

Agenda Item A8	Committee Date 12 December 2016	Application Number 16/00745/OUT
Application Site Land Rear Of Ingleborough View Station Road Hornby Lancashire	Proposal Outline application for the development of 11 residential dwellings and creation of a new access	
Name of Applicant Mr & Mrs Norris	Name of Agent Mr Avnish Panchal	
Decision Target Date 18 November 2016 Extension of time agreed to the 15 December 2016	Reason For Delay Submission of additional information	
Case Officer	Mrs Jennifer Rehman	
Departure	No	
Summary of Recommendation	Refusal	

1.0 The Site and its Surroundings

- 1.1 The application site comprises 1.2 hectare of improved grassland pasture located behind Ingleborough View, south west of Station Road, on the southern outskirts of the settlement of Hornby. The site is divorced from the village core by the disused railway line which previously separated Hornby from the cluster of development at Butt Yeats. The application site and surrounding area are located within the northern fringe of the Forest of Bowland Area of Outstanding Natural Beauty (AONB). It is also land identified as 'Countryside Area' in the saved Local Plan. Hornby's Conservation Area lies to the north of the disused railway line covering the historic core of the village and castle. The application site is outside of this designated heritage asset. There are no protected trees within the site or on neighbouring land that could be affected by the proposals.
- 1.2 The site relates to the eastern part of a larger pastoral field. It is bound by the B6480 Wennington Road to the south; the remaining part of the field to its western boundary; the disused railway line and the residential development at Station Court to its northern boundary; and a row of semi-detached and terraced 2-storey houses known as Ingleborough View, Low barn (a residential property) a sub-station and Station Road to the site's eastern boundary. There is also an area of public open space (designated as PPG17 land) to the north of the application site situated between Station Court and Station Way Industrial Estate. A small cluster of development around the Butt Yeats junction is located to the south east of the site on the south side of Wennington Road with a further small residential complex, known as Lunesdale Court, around 180m to the south west of the site.
- 1.3 The site is enclosed predominately by native hedgerows, particularly to the northern and southern boundaries. The eastern boundary is made up of a mix of boundary treatment including stone walls, post and wire fences and hedgerows as they make up the domestic curtilages of neighbouring residential property. There are a small group of trees located on this eastern boundary separating the site from Station Road, close to the narrow bridge. The site is accessed by an existing field access off Station Road between Low Barn and 8 Ingleborough View.

1.4 Land levels rise gradually from an elevation around 35.8mAOD in the south eastern corner of the site (close to the existing access) to 40.8mAOD at the mid-point along the proposed western boundary of the site. At this highest point the levels then drop steeply towards the northern boundary where the site is elevated at approximately 29mAOD. The site is located outside of flood zones 2 and 3 and is not located in an area identified as being susceptible to surface water flooding (other than along the northern boundary where Mears Beck runs in an east-west direction). The site is located in a Mineral Safeguarding Area.

2.0 The Proposal

2.1 The application seeks outline planning permission (all matters reserved except for access) for the erection of 11 dwellings with an associated vehicular access off Wennington Road. The site includes land to accommodate a northern pedestrian link between the proposed field and the public open space to the rear of Station Court. This link will cross Mears Beck. The proposal also includes opportunities for links to Station Road via the existing field access and adjacent to the land subject to planning permission 15/00117/OUT for a single dwelling adjacent to the existing substation on Station Road.

2.2 The proposed access is applied for in full and is illustrated on the amended site plan. The access is a typical priority controlled junction from Wennington Road with a 2m wide footway to the western side of the junction. The access originally included a 2m wide footway on the eastern side of the access but this was removed as it was regarded superfluous and potentially dangerous given the lack of pedestrian footway along Wennington Road to the junction with Station Road.

2.3 The amended access arrangements involve the retention of the existing hedgerow to the eastern side of the access but the setting back of the field boundary and subsequent hedgerow translocation to the western side of the access in order to achieve appropriate sightlines. As part of the proposed access the scheme incorporates a new 2m wide footway on the northern side of Wennington Road from the new access westbound to the existing bus stop located opposite Lunesdale Court. This extends approximately 140m from the centre point of the proposed access

2.4 The proposal includes five affordable dwellings. Whilst the layout, scale, appearance and landscaping are matters reserved for subsequent approval, the application includes a landscape strategy and suggests that the scale of development is likely to be two storey with dwellings finished in traditional materials. The application indicates boundary treatments would comprise thorn hedging complimented by natural stone walling. This information is illustrative only and does not form part of the detailed consideration of the application.

3.0 Site History

3.1 The proposal has been subject to Level 1 Pre-application Advice with the local planning authority, which advised that the principle of the proposal was acceptable, subject to various matters being adequately addressed at the formal planning stage, including pedestrian connectivity and the provision of a suitable access, the provision of affordable housing, high quality design and landscape impacts, drainage, ecology and that existing and proposed residential amenity is protected.

3.2 The site has not been the subject to any formal planning applications previously. However, there have been a number of planning applications within the immediate vicinity of the site that are of relevance to this case (see below and over).

Application Number	Proposal	Decision
15/00117/OUT	Outline application for the erection of a single 3-bed dwelling with associated access.	Permitted <i>This site is located adjacent to No. 1 Ingleborough View and existing sub-station and is adjacent to the proposed site.</i>
14/01030/FUL	Erection of 9 dwellings and associated access	Permitted <i>This site is located opposite Ingleborough View and is currently under construction. This was permitted with contributions towards affordable housing and off-site public open space.</i>

14/01151/FUL	Demolition of former hairdressers and erection of a single storey dwelling with associated access	Permitted <i>This site is located on the other side of the road bridge adjacent to land owned by the applicant.</i>
13/01205/FUL	Erection of 8 2-storey dwellings with associated access, landscaping and car parking	Refused <i>This site relates to the public open space referred to in this report and is owned by the City Council, to the rear of Station Court.</i> <i>This was refused on the grounds of potential noise impacts and subsequent impacts on residential amenity due to the incompatibility with the adjoining employment land</i>

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objections. The link via the public open space to Station Court is an essential pedestrian link, advising that if this link is not achievable then they would have to recommend refusal. Conditions recommended include Construction Management; construction of the access to Wennington Road to be adoptable standard before any development commences; scheme for off-site highway works, including pedestrian links and speed reductions to Wennington Road in the vicinity of the site; and protection of visibility splays. NB: <i>LCC Highways originally sought a contribution towards public transport facilities. This request has subsequently been withdrawn on further investigation that the obligation would not meet the tests set out in the NPPF.</i>
Lead Local Flood Authority	No objection subject to conditions relating to a surface water drainage scheme as part of the reserved matters application
United Utilities	No objection subject to conditions relating to foul and surface water to drain on separate systems; detailed surface water drainage scheme and management and maintenance of drainage scheme. UU advises that a public sewer crosses the site and that no building can be permitted over its easement (3m either side of the sewer). NB: <i>the sewer is located in the northern corner within the indicative public open space area and therefore is unlikely to cause a significant problem.</i>
Natural England	No objection - unlikely to affect any statutory designated conservation sites; the development is in the AONB and due regard should be given to NPPF paragraph 115 of the NPPF. Consultation is recommended with the relevant AONB Partnership or Conservation Board; Standing Advice is provided in relation to Protected Species; and the application provides opportunities to incorporate features into the design to enhance biodiversity.
County Council (Strategic Planning)	No objections subject to a contribution of £20,303.59 for 1 secondary school place based on their adopted methodology. No contributions for primary school places are sought.
Parish Council	No objections. The Parish Council is supportive but have raised concerns over traffic and highway safety at the Butt Yeats junction and would like to see a reduction in the speed limit at this point; queries raised over the pressure on the current drainage system, the adoption of the new footpath and maintenance of existing hedgerows; no issues raised with the proposed footpath from the site to Station Court and see it as a great benefit to residents as it will provide a safe access to the village; and in terms of public open space, the Parish has identified that the amenity space which is located to the rear of Station Court could be utilised as a small play/seating area and the existing park would benefit from upgrading/new equipment. They have also indicated that the Village Institute and swimming pool are under threat and the Parish is keen to support their retention.
Forest of Bowland Area of Outstanding Natural Beauty	Objection. The scheme is considered 'major' (in relation to its AONB designation) and so paragraph 115 of the NPPF applies. Development is likely to impact on the landscape character of the AONB and none of the tests for major development

	proposals in the AONB have been adequately considered. This siting of the development is likely to have significant visual effects and impact on local views, some of which are unlikely to be ameliorated by any landscaping measures.
Greater Manchester Ecology Unit	No objection subject to conditions relating to new landscaping to compensate for the loss of hedgerows which have some local ecological value (SUDS could be incorporated into the landscaping proposals to enhance the wildlife value of the site); and prevention of hedgerow removal during the bird nesting seasons.
Tree Protection Officer	No objection. Initial objections have been removed following the submission of a satisfactory proposals for hedgerow translocation. Conditions are recommended relating to the Landscape Scheme to be implemented in full and development to be carried out in accordance with AIA and Hedgerow Translocation Method Statement. <i>NB: The applicant is not applying for Landscaping and so the first recommended condition would not be imposed in the event of an approval.</i>
Lancashire Archaeological Advisory Service (LLAS)	There are a significant number of known heritage assets in the general area, the closest being the Grade II Listed medieval cross at Butt Yeats crossroad. There are no known heritage asset within the site. However, given archaeological investigations and recording at Strands Farm which revealed remains of medieval periods and knowledge of Roman Roads suggested to be running on the lines of Station Road, together with 'native' settlements across the landscape, an archaeological investigation should be carried out and a heritage statement submitted prior to determination. Following the submission of a Heritage Statement, LAAS has provided further comments advising that the assessment in relation to archaeology is wholly inadequate and does not comply with the requirements of the NPPF.
Property Services (Lancaster City Council)	The footpath between 6 & 7 Ingleborough View is owned by the Council with both adjacent properties having rights of access over it. They advise consultation be undertaken with the Council's Council Housing Services regarding the use of the path for pedestrian access. <i>NB: this link has now been removed from the proposal.</i> They also advise that the land to the north is licenced to the Parish Council to maintain the informal recreation space and consultation with them should be carried out. Property Services advises that there is insufficient detail to understand the impact of the path on the existing development (Station Court) and Council land and that the proposals should not prejudice the ability for future development of this land. <i>NB: Further information has been provided in respect to the link. It is understood that the applicant's agent is in discussions with Property Services regarding this matter.</i>
Public Realm Officer	No objections subject to the provision of an amenity space to be provided on site (minimum of 200m ²); northern footpath link not to be separated (fenced off) from the public open space to the rear of Station Court; and a (maximum) contribution of £35,593 towards off-site public open space.
Strategic Housing Officer	No objection as the scheme is proposing 5 affordable housing units on site. Comments have been received in relation to the tenure mix/house types which could assist any subsequent reserved matters application.
Environmental Health Service	No objections subject to conditions relating to hours of construction; dust control and standard contamination conditions.
Electricity North West (ENW)	The development lies adjacent to ENW operational land. The development must not encroach this land or any associated easements. Records show a 33kV cable running across the site through plots 9, 10 and 11. Should the cable require diverting the costs would be borne by the developer.
Lancashire Constabulary	No objections. Security recommendations include external doors and windows to be enhanced security standard; design to Secured by Design Initiative; boundary treatments to sides and rears to be 1.8m high; and security lighting and intruder alarms fitted to dwellings.
Lancashire Constabulary (Traffic)	No objection. Contrary to popular belief there is not a significant collision problem at this location. The proposed new access has visibility splays suitable for traffic speeds in the region of 40mph. There is a preference to see a reduction in the speed limit to 40mph consistent with the visibility splays proposed but based on the evidence provided in the transport assessment technical note, the Constabulary (Traffic) has no objections to the proposed new access.

5.0 Neighbour Representations

5.1 At the time of compiling this report 14 letters of opposition have been received. The reasons for opposition are summarised as follows:

- Private amenity concerns, including loss of privacy (via pedestrian link to Station Road); overlooking due to land level differences; loss of light, additional noise and disruption;
- Traffic and highway concerns, including increase in traffic on the B6480 which is narrow with substandard pavements; concerns regarding junction with Station Road; and poor visibility on a 60mph road;
- Landscape concerns, including impact upon AONB; loss of green fields and rural landscape;
- The proposed plot 2 is a private access for 4 & 5 Ingleborough View only. The use of this access would also reduce security of neighbouring gardens and safety of children. *NB – this has now been omitted;*
- Provision of a footpath from site to Lunesdale Court manipulates local residents to support the application. Local residents have been asking the applicant for many years to provide a footpath on his land with no success;
- Site is not within Council's future development plans - there are other sites identified for development in the SHLAA (241 with 9 dwellings planned, site 245 with 20 dwellings planned, and site 712 with 123 dwellings planned);
- The 9 dwelling scheme opposite Ingleborough View is already having a negative impact.
- Precedent for future development;
- Increase pressure on existing services, particularly sewerage;
- Concerns regarding surface water drainage;
- Flood Risk Assessment is inaccurate and does not account for the 2015 floods

5 letters of support (or broad support) with following comments/concerns:

- The proposal is in keeping with the character of the area and the access road will improve sight lines along the B6480;
- New dwellings and families help to support the local economy and sustain services;
- The provision of the footway is supported and would improve access from Lunesdale Court (15 properties) to the village and local bus services;
- Despite support in principle there remains some concerns over increased traffic, speed limits and need for traffic controlled junction at Butt Yeats and traffic calming measures;
- A condition of support would be that no further developments in the vicinity of the site; and
- The provision of more affordable housing is needed in the village.

1 letter raising a number of queries for consideration:

- Queries the Highway Authority's view of the proposed access;
- Need for traffic calming measures as the road is very dangerous;
- Concerns over flooding and that additional development could increase flood risk elsewhere noting that the culvert under the A683 cannot cope at present. Asks that a condition be imposed preventing further development in the area. Notes that the FRA does not take account of changes to land levels as a consequence of the development;
- Concerns over the lack of information about the changes to the site contours.

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, 35 and 38 - Access and Transport

Paragraphs 47, 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, 115,116, 117,118 – Conserving the Natural Environment

Paragraph 120 – Risks from Pollution (contamination)

Paragraph 123 - Public health and noise considerations

Paragraphs 128-134 – Conserving and Enhancing the Historic Environment

Paragraphs 142 and 144 – Facilitating the sustainable use of minerals
Paragraphs 186, 187, 196, 197, 203-206 – Decision-taking

- 6.2 Lancaster District Core Strategy
SC1 – Sustainable Development
SC4 – Meeting the District’s Housing Requirements
SC5 – Achieving Quality in Design
SC8 – Recreation and Open Space
E1 – Environmental Capital
E2 – Transportation Measures
- 6.3 Lancaster District Local Plan (Saved Policies)
E3 – Development Affecting Areas of Outstanding Natural Beauty
E4 – Development within the Countryside
- 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
DM34 – Archaeology
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
- 6.5 Joint Lancashire Minerals and Waste Local Plan
M2 – Safeguarding Mineral Sites
- 6.6 Other material considerations
National Planning Policy Guidance
Meeting Housing Needs Supplementary Planning Document
Lancaster City Council 2015 Housing Land Supply Statement
Forest of Bowland AONB Management Plan
Forest of Bowland AONB Landscape Character Assessment
Lancashire Landscape Strategy including Lancaster Character Assessment
Guidance Note on Policy M2 – Safeguarding Minerals, December 2014
Section 11A(2) of the National Parks and Access to the Countryside Act 1949
Section 85 of the Countryside and Rights of Way Act 2000

7.0 Comment and Analysis

- 7.1 The application raises the following key issues:
1. Principle of Development
 2. Housing needs
 3. Highways and accessibility considerations
 4. Impact on the AONB and Countryside Area
 5. Archaeology
 6. Drainage
 7. Residential amenity
 8. Ecological impacts
 9. Mineral safeguarding

7.2 Principle of Development

7.2.1 The Development Plan for the area comprises those policies of the Lancaster District Core Strategy (CS) and the more recently adopted Development Management Development Plan Document (DM DPD). It also includes some saved policies of the Lancaster District Local Plan. The overarching spatial strategy and growth levels for the District are set out in the CS, which adopts an urban concentration strategy and seeks to deliver housing growth equating to 400 dwellings per annum. The CS seeks to achieve sustainable development (SC1) by ensuring development is sited in sustainable locations. CS policy SC3 identified sustainable rural settlements where a proportion of growth (housing and employment) could be accepted. The recently adopted DM DPD provides greater opportunity for housing growth in key rural settlements. This is set out in policy DM42. Hornby is identified as one of the sustainable rural settlements, recognising the level of services available in this village to serve its rural community. As advised at the pre-application stage, the principle of new housing in Hornby is considered acceptable. However, any such proposal should meet a number of general planning requirements (set out in policy DM42) having particular regard to the specifics of the site and its surroundings.

7.2.2 The National Planning Policy Framework (NPPF) provides that policies of the development plan must only be afforded weight concordant with the degree to which they reflect the aims and policies of the NPPF. As part of the Council's work towards delivering a new Local Plan for Lancaster District and in accordance with the NPPF (paragraph 47), the Council has been reviewing the objectively assessed need (OAN) for housing in the District. This evidence demonstrates that the District's OAN is likely to exceed the current figure of 400 dwellings per annum set out in the CS (policy SC4).

7.2.3 Paragraph 49 clearly states that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5 year housing land supply. It is not disputed that past housing delivery has been below the CS target and as a consequence (when taking account of the backlog arising from under-performance and applying the Sedgefield methodology) the Council cannot demonstrate a deliverable 5 year housing land supply. Paragraph 49 states that all housing proposals should be considered in the context of the presumption in favour of sustainable development. The presumption in favour of sustainable development specifically, (paragraph 14 of the NPPF) states that for decision-taking the means *"approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or*
- *specific policies in this Framework restrict development should be restricted."*

Consequently, housing in Hornby could be regarded as acceptable in principle (policy DM42), but this is subject to all other material considerations being appropriate to assess the application against the tests set out in paragraph 14 of the NPPF. The report shall now consider key material considerations in turn.

7.3 Housing Needs

7.3.1 The pre-ambles to policy DM42 states that the Council will support proposals for new housing development in rural settlements that have good access to an appropriate range of services that contribute to the vitality of these settlements. It goes on to state that proposals should have clear benefits for the local community and that they meet rural housing needs. The Council's Meeting Housing Needs SPD, which is informed by evidence from the District's Housing Needs Survey, indicates that the market housing needs for Hornby are predominately 2 and 3 bedroom properties. The affordable housing needs are also 2-bedroom properties. In terms of affordable housing provision, given the scheme is for more than 10 dwelling units on a greenfield site, up to 40% affordable housing on site should be provided in accordance with policy DM41.

7.3.2 The application is in outline form with matters such as scale and appearance reserved for subsequent approval. The applicant's indicative layout plan shows the provision of 11 units with a mix of detached, semi-detached and terraced units. The affordable housing statement indicates that the size of units would comprise three 2-bedroom units and eight 3-bedroom units. The application also confirms that 5 of the 11 units would be affordable which would be secured by legal agreement. Whilst the exact dwelling types/sizes are not being considered in full at this outline stage, the mix of dwelling types/sizes indicated would not be considered unreasonable. The Council's Strategic Housing Officer has raised no objections and indicated that based on the Council's affordable

Housing policy 50% of the units should be available for social rent and 50% for intermediate housing. In this case, given 5 units are proposed for affordable housing, the preference is for 3 rented units and 2 intermediate units.

7.3.3 Overall, the application adequately demonstrates that the proposal would positively contribute to meeting the local market and affordable housing needs in accordance with policies DM41 and DM42 of the DM DPD and the Meeting Housing Needs SPD. The applicant has agreed to secure the provision of affordable housing via a legal agreement in the event of a favourable decision.

7.4 Highway and Accessibility Considerations

7.4.1 The application has been supported by a Technical Note addressing highway/traffic considerations, a revised location plan extending the red edge of the application to incorporate land to the north to provide a suitable pedestrian link, and a revised site plan showing the proposed access and visibility splays. The access is proposed off the B6480 Wennington Road. Within the vicinity of the site, the B6480 is unlit, has no footways and is subject to the national speed limit of 60mph. It is a typical rural road bound by relatively high native hedgerows. Station Road links Wennington Road to the A683 at the junction with Butt Yeats. Station Road runs alongside Ingleborough View and is subject to a 30mph limit with a footway along the western side of the carriageway. Access to the village from Butt Yeats/Ingleborough View is restricted by the narrowing of the carriageway over the disused railway bridge to the north of the site where there is limited provision for pedestrians. In terms of highway matters there are two principle issues to address. The first relates to the appropriateness of the proposed vehicular access and the second relates to accessibility for pedestrians to the village services/facilities from the site.

7.4.2 The proposed vehicular access is located around 50m to the west of the access serving Green Close (a detached dwelling) on the south side of Wennington Road. The access is approximately 130m to the Butt Yeats junction (east of the site) and just under 200m to the access to Lunesdale Court, which is to the west of the site on the south side of Wennington Road. The proposed access has been positioned to maximise visibility in both eastbound and westbound directions and comprises a typical priority controlled junction off Wennington Road. The access has been designed taking account of appropriate speed surveys undertaken by the applicant with maximum visibility splays of 2.4m x 104m eastbound and 2.4m x 111m westbound. A new footway is incorporated from the new access towards Lunesdale Court, which extends beyond the required visibility splay by around 30m. Despite local concern over highway safety, in particular the proximity of the access to the junction of Butt Yeats, road alignment and restricted visibility and traffic speeds, County Highways has raised no objections to the proposed access arrangements. County Highways has, however, acknowledged local representations and support their and the Constabulary's request that the speed limit in the vicinity of the access be reduced to from 60mph to 40mph. The provision of the access and the investigation and implementation of an appropriate speed reduction scheme can be secured by way of planning condition. In terms of highway safety and suitability, the proposed vehicular access is considered compliant with relevant national and local planning policy.

7.4.3 The application has been amended to address concerns over pedestrian connectivity from the site to the village centre. This primarily includes an extension of the red edge to the north of the site to provide a footpath link from the site to the village via the public open space adjacent to Station Court, thereby avoiding the narrow bridge on Station Road. The location plan has also been amended to include the existing field access which is land within the applicant's control (blue edge) to provide opportunities for a safe pedestrian access to Station Road, where there is an existing bus stop. These amendments have been supported and were encouraged at the pre-application stage.

7.4.4 The delivery of this link is, however, subject to private negotiations with the appropriate landowners as the link is on land outside the applicant's control. The land to the north of Mears Beck, which the link would have to cross, is public open space (POS) owned by the City Council but leased and managed by the Parish Council. A small section from the POS to the public highway is understood to be in the same ownership as Station Court (a registered provider (RP)). The requisite Notices have been served. There have been no objections or representations received from the RP concerning the link proposals. In the case of the City Council, initial comments indicate that the Council has some concerns over the link and that they would not wish the provision of a link to prejudice the ability to develop their land. It is understood that there are negotiations ongoing.

- 7.4.5 The planning history section of this report references an application on the POS in question (13/01205/FUL). Whilst the City Council (in their property role) has not fully agreed for a footpath to be linked to their land, they have equally not said it is not possible. Their primary concern relates to whether the footpath link would prejudice the future development of the site. Having regard to the layout proposed as part of planning application 13/1205/FUL, there is no reason why the proposed link would prejudice a scheme similar to that previously submitted, or indeed would prejudice neighbouring development, subject to detailed design.
- 7.4.6 County Highways have made it clear that the provision of the northern link is essential and that failure to deliver this link would render the proposal unacceptable as it would lead to increased pedestrian movements along Station Road and specifically over the narrow bridge where footway provision is deficient. This would result in unsafe pedestrian movements between the site and the village centre and so the proposal would fail to comply with policy SC1 of the CS, DM DPD policies DM21 and DM35 and paragraph 32 of the NPPF. In the event of an approval, a Grampian condition could be imposed to ensure details of the proposed northern connection from the site to Station Court are agreed by the local planning authority and that the implementation of such be undertaken on site before the commencement of development. It is contended that the works associated with the provision of the pedestrian link to the village (avoiding the narrow bridge) are required to make the development acceptable and such a condition would meet the tests set out in paragraph 206 of the NPPF. This approach is also accepted by the Highway Authority.
- 7.4.7 The provision of pedestrian links to Station Road would provide direct access to the bus stop located outside Ingleborough View. The delivery and precise details can also be controlled by condition. A single link would be reasonable rather than the two suggested. It is anticipated that at the detailed design stage, the level differences between the site and Station Road in the vicinity of the link to the north of the sub-station may prove problematic and so utilising the existing field access to the south of 8 Ingleborough View may be the most feasible route. With regards to the proposed footway to Lunesdale Court, this is seen as betterment for the residents of Lunesdale Court, but ultimately it is not an essential requirement to make the development acceptable. Residents of Lunesdale Court are knowingly located outside the village with no safe pedestrian access to facilities/services.
- 7.4.8 In terms of the internal layout and parking provision, by in large these are details reserved for subsequent approval. The indicative plan has been revised to remove the originally proposed footway incorporated into the access arrangements to the east of the access toward Butt Yeats, namely because the footway was regarded superfluous and potentially dangerous given it was not connecting to a footway but an area of grass verge. Overall, subject to the imposition of conditions relating to the proposed pedestrian connections, the scheme can deliver safe and suitable access for all and supports appropriate pedestrian connectivity as required by policy SC1 of the CS, DM20 and DM21 of the DM DPD and paragraph 32 of the NPPF.

7.5 Impact on the AONB and Countryside Area

- 7.5.1 The proposed development is located within the Forest of Bowland AONB. Paragraph 115 of the NPPF states that *great weight should be given to conserving landscapes and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scene beauty*. Paragraph 116 goes on to state that *planning permission should be refused for major development in these designated landscapes except in exceptional circumstances and where it can be demonstrated they are in the public interest*. This national policy position is enshrined in the Local Plan policy DM28. Specifically, policy DM28 states that *proposals which would have a significant adverse effect upon the character of the landscape or which would harm the landscape quality.....will not be permitted*. Saved policy E3 echoes this approach and clearly states that development which would have a significant adverse effect upon the character and quality of the landscape will not be permitted.
- 7.5.2 The application has been submitted with a Landscape and Visual Impact Assessment (LVIA). Officers have assessed the scheme and the LVIA and in reaching this recommendation have had regard to Section 85 of the Countryside and Rights of Way Act 2000. This places a statutory duty on the local planning authority when assessing and determining a planning application within the AONB, to have regard to the purposes of conserving and enhancing the natural beauty of the AONB.
- 7.5.3 The FoB AONB Landscape Character Assessment characterises the application site and its landscape within the Lune Landscape Character Area (LCA) and Valley Floodplain Landscape

Character Type (LCT). The landscape is characterised as flat, wide floodplains of the River Lune surrounding by rolling drumlins and hills. The overall visual sensitivity within the Valley Floodplain Landscape Character Type is considered to be high, as a result of the generally strong indivisibility with surrounding higher landscape Character Types and the strong sense of openness within views along the valleys. The FoB Landscape Character Assessment specifically refers to the strong cultural pattern of hedgerows and stone walls which delineate field boundaries and contribute to high cultural sensitivity. This assessment goes on to state that as a result of the above factors, this Landscape Character Type is considered to have limited capacity to accommodate change without compromising key characteristics of this LCT. Wennington Road and land beyond to the south, in the vicinity of the application site, is defined within the FoB AONB Landscape Character Assessment as Caton LCA and Undulating Lowland Farmland and Wooded Brooked LCT. The key characteristics of this LCT relates to the patchwork of pasture field and wooded troughs and gorges; a network of hedgerows and stone walls that delineate field boundaries, and; scattered cottages and clustered villages. The Caton LCA specifically refers to minor roads lined by mature hedgerows with specific guidelines to ensure highway improvements respect and reflect local character.

- 7.5.4 The FoB Management Plan clearly sets out that all development is expected to conform to a very high standard of design, to be in keeping with local distinctiveness and should seek to conserve and enhance the AONB's natural beauty. Development that is considered to have a materially adverse impact can only proceed where it is demonstrated that it satisfies an over-riding national need (paragraph 116 of the NPPF).
- 7.5.5 The first step in the assessment of this proposal is whether the proposal should be judged 'major' in the context of paragraph 116 of the NPPF. The NPPG states that whether proposed developments within these designated sites should be judged 'major' will be a matter for the relevant decision taker, taking into account the proposal in question and the local context. The NPPF is clear that great weight should be given to conserving landscape and scenic beauty in these designated areas irrespective of whether the policy in paragraph 116 is applicable. Case law is beginning to assist in the assessment of whether a proposal is regarded 'major' or not. It is clearly not based on a prescribed set of criteria, nor the definition of 'major' for the purposes of the Development Management Procedure Order, or if it requires EIA. It is a matter of a planning judgement for the decision maker in light of all circumstances and the context of the site.
- 7.5.6 In this case having regard to the scale and amount of development proposed, the landscape assessment and localised site constraints, Officers are satisfied that the scheme would *not* constitute 'major' development in its ordinary meaning. This is contrary to the interpretation of 'major' set out in the FoB AONB Officer comments. However, this does not diminish the great weight that should still be afforded to the protection of the AONB designation, nor does it alter the statutory purpose of the AONB designation which is to conserve and enhance the natural beauty of the area.
- 7.5.7 The LVIA indicates that site encompasses the eastern side of a drumlin and then looks at the site in two sub-areas. The northern sub-area relating to the part of the site that steeply slopes towards the northern boundary and the southern area which slopes more gradually toward the southern boundary. The assessment sets out the national and county character areas and types and considers the more recent FoB AONB Lancaster Character Assessment. It includes representative viewpoints and photomontages which were agreed with Officers in advance of the submission and then considers the predicted likely landscape and visual effects that would arise from the development. In addition to the LVIA a revised Arboricultural Implication Assessment (AIA) has been submitted including methodology for hedgerow translocation along the southern boundary of the site. The Council's Tree Protection Officer has no objections to the development and the hedgerow translocation.
- 7.5.8 It is not disputed that the landscape value of the site and its surrounding landscape is judged to be high and that the landscape associated with the application site is on the fringe of Hornby which is influenced by existing development and recently consented schemes along Station Road and its immediate surroundings. Whilst the applicant's assessment is considered comprehensive and robust, the assessment does not sufficiently consider the implications of the access arrangements on the landscape and visual effects on the special qualities of the AONB having regard to the key characteristics of the landscape character types/areas.
- 7.5.9 The landscape effects will be a direct loss of improved grassland and the loss of approximately 13m of hedgerow to accommodate the new vehicular access. The landscape effects also include the

significant alterations to the southern field boundary, principally by the setting back of the existing field boundary and the widening of the carriageway to incorporate a grass verge (in places) and a 2m footway for a length of almost 130m. This includes the translocation of the existing hawthorn hedgerow along the southern boundary of the site. This is to provide the visibility splays for the new access, plus an additional length of footway to provide a pedestrian connection from the site to Lunesdale Court. Unlike the LVIA, the AIA does assess the impacts to the roadside hedgerow and includes a method for translocation which indicates 70m of hedgerow would be cut down to 300-500mm and then relocated 2m back into the field at the appropriate time of year. The extent of highway works along the southern boundary exceeds 70m and is closer to 130m westbound of the access based on the proposed access arrangements. Subsequently, there appears to be some inconsistency between the AIA and proposed access details submitted in relation to the extent of hedgerow translocation. Other hedgerows and trees around the boundaries of the site are intended to be retained. There are no objections to the information in relation to tree/hedgerow protection for the rest of the site.

- 7.5.10 The LVIA concludes that for a landscape with high to medium sensitivity to change the level of effect would be substantial to moderate. The assessment contends that the development would have direct effects on a relatively small portion of the Lune LCA, though this does not sufficiently take account of the works required to the southern boundary to facilitate the proposed access or the topography of the site, and argues the proposal simply moves the edge of Hornby westwards by 115m from the edge of the existing development (Ingleborough View), leading to a moderate to slight direct and indirect effects on the Lune LCA. In the case of the Caton LCA, the LVIA concludes the proposal would be perceived to be contiguous with existing development on Station Road and Station Court and when viewed from elevated parts of this LCA the development would form an improved edge to this part of the village by introducing new hedgerows. The LVIA suggests the level of effect would be moderate to slight. The submitted assessment concludes that overall the direct landscape effects on the FoB AONB are also moderate to slight and the indirect landscape effects slight to negligible. The application contends that the development could be accommodated given the relationship of the site with the edge of Hornby and the provision of green infrastructure to sustain and enhance the character of the landscape surrounding the site.
- 7.5.11 With regards to visual effects, the LVIA concludes that the visual effects are limited due to the enclosed character of the site and the surrounding landscape affording high level visual screening. It indicates that where views are obtained, they would be in the context of the existing edge to Hornby. The greatest level of visual effect is judged substantial and adverse on the views of residents living in property adjacent to the site.
- 7.5.12 In terms of the landscape and visual effects, the LVIA places significant weight on the indicative landscape strategy (landscaping) which incidentally has not been applied for as part of this outline application. Officers are mindful of this but in any case, do not share the view that the landscape strategy would sufficiently reduce the level of harm arising from the development. This view is shared by the FoB AONB Officer.
- 7.5.13 Policy DM28 requires development proposals to be appropriate to the landscape character type and designation. This policy requires great weight to be attached to the protection of this nationally designated site in the determination of planning applications. Built development around Butt Yeats was once considered outside the settlement of Hornby, which historically developed around the castle and bridge over the River Wenning. More recently we have seen development proposals come forward to the south of the disused railway which have been accepted as part of the settlement despite being slightly divorced from its centre by the disused railway line and associated bridge. Unlike this proposal, these development proposals have been accessed via the existing built-up area of the settlement namely, Station Road. They have also been positioned on relatively flat land reflective of the existing built development along Station Road. In this case, the proposal seeks to introduce a new access off Wennington Road in a location considered outside the built-up part of the settlement. Except for small clusters of development along its length such as Lunesdale Court and Butt Yeats, Wennington Road represents a typical rural road characterised by high hedgerows immediately abutting the winding carriageway as it runs through the valley with undulating pasture land beyond. The proposal would significantly alter this character and charm by the setting back of the southern field boundary, the widening of the overall carriageway, the introduction of grass verges (in some places) and a 2m wide footway for a length of approximately 135m westbound towards Lunesdale Court, with possible retaining features. This would have a significantly adverse urbanising effect on the character of Wennington Road which in turn would fail to conserve and

enhance the natural beauty of the AONB. It further fails to appropriately reflect the rural character and appearance of the Countryside in general. The application proposes that the existing hedgerow would be translocated behind the required sight lines, which there are no objections to in principle. However, the fundamental issue here is the introduction of a suburban access arrangement, potential retaining features and a footway in a location outside the built-up area, which would conspicuously contrast with the established rural character long Wennington Road. Policy DM42 makes it clear that new housing must be well-related to the existing built form of the settlement. The proposal fails this policy test.

- 7.5.14 In addition to the significant adverse visual and landscape impacts associated with the access arrangement, the scheme would introduce development elevated above existing development, Station Court and Station Road. As noted earlier, the site is located on the north and eastern sides of a shallow drumlin. The LVIA suggests the development will be partially screened by the drumlin when viewed from the west (viewpoints 3 and 5). Whilst the existing drumlin in this location would screen some of the development, based on the indicative layout and suggested scale of development, the landscape would be adversely affected by the introduction of a new roofscape and buildings extending above this drumlin across its entire north-south axis. At the junction of Wennington Road with the A683 (viewpoint 5) the existing drumlin provides a distinct landscape feature between the built-up part of Hornby (north of the disused railway line) and the cluster of development at Butt Yeats. In this location, there is a sense of openness through the valley bottom with views beyond of higher rolling landscapes. The development would diminish the importance of this landscape feature (both in terms of landscape and visual effects) from these viewpoints.
- 7.5.15 Contrary to the applicant's assertions that the development would be perceived to be contiguous with existing development on Station Road and Station Court and that the effects of the development on the AONB would be judged (at worse) to be moderate with substantial visual effects restricted to a limited number of people living in properties adjacent to the site, Officers contend the landscape and visual effects at a localised level are more likely to be substantial. The proposal is considered harmful to the natural beauty of the landscape and the open and rural character of the area. Subsequently, the proposal is considered contrary to policies SC1 and E1 of the CS, saved policies E3 and E4 of the Lancaster District Local Plan, policies DM28, DM35 and DM42 of the DM DPD and paragraphs 7, 17, section 7 and Section 11 of the NPPF.

7.6 Archaeology

- 7.6.1 Paragraph 128 of the NPPF requires an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. An assessment of significance should be proportionate to the asset's importance but as a minimum the historical environment record should have been consulted. The Framework goes on to state that where there is potential for a development proposal to affect potential heritage assets with archaeological interest, an appropriate desk-based assessment and, where necessary, a field evaluation should be provided. This is echoed in policy DM34 of the DM DPD, which explicitly states that such assessments should be undertaken before the planning application can be determined to allow for an informed and reasonable planning decision to be made.
- 7.6.2 Lancashire Archaeology Advisory Service (LAAS) submitted comments to the planning authority advising that on examination of the Lancashire Historic Environment Record (HER) there are a significant number of known heritage assets of prehistoric, Roman, pre-Conquest and medieval dates in the general area of the proposed development. LAAS provided information relating to archaeological investigations and recordings at Strands Farm, which identified remains of medieval periods onwards, and information relating to prehistoric settlements and Roman roads suggested to have run in the vicinity of the site. LAAS acknowledge that there is no Roman roadside settlement known locally, but there is likely to have been a fairly dense scatter of 'native' settlements across the landscape. Despite the loss of potential surface features it is probable that significant buried remains of early sites will survive. LAAS have indicated that such remains will preserve significant information relating to settlement and landuse in both prehistoric and early historic times and would be vulnerable to destruction by the groundworks required for the proposed development. Given archaeological interest in the area, LAAS indicate that a desk-based assessment and field evaluation would be required as part of the assessment and determination of the application.
- 7.6.3 The applicant subsequently provided a Heritage Statement which addressed the development in relation to known designated heritage assets, such as nearby listed buildings and the conservation

area. In this regard the Council's Conservation Officer has raised no objections to the development but has indicated that in view of the relationship of the site to the Conservation Area, any proposal should reflect the scale, character and materials of the adjacent Conservation Area. These are matters that can be suitably addressed at the reserved matters stage. The nearest designated heritage asset relates to the listed grade II medieval cross base located around 70m to the east of the site. The Conservation Officer does not contend the proposal affects the significance of this asset or its setting.

7.6.4 Despite the applicant being made aware of LAAS's initial comments, the submitted Heritage Statement failed to address the potential archaeological interest associated with the site and surrounding area and has been considered wholly inadequate by LAAS. In accordance with local and national planning policy, the application remains deficient in its assessment of potential archaeological interest and is therefore recommended for refusal on this basis that the proposal is considered contrary to policy DM34 of the DM DPD, policy E1 of the CS and paragraphs 128 and 139 of the NPPF. The applicant had indicated they would undertake an appropriate assessment on the basis all other matters had been resolved allowing the council to support the application. The Case Officer had advised that the onus is on the applicant to satisfy the relevant heritage-related policy irrespective of other considerations. It is understood that the agent has advised the applicant of the policy position. To date, no further assessment has been provided.

7.7 Drainage and Flood Risk

7.7.1 The application has been accompanied with a Flood Risk Assessment and Drainage Strategy. The site lies within flood zone 1 which is identified as land at the lowest risk of flooding. The site has not been accompanied by any ground investigation or drainage surveys, but the applicant's consultant has undertaken a site visit and researched the geology of the area. This confirms that currently the site naturally drains to Mears Beck and that infiltration is unlikely to be feasible due to the ground conditions/soil types. The report indicates that surface water poses the highest risk of more frequent flooding and that detailed surface water drainage from new development is critical and consequently an appropriate sustainable drainage system would be implemented as part of the proposal. This would seek to control surface water discharge to the watercourse at the Greenfield rate. To achieve this, appropriate surface water attenuation would be required on site. Despite local objections to the contrary, the Lead Local Flood Authority have raised no objection to the proposal subject to the imposition of conditions requiring a detailed drainage strategy before the commencement of development. The LLFA have eluded to the fact that the drainage proposals for the site could implicate the layout and therefore appropriate ground investigations and a drainage strategy should be considered in advance of the reserved matters application in the event of an approval. In this case, unlike others, the site has the benefit of discharging surface water to the existing watercourse that runs alongside the application site in the event infiltration is proven not to be a feasible option. Subject to the detailed design and layout of the scheme, it will be possible to design-in appropriate surface water attenuation. On this basis, there would be no sound planning reason to refuse this outline planning application on flood risk/surface water drainage grounds. Policy DM39 recognises that appropriate conditions and /or legal agreement securing the implementation of SuDs and appropriate management and maintenance measures is a reasonable approach.

7.8 Residential Amenity

7.8.1 Policy DM35 relates to key design principles and requires new development not to have significant detrimental impact to the amenity of existing and future residents in relation to overshadowing, visual amenity, privacy, overlooking and pollution. The application is in outline form with layout and scale reserved for subsequent approval. Notwithstanding the wider landscape and visual amenity concerns, it is contended that the site could accommodate 11 units (not necessarily the housing mix suggested) in such a way to ensure residential amenity is protected. There are concerns in relation to the scale of units 9-11 marked on the indicative plan and the ability to provide sufficient useable gardens in this location given the sloping nature of the site. In the event of an approval, any subsequent reserved matters application would need to address these points without introducing features which would exacerbate the visual and landscape impacts associated with the scheme, such as terracing with large retaining features. At this outline stage, there are no grounds to resist the application in relation to residential amenity.

7.8.2 There have been objections raised in relation to further development around Station Road leading to an increase in noise and disturbance. Whilst the provision of an additional 11 units in this area

would result in increased domestic activity, given the small-scale nature of the development such activity is not considered likely to lead to significant adverse impacts on the health and quality of life. It is also acknowledged that the site is positioned relatively close to an existing employment area. However, given the degree of separation from this employment area and the potential for an increased landscaping buffer at the reserved matters stage, this is unlikely to lead to a significant amenity issue. Environmental Health raise no objections on the grounds of noise disturbance.

7.9. Ecological Impacts

7.9.1 An ecological appraisal has been submitted in support of the application. The local planning authority's own ecological advisers have reaffirmed that the application site is not designated for its nature conservation value and is not close to any designated sites. Natural England have also confirmed that the proposal is unlikely to affect statutorily protected sites. The site is dominated by species-poor improved agricultural grassland of limited ecological value, and overall the site has very limited potential to support any specially protected or priority species. Mitigation in relation to specific species has been set out in the submitted report, together with recommendations to retain hedgerow/trees and where this is not possible offer compensatory planting and habitat enhancement, such as the incorporation of SuDs and wetland habitat and additional landscaping. This mitigation is considered acceptable to prevent any harm to protected species and would provide the potential for biodiversity enhancement. In this regard the proposal is considered acceptable and complies with the relevant national and local ecology/biodiversity planning policy.

7.10 Mineral Safeguarding

7.10.1 The application site (and surrounding land) is located within a Mineral Safeguarding Area under Lancashire's Waste and Minerals Local Plan. Policy M2 of the Waste and Minerals Plan states that planning permission will not be supported for any form of development that is incompatible by reason of scale, proximity and permanence with working the minerals. The policy sets out circumstances where the Local Planning Authority may accept incompatible development, for example where there is an overriding need for the incompatible development that outweighs the need to avoid mineral sterilisation. It requires proposals for development other than non-mineral extraction, to demonstrate that they will not sterilise the resource or that consideration has been given to prior extraction, on site constraints and the need for the proposed development. The NPPF states that local planning authorities should not normally permit other development proposals in mineral safeguarding areas where they might constrain potential future use for these purposes.

7.10.2 The application has given limited consideration of Minerals Extraction with no ground investigation undertaken to evaluate the mineral resource. However, Officers have had regard to policy M2 and the relevant guidance and conclude that given the topography of the site; its position in relation to surrounding land also allocated for mineral safeguarding which is dissected by rural roads and scattered development; its sensitive location within the FoB AONB; the potential for buried archaeological remains, and; the proximity of the site to residential property, that the application site is highly unlikely to attract significant commercial interest in the land for mineral extraction.

8.0 Planning Obligations

8.1 In the event of an approval, the affordable housing provision set out in paragraph 7.3.2 would be secured by legal agreement. In addition, the County Education Authority have requested an education contribution to the sum of £20,303.39 towards one secondary school place. Despite the applicant being willing to offer the contribution, as the County Education Authority's methodology is based on bedroom numbers, it is contended that in the event of an approval any planning obligation would require the Education Contribution to be calculated at the reserved matters stage.

8.2 In terms of public open space, the application site provides sufficient space to accommodate a reasonable level of amenity space in the interests of good design and facilitating social interaction and creating healthy, inclusive communities, in accordance with the NPPF (paragraph 69) and policies DM26 and DM35 of the DM DPD and SC8 of the CS. There will be a requirement for an off-site contribution towards existing children's play/young people's facilities in the village. The Public Realm Officer has indicated that existing public open space provision in the village will be the responsibility of the Parish. The Parish have subsequently set out their needs and so any off-site contribution should be delivered in collaboration with the Parish Council. Like the education

contribution, the methodology for calculating the POS contribution is based on bedroom numbers. It is therefore agreed that the POS contribution figure is determined at the reserved matters stage.

9.0 Conclusions

- 9.1 Whilst the proposal will contribute to the delivery of market and affordable housing and that matters in relation to highway safety, pedestrian connectivity, flood risk, trees and hedgerows, biodiversity, residential amenity and public open space have been satisfactorily addressed, it is contended that the harm identified in relation to the landscape and visual impacts upon the AONB and the rural countryside generally, would significantly and demonstrably outweigh the benefits of the proposal, when assessed against the policies in the NPPF taken as a whole. Furthermore, the applicant has failed to address national and local heritage-related policy due to the absence of an appropriate archaeological investigation before the determination of the application. Despite some support locally for the scheme, Members are recommended to refuse the application.

Recommendation

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

1. By reason of the siting and the extent of alterations required to the southern field boundary and Wennington Road to accommodate a safe and appropriate means of vehicular access to the site with adequate sightlines, together with the provision of a significant length of footway along this stretch of rural road and potential retaining features, would have an overly-urbanising adverse impact that would be detrimental to the rural character, quality and appearance of this country road within the Forest of Bowland AONB. The proposal is therefore contrary to policies SC1, SC5 and E1 of the Core Strategy, policies DM28, DM35, DM41 and DM42 of the Development Management Development Plan Document, saved policies E3 and E4 of the Lancaster District Local Plan and the aims and objectives of the NPPF, in particular paragraphs 7, 17 and Section 7 and 11.
2. The development proposed by virtue of the sites position on the north and east sides of a drumlin, partially elevated above surrounding development, together with the inappropriate siting of the vehicular access, would result in overly-prominent development that poorly relates to the existing built form of the settlement and as a consequence will unacceptably encroach the countryside to the detriment of the natural beauty, character and appearance of the AONB landscape and the visual amenity of the countryside area, therefore failing to represent sustainable development. The proposal is therefore contrary to policies SC1, SC5 and E1 of the Core Strategy, policies DM28, DM35, DM41 and DM42 of the Development Management Development Plan Document, saved policies E3 and E4 of the Lancaster District Local Plan and the aims and objectives of the NPPF, in particular paragraphs 7, 17, Section 7 and 11.
3. The submitted Heritage Statement is wholly inadequate and has failed appropriately consider and assess the impacts of the proposal on potential archaeological remains on the site, particularly given known archaeological interest in the surrounding area. An appropriate desk based assessment and field evaluation should have been submitted to assess the archaeological potential of the site and the impact of the development upon it in order to allow an informed and reasonable planning decision to be made. Failure to provide an appropriate archaeological assessment is contrary to policy E1 of the Core Strategy, DM34 of the Development Management DPD and paragraphs 128 of the NPPF.

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

In accordance with the above legislation, 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. Whilst the applicant has taken advantage of this service prior to submission, the resulting proposal is unacceptable for the reasons prescribed in the Notice. Unfortunately some of the problems associated with the scheme are so fundamental that they are incapable of being resolved as part of the current submission.

Background Papers

None