of the site.

- 1.5 The south-eastern boundary of the Arnside and Silverdale Area of Outstanding Natural Beauty (AONB) is located 670 metres to the north of the site and 1.3km to the north-west. Carnforth Ironworks Biological Heritage Site lies 325 metres to the north and the Lancaster Canal Biological Heritage Site is located 150 metres to the south east.

2.0 The Proposal

- 2.1 The application proposes the erection of a care home building over three floors providing 118 bedrooms. The ground floor would accommodate the main access within the south-west elevation and this would be for staff, residents and their visitors as well as day care and temporary residents and their visitors. Service access would also be provided on this entry level. Two lifts would also be provided within this side of the building and this would give direct access to upper floors for staff, visitors and residents. The service entrance would be located to the rear of the site with the service bay comprising staff facilities, kitchen, laundry and plant room in addition to a further lift.
- 2.2 The scheme involves the creation of a junction within the 30mph limitation off Lancaster Road and a road within the site to service the development. The internal access road would include sweeping hairpin bends up to the proposed care home in order to overcome the gradient challenges that the site offers. 30 car parking spaces would be provided in addition to dedicated ambulance and minibus bays. A stepped pedestrian access would also be provided off Scotland Road.
- 2.3 There will be 40 staff present on site at any one time during the day and 12 overnight, working 2 split shifts during the day and with an overnight shift.

3.0 Site History

- 3.1 There is a limited planning history associated with the site.

Application Number	Proposal	Decision
18/00506/PRE3	Erection of 120 bed care home including services with associated landscaping, parking and roadways	Advice provided prior to engagement forum
17/01143/PRETWO	Erection of a nursing home in two phases	Advised of concerns regarding landscape impact and that the support of relevant commissioning bodies was required.
13/01297/OUT	Outline application for the erection of 18 dwelling houses including associated access and services	Permitted

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objections. Satisfied with level of parking proposed and suggests a number of conditions including a requirement for off-site highway works.
Housing Strategy Officer	No Objections – following receipt of the Care Needs Assessment there is no reason to dispute that there is a current and emerging need for additional care home provision in Lancaster District, particularly in relation to more specialist provision including dementia care. The Housing Strategy Officer has liaised with Lancashire County Council and the Morecambe Bay Clinical Commissioning Group following receipt of the Care Needs Assessment but although they indicate in principle support they have no further comments to make in respect of the scheme. The Housing Strategy Officer has highlighted criteria iii of Policy DM45 which requires accommodation for older people to be wheelchair accessible - the information

	provided by the commissioning teams casts doubt on whether there is a clearly evidenced need for this type of facility in this location on the scale proposed.
Conservation Officer	No objections subject to conditions regarding materials. The proposal would still lead to a level of harm on the setting of the Listed buildings and Conservation Areas, the level of harm is considered to be less than substantial. Some of this visual harm will be mitigated by the proposed landscaping and could be further mitigated through the appropriate palette of materials.
Environmental Health	No objections – no concerns regarding noise impacts on the residents from surrounding activities/uses. Recommends hours of construction condition.
Air Quality Officer	No objections raised subject to conditions for mitigation set out within the submitted Air Quality Assessment.
Arnsdale and Silverdale AONB Office	Neither objects nor supports but highlights Policies E3 and DM28, which require development within the setting of the AONB to be appropriate to the landscape character type and designation. The Council needs to be confident that the design and landscaping of this proposal are sufficient to mitigate the harm to the setting of and views from the AONB. The cumulative impacts of development, from this proposal and the proposed large scale housing development on another greenfield site to the north east (18/00365/OUT), must also be taken into account.
Tree Officer	No objections. Comments based on amended plans, which allow for the retention of a frontage tree (T8). T7 will require removal. Considers this proposal is acceptable and improves the frontage to the site.
Natural England	No objections. Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected sites or landscapes.
Canal and River Trust	No comment to make on the proposal.
Lancaster Canal Trust	No comment to make on the proposal.
Historic England	No comment to make on the proposal.
Carnforth Town Council	Objection – Raise a number of concerns relate to the following matters: <ul style="list-style-type: none"> • Impacts on AONB • Traffic and air quality impacts • Access and highway impacts • Scale and nature of proposal • Drainage • Heritage impacts
United Utilities	No objections raised. Following a review of the submitted Drainage Strategy, United Utilities confirm the proposals are acceptable in principle. Suggests a condition to ensure that the development is carried out in accordance with the submitted Foul and Surface Water Drainage Strategy.
Lead Local Flood Authority	No objections – Suggests that the submitted Drainage Strategy should be conditioned in addition to a condition for lifetime management and maintenance plan in respect of surface water.
Lancashire Fire and Rescue Service	Provides advice, which would be included on an approval.

5.0 Neighbour Representations

5.1 There have been 15 items of public comment raise objections to this application. Objections raise the following points:

- Impacts on parking on North Road
- The greenfield site should not be developed
- Impacts on sewage system
- Impacts on the operation of Border Aggregates through surface water drainage provision.
- Concerns regarding the possible use of Oliver Place for access
- Heritage impacts
- Question regarding the need for another care home
- Loss of views and privacy
- This is the highest point in Carnforth and not an appropriate for a 118 bedroom nursing home and associated facilities

- This huge building would be highly visible from the properties on North Road and also from the AONB
- Concern regarding the service access off North Road
- The ground under the field is loosely consolidated sand and gravel
- Loss of amenity due to the inevitable light pollution
- Lack of accessibility for occupants - the site is at the top of a 1 in 3 slope and given the likely health of the residents, this will surely leave them isolated and unable to easily access the various local services
- Inappropriate for this location as there are already two nursing homes on North Road less than a hundred metres away and more within a 6 mile radius
- Ecological impacts
- Location of bin store in proximity to existing residential dwelling on North Road
- Adverse visual impacts on this gateway location
- Impact on local health care services
- Impacts on traffic and air quality
- Concerns regarding access and highway safety
- Concerns regarding drainage

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraphs 7 to 10 – Achieving sustainable development

Paragraph 11 to 14 – Presumption in favour of sustainable development

Paragraphs 47 to 50 – Determining applications

Paragraphs 59, 60, 61 – Delivering a sufficient supply of homes

Paragraph 68 – Identifying land for homes

Paragraph 74 – Maintaining supply and delivery

Paragraphs 91, 92, 94, 96 and 98 – Promoting healthy and safe communities

Paragraphs 102 to 103, 108 to 111 – Promoting sustainable transport

Paragraphs 117 to 118, 122 to 123 – Making effective use of land

Paragraphs 124, 127, 129, 130 – Achieving well-designed places

Paragraphs 170, 172, 175 – Conserving the natural environment/habitats and biodiversity

Paragraphs 178 to 180, 182 – Ground Conditions and Pollution

Paragraphs 189 to 194, 196, 197 and 200 – Conserving and enhancing the historic environment

Paragraphs 205 to 206 – Facilitating the sustainable use of minerals

Paragraphs 213 to 214 – Annex 1 Implementation

6.2 Local Planning Policy Overview – Current Position

At the 20 December 2017 meeting of its Full Council, the local authority resolved to publish the following 2 Development Plan Documents (DPD) for submission to the Planning Inspectorate:

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

This enabled progress to be made on the preparation of a Local Plan for the Lancaster District. The DPDs were submitted to the Planning Inspectorate on 15 May 2018 for independent Examination, which is scheduled to commence in the first quarter of 2019. If the Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council in late 2019.

The Strategic Policies and Land Allocations DPD will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan. Following the Council resolution in December 2017, it is considered that the Strategic Policies and Land Allocations DPD is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan's preparation progresses through the stages described above.

The Review of the Development Management DPD updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making. Where any policies in the draft 'Review' document are different from those adopted in 2014, and those policies materially affect

the consideration of the planning application, then these will be taken into account during decision-making, although again with limited weight. The weight attributed to the revised policies in the 'Review' will increase as the plan's preparation progresses through the stages described above.

6.3 Lancaster District Local Plan Saved Policies

E3 – Development affecting AONBs
E4 – Development within the Countryside

6.4 Lancaster District Core Strategy (adopted July 2008)

SC1 – Sustainable Development
SC2 – Urban Concentration
SC4 – Meeting the District's Housing Requirements
SC5 – Achieving Quality in Design

6.5 Development Management DPD

DM20 – Enhancing Accessibility and Transport Linkages
DM21 – Walking and Cycling
DM22 – Vehicle Parking Provision
DM23 – Transport Efficiency and Travel Plans
DM27 – Protection and Enhancement of Biodiversity
DM28 – Development and Landscape Impact
DM29 – Protection of Trees, Hedgerows and Woodland
DM32 – The Setting of Designated Heritage Assets
DM33 – Development Affecting Non-designated Heritage Assets
DM35 – Key Design Principles
DM37 – Air Quality Management and Pollution
DM38 – Development and Flood Risk
DM39 – Surface Water Run-off and Sustainable Drainage
DM41 – New Residential dwellings
DM45 – Accommodation for Vulnerable Communities
DM48 – Community Infrastructure
DM49 – Local Services

6.6 Arnsdale and Silverdale AONB DPD

AS01 – Development Strategy
AS02 – Landscape

6.7 Employment and Skills Plans SPD

6.8 Emerging Local Plan Policies

A Local Plan for Lancaster District 2011-2013 Part One: Strategic Policies and Land Allocations
DPD (Publication Version, February 2018):

SP2 – Lancaster District Settlement Hierarchy
SP3 – Development Strategy for Lancaster District
SP6 – The Delivery of New Homes
SP8 – Protecting the Natural Environment
SP10 – Improving Transport Connectivity
EC5 – Regeneration Priority Areas
EN7 – Local Landscape Designations (Urban Setting Landscapes)
EN5 – The Open Countryside

A Local Plan for Lancaster District 2011-2013 Part Two: Review of the Development Management
DPD (Publication Version, February 2018):

DM1 – New residential development and Meeting Housing Needs

7.0 Comment and Analysis

The main planning issues to be addressed are as follows:

- Principle of development
- Need for elderly care provision
- Design and heritage impacts
- Landscape impacts
- Access and highways
- Natural environment
- Amenity
- Air quality
- Drainage

7.1 Principle of Development

- 7.1.1 The Core Strategy (Policies SC1 and SC2) seeks to direct most housing and employment growth to the main urban areas of Lancaster, Morecambe, Heysham and Carnforth. This is to ensure the growth of sustainable communities with new development located where there is good access to public transport, employment, retail and leisure services/facilities to reduce and better manage the demand for travel, minimise natural resources and safeguard our environmental capital.
- 7.1.2 Specifically, policy SC1 requires development proposals to be convenient to walk, cycle and travel by public transport between homes, workplaces, schools and other services; to be on previously developed land; not be at risk of unacceptable flooding or cause flooding off-site; to be developed without loss or harm to features of biodiversity, landscape, archaeological or built heritage importance; and that the proposed use would be appropriate to the character of the landscape.
- 7.1.3 Whilst partially superseded by policies within the Development Management Development Plan Document (DM DPD), policy SC2 promotes an urban-concentration approach to development in the District and recognises proportionate growth would be required in Carnforth to reflect its role as a key service centre. It is not anticipated that this approach will change as part of the emerging Local Plan, which continues to have an urban-focused approach to the spatial distribution of development and continues to recognise Carnforth as a key service centre. Carnforth is considered an important centre not only to support its own needs but to support surrounding constrained settlements and the countryside where development opportunities are limited, such as settlements within the nearby AONB.
- 7.1.4 Development on the edge of Carnforth alongside existing residential development is considered to be sustainable in principle and would provide an important contribution towards housing supply within the District. Planning permission was granted in 2015 for 18 dwellings and associated access on the site (now expired). The fact that the Council could not demonstrate a 5 year supply of deliverable housing sites was a strong consideration in the determination of the application and a tilted balance towards the supply of housing was applied. The Council has recently published a five year housing land supply position which sets out that 3 years' worth of supply can be demonstrated. This site is not an allocated site for housing and is within an area designated as "Urban Setting Landscape" within the emerging local plan under policy EN7; a policy that currently has limited weight.
- 7.1.5 The application form states development, once operational, will require 40 full time employees and 80 part-time employees. It is also accepted that the construction of the development will also generate significant short-term employment and economic benefits to the local area. This application has met the threshold for requiring production of an Employment and Skills Plan (ESP). The ESP will need to detail how opportunities for, access to and up-skilling local people in respect of the development proposal will be provided. Development Management policy DM48 (Community Infrastructure) establishes the requirement and is supported by an ESP Supplementary Planning Document. As such, a pre-commencement condition will need to be applied to any consent granted to deliver the ESP.

7.2 Need for Elderly Care Provision

7.2.1 It is clear from both local and national evidence that there is a need to increase the range of housing options available to an ageing population to promote health, wellbeing and independence. The current scheme proposes to provide a 118-bed space residential care facility for the elderly. Policy DM45 sets out a number of requirements in relation to new schemes proposed for vulnerable groups, whereby it would be necessary to consult the relevant commissioning managers to assess the need and appropriateness of the accommodation being proposed. Furthermore, proposals for accommodation for older people will be supported subject to the proposal meeting the following criteria:

- i. Meeting the genuine needs of older people;*
- ii. Being well located for a primary bus route, and convenient for local services and facilities;*
- iii. Being wheelchair accessible; and*
- iv. Contributing towards the provision of affordable housing in accordance with Policy DM41 (Use Class C3 only).*

7.2.2 In order to establish overarching compliance with DM45 the Housing Strategy Officer consulted two commissioning managers at Lancashire County Council to ascertain if there is a local need for the facility proposed. A number of points and concerns have been raised within this dialogue. At the present time, Lancashire County Council's most pressing need is to deliver purpose built extra care housing for older people across the county. Extra care housing comprises fully self-contained residential units in a communal setting with an on-site care team providing an element of background support but can tailor care provision to the needs of individuals. Typically extra care schemes are occupied with residents who have low, medium and high needs. The intention is that over time, older people can remain in an independent setting for as long as possible. In time this should reduce the existing reliance on traditional forms of residential and nursing care provision. Lancashire County Council's ambition to support the delivery of new extra care schemes is set out in the Extra Care Strategy 2014 and this has been reaffirmed in their evolving housing with Care and Support Strategy. Having carefully scrutinised the proposed facility, all parties are clear that this facility is not an extra care scheme but proposes to provide residential care and supported living.

7.2.3 The applicant was advised during the pre-application process of the importance of early engagement with the relevant commissioning team at Lancashire County Council so that the need can be evidenced and to gauge whether the commissioners support the principle of this proposal. It is understood that the applicant had engaged at high level with County Council who did offer support in principle but until planning permission is gained they are unable to progress further with this dialogue.

7.2.4 The Officers' Committee report put forward for March 2019 meeting in respect of this application raised concerns that the submission had at that point been unable to evidence the need for this type of accommodation. Following deferral from the March Committee, the applicant commissioned a Comprehensive Need Assessment (Carterwood Report), which has been shared with relevant consultees.

7.2.5 The Comprehensive Need Assessment forecasts under supply of care home beds of market standard (i.e. with en-suite bedrooms) is summarised below: -

Carterwood Forecast under supply of market standard "en-suite" rooms			
Catchment	2020	2023	2026
<i><u>Elderly Care Beds</u></i>			
Market Catchment Area (6-mile radius)	151	216	266
Lancaster District	201	283	344
<i><u>Specialist Dementia Care Beds</u></i>			
Market Catchment Area (6-mile radius)	267	297	319
Lancaster District	250	287	314

7.2.6 The Comprehensive Need Assessment sets out that the above forecasts are conservative as they assume that all new un-built rooms with actual or pending planning consent (excluding the

application proposal) are built, and that no existing care homes with en-suite facilities close. Within the Lancaster District 180 beds (en-suite and non en-suite) have been lost to care home closures between 2015 and 2018 (i.e. 45 beds per annum). The forecasts also assume that the proportion of the elderly population entering care homes remains unchanged. The higher levels of under supply of dementia beds relative to the under supply of elderly care beds as a whole reflects the fact that dementia sufferers are currently being cared for in facilities that do not provide specialist dementia care.

- 7.2.7 In his initial comments provided to the Housing Strategy Officer, the relevant Commissioning Manager at Lancashire County Council acknowledged that there was often a shortage of nursing dementia provision across the Lancaster District and that this would present a greater challenge in the future due to the impact of an ageing population (e.g. a predicted 38% rise in the number of older adults with dementia by 2030). The Commissioning Manager was able to offer support in principle but was unable to provide any further meaningful comments following consideration of the Comprehensive Need Assessment. The scheme proposed relies on a different funding model to traditional residential care charges. It is noted that Lancashire County Council could not provide a definite position on whether they support the proposed funding model as at this point, the actual cost model and proposed charges are not yet known. However, consideration of the cost model is not a planning matter.
- 7.2.8 The applicant has also had dialogue with a representative of Morecambe Bay Clinical Commissioning Group (CCG). In correspondence with the Housing Strategy Officer, the CCG representative describes the scheme as an opportunity to provide something different and caring to those individuals requiring a continuum of care need which could have a number of positive benefits to the area but went on to raise concerns regarding the impacts which a development of this scale would have on local health services such as local GP surgeries. While the proposed funding model is also a concern to the CCG, as highlighted above, this is not a planning consideration. Although re-consulted in respect of the Comprehensive Need Assessment, the CCG representative declined to make any further comments in respect of the scheme.
- 7.2.9 The applicant has also met will representatives from Ash Trees GP surgery during the course of the application and since the deferral of the application from the March Committee meeting, the Case Officer has received correspondence from one of the GPs who was in attendance at this meeting. This correspondence confirms support for the scheme and the need for such a high quality facility as proposed. The correspondence also stated that through early engagement with the applicant they would be able to put in place suitable service provision plans and produce the correct staffing levels to deliver them. The applicant has also highlighted a commitment to work with Ash Trees GP surgery in the two to three years between permission being granted and the facility being built and commissioned to help ensure that the necessary GP support is in place once opened.
- 7.2.10 In terms of other criteria within policy DM45, although the site is in close proximity to public transport routes and local services, the issues of accessibility is a point of concern for residents and visitors. Whilst acknowledging the internal arrangements and layouts will provide for this, the external access would present some difficulty for a person who is wheelchair dependant and therefore the proposal does not meet fully meet all the criteria requirements of the policy in this regard. However, the proposed facility is not for independent people and given the type of service proposed, residents of the care home will not be leaving the building unaccompanied. Furthermore, the scheme includes the provision of a shuttle bus service (between the building and the Scotland Road entrance) and this would mitigate the issue of accessibility.
- 7.2.11 In summary, the applicant has provided evidence that there is a current and emerging need for additional care home provision in Lancaster District, particularly in relation to the more specialist provision (i.e. nursing/dementia provision). Furthermore, a wide range of evidence both locally and nationally urges local authorities to plan positively to meet the needs of an ageing population. In addition, evidence of further dialogue with the local GP surgery has been received which offers support for the scheme and states that there is a need for this type of facility. In the absence of any strong objections from the relevant commissioners and the Housing Strategy Officer, it is considered that the need for elderly care provision of this type has been satisfactorily demonstrated.

7.3 Design and Heritage Impacts

7.3.1 The proposed building will comprise a mix of 2-3 storeys and the supporting Design and Access Statement sets out that it would be fragmented in order to reduce the massing. Nevertheless it is considered that the scale of the development situated within steep topography will result in a dominant feature within surrounding townscape.

7.3.2 The proposal will be situated immediately adjacent to Carnforth Conservation Area and in the vicinity of 109 North Road, which is Grade II listed building. The land is very elevated and situated in prominent location to surrounding heritage assets. As such the development would impact the setting of Carnforth Conservation Area, Listed buildings along North Road and the Congregational Church (Non-Designated Heritage Asset) along Hawk Street. Due to the topography and elevated position, there are also views of Warton Crag (Scheduled Monument) to the north west of the site.

7.3.3 Section 66 of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended states that the local planning authority shall have regard to the desirability of preserving a Listed building or its setting or any features of special architectural or historic interest which it possesses. Section 72 sets out that special attention should be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. In terms of the setting of the Conservation Area, this is not protected in law as with a Listed building. However, it is covered by the both national and local planning policy. The NPPF sets out that any harm to the significance of a designated heritage asset, including from development within its setting, should require clear and convincing justification. Policy DM31 sets out that only development which preserves or enhances the character and appearance of the Conservation Area will be permitted. Policy DM32 relates specifically to the setting of heritage assets and contains similar wording to Policy DM31. It goes on to say that the greater the negative impact on the significance of the heritage asset and its setting, the greater the benefits that would be required to justify any approval.

7.3.4 Although additional CGIs provided by the agent show the views within the Conservation Area would be restricted by the fine grain of buildings within the vicinity, it is still considered that the proposal would have an impact on the setting and significance of the surrounding designated heritage assets, including the Listed buildings along North Road due to its sheer scale and massing. Although some visual mitigation will be provided by tree planting to the rear of the development, this will take some time to develop. Although the Conservation Officer initially raised objections, following consideration of the additional CGIs it is now considered that the visual harm in respect of the setting of heritage assets can be mitigated by the proposed landscaping and through an appropriate palette of materials. It is considered that although the development would result in less than substantial harm, given that the need has been satisfactorily demonstrated, this harm could be justified and outweighed by the benefits of the scheme.

7.4 Landscape Impacts

7.4.1 A critical point of consideration is that of the landscape impact of any development, particularly in this case where the development involves substantial engineering works on a site in an elevated position within the Countryside Area and can be viewed from open land to the north and north-east of the site and from within the Arnside and Silverdale AONB. The site in question has been assessed as part of the emerging Local Plan and has been allocated under policy EN7 following a Key Urban Landscapes Review which was carried out on behalf of the Council by Arcadis in May 2018. While this policy currently has limit weight it is indicative of the value placed on this site in landscape terms. The area is located within the Morecambe Coast and Lune Estuary National Character Area. At county level, the local landscape character is identified as the Carnforth – Galgate – Cockerham Low Coastal Drumlins. The AONB Seascape Character Assessment draws the landscape character types down further, which identifies the site within the low coastal drumlin character type.

7.4.2 The site occupies steeply rising land but one which is closely associated with neighbouring residential development to the south and west. In this regard the character of the built form is comprised fine grain predominantly 2-storey properties. The north-west of the site sits at a significantly lower level, comprising primarily of larger commercial buildings and urban infrastructure. Although consent was previously granted for 18 dwellings on this site, the scale and nature of the built form of the current scheme differs greatly and includes a 3 metre high retaining wall around parts of the site. The previous approved application would have provided 2-storey dwellings which would have reflected the scale of the surrounding built form and allowed a degree of permeability

through the site. It was also approved prior to the drafting of the emerging policy EN7 and before the landscape evidence by Arcadis.

- 7.4.3 Due to its scale and elevated location the application has been supported by a Landscape and Visual Appraisal which acknowledges that there would be some adverse effects on the landscape character of the site and its setting as well as views from the neighbouring AONB as the proposed development does introduce built form where it previously did not exist. The development would to some degree be set into the hillside in order to minimise the landscape impacts and would in time be softened by landscaping. Since the March deferral an updated Landscape Masterplan has been provided which incorporates the same planting surface on the top of the Refuse Area and Oxygen Store (within the south-eastern corner of the site) as that on the surface of bank in which they are situated. This will minimise the visible impact of this aspect of the scheme visible properties on North Road.
- 7.4.4 The bulk and massing of the proposal is clearly evidenced within the site sections and it is considered that the scale and massing of the proposed building would undoubtedly present a contrast to the surrounding built form. This contrast would be mitigated to some degree by the use of natural materials and sedum roof treatment. Nevertheless, the development would appear incongruous to its surroundings particularly against the vernacular and traditional scale and appearance of buildings along North Road. However, it is considered that there would be limited views of the building in this context.
- 7.4.5 While accepting that there would be impacts on the landscape character of the area, it is considered that, on balance, these impacts are outweighed by the benefits of the scheme. It must also be noted that at the October 2018 Committee meeting, Councillors accepted Officers recommendation for approval of a residential development comprising 213 dwellings less than 400 metres away to the north-east of the site. In light of this, it would be difficult to sustain a refusal on the grounds of landscape impacts.
- 7.5 Access and Highways
- 7.5.1 In locational terms, the site is close to the highway network and public transport modes. However, pedestrian accessibility for the proposed user group is a point of concern due to the steep gradient of the site. There would be staggered stepped access which would clearly be unpractical for wheelchair users. In order to overcome this the applicant proposes to provide a mini-bus bay on the site access road close to the A6 to allow those persons with impaired mobility to contact reception and request a minibus service.
- 7.5.2 The maximum parking standards as set out within Appendix B of the DPD require 30 spaces for the proposed development and the submission accords with this. Provision would also be made for disabled and ambulance parking as well as minibus parking at the top and bottom of the site.
- 7.5.3 The new site access from Scotland Road is proposed at 6m wide with 1.5m wide footway on the southern side and a 1m verge on the northern side. The first 10m from A6 is proposed at a gradient no steeper than 1:20 and the remaining length is 1:12 which is considered the maximum gradient to allow use by all types of vehicle. A ghost right turn lane is proposed within the submitted Traffic Assessment and the details of the off-site highways works in respect of the new junction would be conditioned. County Highways has raised no objections to the proposed access and considers that appropriate visibility splays have been demonstrated. They have also requested that the footway on the eastern side of Scotland Road is widened and that the nearest bus stop is upgraded as part of off-site highway improvements. At the time of writing this report the applicant's Transport Consultant is disputing this request as it was not required in relation to the previous consent for 18 dwellings. However, it is considered that the current proposal represents an intensification from the previously approved residential development and that it is reasonable to expect the footway and bus stops to be upgraded to provide quality routes and a safe and suitable access for pedestrians and to promote sustainability in accordance with the NPPF.
- 7.5.4 Plans indicate that the existing access from North Road would be used in relation to servicing and allows parking for one vehicle. The submission also makes reference to this access being a route for pedestrians coming from North Road and this has given rise to concerns from nearby residents as it may result in increased on street parking in the vicinity. However, County Highways is satisfied with the level proposed parking provision within the site to serve the type of development proposed.

7.5.5 Notwithstanding the concerns raised within public comments regarding highway safety, access and parking, it is concluded that there would be no grounds for refusal on these grounds.

7.6 Natural environment

7.6.1 There is limited tree coverage on the site with the majority of these being established around the site boundaries. The application is supported by an Arboricultural Implications Assessment, which identifies a total of 13 individual trees and 6 groups of trees in addition to a single hedge in relation to the proposed development. Following receipt of amended plans, which allows for the retention of an important frontage tree (T8) the Tree Officer is satisfied subject to conditions that will include a requirement for replacement tree planting at a ratio of 3:1 on site. The scheme will involve the removal of two trees and the partial removal of two tree groups. Overall the proposed tree losses are not considered to have a significant adverse impact upon the locality or that of the wider Conservation Area.

7.6.2 The scheme also puts forward a landscaping scheme, which includes native broadleaf trees and ornamental varieties as well as native scrub and structural boundary planting in order to soften the impacts of the extensive engineering works, which will be required to create the access. The scheme also includes sedum roof treatment in part. Subject to conditions to ensure appropriate landscaping enhancements, the scheme is considered acceptable in relation to impacts on the natural environment.

7.6.3 The application is accompanied by an ecological appraisal which concludes that site is dominated by habitats of limited wildlife value and that no notable species were found on site. Overall, the site is not considered to have ecological connections to a designated site. Comment has been made by neighbours that the site is frequently used by bats. As highlighted above the scheme will seek to retain nearly all of the trees on the boundaries. Overall, the scheme is not considered to impact upon designated sites and that compensatory planting could provide an enhancement to the ecological value of the site.

7.7 Amenity

7.7.1 Concerns have been raised from nearby occupants regarding the impacts of the proposal on their residential amenity. The nearest neighbouring property to the proposed building would be 105A North Road, which would be approximately 14 metres away. Policy DM35 sets out guidelines for separation distances and advises a distance of 12 metres where a habitable room faces onto a blank wall. The applicant has provided further details on site plans and sections which clarifies the relationship between the southern corner of the proposed building and the closest neighbour (105A North Road). Given the distance involved and the boundary planting within the garden of 105A it is considered that the proposal would not result in loss of privacy to this property. Although there may well be impacts on views from a number of properties, there is no right to a view in planning terms and the separation distances are considered acceptable. The issue of light pollution has also been raised as a point of adverse residential impact. It is considered that a lighting scheme could be conditioned as part of a consented scheme in order to ensure lighting is directed away from nearby residential dwellings.

7.7.2 Public comments have also raised the issue of the increased use of the access from North Road. It is understood that the applicant has a right of access from North Road which is used in association with the current agricultural use of the land. However, it is acknowledged that this would be relatively low use compared to that proposed. While the proposal is likely to result in increased activity along this track, the main entrance for pedestrians and vehicles is to be from Scotland Road, and therefore most movement of traffic will be from the west of the site, not the east. As set out in section 7.5, County Highways raises no objection in this regard.

7.7.3 Overall, despite objections raised in respect of residential amenity impacts it is considered that the scheme would not result in overlooking and that separation distances are acceptable.

7.8 Air quality

7.8.1 The site is located outside of the Carnforth Air Quality Management Area though it is expected that vehicles associated with the development would naturally pass through it. The application is accompanied by an Air Quality Assessment which includes a commitment to provide electric vehicle

(EV) charging points with additional infrastructure to allow for future increase in the use of electric vehicles. The Air Quality Officer has raised no objections to the scheme subject to the provision of EV charging points and a detailed Travel Plan.

7.9 Drainage

7.9.1 Given the nature of the sloping site, drainage is a key point of consideration as surface water flooding occurs on the highway further east along Lancaster Road under the railway bridge. The road raises the most concerns but as it is largely the same design as approved under the scheme for 18 dwellings it is considered that an acceptable drainage solution can be achieved. The submitted Drainage Strategy suggests that surface water runoff from the access road could be directed to the existing highway drain located within the A6 Scotland Road at a restricted rate of 2 litres per second, subject to agreement with the Highway Authority. If this is not a feasible option the Drainage Strategy suggests that a surface water sewer could be laid down the A6 to connect into the combined sewer.

7.9.2 The need for run-off to be attenuated to existing run-off rates has been recognised by the Drainage Strategy which suggests that disposal of surface water from the site via infiltration methods is not viable and highlights a range of measures to limit runoff volumes and rates from the site including green roofs, permeable paving, below ground cellular storage and rainwater harvesting. Whilst the retention of surface water on site may be a potentially expensive solution, it is technically achievable but would need to be the subject of a planning condition to agree the form, design and run-off rate. The Drainage Strategy suggests that foul and surface water runoff from the proposed development should be directed from the site via a gravity system to existing sewers located within Oliver Place. The Drainage Strategy acknowledges that as Oliver Place is a private road and that the developer may need to apply for a sewer requisition through United Utilities to enable appropriate connections to the public sewer. The Lead Local Flood Authority (LLFA) have raised no objections to the scheme subject to appropriate conditions.

8.0 Planning Obligations

8.1 There are no planning obligations to consider as part of this application.

9.0 Conclusions

9.1 The proposal would result in landscape impacts and would cause less than substantial harm to nearby heritage assets. As such the scheme presents conflict with the requirements of DM28 and DM32. However, the applicant has now satisfactorily demonstrated that there is a need for the type of accommodation proposed to serve the needs of higher end eldercare care provision. The scheme has received support in principle from the relevant bodies and as such the submission accords with the overarching requirements of policy DM45. The evidence of need for the proposal means that there would be significant benefits of the scheme which can be weighed against the landscape and heritage impacts which would result from the development. Therefore, on balance, it is considered that the application can be viewed favourably.

Recommendation

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

1. Standard 3 year timescale
2. Approved plans
3. Surface water drainage strategy
4. Foul water drainage strategy
5. Surface water lifetime management and maintenance plan
6. Materials – details and samples including elevational treatment, roofing material, eaves verge and ridge details, rainwater goods, windows and doors, surfacing and boundary treatments, external lighting
7. Landscaping scheme
8. Details of retaining walls and structures
9. Works in accordance with Arboricultural Implications Assessment
10. Construction management plan
11. Off-site highway works
12. Car parking and access provision

13. Cycle parking provision
14. Air quality mitigation, including Travel Plan and electric vehicle charging points
15. Hours of construction
16. Details of gate to North Road access
17. Provision of refuse storage
18. Details of external plant equipment and extracts
19. Use restriction – residential care only
20. Removal of PD rights

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

Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the 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

Member Engagement Forum Minutes 09.07.18.

**MEMBER ENGAGEMENT
FORUM PRE-PLANNING
APPLICATION**

2.30 P.M.

9TH JULY 2018

PRESENT:- Councillors June Ashworth, Carla Brayshaw, Helen Helme, Tim Hamilton-Cox
(Substitute for Dave Brookes)
Ward Councillors Peter Yates and Mel Guilding

Apologies for Absence

Councillors Dave Brookes and John Reynolds

Officers in attendance:-

Mark Cassidy	Planning Manager
Petra Williams	Planning Officer
Hannah Dodgson	Work Experience Student
Tessa Mott	Democratic Support Officer

Also in attendance:-

Jim Grisenthwaite	Carnforth Town Council Representative
Simon Tomlinson	Errigal Advisory Limited
Coralie Tomlinson	Errigal Advisory Limited
Melissa Magee	Carless and Adams Partnership
Mike Bunyan	Carless and Adams Partnership

7 DECLARATIONS OF INTEREST

There were no declarations of interest.

8 APPLICANT PRESENTATION

The developers gave a presentation regarding the pre-application submission '18/00506/PRE3 Land North of Ex Servicemen's Club, Scotland Road, Carnforth.'

Initially, the developers outlined their proposal and explained that after conducting preliminary research with appropriate organisations, they had identified a local need for the proposed development in the area. Other suitable locations had been explored in depth and at the current time the proposal put forward is considered the most practical and appropriate.

The applicants further explained the philosophy behind the proposed development being patient led care with a 'home for life' ethos rather than a transient traditional care home. The applicants also outlined their passion to deliver 'care with choice' by using a bespoke model. The proposed development involves a suite living accommodation for residents including various elements such as: a kitchenette, living space and dining space. It was explained that the suite is designed to encourage more of a social environment in a resident's room, by providing them and their guests, more flexibility and independence.

There was a detailed analysis of the development which included: aerial photos of the site and its location in relation to existing buildings; view points from various perspectives; vehicular site access points and the different areas in the schedule of accommodation. It was explained that the design of the development had been created as a series of buildings, so that the development would integrate into the existing surroundings with minimal negative impact, whilst also displaying the contemporary design features of the building in a respectful manner. The topography of the proposed site was considered slightly challenging and therefore a practical and sympathetic style of architecture had been utilised.

9 OPEN DISCUSSION OF THE PROPOSAL WITH MEMBERS

Members of the meeting asked several questions of the developers and applicants present.

The discussion included topics such as:

- Potential planning permission for housing on the site/surrounding sites;
- Potential for Oliver Place to be an alternative access route;
- Parking concerns, particularly regarding the impact on local residents;
- Amount of bedroom suites in this development in comparison to other developments of the same nature;
- Clarification on the location of the buildings;
- Access to garden areas for residents;
- Clarification on funding arrangements for residents and the various funding stream models;
- Height/levels of the site;
- Sustainability and potential future proofing of the buildings;
- Surface water flooding/drainage arrangements;
- Vehicular traffic movement

The developers explained that they had gone to extreme lengths to ensure that alternative site locations were considered and that a full transport assessment and travel plan would be under taken alongside any planning application submission. The developers also confirmed that they would like to provide adequate parking on the development to minimise any impact to local residents.

There was a detailed discussion regarding three potential funding streams for residents and also clarification that any involvement from the NHS is considered positive but not dependent on the future of the site.

The developers also clarified that a drainage consultant had been appointed and any information gathered would be submitted as part of any planning application submission. There was further discussion about the potential for solar panels on the site and whether this would be a viable addition to the development.

The Planning Manager summarised the discussion and clarified that the quality of the model of care was impressive and that the principle of development at the site (in terms of land use and landscape-led scheme design) was accepted. It was highlighted that the material palette appeared broadly correct, and that the scale of development should not be higher than the existing surrounding buildings. Aside from the documents set out in the written pre-application advice, the Development Team were advised that their supporting

literature should also include matters regarding: energy efficiency; highways matters (with particular reference to the potential use of Oliver Place) and clarity of site access for all modes of transport.

(The meeting ended at 3.54 p.m.)

**Any queries regarding these Minutes, please contact
Tessa Mott, Democratic Services: telephone (01524) 582074 or email
tmott@lancaster.gov.uk**

Background Paper

Agenda Item A7	Committee Date 3 June 2019	Application Number 18/01589/REM
Application Site Warton Grange Farm Farleton Close Warton Carnforth	Proposal Reserved matters application for the demolition of the existing farm buildings and the erection of 21 dwellings with associated access and landscaping	
Name of Applicant Wilson	Name of Agent HPA	
Decision Target Date 8 April 2019	Reason For Delay Amendments to Plans and Negotiation with Applicant	
Case Officer	Clare Bland	
Departure	No	
Summary of Recommendation	Approval	

1.0 The Site and its Surroundings

- 1.1 The Site is located at Warton Grange Farm, immediately to the south of Main Road, Warton. It extends to approximately 0.96 hectares and comprises predominantly land previously developed for agricultural buildings and hard surfaced circulation/storage areas although the use of the Site has been scaled down significantly since 2015 when the owner purchased a neighbouring farm, Cotestones, some 900m to the south west.
- 1.2 The neighbouring uses comprise residential properties to the north and west, fronting onto Main Street and Farleton Close respectively. The majority of these are traditional stone built terraced units. There are a number of established trees along the southern and eastern boundaries which are subject to Tree Preservation Order (TPO no.600 (2017)). These then give way to open fields. The site is relatively level, with a slight fall to the south. It rises to approximately 6.5 metres at its highest point and circa 5 metres at its lowest.
- 1.3 In 2015 outline planning permission was granted for the demolition of the existing buildings and redevelopment of the Site for up to 23 dwellings (ref 15/0847/OUT). The application reserved all matters other than access for future consideration and was approved subject to a number of conditions and S106 obligations (detailed below). Access was established at outline stage and is approved to be taken from the existing adopted access point off Farleton Close.
- 1.4 The Site falls within the Arnsdale & Silverdale Area of Outstanding Natural Beauty (AONB); is designated as a Countryside Area; and lies within Flood Zones 2 and 3. Although it benefits from flood defences which exclude the Site from Flood Zone 3b it remains within Zone 3a. The Site is also partially within the 1 in 30 year, 1 in 100 year, and 1 in 1000 year surface water flooding areas. There is a secondary river (surface level drain) extending south from the Site.
- 1.5 The site is approximately 360m south of Warton Crag which is a designated Regionally Important Geological Site; in part a Biological Heritage Site; Nature Reserve; Ancient Woodland; and, a Site of Special Scientific Interest (SSSI). It is also subject to Limestone Pavement Orders. There is also a Scheduled Ancient Monument located on Warton Crag and a grade II listed building at 5 Main

Street, Warton. Morecambe Bay is located approximately 650m to the west and is designated as a SSSI; Special Protection Area (SPA); Special Area of Conservation (SAC); and, Ramsar Site.

2.0 The Proposal

- 2.1 This submission seeks approval only for those matters that were reserved from consideration under application reference 15/00847/OUT. These comprise Appearance, Landscaping, Layout and Scale of the approved development.
- 2.2 Prior to the submission of the Reserved Matters, pre-application advice was sought from the Council (reference 17/00607/PRETWO) in order to ascertain appropriate design parameters and layout options for the Site, as well as considering additional residential development on a further portion of the Farm which has itself come forward pursuant to full planning application reference 18/01603/FUL (to be considered alongside this submission – agenda item A7).
- 2.3 The reserved matters submission proposes a development comprising 21 dwellings with the following mix:
- 2 x 1 bedroom semi-detached houses;
 - 4 x 2 bedroom terraced houses;
 - 5 x 2 bedroom semi-detached houses;
 - 2 x 3 bedroom semi-detached houses; and
 - 6 x 4 bedroom semi-detached houses; and
 - 2 x 4 bedroom detached houses.
- 2.4 Of the above it is proposed that the 2 x 1 bedroom semi-detached houses and 1 x 2 bedroom semi-detached house are affordable units. The Guinness Trust have expressed an interest in these properties.
- 2.5 Each property is provided with dedicated car parking up to the Council's maximum parking standards. For eight of the properties this is in the form of garages and private driveways, and for the remainder it is by way of a mixture of private driveways and shared surface areas.
- 2.6 Each property benefits from private amenity space, with the proposals also including areas of public open space, a wildlife and balancing pond, and peripheral landscaping areas.
- 2.7 As noted above, access to the Site was established at outline stage. This provides for a singular point of vehicular access at the western side of the Site, allowing vehicles to access and egress onto Farelton Close. There is also a pedestrian only access from Main Road, leading through the Site to Farelton Close, with a dedicated footpath proposed adjacent to the vehicular access road. The access road forms a loop around a central public amenity area, branching off to provide access to private parking areas, with additional parking proposed parallel to the road and front garden areas of properties in the northern half of the Site.
- 2.8 The dwellings have been arranged facing into the Site, with most facing directly towards the central public amenity area. Each plot features a landscaped buffer between the dwelling and road, with some being relatively open in appearance with pathways and small lawned areas, and others featuring native hedgerows or stone walls with open bar, agricultural style gates.
- 2.9 Soft landscaping is proposed around the periphery of the Site, including retention and replacement of trees and hedgerows.
- 2.10 Alongside this submission it is important to note that an application has been made to discharge conditions imposed on the outline permission (reference 18/00195/DIS) which required details of: construction of the access road; off-site highway improvement works; foul water drainage; surface water drainage; drainage management and maintenance plan; construction method statement; arboricultural works method statement; ecological enhancement and mitigation scheme; provision of electric vehicle charging points; finished floor levels; landscape management plan; and, contamination investigation and remediation strategy. The principles of the reserved matters scheme as hereby proposed have been taken into account within the discharge of conditions

submission. All details submitted pursuant to the conditions are considered acceptable to the Council and statutory consultees.

- 2.11 Also, as noted above, a full planning application has been made for the development of 4 dwellings immediately to the west of the site subject to the outline planning permission. This Site is in the same ownership and the dwellings are proposed as part of a wider, holistic, approach to developing the Warton Grange Farm Site. The inter-relationship between the reserved matters and full applications have been considered by statutory consultees and have also been taken into account in considering issues of development viability and deliverability. Although not required from a procedural perspective, the full application is similarly reported to this Committee so as to provide the opportunity to consider the wider scheme holistically.

3.0 Site History

- 3.1 The relevant site history is included below.

Application Number	Proposal	Decision
15/00847/OUT	Outline application for the demolition of the existing farm buildings and the erection of up to 23 dwellings with associated access and landscaping	Permitted
17/00607/PRETWO	Erection of 23 Dwellings	Completed
18/00195/DIS	Discharge of conditions 3, 4, 6, 7, 10, 11, 12, 13, 14, 15, 16, 17 on approved application 15/00847/OUT	Pending determination
18/01603/FUL	Erection of 4 dwellings with associated access	Pending determination

4.0 Consultation Responses

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

Consultee	Response
Greater Manchester Ecological Unit	No objection – referred to the detail contained within the homeowner pack and visitor boards but these matters are to be considered pursuant to the current discharge of condition application referenced above
Lead Local Flood Authority	No objection
Environment Agency	No objection – finished floor levels will be well above 1 in 1000 year flood level
Environmental Health	No comments received
Natural England Tree Officer	No objection
United Utilities	No objection - subject to works undertaken as proposed
Parish Council	No comments received
Arnsdale & Silverdale AONB	No objection - although comments have been submitted in respect of the quantum of affordable housing proposed, materials, public information board, biodiversity and removal of trees.
County Highways	No objection – initially County Highways had concerns relating to the parking and servicing areas but following revisions to the scheme layout they have withdrawn their comments.
Public Realm Officer	No comments received

5.0 Neighbour Representations

- 5.1 No responses have been received.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework

Paragraphs 7-14 : Achieving Sustainable Development
Paragraph 34 : Development Contributions
Paragraphs 38, 47-50 & 54-57 : Decision Making
Paragraph 59 – 79 : Delivering a Sufficient Supply of Homes
Paragraph 91 – 101 : Promoting Healthy and Safe Communities
Paragraph 108 – 110 : Promoting Sustainable Transport
Paragraph 117 – 123 : Making Effective Use of Land
Paragraph 124, 127 – 128 : Achieving Well Designed Places
Paragraph 149 – 150, 155 - 165 : Meeting the Challenge of Climate Change, Flooding and Coastal Change
Paragraphs 170, 175 – 183 : Conserving and Enhancing the Natural Environment

6.2 Local Planning Policy Overview – Current Position

On 15 May 2018, and in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), Lancaster City Council submitted the following documents to the Secretary of State (Planning Inspectorate) for examination:

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

The Examination Hearing Sessions commenced on 9 April 2019.

The Strategic Policies and Land Allocations DPD will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan.

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

Given the current stage of both DPDs, it is considered that some weight can be attributed to the policies contained therein where no significant objection to them has been raised.

6.3 Lancaster Core Strategy (Saved Policies)

SC1 – Sustainable Development
SC3 – Rural Communities
SC4 – Meeting the Districts Housing Requirements
SC5 – Achieving Quality in Design

6.4 Lancaster District Local Plan (Saved Policies)

E3 – Areas of Outstanding Natural Beauty

6.5 Development Management DPD Polices

DM21 – Walking & Cycling
DM22 – Vehicle Parking Provision
DM26 – Open Space, Sports and Recreational Facilities
DM27 – The Protections and Enhancement of Biodiversity
DM28 – Development and Landscape Impact
DM29 – Protection of Trees, Hedgerows and Woodland
DM35 – Key Design Principles
DM38 – Development and Flood Risk
DM39 – Surface Water Run Off and Sustainable Drainage
DM40 – Protecting Water Resources and Infrastructure
DM41 – New Residential Development
DM42 – Managing Rural Housing Growth

6.6 Arnside & Silverdale Area of Outstanding Natural Beauty (AONB) Development Plan Document (DPD) (Adopted March 2019)

AS03 – Housing Provision
AS04 – Natural Environment
AS05 – Public Open Space and Recreation
AS08 – Design
AS10 – Infrastructure for New Development
AS12 – Water Quality, Sewerage and Sustainable Drainage

7.0 Comment and Analysis

7.1 The principle of redeveloping the Site for residential purposes was established by the grant of outline planning permission ref 15/00847/OUT. That permission considered the detailed access arrangements for the Site and determined that the principle of a residential development of up to 23 units would be acceptable, subject to the detailed design of the scheme. The outline permission was subject to a S106 agreement which required:

- Affordable housing of up to 30% of the overall development subject to the viability at reserved matters stage (with a 50/50 split required for Intermediate Affordable Housing and Social Rented Housing);
- Education contribution (to be calculated at reserved matters approval);
- Open space contribution of £10,000;
- Site management company to be established; and
- Off Site Ecology Mitigation.

Off-site highway works were also required which would be covered by a separate S278 agreement.

7.2 The main issues for consideration of this application are as follows:

- Appearance;
- Landscaping;
- Layout;
- Scale;
- S106 contributions.

Appearance

7.3 The appearance of the development has been considered in the context of the Site's location on what is ostensibly a backland site on the edge of the village of Warton, within the Arnside and Silverdale AONB, and adjacent to open countryside. Consideration has been given to the style and size of the dwellings proposed, materials, and landscaping.

7.4 The scheme comprises a mixture of 21 modest scaled dwellings of a size/height representative of surrounding dwellings. In addition there are 7 detached and 1 attached single garages. The dwellings have been designed to reflect various design characteristics found throughout the village, with particular regard being paid to window style/sizes, roof profiles, and entrance portico. The proposed materials have been carefully selected to represent the vernacular of the area, including limestone walls (including front garden boundary walls), natural slate roofs, ivory render, and larch boarding. The windows and rooflights are proposed to be of an anthracite colour, recessed within openings finished with artstone cills and heads. Doors and guttering details would be subject to approval of details. On the whole the materials accord with the design approach promoted by the Arnside & Silverdale AONB DPD albeit the scheme proposes larch boarding for the garages which the AONB have suggested be changed to stone or render. However, as the garages are predominantly stand-alone structures set back from the principal frontages, it is considered that the larch boarding will weather relatively quickly to a grey colour akin to many agricultural buildings and would blend in well to the peripheral landscaping of the Site. In light of this the use of larch boarding on these buildings is considered acceptable in this instance.

- 7.5 The dwellings have been designed to respond to the Site's setting, ensuring all elevations to public vantage points are stone faced and integrate well within wider views of the village and from footpaths through the development Site.
- 7.6 The dwellings are all proposed to have a finished floor level of at least 750mm above 6.17mAOD, thereby providing sufficient flood resilience to satisfy the requirements of the Environment Agency whilst not resulting in buildings which would be uncharacteristically tall for the location of the Site and its surroundings. Full drainage details have been submitted pursuant to the discharge of conditions imposed on permission 15/00847/OUT which are acceptable to the Environment Agency and the Lead Local Flood Authority.
- 7.7 Careful attention has also been paid to the public areas within the Site, clearly defined through the use of hard and soft landscaping (considered in more detail below). The overall result of the detail attributed to the appearance of the buildings, private and public hard and soft landscaped areas, and amenity spaces will be the formation of a small extension to the village of Warton that is well integrated with the existing built form and surrounding countryside.
- 7.8 The principles of design and appearance applied to the reserved matters details have been carried through to the small four unit residential scheme proposed immediately to the west of the application Site pursuant to application 18/01603/FUL (separate report prepared and presented to this Committee).

Landscaping

- 7.9 At present the Site is occupied by a number of large, fairly modern, agricultural sheds, areas of hard standing, substantial boundary walls to the north and a bank of trees along the south and eastern boundaries which are subject to TPO.
- 7.10 The proposals include the removal of all the sheds and hard surface areas, retention and enhancement of soft landscaping along the southern and eastern/north eastern boundary, and further planting along the south eastern corner. The trees subject to the TPO are to be managed and enhanced pursuant to the proposed landscaping scheme, in accordance with advice from the Council's Tree Officer.
- 7.11 There are problems of contamination across the Site, as well as issues associated with drainage and flood risk, and as such there is a requirement for extensive ground works, including raising existing site levels.
- 7.12 There will be some new hard surfaced areas introduced throughout the Site, including an internal access road, parking areas and footpaths, however, of these, only the adoptable central access road and footprints of the dwellings would be impermeable. Overall there will be a substantial increase in permeable surfaces across the Site, including parking areas, footpaths, and private and public amenity spaces.
- 7.13 The proposals include planting which will help to soften views of the Site from the south as well as providing natural boundaries between the residential gardens and adjacent countryside.
- 7.14 The Council's Tree Officer has indicated that the landscaping proposals for the site as a whole (encompassing the reserved matters and full applications) are an improvement to the current situation and should be implemented as proposed. A condition would be applied to ensure that the landscaping scheme is implemented.

Layout

- 7.15 The scheme layout has evolved since the outline application was approved. The indicative scheme at outline stage was very much a linear development, with predominantly terraced dwellings proposed either side of an 'L' shaped site road. Following pre-application discussion with Officers, and following a change in prospective developer, the scheme now proposes a layout which focuses on a central 'green' public amenity space, with the access road wrapping around this area and branching off to shared parking areas. The majority of dwellings face inwards towards the 'green' with only the two most northerly plots (10 and 11) not doing so. These face west towards the rear

gardens of plot 9 and 9 Main Street, retaining sufficient separation distance so as to not be detrimental to the amenity of the residents within those properties.

- 7.16 There have also been changes to the type of properties proposed. Although there remains a single terrace of 4 dwellings, there is now a predominance of semi-detached properties and a small number of detached. The siting and distribution of dwellings make better use of the Site, result in a lower development density than the indicative scheme, and provide for a better overall relationship between existing neighbouring and proposed dwellings.
- 7.17 The proposed layout provides for safe circulation by both vehicles and pedestrians, including a pedestrian footpath through the Site from Main Street in the east to Farleton Close in the west. It also includes a wildlife and balancing pond and wildlife information board.
- 7.18 County Highways has confirmed that the proposed road layout, parking arrangements, and shared surface/parking areas are acceptable from a highway safety perspective, with necessary easements contained within appropriate areas that will allow for the main site road to be built to adoptable standard (with the intention that this is adopted by County once completed).
- 7.19 Suitable provision has been made within the scheme layout for refuse storage areas.

Scale

- 7.20 As noted above, the scale of the proposed development is reflective of the vernacular within Warton village and is considered appropriate for the Site. The dwellings are of a comparable height to neighbouring properties and there are sufficient circulation and amenity spaces around the properties to be a comfortable fit within the developable area of the Site.

8.0 Planning Obligations

- 8.1 No new obligations are proposed. The following are requirements imposed on the outline planning permission for which further clarification/detail was required at reserved matters stage.
- 8.2 **Affordable Housing** – the S106 attached to the outline permission requires an affordable housing contribution of up to 30% of the development. The applicant has undertaken a viability assessment which encompasses the costs associated with both these reserved matters and the associated full application (18/01603/FUL) as they are intrinsically linked and would be developed as a single scheme. The viability assessment has been independently critiqued by Keppie Massie. The result of this assessment is in the process of being finalised and will be reported verbally to Councillors at the Committee Meeting. However, the indication is that it is not viable to provide 30% of the scheme as affordable units (which would equate to 7.5 units across the two applications) but it is possible to secure 3 units. The applicant has proposed to dedicate units 1-3 as affordable, with The Guinness Trust having expressed an interest in taking on these properties.
- 8.3 Although 3 units across an aggregated 25 unit scheme is a low provision, this is due to the overly high abnormal costs associated with the development, associated with issues including contamination, method of construction required due to ground conditions, drainage, and site levelling. If the 4 unit scheme being considered pursuant to application reference 18/01603/FUL was not factored into the mix, the development might not be implementable. The original applicant for the outline application was not able to bring forward a viable option and as such the reserved matters stage was progressed by the current applicant who, due to their civil engineering business arm, is able to use their existing expertise to make the scheme both appropriate for the location (in terms of design, scale, housing types) and viable, subject to the addition of the adjacent proposed 4 unit scheme. The adjacent site does not suffer the same below ground problems as this one and as such the development costs and sales values for the 4 units would be sufficient to bring the overall scheme to a level of viability that would allow for both the implementation of this scheme and the provision of affordable housing, helping to add to local need for both affordable and open market housing in the village. Further units could have been proposed both pursuant to the outline permission, which approved the development of up to 23 units and yet only 21 have been proposed at reserved matters stage, or as part of the full application for the adjacent site. However, the result of either option would be proposals that risk further encroachment into the open countryside or a greater overall site density, neither of which would be considered appropriate for the Sites or their setting. It should be noted that the properties proposed are not high value, large detached properties, they are predominantly 2 bedroom and semi-detached properties. On balance of the

issues considered across the two, inter-related schemes, in this instance the low number of affordable units is considered preferable to no affordable at all or a more densely developed Site in this location.

8.4 **Education Contribution** – the amount of education contribution was to be determined at approval of reserved matters. Lancashire County Council has indicated that at this time they would be seeking a contribution for 2 secondary school places but will not be seeking a contribution for primary school places. This equates to a contribution of £48,370.32.

8.5 None of the other S106 obligations has a requirement for detail to be agreed at reserved matters stage.

9.0 Conclusions

9.1 The reserved matters details proposed pursuant to the outline planning permission 15/00847/OUT have been designed to respect the setting of the Site, its context within the surrounding area, and existing constraints. The proposals would result in a good quality residential development of an appropriate scale and appearance, incorporating the use of high quality materials, and with a well thought out layout that provides interest for future residents.

9.2 The proposals meet the Council's policy requirements in respect of design; trees and landscaping; impacts on existing neighbouring and future residential amenity; flood risk and drainage; designated sites of biological importance; and, parking and access.

9.3 On balance of all issues it is considered that the proposals are acceptable.

Recommendation

That Approval of Reserved Matters **BE GRANTED** subject to the following conditions:

1. Standard Reserved Matters timescale
2. Approved plans
3. Approved materials
4. Implementation of access
5. Retention of private and shared parking areas
6. Details of wildlife and balancing pond
7. Implementation of landscaping scheme
8. Implementation of tree protection measures and Arboricultural Method Statement
9. Removal of residential Permitted Development rights

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.

Agenda Item A8	Committee Date 3 June 2019	Application Number 18/01603/FUL
Application Site Warton Grange Farm Farleton Close Warton Carnforth	Proposal Erection of 4 dwellings with associated access, residential curtilage, and landscaping	
Name of Applicant Wilson	Name of Agent HPA	
Decision Target Date 11 February 2019	Reason For Delay Amendments to Plans and Negotiation with Applicant	
Case Officer	Clare Bland	
Departure	No	
Summary of Recommendation	Approve	

1.0 The Site and its Surroundings

- 1.1 The Site is located at Warton Grange Farm, immediately to the south/south east of Farleton Close. It extends to 0.36 hectares and is greenfield land. The Site is adjacent to a working farm complex comprising portal framed and concrete block agricultural buildings amongst a hard-standing yard. It comprises a line of scrub, young trees and poor semi-improved pasture to the west of the farm complex. There is an existing access track that runs north/south through the eastern third of the Site, providing access from Farleton Close to an existing slurry tank south of the Site.
- 1.2 The trees on the Site are subject to a Tree Preservation Order (TPO no.600) which was served in 2017 to protect trees around the periphery of the wider farm complex following the grant of outline planning permission for residential development (reference 15/00847/OUT).
- 1.3 Further to the north and west, across Farleton Close and Mill Lane, there are a number of existing residential properties, with the land immediately to the east of the Site subject to outline planning permission (referenced above) for the development of up to 23 new dwellings.
- 1.4 The Site is relatively flat, with a slight slope from west to east/south east resulting in a differential of approximately 1.5m overall.
- 1.5 The Site falls within the Arnside & Silverdale Area of Outstanding Natural Beauty (AONB); is designated as a Countryside Area; and lies within Flood Zones 1, 2 and 3. Although it benefits from flood defences which exclude the Site from Flood Zone 3b it remains within Zone 3a. The Site is also partially within the 1 in 100 year and 1 in 1000 year surface water flooding areas, but is in an area defined as being less than 25% susceptible to groundwater flooding.
- 1.6 The site is approximately 360m south of Warton Crag which is a designated Regionally Important Geological Site; in part a Biological Heritage Site; Nature Reserve; Ancient Woodland; and, a Site of Special Scientific Interest (SSSI). It is also subject to Limestone Pavement Orders. There is also a Scheduled Ancient Monument located on Warton Crag and a Grade II Listed building at 5 Main

Street, Warton. Morecambe Bay is located approximately 650m to the west and is designated as a SSSI; Special Protection Area (SPA); Special Area of Conservation (SAC); and, Ramsar Site.

2.0 The Proposal

- 2.1 It is proposed to develop the Site to provide a terrace of 4 dwellings, 2 of which would be 2 bedroom and 2 of which would be 3 bedroom. These dwellings would be built in conjunction with the wider redevelopment of the Warton Grange Farm complex to the east. The terrace would sit on a south-west/north-east axis, with the principal elevation facing Farleton Close.
- 2.2 The dwellings would be accessed via the existing track, upgraded to an appropriate standard, and linked to the wider site access onto Farleton Close that was approved pursuant to outline application 15/00847/OUT.
- 2.3 Parking for the dwellings is proposed in a shared bay between the access road and the dwellings, with two spaces assigned to each dwelling.
- 2.4 The dwellings would have small front gardens and larger rear gardens that accord with the Council's amenity space requirements. The overall 'domestic' element of the development would extend to approximately one third of the application site area, with the remainder of the Site set aside for landscaping.
- 2.5 The proposals would result in the removal of a length of the TPO trees, although approximately half of the existing on-site trees would be retained and a substantial area of additional planting is proposed around the southern and eastern boundaries.
- 2.6 Reserved matters have been submitted pursuant to the outline planning permission for the adjacent Warton Grange Farm Site, proposing 21 new dwellings (reference 18/01589/REM). The applicant is the same for both this proposal and the reserved matters and it is proposed that the two would be developed as a single scheme, with combined infrastructure. The reserved matters details have been recommended for approval and are to also being considered by this Committee (agenda item A6).

3.0 Site History

3.1 The relevant site history, and relevant adjacent site histories, are included below.

Application Number	Proposal	Decision
15/00847/OUT	Outline application for the demolition of the existing farm buildings and the erection of up to 23 dwellings with associated access and landscaping	Permitted (Site immediately to east)
18/00023/FUL	Creation of a temporary bund with a maximum height of 2m to be sited for a period of up to 2 years	Permitted (Site immediately to south)
18/00195/DIS	Discharge of conditions 3, 4, 6, 7, 10, 11, 12, 13, 14, 15, 16, 17 on approved application 15/00847/OUT	Pending determination
18/01583/REM	Reserved matters application for the demolition of the existing farm buildings and the erection of 21 dwellings with associated access and landscaping	Pending determination

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objection - originally expressed concerns about access to the dwellings, parking arrangements, and refuse collection areas but withdrew their objection following the submission of a revised site layout and access plan. Recommend conditions be imposed to ensure development is undertaken in accordance with the revised proposals.

Parish Council	The Parish Council has not objected to the application although they have expressed concerns in respect of drainage and impacts on neighbouring residents during the construction process. Recommend that the application should only be permitted in conjunction with the adjacent Warton Grange Farm proposals.
Arnside & Silverdale AONB	The AONB Office has not objected to the application although they have recommended that the Council seek delivery of affordable housing (beneficial to be alongside reserved matters for the adjacent site); recommend materials be in keeping with the local landscape and settlement character; recommend replacement planting and biodiversity enhancement; and suggested conditions to be imposed in order to address their comments.
Environmental Health	No comments received
Fire Safety Officer	No objection - provided advice in respect of building regulation requirements
Natural England	No objection
Tree Officer	No objection - originally objected to the application but withdrew their objection following the revision of proposed soft landscaping works/tree planting. Recommend conditions to ensure the development is undertaken in accordance with the submitted scheme.
Public Realm Officer	No comments received
Environment Agency	No objection - originally objected to the application but withdrew their objection following the submission of a revised FRA which highlighted the wider flood risk mitigation and drainage infrastructure works proposed for this and the adjacent Warton Grange Farm sites. Recommend conditions be imposed to ensure development is undertaken in accordance with the revised proposals.
United Utilities	No objection - drainage proposals are acceptable and recommend conditions be imposed to ensure development is undertaken in accordance with the submitted scheme.

5.0 Neighbour Representations

- 5.1 One neighbour has commented (neither objecting nor supporting) to request roads be cleaned and to request access not be compromised during the construction process.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework

Paragraphs 7-14 : Achieving Sustainable Development
 Paragraph 34 : Development Contributions
 Paragraphs 38, 47-50 & 54-57 : Decision Making
 Paragraph 59 – 79 : Delivering a Sufficient Supply of Homes
 Paragraph 91 – 101 : Promoting Healthy and Safe Communities
 Paragraph 108 – 110 : Promoting Sustainable Transport
 Paragraph 117 – 123 : Making Effective Use of Land
 Paragraph 124, 127 – 128 : Achieving Well Designed Places
 Paragraph 149 – 150, 155 - 165 : Meeting the Challenge of Climate Change, Flooding and Coastal Change
 Paragraphs 170, 175 – 183 : Conserving and Enhancing the Natural Environment

6.2 Local Planning Policy Overview – Current Position

On 15 May 2018, and in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), Lancaster City Council submitted the following documents to the Secretary of State (Planning Inspectorate) for examination:

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

The Examination Hearing Sessions commenced on 9 April 2019.

The Strategic Policies and Land Allocations DPD will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan.

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

Given the current stage of both DPDs, it is considered that some weight can be attributed to the policies contained therein where no significant objection to them has been raised.

6.3 Lancaster Core Strategy (Saved Policies)

- SC1 – Sustainable Development
- SC3 – Rural Communities
- SC4 – Meeting the Districts Housing Requirements
- SC5 – Achieving Quality in Design

6.4 Lancaster District Local Plan (Saved Policies)

- E3 – Areas of Outstanding Natural Beauty

6.5 Development Management DPD Policies

- DM21 – Walking & Cycling
- DM22 – Vehicle Parking Provision
- DM26 – Open Space, Sports and Recreational Facilities
- DM27 – The Protections and Enhancement of Biodiversity
- DM28 – Development and Landscape Impact
- DM29 – Protection of Trees, Hedgerows and Woodland
- DM35 – Key Design Principles
- DM38 – Development and Flood Risk
- DM39 – Surface Water Run Off and Sustainable Drainage
- DM40 – Protecting Water Resources and Infrastructure
- DM41 – New Residential Development
- DM42 – Managing Rural Housing Growth
- DM48 – Community Infrastructure
- Appendix B – Car Parking Standards

6.6 Arnside & Silverdale Area of Outstanding Natural Beauty (AONB) Development Plan Document (DPD) (Adopted March 2019)

- AS01 – Development Strategy
- AS02 – Landscape
- AS03 – Housing Provision
- AS04 – Natural Environment
- AS05 – Public Open Space and Recreation
- AS08 – Design
- AS10 – Infrastructure for New Development
- AS12 – Water Quality, Sewerage and Sustainable Drainage

7.0 Comment and Analysis

7.1 The application proposes the development of 4 no. dwellings on a greenfield site on the edge of the settlement of Warton. The Site is located within the Arnside and Silverdale AONB and includes a band of trees subject to a TPO. It is also within Flood Zones 1, 2 and 3a. There are a number of policy considerations to be taken into account in assessing the merits of the application but there are also wider contextual issues that need to be considered in the overall planning balance.

7.2 The main issues to be considered are:

- Principle of Development;
- Housing Need & Affordable Housing;
- Impact on AONB, Landscape and Biodiversity;
- Design;

- Highways and Access; and
- Drainage and Flood Risk.

Principle of Development

- 7.3 The Site is located on the periphery of the village of Warton which is identified in the DM DPD as a sustainable settlement (Policy DM42) where new residential development will be supported. The proposals conform with the requirements of this policy in terms of the Site being:
- well related to the existing built form of the settlement – it is immediately adjacent to properties along Farleton Close and the approved residential development at Warton Grange Farm (15/00847/OUT), and in close proximity to properties along Mill Lane and Main Street;
 - proportionate to the existing scale and character of the settlement – a terrace of small scale cottage style dwellings is representative of dwellings along Farleton Close and Main Street;
 - can be accommodated within the existing village infrastructure – it is already served by an access road and has been taken into account within the infrastructure proposals submitted pursuant to discharge of conditions for 15/00847/OUT and reserved matters 18/01589/REM for the immediately adjacent site;
 - is designed and located so as to conserve the character and quality of the landscape – it relates well to the existing surrounding dwellings and adjacent residential development scheme and includes substantial enhanced landscaping of an appropriate character for the locale; and,
 - would not compromise the policy objectives of the Arnside and Silverdale AONB DPD – considered in more detail below.
- 7.4 The AONB DPD adopts a landscape capacity-led approach to consideration of development, indicating that great weight would be given to the principle of conserving landscape and natural beauty, wildlife and cultural heritage. The application represents small scale residential development fulfilling an identified need within a larger site on the periphery of an established local service centre. Although it would result in the partial loss of a greenfield site and portion of TPO tree band, the dwellings would be well linked to existing and approved built form on the periphery of the village and set within enhanced landscaping. The area proposed to be developed for dwellings is closest to existing built form and would not result in an alien protrusion into the open countryside or residual loss of landscaping to the detriment of the AONB. The proposals do not directly diversify or support an existing local business, however, the site does form part of an existing working farm, the main functions of which have recently relocated and the adjacent barns now subject to approval for demolition and redeveloped for housing pursuant to application reference 15/00847/OUT. The land to which this application relates is partially self-seeded trees and partially low grade agricultural grazing separated from adjoining fields by Farleton Close to the north, an access track to the east, a slurry tank to the south, and Mill Lane to the west. This full application has been brought forward to ensure that the redevelopment of the adjacent site can be achieved. Without these proposals the applicant has demonstrated that the adjacent scheme would be unviable, the implications of which would potentially be more intensive/dense proposals for the adjacent site or loss of any affordable housing as part of that scheme (or a combination of both). The applicant has provided a viability assessment to demonstrate the above which has been independently critiqued and found to be sound. The application Site was identified as being the most appropriate location for additional enabling development in terms of having the potential for least residual harm to the village setting, landscaping, and amenity, in accordance with the aims of the AONB DPD.
- 7.5 In addition to the general requirements for new residential development, Policy DM41 of the adopted DM DPD indicates that proposals for new housing on greenfield land must demonstrate that the benefits of the proposal outweigh the impacts on local amenity. Local amenity would not be harmed by these proposals. They would not utilise land currently used for amenity purposes, they would not prejudice the potential for enjoyment of the surrounding countryside or AONB, and there would be no detriment to existing neighbouring residential amenity through overlooking, overshadowing or increased noise/pollution. Any potential impacts that could occur during the construction phase of development, (i.e. hours of construction and conflict between domestic and construction traffic), would be addressed through appropriate conditions being imposed and enforced, akin to those imposed on the neighbouring site.
- 7.6 In terms of ensuring the land is used effectively, it is proposed that only approximately one third of the Site be 'developed', with the remaining land set aside for landscaping, including a substantial

tree planting scheme. The physical development would be located in close proximity to the existing access road and Farleton Close, and would be well linked to the surrounding existing and approved residential units.

Housing Need and Affordable Housing

- 7.7 In preparing the AONB DPD, an area specific Housing Need survey was undertaken (Housing Needs Survey Report undertaken by Cumbria Rural Housing Trust, September 2014). Although it only projected for a 5 year period and as such is becoming outdated, it indicated a predominant need for 1-2 bedroom units across both affordable and open market properties, with the next level of requirement being for 3+ bedroom houses.
- 7.8 The application therefore fulfils the identified type/size of housing required in the local area, albeit none of the units are proposed as affordable. The affordable provision for the wider development has been included within the adjacent plot (15/00847/OUT) and, although the precise provision is still to be confirmed, negotiations to date indicate that this will comprises 2 x 1 bedroom and 1 x 2 bedroom units – the final confirmation on this will be verbally reported to Councillors at the Committee Meeting. This provision is below that required for sites in the AONB but it has been demonstrated through a viability assessment that the provision is as much as the scheme as a whole can realistically achieve. More units could have been provided but this would be to the detriment of the density that has been proposed or the quality of materials (or a combination thereof). Having regard to the importance of the landscape and townscape within this location, it is believed that the balance of issues is acceptable in this instance. A S106 unilateral undertaking is proposed by the applicant to ensure the units are not occupied prior to practical completion and transfer to a Registered Provider of all the affordable dwellings secured pursuant to outline planning permission reference 15/00847/OUT and reserved matters details 18/01589/REM.
- 7.9 Although 3 units across an aggregated 25 unit scheme is a low provision, this is due to the overly high abnormal costs associated with the development of the adjacent Warton Grange Farm site. On that site there are abnormally high costs associated with issues including contamination, method of construction required due to ground conditions, drainage, and site levelling which, if the 4 unit scheme being considered here was not factored into the mix, would likely result in the scheme approved pursuant to 15/00847/OUT not being implemented. The original applicant for that scheme was not able to come forward with a viable option and as such the reserved matters stage of the development was taken over by the current applicant who, due to their civil engineering business arm, are able to use their existing expertise to make the scheme both appropriate for the location (in terms of design, scale, housing types) and viable, subject to the addition of the proposed 4 unit scheme. The application Site does not suffer the same below ground problems as the adjacent site and as such the development costs and sales values for the 4 units would be sufficient to bring the overall scheme to a level of viability that would allow for both the implementation of the adjacent scheme and the provision of affordable housing, helping to add to local need for both affordable and open market housing in the village. Further units could have been proposed both pursuant to the outline permission, which approved the development of up to 23 units and yet only 21 have been proposed at reserved matters stage, or as part of this application. However, the result of either option would be proposals that risk further encroachment into the open countryside or a greater overall site density, neither of which would be considered appropriate for the Sites or their setting. It should be noted that the properties proposed for the adjacent site are not high value, large detached properties - they are predominantly 2 bedroom and semi-detached properties. On balance of the issues considered across the two, inter-related schemes, in this instance the lack of affordable units within this application is considered to be acceptable.

Impact on AONB, Landscape and Biodiversity

- 7.10 As noted above, proposals within the AONB will be determined affording great weight to conserving landscape and natural beauty, wildlife and cultural heritage. Similarly, Policy DM27 seeks to ensure the protection and enhancement of biodiversity, DM28 indicates the need for developments to contribute positively to the conservation and enhancement of the protected landscape, both in terms of individual and cumulative impacts, and DM29 supporting the protection of trees and hedgerows.
- 7.11 The application proposes the partial development of a greenfield site, including the partial removal of a bank of trees protected by TPO. At face value the proposals could be construed as detrimental within the context of the immediate and surrounding areas, however, due to the composition of the

scheme, the limited extent and location of the proposed dwellings within the Site, and the extent and quality of the proposed landscaping scheme, the works would have an overall positive impact on the wider landscape and appearance of the Site.

- 7.12 The application was supported by an ecology assessment and an arboricultural assessment. The ecology assessment concluded that there was no evidence of any protected species at the Site but recommended a precautionary approach to development. To this end it is recommended that a condition be imposed to ensure any development be undertaken in accordance with the requisite advice. Additionally, the applicant has been working closely with the Council's Tree Officer to agree a scheme for tree planting which would not only replace the quality/quantity of trees proposed to be removed, but would significantly improve the existing baseline position in terms of both type, quantity and quality. Overall, the proposed landscaping works could have a positive impact on both local and wider views of the Site from the surrounding area, thereby enhancing this part of the AONB and potentially securing other benefits in terms of enhancing biodiversity habitats in and around the Site. The principles of the landscaping scheme proposed for the Site are part of the wider holistic approach to the redevelopment of Warton Grange Farm.

Design

- 7.13 Careful consideration has been given to the design of the development, both as a single residential terrace but also as part of the wider redevelopment of Warton Grange Farm. The scheme mirrors a similar terrace proposed pursuant to the reserved matters scheme, reference 18/01589/REM, with similar materials proposed (i.e. slate roofs and limestone walls). The style of the building, a terrace of four dwellings, is reflective of properties within the village and this approach has been chosen so as to ensure the development integrates well with its surroundings. Conditions are proposed to ensure the quality of design is retained.
- 7.14 The general layout of the development relates well with the neighbouring existing residential area to the north and utilises the existing access track which is considered an acceptable approach to minimise any impact of physical development.

Highways and Access

- 7.15 As noted above, it is proposed to access the Site via the existing access track which leads onto Farleton Close. Once in the Site dedicated parking is proposed via a bank of spaces located along the eastern edge of the building. County Highways has confirmed that they have no objection from a highway safety perspective, and that the parking is at a suitable level for the size/composition of the proposed scheme.
- 7.16 Pedestrian access can be safely achieved to each of the dwellings via Farleton Close and the footpath proposed as part of the adjacent redevelopment scheme, which also provides a link to the east onto Main Street.
- 7.17 It is proposed to impose conditions on the development to ensure there is no conflict between construction and domestic vehicles during the construction process, and to ensure that the parking spaces are set out and retained as proposed in perpetuity.

Drainage and Flood Risk

- 7.18 The Site falls partially within Flood Zone 1, partially within Zone 2 and partially within Zone 3. However, the area of the Site proposed to be developed for the houses and their gardens, falls within Zone 1 and as such the application satisfies the Sequential Test which is aimed at steering new development to areas with the lowest probability of flooding. Although part of the access road and two of the parking spaces fall within Zone 2, they do not compromise a safe escape route from the Site and in any event, due to a proposed slight increase in levels at this part of the Site the parking spaces would be at a level above Flood Zone 2.
- 7.19 The surface and foul drainage infrastructure for the Site is proposed as part of the wider redevelopment of Warton Grange Farm as a whole, with the proposals having been considered acceptable by United Utilities and the Environment Agency, as well as the Lead Local Flood Authority.

8.0 Planning Obligations

8.1 The applicant will need to enter into a Unilateral Undertaking in order to secure the provision of affordable units proposed pursuant to reserved matters 18/01589/REM prior to the occupation of any dwellings approved herein.

9.0 Conclusions

9.1 The proposals comprise a small scale residential development on the periphery of a sustainable local service centre. Although greenfield development, the composition of the scheme is such that it would have a positive overall impact on the site and its appearance from both local and more distance views into the village of Warton. Additionally it will help enable the redevelopment of the neighbouring Warton Grange Farm site, including the ability for that scheme to provide an element of affordable housing to meet locally identified need. On balance of all planning issues the 4 unit scheme is considered to be acceptable in this instance.

Recommendation

That subject to the applicant entering into a Unilateral Undertaking in order to secure the provision of affordable units proposed pursuant to reserved matters 18/01589/REM prior to the occupation of any dwellings approved herein that Planning Permission **BE GRANTED** subject to the following conditions:

1. 3 year timescale
2. Approved plans
3. Materials
4. Soft landscaping and tree works
5. Access and parking
6. Drainage
7. Implement in accordance with FRA
8. Land importation
9. Unforeseen contamination
10. Construction management plan
11. Electric vehicle charging points
12. Removal of PD rights
13. Ecological mitigation

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.

Agenda Item A9	Committee Date 3 June 2019	Application Number 19/00088/FUL
Application Site Land Adjacent To Meadowcroft Hill Lane Nether Kellet Lancashire		Proposal Erection of a two storey dwelling with associated access and alterations to land levels
Name of Applicant Mrs Cornthwaite		Name of Agent Mrs Nola Jackson
Decision Target Date Extension of time agreed until 7 June 2019		Reason For Delay Negotiating changes and receipt of amended plans
Case Officer		Mrs Eleanor Fawcett
Departure		No
Summary of Recommendation		Approval

(i) Procedural Matters

This form of development would normally be dealt with under the Scheme of Delegation. However, a request was made by Councillor Mace for the application to be reported to the Planning Regulatory Committee due to the concerns relating to ground instability, increased flood risk, loss of amenity and the impact on the character of the Nether Kellet Conservation Area.

1.0 The Site and its Surroundings

1.1 The application site relates to part of a larger agricultural field located on the northern side of Hill Lane, close to the junction with Shaw Lane, at the southern end of the village of Nether Kellet. Hill Lane rises out of the village to the east, as do the levels of the field in which the site is located. The land also rises to the north, from Hill Lane, is mostly higher than the highway and contains some undulations. There is an existing field access into the site, towards the western end of its frontage, and there is a stone wall along the boundary with the highway verge. To the west of the site is a bungalow, 3 Hill Lane, which is situated at a lower level, and to the south, on the opposite side of the highway, is a converted barn and its associated garden.

1.2 The site lies adjacent to the Nether Kellet Conservation Area, which includes the bungalows to the west and Hill Lane to the south, extending up to an elevated farm complex to the east, Hill Top Farm. It is also within the Countryside Area, as identified on the Local Plan Proposals Map and partly within a Mineral Safeguarding Area.

2.0 The Proposal

2.1 Planning permission is sought for the erection of a detached dwelling and the creation of a new access. The dwelling was originally proposed as two storey with an attached garage, but amendments have been made to the scheme which have reduced this to single storey, with accommodation provided within the roof space. Engineering operations are proposed given the changes in levels across the site, and the building would be partly built into the rising land. The dwelling is proposed to be set back from the highway by approximately 15 metres and would be 13.5 metres wide, 7.5 metres deep and have a height of 3 metres to the eaves and 5.6 metres to the

ridge.

- 2.2 The existing access into the field is proposed to be retained for agricultural purposes and the boundary of the residential property would be set in from the western field boundary by approximately 7.4 metres. The retained access was not originally included within the application boundary. However, it has now been incorporated in order to allow for some levelling of this strip of land to make it more useable. A new access is proposed to serve the dwelling through the existing boundary wall, approximately 3 metres to the west of the field gate. This is proposed to be 4.5 metres wide, splayed to 7 metres at the edge of the carriageway.

3.0 Site History

- 3.1 The relevant site history is set out below:

Application Number	Proposal	Decision
18/00711/OUT	Outline application for the erection of a dwelling with associated access	Withdrawn
15/01035/PRETWO	Erection of two dwellings	Completed
15/00385/PREONE	Erection of two dwellings	Completed

4.0 Consultation Responses

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

Consultee	Response
Parish Council	Object: visual impact due to the size of the dwelling, larger than nearby dwellings and not in keeping with the other properties and would impact on Listed buildings in the area; impact on residential amenity, will affect current open space and result in a loss of privacy; and increased flood risk. They maintain their objection despite the amendments made to the proposal.
Conservation Team	Object. The proposal would have a harmful impact on the setting of the Conservation Area, a Listed building and two non-designated heritage assets. This harm is considered to be less than substantial but is not outweighed by any public benefits of the proposal. Comments are awaited in relation to the amended plans.
Environmental Health	No comments received during the consultation period.
County Highways	No objections subject to conditions requiring: a scheme for the construction of the site's 4.5m wide means of access and associated 2m wide footway along the frontage of the site with Hill Lane; provisions to enable vehicles to enter and leave the highway in a forward gear; reduction of the boundary wall to 1 metre above the carriageway; visibility splays 2.4 metres by 30 metres in each direction; and surfacing of the first 5 metres of the access in a bound material.
United Utilities	Comments. The site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

5.0 Neighbour Representations

- 5.1 In response to the original submission 9 pieces of correspondence have been received which raise an objection to the application and include the following concerns:
- Increased flood risk to neighbouring properties due to run-off from the hill, including as a result of the proposed ground excavation;
 - Loss of open space due to development on green field agricultural land;
 - Development is located outside the village outline, would have an urban sprawl effect, exacerbated by retained field access which could also lead to further development;
 - Loss of residential amenity, particularly due to proximity to the boundary, scale and elevated position of dwelling and garage, including loss of light and privacy, and overbearing impact;
 - Scale, design and materials, including parking area, are not in keeping with the character of the area and the dwelling will have a detrimental impact on the visual amenity of the area;

- The development would not preserve or enhance the Conservation Area and be detrimental to its setting;
- Impact on the setting of Listed buildings in the area;
- Impacts from ground instability at the site;
- Unclear how foul water will be disposed and there are issues with the existing public sewer capacity;
- Little demand for new dwellings in Nether Kellet, and of the scale proposed, would not meet an identified local need or be affordable;
- New residential development should be focused in Lancaster;
- Risks from pollution;
- Contrary to the Human Rights Act;
- A preference should be given to the re-use of Previously Developed Land;
- Could set a precedent for further development.

5.2 In response to the amended plans, 5 additional pieces of correspondence have been received, objecting to the proposal. These raise similar concerns to above, but specific to the amendments they raise the following additional concerns:

- Additional flattening of land at field access raises concerns regarding future development as this does not appear to be used to access the field, and would result in an increased visual impact on the surrounding area;
- Amendments do not alter size of plot and extent of hardstanding and would still be in an elevated position;
- Overlooking from access track and impact from dwelling closer to 3 Hill Lane.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraph 11 – The presumption in favour of sustainable development

Paragraphs 77, 78 and 79 – Rural housing

Paragraph 108, 109 and 110 – Access and transport

Paragraphs 124 and 127 – Achieving well-designed places

Paragraph 170 – Contributing to and enhancing natural and local environment

Paragraphs 170, 175 and 176 – Protecting and enhancing biodiversity

Paragraph 178 – 179 – Land instability and contamination

Paragraphs 185, 192, 193-197 – Conserving and enhancing the historic environment

6.2 Local Planning Policy Overview – Current Position

On 15 May 2018, and in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), Lancaster City Council submitted the following documents to the Secretary of State (Planning Inspectorate) for examination:

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

The Examination Hearing Sessions commenced on 9 April 2019

The Strategic Policies and Land Allocations DPD will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan.

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

Given the current stage of both DPDs, it is considered that significant weight can be attributed to the policies contained therein subject to the extent to which there are unresolved objections to the relevant policies and their consistency with the National Planning Policy Framework.

6.3 Lancaster District Local Plan Saved Policies

E4 – Countryside Area

6.4 Lancaster District Core Strategy (adopted July 2008)

SC1 – Sustainable Development
SC5 – Achieving Quality in Design

6.5 Development Management Development Plan Document (adopted July 2014)

DM20 – Enhancing Accessibility and Transport Linkages
DM21 – Walking and Cycling
DM27 – The Protection and Enhancement of Biodiversity
DM28 – Development and Landscape Impact
DM29 – Protection of Trees, Hedgerows and Woodland
DM31 – Development affecting Conservation Areas
DM32 – The Setting of Designated Heritage assets
DM33 – Development Affecting Non-Designated heritage assets or their Settings
DM35 – Key Design Principles
DM39 – Surface Water Run-Off and Sustainable Drainage
DM40 – Protecting Water Resources and infrastructure
DM41 – New Residential Development
DM42 – Managing Rural Housing Growth

6.6 Joint Lancashire Minerals and Waste Local Plan (Site Allocations and Development Management Policies) (adopted September 2013)

M2 - Safeguarding Minerals

6.7 Other Material Considerations

Section 66 of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended states that the local planning authority shall have regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Section 72 sets out that special attention should be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

7.0 Comment and Analysis

7.1 The main issues to be considered in the determination of this application are:

- Principle of residential development
- Layout, scale, design and impact on heritage assets
- Impact on nearby residential amenity
- Impact upon trees and ecology
- Highway impacts including parking
- Land contamination and stability and drainage
- Mineral safeguarding

7.2 Principle of the development

7.2.1 Policy SC1 of the Core Strategy requires new development to be as sustainable as possible, in particular it should be convenient to walk, cycle and travel by public transport and homes, workplaces, shops, schools, health centres, recreation, leisure and community facilities. Policy DM42 of the Development Management DPD sets out a list of villages where new residential development will be supported, of which Nether Kellet is one. The site is located at the southern end of the village, in close proximity to existing residential development. This policy does also include general requirements for new residential development, and there are also other factors to consider, which are discussed in detail below. However, the principle of a new dwelling in this location is considered to be acceptable.

7.3 Layout, scale, design and impact on heritage assets

- 7.3.1 The proposal relates to the erection of a single dwelling on land adjacent to Hill Lane at the southern end of Nether Kellet, which forms part of a larger field and appears to be used to graze animals. The land rises quite considerably from the boundary with 3 Hill Lane to the east. As a result, excavation of the land is required to accommodate the dwelling and it is proposed to be partly set into the rising land. As set out above, amendments have been made to the originally submitted scheme and the dimensions of the proposed dwelling are set out at paragraph 2.1.
- 7.3.2 The southern and eastern boundaries of the site abut the Nether Kellet Conservation Area. To the east and north east are a number of bungalows dating from the early 1960s. On the opposite side of the highway is Heathfield Farm and Wren Cottage, a farmhouse and converted barn. Heathfield is considered to be a non-designated heritage asset and both buildings are present on the 1840s OS map. Hill Lane leads up from the site to the east to Hill Top Farm, which is also within the Conservation Area boundary. This is one of the main focal points of the village, forming a backdrop which looms over the settlement due to the sharp rise of the land. Hill Top Farm is not listed, but is also considered to be a non-designated heritage asset. Approximately 50 metres to the south west of the site is a Grade II Listed building, Channel Head.
- 7.3.3 In response to the original scheme, the Conservation Team raised concerns in relation to the impact on the heritage assets discussed above. In particular, it was considered that the dwelling would impact upon the setting of Heathfield in terms of the surroundings within which it is perceived. Another impact is on the setting of Hill Top Farm on its eastern approach, which is currently open and agricultural in character. It was also considered that the dwelling would impact on the rural setting within which the Grade II Listed building (Channel Head) is perceived. It was acknowledged that the setting of these heritage assets has clearly changed over time, as the village has expanded, and the greatest impact has clearly come from the building of Meadowcroft in the 1960s. However, as a result, it is considered to be more significant in terms of providing a setting for the heritage assets as it is the remaining view at the south east end of the Conservation Area. There were also some concerns raised regarding the design, which was considered to appear too much like a barn conversion, and the impacts of the associated terracing and landscaping.
- 7.3.4 Consideration has been taken with regards the layout to aim to work with the topography of the site. However, there were concerns regarding the scale and design of the original proposal, particularly given the rising landform and elevated nature of parts of the site. The extent of the land level changes make a dwelling on this site, in addition to its associated garden, difficult to accommodate, particularly given the relationship to the heritage assets and the existing adjacent houses to the east. The original plans show that the dwelling would be significantly elevated above the adjacent bungalow. In terms of the design, there were concerns that this had the potential to appear as a poor barn conversion rather than a well-designed new building that responds well to the character of the area. Whilst it is considered that there is merit in designing a dwelling that acknowledges the agricultural link to the site, the submitted design would potentially confuse the historic legibility of the area as there was not a stone barn in this location.
- 7.3.5 As a result of the concerns, the agent submitted amended plans. The finished floor and site levels are proposed to be similar to the original submission, requiring a similar level of excavation. The dwelling would mostly be sited on a newly created level area, at 70.75 metres AOD, which is around 1-1.2m higher than the boundary line close to the dwelling at 3 Hill Lane, and just above the level of the highway close to the access point. Terracing is proposed on part of the front of the site, adjacent to the access and turning area, to provide a stepped garden up to the grassed area at the eastern boundary. This allows the eastern end of the building to be built into the rising landform. The main changes from the original submission relate to the removal of the proposed attached garage, resulting in the western elevation of the dwelling being located 14.5 metres from the side wall of the bungalow at 3 Hill Lane, and 13 metres from its boundary, the reduction in height of the dwelling and an alteration to the design.
- 7.3.6 The dwelling is now proposed to be more akin to a bungalow, although accommodation is proposed within the roof space. The length and width has been mostly kept the same, although a single storey projection at the rear has been removed. The ridge height has been reduced by 0.9 metres and the eaves height by 1.8 metres, creating a steeper roof pitch with a larger expanse of roof slope. In terms of the design, the dwelling is now proposed to be finished in timber cladding with a slate roof and aluminium powder coated doors and windows. Whilst these materials are not similar to any

dwellings in the immediate area, it is considered that it would provide a modern interpretation of a timber barn, that would clearly appear as a contemporary dwelling, rather than an attempt to replicate a more traditional and substantial stone building. By reducing the eaves height in particular, the overall massing would be considerably reduced, better relating this to the adjacent bungalows. The dwelling will still be higher than the bungalows, and set at a higher level, but it is now considered that it would not visually dominate these and would provide more of a gradual step, responding to the rising levels. It is acknowledged that the footprint and extent of the garden is larger than the adjacent bungalows. However, there is a mix of size of plots and scale of dwellings in the vicinity, including the converted barn to the south which has a large garden to the side roughly in line with the eastern extent of the application boundary. Its orientation, with the roof slope facing the highway, responds to that of the more historic buildings in the area.

- 7.3.7 As a result of the changes to the scheme, it is considered that the impact within the landscape has been reduced. The proposal will still involve the development of a small section of a large agricultural field which provides the setting for this end of Nether Kellet and its Conservation Area. It will result in domestication by the siting of the dwelling but also from the hardstanding and terracing at the front. However, given the set back from the road, the dwelling would not interrupt views up to Hill Top, and the agricultural land beyond the site would still be discernible and continue to provide a setting to the Conservation Area and the designated and non-designated heritage assets. In relation to the Grade II Listed building, it should be noted that there is intervening development between the site and this building, including more modern bungalows of a poor design, and this has more of a relationship to the open land and edge of the settlement on the western side of Shaw lane, rather than the application site.
- 7.3.8 Section 66 of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended states that the local planning authority shall have regard to the desirability of preserving a Listed building or its setting or any features of special architectural or historic interest which it possesses. Section 72 sets out that special attention should be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. As discussed above, it is considered that the amended proposal would not cause harm to the setting of the Listed building. In terms of the setting of the Conservation Area, this is not protected in law as with a Listed building. However, it is covered by the both national and local planning policy. The NPPF sets out that any harm to the significance of a designated heritage asset, including from development within its setting, should require clear and convincing justification. Policy DM31 sets out that only development which preserves or enhances the character and appearance of the Conservation Area will be permitted. Policy DM32 relates specifically to the setting of heritage assets and contains similar wording to Policy DM31. It goes on to say that the greater the negative impact on the significance of the heritage asset and its setting, the greater the benefits that would be required to justify any approval.
- 7.3.9 It is considered that the proposal will have some impact on the setting of this part of the Conservation Area, by the encroachment into the open and rising land. However, it is acknowledged that the development on the opposite side of the highway extends beyond the existing built form on the northern side. The proposed site boundary would be roughly in line with the eastern boundary of the garden to the converted barn, although this garden screened by a large boundary wall. In addition, the bungalows adjacent to the site are of a poor overall design, finished in a mix of brick and render with concrete tile roofs and some including flat roof dormer windows. These detract from the more traditional buildings in the area. It is considered that the harm caused by the encroachment into this land would be mitigated by the high quality design, sensitive boundary treatments and care over land levels, all of which could be covered by conditions. As discussed above, given the set back of the dwelling, views would still be available across the rising land and up to Hill Top, and whilst the terracing at the front would be more domestic in appearance, it would retain a gradual slope, and would also be seen in the context of the existing bungalows, their gardens and a wide area of pavement. As a result it is considered that the impact would be minimal. The pavement is proposed to be extended up to the new access, on the existing verge. Given the relatively limited length of this and the presence of the existing pavement and hardstanding on the other side of the road, it is considered that this would not be harmful to the character or appearance of the area.
- 7.3.10 Given the existing development adjacent to the site and the proposed design and scale of the dwelling, it is considered that it would not have a detrimental impact on the setting of the Conservation Area or the other designated and non-designated heritage assets in the vicinity of the site and would therefore comply with both local and national planning policy.

7.4 Impact on nearby residential amenity

7.4.1 The proposed dwelling would be located 13 metres from the boundary with 3 Hill Lane and 14.5 metres from the side wall of this bungalow. It would be sited closer to the road than this neighbouring dwelling and, given its orientation, it would not extend along all of the side wall of the dwelling. There are habitable room windows in the side wall of the bungalow which face towards the application site. The supporting text to policy DM35 advises that there should normally be 12 metres between a blank wall and habitable room windows. Whilst the dwelling would be in a slightly elevated position, given the height of the dwelling, the separation distance and position on the site, it is considered that the proposal would not result in a significant loss of light or overbearing impact to the occupants on the neighbouring property.

7.4.2 A gap has been deliberately left between the side boundary of the new residential property and the boundary of 3 Hill lane. Whilst concerns have been raised from neighbouring properties regarding the reason for this, it has been suggested by the Local Planning Authority in order to help prevent overlooking and loss of light to this dwelling, given its close proximity to its eastern boundary. The agent had previously suggested that this could be planted with trees, though there were concerns that this could block light to 3 Hill Lane. By stepping the boundary away, it allows a more substantial boundary treatment to be put in place which would not in itself impact on light to the neighbouring property. This strip of land has been shown as retained for access to the field and there were some concerns that this would not be practical because of some of the levels. It has now been included within the application boundary to allow for this, but it is not envisaged that this change would be significant or that the strip of land would be surfaced. However, the precise details of the level changes can be covered by condition. Concerns have been raised by the immediate neighbour in relation to increased overlooking from this access, but the land can currently be used and accessed for agricultural purposes so it is unlikely that there would be a significant increased impact.

7.4.3 There would be no overlooking into 3 Hill Lane from the proposed dwelling, as no windows have been proposed in the side wall. However, there is the potential for overlooking from the garden area. A hedge has been proposed around the boundary which would be expected to grow to an appropriate height to provide privacy. Whilst a fence would be considered inappropriate given the rural location, it may be an option as a temporary measure to ensure that privacy is afforded to the occupants before the new dwelling is occupied. The garden level is likely to be higher further from the boundary and care would need to be taken to ensure that the boundary treatment was successful in preventing overlooking. This would be considered in combination with precise ground levels of all the external areas, including at the point where the hedge is planted, which can be covered by condition. The boundary treatments would also ensure that there was no overlooking to the bungalows to the rear of 3 Hill Lane on Meadowcroft, which are further from the site. Given the floor level of the dwelling and its separation, it is considered that there would not be a loss of privacy to the properties on Meadowcroft from the new dwelling.

7.4.4 There is also a residential property to the south of the site, on the opposite side of the highway. The new dwelling would face towards the garden area of this, and would be separated by approximately 17 metres. Given this and the design of the dwelling, it is considered that there would not be a significant impact on the occupants of this property by way of overlooking.

7.5 Impact upon trees and ecology

7.5.1 The site has been used for the grazing of animals and there are no trees or hedgerows impacted by the development. As a result it is considered that there would not be a significant loss of biodiversity. The scheme does propose hedgerows along some of the boundaries, which could enhance the overall biodiversity of the site, providing nesting and foraging habitat.

7.6 Highway impacts including parking

7.6.1 A new access is proposed to serve the development from Hill Lane. This road is subject to a speed classification of 60 mph, though the carriageway width and alignment provides a natural control of vehicle speeds in the vicinity of the site. In addition, Hill Lane is not a through road, and it appears that the only development it serves to the east of the site is the farm. Therefore vehicle speeds are likely to be considerably less than the carriageway's speed classification, and it is unlikely to be a heavily trafficked road. The Highway Authority has raised no objections to the proposal which provides a 4.5 metre width access, subject to visibility splays of 2.4 x 30 metres. This would require

a lowering of the boundary wall, extending just outside the eastern extent of the site to 1 metre above the carriageway.

7.6.2 A small section of extended footway is also proposed to link to the new entrance to the site, in order to provide safe pedestrian access. This is in the location of an existing verge. Sufficient parking and turning has been provided within the site for the size of development proposed. It is considered that the proposal would not have a significant adverse impact on highway safety.

7.7 Land contamination, land instability and drainage

7.7.1 In relation to land contamination, there is no evidence that the land has been subject to levels of contamination which would cause significant risk to the proposed development. However, as the land has been used for agricultural purposes, it would seem reasonable to include a condition requiring the assessment and remediation of any unforeseen contamination found at the site during construction.

7.7.2 Concerns have been raised by occupiers of nearby residential properties in relation to the instability of the land, and this has been supported by two reports. One of these reports is brief and just sets out that: *“there are very significant soluble rocks in the area. Information provided by the BGS indicates there are places where the underlying ground may have dissolved with some recorded subsidence. There is a moderate potential of localised subsidence occurring naturally”*. The second is from the British Geological Survey (BGS) and gives an indication of the potential for any significant natural ground instability to occur within 50 metres of the site. This is a desk based assessment based on 1:50,000 digital geological maps and the interpretation of other records in the possession of BGS at the time and the answer given should therefore only be treated as indicative for the search area.

7.7.3 The BGS report identifies that significant natural ground instability is possible in the area and the hazard level is identified as D, on a scale of A to E (low to high). It sets out that this is as a result of soluble rocks in the area that can dissolve and develop underground cavities that may lead to surface collapse and hollows. The soluble rock identified is limestone and the report advises that limestone is not very soluble and is removed very slowly over a geological time scale. In relation to the risk identified, the report sets out that members of the public should consider obtaining specialist advice before loading the land or undertaking building work and seek specialist advice before disposing of surface drainage to the adjacent ground and maintain any drainage infrastructure. The advice it gives for specialists for new build development is that specialist site investigation and stability assessment may be necessary before construction and construction work may cause subsidence. Surface drainage should be isolated from the karst system (a topography formed from the dissolution of soluble rocks such as limestone) and groundwater, and increased construction costs are possible.

7.7.4 Whilst the report raises concerns regarding land stability issues, it does not advise against development and it is likely that, in the event that there are issues at the application site, there would be an engineering solution. Whilst the concerns from neighbouring properties are noted, with regards impacts on them from the development, the granting of planning permission would not give anyone the right to carry out works that would cause damage to another property. Given this, it is considered that the risks identified are not sufficient to justify the refusal of the application on this ground. However, it would be expected that detailed surveys were undertaken of the site before construction was undertaken to ensure that any risks identified could be adequately mitigated. This would be in the interests of the person constructing the property.

7.7.5 The concerns regarding land instability also link into the drainage of the site. It is likely that foul drainage would be connected to the mains sewer, and there is one within the vicinity of the site so this is likely to be feasible. It does not appear to be immediately adjacent to the site so it would seem reasonable to attach a condition to ensure that the method of foul drainage is agreed prior to the commencement of any development. If a different system is required then it is possible that a new application would be required in order to accommodate this. In terms of surface water, the site's specific ground conditions will have a bearing on this. The underlying rock is limestone, which is permeable, though there may be issues with ground instability, as discussed above. From the report it appears that infiltration to the ground would not be ruled out in principle, but would require further investigation. It may be that a more engineered solution would be required. It would seem unreasonable to insist that detailed surveys, which may include the requirement for boreholes, are

undertaken before a decision is issued, particularly given that the proposal relates to a single dwelling. However, it would be appropriate that a scheme for surface water is agreed before works start on site to ensure that there is an appropriate solution. Overall, it is considered that this can be adequately covered by a condition to ensure that there is no increased flooding to neighbouring property, flooding to the application site, or an exacerbation of ground stability issues.

7.8 Mineral Safeguarding

7.8.1 A small part of the eastern section of the site is located within a Mineral Safeguarding Area for limestone. However, given the proximity to the edge of the village it is unlikely that the working of minerals would be undertaken close to the site. In addition, given the small scale of the development, the encroachment is minimal and there would be little benefit in extracting any limestone during the course of the development.

8.0 Planning Obligations

8.1 There are no planning obligations to be considered as part of this application.

9.0 Conclusions

9.1 The site is considered to be located in a sustainable location, on the edge of the village of Nether Kellet, and therefore represents an appropriate location for new residential development. As a result of the submission of an amended scheme, the scale, design and layout is considered to be acceptable and would not have a detrimental impact on the setting of the Conservation Area or the other designated and non-designated heritage assets. It is also considered that the proposal would not have a significant adverse impact on residential amenity, highway safety or biodiversity and does not suffer from a level of ground instability that would justify the refusal of the application for this reason. The proposal is therefore considered to be acceptable and in accordance with both national and local planning policy.

Recommendation

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

1. Standard timescale
2. In accordance with the approved/ amended plans
3. Submission of a foul and surface water drainage scheme (prior to the commencement of development)
4. Land stability assessment and associated construction methodology
5. Detailed finished floor and ground levels, including in relation to retained field access
6. Details of materials including: slate; timber cladding; windows and doors; eaves verge and ridge details; rainwater goods; external surfacing materials; boundary treatments
7. Landscaping scheme
8. Unforeseen contamination
9. Creation of extended pavement
10. Creation of access, parking and turning, and visibility splays
11. Removal of Permitted Development rights – alterations, extensions and outbuildings and boundary treatments (Parts 1 and 2)

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

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

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

Background Papers

None

Agenda Item A10	Committee Date 3 June 2019	Application Number 18/00380/FUL
<p align="center">Application Site</p> <p align="center">The Corner House Woodwell Lane Silverdale Carnforth</p>	<p align="center">Proposal</p> <p align="center">Demolition of existing property and outbuilding, erection of replacement detached dwelling, alteration to vehicular access and associated landscaping</p>	
<p align="center">Name of Applicant</p> <p align="center">Mrs Adele Higham</p>	<p align="center">Name of Agent</p> <p align="center">Michael Harrison</p>	
<p align="center">Decision Target Date</p> <p align="center">12 July 2018</p>	<p align="center">Reason For Delay</p> <p align="center">Ongoing negotiations to seek an improved design and further publicity</p>	
<p>Case Officer</p>	<p>Mrs Petra Williams</p>	
<p>Departure</p>	<p>No</p>	
<p>Summary of Recommendation</p>	<p>Refusal</p>	

- (i) This form of development would normally be dealt with under the Scheme of Delegation. However, a request has been made by Cllr Goodrich for the application to be reported to the Planning Regulatory Committee for the proposal's design and scale to be considered by Members.

1.0 The Site and its Surroundings

- 1.1 The application relates to an existing dwelling and associated domestic curtilage. The two storey property occupies a rectangular corner plot on the junction of Lindeth Road and Woodwell Lane in Silverdale. The existing 3-bed property dates from the early 1900s and comprises pitched roofs and gables with a detached pitched roof garage. The dwelling is set well back from Lindeth Road in a relatively elevated position as land levels increase across the site in a generally west to east direction. The substantial front garden is overgrown and it is understood that a number of large trees were removed from the front of the plot during 2016 and this allows views of the property from Lindeth Road.
- 1.2 There are a range of property types within Silverdale and this is evident along Lindeth Road where there is a mix of traditional terraced dwellings, large detached houses and more modest bungalows. Nevertheless the built form is softened and screened by the significant tree planting along this road. Woodwell Lane is a pleasant, leafy thoroughfare which offers a route to Bottoms Wood, Scout Wood and Wood Well and provides connectivity to Stankelt Road the north and Hollins Lane to the east.
- 1.3 The site is located within the Arnside and Silverdale Area of Outstanding Natural Beauty (AONB) and a Public Right of Way (PROW) runs along Woodwell Lane to the south of the site. A Tree Preservation Order (TPO no.589(2016)) affects part of the site close to the western boundary as well as the grass verge which abuts the southern boundary.

2.0 The Proposal

- 2.1 The application proposes the demolition of the existing house and garage and the erection of a replacement dwelling which will incorporate five bedrooms and an attached garage. The submission

also includes minor alterations to the vehicular access in order to increase its width and associated landscaping within the site.

3.0 Site History

3.1 There is no associated planning history.

4.0 Consultation Responses

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

Consultee	Response
Arnside and Silverdale AONB	Comments raise concerns – The current property is of a scale and design appropriate to the character of the local area. The proposed dwelling is of a much larger scale and massing, of a modern and urban design with extensive fenestration, is not in keeping with the local character of Silverdale village. The new development will be highly visible and its scale and design will be intrusive and have an adverse impact on the visual amenity of this predominantly rural area. The massing of the new development will be highly visible from Woodwell Lane and the PRow. The proposed development does not contribute positively to the conservation and enhancement of the AONB, does not contribute positively to the landscape and character of the area and will be detrimental to the visual amenity of this part of Silverdale. In addition to the proposed 5 bed dwelling is not reflecting local needs.
Natural England	No objections - considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.
Tree Officer	No objections – subject to conditions to ensure that the development is carried out in accordance with the submitted Arboricultural Implications Assessment and that a planting scheme is submitted prior to commencement.
County Highways	No objections – Subject to a condition for a scheme of highway improvement in respect of the installation of a length of kerb line along the sites frontage with Woodwell Lane.
Ramblers Association	No comments received at the time of writing this report.
Parish Council	Neither objects nor supports but highlights the following concerns: <ul style="list-style-type: none"> • Potential impact of the scale and in particular, the height of the proposal. Suggests that the Local Planning Authority gives careful consideration to this aspect especially as the site occupies a position at the gateway to the particularly sensitive landscape and public amenity area of Woodwell Lane and Woodwell, which are owned by Silverdale Parish Council. • There are trees within verges adjacent to the site which are protected by a TPO. • The Parish Council owns the land between the highway Woodwell Lane and the boundary of Corner House, a strip of land approximately two metres in width, and the current driveway is allowed with Parish Council permission. Any building work will undoubtedly result in damage to the land with heavy vehicles crossing it.

5.0 Neighbour Representations

5.1 A total of 8 items of public comments have been received in respect of this submission.

Six of the items raises objections as follows:

- Concerns regarding the potential visual impacts of the scale, height, design with excessive glazing on some elevations and a complex mix of roof pitches and balconies.
- No objection to redevelopment of the site in principle but the development will be prominent and intrusive and out of keeping with the area.
- The house as proposed would visually dominate the immediate area in a way that no other houses do.
- Although there is no local vernacular in this part of the village, houses do sit modestly in their plots. The current proposal would not.

- The development would not conserve or enhance the landscape.
- No detailed landscape plan provided.
- If landscaping is provided it would not be sufficient to mitigate the impact of the development.
- Reiterates objections relating to the scale and design with excessive glazing on some elevations, a complex mix of roof pitches and balconies.
- The garage 'complex' is excessive.
- The proposal has failed to make considerate use of the plot available to them.
- Concerns regarding scale of the building which would effectively be 3 storeys high with at least half the frontage comprising doors to the garages not sympathetic to the frontage to Woodwell Lane.
- The plot is situated on a highly visible corner and the development should be designed to give a less urban appearance and of a lesser scale.

In addition to the concerns raised within the 6 letters of objection, an additional item of comment queries the differences in height between the existing and proposed dwellings.

The final item of comment raises the point that part of the access between the property and Woodwell Lane is not owned by the applicant and is Parish Council land. Also points out that there may be possible damage to this land caused by contractors' vehicles. It is noted that Notice has been served on the Parish Council in this regard.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraph 48 – Weight of emerging plan

Paragraph 77 – Rural housing

Section 11 – Making effective use of land

Paragraphs 124 and 127 – Achieving well-designed places

Paragraph 170 and 172 – Areas of Outstanding Natural Beauty

Paragraphs 170, 172, 175 and 176 – Protecting and enhancing biodiversity

6.2 Local Planning Policy Overview – Current Position

On 15 May 2018, and in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), Lancaster City Council submitted the following documents to the Secretary of State (Planning Inspectorate) for examination:

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

The Examination Hearing Sessions commenced on 9 April 2019.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan.

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

Given the current stage of both DPDs, it is considered that significant weight can be attributed to the policies contained therein subject to the extent to which there are unresolved objections to the relevant policies and their consistency with the National Planning Policy Framework.

6.3 Development Management DPD (adopted December 2014)

DM27 – The protection and Enhancement of Biodiversity

DM28 – Development and Landscape Impacts

DM29 – Protection of Trees, Hedgerows and Woodland

DM35 – Key Design Principles

DM39 – Surface Water Run-off and Sustainable Drainage

DM41 – New Residential dwellings
DM42 – Managing Rural Housing Growth

6.4 Lancaster District Core Strategy (adopted July 2008)

SC1 – Sustainable Development
SC5 – Achieving Quality in Design

6.5 Lancaster District Local Plan – saved policies (adopted 2004)

E3 – Development Affecting Areas of Outstanding Natural Beauty
E4 – Countryside Area

6.6 Arnsdale & Silverdale AONB Development Plan Document (adopted 2019)

AS01 – Development Strategy
AS02 – Landscape
AS03 – Housing Provision
AS04 – Natural Environment
AS08 – Design
AS12 – Water quality, sewerage and sustainable drainage

7.0 Comment and Analysis

- 7.1
- Principle of development
 - Scale, siting and design and impact on the character of the area
 - Impact on residential amenity
 - Trees, landscaping and ecology
 - Drainage

7.2 Principle of development

7.2.1 Silverdale is identified within policy DM42 of the Development Management DPD as a sustainable rural settlement. Given the established use of the site and the residential character of the area it is considered that the principle of a residential development is acceptable. Policy AS03 of the recently adopted Arnsdale and Silverdale Area of Outstanding Natural Beauty (AONB) DPD, states that within the AONB, the size and types of all homes provided should closely reflect identified local needs in accordance with current AONB housing needs evidence at the time of the application. Policy AS01 discusses the Development Strategy for the AONB and this too requires development to closely reflect identified local needs within the AONB. In this regard the scale of the proposal raises issues. The submission proposes a large 5-bed dwelling. However, the housing need within Silverdale, as identified in the Housing Needs Survey Report for the AONB (September 2014) is for one to three bedroomed homes rather than five bedroomed properties.

7.2.2 Policy AS03 sets out that proposals will be expected to demonstrate that densities make best and efficient use of land and reflect local settlement character. Policy AS03 also advises that it is inappropriate to use those sites that are suitable for development in the AONB to deliver development that does not help to meet local affordable or other local needs. However, given that the plot is occupied by a single dwelling and the application seeks a replacement unit the development would not result in a net gain. Therefore it is considered difficult to argue non-compliance with Policy AS03. Furthermore, the number of bedrooms at the existing dwelling could be increased by extensions to the property under permitted development rights without the imposition of Policy AS03. It is therefore considered inappropriate to apply this policy to a proposal for a replacement dwelling.

7.2.3 The principle of a replacement dwelling on this site is considered acceptable subject to other matters which will be discussed below.

7.3 Scale, design and landscape impact upon the AONB

- 7.3.1 Key design principles are set out within policy DM35 of the DPD which advises that new development should contribute positively to the identity and character of the area through good design, having regard to local distinctiveness, materials and scale. Policy DM28 of the DPD affords protection to protected landscapes. The site is located within an AONB, which is afforded the highest status of protection in relation to landscape and scenic beauty, as highlighted in paragraph 172 of the NPPF which states “*Great weight should be given to conserving and enhancing landscape and scenic beauty in ... Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.*”
- 7.3.2 The Arnside and Silverdale Area of Outstanding Natural Beauty (AONB) DPD also sets out a number of policies which are relevant to the consideration of this application. The test in policy AS01 is whether the application is consistent with the primary purpose of the AONB which is to conserve and enhance the local landscape and settlement character. Policy AS02 also requires development proposals to demonstrate how they will conserve and enhance the landscape and natural beauty of the area, respect visual amenity and reflect the rural nature and local distinctiveness of the area. Policy AS08 contains detailed guidance on a number of design characteristics. The reasoned justification of this policy describes the broad significances of the existing vernacular styles and settlement characteristics in Silverdale. This policy is not referenced at all by the applicant’s planning statement.
- 7.3.3 Due to the position of the plot it is considered that the development will be highly visible from both Lindeth Road and Woodwell Lane. The proposed replacement dwelling is of a significantly larger scale in terms of footprint as well as being 1.8 metres higher than the current building. It will also be set slightly further to the west within the site which is considered to increase the visual impacts from Lindeth Road and would be a dominant feature within Woodwell Lane. The development includes a particularly large attached building to provide two double garages (which could accommodate 6 vehicles) which serves to exacerbate the scale of the proposed building. Although plans have been amended during the course of the application in order to provide a revised dormer design to the Lindeth Road elevation, concerns remain regarding the design, scale and appearance of the new dwelling as it appears very eclectic as if it was a house which has undergone numerous unsympathetic extensions.
- 7.3.4 The submitted Planning Statement states that the design approach is a contemporary one which has been dictated by the applicant’s requirements. Internally the new dwelling would provide five bedrooms, one of which would be at ground floor and it is understood that this would provide accommodation for an elderly relative. A study is to be incorporated within the roofspace/second floor and this would be served by the dormer fronting Lindeth Road. The majority of the window openings are within the southern and western elevations in order to maximize light into the property. While this is understandable, it is considered that the Lindeth Road elevation is dominated by glazing and is not typical of what would be expected for a principle frontage. The extensive glazing is one of the concerns raised by the AONB consultee. The applicant points to recent permissions elsewhere (no specific details provided) which involve far more glazing than proposed here. However, each case is determined on its own merits depending on site specifics. When viewed from Woodwell Lane the ground floor protrusion to the western elevation would appear as an incongruous addition due to the cat-slide roof and balcony. Notwithstanding the large plot size, the footprint appears excessive and the mix of roof forms which include the dormer is overly complicated. Although the proposed materials, which comprise natural slate, natural stone, white render and grey powder coated aluminium windows and doors are acceptable, this does not mitigate the serious concerns regarding scale and design which is considered to result in harm to the character and appearance of the wider street scene and the visual amenity of the area.
- 7.3.5 The applicant maintains that the design approach is appropriate and suggests that there has been some confusion regarding what should be considered as a principle frontage. As the site is a corner plot the development would have two principle elevations which only serves to make the considerations of design and scale all the more critical. The applicant argues the large garage would be an aid to the celebration and preservation of heritage as it would house 5 British sports cars which he owns. However, the need to accommodate vintage vehicles does not outweigh the requirement to conserve and enhance the landscape within the AONB. It has also been pointed out by the applicant that the proposal will be an eco-house with a close to zero carbon footprint. However, this does not mitigate the concerns raised in relation to scale and visual impacts of the scheme. The applicant has also voiced concerns that the Case Officer’s views are personal and subjective. While the Case Officer accepts that there is a mix of design styles in the vicinity of the

site (including dormers and cat slide roofs), the current proposal is considered to represent an incohesive design. This is the professional view of Officers. Unfortunately the proposal was not subject of formal pre-application advice, otherwise these concerns could have been raised and addressed prior to submission of an application (though as already stated, concerns have been raised during the determination period and yet satisfactory amended plans have not been forthcoming).

7.3.6 Overall, it is considered that this proposal fails to adequately take account of the requirements of the Arnside and Silverdale Area of Outstanding Natural Beauty (AONB) DPD in addition to policies DM28 and DM35 of the Development Management DPD, saved policy E3 of the Local Plan and paragraph 172 of the NPPF.

7.4 Impact on residential amenity

7.4.1 The siting of the development ensures that there would be adequate separation distance from all external elevations of the proposed dwellinghouse to neighbouring houses. Windows within the northern elevation of the property are limited to three at first floor, one of which will serve a bathroom and therefore could be obscure glazed. The remaining two windows would serve a bedroom which would face the garden of no.41b to the north but due to intervening planting in the neighbouring plot it is considered that this would not raise issues of overlooking. The proposed balcony within the front (Lindeth Road) elevation would have an external floor area of 4 metres by 3.4 metres and this clearly has the potential for overlooking and the perception of being overlooked by the occupants of no.41a to the north. However, the indicative section drawing indicates a privacy screen and therefore notwithstanding the design concerns regarding the balcony, this could be conditioned to be installed and retained.

7.5 Trees, landscaping and ecology

7.5.1 Policy DM29 supports the protection of trees which contribute positively to the visual amenity of the area and supports opportunities for the planting of new trees. Policy AS04 of the Arnside and Silverdale Area of Outstanding Natural Beauty (AONB) DPD contains guidance on trees, including replacement trees. The submission includes an Arboricultural Implications Assessment which identifies two individual trees (T1 & T2) and three groups of trees (G1 – G3) in addition to a single hedge (H1) in relation to the proposed development. The trees identified can be clearly seen from the wider public domain and are entirely in keeping with the character and appearance of the locality. On the whole the identified trees are established at sufficient distances from the proposed development so as not to be implicated. There is a requirement for hand dig techniques to be employed where an encroachment into the root protection area (RPA) of trees within G1 occurs. This is taken into account within the submitted Arboricultural Implications Assessment and considered acceptable.

7.5.2 The submitted plans indicate new planting and this would significantly improve the overall cover of trees within the site. A detailed planting scheme which specifies the types of trees and includes a 10 year maintenance regime and commitment to replace any tree that should fail to establish would need to be conditioned should consent for the development be granted. The AONB consultee is concerned that the proposed patio/terrace and steps will lead to a significant loss of open green space within the plot. However, it is considered that the plot is of a sufficient size to accommodate this as well as new planting which is proposed and, as highlighted above, this offers a potential enhancement to the site.

7.5.3 As highlighted within the consultee responses, access into the site is across land within the ownership of the Parish Council and the access entrance will be widened slightly as part of the scheme. Notice has been served by the applicant in this regard. The Parish Council has requested that measures are put in place prior to the commencement of any works to ensure protection of the trees and verges. This is a key consideration as these trees are protected by a Tree Preservation Order (TPO). The submitted Arboricultural Implications Assessment includes a Tree Constraints Plan which makes provision for tree protection fencing which has been considered by the Tree Officer and found to be acceptable.

7.5.4 Policy DM27 considers the safeguarding of protected species from development proposals and this approach is echoed within the provisions of policy AS04 of the Arnside and Silverdale Area of Outstanding Natural Beauty (AONB) DPD. The proposal seeks to demolish the existing dwelling and

as highlighted above there are protected trees close to the site boundary in addition to woodland within 100 metres of the site and as such the habitat around the site offers a high potential for foraging for bats.

- 7.5.5 A Bat Survey has been received and considered. The survey states that bats were observed/recorded using the building for roosting. The survey found that two small day roosts located on the north side of the house roof. A brown long eared bat roost is located between roof slates and the breathable membrane on the north eastern aspect of the house. Consequently the demolition of this building would result in destruction of this roost and so will require a European Protected Species (EPS) licence to proceed lawfully. The survey sets out proposed mitigation which would be put forward as part of an EPS application. This includes timing of the works, with demolition to be carried out between October and March when bats are less likely to be present; soft demolition of the roof area around the roosts and replacement roosts.
- 7.5.6 Due to the identified presence of bats it is important to consider the three derogation tests that would be applied when determining whether a licence can be issued must be considered. These are:
1. *The proposed development must meet a purpose of “preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment” Regulation 53(2)(e).*
 2. *The competent authority must be satisfied “that there is no satisfactory alternative” Regulation 53(9)(a), and:*
 3. *“That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range” Regulation 53(9)(b).*
- 7.5.7 As highlighted within section 7.3 of this report, there are serious concerns regarding the design and scale of the proposed replacement dwelling. As such it is considered that there is no overriding public interest in the demolition of the existing dwelling and as such the proposal could not pass the first test. If a more appropriate scheme were to be forthcoming in terms of design and scale, then a balancing exercise could be carried out in order to determine public benefits of the development against the loss of the two identified day roosts.
- 7.5.8 The second test relates to there being no satisfactory alternatives. In the guidance it sets out that there are always going to be alternatives to a proposal and, in terms of licensing decisions, it is for Natural England to determine that a reasonable level of effort has been expended in the search for alternative means of achieving the development whilst minimising the impact on the Protected Species. Although the submitted Planning Statement sets out that the existing dwelling is within a poor state of repair, it is considered that it has not been robustly demonstrated that there is no satisfactory alternative such as refurbishment and extensions. As such the Local Planning Authority is not satisfied that the second test can be passed.
- 7.5.9 The third test sets out that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range. The property is located in close proximity to deciduous woodland which provides good connectivity into a wider area of woodlands to the east of the site. Overall foraging potential for bats can be considered good in the vicinity of the site. Therefore it is considered that the proposal will not be detrimental to the maintenance of the bat population in this locality.
- 7.5.10 All three derogation tests must be passed but it is considered that the submission fails on this point. Notwithstanding the proposed mitigation set out within the submitted Bat Survey, it is considered that the current proposal fails to satisfactorily demonstrate that the derogation tests could be passed in order to obtain the licence necessary from Natural England.
- 7.6 Drainage
- 7.6.1 Policy AS12 of the Arnside and Silverdale Area of Outstanding Natural Beauty (AONB) DPD highlights problems relating to the lack of mains sewerage systems. This is particularly prominent in Silverdale where no properties are connected to mains sewer. As there is no public sewerage infrastructure in Silverdale, the application proposes that the development is served by a septic tank (which is understood to be the existing arrangement). These works would need to be approved under the Building Regulations during the course of the development. However, a sequential

approach to foul drainage, discounting of preferable options such as package treatment plant does not appear to have taken place. The details of the foul and surface water drainage of the proposal are basic at present, and the scale of the development will place increased demand on the foul drainage system. However, the precise details could be satisfactorily controlled through condition.

7.7 Other Matters

- 7.7.1 It is noted that Parish Council highlights the importance that no obstruction is caused within the lane (PRoW) and highway adjacent to the site during demolition and construction in order to allow the bus service to continue to operate to timetable and serve the community effectively. However, the granting of planning permission would not give the applicant the right to block the Public Right of Way and would not override the powers held by County Highways and the Police to control such an issue should it arise.

8.0 Planning Obligations

- 8.1 There are no planning obligations to consider as part of this proposal.

9.0 Conclusions

- 9.1 The site is located within the Arnside & Silverdale Area of Outstanding Natural Beauty where the design and detailing of individual buildings, the form, layout and pattern of villages and hamlets and the settings of many of the buildings are key elements of settlement character. Although the principle of a replacement dwelling is acceptable, given the location of the site within the AONB and adjacent to a Public Right of Way, it is considered that due to the design, scale and density of the proposal the development would result in significant adverse impacts on the character and appearance of the area. Furthermore, notwithstanding the proposed mitigation set out within the submitted Bat Survey, it is considered that the current proposal fails to satisfactorily demonstrate that the derogation tests could be passed in order to obtain the licence necessary from Natural England. For these reasons Members are advised that this application cannot be supported.

Recommendation

That Planning Permission **BE REFUSED** for the following reasons:

1. The site occupies a prominent corner plot at the junction of Lindeth Road and Woodwell Lane which is the route of a Public Right of Way and lies within the Arnside and Silverdale Area of Outstanding Natural Beauty which has the highest status of protection in relation to landscape and scenic beauty. Great weight is given to conserving the landscape and scenic beauty within such areas, as confirmed by Paragraph 172 of the National Planning Policy Framework. Due to the scale and incoherent appearance of the proposed replacement dwelling, the development is considered to be of poor design that does not relate well to the surrounding built form or ensure that the character and appearance of the wider protected landscape is conserved or enhanced. Consequently, the proposal is deemed to be contrary to the requirements of saved policy E3 of the Lancaster District Local Plan, policies DM28 and DM35 of the Development Management DPD, policies AS01, AS02, and AS08 of the Arnside and Silverdale Area of Outstanding Natural Beauty (AONB) DPD and Section 15 of the National Planning Policy.
2. The submitted Bat Survey identifies the presence of bat roosts within the existing building. Notwithstanding the proposed mitigation set out within the submitted Bat Survey, the Local Planning Authority considers that the current proposal fails to satisfactorily demonstrate that the derogation tests could be passed in order to obtain the licence necessary from Natural England. As such the application is considered to be contrary to the provisions of policy DM27 of the Development Management DPD and policy AS04 of the Arnside and Silverdale Area of Outstanding Natural Beauty (AONB) DPD and section 15 of the National Planning Policy Framework.

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

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

Lancaster City Council 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 the Notice. 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

Agenda Item A11	Committee Date 3 June 2019	Application Number 18/01367/OUT
Application Site Land off Hadrian Road Morecambe Lancashire	Proposal Outline application for erection of 13 dwellings (C3)	
Name of Applicant Mr & Mrs P Hodgson	Name of Agent Mrs Nola Jackson	
Decision Target Date 23 January 2019	Reason For Delay Awaiting further information in relation to drainage	
Case Officer	Mrs Eleanor Fawcett	
Departure	None	
Summary of Recommendation	Approval	

1.0 The Site and its Surroundings

- 1.1 The site relates to a roughly triangular shaped piece of land located at the end of a cul-de-sac, Hadrian Road, in Morecambe. It comprises a grassed area, which has most recently been used to graze horses, and is partly dissected by a row of trees, which follow the line of a watercourse across the site. There are also a number of other trees along the site boundaries that are covered by a group Tree Preservation Order (TPO 436(2008)), along with those within the site. A 450mm sewer pipe crosses the site and the land is also identified as being susceptible to groundwater flooding (50-74%) and also surface water flooding (predominantly 1 in 1000 but also with areas of 1 in 100 and 1 in 30 year events). The Council's Open Space Study from 2010 identifies the site as natural and semi natural green space.
- 1.2 Adjacent to the southwest boundary is a multi-use path, which forms part of the strategic cycleway and follows the line of the former railway. This is also identified as a green corridor on the Local Plan Proposals map. Beyond this, to the south west, is White Lund Industrial Estate, which is an allocated employment site. To the north of the site is Torrisholme Cemetery and to the east is an existing residential housing estate which is generally at a higher level than the site.

2.0 The Proposal

- 2.1 Outline planning permission is sought for the erection of 13 dwellings. All matters are reserved, though an indicative layout plan has been provided to show how the development could be accommodated. This shows a road through the site extending from the end of Hadrian Road at the southeast corner, towards the north west corner. The dwellings have been shown to the north east side of the road with a partly landscaped and open space towards the south west boundary.

3.0 Site History

- 3.1 An outline application for the erection of 17 dwellings was submitted earlier in 2018, but was withdrawn following concerns particularly relating to impacts from the adjacent industrial estate.

Application Number	Proposal	Decision
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18/00671/OUT	Outline application for erection of 17 dwellings (C3)	Withdrawn
17/01252/PRETWO	Pre-application enquiry for the erection of 22 residential dwellings	

4.0 Consultation Responses

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

Consultee	Response
Parish Council	Object - Significant risk of contamination due to its former uses; land is poorly drained and maintained and the development could increase flooding; and the site is in close proximity to unneighbourly business activities.
County Highways	No objection subject to conditions requiring: provision for vehicles to enter and leave Hadrian Road in a forward gear; construction of means of access to base course before development takes place; and a scheme for the construction of the site's means of access.
County Planning	No objection. An education contribution is not require at this stage.
Lead Local Flood Authority	No objection subject to conditions requiring: the development to be carried out in accordance with mitigation measures relating to finished floor levels, height of banks around the culvert inlet, regrading of north boundary of the site, trash screen to the existing culvert and the restriction of surface water discharge; submission of surface water drainage scheme; and submission of a surface water lifetime management and maintenance plan.
Environmental Health	No objection subject to conditions requiring: noise mitigation in relation to the adjacent industrial uses; and condition in relation to noise; and contamination assessment and mitigation.
Tree Protection Officer	No objection subject to the submission and agreement in writing of a detailed AIA and detailed Arboriculture Method Statement (AMS) for all works proposed within the root protection areas (RPA) of retained trees and hedges.
Public Realm Officer	No comments received during the consultation period.
Natural England	No comments to make.
Environment Agency (EA)	No objection subject to a condition regarding contamination. Site close to 2 facilities operating under Environmental Permits, regulated by the EA, so noise and odour impacts to be considered.
United Utilities	No objection in relation to original drainage strategy. A public sewer crosses this site with no permit to build over it. Require an access strip of 3m either side of the centre line of the sewer.
Ramblers Association	No comments received during the consultation period.
Lancashire Fire and Rescue Service	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'.

5.0 Neighbour Representations

5.1 No representations have been received.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraph 11 – The presumption in favour of sustainable development

Paragraphs 59, 60, 62 – Delivering a sufficient supply of homes

Paragraph 68 – Identifying land for homes

Paragraph 108, 109 and 110 – Access and transport

Paragraph 117 and 118 – Making effective use of land

Paragraphs 124 and 127 – Achieving well-designed places

Paragraphs 163 and 165 – Assessing flood risk use of sustainable drainage systems

Paragraph 170 – Contributing to and enhancing natural and local environment

Paragraphs 170,175 and 176 – Protecting and enhancing biodiversity

Paragraph 178 and 179 – Ground conditions and contamination

Paragraph 180 – Pollution, noise and compatibility with existing uses

6.2 Local Planning Policy Overview – Current Position

On 15 May 2018, and in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), Lancaster City Council submitted the following documents to the Secretary of State (Planning Inspectorate) for examination:

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

The Examination Hearing Sessions commenced on 9 April 2019

The Strategic Policies and Land Allocations DPD will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan.

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

Given the current stage of both DPDs, it is considered that significant weight can be attributed to the policies contained therein subject to the extent to which there are unresolved objections to the relevant policies and their consistency with the National Planning Policy Framework.

6.3 Lancaster District Core Strategy (adopted July 2008)

SC1 – Sustainable Development

SC5 – Achieving Quality in Design

6.4 Development Management Development Plan Document (adopted July 2014)

DM20 – Enhancing Accessibility and Transport Linkages

DM21 – Walking and Cycling

DM22 – Vehicle Parking Provision

DM25 – Green Infrastructure

DM26 – Open Space, Sports and Recreational Facilities

DM27 – The Protection and Enhancement of Biodiversity

DM29 – Protection of Trees, Hedgerows and Woodland

DM35 – Key Design Principles

DM39 – Surface Water Run-off and Sustainable Drainage

DM41 – New Residential Development

7.0 Comment and Analysis

7.1 The main issues to be considered in the determination of this application are:

- Principle of residential development
- Proximity to an employment site
- Impact upon nearby residential amenity
- Layout, scale and design
- Impact upon trees and ecology
- Highway impacts including parking
- Drainage
- Open space
- Land contamination
- Affordable housing

7.2 Principle of residential development

- 7.2.1 The site is located within the urban area of Morecambe, adjacent to existing residential development. It is close to existing public transport links and services and is therefore a location where residential development would be supported in principle.
- 7.3 Proximity to an employment site
- 7.3.1 The site is in close proximity to the White Lund Industrial area which is allocated as an employment site for B1 (light industrial), B2 (general industrial) and B8 (storage). It therefore needs to be ensured that the amenities of the future occupiers of the dwellings on this site can be adequately protected, but also that the development does not adversely impact on the current or future operation of the businesses. This is one of the main employment sites within the District and therefore the development should not be allowed that would prejudice the use or redevelopment of part of this.
- 7.3.2 Whilst this is an outline application, and the layout and design and the development is not being sought at this stage, it still needs to be ensured that the number of dwellings proposed can be accommodated within the site. This includes ensuring that the occupiers of these dwellings would not be detrimentally impacted by the operation of the industrial site, and any impacts could be adequately mitigated. A previous outline application for the erection of 17 dwellings (18/00671/OUT) was submitted earlier in 2018 and was subsequently withdrawn, primarily due to concerns regarding impacts from the industrial estate. Despite this application including a detailed noise assessment, concerns were raised by the Environmental Health Officer. In particular there were concerns regarding the impact of the fan noise, from one of the adjacent uses, on external amenity areas to some of the plots proposed on the south west side of the new access road and it was considered that these plots were in too close a proximity to the commercial uses. At least one of these premises operate on 24-hour basis. There were also concerns in relation to noise from a nearby scrap business with associated bangs and clangs. However, it was noted that no justified complaints concerning noise from existing residents living within the vicinity had been received over a 10-year period.
- 7.3.3 The current application proposes a reduced number of dwellings, and the indicative site plan shows that these would be accommodated towards the north east of the site, and would face towards the industrial estate with gardens to the rear. Most of these have been positioned more than 30 metres from the boundary of the industrial estate. The previously submitted noise assessment has been revised in relation to the current proposal. One of the issues with measuring noise in relation to the current uses is that it only represents a point in time and uses and operators at the industrial estate could change, with no restrictions in relation to hours of operation. However, the Environmental Health Officer has advised that the revised layout would address the previous concerns with regards to potential noise impacts, particularly to external amenity areas. Considering measured sound levels obtained at monitoring locations, it is considered that internal design criteria specified within BS8233:2014 can be satisfactorily met with façade insulation treatment, acoustic glazing and ventilation that will obviate the need to open windows to achieve 'lowest observed effect levels' in respect of noise. The lowest observed adverse effect level is the level of noise exposure above which adverse effects on health and quality of life can be detected. In relation to external areas, the proposed orientation would allow the buildings to screen rear gardens and a plan within the acoustic report shows minimal areas of acoustic fencing between properties and along some of the open side boundaries. Given that this is an outline application, it would therefore be appropriate to condition a scheme of mitigation measures to be submitted.
- 7.3.4 The Environment Agency were consulted as they are involved in regulating some nearby businesses on the industrial estate. These comprise Ken Allen Autowreckers and Morecambe Metals. They advised that noise and odour impacts from these premises need to be considered, and highlighted that both sites are currently operating within their permits, so little could be done to reduce noise emissions. There therefore remains a risk that additional residential development in close proximity to these sites could result in an increase in noise-related complaints which could not be addressed. Given the nature of the current uses, odour is unlikely to be a nuisance. The relationship between the application site and the employment area is slightly uncomfortable, and there are still uncertainties about potential uses and hours of operation close to the site, in addition to more sporadic noises that may not have been fully captured by the noise assessment. Relying on windows remaining closed is also not ideal, particularly in summer months. However, as set out above, the Environmental Health Officer has advised that noise from the adjacent industrial site can be adequately mitigated in order to ensure that there would not be adverse effects on health and quality

of life.

7.4 Impact upon nearby residential amenity

7.4.1 There are five residential properties which share boundaries with the site, all to the east. In relation to 29a Stanhope Avenue, which lies to the north east of the site, outline consent was granted in 2018 for the demolition of the existing bungalow and the erection of four dwellings (18/00128/OUT), and included a small section of the field. There are relatively small variations in level across the site and it appears to be slightly lower than the adjacent development. There is likely to be a dwelling sited adjacent to 84 Hadrian Road. Given that the two side walls would face, it is considered that a dwelling could be accommodated in this location without having a detrimental impact on light or privacy to the existing property. Plots 7 and 8, on the indicative plan, would back onto the site for the four approved dwellings and, at present 10 metres has been shown between the dwellings and the site boundary. The final scheme for both sites will need to be carefully designed in order to ensure that there will be no mutual overlooking, however, it is considered that this could be achieved. This would probably require these to be moved further from the boundary, and possibly reduced in size to achieve this. Overall, it is considered that the number of dwellings could be accommodated on the site without a detrimental impact to the amenities of the neighbouring properties.

7.5 Layout, scale and design

7.5.1 As the application is for outline consent, these matters would be considered through a reserved matters application. However, an indicative site plan has been submitted, and it is unlikely that the general layout would alter significantly. This is due to the constraints provided by the water course, which is partly culverted, the United Utilities sewer, and the proximity to the employment site. Whilst it is a slightly unusual layout, with dwellings located on only one side of the highway, this would allow for the land on the other side to be left as open space and the existing planting adjacent to the multi-use path to be bolstered. This would help to screen and soften the site from this aspect, but also provide a more attractive environment for the occupants of the new dwellings, particularly if it helps to screen views of the industrial estate.

7.5.2 It appears that the dwellings would likely be two storey, which is in keeping with the surrounding development, although there are some bungalows to the north east, mostly at a higher level. Most of the dwellings have been shown with sufficient amenity space, although a few are a little constrained by site boundaries and the drainage ditch. There does appear to be scope to adjust these to improve space to them. The current layout also does provide for some green space to the front of dwellings and would not be wholly car dominated. It is considered that a scheme could be designed which would be in keeping with the character and appearance of the area and would not have a detrimental impact on views from the multi-use path.

7.6 Impact upon trees and ecology

7.6.1 There are a number of trees along the boundaries of the site, but also following the line of the watercourse/ditch which are mostly protected by a Tree Preservation Order (TPO). It is likely that the majority of these could be retained given their location at the edge of the site. However, those following the ditch and some adjacent to the existing development on Hadrian Road would also need to be removed to accommodate the development. This would be dependent on the final scheme. An Arboricultural Impact Assessment has been submitted with the application. A total of 1 individual tree (T1), 6 groups (G1-G6) and a single hedge (H1) have been identified in relation to the proposed development. Species include, hawthorn, elder, goat willow, Norway maple and Leyland cypress. Whilst there are no individual trees of moderate or high amenity value, as a collective the existing site trees provide an important element of greening and partial screening to the site. Remedial works are required to manage the hedge along the northern boundary including the management of invasive species and new planting to infill existing gaps.

7.6.2 The indicative proposal would include the loss of tree T1 (hawthorn), G1 (comprised of hawthorn, elder and goat willow), and sections of G2 & G3 (includes Leyland cypress). All other identified vegetation can be retained. There is some potential for impacts on trees along the south west boundary from the proposed drainage system. Ideally, this should be outside the root protection areas of trees. However, it is noted that this may not be possible. If this is the case, then it is likely that this would not result in a significant loss and this could be adequately mitigated. Further information would be required when the final scheme has been prepared, which would include a

detailed Arboricultural Implications Assessment and Arboriculture Method Statement (AMS) for all works proposed within the root protection areas (RPA) of retained trees and hedges. The indicative plan shows where additional planting could be accommodated, which would include in the north west corner and along the boundary with the multi-use path. Subject to the details, which can be provided with the reserved matters application, it is considered that adequate landscaping can be accommodated in order to mitigate the losses within the site and to provide greening and screening to the development. Overall, it is considered that a development of this scale can be accommodated on the site without a significant loss to trees, and any loss can be adequately mitigated.

- 7.6.3 An ecological appraisal has also been submitted with the application. This identifies that most of the site comprises poor semi-improved grassland which has a very low species diversity and ecological value. Whilst the assemblage of species is higher than improved pasture, these are all indicative of regular grazing and disturbance. The hedge along the north boundary of the site is considered to be defunct, but could easily be improved with extra planting, as discussed above. The report identifies that there are 11 records for four species of amphibian within 2km of the site, including two records of great crested newt. However, none of the great crested newt records are within 1km of the site. The drainage ditches on the site were checked for the presence of frog spawn, which was present at the time of the survey in ponds in north Lancashire, and none was recorded. There is no other standing water on the site, or within 250 metres, with the nearest pond located 400 metres to the east. As such, the report sets out that, given the distance of the site from the nearest suitable breeding site for amphibians, it is highly unlikely that any species of amphibian would ever be habitually present on the site and it has negligible value to amphibians. There is very little ground cover over much of the site and there are no features that could offer safe refuge or hibernacula.
- 7.6.4 There are no records of badgers within 2km of the site and there are no setts on the site and a lack of feeding signs or runs would suggest that they do not occur within 30 metres of site boundaries. The species is therefore considered to be absent from the site. There are 24 records of four species of bat within 2km of the site. The foraging habitat at the site is considered to be very poor for bats and there are few features that are likely to give rise to invertebrates. The cycle path to the south-west may offer foraging and commuting opportunities and therefore any habitat creation at the site should link with this. However, it is considered that the site is of low significance to bats and there are negligible opportunities for bats to roost on the site. The site could easily be improved for potential use by bats. In relation to birds, the hedge and scrub on the site boundaries do offer some potential for birds to nest, though these are very small areas and opportunities are poor. Ground nesting birds would not use the site due to the presence of foxes. The site could be improved for its potential to be utilised by foraging and nesting birds.
- 7.6.5 No indication of brown hares was recorded on the site and the site boundary has some negligible potential for brown hares to create forms as the hedges are open and exposed at the base and there is a regular human presence on the site. The site is not connected to any habitat that is likely to support this species. Numerous notable invertebrates have been recorded within 2km of the site. No deadwood or vegetation on site was recorded which would provide an important resource for invertebrates in the local area. The drainage ditches do not contain water habitually and there are negligible opportunities for aquatic invertebrates. The site offers very limited opportunities for these species being mostly devoid of ground cover and offering very few foraging opportunities. There are negligible opportunities for refuge or hibernacula for reptiles and the site is not well connected to any habitat that may be important for this species. There is a single record of a water vole within 2km of the site. There was no water in the drainage ditches on site during the May 2018 survey and negligible bankside vegetation. Therefore the report considers that the site offers negligible opportunities to this species. The report also sets out that there are foxes and occasional rabbits on the land surrounding the site. There are no statutory or non-statutory sites which are connected to the site such that site development would indirectly affect the dispersal of species between them or indirectly impact upon their integrity.
- 7.6.6 Overall it is considered that there will not be a significant loss of important habitat or detrimental impact to protected species. The development of the site would provide some opportunities to provide enhancement for bats and birds in particular and increased planting around the site boundaries. The report recommends precautionary mitigation in relation to amphibians, badger, bats, birds, brown hares, invertebrates, reptiles and water vole. Some of the other proposed mitigation relates to planting, which can be covered by a landscaping scheme rather than a condition relating to ecology mitigation. The report sets out that, if the drainage ditches are to be retained, they could be dredged, re-profiled and have the banks planted with appropriate seed mixes. It would need to be

ensured that these works were acceptable to the LLFA, as consent would be required for works to the watercourse, but could be investigated as part of a condition. Bat and bird boxes could be erected on houses or garages on south-west elevations facing the cycle track and provision made for crevice dwelling bats in order to enhance the habitat for these species. Light spill to the boundaries should also be minimised. Details of bat roosting and bird nesting opportunities, in addition to potential works to drainage ditches and a lighting scheme can be covered by a condition.

7.7 Highway Impacts including parking

7.7.1 Access to the site would be considered by a subsequent reserved matters application. However, the indicative layout plan shows this as a continuation from Hadrian Road. Given the position of the site, it is unlikely that an alternative means of access would be sought. The Highway Authority has raised no objections to the proposal, but have provided the following advice. The site should be designed around the principles set out in "Manual for Streets" with an emphasis on shared space, change of surface finish and an indication to motorists entering the site to drive at low speeds. The access from Hadrian Road, should have a carriageway width of 5.5 metres, reducing to 5 metres within areas of the development, and a pedestrian footway width of 2 metres. There should be the implementation of 20 mph zone traffic regulation order relating to the site and the turning head should be of sufficient size to allow for the provision of refuse and emergency vehicles to turn within site and leave in a forward gear.

7.7.2 In relation to parking, two / three bed properties should provide two off street parking spaces and four or more bedroom dwellings should provide three spaces. The indicative plan shows that this is achievable, and some plots would also have garages. Cycle provision would also be required and in some cases this can be within a garage, or a separate facility, such as a shed, could be provided. The indicative plan also shows access to the multi-use path, which should encourage occupants to utilise alternative modes of transport. The Highways Officer has requested a number of conditions, but as the application is not seeking consent for access, these would be included at the reserved matters stage if necessary. Overall it is considered that a safe and suitable access can be provided to serve the scale of development proposed and sufficient parking and link to the footpath/ cycleway can be achieved.

7.8 Drainage

7.8.1 There are two drainage channels crossing the site which appear to be partly culverted and the site is identified as being susceptible to both ground water and surface water flooding. The indicative layout originally included utilising an attenuation pond towards the south west boundary and directing the surface water and the existing drainage ditch towards this. There were concerns regarding whether the pond would provide sufficient capacity for both the site drainage and the catchment that the drainage ditch serve, particularly as this had not been based on a detailed assessment of the site or any calculations. As a result, further information has been provided in the form of a flood risk and drainage impact assessment, and ongoing discussions have been undertaken with the Lead Local Flood Authority (LLFA) to ensure that flood risk is fully addressed and can be mitigated. An amended indicative layout plan has also been provided which removes the originally proposed attenuation pond.

7.8.2 The submitted report sets out that the surface water flood mapping suggests that the flood risk is a combination of exceedance flows from the surface water drainage system at Hadrian Road, in addition to flood flow within the small watercourse which traverses through the site, and potentially a constriction in the system presented by the 450mm diameter culvert. During high and medium risk surface water flood events, the extent of flooding is anticipated to be minimal within the development, with water depths less than 0.3 metres. The flood extent is significantly increased for a 1 in 1000 year event where flood depths are increased to maximum of 0.9 metres. This raised concerns with the LLFA and, as a result, detailed hydraulic modelling has been undertaken to assess flood risk from the combined fluvial and pluvial flood risk sources identified for the site.

7.8.3 Detailed modelling confirms that the overall fluvial flooding presents a low risk at the site, though there is a risk associated with surface water flooding. From this modelling, during the extreme 1 in 1000-year event, surface water flooding was indicated to occur within the existing site. The extent of flooding shown is less than the surface water flood maps, with depths predominantly expected to be less than 0.3 metres with some small pockets experiencing flood depths of 0.4 metres. Superimposing the development layout across the flood map indicates that flood routes will be

impacted. In order to prevent the displacement of any surface water flood volume and increase the flood risk to others outside of the site, the report recommends that the existing flood routes are diverted through the site to facilitate the proposed development. Overall, following development, the risk from this source is likely to decrease as surface water runoff within the developed part of the site will be managed using a site-specific drainage system. Undertaking a hazard analysis, due to the shallow depths and low flow velocities, during the extreme 1 in 1000-year event, the hazard to people is estimated to be very low. The modelled flood level is 5.29m AOD. In order to minimise the risk of overtopping during the 1 in 1000-year event it is recommended that the bank levels within the development site are elevated to a minimum of 5.6m AOD.

7.8.4 The development will generate an increase in surface water runoff which requires suitable management. The hierarchy for disposing of surface water runoff in accordance with the NPPF is:

- Infiltration
- Watercourse
- Sewer

A desktop assessment indicates that the area is underlain by silts and clay over mudstone, with the potential for shallow groundwater to a depth of 1.5 - 2.3 metres below surface level. Therefore, the dissipation of surface water runoff to ground via infiltration methods such as a soakaway is unlikely to be feasible. Therefore, the report proposes that surface water runoff generated by the development is directed to the watercourse. It also recommends that source control measures such as green roofs or rainwater harvesting are considered for inclusion within the final drainage design for the site. Given the limited space available within the site, it is recommended that attenuation is provided using box culvert sections or large diameter pipes within the access road. It is considered that sufficient volume can be provided to ensure that no flooding occurs during the 1 in 100 year plus 40% climate change event.

7.8.5 To mitigate the flood risk identified at the site, the following measures have been recommended:

- finished floor levels to be set at a minimum of 5.9 metres AOD;
- existing flood routes to be diverted to ensure that flood water is not displaced;
- installation of a trash screen at the culvert inlet to minimize the risk of blockage;
- elevating bank levels to a minimum of 5.6 metres AOD to reduce the risk of overtopping during the 1 in 1000-year event;

In relation to the management of the channel and culvert, the submission sets out that these are riparian owned and it is the obligation of the land owner to undertake inspections and maintenance to keep channels and culverts clear of debris. It is not therefore clear whether this would fall to the owners of the properties adjacent to this. As such, it is considered more appropriate that this is included with the management of the surface water drainage scheme to ensure that the channel is regularly maintained and kept free of debris.

7.8.6 The LLFA has provided final comments in relation to the additional information detailed above. It has advised that this raises no objections subject to the mitigation measures being implemented. A detailed surface water drainage scheme would also need to be provided, and this will depend on the final layout of the development. In terms of the management of the surface water drainage, as there would be management of the open space included within the Section 106 agreement, it also seems appropriate to include this and the highway if it is not adopted. Given that the report recommends that attenuation is provided under the road, it is possible that the Highway Authority would not adopt the road.

7.8.7 The recommendations do include raising floor levels and as such a detailed topographical plan has been provided in order to assess the implications of this. The site is currently lower than the neighbouring residential development along the eastern site boundary, so would need to be increased by around 0.8 metres to accommodate the required increase in floor level. This would take it similar to that of the existing properties on Hadrian Road, so would therefore not raise concerns regarding residential amenity. The development would be more prominent from the cycle path, though it would be seen against the existing residential properties, and there would be intervening open space and landscaping to maintain the separation from the industrial estate. Given this, the proposed mitigation does not raise concerns in other regards. However, detailed information would be required at the reserved matters stages to show the levels across the site and relationship to the neighbouring properties.

7.9 Open space

7.9.1 The site is identified within the Council's open space study from 2010. Policy DM26 of the DM DPD sets out that the Council will protect semi-natural private amenity space, particularly in the main urban settlements of Lancaster and Morecambe, which are not specifically designated as open space but have an economic, environmental or social value to the community they serve. The site is not publicly accessible and the submitted report sets out that it has been used as a paddock for horses in excess of 30 years. It is not strongly visible from the adjacent residential development but does have some amenity value from the footpath/cycleway, although this is limited by the existing trees along the boundary. Most of the environmental value is likely to be provided by the trees around the site, and it does not appear to have a social value, with no objections being raised by members of the public. The indicative site plan shows the creation of open space, in addition to increased planting to strengthen the boundary with the footpath/cycleway and a larger group in the north west corner. Given this, it is considered that there would be adequate mitigation for the development of the land, and the proposal should increase wildlife habitats, particularly along the boundary. The provision of the open space can be covered by a condition, with the management of this and the landscaping within the public areas covered by a S106 legal agreement to ensure that this is managed in perpetuity.

7.10 Land Contamination

7.10.1 A preliminary risk assessment in relation to contamination has been submitted with the application. There was previously a munitions factory to the south west of the site, which now forms the industrial estate. The munitions factory was subject to two large explosions in 1917 and munitions have been reported to be found in the surrounding area. Their presence on-site cannot be ruled out, bearing in mind the short distance. The footpath/cycleway adjacent to the site follows the line of the former railway. The report sets out that these can be a source of contaminants, but would not be expected at very high levels, although they may exceed stringent residential thresholds, especially close to the railway. Contaminants, if present, are likely to be concentrated on the southwest of the site, dwindling moving northeast. A low risk is considered possible at the southwest lessening to very low at the northeast.

7.10.2 The report recommends that further research may be useful from an Unexploded Ordnance Exploded Bombs (UXB) specialist which should be carried out prior to any investigations or other physical investigation/development on site. In relation to contamination, an intrusive investigation is required, consisting of boreholes/trial holes and tests to confirm the presence/absence and extent of contamination on the site. It is considered that this could be adequately covered by a planning condition and is not required prior to the determination of the application, given the relatively low risk identified. The Contaminated Land Officer is in agreement with the proposed contamination investigation.

7.11 Affordable Housing

7.11.1 Policy DM41 sets out that developments of this scale, within an urban area, should provide 20% affordable housing and this should be on the site. The submission sets out that this can be provided and it would be covered by a S106 legal agreement. On the basis of the current scheme, which proposes 13 dwellings, this would equate to 2.6 dwellings. There is therefore the option to round this up to 3 dwellings or for 2 to be provided on site and a contribution made towards the remainder.

8.0 Planning Obligations

8.1 A Section 106 Agreement is required in relation to the on-site provision of affordable housing in addition to the management of the open/shared space (including associated landscaping), the surface water drainage (including the watercourse and culvert) and any unadopted highway.

9.0 Conclusions

9.1 The site is located within the urban area of Morecambe adjacent to residential development, in an accessible and sustainable location. Whilst there are concerns regarding the proximity to the employment site, it is considered that adequate mitigation can be put in place to ensure that there will not be a significant detrimental impact on the amenities of future occupants, including siting the

dwellings away from the south west. It is acknowledged that this does not result in the most efficient use of the site, and more dwellings could be accommodated. However Paragraph 117 of the NPPF sets out that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and living conditions. Paragraph 118 goes on to say that decisions should recognise that some undeveloped land can perform many functions such as for wildlife and recreation. In this case, the undeveloped land will be used to provide amenity space, as well as enhancements to biodiversity and the amenity of the area.

- 9.2 Whilst all matters are reserved, it is considered that a safe and suitable means of access can be provided, the development can be accommodated without a significant impact on neighbouring residential amenity and biodiversity, any contamination can be adequately remediated, and that any risk from the existing watercourse can be mitigated and surface water disposal can be accommodated. The principle of residential development on this site, comprising 13 dwellings, is therefore considered to be acceptable.

Recommendation

That subject to the applicant entering into a Section 106 Legal Agreement to secure the following contributions:

- either provision of 3 on-site affordable housing units, or 2 on site and a financial contribution (based on the equivalent of 0.6 of an affordable housing unit) towards provision of affordable housing within the District; and
- Management of the public, unadopted space, including open space/landscaping, drainage and roads

that Outline Planning Permission **BE GRANTED** subject to the following conditions:

1. Standard 3 year timescale
2. Approved location plan
3. Assessment and remediation of contamination
4. Surface water drainage scheme
6. Scheme of noise mitigation measures
7. Details of the open space provision
8. Arboricultural Implications assessment, including Arboricultural Method Statement and Tree Works Schedule
9. Ecology mitigation – precautionary measures and bat roosting, bird nesting opportunities, lighting and possible works to ditches
10. Development in accordance with the flood mitigation measures

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

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

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

Background Papers

None

<p align="center">Agenda Item</p> <p align="center">A12</p>	<p align="center">Committee Date</p> <p align="center">3 June 2019</p>	<p align="center">Application Number</p> <p align="center">18/00472/FUL</p>
<p align="center">Application Site</p> <p align="center">Land Off Wyresdale Road Lancaster Lancashire</p>	<p align="center">Proposal</p> <p align="center">Erection of 27 dwellings (C3) with associated access</p>	
<p align="center">Name of Applicant</p> <p align="center">Mr John Matthews</p>	<p align="center">Name of Agent</p>	
<p align="center">Decision Target Date</p> <p align="center">1 August 2018</p>	<p align="center">Reason For Delay</p> <p align="center">Protracted viability discussions</p>	
<p>Case Officer</p>	<p>Mr Mark Potts</p>	
<p>Departure</p>	<p>Yes</p>	
<p>Summary of Recommendation</p>	<p>Approval (Subject to the applicant entering into a Legal Agreement to secure the planning obligations detailed within this report).</p>	

(i) Procedural Note

A site visit was arranged for Councillors, and was undertaken on 25 February 2019. There has been a subsequent delay in the report being drafted due to ongoing discussions taking place with all relevant parties/consultees, namely in view of viability discussions and layout negotiations.

1.0 The Site and its Surroundings

1.1 The site lies on the eastern fringes of Lancaster located off Wyresdale Road, circa 2km to the east of Lancaster City Centre. The site totals 2.04 hectares but the net developable area is 1.06 hectares with the remainder of the site afforded to landscaping and open space. To the north of the site lies a row of mature trees and Wyresdale Road beyond this. To the west lies a private access track that once would have served Lancaster Leisure Park when it was a rare breed's farm. Beyond this is Well House Farm, and Well House. To the east some small scale business units are located with open fields to the south. The boundary treatment to the north consists of a post and wire fence followed by tree planting, to the east and west lies stockproof fencing with some landscaping, but to the south of the site the boundary is open.

1.2 The site is within Flood Zone 1 and therefore at the lowest risk of flooding although a small area of the site frontage is known to suffer from surface water flooding. Part of the western boundary of the site is allocated as mineral safeguarded land and all the trees the bound the site are protected by a Tree Preservation Order (no.654 (2018)). The Grade I Listed Ashton Memorial is located 650 metres to the west of the proposal, with the wider park forming part of a Registered Park and Garden, which is located 400 metres from the site. The Walton Le Dale/Slyne Distribution Pipeline runs to the east of the site though no development is proposed within any of its consultation zones. The entire site lies within Key Urban Landscape in the adopted Local Plan and proposed as Urban Setting Landscape within the emerging Strategic Land and Policies DPD (under Policy H5).

2.0 The Proposal

2.1 The application proposes the erection of 27 two-storey dwellings and the provision of a new vehicular access off Wyresdale Road on the eastern fringes of Lancaster. The scheme also provides for re-grading of land to facilitate development, provision of open space across the site, landscaping and also drainage infrastructure.

The scheme initially proposed the erection of 27 residential units utilising a mix of the below (with the provision of no affordable housing);

- 5 x two bedroom houses;
- 2 x three bedroom houses; and
- 20 x four bedroom houses.

However, officers had concerns regarding the over reliance on four bedroom properties and the scheme was amended to incorporate more smaller units:

- 4 x two bedroom houses;
- 6 x three bedroom houses; and
- 17 x four bedroom houses.

2.2 The applicant is utilising their standard house types with a mixture of hipped and gabled roofs, all are two storeys in height and would be constructed under tiled roofs and utilising re-constituted stone. Many of the properties feature timber boarding on the gables of the properties. Boundary treatments will predominately consist of 1.8 metre high close boarding fencing, though certain plots require the benefit of 2.1 metre high acoustic fencing.

3.0 Site History

3.1 There is limited recent site history although the applicant engaged with the Council via its pre-application advice service in 2017 on the basis of the erection of 28 dwellings (17/00920/PRETWO).

4.0 Consultation Responses

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

Consultee	Response
County Highways	Raise concerns with the location of the site from a sustainability perspective, but raise no objection , despite having some concerns regarding the refuse arrangements for plots 1-6 and recommend the following planning conditions: <ul style="list-style-type: none"> • The provision of 2.4 x 120m visibility splays; • The construction of a 2.0m wide pedestrian footway along the frontage of the site and extending in a westerly direction, tying into existing at the junction of Wyresdale Road / Pottery Gardens; • Speed limit relocation changes and provision of street lighting
Lead Local Flood Authority	No objection subject to the following conditions: <ul style="list-style-type: none"> • Appropriate surface water drainage scheme to be submitted; • No occupation of development until completion of SUDS in accordance with the agreed SUDs scheme and management and maintenance plan; • Surface Water Lifetime Management and Maintenance Plan.
Lancashire Archaeological Advisory Service	No objection given the applicant has undertaken evaluation trenching as part of this application and no planning conditions are necessary.
Public Realm Development Manager	No objection but recommends the following contributions to Public Open Space within the area: <ul style="list-style-type: none"> • Outdoor Sports Facilities £32,899 • Equipped Children's Play £38,750

	<ul style="list-style-type: none"> • Young People's Provision £15,500 • Parks and Gardens £9,300 <p>The contribution towards outdoor sports facilities will go to the re-development of the pitches at Far Moor, Lancaster. The remaining contribution will go to the ongoing enhancement work at Williamson Park, Lancaster.</p>
Cadent Gas	No objection
Tree Protection Officer	No objection
United Utilities	Initially raised concerns however the amended drainage scheme is the most suitable in line with the SuDS hierarchy and therefore no objection has been raised.
Lancaster Civic Society	Object to the proposal on the basis that the design is uninspiring.
Dynamo	Object to the proposal given there is no provision in the plans to encourage cycling to/from the development.
Strategic Housing Officer	Raises concerns that the scheme should provide for an appropriate dwelling mix a minimum of 8 three bedroom homes and a minimum of 5 two bedroom homes, which would mean a maximum of 14 four bedroom properties.
Fire Safety Officer	No objection
Planning Policy Team	Object to the development as the site is allocated as key urban landscape within the adopted and emerging local plan which prevents development proposals.
Lancashire County Education	Initially requested no contribution towards education. However, in March 2019 this was re-assessed and the provision of 3 secondary places is required as part of a financial contribution.
Environmental Health (Air Quality)	Recommend the application be refused given the concerns associated odour emanating from the abattoir and also that the development has failed to demonstrate appropriate mitigation against the impact on the Lancaster AQMA.
Environmental Health (Noise)	No objection but recommends that the development is undertaken in accordance with the submitted noise report and the provision of acoustic fencing, hours of construction and also scheme for dust control.

5.0 Neighbour Representations

5.1 **Drainage** – Burrow Beck floods and applications that lead to the potential for further flooding should be resisted; there is already an existing problem and therefore the situation will become worse with further development.

Landscape – The site is countryside land and key urban landscape and should be protected from development proposals; the site is green belt (this is incorrect) and development should not be supported.

Amenity – the development would be detrimental to the amenity of those residents on the Potteries; there will be overlooking to Pottery Gardens.

Ecology – The scheme will be detrimental to the wildlife that the site supports.

Highways – The site is not suitably located as Wyresdale Road is a busy stretch of highway with no footways.

Infrastructure – The local schools are oversubscribed (both primary and second school provision), there is a distinct lack of community infrastructure such as shops and services;

Housing Need - No additional housing is required given the number of homes for sale locally.

6.0 Principal National and Development Plan Policies

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

The National Planning Policy Framework indicates that the purpose of the planning system is to contribute to the achievement of sustainable development. At the heart of the NPPF is a

presumption in favour of sustainable development (Paragraph 11). The following sections of the NPPF are relevant to the determination of this proposal.

Section 4 – Decision making;
Section 5 – Delivering a sufficient supply of homes;
Section 8 – Promoting healthy and safe communities;
Section 9 – Promoting sustainable transport;
Section 12 – Achieving well designed places;
Section 15 – Conserving and enhancing the natural environment;

6.2 Local Planning Policy Overview – Current Position

On 15 May 2018, and in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), Lancaster City Council submitted the following documents to the Secretary of State (Planning Inspectorate) for examination:

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

The Examination Hearing Sessions commenced on 9 April 2019.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan.

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

Given the current stage of both DPDs, it is considered that significant weight can be attributed to the policies contained therein subject to the extent to which there are unresolved objections to the relevant policies and their consistency with the National Planning Policy Framework.

6.3 Lancaster District Local Plan (saved policies)

E27 – Woodland Opportunity Areas
E31 – Key Urban Landscape

6.4 Lancaster District Core Strategy

SC1 – Sustainable Development
SC2 – Urban Concentration
SC4 – Meeting the District's Housing Requirements

6.5 Development Management DPD

DM20 – Enhancing Accessibility and Transport Linkages
DM21 – Walking and Cycling
DM22 – Vehicle Parking Provision
DM23 – Transport Efficiency and Travel Plans
DM26 – Open Space, Sports and Recreational Facilities
DM27 – Protection and Enhancement of Biodiversity
DM28 – Development and Landscape Impact
DM29 – Protection of Trees, Hedgerows and Woodland
DM35 – Key Design Principles
DM36 – Sustainable Design
DM37 – Air Quality Management and Pollution
DM38 – Development and Flood Risk
DM39 – Surface Water Run-off and Sustainable Drainage
DM41 – New Residential Dwellings

6.6 Strategic Policies and Land Allocations DPD (Emerging)

7.0 **Comment and Analysis**

The planning application raises the following key issues:

- Principle of Development;
- Layout and Design Considerations;
- Drainage;
- Trees and Landscaping;
- Development Viability / Affordable Housing Provision;
- Highways;
- Open Space;
- Archaeology;
- Environmental Considerations;
- Education Provision;
- Planning Balance; and
- Landscaping Matters.

7.1 **Principle of Development;**

7.1.1 The site is located on the periphery of the urban core of Lancaster and is located 2km to the east of Lancaster City Centre. The Council, via the Spatial Strategy described in the District Core Strategy and continued in the emerging Land Allocations document, would generally look to direct development to the main urban areas of the District, and this was very much the intention of Policies SC1 and SC2 of the Core Strategy. It is therefore considered that the site is a sustainable location for the delivery of 27 dwellings (assuming other issues can be addressed).

7.1.2 The land is currently allocated as Key Urban Landscape (Policy E31) and a Woodland Opportunity Area (Policy E27) under the 'saved' Local Plan. Both designations remain relevant and important considerations in the determination of this planning application. Policy DM28 (Development and Landscape Impact) of the Development Management DPD states that identified areas will be conserved and important natural features safeguarded. Key Urban Landscapes (KUL) perform an important role in defining the character of the District. The local planning authority considers that some form of buffer should be preserved and woodland planting encouraged.

7.1.3 Adopted Local Plan Policy E27 states that within identified areas the Council will seek to establish new areas of woodland allowing, where practical, for public access and the protection and enhancement of nature conservation interests. It is considered that tree planting would provide a more attractive edge to the built up area. It goes on to state that development which would prejudice the establishment of new woodland areas will not be permitted. This policy is supplemented by Policy DM29 'Protection of Trees, Hedgerows and Woodlands' in the Development Management document which gives further support to the protection of trees and hedgerows and encourages additional planting.

7.1.4 As part of the emerging Strategic Policies and Land Allocations DPD the wider site including land at the Cattle Market, abattoir and Potteries development is proposed to be allocated for residential development under Policy H5. It is the case that this policy encompasses this allocation, however the text associated with the policy is clear that the eastern part of Policy H5 (including this site) should continue to be protected, and is still proposed to retain its Key Urban Landscape (or as proposed Urban Setting Landscape) designation and whilst only limited weight can be afforded to this, it continues to protect the site from development.

7.1.5 Given the national policy backdrop there is a clear expectation that, unless material considerations imply otherwise, opportunities for housing delivery should be considered favourably and Officers have attached significant weight to this in terms of the planning balance exercise.

7.1.6 It is clear that the proposal goes against the grain of the policy requirements of the Key Urban Landscape and Woodland Opportunity designations. Officers therefore consider that it has to be concluded that the development would conflict with Policies E27 and E31 of the Lancaster District

Local Plan. The issue therefore is whether, taking all other matters assessed via this report, this policy departure outweighs the need to deliver housing.

7.2 Layout and Design considerations

- 7.2.1 Officers had some concerns with the originally submitted layout given it was rather rigid in nature and it was considered that improvements could be made to assist in creating a sense of place. An amended scheme was submitted which had a greater standard of outlook, greater separation distances, and a key positive of the scheme is the retention of the trees along Wyresdale Road that form an important role in characterising the site as Urban Setting Landscape. Plots 1-5 are served off a private drive with all the properties fronting the highway (barring plot 5). This is considered to work well and the separation distance back from the highway at 25 metres will mean that the properties will be screened from view, albeit the access will be visible. The applicant has been amenable to some suggested changes such as the inclusion of a tree lined boulevard which will help soften the appearance when entering the site and has the potential to act as a green corridor.
- 7.2.2 With respect to the house types the use of a reconstituted stone is considered to work well, and whilst a slate roof would be preferable the use of a tile (and a thin leading edge) would work. One area of concern related to the quite dominant timber boarding to the gables of the proposed units and amended drawings have been received with this being scaled back and muted in colour. The house types are not entirely of the local vernacular but do offer something a little more animated compared to a volume house builder.
- 7.2.3 The detached properties all adopt a similar style of hipped and gabled roof systems and are considered to represent an arts and craft style. Whilst the house types are not in keeping with the local vernacular they are not of a design which would warrant a refusal and therefore, subject to agreeing details of the materials, can be considered acceptable. There are some selected parts of the development whereby timber fences have been utilised as a form of boundary treatment which are located on quite prominent viewpoints such as plots 5 and 16 which is acoustic fencing and on plots 8, 12 and 18 which are close boarded. It is considered that for the close boarded fence this would be better utilised as a stone wall and in terms of the acoustic fencing officers would like to ensure this is well screened via the use of more specimen planting in front to soften its appearance.
- 7.2.4 Concern has been raised from residents of Pottery Gardens regarding privacy and overlooking concerns, given these properties are located to the west of the site. There is circa 25 metres from the gable elevation of plot 27 to the nearest façade at Pottery Gardens. It is considered there would not be any overlooking or privacy concerns to warrant the refusal of this scheme. Internally within the site most of the gardens provide an adequate outside amenity space and overlooking distances are all acceptable.
- 7.2.5 Officers had concerns on the applicant's original iteration of the scheme when an additional four bedroom properties were being proposed, accounting for 74% of the unit types. This has been amended to 62%. Whilst this is higher than Officers would like to see, the assessed need as part of the Strategic Housing Market Assessment identifies a need for 3 and 4 bedroom properties. Ideally officers would have secured 5 x two bedroom unit, 8 x three bedroom units and 14 x four bedroom units. Whilst deviating from the 2018 housing needs evidence the scheme has been amended since the original iteration and to secure the desired mix would inevitably have a further impact on the viability of the scheme. It is recommended to Councillors that planning is about balance, and in the Case Officer's opinion, the mix of units and securing the highest quantum of affordable units is the correct balance to be applied in this instance.

7.3 Drainage

- 7.3.1 Whilst the site falls within Flood Zone 1, a flood risk assessment accompanies the planning application given the area of the site is in excess of 1 hectare. It was originally proposed to direct the surface water to the combined sewer, but this was neither acceptable to Officers nor United Utilities. Therefore the proposal has been amended to direct surface water towards Burrow Beck. The applicant is detailing a new straddle connection into the culvert within the existing highway to cater for this. The Lead Local Flood Authority (LLFA) raises no objection to the scheme on the provision that surface water is restricted to greenfield run off rate which is 7 litres per second. Many of those raising concern with the application have raised drainage as a fundamental issue and officers are mindful of the flooding in South Lancaster in November 2017. Assuming the run-off rate

is restricted by condition and given no objection to the scheme from the LLFA it is considered that the site can be sustainably drained and there is nothing before officers to suggest that approval of this scheme would increase the likelihood of flooding elsewhere. United Utilities has raised no objection to the development on the revised scheme but officers are recommending planning conditions associated with a detailed drainage scheme and its ongoing management and maintenance and this view is echoed by the LLFA.

7.4 Trees and Landscaping

7.4.1 The scheme is accompanied by an Arboricultural Implications Assessment. There will be a requirement for tree removal to facilitate the access, but the majority of the mature landscaping along the sites frontage will be retained. However, to enable the visibility splays to be achieved there will be a need to prune the canopies of the trees within this group of trees. It is critical that the trees alongside the site frontage are retained as these trees contribute to the visual amenity of the area. Whilst there would be some minimal tree removal this will be compensated by the provision of the shrub and native planting along the southern boundary of the site and also the wildflower grassland all of which are supported and add to the biodiversity interest in the site.

7.5 Development Viability / Affordable Housing Provision

7.5.1 The scheme initially proposed no affordable dwellings, and a viability assessment was submitted by the applicant to demonstrate why this was the case. There is general agreement that to develop the site there are some abnormal costs associated with foundations given the ground conditions. It has taken over 12 months to resolve the viability issue, with Officers not only engaging a Chartered Surveyor but also an engineering consultant to establish whether the costs of the development that had been proposed by the applicant are fair and reasonable. After protracted negotiations a position has been reached which is agreed by all parties, for the applicant to provide 4 two bedroom properties as affordable rent and 2 three bedroom properties as shared ownership.

7.5.2 It has been established that based on an education contribution to the County Council of £71,211.84, provision of £30,000 towards the local bus service that the scheme can provide for 6 affordable homes which equates to 22% affordable housing. Officers would have wished for more affordable dwellings, but based on the certified costs of developing the scheme Officers are supportive of the development.

7.6 Highways

7.6.1 The application proposes the creation of a new access off Wyresdale Road, and the main access road would be 5.5 metres in width with 2 metre footways on either side of the road. The applicant has provided for visibility splays in the region of 2.4m x 120m. Officers, in pre-application discussions with the applicant, advocated the need to ensure that from a pedestrian perspective a safe means of access could be facilitated along Wyresdale Road. The County had advocated that there needed to be a 2 metre wide pedestrian footway constructed along the site frontage, which would tie into the junction of Wyresdale Road/Pottery Gardens. The applicant had stated that given the access into the Leisure Park (and also the Potteries) is not adopted highway it is not within their concern to tighten up the junction of the Wyresdale Road/Pottery Gardens junction. The applicant did propose an alternative arrangement whereby a new footway would be put in place from the site entrance for a distance of 45 metres where there would be a dropped kerb and also tactile paving put in place to allow for the crossing of Wyresdale Road. This failed to work, and the applicant has now agreed to the County's original suggestion to tie in with the Miller Homes entrance (where it is within the confines of the adopted highway). This element can be controlled by means of planning condition. Concern has been raised with regards the private drive towards the front of the site and how servicing for refuse can be achieved. A logical solution would be a dedicated refuse storage location and this being enclosed. Discussions are ongoing and Councillors will be verbally updated accordingly at the Committee meeting.

7.6.2 Whilst not requested by the County Council as the Highway Authority the City Council has historically sought monies from schemes in East Lancaster for the ongoing provision of the Number 18 bus. This in essence does a loop from the bus station and takes into account development along Quernmore Road down Grab Lane and then via Wyresdale Road. This has been examined in light

of the viability of the scheme and it is still considered it would be required in the context of what has been applied for and should still be sought

7.7 Open Space

7.7.1 The application proposes a healthy quantum of open space, notably across the north west of the spine road into the site, and to the southern edge of the site. The case officer was keen to ensure that the site was as green as possible, and was keen to support the principle of a tree lined spine road into the site. The open space that has been provided on site exceeds that would be required under the Planning Advice Note and whilst it may have been desirable for some play equipment to be included, it falls under the threshold for one to be provided on site. Whilst the Public Realm Officer has sought a contribution towards open space within the wider locality, given viability it is not reasonable to ask for monies.

7.8 Archaeology

7.8.1 The site had the capability to impact on below ground archaeology, and the comments of the Lancashire Archaeological Advisory Service (LAAS, which has now reverted back to County Archaeology) were sought on this planning application. They noted that the area of the proposal was considered to have a significant archaeological potential and should therefore be subject to a phased scheme of archaeological investigation. The applicant was amenable to undertaking these works and the first phase comprised a scheme of geophysical survey and trial trenching. Trial trenching was undertaken which revealed nothing of archaeological merit and this is a view shared by LAAS and therefore no condition is recommended.

7.8.2 The Ashton Memorial is a Grade I listed building and located circa 650 metres from the development proposal. Given the presence of screening around the site it is considered that views of the memorial when seen from Wyresdale Road or further to the east would be not harmed. Well House and Well House Farm are both non designated heritage assets and whilst there will be a change to the environs of both of these given the landscaping around the site and the separation between the NDHAs and the proposed development, it is considered that the development would not have an impact other than of minor one. Whilst the views of the Conservation Officer have not been sought, the Heritage Impact Assessment undertaken as part of the local plan revealed little impact.

7.9 Environmental Considerations

7.9.1 Given the greenfield nature of the site it is considered reasonable to include a planning condition associated with unforeseen land contamination on the site. The site is close to the M6 motorway and a detailed noise report accompanies this planning application which recommends that with mitigation there should be no loss of amenity for future occupiers assuming the use of ventilation is utilised (plots 1-6 and 11-18). Acoustic fencing has been recommended for plot 6 along the north eastern and south eastern boundaries. No objection has been received from the Council's Senior Environmental Health Officer and with this it is suggested that conditions can control noise mitigation.

7.9.2 The Council's Air Quality Officer has objected to the development by virtue of additional private car movements passing through the Lancaster Air Quality Management Area. Whilst this is noted, to some degree the impacts associated with this can be mitigated in part via funding towards the bus service, the provision of electric vehicle charging points, ensuring there is sufficient safe storage for bicycles and ensuring the offsite highway measures are included. Concern has also been raised that no assessment of odour has been included given the nearby abattoir on Wyresdale Road. Whilst there is some merit in this, the Pottery Gardens scheme is located circa 70 metres from the abattoir, whereas the application site is over 220 metres. Surveys can only be requested where it is reasonable and given the site is separated by the 71 dwellings of Pottery Gardens it is not considered reasonable to ask for a survey, nor refuse the application on the basis that one has not been submitted. Whilst there is some merit in the Air Quality Officer's objection, Officers feel that such an objection could not be robustly defended at planning appeal.

7.10 Education Provision

7.10.1 A concern that has been raised is whether there is sufficient capacity in the local schools, initially as part of the application proposal, there was no requirement for any financial contribution towards

school spaces. However, given the protracted discussions regarding viability on the site, County has now considered that provision is required. It is proposed in the event that the education contribution is not utilised by the County Council the monies are transferred back to the City Council as a commuted sum for affordable housing provision within the District.

7.11 Planning Balance

7.11.1 The site has a semi-rural character due to its use for grazing livestock and this appearance would be considerably changed by the introduction of 27 residential dwellings. Whilst there are dwellings to the west, the character would undoubtedly be changed as by the applicants own admission there would be a marked change from rural to suburban housing. There remains to be concerns regarding the over-reliance of four bedroom unit types but there has been concessions made by the developer and a reasonable quantum of affordable housing at 22% is being achieved.

7.11.2 It is suggested that the scheme would be contrary to saved Local Plan Policy E31 and Development Management Policies DM28, DM35 and DM41 as there would be some moderate harm caused to the character and appearance of the area including to the Key Urban Landscape. Weight is attached to the contribution to the supply of housing and the provision of affordable houses to which significant weight is attached. The balancing exercise in the Framework is a 'titled balance' because planning permission must be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as taken as a whole. Officers consider that the adverse impacts associated with this development do not significantly and demonstrably outweigh the benefits and therefore it is recommended that planning permission should be granted and the proposal would represent sustainable development.

8.0 Planning Obligations

8.1 The applicant is amenable to securing the following requirements by way of legal agreement:

- Provision of six affordable housing units (four x 2 bedroom - affordable rent and two x 3 bedroom units shared ownership);
- Contribution of £30,000 towards the running of the local bus service (Number 18 - Lancaster - Lancaster via Williamson Park, Leisure Park, Lancaster Farms);
- Securing the provision of £71,212 towards secondary education spaces for three secondary school places at Central Lancaster High School;
- Long term maintenance of non-adopted open space, landscaping and non-adopted highways and drainage.

9.0 Conclusions

9.1 The recommendation here is finely balanced, as the proposal is a departure from the Development Plan, and ordinarily developments of this nature would not be supported in Key Urban Landscape and Woodland Opportunity designations. However, Councillors have to be mindful that the local authority does not have an up-to-date deliverable five year housing land supply. Officers do consider that the proposed site is a sustainable location for the delivery of 27 dwellings, and whilst the undeveloped nature of the site would be lost, some structural landscaping would be included. It is considered that there would not be a complete removal of the Key Urban Landscape in this location, although would be eroded to a degree whereby it could not fulfil its role going forward. In addition to this, it is a site that is adjacent to the built form to the west. Given the inability of the local authority to demonstrate a deliverable 5-year housing land supply, together with the lack of any technical objection from any statutory consultees, that on balance the material considerations weigh in support of the scheme to allow Officers to make a positive recommendation for this development.

9.2 Whilst there has been some concern raised with respect to highways, drainage, environmental health considerations, education provision and nature conservation, none of the relevant consultees raise an objection to the scheme, or raise a concern which cannot be addressed by condition. Officers have sought to secure modifications to the scheme in the form of a shift in layout and providing for some smaller units. It is recommended to Councillors to support the scheme subject to the applicant entering into a Section 106 Legal Agreement to control the obligations noted within Section 8.1 of this report and the conditions listed below.

Recommendation

That, subject to the applicant entering into a Section 106 Legal Agreement to secure the contributions as set out in Section 8.1, that Planning Permission **BE GRANTED** subject to the following conditions:

1. 3 year timescales;
2. Development in accordance with approved plans;
3. Access details;
4. Detail for off-site highways works and subsequent implementation;
5. Detail for surface water drainage;
6. Detail for foul drainage;
7. Surface water management and maintenance;
8. Finished floor level details;
9. Noise mitigation in accordance with submitted noise report;
10. Building Materials to be agreed on external facing elevations;
11. Hard and soft landscaping;
12. Boundary treatment detail;
13. Development in accordance with the submitted Arboricultural Implications Assessment;
14. Protection of visibility splays;
15. Car parking to be provided for;
16. Garage use control;
17. Provision of cycle storage and electric vehicle charging points;
18. Implementation of the mitigation and enhancement measures outlined in the ecological appraisal.

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 has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the 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.

<p align="center">Agenda Item</p> <p align="center">A13</p>	<p align="center">Committee Date</p> <p align="center">3 June 2019</p>	<p align="center">Application Number</p> <p align="center">19/00336/OUT</p>
<p align="center">Application Site</p> <p align="center">Land off Bay Horse Lane Bay Horse Lancashire</p>	<p align="center">Proposal</p> <p align="center">Outline application for the erection of two dwellings and associated access</p>	
<p align="center">Name of Applicant</p> <p align="center">Mr & Mrs Spence</p>	<p align="center">Name of Agent</p> <p align="center">Dan Ratcliffe</p>	
<p align="center">Decision Target Date</p> <p align="center">22 May 2019</p>	<p align="center">Reason For Delay</p> <p align="center">Committee Cycle</p>	
<p>Case Officer</p>	<p>Mrs Eleanor Fawcett</p>	
<p>Departure</p>	<p>None</p>	
<p>Summary of Recommendation</p>	<p>Refusal</p>	

(i) **Procedural Matters**

This form of development would normally be dealt with under the Scheme of Delegation. However, a request was made by Councillor Helen Helme for the application to be reported to the Planning Committee on the basis that the proposal would not be detrimental to the rural setting of Bay Horse or constitute ribbon development.

1.0 The Site and its Surroundings

1.1 The site relates to part of a larger agricultural field, located adjacent to Bay Horse Lane, close to the southern edge of the District, and is approximately 400 metres from the A6. There is a hard surfaced verge between the carriageway and the site which is bounded by a hedgerow. To the northeast of the site is an electricity substation and a group of industrial buildings, beyond which is the West Coast mainline railway. On the opposite side of the highway, to the north and north west, is the Bay Horse public house and its associated car park. To the southwest is a detached dwelling. The site is located within the Open Countryside and there is a high pressure gas pipeline located approximately 250 metres to the northwest. It is also within an area identified as being susceptible to ground water flooding.

2.0 The Proposal

2.1 Outline planning permission is sought for the erection of two dwellings and the creation of an associated shared access. All matters are reserved with the exception of the access which is proposed towards the centre of the site's frontage with the highway.

3.0 Site History

3.1 An outline application was submitted in 2018 for the erection of three dwellings (18/01125/OUT). The boundary included the current application site and land to the southwest, extending up to the boundary with the adjacent dwelling, Bay Horse Cottage. This application was refused under delegated powers for the following reasons:

1. The site is located within the open countryside, divorced from key services and facilities and

as such it is considered to be unsustainable in terms of its location. There are considered to be no special circumstances, in this instance, to justify three new dwellings in this unsustainable location. The proposal is therefore contrary to the aims and objectives of the National Planning Policy Framework, in particular section 5, Policy SC1 of Lancaster District Core Strategy and Policies DM20 and DM42 of the Development Management Development Plan Document.

2. The development would result in an inappropriate form of ribbon development along this rural road within the open countryside and this, along with the proposed access arrangement, would have a detrimental impact on the character and appearance of the area. It is therefore contrary to the aims and objectives of the National planning Policy Framework, in particular Sections 12 and 15, and Policies DM28 and DM35 of the Development Management Development Plan Document.

Application Number	Proposal	Decision
18/01125/OUT	Outline application for the erection of three dwellings and associated access	Refused

4.0 Consultation Responses

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

Consultee	Response
Parish Council	No objections.
County Highways	No comments received during the consultation period.
Environmental Health	No comments received during the consultation period.
Tree Officer	No objection subject to the submission of a detailed arboricultural implications assessment and a landscaping scheme.
Natural England	No comments to make.
Network Rail	No objection. It should be ensured that noise and vibration from the railway is adequately mitigated and drainage does not impact on the railway infrastructure.
United Utilities	Comments. The site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. A water main crosses the site and unrestricted access is needed for operating and maintaining it, and development would not be permitted over or in close proximity.
Cadent Gas	No objection.
Electricity North West	Comments. Confirm that they apparatus within the vicinity of the site.
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'.

5.0 Neighbour Representations

- 5.1 No comments have been received.

6.0 Principal National and Development Plan Policies

- 6.1 National Planning Policy Framework (NPPF)

Paragraph 11 – The presumption in favour of sustainable development

Paragraphs 77, 78 and 79 – Rural housing

Paragraph 108, 109 and 110 – Access and transport

Paragraphs 124 and 127 – Achieving well-designed places

Paragraph 170 – Contributing to and enhancing natural and local environment

Paragraphs 170, 175 and 176 – Protecting and enhancing biodiversity

6.2 Local Planning Policy Overview – Current Position

On 15 May 2018, and in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), Lancaster City Council submitted the following documents to the Secretary of State (Planning Inspectorate) for examination:

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

The Examination Hearing Sessions commenced on 9 April 2019

The Strategic Policies and Land Allocations DPD will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual ‘saved’ land allocation policies from the 2004 District Local Plan.

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

Given the current stage of both DPDs, it is considered that significant weight can be attributed to the policies contained therein subject to the extent to which there are unresolved objections to the relevant policies and their consistency with the National Planning Policy Framework.

6.3 Lancaster District Local Plan Saved Policies

E4 – Development within the Countryside

6.4 Lancaster District Core Strategy (adopted July 2008)

SC1 – Sustainable Development
SC5 – Achieving Quality in Design

6.5 Development Management Development Plan Document (adopted July 2014)

DM20 – Enhancing Accessibility and Transport Linkages
DM21 – Walking and Cycling
DM27 – The Protection and Enhancement of Biodiversity
DM28 – Development and Landscape Impact
DM29 – Protection of Trees, Hedgerows and Woodland
DM35 – Key Design Principles
DM41 – New Residential Development
DM42 – Managing Rural Housing Growth

7.0 Comment and Analysis

7.1 The main issues to be considered in the determination of this application are:

- Principle of residential development
- Scale, design and landscape Impact
- Impact on highway safety
- Impact on residential amenity
- Ecological and Tree Implications

7.2 Principle of Residential Development

7.2.1 Policy SC1 of the Core Strategy requires new development to be as sustainable as possible, in particular it should be convenient to walk, cycle and travel by public transport and homes, workplaces, shops, schools, health centres, recreation, leisure and community facilities. Policy DM20 of the Development Management DPD sets out that proposals should minimise the need to travel, particularly by private car, and maximise the opportunities for the use of walking, cycling and public transport. Policy DM42 sets out sustainable rural settlements where new housing will be supported. It goes on to say that in other rural settlements proposals will be supported if it can be

demonstrated that the development will enhance or maintain the vitality of the local community and that proposals for new homes in isolated locations will not be supported unless clear benefits of development outweigh the dis-benefits.

- 7.2.2 The application site is located in the open countryside, divorced from any of the villages identified in policy DM42 and is considered to be outside any other settlements. The nearest sustainable settlement is Galgate which is located approximately 2.6 kilometres to the north. It is unlikely that people would be able to walk to services, given the distance to these, with the exception of the nearby public house. There is a small employment site adjacent to the site, but particularly given its size, it is unlikely to provide employment for someone living at the application site. There is likely to be a strong reliance on private transport to reach services, though an alternative means of transport is available by way of a bus service on the A6. The bus stops, on both sides of the highway, are approximately 530 metres from the site, when accessed along Bay Horse Lane, although they are slightly closer from another smaller lane but this is much narrower and, although limited, Bay Horse Lane does benefit from some street lighting. This therefore gives an alternative means of transport, which includes to Galgate but also to Lancaster, Garstang and Preston. In terms of cycling, there are no designated cycle paths close to the site and the A6 is a busy highway which may discourage people using it. There are alternatives provided by rural roads, although these are mostly unlit.
- 7.2.3 Paragraph 78 of the NPPF sets out that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Paragraph 79 goes on to say that decisions should avoid the development of isolated homes in the countryside unless certain circumstances apply. The term isolated is not defined in the Framework. The judgment of Lang J in *Braintree District Council v Secretary of State for Communities and Local Government* [2017] EWHC 2743 (Admin) determined that 'isolated' should be given its ordinary objective meaning 'far away from other places, buildings or people'. Therefore this site cannot be considered to be isolated for the purposes of the NPPF. That being said, the accessibility of the site in terms of proximity to services and amenities still needs to be considered.
- 7.2.4 Policy SC1 of the Lancaster District Core Strategy and Policy DM20 of the Lancaster Development Management DPD seek to minimise the need to travel and ensure new development is sustainable. The supporting text to Policy SC1 gives some guidance in relation to what would usually be considered as a sustainable location and includes housing to be located 400 metres safe walking distance from a public transport route and to be less than 1 kilometre from the District's Strategic Cycle Network. Whilst this is just guidance, the distance from the bus stops and lack of footways would mean that it is less likely that occupiers would be rely on the bus service or cycling to reach services and places of work. It is not be possible to walk to other services, with the exception of the public house, and it is therefore considered that there would be a strong reliance on private transport. Therefore it is considered that development in this location raises conflicts with both Policies SC1 of the Core Strategy and DM20 of the DM DPD. It is also considered that the proposal is contrary to Policy DM42 as the site is located outside a settlement.
- 7.2.5 Planning permission was granted in 2018 for the erection of two dwellings towards the southwestern end of Bay Horse Lane. The fact that the Council could not demonstrate a 5 year supply of deliverable housing sites was a strong consideration in the determination of the application and a tilted balance towards the supply of housing was applied. However, each application must be determined on its own merits and there were no other material considerations in this case which were considered to significantly weigh against this. It is also acknowledged that several appeals have been allowed within the District, some within locations which are less accessible, primarily as a result of the lack of a 5 year supply of housing, but also considering the site specifics and other implications of the proposals. Some of these did relate to previously developed land, being gardens to rural houses, which the current proposal does not have in its favour. Consent was granted at the Planning Committee in February 2019 for the development of two houses on another piece of land on Bay Horse Road. This was contrary to the Officers' recommendation set out within the Committee report, and will be discussed in more detail later in the report.

7.3 Scale, design and landscape impact

- 7.3.1 Outline consent is sought for the erection of two dwellings and the creation of a singular access to serve the development. All other matters are reserved, however the indicative plan shows these as two, relatively large, detached dwellings set back from the highway with parking to the front and with large rear gardens, around 21 metres in length. The application form sets out that dwellings would

have 4+ bedrooms and as such it is anticipated that these would be two storey.

- 7.3.2 The site relates to part of an agricultural field which separates the industrial development to the northeast from the residential properties to the southwest. The development would occupy just over two thirds of the width of the field, not including the electricity substation to the north east. The previous application at this site (18/01125/OUT) included the whole width of the field and, at the time it was being considered, another proposal had also been submitted for the erection of four dwellings approximately 135 metres to the south west (18/00988/OUT). Both these were refused under delegated powers. The cumulative impact of the two schemes and the existing consent for two dwellings towards the southwestern end of Bay Horse Lane, adjacent to the property Low Abbey, (18/00054/OUT) would have been continuous development for the majority of the eastern side of the highway between the A6 and the railway line.
- 7.3.3 The immediate area is characterised by either single or small groups of dwellings separated by areas of agricultural land. Most of these along this road are historic and are evident on both the first addition OS maps from the 1840s and 1880s. The main development absent from these relates to the industrial site (including its associated dwelling) and two properties approximately half way along this road, Lowfield and Stonehaven. The gaps between the domestic properties are very much part of the character of this rural area and the development would result in almost continuous ribbon development along this rural road, which would significantly alter the character and appearance of this rural area to its detriment. Whilst the current application is of a smaller scale than the previously refused scheme, the retained gap will be relatively insignificant in the context of the row of continuous development, and the encroachment into the larger field would significantly erode its character and appearance, making it more difficult to resist further development along the retained frontage. It could be argued that the retention of this gap is now even more important given the outline consent of two houses that was granted consent contrary to Officer's recommendation at the Planning Committee in February. Whilst the approved development is likely to be more harmful than the current proposal, given the slightly different nature of the sites with the current one having a slightly more enclosed character due to the presence of the industrial site, railway line and public house opposite, it is still considered that it provides an important visual gap
- 7.3.4 It is acknowledged that to the north east, beyond the railway line, are rows of residential properties with formalised pavements to the front on either side of the M6 motorway, which appear to have been constructed around the early to mid 20th century. These front onto Whams Lane and this development gives this road a very different character to Bay Horse Lane. These dwellings are not viewed in the context of the application site, being separated by the railway line and open fields. One of the appeals that was allowed for a new dwelling in the open countryside, is located on this road, to the northeast of the M6. In this instance it resulted in an infill between properties which already formed a continuous row and was partly on brownfield land. It was therefore considered not to cause harm to the character and appearance of the area. The context of the current application is very different, as outlined above, and the loss of the agricultural land which separates the existing built development, would significantly and demonstrably harm the character and appearance of the area particularly in conjunction with the approved developments to the south west. It is acknowledged that the development of two dwellings adjacent to Low Abbey was granted consent, but set out in the previous Committee report for the further development on Bay Horse Lane the consent would still leave a significant separation between the existing development to the north east and it was therefore considered that this would not create a precedent for the current proposal. Whilst the further application was granted consent, it probably makes the retention of this open field and break in development more important, as discussed above. It should also be noted that this was recommended for refusal due to the harm to the character of the area, so the assessment of the harm of this application and recommendation is consistent with this and the assessment of the two previously refused applications along Bay Horse Road. In any event, each application must be determined on its own merits.
- 7.3.5 Policy DM28 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. The site is located within a landscape character defined as Undulating lowland farmland, sub category 5i (West Bowland Fringes) within the Lancashire Landscape Character Assessment (December 2000). Within the associated Landscape Strategy (December 2000), in relation to this landscape type it sets out that ribbon development, which would disrupt the characteristic clustered form of settlements and the rural character of local roads, should be avoided. Whilst this is general guidance to this landscape character type, for the reasons sets out above, it is considered that the proposal, both individually

and cumulatively with the other approved developments, would adversely impact the rural character of this road. Whilst this has already happened in the past on Whams Lane, this does not justify further erosion of the landscape and development pattern within this part of the countryside.

7.3.6 Policy DM35 also sets out that new development should make a positive contribution to the surrounding landscape or townscape and development should contribute positively to the identity and character of the area through good design. In addition to the impacts set out above, in terms of the creation of a ribbon form of development, it is also considered that the layout of the development fails to respond to the characteristics of the area. Whilst it is an outline application, the indicative plan shows two large dwellings, occupying most of the width of the site with a very minimal separation distance. This layout also leads to a large area to the front being used for parking and laid with hardstanding, which is likely to be larger than shown given the size of the dwellings and required space for turning. The current arrangement would not contribute positively to the identity and character of the area and will create quite a dense and more urban form of development. Whilst this could be partly overcome by reducing the sizes of the dwellings, these would need to be significantly reduced in order to provide adequate separation to help maintain the openness of the area and prevent the frontage being dominated by hardstanding and vehicles.

7.3.7 Paragraph 127 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, this does not mean that the landscape does not provide an important setting to the existing development as discussed above. Paragraph 170 of the NPPF sets out that decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside. For the reasons set out above, it is considered that the development would have a detrimental impact on the character and appearance of the area, contrary to both local and national planning policy.

7.4 Impact on highway safety

7.4.1 A single point of access is proposed from Bay Horse Lane to serve the development. This road has a speed classification of 60mph. Visibility splays of 2 x 33 metres (north) and 2 x 120 metres (south) have been proposed. A response from the Highway Authority has not yet been received. However, in relation to the previous application at the site, they advised that the nature of the carriageway in the vicinity of the Bay Horse public house includes a significant bend thereby reducing the ability of vehicles to negotiate it at anything other than a very low speed. Therefore, the proposed splays were considered to be acceptable, although this appeared to be on the basis that the set back from the highway was 2.4 rather than 2 metres. Whilst it is unlikely that the Highway Authority will raise an objection to this, any response received will be verbally reported at the Committee meeting.

7.4.2 The Highway Authority also previously advised that the highway network in the immediate vicinity of the application site is adequate to support an increased level of vehicle movements that the development is likely to generate. However, a number of off-site highway works were requested as a result of increased frequency of pedestrian and vehicular movements along Bay Horse Lane. This included:

- Construction of an appropriate kerb line along the frontage of the site to an intervening area of grass verge retained to reduce the inappropriate verge parking and as a consequence obstruction to driver forward visibility when egressing the site;
- Erection of bollards to reduce the potential for vehicular verge parking;
- Review of street lighting arrangements in the immediate vicinity of the site's point of access;
- Highway drainage works to be undertaken in conjunction with construction of the kerb line.
- Works to influencing vehicle speeds along Bay Horse Lane at its junction with the application site to include laying of a short length of centre line, transverse Stop and Give Way thermoplastic lines.

The number of dwellings has changed, so it may be that not all these works are required in relation to this development.

7.4.3 Overall it is considered that the proposal is unlikely to have a detrimental impact on highway safety, and this should hopefully be confirmed through the response from the Highway Authority. There is sufficient space within the site for adequate turning and parking to be provided, although some of the off-site works proposed by the Highway Authority are very urban in character.

7.5 Impact on Residential amenity

7.5.1 It is considered that two dwellings could be accommodated on this site without having a detrimental impact on the amenity of neighbouring properties. The dwelling to the north, associated with the industrial site, is separated by the substation and access/yard area. The dwelling to the south, Bay Horse Cottage has a gable facing the site, but there is a strong line of trees along the boundary and it will be separated by the retained part of the field.

7.5.2 The site is located in close proximity to the West Coast Mainline railway and an industrial site. As such, a noise assessment has been submitted with the application. The noise assessment does not appear to have picked up on the commercial noise, possibly due to the monitoring location being in a more central position of the site. The Environmental Health Officer has not commented on the current proposal but did provide a response to the previous application, which would still be relevant. It was advised that it is likely that there could be noticeable noise impacts to the plot nearest the car repair shop. However, an acoustic fence of good density along the boundary with the nearest property, with an improved glazing specification to that initially recommended within the report, would be adequate to protecting the amenity of residential properties. It also requires fences to be put in place between the properties. This would not be ideal in terms of the amenity and character of the area, but most of this would probably be screened from public views.

7.6 Ecological and Tree Implications

7.6.1 An ecological appraisal has been submitted with the application and includes a desk based assessment in addition to a site visit. It sets out that the site comprises poor semi-improved grassland with hedges, fences and trees on its boundary and the improved grassland has a very low species diversity and ecological value. In relation to amphibians, the report advises that the core development area has a low value, being open and exposed. The boundary hedgerows could be utilised as refuges and/or hibernacula but there are no breeding ponds in proximity to the site. Precautionary mitigation has been advised. There are no badger setts on the site and a lack of feeding signs or runs across the site would suggest that they do not occur within 30m of site boundaries. The report states that the porosity of the surrounding fields to the passage of badgers will not be affected, and precautionary mitigation is considered appropriate.

7.6.2 In relation to bats, the hedge line to the north-west and particularly the hedge with trees to the south-west offer the best foraging habitat. Whilst these areas are the most structurally diverse, they are not considered exceptional in the local area. A bat activity survey was undertaken which recorded a pass by a common pipistrelle across the site from the north-east and one from the south-west and seven passes by common pipistrelles as they foraged over the hedge with trees at the south-west boundary. The report sets out that bat species are highly unlikely to rely on the site for feeding but they do occur in the local area and the hedge with trees ought to be retained and roosting by bats does not occur on the site. The hedgerows to the north-west and south-west offer potential habitat for feeding and nesting birds. Part of one of these hedgerows is proposed to be removed to accommodate the access, though this will not result in a significant loss of hedgerow. The improved grassland has a low potential for use by nesting birds as the grassland is grazed and as such is usually short. Precautionary mitigation has been advised.

7.6.3 In relation to other species, the risk to brown hares is considered to be low. The significance of the site to invertebrates is likely to be limited in the local context although the habitat on site will support invertebrate species. Mitigation can be incorporated into the design and landscaping scheme with the careful selection of plant species and substrates for the garden areas. The majority of the site has a very low value to reptiles being devoid of significant ground cover. There are no areas of the core development area which would be particularly favourable to reptiles. Overall it is considered that the development will not have a significant impact on biodiversity providing that mitigation is put in place. This includes precautionary mitigation, roosting provision for crevice dwelling bats, nesting sites for swallows and landscaping to improve the overall habitat. This would also help to mitigate the loss of part of the hedgerow, but would be covered under a separate landscaping condition at the reserved matters stage.

7.6.4 In relation to trees, a total of 3 individual trees (T1-T3), a single group (G1) and 2 hedges (H1 & H2) have been identified, although some of these lie outside the site boundary. H1 is comprised of a diverse range of hedgerow species, including sycamore, hazel, hawthorn, ash, blackthorn and elder

and H2 is a Leyland cypress. G1 is a group including sycamore alder, hawthorn, ash, oak and blackthorn, T1 and T2 are sycamore and T3 is an ash. The majority are in good overall condition with long periods of useful remaining life potential. With the exception of T1 and H2 the trees identified have a moderately high amenity value. Of the trees and hedges identified, all can be retained except for between 6 and 9.5 metres of H1 which is required in order to facilitate the construction of the proposed new access. Visibility splays can be met without additional hedgerow removal works. Overall it is considered that the site could be developed without a significant impact on trees and hedgerows.

8.0 Planning Obligations

8.1 There are none to consider as part of this application.

9.0 Conclusions

9.1 Whilst the site would not be 'isolated' in the terms of the NPPF, residential development of the site would conflict with the spatial strategy of the Development Plan, being divorced from most services, with a heavy reliance on private car and therefore does not form an appropriate location for residential development. The proposal would also result in an undesirable form of ribbon development along a rural road to the detriment of the character and appearance of the area. This would also be exacerbated by the existing consents on this side of Bay Horse Road. Whilst the proposal would provide two houses and would support local services to some extent, the unsustainable location and the impacts on the character and appearance of the area are considered to significantly and demonstrably outweigh the benefits of the scheme, when assessed against the Development Plan and the NPPF taken as a whole, even when applying a tilted balance towards the delivery of housing.

Recommendation

That Outline Planning Permission **BE REFUSED** for the following reasons:

1. The site is located within the open countryside, divorced from key services and facilities and as such it is considered to be unsustainable in terms of its location. There are considered to be no special circumstances, in this instance, to justify three new dwellings in this unsustainable location. The proposal is therefore contrary to the aims and objectives of the National Planning Policy Framework, in particular section 5, Policy SC1 of Lancaster District Core Strategy and Policies DM20 and DM42 of the Development Management Development Plan Document.
2. The development would result in an inappropriate form of ribbon development along this rural road within the open countryside and this would have a detrimental impact on the character and appearance of the area. It is therefore contrary to the aims and objectives of the National Planning Policy Framework, in particular Sections 12 and 15, and Policies DM28 and DM35 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 the following:

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

<p>Agenda Item</p> <p>A14</p>	<p>Committee Date</p> <p>3 June 2019</p>	<p>Application Number</p> <p>19/00456/VCN</p>
<p>Application Site</p> <p>Land south of Hala Carr Farm Bowerham Road Lancaster Lancashire</p>		<p>Proposal</p> <p>Erection of 25 dwellings and creation of a new access and access roads (pursuant to the variation of conditions 2, 4, 5, 10, 11, 12 and 17 on planning permission 18/01413/VCN to amend the list of approved plans, remove the southern footpath, and provide details of boundary treatments, landscaping scheme, surface water drainage, foul water drainage and materials)</p>
<p>Name of Applicant</p> <p>Mr Chris Middlebrook</p>	<p>Name of Agent</p>	
<p>Decision Target Date</p> <p>23 July 2019</p>	<p>Reason For Delay</p> <p>Not applicable</p>	
<p>Case Officer</p>	<p>Mr Mark Potts</p>	
<p>Departure</p>	<p>Yes</p>	
<p>Summary of Recommendation</p>	<p>Approval</p>	

(i) **Procedural Note**

The original application was deemed to be a departure from the Local Plan given the site lies within Key Urban Landscape (a locally designated protected landscape) and given this application seeks to modify conditions associated with the extant consent, it has also been advertised as a departure from the Local Plan, and therefore has to be determined by the Planning Regulatory Committee.

1.0 The Site and its Surroundings

1.1 The site is a greenfield wedge bounded by Hala Carr Farm to the north, the M6 motorway to the east and Bowerham Lane to the west. The site area is 1.76 hectares. The site slopes from the east (the M6 boundary is at 84 metres Above Ordnance Datum (AOD) to the west (Bowerham Lane is at 71 metres AOD) and is more pronounced towards the north. The northern boundary comprises a section of stone wall and hawthorn on the boundary with Hala Carr Farm and the eastern boundary comprises a post and wire fence on the open boundary of the M6. The southern boundary is bounded by a small but mature mixed woodland copse and the western boundary with Bowerham Road comprises an overgrown predominately hawthorn hedgerow. The site has now been stripped to facilitate development but previously consisted of coarse grassland which had been colonised around the edges by blackthorn, gorse, bramble and bracken. There is an existing belt of trees punctuated by an access gate on the boundary to Bowerham Lane. These trees screen the site from existing 2 storey residential properties fronting the western side of Bowerham Lane. There are also existing hedgerows on the boundary to Hala Carr Farm and part of the boundary with the M6 motorway.

1.2 The site does not benefit from any statutory nature conservation or landscape designation, with the Forest of Bowland Area of Outstanding Natural Beauty (AONB) being located 1.5km to the west and Morecambe Bay Ramsar Site, Special Protection Area (SPA), Site of Special Scientific Interest (SSSI) and Special Protection Area (SPA) being located 2.5km to the west of the application site.

An existing water trunk main enters the site from under the M6 (at a point opposite the junction of Bowerham Lane and Sandown Road) and exits the site to the south of Hala Carr Farm. The site is allocated as Key Urban Landscape and as a Woodland Opportunity Site in the adopted Local Plan; within the emerging plan the land is allocated as Urban Setting Landscape.

2.0 The Proposal

2.1 This planning application seeks to modify conditions associated with an approved planning consent. The changes that are proposed consist of the below;

Condition 2 - *Development in accordance with the approved plans* – Amendments to the layout to provide for the amendment to landscaping;

Condition 4 – *Off-site highway works* – Modifications to the condition to remove the need for southern pedestrian access point after further discussions with County Highways;

Condition 5 – *Building Materials for Boundary treatments* – Approval of the retaining wall material to be a brick Terca Oakwood;

Condition 10 – *Landscaping scheme* – To provide for the replacement planting in relation to the southern access point;

Condition 11 – *Surface Water Drainage Proposals* – Amendments to the surface water drainage proposals in line with the agreement from United Utilities;

Condition 12 – *Foul Water Proposals* – Amendments to the foul water drainage proposals to be in line with the Section 104 Agreement from United Utilities;

Condition 17 – *Facing Building Materials* – Amendments to the condition to change K-Rend Buttermilk to K-Rend Champagne and amendment to the brickwork from Terca Gainsborough Multistock to Terca Oakwood.

3.0 Site History

3.1 Planning permission was approved on appeal (APP/A2335/W/18/3195605) in June 2018 for 25 dwelling houses, creation of a new vehicular access and associated roads within the site (16/01551/FUL). The original application was recommended approval by Officers, but refused by Councillors. The parent consent was varied in 2019 under application 18/01413/VCN and this was issued in March 2019.

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objection
Highways England	No objection
Lead Local Flood Authority	No observations received within the statutory timescales
United Utilities	No observations received within the statutory timescales
Tree Protection Officer	No observations received within the statutory timescales

5.0 Neighbour Representations

5.1 There has been **one** letter of representation received raising the points below;

- No objection to the drainage assuming the run off rate remains the same at 9 l/s and that the removal of the southern footpath and pedestrian access along on the southern extent of the site is a good idea but would have wished for more mature, instant planting.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

The National Planning Policy Framework indicates that the purpose of the planning system is to contribute to the achievement of sustainable development. At the heart of the NPPF is a presumption in favour of sustainable development (Paragraph 11). The following sections of the NPPF are relevant to the determination of this proposal.

Section 4 – Decision making;
Section 5 – Delivering a sufficient supply of homes;
Section 8 – Promoting healthy and safe communities;
Section 9 – Promoting sustainable transport;
Section 12 – Achieving well designed places;
Section 15 – Conserving and enhancing the natural environment;

6.2 Local Planning Policy Overview – Current Position

On 15 May 2018, and in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), Lancaster City Council submitted the following documents to the Secretary of State (Planning Inspectorate) for examination:

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

The Examination Hearing Sessions commenced on 9 April 2019.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual ‘saved’ land allocation policies from the 2004 District Local Plan.

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

Given the current stage of both DPDs, it is considered that significant weight can be attributed to the policies contained therein subject to the extent to which there are unresolved objections to the relevant policies and their consistency with the National Planning Policy Framework.

6.3 Lancaster District Local Plan (saved policies)

E27 – Woodland Opportunity Areas
E31 – Key Urban Landscape

6.4 Lancaster District Core Strategy

SC1 – Sustainable Development
SC2 – Urban Concentration
SC4 – Meeting the District’s Housing Requirements

6.5 Development Management DPD

DM20 – Enhancing Accessibility and Transport Linkages
DM21 – Walking and Cycling
DM22 – Vehicle Parking Provision
DM23 – Transport Efficiency and Travel Plans
DM26 – Open Space, Sports and Recreational Facilities
DM27 – Protection and Enhancement of Biodiversity
DM28 – Development and Landscape Impact
DM29 – Protection of Trees, Hedgerows and Woodland

DM35 – Key Design Principles
DM36 – Sustainable Design
DM37 – Air Quality Management and Pollution
DM38 – Development and Flood Risk
DM39 – Surface Water Run-off and Sustainable Drainage
DM41 – New Residential Dwellings

7.0 Comment and Analysis

The main considerations with this application are noted below:

- Highways
- Drainage proposals
- Building materials
- Landscaping

7.1.1 The site benefits from planning consent under application 16/01551/FUL, which was amended in March 2019 under application reference 18/01413/VCN. The application before Councillors is solely seeking to modify the requirements of the planning consent and therefore amending the wording of these planning conditions. Development commenced on site in March 2019 and the drainage infrastructure is currently being installed. A road closure is currently in place on Bowerham Lane whilst the connection point to the main sewer is being installed.

7.2 Highways

7.2.1 From a highway perspective the scheme seeks to remove the southern-most pedestrian access which would have been located outside the apartment block (Plots 22-25). Discussions between the developer and the Case Officer occurred in advance of this planning application being submitted. It was considered that whilst having a route may be beneficial, given all the major services are located to the north of the application site (such as the schools, bus stops and Bowerham Local Centre) the southern access was likely to be utilised very infrequently. County Highways are amenable to this removal as is the Case Officer. There is a gap in the hedgerow that has been created to facilitate the pedestrian access and plans have been shared which proposes replanting this section, which is supported by Officers.

7.3 Drainage Proposals

7.3.1 There have been some changes to the drainage proposals following further discussions with United Utilities (UU). A Section 104 Agreement is entered into by a developer when constructing new dwellings and the developer applies to UU requesting for the sewers to be adopted and therefore maintained at UU's expense. It is for this reason why there has been an amendment to the drainage scheme.

7.3.2 The applicant has stated that the UU's technical approval team for the Section 104 Agreement could not support the surface water drainage design. The initial design utilised pipe storage in the main road (adoptable) and attenuation under driveways (non-adoptable). Whilst the system in total was able to take a 1 in 100 year storm event, UU insists that the adoptable system be capable of taking at least a 1 in 30 year storm event by itself. This could not be achieved based on the current design.

7.3.3 The applicant states that the final design has now approved by UU and this was to install oversize pipes up to 1500mm in diameter under the road and remove the attenuation under the driveways. This has meant that the foul and surface water pipes have also had to swap sides in the road. Comments are still awaited from UU but the applicant states that the Section 104 package of works has been approved by UU's S104 design team and also UU's team responsible for looking after the water main on site. The applicant also states that the revised drawings have been shared with Lancashire County Council (the LLFA) and they have approved the Section 38 drawings based on this drainage design (this relates to the highway adoption).

7.3.4 Applications should be determined in a timely manner as prescribed by Central Government and this application is offered support on the basis of no objection from UU, who have at the time of drafting this Committee report yet to provide formal comments on the application. The surface water drainage scheme essentially achieves a similar goal compared to the previous iteration of the

approved scheme. Comments are still expected from the County Council as Lead Local Flood Authority (LLFA) and should these be received in advance of Committee, Councillors will be updated verbally. Comments are also expected on the foul water arrangements which have been tweaked to account of UU's Section 104 changes.

7.4 Building Materials

7.4.1 The applicant has applied to amend the palette of approved materials on the site which seeks to modify the approved brick from a Terca Gainsborough Multistock to a Terca Oakwood, in essence the bricks are very similar. Red brick is not traditionally used within the District but is within this area of Bowerham, so is in keeping with the locality. The applicant also seeks to modify the render from a buttermilk to a champagne. Officers have no concerns with the change, and it is considered to complement the brick. These changes are minor and can be supported by Officers.

7.5 Landscaping

7.5.1 The applicant has amended the landscaping scheme to account for the re-introduction of planting adjacent to 290 and 288 Bowerham Lane. Officers have no concerns with the re-introduction of the planting though consider that this should be undertaken in the first available planting season September 2019 to March 2020, which would assist with the visual amenity of the area and also the residents who live adjacent. Concern has been raised by a local resident regarding whether more specimen trees could be added. There is some merit in the residents suggestion, but Officers consider that the submission is proportionate to what is being applied for.

8.0 Planning Obligations

8.1 The extant Section 106 Agreement still applies and consequently there is no need for a deed of variation against the original consent.

9.0 Conclusions

9.1 The changes proposed by the application are relatively modest, and are in the spirit of the original consent. It is recommended to Councillors that the scheme is approved on the proviso that United Utilities confirm in writing that the proposed drainage scheme is acceptable. The removal of the southern pedestrian access is considered acceptable on the basis that the hedgerow that has been removed to facilitate this is re-instated within the first available planting season. All other changes are minor and supported. It is recommended to Councillors to support the applicant's proposals on the basis of no objection from United Utilities.

Recommendation

That subject to no objection from United Utilities, this Section 73 planning application to vary conditions 2, 4, 5, 10, 11, 12 and 17 associated with planning permission 18/01413/VCN **BE GRANTED** subject to the following proposed conditions:

1. Development in accordance with approved plans;
2. Development in accordance with approved access detail;
3. Offsite highway works in accordance with the approved plans;
4. Boundary treatments;
5. Development in accordance with the approved measures within the noise mitigation document;
6. Vegetation clearance;
- 7.. Landscaped bund in accordance with approved documents
8. Development in accordance with the submitted Arboricultural Implications Assessment
- 9.. Development in accordance with the approved landscaping scheme
10. Surface water drainage scheme implementation
11. Foul water drainage scheme
12. Garages and parking to be provided in full
13. Finished floor levels
14. Approved visibility splays
15. Removal of Permitted Development rights
16. Approved building materials
17. Protection of the water main protection

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 has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the 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

<p align="center">Agenda Item</p> <p align="center">A15</p>	<p align="center">Committee Date</p> <p align="center">3 June 2019</p>	<p align="center">Application Number</p> <p align="center">19/00245/VCN</p>
<p align="center">Application Site</p> <p>Whittington Farm Main Street Whittington Carnforth</p>		<p align="center">Proposal</p> <p>Outline application for the erection of 18 dwellings with associated access and change of use of barn to a mixed use comprising a dwelling (C3) and a shop/tearoom (A1/A3) and Relevant Demolition of the existing agricultural buildings (pursuant to the variation of conditions 2 and 13 on planning permission 16/00397/OUT to alter the site layout and remove the play area)</p>
<p align="center">Name of Applicant</p> <p align="center">Mr John Simm</p>		<p align="center">Name of Agent</p>
<p align="center">Decision Target Date</p> <p align="center">12 June 2019</p>		<p align="center">Reason For Delay</p> <p align="center">Not applicable</p>
<p>Case Officer</p>		<p>Mr Mark Potts</p>
<p>Departure</p>		<p>Yes</p>
<p>Summary of Recommendation</p>		<p>Approval</p>

1.0 The Site and its Surroundings

- 1.1 The application site relates to a 0.9 hectare parcel of land currently used as a working dairy farm consisting of an array of agricultural buildings, slurry pits and silos. The majority of the site is surfaced in tarmac and concrete. The proposed development is centrally located within the village of Whittington and is approximately 2.5km from Kirkby Lonsdale town centre.
- 1.2 The neighbouring uses comprise residential to the north, west and south with open countryside being located to the east. The majority of these properties are traditional in appearance, and consist of detached, terraced and semi-detached properties. The site is relatively level at approximately 45 metres Above Ordnance Datum (AOD), though there is a significant fall to the south which is outside the application boundary.
- 1.3 The proposed development is located within the Whittington Conservation Area. A Grade II listed building is located within the site (Wayside), with the Listed Whittington Farmhouse and Barn falling just beyond the site's southern boundary. There is a Public Right of Way (Footpath 6) that runs the length of the north east boundary of the site. The site is allocated under the adopted Local Plan as "Open Countryside".

2.0 The Proposal

- 2.1 Outline planning consent (which approved matters of scale, layout, appearance and access) was granted in September 2016. The new build element of the scheme consisted of the erection of four-2 bedroom houses, eleven 3-bedroom houses and four 4-bedroom houses. The approved units consist of terraced, semi-detached and detached properties. In terms of the conversion element, this was for a barn conversion to form a shop/café together with a 3 bedroom semi-detached property. The proposed dwellings were all two storeys in height and would be finished in natural

stone under slate roofs with painted timber windows and doors. The consented scheme provided for open space and also an equipped play area, together with amendments to the access.

2.2 This planning application proposes the erection of 18 residential dwellings and the applicant is proposing 7 different house types and also the conversion of the existing barn to a residential dwelling (the three bedroom barn). The shop/café element remains consistent with the approved scheme.

The scheme proposes the following breakdown of dwelling sizes;

- Two – 2 bedroom semi-detached dwellings;
- Eight – 3 bedroom semi-detached and detached dwellings;
- Eight – 4 bedroom detached dwellings;
- One – 3 bedroom barn.

The mix of materials includes stone, render, slate and windows to be timber/uPVC. Boundary treatments are proposed to be beech hedgerows.

3.0 Site History

3.1 The most relevant planning history is the outline planning consent associated with the scheme as noted below.

Application Number	Proposal	Decision
19/00406/REM	Reserved matters application (consisting of landscaping only) for the demolition of existing buildings, erection of 18 dwellings, change of use of barn to a mixed use comprising a dwelling (C3) and a shop/tearoom (A1/A3) and associated landscaping.	Pending Consideration
18/01224/VCN	Outline application for the erection of 18 dwellings with associated access and change of use of barn to a mixed use comprising a dwelling (C3) and a shop/tearoom (A1/A3) and Relevant Demolition of the existing agricultural buildings (pursuant to the variation of conditions 2 and 13 on planning permission 16/00397/OUT to alter the site layout and remove the play area)	Refused
16/00399/LB	Listed building application for internal and external alterations to facilitate the change of use of barn to a mixed use comprising of a dwelling and shop/tearoom and removal of the site entrance walls	Granted
16/00397/OUT	Outline application for the erection of 18 dwellings with associated access and change of use of barn to a mixed use comprising a dwelling (C3) and a shop/tearoom (A1/A3) and Relevant Demolition of the existing agricultural buildings	Granted

4.0 Consultation Responses

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

Consultee	Response
Conservation Officer	No Objection to the amendments.
Historic England	No Observations received within the statutory timescales
County Highways	No objection on the understanding that the footway along the frontage of plot 19 is upgraded to 1.8m.
Public Realm	No Observations received within the statutory timescales

Whittington Parish Council	No Observations received within the statutory timescales
Lancashire Police	No Observations received within the statutory timescales
Lead Local Flood Authority	No Observations received within the statutory timescales
Tree Officer	No Objection
Fire Service	No Observations received within the statutory timescales
Lancashire County Specialist Advisory Services	No Observations received within the statutory timescales
Ramblers Association	No Observations received within the statutory timescales
Contaminated Land Officer	No Observations received within the statutory timescales
Greater Manchester Ecology Unit	No Objection

5.0 Neighbour Representations

5.1 There has been **two letters** of objection received based on the below;

- Concerns over the loss of amenity to existing dwellings, primarily those on Crosslands;
- The landowner has raised some concerns associated with whether the correct certificates have been served.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

The National Planning Policy Framework indicates that the purpose of the planning system is to contribute to the achievement of sustainable development. The following sections of the NPPF are relevant to the determination of this proposal.

Section 4 – Decision making;
 Section 5 – Delivering a sufficient supply of homes;
 Section 8 – Promoting healthy and safe communities;
 Section 9 – Promoting sustainable transport;
 Section 12 – Achieving well designed places;
 Section 15 – Conserving and enhancing the natural environment;
 Section 16 – Conserving and enhancing the historic environment;

6.2 Local Planning Policy Overview – Current Position

On 15 May 2018, and in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), Lancaster City Council submitted the following documents to the Secretary of State (Planning Inspectorate) for examination:

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

The Examination Hearing Sessions commenced on 9 April 2019.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan.

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

Given the current stage of both DPDs, it is considered that significant weight can be attributed to the policies contained therein subject to the extent to which there are unresolved objections to the relevant policies and their consistency with the National Planning Policy Framework.

6.3 Development Management DPD

DM20 – Enhancing Accessibility and Transport Linkages
DM21 – Walking and Cycling
DM22 – Vehicle Parking Provision
DM26 – Open Space, Sports and Recreational Facilities
DM27 – Protection and Enhancement of Biodiversity
DM28 – Development and Landscape Impact
DM29 – Protection of Trees, Hedgerows and Woodland
DM30 – Development affecting Listed buildings
DM31 – Development Affecting Conservation Areas
DM32 – The Setting of Designated Heritage Assets
DM33 – Development affecting Non-designated heritage assets
DM34 – Archaeology and Scheduled Monuments
DM35 – Key Design Principles
DM38 – Development and Flood Risk
DM39 – Surface Water Run-off and Sustainable Drainage
DM41 – New Residential dwellings
DM42 – Managing Rural Housing Growth
DM48 – Community Infrastructure

6.4 Lancaster Core Strategy (2008)

SC1 – Sustainable Development
SC4 – Meeting the District's Housing Requirements
SC5 – Design

6.5 Lancaster Local Plan

Policy E4 – Open Countryside

6.6 Other Material Considerations

- National Planning Practice Guidance;
- Meeting Housing Needs Supplementary Planning Document;
- Lancaster City Council 2018 Strategic Housing Land Availability Assessment 2018.

7.0 Comment and Analysis

7.1 This application to vary conditions associated with the extant consent requires the following matters to be considered:

- Principle of Development;
- Layout and Scale Considerations;
- Heritage;
- Amenity Consideration;
- Highways;
- Drainage Matters;
- Open Space (including equipped play equipment);
- Natural Environment.

7.1 Principle of Development

7.1.1 Outline planning permission was granted in 2016 (16/00397/OUT) for the erection of 18 dwellings, including the change of use of a barn to a dwelling and also the provision of a shop/tearoom. The development is within the Whittington Conservation Area, and therefore as part of the outline consent, the applicant applied for matters of scale, appearance, layout and access. The original scheme was deemed a departure from the Development Plan on the basis that Whittington was not

an identified village for a development of the size proposed. Officers recommended support for the scheme on the basis of the high quality house types proposed and high quality layout and landscaping, the provision of much needed public open space in the village and the contribution of a shop/café. Whilst Officers had reservations regarding the location based on sustainability concerns, on balance it was considered that the development was complementary to the Conservation Area, and also secondly the social and economic benefits of the scheme allowed Officers to recommend support; a conclusion that was also reached by the Planning Committee. This application is made under Section 73 of the Town and Country Planning Act that seeks to amend the layout, house types and also remove the equipped play area that was included as part of the scheme.

7.1.2 The applicant asserts that the farm has been marketed from some time through two local estate agents without success (on the basis of the existing planning consent). Due to this, a revised viable alternative is proposed so that the affordable dwellings can be realised within the village. Officers do understand that the site has been marketed for a period of time, but this may well be associated with the land value associated with the site. Notwithstanding this, it is for Councillors to determine whether the amended scheme which consists of layout and design changes, is acceptable or not.

7.2 Layout, Design and Heritage Impacts

7.2.1 A similar application was refused by the Local Planning Authority in January 2019, namely as a result of the proposed house types, which in the opinion of Officers could have been substantially improved on. The applicant has worked proactively with Officers on changes to the house types and in the opinion of Officers this has been beneficial to the overall design. It is the case that the layout remains relatively unchanged from the refused application but there have been a number of alterations to the design of the properties to break up the massing such as with the Coniston house type. That said, it is difficult to avoid a layout which will create a suburban development within a cul-de-sac arrangement, which will cause a degree of harm to the significance and character of the Conservation Area.

7.2.2 Officers are pleased to note that the house types have been significantly amended, particularly with alterations to the roofscapes, which will better reflect the surrounding built heritage. The changes to the Sandown, Coniston and Huntington house types now have more synergies with the local architectural styles. During the course of the determination period there have been some amendments to the roof pitch of the double garage to better reflect the pitch of the houses that it will be situated within the grounds of the Sunningdale and Huntington house types.

7.2.3 Previously there was some concern regarding materials, and via pre-application discussions more stone facing within the development would be used which will be an improvement as it will assist in respecting the built heritage that surrounds the site such as non-designated heritage assets and listed buildings. The change is most notable on the gateway into the site (the Coniston house type). There is still a little confusion concerning the extent of stone facing, and the applicant has been asked to narrate a plan detailing which elevations will be in stone. The applicant has suggested either painted wood, or uPVC windows. However, given the location of the site, timber windows are required and can be conditioned as such. Boundary details on the whole are acceptable, though the rear boundary to the barn should be amended to either stone or natural green screening, but this can be secured by planning condition.

7.2.4 Officers consider that the amended application would enhance the Conservation Area's significance. With respect to the impact on the two Grade II Listed buildings that essentially frame the view of the site, the amendments that have been made go some way to mitigate the impact although some harm would occur. It is considered the development adheres to Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policies DM31 and DM32 of the Development Management DPD, and whilst there is harm this is considered to be less than substantial.

7.3 Amenity Considerations

7.3.1 Whilst concern has been raised with respect to loss of privacy for off-site dwellings, namely for those residents on Crosslands, separation distances are in excess of the 21 metres between windows. Internally within the scheme, the separation distances between dwelling houses do feel in some places quite close. The layout does appear overly intensive in the south western corner, but for the

remainder of the site it is considered that amenity would not be compromised. Whilst it is quite dense, it is not considered overly so that it would warrant an objection, and there are parts of the village which adopt similar characteristics.

7.3.2 Access is afforded to the Public Right of Way that runs to the north east of the site and the applicant proposes this to be a 2 metre wide footway bound by hedgerow which would connect to the Public Right of Way (Footpath no 6) via a stile gate. The connection is a positive element, and welcomed by Officers. Boundary treatments were exclusively close boarded fencing but have since been amended to stone walls and hedgerow.

7.4 Highways

7.4.1 The application in essence seeks to provide a new access into the site and would utilise an access akin to that approved as part of the 2017 consent. Compared to the consented scheme the internal access has a much straighter alignment. Some concerns were previously raised by County Highways, such that swept path analysis is required to show that a refuse vehicle can enter and turn within the turning heads and exit in a forward gear, and concern that internal footways have been omitted and replaced in part with service verges. There are some concerns regarding plot 5, and plots 15-18 over the service strips, and there are some concerns that the boundary wall of plot 19 falls within the service strip. The applicant has amended the proposal in line with the comments from County Highways and comments are awaited from the Highway Authority in this regard.

7.5 Drainage Matters

7.5.1 The application proposal has a roof area of circa 2,250 sq. m. and non-permeable roads in the region of 1,150 sq. m. It is proposed to drain the site via the use of soakaways and this follows on from the concept that was considered as appropriate as part of the outline planning consent (whereby the authority insisted that site investigation works were undertaken to ensure the site could be drained given the layout being applied for). The observations of the Lead Local Flood Authority (LLFA) were provided previously who raised no objection to the development. In terms of foul water, United Utilities require that the foul water for the site be gravity fed into the main sewer in the highway via a new 150mm pipe and not the existing 100mm sewer already serving the site. The applicant therefore proposes a new 150mm sewer be brought across the site to serve the development. The rationale for increasing to a 150mm pipe is that a 100mm pipe could cause foul water flooding within the site; something all parties would wish not to occur.

7.6 Open Space

7.6.1 One of the key benefits of the scheme previously was the inclusion of an equipped play area. It should be emphasised that there was no policy requirement for the play area, and whilst Officers felt last time it was a little cramped, it was an element of the scheme that was afforded significant weight. Officers worked with the applicant on the consented scheme given there was no provision locally for equipped open space, and this remains the same today. The loss of the equipped open space is a significant weakness of the scheme.

7.6.2 The applicant has stated that the play area would require the Estate Management Company to take on the ongoing running and maintenance. The applicant considers it would not be reasonable or fair on the purchasers of the new properties to have to fund the management of the equipped play area. Whilst there is some merit in the applicant's ascertains, it is now quite standard practice for non-adopted infrastructure such as roads, drainage and open space to be funded via a management charge. Whilst they have liaised with the Parish Council as to whether they would take on the liability associated with this, it is still unclear as to whether a commuted sum could be provided to the Parish Council. From experience on the proposal in 2016, even if there was desire for the Parish to provide such a facility it was hampered by no land to do so. This was a view expressed verbally by the Public Realm Development Manager. Open space is still proposed in quite a central location, as well as around the site entrance. The loss of the equipped play area is a significant weakness of the scheme, but overall complies with the level of provision of open space that would be required of a development of this size.

7.6.3 Given there is no policy position that warrants the inclusion of equipped play area, there is no deviation from the adopted policy position on this. Open space has been provided on site, in quite a central location with an area of circa 300sq.m, together with smaller areas of open space being

provided along the entrance into the site which could be informally used for seating areas. Overall the quantum of open space provided is appropriate. Nevertheless, the loss of the equipped play area remains a significant weakness of the scheme, given the environmental and social benefits that would arise from it.

7.7 Natural Environment

7.7.1 The trees that should be removed to facilitate the development should only be T1, T2 and T5 with the retention and protection of T3, T4, G1 and H1-H3. This will be clarified with the applicant and Councillors updated verbally but this was in line with the approved outline planning consent from 2016. As part of the outline planning consent there was a requirement for an additional bat survey to be undertaken if works were delayed on the site beyond 2017. An amended bat survey was submitted in September 2018 and it was concluded that given it was undertaken at an appropriate time of year there was no reason to doubt the findings of the assessment. Greater Manchester Ecology Unit raises no objection to the application.

7.8 Other Matters

7.8.1 A contaminated land assessment was submitted to the Council in support of the discharge of conditions application, and this has been reviewed by the contaminated land officer who in turn considers that some further investigative works will be required. Therefore it is considered necessary and appropriate to impose a planning condition which serves to deal with unexpected land contamination.

7.8.2 Concern has been expressed by the land owner that the required notice had not been served by the applicant. Assurance has been provided on this matter and it is clear that the applicant is aware of the planning application.

8.0 Planning Obligations

8.1 A Section 106 agreement is associated with the extant consent and the provisions of this agreement will still apply. The applicant has committed to providing the same quantum of affordable housing as per the outline planning consent and this continues to be welcomed in meeting the needs of this rural parish and critically adding to the vitality of the village. All other obligations such as the provision of tea room and shop remain as per the extant agreement.

9.0 Conclusions

9.1 The original scheme was a departure from the local plan, but Officers felt that they could offer support for it based on high quality design, provision of much needed affordable homes, provision of open space, and the provision of the shop and tea rooms. Officers welcome the re-development of the site as it is accepted that the scale, materials and dilapidated condition of the modern buildings mean that they detract from the character of the Conservation Area. However, the proposed scheme has to make a positive contribution to the character of the Conservation Area and improve the setting of the surrounding buildings. The applicant has undertaken a number of design changes to the dwelling types which now leads Officers to be able to offer support for the scheme, albeit Officers prefer the original scheme.

Recommendation

That this Section 73 planning application **BE GRANTED** subject to the following conditions:

1. Timescales (reserved matters to be submitted no later than 1 September 2019);
2. Approved plans;
3. Programme of archaeological recording;
4. Construction Method Statement;
5. Tree protection measures and Arboricultural Method Statement;
6. Contaminated land assessment;
7. Access details;
8. Surface water drainage scheme;
9. Management of surface water;
10. Foul water disposal;

11. Building materials;
12. Open space management and maintain;
13. Offsite highway improvements;
14. Development in accordance with Arboricultural Implications Assessment;
15. Car parking implementation;
16. Hours of construction;
17. Shop and café hours;
18. Shop/café restrictions;
19. Removal of Permitted Development rights;
20. Garage use restriction;
21. Bat roost potential;
22. Visibility splays

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 has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the 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.

Agenda Item A16	Committee Date 3 June 2019	Application Number 19/00406/REM
Application Site Whittington Farm Main Street Whittington Carnforth	Proposal Reserved matters application (consisting of landscaping only) for the demolition of existing buildings, erection of 18 dwellings, change of use of barn to a mixed use comprising a dwelling (C3) and a shop/tearoom (A1/A3) and associated landscaping.	
Name of Applicant Mr Edward Mackereth	Name of Agent Mrs Fiona Tiplady	
Decision Target Date 4 July 2019	Reason For Delay Not applicable	
Case Officer	Mr Mark Potts	
Departure	Yes	
Summary of Recommendation	Approval	

1.0 The Site and its Surroundings

- 1.1 The application site relates to a 0.9 hectare parcel of land currently used as a working dairy farm consisting of an array of agricultural buildings, slurry pits and silos. The majority of the site is surfaced in tarmac and concrete. The proposed development is centrally located within the village of Whittington and is approximately 2.5km from Kirkby Lonsdale town centre.
- 1.2 The neighbouring uses comprise residential to the north, west and south with open countryside being located to the east. The majority of these properties are traditional in appearance, and consist of detached, terraced and semi-detached properties. The site is relatively level at approximately 45 metres Above Ordnance Datum (AOD), though there is a significant fall to the south which is outside the application boundary.
- 1.3 The proposed development is located within the Whittington Conservation Area. A Grade II listed building is located within the site (Wayside), with the Listed Whittington Farmhouse and Barn falling just beyond the site's southern boundary. There is a Public Right of Way (Footpath 6) that runs the length of the north east boundary of the site. The site is allocated under the adopted Local Plan as "Open Countryside".

2.0 The Proposal

- 2.1 Outline planning consent (which approved matters of scale, layout, appearance and access) was granted in September 2016. The new build element of the scheme consisted of the erection of four-2 bedroom houses, eleven 3-bedroom houses and four 4-bedroom houses. The approved units consist of terraced, semi-detached and detached properties. In terms of the conversion element, this was for a barn conversion to form a shop/café together with a 3 bedroom semi-detached property. The proposed dwellings were all two storeys in height and would be finished in natural stone under slate roofs with painted timber windows and doors. The consented scheme provided for open space and also an equipped play area, together with amendments to the access.

2.2 The application seeks to apply for the only outstanding reserved matter which is landscaping across the site which includes the provision of 15 new trees, domestic hedging and shrub planting.

3.0 Site History

3.1 The relevant site history is noted below

Application Number	Proposal	Decision
19/00245/VCN	Outline application for the erection of 18 dwellings with associated access and change of use of barn to a mixed use comprising a dwelling (C3) and a shop/tearoom (A1/A3) and Relevant Demolition of the existing agricultural buildings (pursuant to the variation of conditions 2 and 13 on planning permission 16/00397/OUT to alter the site layout and remove the play area)	Pending Consideration
18/01224/VCN	Outline application for the erection of 18 dwellings with associated access and change of use of barn to a mixed use comprising a dwelling (C3) and a shop/tearoom (A1/A3) and Relevant Demolition of the existing agricultural buildings (pursuant to the variation of conditions 2 and 13 on planning permission 16/00397/OUT to alter the site layout and remove the play area)	Refused
16/00399/LB	Listed building application for internal and external alterations to facilitate the change of use of barn to a mixed use comprising of a dwelling and shop/tearoom and removal of the site entrance walls	Granted
16/00397/OUT	Outline application for the erection of 18 dwellings with associated access and change of use of barn to a mixed use comprising a dwelling (C3) and a shop/tearoom (A1/A3) and Relevant Demolition of the existing agricultural buildings	Granted

4.0 Consultation Responses

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

Consultee	Response
Tree Protection Officer	No Objection
Whittington Parish Council	Supports the application.
Public Realm Officer	No Observations received within the statutory timescales
Conservation Officer	No Observations received within the statutory timescales

5.0 Neighbour Representations

5.1 No representations have been received.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

The National Planning Policy Framework indicates that the purpose of the planning system is to contribute to the achievement of sustainable development. At the heart of the NPPF is a presumption

in favour of sustainable development (Paragraph 11). The following sections of the NPPF are relevant to the determination of this proposal.

Section 4 – Decision making;
Section 5 – Delivering a sufficient supply of homes;
Section 8 – Promoting healthy and safe communities;
Section 9 – Promoting sustainable transport;
Section 12 – Achieving well designed places;
Section 15 – Conserving and enhancing the natural environment;
Section 16 – Conserving and enhancing the historic environment;

6.2 Local Planning Policy Overview – Current Position

On 15 May 2018, and in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), Lancaster City Council submitted the following documents to the Secretary of State (Planning Inspectorate) for examination:

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

The Examination Hearing Sessions commenced on 9 April 2019.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual ‘saved’ land allocation policies from the 2004 District Local Plan.

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

Given the current stage of both DPDs, it is considered that significant weight can be attributed to the policies contained therein subject to the extent to which there are unresolved objections to the relevant policies and their consistency with the National Planning Policy Framework.

6.3 Development Management DPD

DM20 – Enhancing Accessibility and Transport Linkages
DM21 – Walking and Cycling
DM22 – Vehicle Parking Provision
DM26 – Open Space, Sports and Recreational Facilities
DM27 – Protection and Enhancement of Biodiversity
DM28 – Development and Landscape Impact
DM29 – Protection of Trees, Hedgerows and Woodland
DM30 – Development affecting Listed buildings
DM31 – Development Affecting Conservation Areas
DM32 – The Setting of Designated Heritage Assets
DM33 – Development affecting Non-designated heritage assets
DM34 – Archaeology and Scheduled Monuments
DM35 – Key Design Principles
DM38 – Development and Flood Risk
DM39 – Surface Water Run-off and Sustainable Drainage
DM41 – New Residential dwellings
DM42 – Managing Rural Housing Growth
DM48 – Community Infrastructure

6.4 Lancaster Core Strategy (2008)

SC1 – Sustainable Development
SC4 – Meeting the District’s Housing Requirements
SC5 – Design

6.5 Lancaster Local Plan

Policy E4 – Open Countryside

6.5 Other Material Considerations

- National Planning Practice Guidance;
- Meeting Housing Needs Supplementary Planning Document;
- Lancaster City Council 2018 Strategic Housing Land Availability Assessment 2018.

7.0 Comment and Analysis

7.1 The original application was in outline form (16/00397/OUT). However, given its location within the Whittington Conservation Area the local authority insisted that matters associated with layout, appearance, scale and access had to be determined as part of the outline consent to ensure that there was confidence that the scheme would not be harmful to the Conservation Area. The only matter for consideration as part of this reserved matters application concerns the landscaping for the development given all the other reserved matters have been approved as part of the original grant of consent in 2016.

7.3 Councillors will note that agenda item A14 which relates to a Section 73 application associated with amendments to house types and the omission of the equipped play area (19/00245/VCN) in relation to the outline planning consent 16/00397/OUT is being considered alongside this application. This is being brought forward by a private developer and not the landowner (as is the case for this planning application). The two are very different, and members have to judge each application on their own merits. There are a number of planning conditions relating to the outline planning consent, and some of these have been agreed under separate discharge of condition applications and some will need to be resubmitted.

7.3 With respect to the reserved matters application for landscaping the scheme proposes 15 new standard trees and a range of shrubs and hornbeam hedging (which would be part of the boundary treatments between the dwelling houses) and the species selected are all acceptable. The applicant has provided a range of management practices to ensure that the landscaping is successful and complementary to the Conservation Area. On the basis that the landscaping is implemented in full by no later than the occupation of the last remaining dwelling house, the landscaping element of the reserved matters can be considered acceptable and is supported by Officers. The Council's Tree Officer has no objection to the reserved matters submission.

8.0 Planning Obligations

8.1 A Section 106 Agreement is applicable to the outline planning consent which sets out the affordable housing requirements; provision of the shop/team room, restricting the provision of additional agricultural buildings and the setting up of a site management company. There is no need to amend this as part of this reserved matters application as the obligations would remain in force.

9.0 Conclusions

9.1 The landscaping proposed by the applicant is considered to be complementary to the development, and whilst quite modest in scale will help soften the proposal in light of the site's location within the Whittington Conservation Area. It is recommended to Councillors this reserved matters application is supported subject to the conditions noted below.

Recommendation

The Reserved Matters relating to landscaping only **BE GRANTED** subject to the following conditions:

1. Timescales;
2. Approved plans;
3. Implementation of the soft landscaping and long term protection

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 has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the 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.

LIST OF DELEGATED PLANNING DECISIONS

LANCASTER CITY COUNCIL

APPLICATION NO	DETAILS	DECISION
17/01446/FUL	Land Off Sycamore Road, Brookhouse, Lancashire Erection of 3 dwellings and associated access road (substitution of house types on plots 1, 2 and 3) for Oakmere Homes (Lower Lune Valley Ward 2015 Ward)	Application Permitted
18/00107/VLA	Luneside West Development Site, Thetis Road, Lune Business Park Variation of legal agreement attached to planning permission 10/00660/FUL and 14/01204/FUL to allow for a varied mortgagee in possession clause relating to shared ownership units 17-28 and 41-44 for Redrow Homes Limited (Marsh Ward 2015 Ward)	Application Permitted
18/00922/VCN	Stone Bank Barn, Adjacent To Main Street, Cockerham Conversion of agricultural barn to two 4-bed residential dwellings (C3), change of use of agricultural land to domestic curtilage, excavation of site levels erection of a single storey side extension, erection of a detached double garage and store and creation of an access track (pursuant to the variation of conditions 2, 3, 4, 5, 6, 8, 9 and 13 on planning permission 15/00270/CU to amend the approved plans and agree details) for Mr Mark Drinkall (Ellel Ward 2015 Ward)	Application Permitted
18/01336/FUL	Glasson Basin Marina, School Lane, Glasson Dock Erection of a portal frame warehouse building for Mr Matthew Freeman (Ellel Ward 2015 Ward)	Application Permitted
18/01463/CU	2 Rydal Road, Lancaster, Lancashire Change of use of part of ground floor to form self contained studio apartment for Mr Tariq Malik (Bulk Ward 2015 Ward)	Application Withdrawn
18/01473/OUT	Gaitbarrow Farm, Brackenthwaite Road, Yealand Redmayne Outline application for the erection of an agricultural workers dwelling for Mr And Mrs Tyson (Silverdale Ward 2015 Ward)	Application Withdrawn
18/01499/FUL	Poplar Farm, Gulf Lane, Cockerham Demolition of existing dwelling, erection of a replacement 2-storey detached dwelling, change of use of agricultural land to domestic curtilage and existing domestic curtilage to agricultural land for Mr Carter (Ellel Ward 2015 Ward)	Application Permitted
18/01568/FUL	31 Newmarket Avenue, Lancaster, Lancashire Erection of a single storey front and single storey side extensions for Mrs R. Hamilton (Scotforth East Ward 2015 Ward)	Application Permitted
18/01580/CU	33 - 35 Westminster Road, Morecambe, Lancashire Change of use of dwelling (C4) to one 5-bed dwelling (C3), one 2-bed flat (C3) and one 3-bed maisonette (C3) for Mr Nash Kasmani (Harbour Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

18/01591/FUL	Land To The Rear Of Cottages, Long Level, Cowan Bridge Erection of 2 dwellings with associated access for Mr Matthew Howson (Upper Lune Valley Ward 2015 Ward)	Application Permitted
18/01592/FUL	Lunch Hut, Flintron Brow, Over Wyresdale Demolition of existing lunch hut/shelter and erection of a new lunch hut/shelter for Mr Neil Kilgour (Ellel Ward 2015 Ward)	Application Permitted
18/01611/FUL	Land North Of, Royal Oak Meadow, Hornby Erection of 28 dwellings (C3) and associated access for Mr John Beard (Upper Lune Valley Ward 2015 Ward)	Application Refused
18/01654/FUL	20 Westgate, Morecambe, Lancashire Retrospective application for the change of use from storage with ancillary trade counter (B8) to gymnasium (D2) for Mr Joshua-Paul Lancaster (Torrisholme Ward 2015 Ward)	Application Permitted
19/00017/DIS	Land Along The East Bank Of The River Lune Between The A683 Viaduct And Skerton Bridge And Land Along The West Bank Of The River Lune East Off Halton Road/Main Street, , Discharge of conditions 7, 10 and 11 on approved application 18/00751/FUL for Lancaster City Council (Overton Ward 2015 Ward)	Split Decision
19/00017/FUL	Flat 1, Moorlands Hotel, Quarry Road Retrospective application for change of use of a 4 bed student cluster flat (C4) to 6 bed student cluster flat (C4) including alterations to roof lights. for Mr Hanif Patel (John O'Gaunt Ward 2015 Ward)	Application Permitted
19/00020/DIS	Aldi, Marine Road West, Morecambe Discharge of condition 2 on approved application 18/01423/VCN for Mr Stuart Parks (Harbour Ward 2015 Ward)	Split Decision
19/00021/DIS	23 North Road, Lancaster, Lancashire Discharge of conditions 3,4,5 and 6 on approved application 18/01484/LB for Mr John Clarke (Bulk Ward 2015 Ward)	Split Decision
19/00022/DIS	23 North Road, Lancaster, Lancashire Discharge of conditions 2,3,4 and 5 on approved application 18/01440/VCN for Mr John Clarke (Bulk Ward 2015 Ward)	Split Decision
19/00024/DIS	The Gables, The Green, Over Kellet Part discharge of condition 3 on approved application 18/00513/LB for Mr Stephen Jeffers (Kellet Ward 2015 Ward)	Application Permitted
19/00028/DIS	Land Rear Of The Dell, 91 Coastal Road, Bolton Le Sands, Carnforth Discharge of conditions 4, 5, 6, 11 on approved application 18/00919/FUL for Mr Harvey Bainbridge (Bolton And Slyne Ward 2015 Ward)	Application Permitted
19/00034/DIS	18 Storey Avenue, Lancaster, Lancashire Discharge of condition 3 on approved application 18/00961/FUL for Mr Jamie Shaw (Marsh Ward 2015 Ward)	Application Permitted
19/00037/DIS	Galgate Mill, Chapel Lane, Galgate Discharge of conditions 2A, 2D, 2E, 2H and 2I on application 15/00271/LB for Mr Brian Price (Ellel Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

19/00038/DIS	Galgate Mill, Chapel Lane, Galgate Discharge of conditions 3A, 3D and 3E on approved application 14/00989/CU for Mr Brian Price (Ellel Ward 2015 Ward)	Application Permitted
19/00041/DIS	Broadway One, Dallam Avenue, Morecambe Discharge of condition 13 on approved application 17/00311/VCN for Mr Michael Stainton (Poulton Ward 2015 Ward)	Application Permitted
19/00050/DIS	Gunnerthwaite, Locka Lane, Arkholme Discharge of condition 2 on approved application 18/00648/REM for Mrs E Barker (Kellet Ward 2015 Ward)	Application Permitted
19/00067/FUL	Redfields, Wyresdale Road, Quernmore Erection of a covered midden and associated hardstanding for Mr & Mrs Anthony Gardner (Lower Lune Valley Ward 2015 Ward)	Application Permitted
19/00090/FUL	55 Caton Green Road, Brookhouse, Lancaster Erection of a single storey side and rear extension, creation of raised decking area with verandah to the rear, construction of a front porch and construction of a dormer extension to the rear for Miss Joanne Inman (Lower Lune Valley Ward 2015 Ward)	Application Permitted
19/00103/FUL	Redfields, Wyresdale Road, Quernmore Erection of an agricultural building and creation of an area of hardstanding for Mr & Mrs Gardner (Lower Lune Valley Ward 2015 Ward)	Application Permitted
19/00110/PLDC	110 Devonshire Road, Morecambe, Lancashire Proposed Lawful Development Certificate for the erection of a single storey rear extension for Mr Wayne Coulton (Harbour Ward 2015 Ward)	Lawful Development Certificate Granted
19/00122/VCN	Hawthorne Caravan Park, Carr Lane, Middleton Change of use application for caravan site to have an all year round holiday occupancy (pursuant to the variation of condition 3 on planning permission 12/00491/CU to remove the need to keep up to date Council Tax bills for owners/licensees) for Tom Hill (Overton Ward 2015 Ward)	Application Permitted
19/00146/FUL	23 Coolidge Avenue, Lancaster, Lancashire Erection of a part two storey, part single storey side extension and erection of a single storey rear extension and a front porch for Mr & Mrs Lomas (Marsh Ward 2015 Ward)	Application Permitted
19/00152/ELDC	59 Slyne Road, Lancaster, Lancashire Existing lawful development certificate for use of three residential caravans for Mr Andrew Seaton (Skerton East Ward 2015 Ward)	Lawful Development Certificate Refused
19/00167/FUL	Batty Hill Farm, Lancaster Road, Cockerham Erection of an agricultural livestock building for Mr Peter Hewitt (Ellel Ward 2015 Ward)	Application Permitted
19/00170/FUL	Crookhey Hall Special School, Garstang Road, Cockerham Creation of all weather pitch and erection of 3 metre tall perimeter fencing for Mr Matthew Ellis (Ellel Ward 2015 Ward)	Application Withdrawn

LIST OF DELEGATED PLANNING DECISIONS

19/00181/FUL	Back Lane Farm, Back Lane, Tunstall Erection of a first floor side extension with balcony and single storey rear extension, insertion of bi-fold doors to the side, installation of an external staircase to existing outbuilding and construction of detached outbuilding for Mr & Mrs Scott and Charlotte Findlater (Upper Lune Valley Ward 2015 Ward)	Application Permitted
19/00186/FUL	Hollies, 25A Main Road, Bolton Le Sands Erection of a single storey front extension, erection of a detached outbuilding, installation of a glazed screen to the front and widening of existing access including installation of gate and railings to front boundary for Mr & Mrs J Cook (Bolton And Slyne Ward 2015 Ward)	Application Permitted
19/00187/FUL	1D & 1E Queen Street, Lancaster, Lancashire Change of use of existing office (A2) to mixed use unit comprising of ground floor office (A2) and first floor student accommodation comprising 1 4-bed cluster flat (C4), erection of a bin store and removal of external staircase for Mr J Whitford-Bartle (Castle Ward 2015 Ward)	Application Permitted
19/00188/LB	1D & 1E Queen Street, Lancaster, Lancashire Listed building application for external and internal works to facilitate the change of use of offices to a mixed use of offices and student accommodation, to include the removal of internal walls/partitions, installation of new partition walls, installation of a new internal staircase and removal of external staircase to the rear. for Mr J Whitford-Bartle (Castle Ward 2015 Ward)	Application Permitted
19/00189/FUL	Hall Croft Barn, North Road, Carnforth Change of use of attached agricultural barns to provide additional living accommodation and garage for existing dwelling, installation of a door to existing opening to the north east elevation, creation of new window openings to the south west elevation, a new opening with a door and glazing to the rear and a terrace to the rear for Mr & Mrs Birkett (Carnforth And Millhead Ward 2015 Ward)	Application Permitted
19/00196/FUL	12 St Michaels Lane, Bolton Le Sands, Carnforth Erection of a two storey side extension and on of a single storey rear extension and area of hardstanding for Mr & Mrs Trevor Malin (Bolton And Slyne Ward 2015 Ward)	Application Permitted
19/00200/FUL	13 The Rise, Bolton Le Sands, Carnforth Retrospective application for the retention of a single storey rear extension with external steps and raised area for Miss Katharine Yost (Bolton And Slyne Ward 2015 Ward)	Application Permitted
19/00206/FUL	North Lodge, Parkgate Drive, Lancaster Erection of a part two storey, part single storey link extension to the side and conversion of existing garage to form living accommodation for Mr & Mrs Mills (John O'Gaunt Ward 2015 Ward)	Application Permitted
19/00209/FUL	Purple Property Group, 10 Thornton Road, Morecambe Change of use of ground floor from property management and sales (A2) to mixed use sandwich shop and cafe (A1,A3) for Mrs Linda McGuire (Poulton Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

19/00211/FUL	Trust Medical Vehicle Services Ltd, Unit 5 And 6, Southgate Trade Park Change of use of industrial units (B8) to gymnasium (D2) with associated alterations to front elevation and car park layout, erection of cycle shelter to front and creation of a pedestrian access for JD Sports Fashion Plc (Westgate Ward 2015 Ward)	Application Refused
19/00213/FUL	159 Euston Road, Morecambe, Lancashire Retrospective application for the change of use from mixed use ground floor office (A2) with ancillary accommodation (C3) to single dwelling (C3) for Mr V Sumner (Poulton Ward 2015 Ward)	Application Permitted
19/00215/FUL	Laund Garage And Ellel Institute, Stoney Lane, Galgate Demolition of village institute (D1), garage and office units (B2) and erection of a replacement single storey garage (B2) with associated access, car parking, boundary fencing, gate, new retaining wall to rear and side, and alterations to land levels for Mr David France (Ellel Ward 2015 Ward)	Application Permitted
19/00216/CU	The Junction, Piccadilly, Lancaster Change of use of residential institution (C2) into assisted living accommodation (Sui Generis) for Calico Homes Ltd (Scotforth West Ward 2015 Ward)	Application Permitted
19/00217/FUL	Land Adjacent, 5 Main Road, Nether Kellet Erection of four new dwellings with associated access and regrading of land for Mr Lee Ogley (Kellet Ward 2015 Ward)	Application Refused
19/00218/FUL	278 Heysham Road, Heysham, Morecambe Erection of a two storey side extension for Mr C. Garbutt (Heysham Central Ward 2015 Ward)	Application Permitted
19/00227/FUL	17 Hawarden Avenue, Morecambe, Lancashire Erection of a single storey side extension for Mr D. Ryan (Bare Ward 2015 Ward)	Application Permitted
19/00230/ADV	D Stoker Group, Fellgate, Morecambe Advertisement application for the display of 3 internally illuminated fascia signs, 1 internally illuminated panel sign, internally illuminated panel sign surrounding workshop entrance, 2 internally illuminated totem signs, 2 internally illuminated mast signs, 1 non illuminated mast sign and 1 internally illuminated poster display unit for Mr Iain Stoker (Westgate Ward 2015 Ward)	Application Permitted
19/00231/FUL	D Stoker Group, Fellgate, Morecambe Installation of 5 lighting masts to the west of the existing building for Mr Iain Stoker (Westgate Ward 2015 Ward)	Application Permitted
19/00232/FUL	4A Chapel Street, Lancaster, Lancashire Change of use from amusement arcade (Sui Generis) to mixed use comprising of a Cafe/Shop (A3/A1) and installation of flues to the rear for Patel (Bulk Ward 2015 Ward)	Application Permitted
19/00234/FUL	Lindow Close, Lindow Street, Lancaster Construction of an access ramp within communal courtyard and alterations to land levels for Ms Yvonne Kent (Castle Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

19/00238/FUL	The Sands Care Home, 390 Marine Road East, Morecambe Erection of a single storey rear extension to create additional accommodation and extension of existing refuse store for Miss MacKay (Poulton Ward 2015 Ward)	Application Permitted
19/00239/FUL	Unit 2 - Former Blockbuster, 1 Hilmore Way, Morecambe Change of use of retail unit (A1) to gym (D2) for Mr Colin Stephenson (Harbour Ward 2015 Ward)	Application Permitted
19/00243/PLDC	2 Thorns Avenue, Hest Bank, Lancaster Proposed lawful development certificate for the erection of a single storey rear extension and detached garage for Mr Gary Collinson (Bolton And Slyne Ward 2015 Ward)	Lawful Development Certificate Granted
19/00246/FUL	17 Lymm Avenue, Lancaster, Lancashire Erection of a two storey side extension and single storey rear extension, extension to existing roof canopy and erection of a porch to the front elevation for Messrs Allison and Mangan (Skerton West Ward 2015 Ward)	Application Permitted
19/00254/FUL	381 Marine Road East, Morecambe, Lancashire Erection of a single storey rear extension, creation of a raised terrace to the rear and boundary wall for Mr Jon Stark (Poulton Ward 2015 Ward)	Application Permitted
19/00256/FUL	9A St Johns Grove, Heysham, Morecambe Erection of a replacement conservatory to the front elevation for Mr Nigel Denny (Heysham North Ward 2015 Ward)	Application Permitted
19/00258/FUL	9 Chatsworth Road, Lancaster, Lancashire Erection of a single storey rear extension for Mr Trevor Eggleston (Scotforth West Ward 2015 Ward)	Application Refused
19/00260/PLDC	16 South Avenue, Morecambe, Lancashire Proposed lawful development certificate for the erection of a single storey rear extension for Mr & Mrs A. Blenkinship (Bare Ward 2015 Ward)	Lawful Development Certificate Granted
19/00262/FUL	12 Warley Drive, Morecambe, Lancashire Erection of part single/part two storey side, rear and front extension and front canopy for Mr & Mrs A. Foxcroft (Torrisholme Ward 2015 Ward)	Application Refused
19/00263/PLDC	137 Torrisholme Road, Lancaster, Lancashire Proposed lawful development certificate for the erection of a first floor extension to the rear for Mr & Mrs C. Bradley (Skerton West Ward 2015 Ward)	Lawful Development Certificate Granted
19/00264/FUL	74 Chequers Avenue, Lancaster, Lancashire Construction of a hip to gable extension with a dormer to the rear elevation for Mrs R. Stevenson (John O'Gaunt Ward 2015 Ward)	Application Permitted
19/00265/PLDC	1 Norland Drive, Heysham, Morecambe Proposed lawful development certificate for a hip to gable extension with a dormer to the rear elevation, conversion of garage to ancillary living accommodation, removal of garage door and installation of replacement window for Mr J. Colingwood (Heysham Central Ward 2015 Ward)	Lawful Development Certificate Granted

LIST OF DELEGATED PLANNING DECISIONS

19/00272/FUL	Oak Cottage, Lodge Lane, Wennington Erection of single storey rear extensions for Mr Brian Rycroft (Upper Lune Valley Ward 2015 Ward)	Application Permitted
19/00273/LB	Oak Cottage, Lodge Lane, Wennington Listed building application for the erection of single storey rear extensions, installation of rooflights, installation of replacement windows and door to the rear elevation, removal of internal partition walls and installation of supporting beams, installation of plasterboard to internal walls, replacement doors and new timber flooring for Mr Brian Rycroft (Upper Lune Valley Ward 2015 Ward)	Application Permitted
19/00278/FUL	67 Farndale Road, Lancaster, Lancashire Demolition of existing garage and erection of a single storey rear extension for Mr A Edmondson (John O'Gaunt Ward 2015 Ward)	Application Permitted
19/00280/FUL	Wrayton Hall, Back Lane, Wrayton Alterations to fenestration of existing outbuilding for Mr Lee Donner (Upper Lune Valley Ward 2015 Ward)	Application Permitted
19/00281/FUL	Maple Works, Northgate, White Lund Industrial Estate Retrospective application for the temporary siting of a refrigeration unit for Mr R Altham (Westgate Ward 2015 Ward)	Application Permitted
19/00292/OUT	Bank House Fly Fishery Car Park, Lancaster Road, Caton Outline application for the erection of 1 dwelling for Mr & Mrs Dobson (Lower Lune Valley Ward 2015 Ward)	Application Permitted
19/00293/FUL	4 Church Street, Lancaster, Lancashire Installation of replacement shop front, and installation of replacement windows to the front and rear elevations for Mr Z Mister (Castle Ward 2015 Ward)	Application Permitted
19/00298/LB	18 New Street, Lancaster, Lancashire Listed building application for the installation of an externally illuminated fascia sign for Farrell Heyworth LTD (Castle Ward 2015 Ward)	Application Permitted
19/00300/FUL	1 Thirlmere Grove, Morecambe, Lancashire Erection of a part single storey front and two storey side extension for Mrs S. Johnson (Harbour Ward 2015 Ward)	Application Permitted
19/00304/ADV	18 New Street, Lancaster, Lancashire Advertisement application for the retained display of an externally illuminated fascia sign and 2 internally illuminated advertisement boards for Farrell Heyworth (Castle Ward 2015 Ward)	Application Permitted
19/00310/FUL	Flats 1 -20, 13 Guidem Park, Lancaster Erection of bin store and bike store for Mr Richard Wilshaw (Bulk Ward 2015 Ward)	Application Withdrawn
19/00313/FUL	13A Selside Drive, Morecambe, Lancashire Erection of a single storey side and rear extension for Mr M. Stirzaker (Westgate Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

19/00316/FUL	Southmire Barn, Silly Lane, Tatham Erection of a single storey side extension for Mr Ben Holland (Lower Lune Valley Ward 2015 Ward)	Application Permitted
19/00317/LB	West Lodge, Quernmore Road, Lancaster Listed building application for the installation of replacement window and door to the north elevation and installation of two replacement windows to the west elevation for Mrs Janet Stuart (Bulk Ward 2015 Ward)	Application Permitted
19/00325/FUL	Tall Trees, Conder Green Road, Conder Green Erection of a single storey rear extension for Mr Kevin Hall (Ellel Ward 2015 Ward)	Application Permitted
19/00326/FUL	Fairways Residential Home, 20 Westmoor Grove, Heysham Erection of a single storey side extension and creation of raised decking area with veranda to the side and rear for Mrs Elizabeth Miles (Overton Ward 2015 Ward)	Application Permitted
19/00329/FUL	7 Meldon Road, Heysham, Morecambe Erection of a two storey side/front extension and erection of a 1.8m high fence to the front boundary for Mr Gareth Lawrenson (Heysham South Ward 2015 Ward)	Application Refused
19/00337/FUL	8 Harrison Crescent, Heysham, Morecambe Erection of a single storey side/rear extension for Mr & Mrs Senior (Heysham Central Ward 2015 Ward)	Application Permitted
19/00341/FUL	5 Wallings Lane, Silverdale, Carnforth Erection of a single storey side extension, installation of a pitched roof to the side and external steps to the rear for Mr & Mrs Graham Field (Silverdale Ward 2015 Ward)	Application Permitted
19/00342/FUL	Halfway House, Main Road, Galgate Retrospective application for the retention of a 1.5m timber fence to the western boundary for C Holt (Ellel Ward 2015 Ward)	Application Refused
19/00343/FUL	76 Bowerham Road, Lancaster, Lancashire Erection of a single storey rear extension and construction of a dormer extension to the rear elevation for Mr & Mrs Allnut (Scotforth West Ward 2015 Ward)	Application Withdrawn
19/00348/LB	18 - 20 Sun Street, Lancaster, Lancashire Listed building application for the installation of a replacement roof, installation of new rainwater goods, painting of external timber doors, windows and metal railings to front and rear elevations for Mr Christopher Welsby (Castle Ward 2015 Ward)	Application Permitted
19/00349/ADV	Land East Of Golden Lion, Moor Lane, Lancaster Advertisement application for the display of a hoarding sign on existing fence comprising of 27 panels for Mr Paul Rogers (Bulk Ward 2015 Ward)	Application Permitted
19/00358/CU	Lunesdale View, Old Moor Road, Wennington Change of use of agricultural land to residential and creation of an access track with gates for Mr And Mrs Poulton (Lower Lune Valley Ward 2015 Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

19/00359/FUL	2 Montbegon, Hornby, Lancaster Erection of a double height rear extension for Mr & Mrs Forrest (Upper Lune Valley Ward 2015 Ward)	Application Permitted
19/00361/PLDC	6 Sunningdale Avenue, Hest Bank, Lancaster Proposed lawful development certificate for the construction of a dormer to the rear for Mr & Mrs Michaels (Bolton And Slyne Ward 2015 Ward)	Lawful Development Certificate Granted
19/00372/FUL	4 Hoghton Close, Lancaster, Lancashire Demolition of existing conservatory and erection of a single storey rear extension for Mr & Mrs M. White (Marsh Ward 2015 Ward)	Application Permitted
19/00373/PLDC	18 Hala Grove, Lancaster, Lancashire Proposed lawful development certificate for the construction of a hip to gable extension with a dormer to the rear elevation for Mrs B. Donaghey (Scotforth East Ward 2015 Ward)	Lawful Development Certificate Granted
19/00377/FUL	Abbotsons Farm, Cantsfield Road, Cantsfield Erection of an agricultural storage building for Mr Atkinson (Upper Lune Valley Ward 2015 Ward)	Application Permitted
19/00384/FUL	9 West Road, Lancaster, Lancashire Change of use of mixed use building comprising hot food takeaway (A5) with flat above (C3) to mixed use building comprising hot food takeaway (A5) with 2 flats (C3), erection of single storey rear extension and removal of chimney stack for Mr Lookman Thagia (Marsh Ward 2015 Ward)	Application Withdrawn
19/00392/AD	Field North Of Lords Lot House, Borwick Road, Capernwray Agricultural determination for the erection of an agricultural storage building for Mr Michael Garton (Kellet Ward 2015 Ward)	Prior Approval Refused
19/00402/FUL	Gibsons Farm, Bay Horse Road, Quernmore Demolition of existing agricultural buildings and erection of a building to provide cattle accommodation and construction of a area of hardstanding to the west and south for Mr John and Richard Pye (Lower Lune Valley Ward 2015 Ward)	Application Permitted
19/00419/PLDC	74 Scotforth Road, Lancaster, Lancashire Proposed Lawful Development Certificate for the demolition of existing conservatory and erection of single storey rear extension for Dr T Jenkinson (Scotforth West Ward 2015 Ward)	Lawful Development Certificate Granted
19/00439/AD	Oak Bank, Mewith Lane, Tatham Agricultural determination for the erection of a covered silage clamp for Mr David Lawson (Lower Lune Valley Ward 2015 Ward)	Prior Approval Not Required
19/00452/NMA	Woodside, Bowerham Road, Lancaster Non material amendment to planning permission 18/01457/FUL to change the external finish of dormers to the south elevation from vertical hung roof tiles to render for Mr Raymond Metcalfe (John O'Gaunt Ward 2015 Ward)	Application Permitted
19/00458/PLDC	1 Dunkenshaw Crescent, Lancaster, Lancashire Proposed Lawful Development Certificate for the erection of a single storey rear extension for Mr Ian Mcinnes (Scotforth East Ward 2015 Ward)	Lawful Development Certificate Granted

LIST OF DELEGATED PLANNING DECISIONS

19/00475/NMA	The Bungalow, Caton Green Road, Caton Green Non material amendment to planning permission 15/01515/FUL to alter the position of extension wall for Mr Andrew Young (Lower Lune Valley Ward 2015 Ward)	Application Permitted
19/00499/NMA	2 Dallas Road, Lancaster, Lancashire Non material amendment to planning application 18/00613/FUL to change the proposed garage door colour for Mr & Mrs D'Souza (Castle Ward 2015 Ward)	Application Permitted