

Agenda Item A6	Committee Date 10 December 2018	Application Number 18/00645/REM
Application Site Land East Of Arkholme Methodist Church Kirkby Lonsdale Road Arkholme Lancashire	Proposal Reserved matters application for the erection of 16 dwellings (C3)	
Name of Applicant Mr Edward Hayton	Name of Agent Shelley Coffey	
Decision Target Date 17 September 2018	Reason For Delay Negotiations with the applicant on layout and surface water drainage considerations.	
Case Officer	Mr Mark Potts	
Departure	No	
Summary of Recommendation	Approval	

1.0 The Site and its Surroundings

- 1.1 The site is located on the southern periphery of the village of Arkholme, located to the east of the B6254 (Kirkby Lonsdale Road) covering an area of 1.05 hectares. The existing use of the site is agricultural land enclosed by hedgerows to the western and northern boundaries (together with the existing Methodist Church Car Park), with open fields to the east and south. The land is relatively level until it starts to fall away towards the Public Right of Way which immediately abuts the application boundary to the south.
- 1.2 The application site is bound by the B6254 to the west, with Arkholme Methodist Church and a row of terraced cottages to the north west. To the north is 'The Sheiling' development, a recently constructed residential development of 14 dwellings with open fields to the east. A Public Right of Way (Footpath 4) immediately abuts the southern periphery of the site and runs from a west to east orientation, beyond this are further fields.
- 1.3 The site falls within the Countryside Area (as allocated within the adopted Local Plan). The western aspect of the site falls within a mineral safeguarding zone. The access and the replacement Methodist Church Car Park is within part of the Arkholme Conservation Area.

2.0 The Proposal

- 2.1 The outline planning permission (15/01024/OUT) was granted for up to 17 residential dwellings. This application is the associated Reserved Matters application, and therefore seeks consent for layout, appearance, scale and landscaping. Initially the scheme proposed 17 residential dwellings, but as part of the application process this has been reduced to 16 residential dwellings with the dwelling mix noted below;

- Four x 2-bed semi-detached;
- Six x 3-bed semi-detached;
- Two x 3-bed detached;
- Two x 4-bed detached;

- Two x 5-bed detached.

The house types are predominantly semi-detached properties (ten houses) and six detached dwellings. The house types proposed are all two storey in height, comprising course local stone with associated stone quoins, under a slate roof and timber windows and doors. Some of the properties include chimneys and these are to be constructed in stone. Boundary treatments will consist of low stone walls and hedging to ensure that the rural character to the village's edge is maintained. The finished floor levels across the site range from circa 41 metres above ordnance datum (AOD) to 38 metres AOD.

2.2 The application also includes the replacement car park associated with the Methodist Church and provision has been made for open space on the south western corner of the site adjacent to the B6254. Access is from the B6254 which already benefits from planning consent under the outline application.

3.0 Site History

3.1 The site benefits from outline planning permission granted in January 2016, for 17 residential dwellings and the formation of a new vehicular access off the B6254 (15/01024/OUT).

4.0 Consultation Responses

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

Consultee	Response
Lead Local Flood Authority	Objects to the development, as it has not been evidenced by the applicant how surface water management and the associated flood risks resulting from the proposed development will be handled.
Conservation Officer	No objection but would suggest that views from Kirkby Lonsdale Road be provided. The proposal will lead to a level of harm to the significance of the Conservation Area and the non-designated heritage assets. This harm is considered to be less than substantial. The proposal will mitigate some of the harm via sympathetic design, height, scale and materials of new dwellings. Recommend conditions associated with materials.
Arkolme with Cawood Parish Council	Object to the development as: <ul style="list-style-type: none"> • Density is too high and the Parish feel the layout associated with the outline consent would be more appropriate and acceptable; • Concern with the provision of the turning head; • Concerns with respect to the impact on the properties on the Sheiling; • Raise concerns with the landscaping scheme; • The scheme should include provision for an orchard on the site; • No proposals to introduce wildlife features.
Historic England	No observations to make on the application.
County Highways	No objection. Recommends that the conditions associated with the outline consent are included on the permission.
Environmental Health Officer	No objection but recommends that electric vehicle charging points are incorporated into the overall design in accordance with the Planning Advice Note.
Strategic Housing Officer	No objection but the latest indications are that for upper Lune Valley, there is a greater need for three bedroom units than two bedroom units. Therefore, on this basis, the scheme would better meet a local need if the mix could be changed to provide 1 x 2-bed house and 5 x 3-bed houses.
Tree Protection Officer	No objection and recommends conditions associated with the development being carried out in accordance with the submitted AIA, the provision of an AMS and for the approved landscape management plan.
Fire Safety Officer	No objection
Lancashire Constabulary	No observations received

Public Rights of Way Lancashire County Council	Initially objected, however following negotiation no objection has been raised on the provision that the grant of planning permission does not permit the obstruction of the Public Right of Way (PRoW), the drainage provision will not impact on the existing public right of way and also agree a buffer for hedge planting alongside the PROW to ensure that this is not obstructed.
Ramblers Association	The site plan does not state where footpath 4 will be in relation to the new hedge along the southern boundary. If the hedge is to be to the north of the PROW then there should be an indication that the hedge will be more than about 3m from the PROW to allow for hedge growth. This hedge and planting will obscure the fine views to the north. Another possibility is to incorporate the PROW within the amenity strip by a diversion or by moving the hedge boundary to the south of the PROW.
Planning Policy Team	No observations received.
Lancashire Archaeological Advisory Services	No objection , however accepts that no comment was made in relation to the site with regards to the outline planning application, however considers that there is merit in imposing an archaeological watching brief on any consent granted.
United Utilities	No objection , recommend conditions associated with foul and surface water drainage

5.0 Neighbour Representations

5.1 At the time of drafting this report there has been **31** letters of objection received in relation to the application based the grounds below:

Layout and Design – The development is too close to the residential dwellings on the Sheiling; given the levels difference in comparison to the Sheiling and this development, it gives rise to overlooking issues which are considered to be unacceptable. Concerns that the site layout has been constructed with the provision of the turning head, which could result in a future expansion of the site;

Conservation Impact – The proposed development fails to enhance or preserve the character and appearance of the Conservation Area; the proposal results in substantial harm to the Conservation Area and Non-designated Heritage Assets within the village; concerns that there has been no archaeological works undertaken associated with the scheme;

Landscaping – Considered that the development is too close to existing trees and hedgerows, this is a prominent site and should not have been granted planning permission;

Highways – The B6254 is a busy dangerous road, and there are concerns associated with the creation of a new access and a recent speed survey within the centre of the village revealed that speeds are in excess of the statutory 30mph limit;

Concerns over the standard of the submission including incorrect levels, cross sections and misleading separation distances between the properties on the Sheiling together with a lack of information to allow the Local Planning Authority to make an informed decision; and

Surface Water Drainage Concerns - The applicant has not demonstrated that it is possible to drain the site in accordance with SuDS principles, and remaining in the red edge boundary of the site; there are concerns that permitting this scheme to drain to the existing watercourse may lead to flooding issues further upstream and further investigation is required.

5.2 **David Morris MP** on behalf of the residents, **raises concern** that the plans for 17 dwellings in what is a small village will change the fabric of the village, along with creating extra traffic on what are already dangerous rural roads. Pedestrian access to the new development is also limited and arguably unsafe and the potential impact on Footpath Number 4 which crosses the site.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

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

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

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

6.2 Local Planning Policy Overview – Current Position

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

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

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

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

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

6.3 Lancaster District Core Strategy (adopted July 2008)

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

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

E4 – Countryside Area

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
DM31 – Development Affecting Conservation Areas
DM32 – The Setting of Designated Heritage Assets
DM33 – Development affecting Non-designated heritage assets
DM35 – Key Design Principles
DM38 – Development and Flood Risk
DM39 – Surface Water Run-off and Sustainable Drainage

DM41 – New Residential dwellings
DM42 – Managing Rural Housing Growth
DM48 – Community Infrastructure

6.6 Other Material Considerations

- National Planning Practice Guidance;
- Meeting Housing Needs Supplementary Planning Document;
- Lancashire Minerals and Waste Local Plan – Policy M2;
- Arkholme Conservation Area Appraisal (Adopted January 2016);
- Surface water drainage and flood risk May 2015;
- Provision of Electric Vehicle Charging points February 2016;
- Low Emissions and Air Quality September 2017.

7.0 Comment and Analysis

The application generates the following considerations;

- Principal of Development;
- Layout and Design;
- Surface Water Drainage;
- Conservation and Heritage Matters;
- Open Space;
- Landscaping;
- Highways;
- Planning Balance.

7.1 Principal of development

7.1.1 The Lancaster Core Strategy requires new development to be as sustainable as possible, in particular it should be convenient to walk, cycle and travel by public transport between the site and homes, workplaces, shops, schools, health centres, recreation, leisure and community facilities (Policy SC1). Policy DM42 of the adopted Development Management DPD identifies a number of rural settlements that the Council considers to be sustainable villages and can support new housing development in principle. Arkholme is listed in this policy. As part of the emerging local plan, the Council has re-examined the sustainability credentials of the village of Arkholme, and will not be advancing the village as a sustainable rural settlement (principally due to the limited accessible linkages with surrounding settlements, as a result of poor provision of public transport). Whilst this does change the policy position for new developments, the site benefits from outline planning consent and therefore Members cannot debate whether the principle or not is acceptable, but more so whether the design, layout and appearance of the development before them is acceptable.

7.1.2 Whilst outline planning permission exists (therefore the principle is accepted) Members still need to have regard to Policy DM42 of the Development Management DPD which does indicate that in all cases, proposals for new residential development on non-allocated sites such as this one must:

- Be well related to the existing built form of the settlement;
- Be proportionate to the existing scale and character of the settlement unless exceptional circumstances can be demonstrated;
- Be located where the environment and infrastructure can accommodate the impact of the development; and
- Demonstrate good siting and design in order to conserve and where possible enhance the character and quality of the landscape.

7.1.3 It was considered for the purposes of the outline consent that the site was well related to the built form of Arkholme, and Officers consider that the scheme before Members is proportionate to the existing scale and character of the settlement. Issues associated with whether the scheme is located where the environment and infrastructure can accommodate the impact of the development are examined in more depth in this report.

7.1.4 The outline planning consent provided for 40% affordable housing provision. As part of this proposal the applicant is proposing that 6 units of the 16 would be affordable (37.5%) and therefore significant weight has been attached to this in the decision making process of this planning application. Through negotiation with the applicant, they have confirmed that they are amenable to providing 1 2-bed house and 5 3-bed houses in line with the advice from the Strategic Housing Officer. This assists in meeting the identified needs within the area.

7.2 Layout and Design

7.2.1 Officers are understanding of the concerns raised by those homeowners on the Sheiling who do experience attractive views from the rear of their dwellings, and it is acknowledged that views would change for the occupiers of these properties. Whilst not strictly speaking a policy of the Council, (although this will likely change as part of the emerging local plan) there has been a general presumption on sites whereby there is a change in ground levels, that for each 0.5 metre in level change there is an additional 1 metre separation between dwellings, and this advice was conveyed to the applicant's agent early in the determination process of this planning application. Whilst concern has been raised by the local community with respect to separation distances, the adopted planning policy position is for there to be 12 metres separation distance from a habitable window to a blank façade and 21 metres between two habitable windows. This is in essence to ensure that privacy is protected.

7.2.2 Since the outline consent was granted in 2016 the properties to the north of the site on 'The Sheiling' have been fully constructed, and are now fully occupied. Initially this scheme proposed 17 dwellings, and the properties were pushed a little further to the north (in essence closer to those properties on the Sheiling). As part of the negotiations with the applicant, there has been a move to pull the properties away from those on 'The Sheiling' to allow a further separation distance between the units. The scheme now proposes for plot 5 to be located 16 metres away (bearing in mind that there are no habitable windows on the northern façade of plot 5, only a bathroom window) from the garden room of No 6, 'The Sheiling'. The views, however, would be oblique, and it is not directly overlooking given the angle proposed. The adopted policy position here would be 12 metres (although there is 1 metre difference in levels, meaning 14 metres would be preferred distance).

7.2.3 The distance proposed between plot 5 of the application site, and no 9 'The Sheiling' is circa 26 metres and there is a circa 1 metre difference in levels here. There would still be oblique views from habitable windows but this is considered acceptable. The applicant has sought to reduce land levels by up to 1 metre, and pushed plot 5 back by circa 3 metres compared to the previous iteration of the scheme to ensure that the outlook for those occupiers on 'The Sheiling' are not significantly harmed. As previously mentioned there would be a change in outlook for occupiers, but this is inevitable with a change from a greenfield site to a cluster of new dwellings. The Council would generally seek for garden space of at least of 50sq.m. All the properties achieve this, and on the whole most of the dwellings provide for rear gardens 10 metres in length, although there are some that fall below this figure, and plot 10 in particular is a little uncomfortable only having a garden depth of 3.5 metres, though does provide over 180 sq.m of garden space in total. The applicant has been asked whether it would be possible to move the double garage eastwards to provide more usable garden space, and Members will be updated in this regard. There was some concern regarding the interface distance between plots 4 and 6 on the site, which was only circa 14 metres. The applicant has shifted the position of plots 3 and 4, so there are no direct habitable to habitable views now proposed.

7.2.4 With respect to the house types proposed, all the dwellings are two storey in height and traditional in appearance, and are considered to respect the villages built form, and be of a design and character that is befitting of the site's rural location. Careful consideration has gone into the design of the dwellings, such as the stone dentil course on the 3-bed detached house type, and the use of boundary treatments such as low stone walls and hedgerows are to be supported. Officers are pleased that there has been consideration of the local authority's requirement of smaller dwellings as part of the housing mix given the majority of the dwellings are 2 and 3 bed properties. On the strict understanding that materials will be stone, slate, together with timber windows and doors and aluminium rainwater goods, then it is considered that the properties would relate well to the village.

7.2.5 The scheme before Members was granted outline planning consent in January 2016, and development works were being undertaken at that time on 'The Sheiling' development (albeit none of the houses adjoining the site were constructed at that stage). The properties closest to the development were occupied in 2017, and therefore whilst there has been a great deal of local

concern, these residents would have been aware of the outline planning consent when purchasing their new homes. It is accepted that there is a strong resentment locally regarding the scheme, and whilst the community do not consider the applicant has done enough to satisfy their concerns, there have been positive amendments which actually seek to lessen the impact on those occupiers of the Sheiling. This includes reducing the number of dwellings, increasing the separation distances between on and off-site dwellings, reducing the finished floor levels and amending the house types. Officers feel that following the negotiation process they are now in a position whereby they can offer support of the scheme, however, the applicant needs to be aware that the associated planning conditions of planning permission 15/01024/OUT will still require to be submitted to, and approved in writing by the Local Planning Authority.

7.3 Surface Water Drainage Matters

7.3.1 The applicant's initial surface water drainage submission provided for a surface water drainage scheme that effectively fell outside of the red edge boundary. The applicant was informed that this would require the benefit of its own consent and subsequently an amended scheme was submitted for consideration. The applicant has amended the proposal to include the surface water attenuation tank which would include a volume of 484 m³ to the south of the site and this will link to a flow control chamber providing for a flow rate of 3.2 litres per second. The restricted water and treated foul water would discharge directly to the culverted watercourse which runs towards Bains Beck (directly to the south of the site). Officers have been liaising with the applicant, and their engineers with respect to drainage matters, and it is clear given the change from the original proposal to contain all the drainage infrastructure within the red edge that this has caused some concern locally. The applicant has undertaken a CCTV survey of the culvert at the request of the Lead Local Flood Authority (LLFA) to ensure that the drainage solution proposed is firstly capable of being utilised for this development, and secondly to ensure that connection would not cause issue flooding issues elsewhere. Whilst the applicant has provided the CCTV survey of the condition of the existing culvert there is still some concern such as how the drainage scheme would connect to the culvert and how the spare capacity of the culvert has been established.

7.3.2 Concern has been raised that connecting this site to the existing culvert may well put properties on the Sheiling and the Herb Gardens at risk of flooding, together with how the below attenuation would be maintained given the development is on the limits of the red edge boundary of the site. Officers are aligned with local residents that the development of this site should not exacerbate flood risk elsewhere. Officers have been liaising with the LLFA on the issue. Whilst there is constructive dialogue being undertaken between the parties, surface water drainage is a matter that requires agreement as part of the outline planning consent, and within the confines of the site.

7.3.3 The concern raised by local residents are fully understood, but the application before Members is one which is seeking approval of matters of design, scale and layout etc. It is not uncommon for applications for approval of Reserved Matters to come forward in advance of the application to discharge the conditions. The applicant did submit the detail to discharge the condition but this was on the basis of the drainage outside of the red edge. To secure an acceptable drainage solution within the site may well mean an amendment to the layout (for which case an amended layout would need to be submitted as part of a new application). Notwithstanding this point Members will be verbally updated on the matter. Whilst it is hoped that the issue will have been addressed, it needs to be remembered that the issue is controlled by the outline permission.

7.4 Conservation and Heritage Matters

7.4.1 The replacement car park associated with Arkholme Methodist Church is situated within the Arkholme Conservation Area, as is the provision of the new access off the B6254. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision makers to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. The refreshed National Planning Policy Framework stipulates the impact of a proposed development on the significance of a designated heritage asset, greater weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).

7.4.2 The development has been re-orientated compared to the indicative layout at the outline stage with buildings now facing south which has the potential to create a more positive gateway feature compared to the outline planning consent. The gable ends of the surrounding non-designated

heritage assets (namely Bainsbeck House, the Methodist Chapel, and Chapel Cottages), currently provide a distinctive gateway feature when approaching the Conservation Area from the south; this emphasises the linear character of the village. The Council's Conservation Officer has reviewed the submission and it is accepted that the proposal would lead to a level of harm to the significance of the Conservation Area and also the non-designated heritage assets. This harm, however, is considered to be less than substantial harm (Para 196 of the Framework). The Conservation Officer further advises that the proposal will mitigate some of the harm through sympathetic design, height, scale, and materials of the new dwellings. The detail associated with windows are still required to be submitted for consideration but these issues can be controlled by means of planning condition. Any harm has to be weighed against the public benefits. The Local Authority cannot demonstrate a deliverable 5 year housing land supply, and therefore the harm associated with the scheme is offset by the provision of new dwellings. Should Members determine to approve the scheme it is recommended that conditions associated with materials, doors, windows, boundary treatments and external surfacing is controlled by the use of planning condition.

7.4.3 Lancashire Archaeological Advisory Service (LAAS) raises no objection to the scheme, but have asked for a condition to be imposed regarding an archaeological watching brief associated with the site. Technically speaking, this is a matter that should have been brought to the Officer's attention by LAAS when the outline planning consent was granted. However, the applicant is amenable to such a condition being imposed and with this in mind should Members resolve to support this scheme it is recommended a condition requiring a programme of archaeological works is imposed by means of planning condition.

7.5 Open Space

7.5.1 The main element of public open space is located on the south western boundary of the site. Whilst located on the periphery of the site, and not centrally located as would be ordinarily advocated, it is of a size and scale (over 1000sq.m is being proposed, whereas the adopted policy provision is for 300 sq.m to be provided) that is useable. Subject to a scheme of maintenance being conditioned (which is covered by the outline consent), then it is considered that the open space provided for will be complementary to the village. The Section 106 legal agreement associated with the outline consent requires a financial contribution towards off-site open space but this is dependent on the quality of open space (provided as part of this planning application) and the needs at this time in the village.

7.5.2 Naturally at this juncture the views of the Public Realm Development Manager need to be understood as to firstly whether they are satisfied with the provision of open space on the scheme, in the form of amenity grassland, bulb planting and tree planting. Secondly, whether there is an identified need within the village that warrants this planning application to provide the payment of monies towards open space. At the time of drafting this report the observations of the Public Realm Development Manager are unknown, but Officers are satisfied that the applicant has provided for sufficient open space associated with the scheme. Members will be verbally updated as to the position of the Public Realm Development Manager. The application provides for a connection to the PRow towards the east of the site but it is considered there should be one additional point of connection included within the area of open space to the west of the site. This can be controlled by planning condition.

7.6 Landscaping

7.6.1 The majority of the landscaping associated with the scheme is sited to the south western corner of the site which is in essence amenity grassland, and it is proposed to include wildflower turf mixes to the swales that run along the southern edge of the site. Whilst the proposed landscaping is low key, the interspersed trees across the amenity area of the site will relate well to the site's location on the periphery of the village. Given the ongoing negotiations and therefore amendments to the scheme it is considered necessary to insist on amended landscape plans to cater for the amended layout.

7.6.2 The proposed development requires supervised works within the root protection area of an ash tree. Two sections of mixed hedgerow will be required to be removed to accommodate the access requirements, and the provision for the altered car park. New planting has been proposed. Whilst some concerns have been raised by the local community, no objection has been raised by the Tree Officer to the applicant's proposals. This is on the understanding that the development is carried out in accordance with the submitted Arboricultural Implications Assessment, the landscaping scheme

and an Arboriculture Method Statement. As part of the consideration of application 15/01024/OUT it was resolved to include the provision of a footway on the north eastern side of the B6254. This was in the interest of ensuring that there was a safe means of access into the village centre. The detail associated with this is secured via condition on the outline consent and therefore does not require duplication in terms of the application before Members.

7.7 Highways

7.7.1 The positioning of the access was considered under the outline planning application which was approved in 2016. The scheme proposes to utilise the approved access point. The scheme provides for a relatively straight road off Kirkby Lonsdale Road which would have two minor access drives coming off from it. County Highways has no objections to the access but recommend that some features such as localised carriageway narrowing/single way movements and horizontal deflection could be used to limit speed. Officers would tend to agree with this as the spine road is over 150 metres in length. County Highways has specified that given the lack of turning heads within the minor drives that these elements of the scheme are unlikely to be adopted by them as the Highway Authority (and therefore the maintenance would be secured by legal agreement).

7.7.2 There has been some concern raised locally that a week-long speed survey has been undertaken within the centre of the village which confirmed that the 85% percentile speed is in excess of the 30mph speed limit. The observations of the local community are not in doubt that on occasion vehicles may travel at speeds, but there is a condition which has been imposed on the outline application which requires the formation of appropriate visibility splays. In terms of the extant outline consent visibility splays of 2.4m x 45m were considered acceptable to County Highways though have now suggested that 2.4m x 70m would be more appropriate. Further liaison with County Highways will occur in this regard as to why they have increased their requirements as part of this planning application compared to the original scheme. The onus is still on the applicant to submit the scheme of off-site highway works to the Local Planning Authority for consideration as part of the outline planning consent.

7.7.3 The surfacing associated with the car park does raise some concern as a resin bonded gravel is proposed to be utilised. Notwithstanding this concern, it is recommended to Members that a condition is imposed regarding surfacing materials across the site and for samples to be received. The applicant had proposed a hedgerow to the car park but a wall is better suited and therefore this could be conditioned as such.

7.7.4 Concern was raised by the Public Right of Way Officer as there were concerns that the development would result in an obstruction to the Public Right of Way (PRoW). There is a footpath that runs to the south of the site, and County has stated that should permission be granted it does not give the right to obstruct a PRoW. There is nothing before Officers to suggest that the public right of way would be affected by the development. Notwithstanding this point Officers consider that there should be a 3 metre separation distance between the landscaping and the Public Right of Way and this can be encompassed within an amended landscaping scheme (including the provision for the right of connection to the south west of the site). County previously did request that the PRoW, that crosses the south of the site was hard surfaced as part of the grant of outline consent, but Officers at the time did not consider it was required to make the development acceptable in land use planning terms.

7.8 Planning balance

7.8.1 Whilst there were objections to grant of the outline planning consent, there has been significantly more objections associated with this Reserved Matters application. As part of the negotiation with the applicant's agent, it is considered that the scheme proposed is complementary to the village, and on balance represents high quality design. Whilst residents still have concerns regarding outlook and privacy, it has been considered that there is sufficient separation distance between the dwellings on 'The Sheiling' and those proposed as part of this development.

8.0 Planning Obligations

8.1 There is an extant Section 106 Agreement associated with outline consent (15/01024/OUT). This sets out the obligations secured as part of the outline planning consent. The principle clause relates to the provision of affordable dwellings and this has been agreed as part of this application.

9.0 Conclusions

- 9.1 Outline planning permission was granted in January 2016 for 17 residential units, together with a new access off the B6254, and the provision of a new car park in connection with the Methodist Church. It is important to note that Members are not considering whether the principle of development is acceptable on the site, as this has been established via the grant of the outline planning consent. Members are, however, tasked with determining whether the layout, and appearance of the development is acceptable, taking on board the site's location within an attractive rural settlement and within the Arkholme Conservation Area.
- 9.2 The scheme has been reduced to 16 dwellings (compared to the 17 applied for), with house types that are appropriate in the context of the Arkholme Conservation Area. Given the amendments with regards separation distances between the application site and 'The Sheiling', and also the reduction in finished floor levels, it is considered that whilst there would be a change in outlook for off-site properties, it is not considered that overlooking and overshadowing would occur to such a degree to cause an adverse impact on off-site dwellings. Whilst there would be some harm to the Conservation Area, this is outweighed by the provision of new homes within the village. Officers do have concerns with drainage, and it is expected that these matters could be addressed by means of the planning conditions associated with the outline planning consent. However, it is hoped that Officers from the City, County and the applicant's engineers will have a position on the matter in advance of Planning Committee, and Members will be updated verbally. With the above in mind it is recommended to Members that the proposed development is supported subject to the imposition of planning conditions.

Recommendation

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

1. Timescales;
2. Approved Documents;
3. Materials for dwelling houses (natural stone, natural slate, timber windows, timber doors, aluminium rainwater goods);
4. Boundary Treatments for the plots and replacement church car park (for the dwellings to consist of stone walling and hedgerows);
5. Surfacing Materials (to include the calming feature on the spine road);
6. Updated landscaping scheme;
7. Detailed Arboriculture Method Statement (AMS);
8. Archaeological Written Scheme of Investigation;
9. Amenity space to be in place prior to the occupation of the 14th dwelling;

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

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