

Agenda Item A7	Committee Date 19 th October 2015	Application Number 15/00847/OUT
Application Site Warton Grange Farm Farleton Close Warton Carnforth		Proposal Outline application for the demolition of existing farm buildings and erection of up to 23 dwellings with associated landscaping and access
Name of Applicant Mr Mike Barker		Name of Agent Harrison Pitt Architects
Decision Target Date Time extension agreed until 30 th November 2015		Reason For Delay Amended Plans / negotiation with the applicant
Case Officer		Mr Mark Potts
Departure		No
Summary of Recommendation		Approval

1.0 The Site and its Surroundings

- 1.1 The application site relates to an area of land of approximately 0.96 hectares and is currently used as a working dairy farm. The proposed development is located to the south of the village and is located approximately 1.35km from Carnforth train station. There are a number of existing agricultural sheds (serving cattle farming) that occupy the site, and the majority of the site is surfaced in tarmac and concrete.
- 1.2 The neighbouring uses comprise of residential properties to the north and west which lie on Main Street and Farleton Close. The majority of these properties are traditional stone built terraced units. Open fields are located to the south and east. The site rises to approximately 6.5 metres at its highest point and circa 5 metres at its lowest point, therefore it is relatively level with a slight fall to the south. Access to the site would be taken from the existing farm access off Farleton Close.
- 1.3 The proposed development is within the Arnside & Silverdale Area of Outstanding Natural Beauty (AONB); is designated as a Countryside Area, and lies within Flood Zones 2 and 3 (the site benefits from flood defences). The existing trees within the site are subject to Tree Preservation Order 551. The site is approximately 360m south of Warton Crag which is designated as a Regionally Important Geological Site, in part a Biological Heritage Site, Nature Reserve, Ancient Woodland and 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 The proposed development consists of the demolition of the existing farm buildings to be replaced by the erection of up to 23 dwellings, an improvement to the existing access, the provision of a new footway, car parking, drainage and associated landscaping.
- 2.2 The application is in outline form, with only access being applied for. An indicative plan has been submitted showing an arrangement of 23 units, mainly terraced blocks with one detached unit. At

this stage members are only approving the principle of development, not the form as illustrated on the submitted plan.

2.3 Access is being applied for, this will consist of the enlargement of the existing farm access track to 5.5m together with the provision of a footway of 2m. It is also proposed to have a new footway to the east of the site which would be on the line of the existing farm access. This is proposed to be 2m in width and connect to Main Street.

2.4 The vast majority of the existing trees on the site will remain and where there are losses these are proposed to be replaced.

3.0 Site History

3.1 The site has been subject to a number of planning applications

Application Number	Proposal	Decision
14/00012/FUL	Replacement of existing agricultural building with a steel framed agricultural building for livestock, storage and workshop	Approved
12/00182/AD	Erection of a silo clamp	Prior Approval Granted
12/00938/FUL	Erection of a slurry storage tank	Approved
08/01424/OUT	Outline application for agricultural workers dwelling	Refused
08/00838/CU	Retrospective application for the retention of use of land for siting of a temporary agricultural workers caravan	Approved
07/01652/CU	Retrospective application for the retention of use of land for siting of a temporary agricultural workers caravan	Refused
07/00260/FUL	Retention of a temporary agricultural workers caravan	Withdrawn

4.0 Consultation Responses

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

Consultee	Response
Lancashire County Council (Highways)	Initially raised an objection on the basis that the applicant had not provided a suitable means of access. Following amended plans, No Objection , however reservations with regards to adopting lengths of carriageway which lies beneath a public sewer. In addition to standard conditions, they recommend off site highway improvements comprising the closure of the farm access opposite 17 Main Road and reinstatement of verge/footway, complete with signage and a new 2m-wide pedestrian means of access; hedgerow management at the junction of Mill Lane/ Farleton Close down to 1m height for a distance of 40m from the site's access point and Farleton Close; a range of off-site improvement works including laying of stop/give way thermoplastic lining; upgrade of 2 public transport facilities to Lancashire County Council quality bus stop standards; and a review of street lighting in the vicinity.
Environmental Health	No Objections , conditions requested include electric charging points for vehicles; dust control and also hours of construction. The Council's Contaminated Land Officer has concerns with some of the content of the contaminated land report, however this can be addressed by condition. No information on odour has been submitted with the application.
Planning Policy	No Objection , the principle of redevelopment of this site for housing is accepted, however has raised concern with flood risk and insurance.
Lead Local Flood Authority	No Objection subject to development being carried out in accordance with the submitted drainage strategy.
Lancashire Fire and Rescue	No Objection
Lancashire Police	No Objection - concern with the large car parking bays as initially proposed.

Warton Parish Council	No Objection - recommend conditions concerning affordable homes, landscaping, construction of a footpath and affordable housing should be for local people.
Arnsdale and Silverdale AONB Unit	No Objection , - the AONB Management Plan prioritises housing development that meets local affordable housing need, failure to do so would be contrary to National and Local Planning Policy. The provision of affordable housing should be included as part of development of this site and the mix should meet the local identified need.
Environment Agency	No Objection subject to finished floor levels being a minimum of 6.17m Above Ordnance Datum. This is a further 700mm above the predicted 1 in 1000 year flood level and will increase flood resilience further.
City Council Drainage Engineer	No Objection
Natural England	Object – due to increasing pressure on the SAC/SPA/RAMSAR/SSSI and impact upon SPA birds which may use the fields that adjoin the south and eastern boundary of the proposed development as supporting habitat.
Greater Manchester Ecology Unit	Observations awaited and will be verbally reported.
Strategic Housing Officer	No Objection , but the scheme should deliver 30% of on-site affordable housing, in the form of 50% intermediate and 50% social rented housing.
United Utilities	No Objection subject to conditions protecting the existing sewer that crosses the site and also other drainage conditions.
Lancashire County Council Education	No Objection , however recommend a contribution of £36,253 for 2 places for secondary school provision.
Tree Protection Officer	No Objection subject to the imposition of conditions.
Public Realm Officer	No Objection however recommends that a financial contribution of £10,000 for off-site improvements in addition to incorporating the existing amenity space into the proposed development is secured.

5.0 Neighbour Representations

- 5.1 To date there has been **2** letters received, one neither objects, nor supports the application, but raises concern regarding the highway relationship with Farleton Close. The other letter - whilst not averse to the development - has concerns, regarding an incorrect red line plan (which has been corrected), the positioning of some of the units in relation to existing properties, noise, potential vermin issues and over-development of the site.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraphs 7, 12, 14 and 17 - Sustainable Development and Core Principles
Paragraph 32, 34 and 38 Access and Transport
Paragraphs 49, 50 and 55 - Delivering Housing
Paragraphs 56, 58, 60, 61 and 64 – Requiring Good Design
Paragraphs 69,70, 72 and 73 – Promoting Healthy Communities
Paragraph 103 – Flooding
Paragraphs 109, 115,117,118 – Conserving the Natural Environment
Paragraphs 128-134 – Conserving and Enhancing the Historic Environment
Paragraphs 186, 187, 196, 197, 203-206 – Decision-taking

6.2 Lancaster District Core Strategy (adopted July 2008)

SC1 – Sustainable Development
SC4 – Meeting the District’s Housing Requirements
SC7 – Development and the Risk of Flooding

6.3 Lancaster District Local Plan - saved policies (adopted 2004)

E3 – AONB
E4 – Countryside Area

6.4 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
DM32 – The Setting of Designated Heritage Assets
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

6.5 Other Material Considerations

- National Planning Practice Guidance
- Meeting Housing Needs Supplementary Planning Document
- Lancaster City Council 2014 Housing Land Supply Statement
- Landscape Character Assessment, Lancashire County Council (2000)

7.0 Comment and Analysis

7.1 The application raises a number of issues and therefore the main elements of consideration include the following matters;

- Principle of Development and Housing Needs
- Flood Risk and Drainage
- Design and Amenity
- Landscape
- Highways
- Ecology
- Trees and Hedgerows
- Open Space and Education
- Other Material Considerations

7.2. **Principle of Development and housing needs**

7.2.1. The site is home to an existing dairy farm which includes various steel framed buildings, many in very close proximity to existing properties on Main Street and Farleton Close. The applicant has an alternative site at Cotestones which is 1km away, and it is proposed to relocate the business there, with the surrounding fields remaining in agricultural use as pastureland. The previous planning history of the application site suggests considerable investment in the business, including a slurry storage tank (discussed later in this report) and replacement agricultural buildings. Notwithstanding this each application has to be assessed on its merits and given there is a commitment from the applicant that the operations will be re-located to Cotestones and the land around the site will continue to be farmed for agriculture, this is considered acceptable.

7.2.2 DM DPD Policy DM42 identifies Warton as a sustainable settlement where new housing could be supported in principle provided it meets a local housing need. The policy does state that regard should be had to the Arnside and Silverdale AONB DPD. Work has commenced on this document however it is not yet at an advanced stage. Once adopted the DPD will seek to identify sites for the delivery of new housing. Until such time that the AONB DPD is adopted, development proposals will be expected to give material consideration to all policies within the DM DPD and the NPPF. The application is for major development in a protected area (as set out in NPPF paragraph 116), but is acceptable in principle at this location because of the opportunity to meet local housing needs on previously-developed land without an adverse impact on the environment or encroachment into the undeveloped AONB. When combined with the shortfall of housing supply as described above, the principle of the redevelopment of this site for housing is therefore considered acceptable.

- 7.2.3 Policy DM41 supports 'sustainable' residential development where the environment, services and infrastructure can or could be made to accommodate the impacts of expansion and that proposals provide an appropriate dwelling mix in accordance with the Council's housing needs evidence and policy guidance. Policy DM42, clauses IV to VIII, expand on a range of specific requirements for rural housing, designed to ensure that new residential development on non-allocated sites is well related to its surroundings. The site relates well to the existing built form of Warton and is considered that the scale of the development is proportionate to the character of Warton. Whilst Natural England object to the development, none of the other consultees raise objection with the proposal, and therefore on balance it is considered that this is a site that can accommodate this form of development. It is also considered at reserved matters stage a scheme can be devised which demonstrates good siting and design which will enhance the character and quality of the landscape.
- 7.2.4. In terms of housing needs, it is considered that the scheme is in relative accordance with the Housing Needs Survey undertaken for the AONB. Whilst layout is not being applied for the applicant has included a selection of units that will include 1-4 bedroom properties. The development appears to create a farmstead-type development with the terraces of buildings akin to converted barns. There is no strategic housing objection and the overall mix of housing is appropriate.
- 7.2.5 The AONB Partnership, together with the Parish Council have raised concerns regarding whether the units will be affordable in line with development plan policies. The applicant has committed to providing 30% of the units to be affordable which equates to 7 units. This would make a small but valuable contribution to the affordable housing needs of the local area. Any deviation from providing 30% would need to be evidenced by a financial viability assessment if this figure was not to be proposed. This would be examined at reserved matters stage.

7.3 **Flood Risk and Drainage**

- 7.3.1. According to the Environment Agency's flood map the site lies in Flood Zones 2 and 3 and an area that benefits from flood defences. Flood Zone 3 is defined as having a high probability of flooding in the NPPG. Ordinarily developments in this flood zone would only be permitted whereby the Sequential and Exception Tests had been fulfilled in line with guidance.
- 7.3.2 This site is somewhat different however as the detailed topographical survey shows the proposed dwellings are on land which is above 5.47m Above Ordnance Datum (AOD) and this places them above the 1 in 1000 year predicted on site Tidal Level. Furthermore the finished floor levels will be set to a minimum of 6.17m AOD, and this is a further 700mm above the predicted 1 in 1000 year flood level and will increase flood resilience further (albeit the EA have only requested that levels need to be 600 mm above 5.47m). This also raises the proposed dwellings above the 1 in 100 year *plus climate change* predicted flood level. Given this it is not considered in the circumstances that the applicant needs to undertake a Sequential Test as according to the topographic survey the levels where the properties are proposed would be - in essence - Flood Zone 1 (low risk of flooding). The Environment Agency raise no objection and agree with the applicant's assertions with respect to levels, and given the discrepancies in terms of levels relative to the Flood Zone classification it is considered that there is no requirement for the development to pass the Sequential Test and/or Exception Test. It is also considered given the Environment Agency raise no objection to the scheme and agree with the levels of the site, that gaining buildings and contents insurance would be possible to allow this to be a deliverable site.
- 7.3.3 Overall there would be a significant decrease in areas of impermeable surfacing (in the region of 72%), with surface water run-off taken out of the existing combined sewer and diverted to a local watercourse and SUDs features are proposed to deal with surface water drainage. Given the above, and the betterment that will be achieved, it is considered that that the proposal in terms of flood risk and drainage is acceptable, a view that is supported by Environment Agency, United Utilities, Lead Local Flood Authority and the Council's own Drainage Engineer. It is considered that planning conditions addressing finished floor levels and drainage strategies can be imposed to ensure that an acceptable form of development occurs.
- 7.3.4. There is a United Utilities sewer that crosses the site, and concern was originally raised from United Utilities as to whether the proposed layout had considered the pipeline and associated 3m wide easement. As part of the amended plans the development has taken account of its route and easement, with only the access crossing the pipe/easement. United Utilities raise no objection

subject to the imposition of conditions regarding protection of this pipe (to be addressed by informative note) and also surface water drainage conditions. A planning condition is recommended regarding foul water also.

7.4 **Design and Amenity**

7.4.1 Layout is not being applied for, but the applicant has submitted an indicative layout for up to 23 units. Initially one further was proposed but given concerns in terms of the layout this has been since been removed, as have amendments to the parking arrangements, boundary treatments and the positioning of some of the plots. This application is only for approval of the principle of the development. Whilst the design would not be acceptable in its current format the final design will be considered at any Reserved Matters stage and it is considered that the amenity of those residents along Main Street and Farleton Close can be protected via a sensitively designed scheme, using appropriate materials and strong boundary treatments befitting of the sites location within the AONB.

7.5 **Landscape**

7.5.1. Special consideration is required in terms of whether the proposed development is acceptable in landscape terms given the AONB status of the land. Planning policy is explicit in its protection of nationally important protected landscape designations, AONBs are afforded the same protection as National Parks, and in view of this the applicant has submitted a Landscape and Visual Impact Assessment (LVIA) as part of this application.

7.5.2. During the construction process it is considered that there will be some minor adverse landscape impacts when viewed from certain viewpoints. However overall it is considered that a sensitively designed scheme has the potential to offer a landscape gain in landscape terms once built out and the landscaping established. The AONB Partnership also echo this view in that redevelopment of the site as proposed has the potential to improve the visual amenity of this part of the village. It is therefore concluded that whilst there may be some short term minor adverse impacts during construction, once the development has been completed with the associated landscaping established, a beneficial effect in landscape terms should occur and therefore it is considered that the scheme accords with Policy DM28 of the DM DPD 'Development and Landscape Impact'.

7.6 **Highways**

7.6.1 An initial objection from the highway authority has been overcome by the provision of an access which is 5.5m with an associated footway of 2m. The County Council have recommended a number of conditions as reported in Section 4.1. These conditions are considered necessary and reasonable to make the development acceptable and the applicant is amenable to the elements of off-site highway work that have been requested from them. A new footway is proposed on the route of the secondary farm access to the east of the site, this will be of benefit not only to new residents however by other pedestrians in Warton Village who may wish to cut through the site for instance to access the village centre.

7.6.2 The Parish Council have requested that provision is made for a footway to Millhead along Mill Lane, given the existing footway is not appropriate. This will be reported further at committee following discussions with the County Council.

7.6.3 The County have raised reservations with regards to adopting lengths of carriageway with an easement and public sewer running beneath them. This is noted, however the applicant may well wish to divert the existing sewer, or failing this, as long as the roads are built to an adoptable standard in line with Lancashire County Council advice, the site could be a private estate and a management company could be set up to maintain the roads, and therefore the County's concerns are noted however there is a solution. It is considered an informative note be attached to the grant of any planning permission should make the applicant aware of this, together with a management company to be set up to be secured by Section 106 Agreement.

7.7 **Ecology**

7.7.1 The application site is located at its closest point approximately 650m from the Morecambe Bay RAMSAR/SPA/SAC/SSSI boundary. There are fields, roads, a train line and residential dwellings between this and the application site. The designations are used throughout the year for a wide

range of bird species. In summer, areas of shingle and sand hold breeding populations of terns, whilst very large numbers of geese, ducks and waders not only overwinter, but (especially for waders) also use the site in spring and autumn migration periods. The bay is of particular importance during migration periods for waders moving up the west coast of Britain.

- 7.7.2 Natural England raise an objection to scheme on the basis that there is likely to be an increase in people using Warton Marsh which is less than 1km from the site, and given it supports important wader roosts these species are sensitive to disturbance by walkers and dogs and therefore the integrity of the designation could be undermined. Natural England state that the Marsh is subject to access restrictions under the Countryside Rights of Way Act (2000), but this is not being adhered to by the local population. They are also concerned that there will be an increase in disturbance to birds that may use the adjacent fields (to the south and east). Natural England consider that these fields may be used as supporting habitat by overwintering SPA birds.
- 7.7.3 In terms of the first issue the designated boundary is at its closest point 650 metres away from the boundary of the application site, it is considered that whilst that an additional 23 households in this location has the potential to lead to more people walking and dog walking on the Marsh, in reality, it is unlikely to be any greater than already occurs, and given the site is subject to access restrictions these should be made clearer and/or enforced, and dog walkers should ensure dogs are on leads to limit any potential disturbance. For people wishing to walk there is more likelihood of people utilising the designated public footpaths in the vicinity of the site and walking to Warton Crag or via footpath 1 into Millhead for example.
- 7.7.4 Natural England are also concerned regarding the use of the adjacent fields by birds connected to the SPA, and that the use of the site for a residential use may mean there is potential for disturbance. The applicant in their ecology appraisal undertook a desk based assessment which did not show any records of birds utilising the fields to the south of the site. However, that is not to state that this does not happen, and the applicant has not undertaken any vantage work, or walkover surveys to confirm this is the case. Notwithstanding this, the footprint of the development is essentially the same as the existing farm operation on the site. Whilst not being applied for at this stage the applicants have proposed additional tree planting to the south of the site which will act as a further screen to these fields. Natural England consider that the construction work alone has the potential to cause disturbance and the potential to displace birds, and the applicants have not considered the effect on SPA birds using the surrounding fields once the development is occupied.
- 7.7.5 The use of the site as a dairy is considered to be on a par in respect to noise and disturbance as the proposed use of the site for a residential use. One of the letters of representation has stated that the site is relatively noisy. Whilst Natural England's comments are noted, it is not considered that the development will create any further disturbance than is already the case, furthermore once the development is constructed and the landscaping implemented, a net gain could be delivered.
- 7.7.6 As a means of alleviating some of Natural England's concerns, it is recommended that homeowner packs could be issued to all new occupiers, an information board erected on the Warton Grange site setting out the adjacent fields may be used by species in connection with the designated site, (together with notices advising dogs to be kept on leads on land within the applicants control at Cotestones Farm and Warton Grange Farm) and as part of the construction process a scheme for education of the contractors should occur, aimed at minimising disturbance during the construction process. Conditions should be attached in connection with construction noise, dust and the use of hoarding adjacent to the site during the construction process could also be imposed. With these measures in place it is considered there will be no likelihood of significant effects arising from the proposals either on its own or in combination, and whilst Natural England's concerns are understood it is considered that there would be no likelihood of significant effects arising from this development.

7.8 **Trees and Hedgerow**

- 7.8.1. The vast majority of the trees will remain; some losses will occur to facilitate the access, and some whereby they prohibit the development of some of the units. Whilst landscaping is not being applied for, the applicant has shown where compensatory planting can occur. Overall there will be a net gain by this development including a new landscaped boundary to the eastern and south-eastern side. The council's Tree Protection Officer raises no objection subject to conditions and it is considered that at reserved matters stage a well devised landscaping scheme can be secured which provide a high level of greening and screening but have public amenity benefit and wildlife value.

7.9 Open Space and Education Provision

7.9.1 The County Council in their role as education authority for Lancashire has requested that as part of this development a contribution of £36,253 is sought, which is for 2 secondary places, the County are not requesting any contribution towards primary education. The applicant is amenable to the contribution and this can be secured by Section 106.

7.9.2 The Council's Public Realm Development Manager has no objections on the basis that 436.8m² of open space is provided, together with the contribution of £10,000 for off-site provision, together with linking the existing amenity space (which is currently a grassed square located adjacent to 13 Main Street) into the proposed development. The applicant is amenable to the request, however the land in question is unregistered land and not within the control of the City Council, although it is the understanding that this land may be within the ownership of Warton Parish Council. Because the land would be outside the control of the applicant and outside the application boundary it is considered that this cannot be secured by way of condition. A legal agreement could be used, however the landowner would need to be party to this agreement, which may not be forthcoming. Whilst it may be preferable to tie this land into the proposal, resisting the development on the basis that this may not occur cannot be a reason for refusal. In view of this it is considered that discussions should be had with the Parish Council as to whether they are amenable to this land being integrated with the applicant's proposal for open space and considered at reserved matters stage.

7.10 Contaminated Land

7.10.1 Given the historic nature of the farming activities on the site the application is supported by a Phase 1 land contamination assessment. The report identifies a limited number of sources of potential contamination on site including the storage and use of substances on site associated with the operation of a dairy, potentially deleterious materials from infrastructure and two areas of unknown fill material. The report concludes that a phase 2 intrusive survey should occur. The Council's Contaminated Land Officer has highlighted some issues with the report but has suggested conditions are imposed, these are considered reasonable to protect the future users of the site.

7.11 Other Material Considerations

7.11.1 There is a slurry lagoon tank on land located outside of this application boundary, (the associated pipework does encroach within the application boundary – Ref 12/00938/FUL). The applicants have stated in their submission that this tank will remain as the applicants will continue to farm the fields in the locale and it is not essential that it needs to be pumped directly from within the farm site. A planning condition on that permission requires if the farm is no longer operating this should be removed. The applicant has stated that farming operations will be undertaken on land at a different site located 1km away, however it is noted that the adjacent fields will be used for farming. It is therefore considered an informative note is attached to the permission reminding the applicant of the need to remove the tank should the farm be demolished and made way for the development subject to this application. A condition could be imposed on any reserved matters application.

8.0 Planning Obligations

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

- The provision of up to 30% of affordable housing to be based on a 50:50 (social rented : shared ownership) tenure split as required by policy (percentage, tenure, size, type, phasing to be address at Reserved Matters stage based on local housing needs and viability);
- The payment of **£36,253** towards the provision of 2 secondary school places;
- Contribution of **£10,000** towards offsite amenity space/equipment;
- Long term maintenance of open space, drainage and landscaping.
- Off-site mitigation in respect of deterring dog walking on land within the control of the applicant at Cotestones Farm.

With Committee's support, Officers seek delegation to ensure that the Section 106 Agreement is signed within the agreed extended period for decision-making (i.e. before 30 November 2015).

9.0 Conclusions

9.1 The application site offers the unique opportunity of being able to deliver sustainable housing on a brownfield site within the AONB which will deliver properties that will meet a local housing need. The Council does not have a five year housing land supply and as such the application should be considered in the context of sustainable development. This means granting planning permission unless adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or specific policies in the NPPF indicate development should be restricted.

9.2 It is considered that the proposal is acceptable in terms of residential amenity, flooding and drainage, highway safety, ecology and landscape terms and will make a valuable contribution to meeting the housing needs of the Arnside and Silverdale AONB. Taking all matters into consideration, it is not considered that any adverse impacts of granting consent significantly and demonstrably outweigh the benefits and there are no specific policies in the NPPF that indicate development should be restricted. As such, it is considered that the proposal represents a sustainable form of development and accords with the National Planning Policy Framework.

Recommendation

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

1. Reserved Matters to be submitted
2. Development in accordance with the approved plans
3. Details to be submitted to show access
4. Scheme for off-site highway works to be submitted
5. Protection of visibility splays
6. Scheme for foul water provision
7. Surface water drainage scheme to be submitted
8. Finished floor levels are set no lower than 700mm above 5.47m above Ordnance Datum (AOD).
9. Development in accordance with flood risk assessment
10. Construction Method Statement to include demolition statement
11. Protection of trees and development to be carried out in accordance with the submitted AIA
12. Tree works schedule
13. Scheme submitted for ecological mitigation
14. Scheme to be submitted for electric vehicle charging points
15. Standard contaminated land condition
16. Contaminated land – Importation of soils, materials and hardcore
17. Prevention of new contamination

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 agent 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.

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

1. 12/00938/FUL, Erection of a slurry storage tank at Warton Grange Farm Farleton Close Warton Carnforth Lancashire LA5 9PE