

Agenda Item	Committee Date	Application Number
A7	5 February 2018	17/01327/OUT
Application Site Land Rear Of Ingleborough View Station Road Hornby Lancashire	Proposal Outline application for the erection of up to 11 dwellings and creation of a new access and associated landscaping	
Name of Applicant Mr P Norris	Name of Agent Graham Anthony Associates	
Decision Target Date 24 January 2018	Reason For Delay Committee Cycle	
Case Officer	Mrs Jennifer Rehman	
Departure	No	
Summary of Recommendation	Approve	

1.0 The Site and its Surroundings

- 1.1 The application site comprises 0.70 hectares of improved grassland (Grade 3 agricultural land classification) located behind existing residential property (Ingleborough View), on the southern outskirts of the settlement of Hornby. The site lies beyond the disused railway line, which previously separated Hornby from the cluster of development at Butt Yeats. The site is 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 and there are no protected trees affecting this proposal.
- 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, Mears Beck 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) and a sub-station all fronting Station Road to the site's eastern boundary. There is also an area of public open space to the north of the 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 predominately enclosed by native hedgerows, particularly to the north and south. The eastern boundary is made up of a mix of boundary treatments including stone walls, post and wire fences and hedgerows as they make up the domestic curtilages of neighbouring residential property. There is no physical feature along the western boundary of the site as its part of the field. 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 currently accessed by two field accesses off Station Road – one close to the bridge and the other between Low Barn and 8 Ingleborough View.
- 1.4 Land levels rise gradually from an elevation around 35.8m Above Ordnance Datum (AOD) in the south eastern corner of the site (close to the southern field access) to approximately 38.5 AOD 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 29m AOD.

The site is located outside 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 Outline planning permission is sought for the erection of up to 11 dwellings and the creation of a new access off Station Road. Access and landscaping are applied for as part of this outline planning application with appearance, scale and layout reserved for subsequent approval (herein referred to as the 'reserved matters').
- 2.2 The access is positioned adjacent to the existing sub-station north of Ingleborough View, approximately 35m to the humpback bridge. The access measures 5.5m wide with 2m footways to both sides with a 4m corner radii and sightlines measuring 2.4m by 43m in both directions. The proposal also incorporates pedestrian links between the site and Station Road and to the north over Mears Beck towards Station Court.
- 2.3 The application site extends over land benefiting from planning permission for a single dwelling house with its access permitted off Station Road. The access proposed as part of this pending application utilises the same access point. This proposal would result in this previously approved scheme being un-implementable as the location of the proposed development would require an internal access road through the land where the previously permitted dwelling was located.
- 2.4 For the purposes of clarification, the applicant has indicated on their illustrative site plan and landscape plans the location of a further dwelling intended to replace this previously permitted single dwelling scheme. It must be noted that this dwelling marked on the drawing (north of the access road) does not form part of this proposal as it is outside the red edge boundary. Should the applicant wish to obtain planning permission for a further dwelling this would be the subject of a separate planning application.

3.0 Site History

- 3.1 There have been two previous applications for up to 11 dwellings at the proposed site. The first was withdrawn and the second refused. The grounds for the refusal related solely to landscape and visual impacts; in particular the impacts arising from the previously proposed access arrangement. It should be noted that Members of the Planning Committee previously visited the site to consider the previous application (27th March 2017). In addition, there is planning permission (outline and reserved matters) for a single dwelling with an access taken off Station Road. The table below also includes details of recent planning consents for residential development located to the east side of Station Road.

Application Number	Proposal	Decision
17/00170/OUT	Outline application for the development of up to 11 dwellings and creation of a new access and associated landscaping	Refused
16/00745/OUT	Outline application for the development of 11 residential dwellings and creation of a new access	Withdrawn
16/00780/EIR	Screening request for the development of 11 residential dwellings and creation of a new access	Not EIA development
17/00487/REM	Reserved matters application for the erection of a 3-bed dwelling with associated access	Permitted
15/00117/OUT	Outline application for the erection of a single 3-bed dwelling with associated access. <i>This site is located adjacent to No.1 Ingleborough View and existing sub-station and is adjacent to the proposed site.</i>	Permitted
14/01030/FUL	Erection of 9 dwellings and associated access <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>	Permitted

4.0 Consultation Responses

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

Consultee	Response
Parish Council	No objections but noted concerns in relation to the location of the access, increase in traffic and the lack of footway to Lunesdale Court, commenting the scheme is inferior to the previously refused scheme.
County Highways	No objection - subject to off-site highway works comprising a scheme for reducing traffic speeds over the humpback bridge. Such would include the introduction of a 1.5m footway between the site access and Station Court (over the bridge), protective restraint barriers and associated white lining/signing. Conditions are recommended to secure the proposed access and visibility splays, footways along the site frontage and a construction management plan. As an aside LCC Highways are of the opinion that the development would not constitute sustainable development as it poorly relates to key services and would not reduce the reliance of the private car.
AONB Partnership	Objection - the proposal constitutes major development in the AONB (paragraph 116 of the NPPF). Concerns largely relate to the proposed development being sited on elevated land producing significant landscape and visual effects within the local landscape, commenting that the landscape mitigation will not significantly reduce the visual and landscape effects even after 10 years.
Lead Local Flood Authority	No comments received at the time of compiling this report. If comments are received a verbal update will be provided.
Environmental Health Service	No comments received at the time of compiling this report. If comments are received a verbal update will be provided.
Natural England	No comments received at the time of compiling this report. If comments are received a verbal update will be provided.
Tree Protection Officer	No objections to the amended proposals, subject to confirmation over the impacts of the proposed access and off-site works which may require a further update. Noted that the local planning authority has requested a revised Landscape Plan.
United Utilities	No objections subject to the development being carried out in accordance with the Flood Risk Assessment, in particular no surface water to connect to the foul drainage system. They also advise that a 6m easement is required due to the presence of the public sewer. <i>NB: Such is capable of being addressed at the reserved matters stage when the precise layout is under consideration.</i>
Education Authority	No objections subject to a contribution to secure 2 primary school places (£28,434.62) at either Hornby Primary School or Wray. At the time of the Education Authority assessing the scheme there was no requirement for secondary places but this is subject to pending planning applications which could result in a shortfall. In this event, a contribution for a maximum of 1 place could be required (£21,423.27).
Conservation Officer	No objections subject to the development being limited to 2-storeys high and a traditional palette of materials to ensure the proposal would not adversely affect the setting of the nearby conservation area.
Lancs Archaeology Advisory Service	No objections and no requirements for further archaeological investigation.
Public Realm Officer	No objections - amenity space should be provided on site. The areas indicated on the illustrative plan do not provide a satisfactory form of amenity space. Alternatively if the link to the existing Station Court public open space is provided, an off-site contribution towards this could be more beneficial. In terms of other off-site contributions, contributions towards the existing village play area and towards outdoor sports/young people facilities within the village are required.
Property Services	No objections - comments that the pedestrian access to the north of the site goes across City Council land there is no agreement for this. Property Services advise that the area to the rear of Station Court is licenced to the Parish Council to maintain for informal recreation and amenity purposes so consultation will be required with them.
Coal Authority	No consultation required with the Coal Authority as the site lies outside a High Risk Area.
Fire Safety Officer	No objections - advice provided in relation to building regulations.

Cadent Gas	No objections but comments and advice provided indicating that there are low and medium pressure gas pipes in the vicinity of the site (along Station Road).
Electricity North West	No comments received at the time of compiling this report. If comments are received a verbal update will be provided.

5.0 Neighbour Representations

5.1 At the time of compiling this report 11 letters of objections have been received. A summary of the main reasons for opposition are as follows:

- Residential amenity concerns, including loss of light, overshadowing, overlooking and loss of privacy due to the elevated position and close proximity of the development; increased noise and disturbance to a quiet peaceful area and impact on wellbeing; and the provision of trees and landscaping will not hide the development – instead adversely affect neighbouring outlook;
- Highway concerns, including dangerous access given proximity to the blind humpback bridge and traffic not adhering to the 20mph limit imposed in the area; and increased traffic and on-street parking on Ingleborough View.
- Landscape concerns, including detriment to the natural beauty of the AONB;
- Lack of evidence for the need for more housing, given other proposals permitted and pending; also the site is not identified for development in the emerging Local Plan;
- Concerns over pedestrian connections to the village;
- A further 11 dwellings would alter the character and fabric of the village;
- Approval would set an undesirable precedent for more development;
- The proposal is not sustainable; and,
- Concerns over flood risk.

1 letter of support has been received, but commenting the omission of the pedestrian link to Lunesdale Court is very disappointing. A further letter received raising no objection in principle but considered the early scheme safer and carried greater public benefit with the provision of the pedestrian footway to Lunesdale Court.

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 Local Planning Policy Overview – Current Position

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

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

This enables progress to be made on the preparation of a Local Plan for the Lancaster District. The DPDs will be published in February, after which there will be a 6 week period for representations prior to the submission of the documents to the Planning Inspectorate for independent Examination.

If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in late 2018.

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

The **Review of the Development Management DPD** updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making. Where any policies in the draft 'Review' document are different from those adopted in 2014, and those policies materially affect the consideration of the planning application, then these will be taken into account during decision-making, although again with limited weight. The weight attributed to the revised policies in the 'Review' will increase as the plan's preparation progresses through the stages described above.

6.3 Lancaster District 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

6.4 Lancaster District Local Plan (Saved Policies)

E3 – Development Affecting Areas of Outstanding Natural Beauty
E4 – Development within the Countryside

6.5 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

6.6 Joint Lancashire Minerals and Waste Local Plan

M2 – Safeguarding Mineral Sites

6.7 Other Considerations

- National Planning Policy Guidance
- Meeting Housing Needs Supplementary Planning Document (SPD) (February 2013)
- Five Year Housing Land Supply Position (Lancaster City Council, October 2017)
- 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 85 of the Countryside and Rights of Way Act 2000
- Provision of Electric Vehicle Charging Points for New Development Planning Advisory Note (February 2016)

- Open Space Provision in New Residential Development Planning Advisory Note (October 2015)
- Lancashire County Council Infrastructure and Planning Annex 2 Education (November 2017)

7.0 Comment and Analysis

7.1 The application raises the following key issues:

1. Principle of Development
2. Highways and accessibility considerations
3. Impact on the AONB and Countryside Area
4. Drainage
5. Residential amenity
6. Ecological impacts
7. Mineral safeguarding
8. Historic environment
9. Public Open Space

7.2 Principle of Development

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 for the District is to support housing growth in the most sustainable locations focusing in the main urban areas of the district and key rural settlements. Hornby is identified in the Development Plan (DM42) as a sustainable rural settlement where in principle growth can be supported. The site is located towards the southern end of the village, slightly divorced from the village centre by the former railway line and road bridge. Nevertheless, it is located in an area where there is existing development. The site is located to the rear of a row of existing residential properties and employment and residential development bound the site to the north too. New residential development has also been permitted (under construction) opposite the proposed access and to the east side of Station Road. Key services within the village are within reasonable walking/cycling distances and access to local bus services can be made direct from Station Road. Overall, the location of the site for housing is judged to be acceptable. There is, however, a lack of a safe and continuous footway between the existing (and proposed) development around Ingleborough View and the core of the village which is a disadvantage to the site location. This will be discussed later in the report.

7.3 The NPPF requires local planning authorities to significantly boost the supply of housing and to ensure full and objectively assessed needs for both market and affordable housing are met. Housing applications must therefore be considered in the context of the presumption in favour of sustainable development, triggering the engagement of paragraph 14 of the NPPF. The City Council cannot currently demonstrate a 5-year housing land supply, and notwithstanding the actual application of paragraph 14, this proposal will positively contribute to the shortfall of housing in the district. In terms of more localised needs, the Council's Meeting Housing Needs SPD (informed by evidence from the District's Housing Needs Survey), indicates that the market housing needs for Hornby are predominately 2 and 3-bed properties. The affordable housing needs are also 2-bedroom properties. In terms of affordable housing provision, the applicant proposes 4 affordable units which is equivalent to 36.6% based on 11 units. Because the number and housing mix is indicative at this stage, if the proposal is supported it would be necessary to secure the provision of policy compliant affordable housing via legal agreement. The applicant is agreeable to this.

7.4 Overall, the application demonstrates that the proposal would positively contribute to meeting the local market and affordable housing needs in accordance with DM DPD Policies DM41 and DM42 and the Meeting Housing Needs SPD. This is considered a significant economic and social benefit to the scheme. In recognising this, it is also accepted that the provision of new housing in identified sustainable settlements can also help maintain and enhance local services, thereby benefiting the wider local community. New development during construction can also support the local economy through, for example the creation of jobs/supply chains for materials. These benefits will need to be considered in the overall planning balance.

7.5 Highway and accessibility considerations

A new vehicular access is proposed onto Station Road adjacent to the substation approximately 30m from the base of the humpback bridge. The location of the access is in the same position as that approved under application 15/00117/OUT. The access arrangement has been designed in accordance with Lancashire County Councils' Civilised Streets guidance with a 5.5m wider access, 2m footways into the site and a 4m corner radii to both sites. Visibility splays of 2.4 by 43m are proposed in both directions having regard to speed survey data, with observed speeds for 85% of drivers recorded as 28mph – over the 20mph speed limit in this part of the village. Based on the speed survey the minimum visibility from the access would be 39m in both directions. Subsequently, the proposed visibility splays have been designed above recommended design speed guidance. County Highways are satisfied with the design of the access and its location, subject to a range of off-site highway works designed to reduce vehicles speeds across the bridge to ensure the access is safe given its close proximity to the blind humpback bridge. The off-site highway works include the laying of appropriate thermoplastic linking and signed to show the road narrows over the bridge and the formation a footway with raised kerb to the east side of the carriageway. This would include the requirement of a restraint barrier at the back of the pavement on the east side of the carriageway due to the level differences between the road and the site.

7.6 The intensification of the use of the approved access to serve the proposed 11 dwellings is considered acceptable, as is the increase in vehicle movements on the wider, local highway network. In terms of the internal layout, this is not a matter for consideration at this stage. However, there is sufficient space within the site for parking and turning facilities to be provided and to be designed to meet adoptable standards. In the interests of highway safety, it would be necessary to ensure the proposed access is provided to base course level and to adoptable standards before the construction of the remaining part of the development, so as to ensure that the highway can operate safely during the construction period.

7.7 Turning to accessibility. The main constraint here is the absence of a safe pedestrian walking route between the development site (and other development located to the south of the bridge) towards the village. The proposed development illustrates on the indicative site plan three pedestrian footpath links. These include the footways designed as part of the proposed vehicular access; a footpath link via the field access track between Low barn and 8 Ingleborough View (in the applicants ownership), and; a link crossing the watercourse to the northern boundary providing access to the public open space and Station Court (this latter link is included in the red edge).

7.8 The pedestrian links to Station Road are supported and provide access to the local bus services that operate in this location. Such can be agreed as part of the reserved matters application once the precise layout of the development is known. These links, however, don't resolve safe walking facilities between the site and the village. To address this the application includes the provision of a link across Mears Beck on to land designated as open space. The red edge then extends up to the adopted part of the highway on Station Court to ensure a safe pedestrian route can be delivered towards the village. Part of the route is in the ownership of the housing association managing properties at Station Court. Deliverability is questionable due to different land interests and the requirement for private negotiations. However, based on no strong objections from these third parties, it is considered that it is not unrealistic to impose a Grampian condition for its delivery if deemed necessary.

7.9 The Highway Authority's request for a scheme for off-site highway works along Station Road – incorporating a 1.5m wide footway over the bridge along Station Road to Station Way/Court – has been agreed by the applicant and an indicative off-site highway plan is being produced for further consideration. This alternative arrangement would provide a safe pedestrian route between the development and the village and would be deliverable within the adopted highway. This would negate the need for a route through the existing open space to the rear of Station Court bringing wider community benefits to residents located to the south side of the humpback bridge. Such weighs in favour of the proposal.

7.10 In summary, the scheme is considered compliant with DM20 and DM21 of the DM DPD and section 4 of the NPPF which seeks to promote sustainable travel and ensure development can provide safe and suitable access for all. There are no highway objections to the proposal subject to the imposition of conditions securing the provision of the access and the associated off-site highway works.

7.11 Impact on the AONB and Countryside Area

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 and clearly states that development which would have a significant adverse effect upon the character and quality of the landscape will not be permitted.

- 7.12 The application has been submitted with a Landscape and Visual Impact Assessment (LVIA). This LVIA is a copy of the early report based on the refused scheme. Notwithstanding this, Officers have assessed the current proposal based on the relevant information within the submitted LVIA, having regard to relevant landscape policy, guidance and management plans and 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.
- 7.13 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 LCT is considered to be high, as a result of the generally strong indivisibility with surrounding higher LCTs and the strong sense of openness within views along the valleys. Features include a strong cultural pattern of hedgerows and stone walls which delineate field boundaries and contribute to high cultural sensitivity. As a result of these factors, this LCT is considered to have limited capacity to accommodate change without compromising its key characteristics. 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.
- 7.14 The FoB Management Plan 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 conserve and enhance the AONB’s natural beauty. DM DPD Policy DM28 and saved policy E3 echo such requirements.
- 7.15 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.
- 7.16 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’s 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.

- 7.17 The previous application was refused on landscape grounds on the basis of the access arrangements and the elevated nature of the proposal on the eastern edge of the existing shallow drumlin. This amended proposal has removed what was a significant concern previously through the relocation of the proposed access to Station Road. However, the proposed development remains elevated from Ingleborough View on the east side of the existing drumlin. This amended scheme has reduced the extent of the application site pulling it down the east side of the drumlin so as not as elevated as it was previously. This mainly affects the location of the landscaping rather than the developable areas of the scheme.
- 7.18 The development will result in a localised landscape impact especially in views towards the site from the west where the roofscape of the development would protrude above the crest of the drumlin across its entire north-south axis. The provision of landscaping is unlikely to mitigate these localised impacts in the short term. However, it is accepted that the development would not remove the existing landscape feature (drumlin) within these particular views and will be viewed against the backdrop of existing development. In addition, as part of negotiations on this scheme, the applicant has accepted that the scale of development will be limited to two-storey to the rear of properties on Ingleborough view and limited to single storey (bungalows) at the northern part of the site. The applicant is also seeking to revise the landscaping to form woodland planting to the far northern and southern sections of the western boundary to better frame the drumlin feature and create new woodland areas towards the trough of the adjacent watercourse. This combined with a new hedgerow along the entire western boundary would reflect the wooded troughs and network of hedgerows that define some of the key characteristics of the LCT. This, coupled with a high quality designed scheme and the traditional use of materials (assessed at reserve matters stage) would go a long way to mitigate the impacts of the development, in our opinion, resulting no more than *moderate* landscape effects.
- 7.19 In terms of the visual effects, it is inevitable that the greatest level of effect judged to be *substantial* will be experienced by residents living immediate adjacent to the site. However, the visual effects in wider views are no more than *slight* given intervening screening from landscaping features landscaping and the exiting built environment. These localised impacts weigh against the proposal, but overall the visual effects of the development in the context of the wider AONB, cannot be judged to be unacceptable.
- 7.20 On balance and subject to conditions limiting the scale of the development and amendments to the structural planting, the proposed development overall is not judged to significantly adversely the quality and natural beauty of the AONB or countryside area. The proposal is considered compliant with policy DM28 of the DM DPD, saved policy E3 and E4 of the Saved Local Plan.
- 7.21 Impact on Trees and Landscaping
- An updated Arboricultural Implications Assessment has been submitted with the application. On the whole the proposal seeks to retain and protect the majority of trees and hedgerows. This is a significant amendment to the refused scheme where the southern field boundary hedgerow along Wennington Road was to be removed to provide the access and translocated behind extensive sightlines. As part of this current scheme the only area where there potential impacts relates to the north eastern corner of the site the proposed access is now proposed off Station Road.
- 7.22 There is a roadside hedge along the north eastern boundary between the proposed access and the bridge which is indicated in the current submission to be retained. Given the access visibility requirements and the required off-site highway works the prospects of this short section of hedgerow realistically being retained has been questioned. A verbal update will be provided. If the hedgerow is to be removed, replanting of a new hedgerow will be required and could be secured through an updated landscaping plan. The loss of the existing hedgerow would not lead to significant impacts and is capable of being mitigated against.
- 7.23 Landscaping is a matter to be considered as part of this outline proposal. A Landscape Plan has been provided and is based on the indicative layout submitted. As layout is not a consideration at this stage, it is proposed that only the landscaping proposed around the perimeter of the site is of significance at this stage. The proposed landscaping around the individual plot enclosures is acceptable in principle (i.e. common hawthorn/beech hedgerows), should their locations change to accommodate a suitable layout this would not present a significant constraint to the development.

7.24 The more structural planting is proposed along the western boundary comprises a native hedgerow to separate the development site from the remaining part of the field, and tree planting. The proposed hedgerow planting is extensive and will provide significant biodiversity benefits, as well as helping to soften the development within the landscape. The species of tree planting is also judged acceptable, however, officers are negotiating an alternative planting layout in order to better reflect the local landscape characteristics. Rather than forming a uniform belt of trees along the western boundary, which is not typical across a small drumlin, officers are seeking to replicate the planting into two woodland clusters to the north and south of the western boundary. Subject to an amended landscape plan, the proposed development is considered compliant with policy DM29 of the DM DPD. The Council's Tree Officer has raised no objections to the development.

7.25 Drainage and Flood Risk

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. Development within flood zone 1 accords with the sequential approach to locating development in the areas of lowest risk of flooding. The submitted drainage report confirms that currently the site naturally drains to Mears Beck at an uncontrolled rate. The proposed development would increase impermeable ground within the site and therefore has the potential to increase the speed and level of surface water entering the beck. In the event infiltration options are ruled out, it would be possible to control the surface water discharge to the watercourse to an agreed greenfield rate through appropriate engineering solutions on site. Despite local objections to the contrary, it is reasonable to deal with the drainage matters by planning condition requiring a detailed drainage strategy (based on sustainable drainage principles) before the commencement of development. The Lead Local Flood Authority have not yet provided comments on this application, however based on their previous response (17/00170/OUT) which confirmed no objections subject to condition, it is contended that there are no flood risk grounds to resist the development. Policy DM39 recognises that appropriate conditions and/or legal agreement securing the implementation of sustainable urban drainage systems (SuDS) and appropriate management/maintenance measures is a reasonable approach.

7.26 Residential Amenity

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 details provided on the indicative plan illustrate a very low density development and despite the site being slightly elevated from properties backing the site, adequate separation distances are capable of being achieved to accommodate up to 11 residential units.

7.27 The existing site levels in the location of the indicative plots 9-11 are quite steep and there would be concerns over the ability to provide 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 this without introducing features which would exacerbate the visual and landscape impacts, such as terracing with large retaining features/boundary fences. At this outline stage, there are no grounds to resist the application in relation to residential amenity. Landscaping proposed between the development and the existing properties comprise hedgerows opposed to tree planting. Such landscaping will not impact upon existing residential amenity.

7.28 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 proposed landscaping, significant adverse effects are not considered likely.

7.29 Ecological Impacts

An ecological appraisal has been submitted in support of the application. 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. The landscaping details are provided in full and would appear to provide some of the recommended mitigation. This level of mitigation is considered acceptable to prevent any harm to protected species and would provide opportunities for biodiversity enhancement. In this regard the proposal is considered acceptable and complies with the relevant national and local ecology/biodiversity planning policy. Species-specific mitigation is set out in the submitted appraisal which would need to be secured by condition.

7.30 Mineral Safeguarding

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.

7.31 The application has given limited consideration of Minerals Extraction or the implications of developing the site with a mineral safeguarding area. 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, 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. This designation is not considered a constraint to the development of the site.

7.32 Historic Environment

The application has been supported by a Heritage Statement, a Geophysical Survey and Archaeological Evaluation. This accords with the requirements of paragraph 128 of the NPPF. The site is located outside the conservation area with no listed buildings affected by the proposal. The Conservation Officer has raised no objections provided the development is limited to two storeys high and a traditional palette of materials is used to ensure the proposal would not adversely affect the setting of the nearby conservation area. The former can be secured by condition. The latter is a matter to be considered at the reserved matters stage.

7.33 Having now undertaken appropriate assessment and evaluation of the potential for archaeological interest, the applicant has sufficiently demonstrated that the principle of developing the site would not impact significant archaeological interests. Lancashire Archaeology Advisory Service (LAAS) have raised no objections to the proposal and are satisfied no further archaeological investigation would be required. The proposal does not therefore conflict with national or local heritage policy.

7.34 Public Open Space

Open space within development sites and settlements are recognised as valuable environmental and social assets which would be provided and enhanced where there are recognised deficiencies. Due to the scale of the development and in accordance with DM26 and the associated planning advisory document, the development should provide amenity space on site and provide off-site contributions towards any areas where there is recognised deficiency in order to mitigate the impacts of the development on existing open space infrastructure. In this case, the Council's Public Realm Officer has indicated that the bridge link to the existing open space to the rear of Station Court and a contribution towards its upgrade could offer greater community benefit than amenity space on site. This, in addition to a contribution towards improvements to the existing play area and scope to support the provision of a 5-a-side football area within the village would provide

significant community benefits. As the proposal is in outline form, the final figures would need to be secured at the reserved matters stage.

8.0 Planning Obligations

8.1 To ensure the proposal secures the necessary infrastructure to mitigate the impacts of the development and the development contributes to the supply of affordable housing in accordance with planning policy, the following requirements must be secured by legal agreement:

- Contribution towards school places with the final calculation to be agreed at the reserved matters stage;
- Contribution towards off-site public open space, specifically upgrades towards the public open space to the rear of Station Court and upgrades towards the village play area/provision of 5-a-side football, with the final calculation and the proportioning of the contribution to be agreed at the reserved matters stage.
- Provision of affordable housing complaint with Development Plan policy (up to 40% and no less than 30%) with the precise scheme to be agreed at reserved matter stage; and,
- In addition to the above, the s106 must secure the setting up of a site management company to secure the long term management and maintenance of any landscaping, open space, un-adopted roads, pedestrian links and drainage systems within the site.

8.2 Some of the proposed landscaping is located outline the red edge boundary of the site but within the blue edge. The structural planning to the western boundary is considered an important component of the proposal and therefore to secure its long terms protection, the s106 should identify this land as a 'landscaping buffer' to be retained as such at all times.

9.0 Planning Balance and Conclusion

9.1 The NPPF places significant weight on the delivery of housing (paragraph 14, 47 and 49). It equally stresses that great weight shall be afforded to the protection of designated landscapes (paragraphs 14, 17, 115, 116). This is emphasised at paragraph 14 where the presumption in favour of sustainable development would not apply if specific policies in the Framework indicate development should be restricted (footnote 9, NPPF includes AONBs).

9.2 The proposal is a significant improvement to the previously refused scheme and despite moderate localised landscape effects and substantial localised visual effects arising from the development, the scheme is not considered to have a significant adverse effect upon the character and natural beauty of the AONB, subject to the provision of landscaping and limitations to the scale of development. Therefore the proposal does not conflict with national and local landscape policy.

9.3 The principle of residential development in Hornby is supported by Policy DM42 where development is well-related to the existing built form of the settlement; proportionate in scale and character; is located where the environment and infrastructure can accommodate the impacts of expansion and conserves and enhances the quality of the landscape. The development is not disproportionate given the scale of the existing settlement and its' immediate surroundings, with the access now taken (unlike the refused scheme) from an existing residential street. The scheme is now considered well-related to the existing built environment. The development would not adversely affect the safe and efficient operation of the highway and is served by an acceptable access arrangement, provided off-site highway works are secured by condition to reduce vehicle speeds over the bridge. Such works now provide an opportunity to create a formal footway along the carriageway linking development to the south side of the humpback bridge to the services and facilities in the village, bringing notable local benefits. The applicant has demonstrated that the site can sufficiently accommodate up to 11 dwellings without causing significant adverse effects on neighbouring residential amenity and that the development can be designed to ensure there is no risk to flooding on or off site. The scheme also provides opportunities for biodiversity enhancement through the proposal landscaping proposals and other species-specific mitigation which would be secured by condition. The applicant also agrees to the provision of education and public open space contributions to mitigate the impacts of the development on such infrastructure. The provision of the footway and contributions towards open space and education weigh in favour of the proposal. In addition the proposal will make a positive contribution to the supply of market and affordable housing

at a time when the district currently has an undersupply. Overall and on balance, the proposal development is considered compliant with the Development Plan.

- 9.4 Based on the above, it is recommended that the current proposal can be supported in accordance with the first bullet point of paragraph 14 of the NPPF.

Recommendation

That Outline Planning Permission **BE GRANTED** subject to a legal agreement securing the measures set out in Section 8.0 of this report and the following conditions:

1. Standard Time limit
 2. Development in accordance with location plan and access drawing
 3. Restriction of development to no more than 2 storeys along the rear of Ingleborough View and any development in the locations indicatively shown to show plots 9-11 restricted to bungalows.
 4. Access as indicted on approved drawing to be provided to base course level to adoptable standards before construction of the development (except for the access) and completed in full before final occupation or completion of the development whichever occurs first
- Pre-commencement**
5. Surface water drainage scheme to be submitted and agreed
 6. Foul drainage scheme to be agreed
 7. Precise scheme for off-site highways to be submitted and agreed based on illustrative proposals set out on off-site highway works plan (TBC) and the works to be completed before fist occupation of the development
 8. Notwithstanding the details submitted, a Tree Protection Plan and Method Statement to be submitted and agreed and implemented before construction of development
 9. Detailed scheme for the provision of a pedestrian link to the neighbouring public open space to be submitted and agreed with full implementation before first occupation
 10. FFLs and external levels of gardens, roads, open space to be submitted and agreed.
 11. Precise scheme for ecology mitigation and biodiversity enhancement based on recommendation set out in the submitted Ecology Appraisal
- Pre-construction**
12. Provision of electric charging points
- Pre-occupation**
13. Details of management and maintenance of on-site surface water drainage scheme
- Control**
14. Development to be carried out in accordance with the updated Arboricultural Implications Assessment (TBC)
 15. Approved landscaping plan and strategy to be implemented in full (TBC)
 16. Development to be carried out in accordance with the recommendation set out in the Desk Stop Study (Watching brief and unforeseen contamination).

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

In accordance with the above legislation, the City Council can confirm that it has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the 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.

Background Papers

None