

Agenda Item A10	Committee Date 21 September 2015	Application Number 15/00449/FUL
Application Site Bank Barn Crag Road Warton Carnforth	Proposal Erection of a detached dwelling with associated new access and a detached garage	
Name of Applicant Mr Paul Edmondson	Name of Agent Mr Matthew Atkinson	
Decision Target Date 15 July 2015	Reason For Delay Officer caseload and awaiting additional information	
Case Officer	Mr Andrew Holden	
Departure	No	
Summary of Recommendation	Approval - subject to receipt of appropriate plans	

Procedural Matter

This form of application would normally be deal with under the Scheme of Delegation, however the application has been referred to committee by Councillor Sykes given the Parish Council's view that the proposal was inappropriate.

1.0 The Site and its Surroundings

- 1.1 The application site is located on the south side of Crag Road, Warton approximately 60m from its junction with Main Road. Crag Road rises steeply east to west, climbing past the site to level off some distance to the west. It is two-way with a restriction in width at its junction with Main Road. The George Washington public house and neighbouring residential properties limit the road to a narrow carriageway only.
- 1.2 The site is currently an open field and forms part of a larger field owned by the applicant. The application site lies in the north east corner of the field and has a frontage to Crag Road of 28m and a plot depth of 25m. An existing field access currently provides access into the field from Crag Road. The roadside boundary is marked by a stone wall and there is a post and rail fence to the boundary with Bank Barn (also owned by the applicant). The site slopes steeply up from Bank Barn and slopes down, in a slightly gentler manner, to the west away from the road. A dry stone wall forms the northern boundary to the churchyard. There is a mature tree located close to the west boundary of the site on a steeply rising outcrop. To the opposite side of the road is a small National Trust car park accessed off Crag Road along with the Old School Brewery building.
- 1.3 The site lies in Warton Conservation Area and Arnside and Silverdale Area of Outstanding Natural Beauty (AONB). In addition, the site lies just over 100m from Warton Crag Site of Special Scientific Interest (SSSI) and Local Nature Reserve and approximately 20m from a Biological Heritage Site. The land in which the site is located has been identified as a Significant View within the Warton Conservation Area Townscape Appraisal (Vista F– views from Crag Road across the graves and trees of the churchyard to St Oswald's Church – which is a Grade II listed building). The neighbouring trees adjacent to the west side of the plot have also been identified as significant trees within the area.

2.0 The Proposal

- 2.1 The application seeks to develop a large four-bedroom dwelling comprising 245 sqm over two floors. The rising ground levels along Crag Road and within the application results in the Crag Road elevation being predominantly single storey with only a two story gable present facing east and the neighbouring Bank Barn. The footprint of the dwelling provides for a block following the roadside frontage and a second block running off square from the east end of the building. The footprint is constrained to the east by the presence of an overhead electricity cable and its associated easement. The front block facing Crag Road is to be constructed of traditional materials, dual-pitched natural slate roof under limestone walls. The detailing of the walls will differ from the traditional form with the use of shallow coursed stone, no quoins and a more contemporary window form using powder coated aluminium framing. The rear block has adopted a more contemporary design approach with the use of a standing seam zinc roof and rendered walls. Again, the window framing is to be aluminium. An open gable end and terrace is provided to the south of the rear block.
- 2.2 The main living accommodation is provided on the upper floor with most of the bedroom accommodation being set in the lower floor, some partially below ground level. The rising land to the west result in the lower floor accommodation to the front block being significantly smaller than the upper floor. The main living space (kitchen, dining sitting area) is contained in the rear block with outlook south over the fields and across the graveyard. Very limited window openings are developed facing the neighbouring Bank Barn. These have been designed to be either obscured or located/formed so as not to overlook the neighbouring property, Bank Barn.
- 2.3 Externally, the site is to be developed over two distant areas. The site access, turning area, garage and main entrance are all accessed from one plane although sloping down to the garage some 1.5m lower than the site entrance as is the main entrance to the dwelling located to the rear of the front block. A stone retaining wall sweeps between the detached garage and the southern corner of the rear block allowing for the main garden areas of the dwelling to be set down a further 2.5m reflecting the natural slope of the site. The garden are to be access form the upper level by steps within the retaining wall or via the lower floor of the dwelling.
- 2.4 In addition, a detached garage and store is to be created at the southwest corner of the plot. External materials are proposed as a natural slate roof and rendered walls. Access to the plot from Crag Road will be gained via a new site access (3.5m wide) replacing the existing field gate and repositioning it slightly higher up the hill. Re-aligned stone highway boundary walls will provide for sightlines of 2.4m x 37m to the right (east) and 2.4m x 42m to the left (west). The new boundary walls adjoining the field will be constructed from limestone to match the existing boundary walls.

3.0 Site History

- 3.1 The site has no planning history other than a recent pre-application enquiry early in 2015 for the erection of a single dwelling.

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objections in principle suggested conditions to address the following: - <ul style="list-style-type: none">• Creation of an oversized length of drive access way to allow two vehicles to pass unhindered prior accessing / egressing to / from the adjacent public highway.• Laying of metaled surfacing• Creation of an appropriate view line envelope• Undertaking a degree of vegetation / hedgerow / dry-stone walling management along the frontage of the site with Crag Road.
Environmental Health	No objections to the development suggest standard contamination condition and provision of a Preliminary Risk Assessment.
Arnside and Silverdale AONB	Objection to the development – contrary to both national and local planning policy and the Arnside & Silverdale AONB Management Plan 2014–19; would have a detrimental

Office	<p>impact on the landscape character of the area and the special qualities of the AONB; The modern design and use of contemporary materials does not reflect the local character and vernacular; the scale and size of the dwelling relative to its surroundings is considered inappropriate. Development would be visibly intrusive in views across the surrounding landscape, in particular from the nearby Church of St Oswald's and the adjacent churchyard. Development would not deliver affordable homes.</p> <p>Views awaited in respect of the revised plans, these will be reported verbally to committee.</p>
Conservation Officer	<p>Objection, initially the application provided insufficient information to fully consider the impact of the scheme upon the Warton Conservation Area. Following receipt of additional information and photomontages concerns raised that the scale of the development will unduly impact upon one of the key views from Crag Road across the site to the graves, churchyard and St. Oswald's Church.</p> <p>Views awaited in respect of the revised plans, these will be reported verbally to committee.</p>
Tree Officer	<p>No objections subject to conditions to retain trees and protection during the development phase. No tree within the site are the subject of any Tree Preservation orders but enjoy protection by virtue of the site location within the Warton Conservation Area. The site also lies within the AONB within which trees are an important component feature in a range of locations across the AONB. In addition, Warton Crag lies to the northwest and is clearly visible from the proposed development site. The Crag is designated a Biological Heritage Site (BHS).</p>
Parish Council	<p>Objection - design does not fit in with the conservation area, overlooks the ancient churchyard in such a way that it could be considered detrimental. Access to Crag Road could be a hazard, vehicles moving down Crag Road could be moving at high speed.</p> <p>Views awaited in respect of the revised plans, these will be reported verbally to committee.</p>

5.0 Neighbour Representations

5.1 To date 3 letters have been received from local residents. The comments raise a number of concerns over the development. The main areas of concern are: -

- Highways safety on this narrow road with traffic moving quickly downhill. The immediate area already has five access points and can be dangerous especially when there is frost or slippery road conditions.
- The location in the AONB, in a conservation area, en-route to the Warton Crag Nature Reserve and overlooking a listed building, having a new building of the size and design in the application documents would be detrimental to the character of the area.
- It would be in a domineering position overlooking the entire village, visible from the main route into the Village from Carnforth and detrimental to the setting of St Oswald's Church.
- If permission is given for development on the hillside, it would set a precedent for future development along Crag Road.
- The site is understood to be subject to a covenant restricting the use of the land for any purpose other than agricultural, garden or amenity land and construction of any building (except for agricultural purposes and then no greater than 500 square feet).

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraphs 7, 14 and 17 - Sustainable Development and Core Principles
Paragraph 32 – Access and Transport
Paragraphs 49 and 50 - Delivering Housing
Paragraphs 56, 58 and 60 – Requiring Good Design

Paragraph 115 - Areas of Outstanding Natural Beauty
Paragraph 118 – Conserving and Enhancing Biodiversity

6.2 Lancaster District Local Plan (Saved Policies)

E3 – Development affecting Areas of Outstanding Natural Beauty
E4 – The Countryside Area

6.3 Lancaster District Core Strategy (adopted July 2008)

SC1 – Sustainable Development
SC2 – Urban Concentration
SC3 – Rural Communities
SC4 – Housing Requirements
SC5 – Achieving Quality in Design

6.4 Development Management DPD (adopted December 2014)

DM20 – Enhancing Accessibility and Transport Linkages
DM22 – Vehicle Parking Provision
DM27 – Protection and Enhancement of Biodiversity
DM28 – Development and Landscape Impact
DM29 – Protection of Trees, Hedgerows and Woodland
DM31 - Biodiversity
DM32 – Setting of Heritage Assets
DM35 – Key Design Principles
DM41 – New Residential dwellings
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 development
- Design
- Impact on the Warton Conservation Areas and the Arnside and Silverdale AONB
- Impact on residential amenity
- Access and highway impacts
- Affordable housing contribution
- Impact on Trees
- Contaminated land
- Drainage

7.2 Principle of 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 between the site and homes, workplaces, shops, schools, health centres, recreation, leisure and community facilities. Policy E2 also emphasises that the Council will minimise the need to travel by car and Policy SC3 of the Core Strategy states that 10% of new homes will be allowed to meet local housing needs in villages, focussed in those that have five basic services. Warton is not one of the settlements identified in this policy. However, the Council is adopting a more flexible approach and allowing residential development within settlements which contain some services sufficient for them to be considered to be sustainable. This is reflected in policy DM42 of the recently adopted Development Management DPD. The approach of this policy is also in line with the more flexible position taken by the NPPF as opposed to the more restrictive policy in the Core Strategy.

7.2.2 Warton has a primary school, pubs, park, church and bus stops on a main bus route linking to Carnforth and Lancaster. The site is well related to the existing built up development and will form a continuation of the houses on Crag Road. The site and Crag Road does suffer from a lack of footways and a narrow road to access the services in the centre of the village. However, it is considered to be a sustainable location where, in principle, small scale residential development could be supported.

7.3 Design

- 7.3.1 The approach to the design of the dwelling has developed a more traditional to the section of the building fronting Crag Road and a more contemporary one to the rear section. The element fronting Crag Road uses traditional local materials (natural limestone and slate roofing). The overall form of the building is again designed to reflect local vernacular with the use of simple gable ended buildings under a dual pitched roof. The window openings and stone coursing add a more contemporary approach with narrow coursed limestone without quoins and irregular openings within which site powder coated aluminium frames. The overall, appearance of the Crag Road frontage is one of a converted barn set into rising ground.
- 7.3.2 The rear section of the building runs south off-square to the front block towards St. Oswald's Churchyard and Church. Again, the shape of this element of the building reflects the local vernacular but is seeking to use a zinc standing seam roof and rendered walls. Rendered wall are not uncommon in the village and the use of a zinc roof broadly reflects the colour and tones in the conservation but with a modern interpretation. The southern gable is predominantly glazed provided light and an open aspect over both floors.
- 7.3.2 Planning policy strives for good design and development which will add to the local area. It is considered that the design approach is one which provides for a modern dwelling which acknowledges local materials and vernacular and in principle can be supported. However, the overall scale of the building and its impact upon the Warton Conservation Area and the wider AONB is of concern and is address in detail in section 7.4 below.

7.4 Impacts upon the Conservation Area and wider Area of Outstanding Natural Beauty (AONB)

The principle of development has been the subject of a formal pre-application enquiry. The proposal identified a red edged site and sought views over potential development of the site. In responding positively to the enquiry comment and constraints of the design and scale of any development were identified, in particular advice was provided over the sensitivity of the site and its key relationship/setting within the Warton Conservation Area. In responding officers advised: -

Extract from pre-application:

- The site occupies a particularly prominent and sensitive location in relation to both the landscape and heritage assets. Its elevated position means that any development will be visible from a number of vantage points to the east, south-east and possibly the south. The Warton Conservation Area Appraisal identifies a Significant View across the site from Crag Road down to the graves and trees of the church yard to St. Oswald's Church. As such, any development on the site will be seen in the context of a number of designated and non-designated heritage assets including the church and the George Washington Public House. Any proposed scheme will need to demonstrate that the proposal will not be unduly prominent from the surrounding landscape, will maintain the Significant View across the site and will not be harm to the setting of nearby designated and non-designated heritage assets.

The proposal as originally submitted has sought to develop a large site area, expanding the width of the site to the west to allow for the development of a detached garage, turning area and the dwelling. The presence of the overhead power line and 3m easement restricting any development on the east side of the plot. In practice this area could not have been developed given its relationship with the neighbouring dwelling, Bank Barn.

The use of a wider site than originally considered and the scale of the dwelling, in particular the rear southern projections has resulted in a severe restriction of the vista taken from Crag Road towards St Oswald's graveyard, church and village beyond. This view having been identified as a 'Significant View' within the Warton Townscape appraisal. Locations on Crag Road from where this view can be seen are quite narrow, the vista is currently framed by rising ground to the west and existing buildings to the east. The vista is from an elevated position looking down across open pasture to the St Oswald's churchyard, church and trees with some views out to the village and beyond to the River Keer Valley.

The introduction of a detached garage and proposed extent of the rear projection to the dwelling is considered to significantly erode the extent and quality of views from Crag Road. The limited openness of the vista has been further constrained and interrupted by the presence of the detached garage and rear projection of the building, preventing opened and clear views of the churchyard and St Oswald's. This is directly against the advice set out in the response to the pre-application enquiry.

The agent has been approached to revisit the scheme and look again at amendments to develop a more constrained arrangement which will provide for residential accommodation but will retain open aspects and views from Crag Road. The concerns of officers have been acknowledged by the applicant and the agent has been instructed to reconsider the scheme taking account of concerns raised by officers. These included: -

- Reduced red edge (in line with pre-application submission)
- Removal of garage as part of the scheme
- Reduction in length of the rear block by 5m to maintain open vista from Crag Road of church yard, church and open aspect beyond.

A revised scheme is to be re-drafted and is anticipated to be available for consideration by Members in time for the committee meeting.

The general approach to the design remains is to remain as the original submission and as set out in section 7.3 above, is considered acceptable. Critically, the garage is to be removed from the scheme, the site area is to be reduced and the length of the rear projection reduced in length by 5m. The proposal will still provide for a four bedroom dwelling but of a more modest scale and should retain the significant view identified in the Warton Townscape Appraisal. Parking will still be present to the west of the building but given the falling land levels to the south, the presence of parked cars are not considered to interrupt the views from Crag Road. Conditions will be required to ensure that permitted development rights are removed for all forms of development to ensure the western part of the site remains open.

The development also needs to be considered in respect of its impact from within the Conservation Area and in the wider Arnside and Silverdale AONB. Modelling has been provided for views of the development from within the Conservation Area, particularly from St Oswald's Churchyard and more distant views. The height, and massing of the development when viewed from within the village is considered to sit comfortably with the grain of existing development. The use of vernacular building forms, colours and texture along with setting the building into the rising ground has resulted in a development which is considered not to detract from the character and setting of the conservation area when viewed from within. The revised scheme as outlined, subject to appropriate conditions, is considered suitable for this sensitive site, protecting the setting of designated heritage assets and would not undermine the planning principles of the AONB and Conservation area.

Residential amenity

The scheme has been designed with the relationship of the neighbouring property, Bank Barn clearly in mind. Bank Barn sits approximately 3m below the main floor level of the proposed dwelling. The separation distance between the rear of Bank Barn and its associated garden is over 10m and set at an angle from the rear windows. The boundary of the site with Bank Barn is currently a retaining wall. This is retained in its current form with the main dwelling set back a further 6/7m from the top of the wall. The massing of the new dwelling is considered to be acceptable and would not unduly dominate the dwelling. There are a number of windows to be introduced on this elevation but these are either obscure glazed or designed to prevent any overlooking of the neighbouring property.

The main garden area is located to the rear of the property, accessed from the stepped access. The side garden has the potential to overlook the neighbours but given sloping ground levels is unlikely to be heavily used. Overall, as submitted, the scheme is considered to respect neighbouring amenity and subject to conditions to control the nature of glazing or future modifications the proposal would be acceptable. This relationship will only be improved by a reduction in the length of the rear projection and the overall massing of the building.

Access and Highways impacts

County Highways has raised objection to the proposal subject to a number of conditions which include control over sight lines, widening the proposed access to allow two vehicles to pass unhindered prior accessing/egressing to/from the adjacent public highway and appropriate surfacing. The scheme is to provide appropriate levels of car parking and turning within the site. These areas are to be hard-surfaced with water collection to prevent run-off, none over which could enter the highway. The re-alignment of the boundary wall will ensure the provision and maintenance of the request visibility splays.

A further suggested condition is the development of an oversized access 5m wide in instead of the proposed 3.5m access. This has been suggested to enable cars at access and exit the site simultaneously preventing waiting on the highway. Whilst this reasoning behind such a condition is understood, Crag road being of limited width and having some faster traffic coming down the hill. It is considered that the provision of such a wide access would be visually intrusive and could potential effect the root protection area associated with the neighbouring mature Ash tree lying just to the west of the application site boundary.

The provision of such a wide access to serve only a single dwelling is considered unreasonable and visually excessive. It is proposed that given the limited movements associated with the development of a single dwelling and the provision of adequate visibility splays that the access could remain as submitted and would adequately serve the property. The provision of parking/turning and the retention of visibility splays can be addressed by condition.

Other Matters

Affordable Housing Contribution - The Meeting Housing Needs Supplementary Planning Document sets out that off-site affordable housing in the form of a financial contribution is required from developments that result in a net increase of up to 4 units. The agent has acknowledged this demand and a willingness to provide a contribution.

Trees – There are no trees directly within the site but significant trees lie immediately outside the side on its western boundary albeit on highland. Tree in this area have been identified as significant within the Townscape appraisal and should be retained. The scheme has recognised the importance of the trees and is supported by an arboricultural assessment. The development lies outside but close to the nearest tree protection areas associated with a mature ash tree. The tree officer has not raised objection to the development but has suggested the application of conditions in respect of tree protection, methodology of construction/operation and additional planting.

Contamination - The City Council's Contaminated Land Officer has requested that a Preliminary Risk Assessment is provided along with standard contamination conditions applied to a consent. However, the submission sets out that the site has been historically used for grazing and has not been subject to any previous development. It is considered unlikely that the site has been subjected to levels of contamination and as such it is unreasonable to request a contaminated land survey. The site is within a Radon Potential area and as such full radon protection will be required as part of the Building Regulations. As such, there is unlikely to be any risk to future occupants from contaminated land. As a precautionary approach, it is considered that an unforeseen contamination condition be attached to a consent to develop.

Drainage – Foul water from the site is to be directed to the main sewer within the village. Surface water is to be retained within the site with the use of permeable surfacing, rain water harvesting and soakaways.

8.0 Planning Obligations

- 8.1 A Unilateral Undertaking will be required for the financial contribution towards the provision of affordable housing in the District.

9.0 Conclusions

- 9.1 The site is considered to be in a sustainable location and is of a sufficient size to comfortably accommodate a single dwelling. Subject to the receipt of revised plans which, from discussions are

anticipated to respect the character of the conservation area and retain the recognised significant vista - the proposal would be considered acceptable and will provide a contribution to housing within the District. Members will be provided with an update on any amendments received at the Committee.

Recommendation

That following the provision of an appropriately amended scheme, Planning Permission **BE GRANTED** subject to the signing and completing of the Unilateral Undertaking to secure the affordable housing contribution and the following conditions:

1. Standard 3 year time limit
2. Development in accordance with the approved plans
3. Amended plans
4. All permitted development rights removed
5. Boundary details including boundary wall height to Crag Road
6. Hours of construction
7. Unforeseen contamination
8. Samples of all external materials including coursing and finishes.
9. Obscure glazing to east elevation, where appropriate
10. Works to be undertaken in accordance with the submitted Arboricultural Implications Assessment
11. Submission/agreement of Arboricultural Method Statement
12. Tree protection plan
13. New tree planting scheme
14. Off-site highway work (vehicle crossing)
15. Setting back of gates and gatepost.
16. Hard surfaced access for a minimum of 5m from edge of highway boundary.

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:

The proposal complies with the relevant policies and provisions of the Development Plan and on consideration of the merits of this particular case, as presented in full in this report, there are no material considerations which otherwise outweigh these findings.

The local planning authority has proactively worked with the agent in requesting further supporting information which has now positively influenced the proposal and has secured a development that now accords with the Development Plan and the National Planning Policy Framework.

Human Rights Act

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this 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.

Background Papers

None.