

Agenda Item A7	Committee Date 8 January 2018	Application Number 18/01117/REM
Application Site Land Between Low Road And Forge Lane Halton Lancashire		Proposal Reserved matters application for the erection of 76 dwellings with associated landscaping
Name of Applicant Miss Siobhan Sweeney Story Homes		Name of Agent n/a
Decision Target Date 31 December 2018		Reason For Delay Committee cycle and officer workloads
Case Officer		Mrs Jennifer Rehman
Departure		n/a
Summary of Recommendation		Approval

1.0 The Site and its Surroundings

- 1.1 The application site relates to approximately 5 hectares of agricultural land divided into three fields situated within the settlement of Halton. The site is accessed off Low Road opposite the community centre and playing fields with existing residential development to the northeast (Forgewood Drive/Clougha Avenue and Lythe Fell Avenue) and immediately south (Halton Mills) of the site. Land to the east of the site (behind Forgewood Estate) has planning permission for 60 dwellinghouses and is currently under construction. To the west lies an open paddock associated with Town End Farm (now a residential conversion complex). Surrounding land uses are predominately residential, though there are existing employment uses abutting the site to the south within the Halton Mills site (Wenning House, Riverside House, and Out of the Woods). A small part of the Halton Mills complex neighbouring the site remains undeveloped.
- 1.2 The village Conservation Area, which contains a number of Listed buildings including Town End Farm (Grade II listed) and Manor House (Grade II*), lies immediately west of the proposed site with the Forest of Bowland Area of Outstanding Natural Beauty (AONB) situated around 500 metres east from the centre of the site. There are a number of protected trees within the site most notably a group of trees in the south-eastern corner of the site and a mature Sycamore tree in the far western field. Trees along the southern boundary are also protected. The River Lune (also a Biological Heritage Site) and its associated recreational corridors run in an east-west direction south of the site, albeit separated by the Halton Mills development. Public footpath FP01 runs along the far southern boundary of the site. The site is protected for minerals (mineral safeguarding land). The site is located predominately within flood zone 1. Flood zones 2 and 3 clips a slither of the far southern boundary along Mill Lane.
- 1.3 Site levels vary across the site with the land positioned between Low Road and Forge Lane appearing relatively flat, but in actual fact there is approximately a 9 metre level difference between the far eastern boundary with Forgewood Drive and the lowest part of the site along the western boundary. Where the site wraps around Wenning House/Riverside House, the site rises steeply to 36m Above Ordnance Datum (AOD) at its highest point. Within this part of the site there is a strong belt of protected trees positioned on a steep escarpment (between 24-34m AOD). South of the tree

belt, the land falls to approximately 21m AOD toward Mill Lane. The existing boundary treatments are made up of stone walls (to the north and west), mature hedgerows (to the eastern and far southern boundaries) with tree planting and fencing along the boundary with Forge Lane. Two small brick shelters are situated within the site.

2.0 The Proposal

- 2.1 The applicant seeks Reserved Matters approval for the erection of 76 dwellings pursuant to their outline planning permission for up to 90 dwellings. This relates to details pertaining to the appearance, layout, landscaping and scale of the development. The proposed position of the main vehicular access located off Low Road remains as previously approved and is consistent with the outline consent.
- 2.2 The applicant has secured an earlier approval for Reserved Matters. This second application for Reserved Matters approval is due to some amendments to the proposed house types, which were not judged to be non-material. As it is not possible to agree the minor-material amendments under a Section 73 application (to vary a condition), a new Reserved Matters application is required. With the exception of the amendments to the house types, the applicant seeks approval for the same Reserved Matters previously accepted by the Local Planning Authority.
- 2.3 The changes proposed are a consequence of the applicants' own design review of their portfolio of core house types. As we understand this is to reflect the feedback from homeowners purchasing Story Home properties. The table below provides a list of the house types affected from the earlier Reserved Matters approval, including details of any changes in floor area of the revised house types and the plots affected (total of 47 units affected):

Previously approved house type name (and size)	New house type name (and size)	Difference in floor area (sq ft)	Plots affected
Taunton (4 bed)	Washington (4 bed)	0	2,4,8,12,20,33,43,53,60,63,67
Wellington (4 bed)	Ingleton (4 bed)	29 (145)	13,36,51,74
Hampton (5 bed)	Worcester (5 bed)	23 (207)	3,7,9,32,44,54,56,61,75
Durham (4 bed)	Camberley (4 bed)	44 (572) 369	1,6,11,17,21,28,37,45,55,64,66,68,73
Arundel (4 bed)	Elmswood (4 bed)	3 (6)	5,59
Warwick (4 bed)	Chartwell (4 bed)	0	10,14,29,42,52,62,65,76

- 2.3 The applicant has also sought to reduce the use of the Ingleton and Washington house types across the site. Cumulatively the changes result in an increase in floor area of 930sqft (based on the table above) across the whole site. This is mainly a consequence of the small single storey rear projections added to a number of the house types.
- 2.4 The residential development is predominately two-storey in scale with the exception of two bungalows. The breakdown of the housing mix is as follows and remains the same as the previous reserved matters approval:
- 8 no. one-bedroom apartments;
 - 4 no. two-bedroom dwellings;
 - 17 no. three-bedroom dwellings;
 - 38 no. four-bedroom dwellings; and
 - 9 no. five-bedroom dwellings.
- The proposal includes 10 different house types and an apartment building proposed to be finished in a mix of render, natural stone with slate roof coverings.
- 2.5 As part of this application for ReservedMatters approval details of the sub-station have been provided together with details of the cycle parking facilities for the apartment blocks. The sub-station will be enclosed in a building and is located alongside plots 38-41. The cycle facilities proposed is an open cycle shelter which would be situated alongside the two apartment blocks.

3.0 Site History

- 3.1 The site has a relatively simple planning history with an outline planning permission for up to 90 dwellings granted earlier last year following relatively positive pre-application advice from the Development Management service. The outline planning permission was subject to a number of conditions, including limiting the developable area to the land essentially between Low Road and Forge Lane, and a legal agreement securing the following:
- an education contribution;
 - an open space contribution towards an upgrade to the village football playing pitch;
 - public open space management scheme; and
 - agreement of an affordable housing scheme to provide for up to 40%, subject to viability.
- 3.2 Promptly after obtaining outline planning permission, the applicant submitted their first Reserved Matters application for 86 dwellings. Negotiations took place during the determination of the last Reserved Matters application resulting in the scheme being amended and reduced to 76 dwellings. At the same time and in accordance with the terms of the s106 legal agreement, the education contribution and the affordable housing provision were determined. This involved lengthy viability negotiations. The applicant's original position was to deliver no affordable housing units. This was negotiated upwards with 17 affordable units (22% provision) finally agreed and the education contribution agreed at £298,563.51 (the full pupil yield from the development). The amendments to the scheme when compared to the earlier Reserved Matters application are not materially different and therefore the applicant has not advanced any further viability case to deviate from the previously agreed affordable housing scheme.
- 3.3 Land to the east of the application site (behind Forgewood Estate) is currently under construction by Wrennman Homes. This is relevant insofar as having an understanding of the surrounding built form and securing connections between the two sites. The most relevant planning history relating to the site and the adjacent site are noted in the table below:

Application Number	Proposal	Decision
16/01507/PREONE	Erection of up to 85 residential dwellings	Subject to addressing a number of technical matters, the Development Management team considered the principle acceptable but suggested the number of dwellings would need to be reduced.
16/01527/EIR	Screening request for residential development circa 85 no. dwellings	Not EIA
17/00165/OUT	Outline application for the erection of up to 90 dwellings with associated new access.	Approved
17/00959/REM	Reserved matters application for the erection of 76 dwellings with associated landscaping	Approved
17/00186/DIS	Discharge of conditions 5 and 9 on approved application 17/00165/OUT	Approved
18/00033/DIS	Discharge of conditions 4, 6, 7, 8, 15, 16, 18 and 20 on approved application 17/00165/OUT	Pending consideration
14/01344/OUT (Land south of Low Road/behind Forgewood estate)	Outline application for the development of 60 dwellings with associated access	Approved
17/01423/REM (Land south of Low Road/behind Forgewood estate)	Reserved matters application for the erection of 60 dwellings and associated infrastructure	Approved

4.0 Consultation Responses

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

Consultee	Response
County Highways	<p>Raises a number comments which are considered essential to make the development acceptable in highway terms:</p> <ul style="list-style-type: none"> • Connections to the public right of way requires discussion with the County's PROW team; • Garages below 6m x 3m cannot be included in parking calculations; • On-street parking can raise amenity issues and in areas where there are turning heads cause obstruction making them ineffective; • Raises concerns over the ability to adopt roads where SuDS are incorporated within the design of the development; • Site should be designed based on the Manual for Streets with an emphasis of shared space; • Private shared drives (and associated lighting) require private maintenance; • A 20mph zone traffic regulation order should be implemented on site; • Turning heads should be sufficient to accommodate emergency/refuse vehicles; • Makes recommendations of carriageway geometry and recommends localised carriageway narrowing to reduce traffic speeds within the site.
Lancashire Constabulary	No objections but sets out a number of recommendations aim to ensuring the development is designed to Secure by Design standards.
Natural England	No comments to make and direct the Local Planning Authority to Standing Advice.
Tree Officer	No objections commenting the proposals are satisfactory and that the landscape plans and strategy must be implemented in full.
Lancashire Archaeology Advisory Service	No objections. Following the consideration of the archology work undertaken under the outline application, LAAS have confirmed no further archaeology work is justified on site.
United Utilities	United Utilities have indicated that the Local Planning Authority should have regard to their previous response under the outline application and have provided a range of standard comments including comments over the water main that crosses the site and easement requirements.
Lancashire Fire and Rescue Service	Standard comments received reminding the applicant that the scheme must meet all requirements of Part B5 of Building Regulations relating to access and facilities from the Fire Service.
Lancashire County Council Public Rights of Way Officer	At the time of compiling this report no comments have been received.
Parish Council	At the time of compiling this report no comments have been received.
Ramblers Association	At the time of compiling this report no comments have been received.
Environmental Health Service	At the time of compiling this report no comments have been received.
Environment Agency	At the time of compiling this report no comments have been received.
Lead Local Flood Authority	At the time of compiling this report no comments have been received.
Conservation Team	At the time of compiling this report no comments have been received.
Public Realm Officer	At the time of compiling this report no comments have been received.
RSPB	At the time of compiling this report no comments have been received.

5.0 Neighbour Representations

- 5.1 At the time of compiling this report 6 letters of objection have been received. The main reasons for opposition are as follows:
- Increasing the risk of flooding and exacerbating existing flooding that occurs around Forge Lane/Halton Mills;
 - Loss of open countryside, habitats and wildlife;

- Loss of village character;
- Impact on the public right of way;
- Plans fail to provide connections between Forge Lane and Low Road or pedestrian crossing facilities near the community centre resulting in an unsafe environment especially for children; and
- village infrastructure cannot cope with more development (traffic, schools, drainage).

In addition 7 letters neither objecting or supporting the proposal have been received, but raising the following comments:

- Disappointed that the plans fail to provide appropriate connections to Forge Lane;
- Plans fail to promote community cohesion;
- The proposal fails to take account of the emerging Neighbourhood Plan;
- Concerns over the design, purpose and management of the proposed green spaces;
- Requests that the planners work with the Parish to deliver more functional and valuable amenity space, such as allotments, orchards, community growing areas, nature reserves;
- Queries the dimensions of the path through the open space area;
- Concerns over the layout and how it responds to Forge Lane noting the inclusion of rear gardens and high fencing fails to create an attractive environment and will increase anti-social behaviour and misuse;
- Cycle enclosure not suitable;
- Concerns that there is no crossing facility over Low Road and a school crossing patrol should now be provided on Low Road.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework

Paragraphs 7-10 Achieving sustainable development

Paragraph 11-14 The Presumption in favour of sustainable development

Paragraphs 47-50 – Determining applications

Paragraphs 59, 60, 62 – Delivering a sufficient supply of homes

Paragraph 68 – Identifying land for homes

Paragraphs 77-78 – Rural Housing

Paragraphs 91, 92, 94, 96 and 98 – Promoting healthy and safe communities

Paragraphs 102, 108-110 – Promoting sustainable transport

Paragraphs 117-118, 122-123 – Making effective use of land

Paragraphs 124, 127, 129, 130 – Achieving well-designed places

Paragraphs 170, 172 – Conserving the natural environment

Paragraphs 189-192, 196, 197 and 200 – Conserving and enhancing the historic environment

Paragraphs 213-214 – Annex 1 Implementation

6.2 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 Development Management DPD (adopted December 2014)
DM20 – Enhancing Accessibility and Transport Linkages
DM21 – Walking and Cycling
DM22 – Vehicle Parking Provision
DM25 – Green Infrastructure
DM26 – Open Space, Sports and Recreational Facilities
DM28 – Development and Landscape Impact
DM29 – Protection of Trees, Hedgerows and Woodland
DM33 – Development Affecting Non-designated Heritage Assets
DM35 – Key Design Principles
DM40 – Protecting Water Resource and Infrastructure
DM41 – New Residential dwellings
DM42 – Managing Rural Housing Growth

- 6.4 Lancaster District Core Strategy (adopted July 2008)
SC5 – Achieving Quality in Design

- 6.5 Lancaster District Local Plan - saved policies (adopted 2004)
E4 – Countryside Area

- 6.6 Other Material Considerations
- National Planning Practice Guidance;
 - Open Space Provision in new residential development (October 2015);
 - Draft Halton Neighbourhood Plan (Initial Consultation October 2018)

7.0 Comment and Analysis

- 7.1 As this is an application for Reserved Matters approval pursuant to the outline consent, the key planning considerations specific to this application are as follows:
- Housing mix;
 - Heritage, design and landscape considerations;
 - Residential amenity;
 - Access, parking and connectivity; and
 - Compliance with the outline consent.
- 7.1.1 Reserved matters are those aspects of a proposed development that an applicant can choose not to submit at the outline stage. They are fundamentally details reserved for subsequent approval. Reserved matters applications are not applications seeking 'planning permission'. The grant of planning permission is established under the outline planning permission. Article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 defines reserved matters as access, appearance, landscaping, layout and scale. In this case, only access was applied for and considered as part of the outline planning permission.
- 7.1.2 The applicant has chosen to submit all the remaining reserved matters (appearance, layout, scale and landscaping) as part of this application. As set out in the site history section of this report, the applicant has already obtained approval for all the reserved matters under application 17/0959/REM. This submission seeks approval for the same reserved matters, insofar as they relate to the layout, landscaping and scale of the development. Details pertaining to the appearance of the development is slightly different from the appearance details previously approved. This is a consequence of the changes to the house type designs across the site. This second application for reserved matters remains compliant with condition 1 of the outline application (and therefore section 92 of the Town and Country Planning Act 1990) in relation to the time limit within which an application for reserved matters approval can be made pursuant to the outline permission.
- 7.1.3 The local planning authority can only assess the details submitted relating to the 'reserved matters'. Matters relating to the principle of the development, such as the need for housing, traffic impacts, flood risk, loss of agricultural land, impacts on geodiversity and ecology are matters previously

considered and accepted conditionally as part of the approval of outline planning permission. This does not mean that some aspects covered by the outline permission, such as landscape/townscape considerations will not be assessed as part of the consideration of reserved matters, but such will relate only to whether the proposed reserved matters enables or prejudices compliance with the outline permission. In short, consideration of the reserved matters is not an opportunity to re-examine the principle of the redevelopment of the site for residential development. This has been accepted by the grant of outline planning permission in summer 2017.

7.2 Housing Mix

7.2.1 The proposed amendments to the previously approved reserved matters does not alter the proposed housing mix. The scheme still favours larger houses, but overall provides an adequate provision of smaller family sized units, together with a number of one-bedroom apartments. The requirement for one-bedroom properties was a requirement of our Strategic Housing Officer during the consideration of the outline proposal. Officers are encouraged that the developer has committed to provide this as part of the overall mix. The scheme secures two bungalows (with attic accommodation), which will make a small contribution towards meeting the needs of an ageing population or those in need of more adaptable accommodation. The scheme is weak when it comes to the provision of 2-bedroom units but based on current policy, and on balance, Officers do not feel that this alone would be something that would substantiate a refusal of this application for reserved matters. As part of the proposed mix, all the one and two-bedroom properties are intended to be allocated as the affordable homes - a matter that will be addressed later in this report.

7.3 Heritage, Landscape and Design Considerations

7.3.1 In accordance with the outline permission (condition 2), the proposed development is limited to the area between Low Road and Forge Lane. This condition was imposed in the interests of protecting the character and appearance of the area and to ensure future development appropriately responds to the existing built form of the settlement. In addition to this, there are also a number of constraints and landscape/townscape features that have influenced the layout and design of the development. These include the protected trees within the site, the boundary hedgerows and stone walls, views into, out and across the Conservation Area, together with consideration of the setting of the Grade II Listed Town End Farm complex and easements for existing infrastructure, namely the existing sewer which runs through the centre of the site in a west-east direction.

7.3.2 The layout and scale of development (number of dwellings) was heavily negotiated under the previous reserved matters application. The most significant amendments at that time were towards the western part of the developable area. The scheme proposes a large area of open space in this location, which shall provide some of the site's formal public open space. This area will also accommodate the site's surface water drainage features. The benefit of the open space in this location also ensures the protected tree is not compromised by built development as well as maintaining a sensitive interface between the new development and the adjacent Listed building complex and Conservation Area.

7.3.3 In accordance with earlier conservation advice (under the outline and the previous Reserved Matters application) the development fronting Low Road is set back from the stone boundary wall and is outward facing in order to maintain important views towards the designated heritage assets (when approaching the village's Conservation Area from the west) and to preserve the setting of these heritage assets. The substantial set back is also consistent with the townscape character along Low Road.

7.3.4 Existing boundary treatments around the periphery of the site are intended to be retained, save for the alterations around the approved access. This includes the stone wall to the north and western parts of the site and the hedgerow to the eastern boundary with Forgewood Drive. The trees and hedgerows to the southern boundary along Forge Lane shall be retained and protected as these lie outside the application site. To secure adequate residential amenity for future and existing residents – like most housing schemes – additional fencing is proposed around the perimeter of the site where dwellings flank or back onto Forgewood Drive and Forge Lane. The stone boundary walls form a positive townscape feature that contribute to the character of the area. Their retention is welcomed. The retention of the existing hedgerows and trees within the site, together with the proposed planting, will help soften this relatively sub-urban development into its rural setting.

- 7.3.5 The large belt of protected trees within the far south-eastern part of the site (outside the developable area) shall be protected with land surrounding the trees in this location free from development, with the exception of some gravel paths. This land will be retained as open space. To complement the existing landscape features within the site, the applicant has submitted detailed planting plans. This comprises a new native hedgerow (100m in length), modest new tree planting along the site frontage and in the western open space area, mixed grasses, bulb planting, semi-native and ornamental shrub/hedge planting throughout the development. The landscaping proposals have previously been accepted and approved by the Local Planning Authority.
- 7.3.6 The scale of the development is limited to two-storey properties with the exception of two bungalows (with attic accommodation) positioned along the boundary with Forgewood Drive. The proposed house types are varied in design and scale with a number of the units, such as the Washington and Chartwell house types, appearing part 2/part 1.5 storey units with the use of large roofs and traditional pitched roof dormer windows. The different scales, heights and roof forms of the individual house types will add interest to the development and enables the scheme to respond to the varied building forms surrounding the site. The proposed sub-station building is situated well within the built form and is of a scale which will sit subserviently alongside the proposed dwelling houses.
- 7.3.7 The proposed dwellings will be finished in render, with feature natural stone elevations to certain plots. The amended scheme proposes the use of natural slate roofs across the entire development. The precise finish to the sub-station will need to be secured by condition. Whilst the stonework is limited to a small number of the dwellings, the proposed palette of material is judged, on balance, to be acceptable in this location. The roofscape on this particular site has been given careful consideration as a consequence of the elevated views of the site from High Road and development to the north, and because of the close proximity of the development to designated heritage assets. Officers during negotiations under the previous Reserved Matters application, sought to pursue appropriate roof coverings across the whole site opposed to pushing for more natural stone. This was also a consequence of viability negotiations too.
- 7.3.8 The proposed dwellings are standard house types offered by Story Homes. The applicant's earlier approved house types were all house types previously accepted by the Local Planning Authority and are house types developed out across a number of sites in our District, including within the grounds of the Listed Moor Hospital site in Lancaster and in Galgate. Generally, the fenestration detailing across most of the proposed house types is simple and articulated relatively well through the use of window surrounds, heads, cills, stone quoin detailing and lean-to style roof canopies/porches. This detailing offers some commonality with the local vernacular of the village and the District generally. The amended house types are similar to those previously approved, although the detailing of some of the proposed house types has been reduced and weakened. For example, the use of stone heads and cills for some house types is now limited to the principal elevations leaving the rear elevations a little bland. Officers have sought to renegotiate some of the amended house types to improve their appearance but with the exception of the Elmswood, the applicant will not amend their standard house type. Whilst this is disappointing, given the main areas of concern relate predominately to the rear elevations, on balance, a refusal of Reserved Matters consent could not be substantiated. The precise stonework detailing, render texture and colours (together with samples of the materials) will need to be agreed by condition to ensure such reflects and complements surrounding development, particularly given the proximity of the site to the Conservation Area.
- 7.3.9 The provision of 76 dwellings provides a medium density development which does not feel out of character with the area given the high density development to the south on Halton Mills and slightly lower density developments to the north and east of the site. The design and layout of the development secures a strong frontage to Low Road and offers an appropriate gateway treatment into the scheme. It has a predominately outward facing layout in the areas considered essential (along Low Road and towards the open space areas) and internally creates its own sense of place with development fronting the main spine road. The weaker elements of the scheme relate to how the development responds to Forge Lane and the layout in the south-eastern corner around Wenning House.
- 7.3.10 The development does turn its back on Forge Lane with all the proposed dwellings in this location orientated with either their rear or site elevations (and gardens and boundaries) facing this street. Whilst it would have been desirable to create some frontage development in this location, there are a number of reasons why this is considered difficult:

- 1) limited space available between the proposed spine road (and drainage easement) and the boundary with Forge Lane;
- 2) the site is elevated above Forge Lane;
- 3) the existing tree/planting belt along Forge Lane is protected and is outside the applicant's control; and
- 4) Forge Lane is unadopted and privately maintained therefore the prospects of allowing access points onto Forge Lane (at this time of assessing the Reserved Matters application) would potentially be difficult.

For these reasons and to ensure efficient and effective use of the land for housing, there is limited opportunity to vastly improve this relationship. Having said that, this boundary is not going to have a particularly 'hard' boundary with Forge Lane as existing and proposed landscaping in this location will soften the appearance of any domestic garden fencing proposed and the development itself. It is acknowledged from the public representations made to this application, that this aspect of the layout is not ideal. Officers have attempted to negotiate a reduction to the extent of fencing along this boundary but, again, the applicant maintains their position and stresses that the layout and boundary treatments in this location have previously been approved.

- 7.3.11 The south-eastern corner of the site represents slightly denser development due to a cluster of smaller units in this location, more on-street parking (forward of the building lines) and less space for landscaping. However, the layout still secures a frontage to the open space and a mix of house types to add interest to the street scene.
- 7.3.12 On balance, the scale, layout, landscaping and appearance of the development (herein the reserved matters), are considered acceptable and compliant with the thrust of design, landscape and heritage related planning policy, which seeks to promote good design that reinforces local distinctiveness; establishes a strong sense of place and is visually attractive; protects and enhances existing landscape features and suitably integrates with the existing built and historic environment. Whilst there are some weak elements to the scheme, a refusal of permission would be difficult to substantiate given the previous Reserved Matters consent and the fact the changes to the house types which are judged to be poor (when compared to the earlier house types) are largely contained to non-principal elevations.
- 7.4 Residential Amenity
- 7.4.1 Planning policy (paragraph 127 of the NPPF and DM35 of the DM DPD) requires planning policies and decisions to secure a good standard of amenity for all existing and future residents. In this case, residential property along Forgewood Drive and Town End Way (backing Forge Lane) are the most affected by the development. Concerns raised under the previous Reserved Matters application related to overlooking and loss of privacy due to the position and scale and proposed development. No objections have been received this time raising similar concerns. Nevertheless, the impacts on existing and future residents must be considered as part of this proposal.
- 7.4.2 Plots 55 to 59 of the proposed development either back or side onto Forge Lane behind Nos. 8 to 21 Town End Way. The level difference between the proposed site and the property on Town End Way in this area is between circa 1.3m and 2m with the proposed development elevated above Forge Lane. The proposed interface distances between the rear of the proposed dwellings and the rears of property on Town End Way are between 23m and 31m. The interface distances increase as the elevation of the site increases. This level of separation, together with the presence of the existing landscaping in this location and existing and proposed boundary treatments, would not lead to a significant detrimental impact to the amenity of existing or future residents and therefore would not conflict with the requirements of paragraph 127 of the NPPF and policy DM35.
- 7.4.3 Plots 12, 14 to 17 and plot 21 are located alongside the eastern boundary of the site with either their side or rear elevations facing the rear of properties (and their gardens) on Forgewood Drive (2 to 12 Forgewood Drive). The properties on Forgewood Drive comprise a mix of bungalows and dormer bungalows. The proposed dwellings in this location are predominately two-storey with two bungalows located immediately behind nos. 4 to 8 Forgewood Drive. The proposed dwellings situated along this boundary shall be set at slightly lower finished floor levels than the adjacent properties. However, with the exception of plots 15 and 16 (the bungalows) the proposed two-storey dwellings are taller and will create a sense of enclosure to these neighbouring dwellings.
- 7.4.4 The proposed two-storey dwellings adjacent to No. 12 Forgewood Drive have proposed finished flood levels (FFLS) at 24.5m Above Ordnance Datum (AOD) (plot 17) and 25.1m AOD (plot 21).

The interface distances between these proposed dwellings and No.12 Forgewood Drive are approximately 25m (plot 17 (back to back relationship) and between 17m - 20m (not directly backing or siding onto the existing property) respectively. Plot 21 is affected by the changes to the house types. The previously approved scheme proposed a Wellington house type which is now replaced by a Camberley. The new house type has a reduced width but slightly deeper plan form. The overall height is similar. This change does not materially alter the relationship between this plot and the existing neighbouring dwelling when compared to the previously approved scheme.

- 7.4.5 The interface distances between the proposed bungalows and the existing bungalows also meets the required separation distances and therefore secures a satisfactory standard of amenity for existing and future residents. The layout, orientation and separation (in excess of 21m) of the two-storey dwellings adjacent to No. 2 Forgewood Drive (true bungalow) also enables a satisfactory standard of amenity for existing and future residents to be secured, despite the scale of the proposed properties being somewhat larger than this existing bungalow. Despite there being a notable change in outlook for residents of Forgewood Drive, overall the development would not lead to significant adverse impacts on their residential amenity to justify a refusal of consent. The layout and the scale of house types along this eastern boundary are not materially different to the scheme the Local Planning Authority has previously approved.
- 7.4.6 As noted earlier in the report, the eastern hedgerow boundary shall be retained as part of the landscaping of the development but the developer proposes high timber fencing to be erected alongside the hedgerow. This is intended to secure privacy for existing and future residents. Where private rear/side gardens are not proposed along this boundary, there will be no timber fencing.
- 7.4.7 The Forge (small cottage) off Mill Lane is also affected by the proposal. This converted dwelling extends into the southern part of the site. The applicant proposes to plant native hedgerow planting around the curtilage of this property to ensure their amenity is protected from the people walking through the site along the new footpath in the vicinity of this property. The new hedgerow would be within the applicant's control and would need to be maintained by the developer/management company.
- 7.4.8 The internal layout of the development is, by in large, designed to meet the requirements of DM35 relating to amenity standards. There are some locations where interfaces distances are tight but given the orientation of the proposed properties, such would not lead to significant adverse impacts. Overall it is contended that the proposed layout, scale, appearance and landscaping of the development provides a satisfactory standard of amenity for existing and future residents.
- 7.5 Access, parking and connectivity
- 7.5.1 The site access was secured as part of the outline permission, together with a range of off-site highway works to support traffic movements along Low Road, in particular at the pinch point in the carriageway close to Town End Farm, and to provide safer facilities crossing Low Road (amongst other matters). The access shown on the proposed layout is in accordance with the outline permission.
- 7.5.2 The layout of the development adequately demonstrates each dwelling unit will have sufficient parking provision to satisfactorily accord with the Council's parking standards set out in the DM DPD. The adopted standards are maximum standards. For the majority of the proposed house types, particularly the larger units, parking provision is provided at the maximum level but does include the garages as part of the parking allocation (not to all plots). The dimensions for the external garages are slightly shy of the County's preference for 6m x 3m garages. The integral garages are smaller still but would be capable of accommodating vehicles if needed. With regards to cycle parking provision, the applicant has submitted details of a simple cycle shelter to serve the two cottage-style apartment buildings. This form of cycle storage is not considered sufficiently secure so has not been accepted. However, it is accepted that the details could be secured by planning condition. There are no other details provided to indicate how the remaining residential units will accommodate cycle storage. Plots with garages should be capable of accommodating cycle storage. For those plots without garages, cycle parking provision needs to be catered for. This will require some external structures within gardens or within communal areas around the affordable units (located along the eastern boundary).
- 7.5.3 Planning policy seeks to prioritise walking and cycling in the interests of minimising emissions from vehicle use but also in the interests of people's well-being and health. As part of the outline

permission there are conditions to secure off-site highway improvements to enable safer passage across Low Road to the village hall and the recreational facilities; a footpath connection between Low Road and the existing public right of way (PROW) on Mill Lane and in the event Forge Lane is adopted a connection to be provided to Forge Lane too. The proposed layout secures the above. The layout of the path through the open space and the locations of the proposed connections to Mill Lane and Forge Lane have been heavily influenced by the site contours and the external levels of the adjacent roads.

- 7.5.4 It remains clear from the public consultation responses received to date that there is significant disappointment over the lack of connections between the proposed built development and neighbouring development on Halton Mills. Objectors have stressed (as they did last time) that there should be a more central connection between the development and Forge Lane to provide improved legibility and community cohesion. Officers have attempted to negotiate with the developer on this point and had asked the developer to consider increased footway provision close to plot 48. A connection further east was not pursued because the level differences are more significant. The developer maintains the connections proposed are sufficient and as such they are not prepared to include improved pedestrian infrastructure up to their site boundary in a more central position along the boundary with Forge Lane. This is not without some justification. The applicant has argued that the provision of such would not be feasible due to their internal road layout (i.e. in the location of plot 48 the road is intended to be 'private' (not adoptable standard); the difference in levels between the site and the adjacent carriageway; that a further pedestrian connection would impact protected trees along the southern boundary; that the trees/verge area along the southern boundary are in third party ownership; and the earlier Reserved Matters application did not include a central connection point and was accepted by the Local Planning Authority. Whilst this may be disappointing, unfortunately the lack of a connection would not render the development unacceptable particularly given a commitment to secure other connection points.
- 7.5.5 With regards to the PROW link, the gravel track through the proposed open space will not enable suitable access for all users (i.e. not a level surface). Officers had requested a more useable surface but the applicant has declined on the basis that existing track on Mill Lane where the connection is to be secured is also a gravel track and that a bitmac surface would not be particularly sensitive to the landscape character of this part of the site. There is some validity in the points raised which would make it difficult for the authority to substantiate a strong position otherwise. Within the site there are a network of footways leading to the main access to Low Road. Officers have not sought any additional pedestrian openings between the site along the Low Road frontage on the basis that the stone boundary wall forms a strong townscape feature which does not warrant unnecessary puncturing of openings.
- 7.5.6 The proposed layout also includes a pedestrian footway close to plot 21 up to the eastern boundary to provide a connection between this development and the development to the east (Wrenman Homes). The site levels are challenging in this area making the route potentially a little awkward. The precise detail of the routing and surfacing materials/finish of this path can be conditioned.
- 7.5.7 The internal highway network includes a hierarchy of streets which will be treated in different surfacing materials with footway provision to the principal streets. A variation in external surfacing materials adds interests and visual articulation of the public realm within the scheme but also serves to define changes in pedestrian/vehicle environments. The layout also secures a pedestrian link to the adjoining development site (to the east) offering a greater level of legibility between the developments and the surrounding area. The details of such will be secured by condition, though it is understood that due to the level differences this link may be steeper than preferred and may not suit all users. Overall, the scheme satisfactorily promotes and enhances the walking environment/experience to the benefit of existing and future residents' health and well-being and the promotion of good inclusive design.
- 7.6 Compliance with outline permission
- 7.6.1 The applicant has submitted two separate discharge of condition applications to address certain pre-commencement conditions. The first application sought the discharge of condition 9 (invasive species) and agreement of the written scheme for archaeological investigation for condition 5. Condition 9 has been discharged and Condition 5 agreed. LAAS has also confirmed that this condition can be discharged and no further archaeology work is necessary. This plainly means that the findings of the archaeological investigations undertaken will not affect (or *vice versa*) the proposed layout of the development. The second discharge of condition application has been

received and is currently pending consideration. This covers details pertaining to the site drainage, external levels, ecology mitigation, noise mitigation and contamination.

7.6.2 There is no requirement (in statute) for the discharge of condition application to be dealt with, and matters agreed, at the same time or in advance of the decision relating to the Reserved Matters application. The conditions imposed on the outline permission stipulate the trigger by which details need to be agreed and, in this case, include a number of pre-commencement conditions. What is important at this stage is that proposed layout, scale, appearance and landscaping of the development (herein the reserved matters) should not prejudice the ability for the applicant to comply with the outline conditions. The critical conditions here relate to site drainage and ecology.

7.6.3 How the site will be drained and not increase the risk of flooding has previously, and still remains, a concern to the community (noted in the public representations). This is particularly understandable following recent flood events where properties close to the application site suffered flooding and the site itself was affected by exceedance flow from upstream. It is the conditions imposed on the outline planning permission that govern the acceptability (or otherwise) of the proposed drainage strategy (not this application for Reserved Matters consent). However, the layout of the scheme still needs to be able to respond to the site wide drainage strategy (as submitted or amended). In accordance with the original FRA, the western part of the site (where the levels are lowest) will accommodate provision for surface water drainage attenuation. The layout and scale of the development ensures the site can accommodate any such requirements. The final drainage scheme is still being assessed by the Lead Local Flood Authority as part of the pending condition application. There are no indications that the principle of the drainage strategy (i.e. the provision of and the location of an attenuation basin) is unacceptable, and therefore Officers are confident that the proposed layout would not prejudice the ability for the developer to comply with the drainage conditions.

7.6.4 With regards to ecology, the principal issue here relates to whether the proposed development sufficiently mitigates against the loss of greenfield land and hedgerow removal. The applicant has provided detailed planting proposals as part of this application for Reserved Matters consent. These plans are the same plans (save for the changes to the house types) considered under the pending discharge of condition application pertaining to the ecology mitigation condition (condition 7 of the outline permission). The Council's ecology advisors (Greater Manchester Ecology Unit) are satisfied with the details submitted. In short, the proposed landscaping proposals would not prejudice the ability for the developer to comply with their ecology condition on the outline approval. The Council's Tree Officer is also satisfied with the landscaping plans.

7.7 Use of conditions

Because the site is sensitively located adjacent to the Conservation Area and due to the relationship of the proposed dwellings to one another and existing neighbouring dwellings, Officers are of the opinion that there are exceptional reasons why the removal of certain permitted development rights (set out in the conditions list below) should be imposed by condition should Members support the proposal. This would not remove the ability for future homeowners to apply for planning permission, but that the impacts of such permitted development would need to be carefully assessed due to the potential harm to visual and residential amenity. Conditions are also considered necessary to secure the high-quality finish to the scheme, such as the final agreement of materials and stonework detailing to the buildings. Conditions are also recommended to secure suitable connections between the site and the adjacent development site to the east and the provision of appropriate cycle storage facilities for all the residential units across the site.

8.0 Planning Obligations

8.1 The outline planning permission was subject to a legal agreement securing the following:

- Up to 40% provision of affordable housing (percentage, tenure, size, type to be agreed at Reserved Matters stage subject to viability);
- Public open space land to be identified at the Reserved Matters Stage and secure by a management scheme;
- Education contribution – the figure to be calculated upon the preparation of reserved matters and to be paid based on the phasing set out in the obligation; and
- Playing pitch contribution

8.2 Affordable Housing

As set out at the head of this report, the applicant is not seeking to deviate from the details agreed as part of their first application for reserved matters. In accordance with the terms of the legal agreement, the applicant negotiated the provision of affordable housing under the last Reserved Matters application. Having originally submitted a case for zero affordable housing, the final agreed position determined that the development can viably deliver 17 affordable housing units of the total dwellings proposed. The proposed layout accommodates this agreed level of provision with 8no. 1 bedroom rented units, 2no. 2 bedroom rented units, 2no. 2 bedroom shared ownership units and 5no. 3 bedroom shared ownership units.

8.2 Education

In this case the planning obligation required the education contribution to be calculated at the point of preparation of reserved matters approval. The Education Authority determined the education contribution in accordance with the terms of the planning obligation as part of the previous Reserved Matters application. This resulted in a contribution for the full pupil yield from the development. The changes to the scheme (when compared to the previous application) do not alter the number of bedrooms and therefore the education contribution. Like the affordable housing matters, the applicant is not seeking to deviate from the previously agreed position.

8.3 Open Space

The planning obligation requires the areas of open space, landscaping areas, unadopted roads and areas reserved for surface water drainage to be submitted at the reserved matters stage. The proposed layout complies with the outline permission limiting development to the identified developable area and reserving the land to the south as landscaped open space. The proposal secures small pockets of landscaping within the body of the development with more formal areas of amenity land to the western end of the proposed site and to the south outside the defined developable area. This exceeds the level of formal amenity space required by the Councils' open space Planning Advisory Document.

8.4 There have been objections raised over the open space proposals and landscaping, commenting that the plans do not go far enough to deliver something of genuine community value, questioning the functionality of the proposals. Objectors have also stressed that the plans fail to have regard to the Draft Neighbourhood Plan and its aspirations in terms of community open space. At the outline stage, it was accepted that the scheme need only provide amenity greenspace because of the provision of high quality public open space of various typologies in the village and in close proximity to the site. The scheme has been designed on that basis. Whilst the draft neighbourhood Plan is a material consideration, it carries little weight at this stage given its early stages of preparation.

8.5 Notwithstanding this, the case officer has tried to negotiate additional orchard planting within the southern part of the site to alleviate some of the concerns raised, but the applicant maintains their position that the scheme provides sufficient planting to ensure the development is acceptable in planning terms. Given the planting plans have previously been approved and accepted by the Local Planning Authority and that the Tree Officer and ecology advisors are satisfied with the details provided, there would be no substantive grounds to resist the proposals now. The future management of open space on the site (and other areas) must be managed in accordance with details agreed pursuant to the outline conditions and the terms of the planning obligation. As with most residential developments, it is anticipated this is in the form of an estate's management company or similar.

8.6 The playing pitch contribution is unaffected by the proposals.

9.0 Conclusions

9.1 The proposed scale, layout, appearance and landscaping of the development (herein reserved matters) are largely the same as the details previously agreed with the Local Planning Authority under the earlier Reserved Matters application. Whilst there are some areas of weakness, on balance, Officers are satisfied that the development is capable of positively responding to the character and appearance of the area; that a satisfactory standard of amenity for existing and future residents can be achieved; and reasonable pedestrian connections between the site and its surroundings can be delivered. A number of planning conditions are recommended, including the removal of permitted development rights, to ensure a high quality form of development is delivered and maintained into the future. For the reasons set out above, the application is considered

compliant with the Development Plan and on this basis Members are recommended to support the application.

Recommendation

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

1. Time limit for reserved matters
2. Development to be constructed in accordance with approved plans (list of drawings)
Details to be agreed before construction of the super structures
3. Precise details of the pedestrian connection to the east of the site adjacent to plot 21, together with a timetable for implementation. The link shall be retained at all times thereafter.
4. Notwithstanding the details submitted, samples and specifications of all materials to the external face of the dwellings (and sub-station), including stonework detailing, to be agreed with the LPA.
5. Notwithstanding the details submitted, the location, size and finish of secure external cycle storage for plots without garages to be agreed and implemented before occupation of respective dwellings and retained at all times thereafter.
Control conditions
6. Landscaping to be implemented and maintained.
7. Tree protection and implementation in accordance with amended Arboricultural Implications Assessment and Arboricultural Method Statement
8. Parking to be provided in accordance with approved details and provided before occupation and thereafter retained with garages use limited to parking/storage.
9. Removal of PD (extensions, roof additions, outbuildings, hardstanding and fencing)
10. No insertion of new, altered windows/doors

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