

<b>Agenda Item</b> A6	<b>Committee Date</b> 4 March 2019	<b>Application Number</b> 18/01183/FUL
<b>Application Site</b>  Land North East Of Ex Servicemen's Club Scotland Road Carnforth Lancashire		<b>Proposal</b>  Erection of a care home building comprising of 118 bedrooms and communal, staff and services areas with associated internal road layout, car parking and landscaping, creation of a new access and construction of a new retaining wall
<b>Name of Applicant</b>  Mr Simon Tomlinson		<b>Name of Agent</b>  Melissa Magee
<b>Decision Target Date</b>  17 December 2018		<b>Reason For Delay</b>  Awaiting further information
<b>Case Officer</b>		Mrs Petra Williams
<b>Departure</b>		No
<b>Summary of Recommendation</b>		Refusal

## **1.0 The Site and its Surroundings**

- 1.1 The proposal relates to a greenfield site which occupies a north-west facing slope on the eastern edge of Carnforth. The site is a little over 1 hectare in area and is currently in agricultural/grazing use with a gated access off North Road. Oliver Place which is a cul-de-sac abuts part of the south-western site boundary. The site is surrounded by housing to the west and south and fronts Scotland Road to the north-west and has open pastoral land to the east. Beyond the site to the north is the Aldi retail store and Norjac car workshop. The Carnforth s Working Men's Club abuts the western corner of the site.
- 1.2 The ground levels vary significantly across the site with the ground rising very steeply from its boundary with Scotland Road then climbing more gradually further up to the site boundary with the rear gardens of North Road. Current ground levels are approximately 17m above Ordnance Datum (AoD) at the Scotland Road frontage rising to 32m AoD at a point 50m from the site frontage, then climbing more gradually to a maximum level of approximately 40m AoD, 110m into the site. The current gradient of the land at its steepest section close to Scotland Road is a gradient less than 1 in 4 and terminates on the Scotland Road boundary with a short retaining wall some 0.8m high.
- 1.3 The majority of the surrounding residential properties are two storey houses with rear gardens abutting the site. The depth of the gardens vary in length. North Road Conservation Area abuts part of the boundary in its south-west quadrant following the curtilage boundaries of 95-109 North Road and includes the Grade II listed building, Carnforth House Farm (109 North Road).
- 1.4 Carnforth town centre is located around 200m from the site and provides a range of local services and facilities, including a medical centre, supermarkets, post office, some comparison retail, offices, restaurant/cafes/public houses, and employment land. The railway station is located around 500 metres from the site. Scotland Road also provides regular bus services along its length. The closest bus stop on the A6 is around less than 100 metres south west of the site.
- 1.5 The south-eastern boundary of the Arnside and Silverdale Area of Outstanding Natural Beauty (AONB) is located 670 metres to the north of the site and 1.3km to the north-west. Carnforth

Ironworks Biological Heritage Site lies 325 metres to the north and the Lancaster Canal Biological Heritage Site is located 150 metres to the south east.

## **2.0 The Proposal**

- 2.1 The application proposes the erection of a care home building over three floors providing 118 bedrooms. The ground floor would accommodate the main access within the south-west elevation and this would be for staff, residents and their visitors as well as day care and temporary residents and their visitors. Service access would also be provided on this entry level. Two lifts would also be provided within this side of the building and this would give direct access to upper floors for staff, visitors and residents. The service entrance would be located to the rear of the site with the service bay comprising staff facilities, kitchen, laundry and plant room in addition to a further lift.
- 2.2 The scheme involves the creation of a junction within the 30mph limitation off Lancaster Road and a road within the site to service the development. The internal access road would include sweeping hairpin bends up to the proposed care home in order to overcome the gradient challenges that the site offers. 30 car parking spaces would be provided in addition to dedicated ambulance and minibus bays. A stepped pedestrian access would also be provided off Scotland Road.
- 2.3 There will be 40 staff present on site at any one time during the day and 12 overnight, working 2 split shifts during the day and with an overnight shift.

## **3.0 Site History**

- 3.1 There is a limited planning history associated with the site.

Application Number	Proposal	Decision
18/00506/PRE3	Erection of 120 bed care home including services with associated landscaping, parking and roadways	Advice provided prior to engagement forum
17/01143/PRETWO	Erection of a nursing home in two phases	Advised of concerns regarding landscape impact and that the support of relevant commissioning bodies was required.
13/01297/OUT	Outline application for the erection of 18 dwelling houses including associated access and services	Permitted

## **4.0 Consultation Responses**

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

Consultee	Response
County Highways	<b>No objections.</b> Satisfied with level of parking proposed and suggests a number of conditions including a requirement for off-site highway works.
Housing Strategy Officer	<b>Objections.</b> Comments made following liaison with Lancashire County Council and the Morecambe Bay Clinical Commissioning Group. Taking account the requirements of Policy DM45, the information provided by the commissioning teams casts doubt on whether there is a clearly evidenced need for this type of facility in this location on the scale proposed. The Housing Strategy Officer's recommendation is that specialist schemes of this type should be commissioner led.
Conservation Officer	<b>No objections</b> subject to conditions regarding materials. The proposal would still lead to a level of harm on the setting of the Listed buildings and Conservation Areas, the level of harm is considered to be less than substantial. Some of this visual harm will be mitigated by the proposed landscaping and could be further mitigated through the appropriate palette of materials.
Environmental Health	No comments received at the time of compiling this report. Any comments received will be reported verbally at Committee.

<b>Air Quality Officer</b>	<b>No objections</b> raised subject to conditions for mitigation set out within the submitted Air Quality Assessment.
<b>Arnsdale and Silverdale AONB Office</b>	<b>Neither objects nor supports</b> but highlights Policies E3 and DM28, which require development within the setting of the AONB to be appropriate to the landscape character type and designation. The Council needs to be confident that the design and landscaping of this proposal are sufficient to mitigate the harm to the setting of and views from the AONB. The cumulative impacts of development, from this proposal and the proposed large scale housing development on another greenfield site to the north east (18/00365/OUT), must also be taken into account.
<b>Tree Officer</b>	<b>No objections.</b> Comments based on amended plans, which allow for the retention of a frontage tree (T8). T7 will require removal. Considers this proposal is acceptable and improves the frontage to the site.
<b>Natural England</b>	<b>No objections.</b> Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected sites or landscapes.
<b>Canal and River Trust</b>	<b>No comment</b> to make on the proposal.
<b>Lancaster Canal Trust</b>	<b>No comment</b> to make on the proposal.
<b>Historic England</b>	<b>No comment</b> to make on the proposal.
<b>Carnforth Town Council</b>	<b>Objection</b> – Raise a number of concerns relate to the following matters: <ul style="list-style-type: none"> <li>• Impacts on AONB</li> <li>• Traffic and air quality impacts</li> <li>• Access and highway impacts</li> <li>• Scale and nature of proposal</li> <li>• Drainage</li> <li>• Heritage impacts</li> </ul>
<b>United Utilities</b>	<b>No objections</b> raised. Following a review of the submitted Drainage Strategy, United Utilities confirm the proposals are acceptable in principle. Suggests a condition to ensure that the development is carried out in accordance with the submitted Foul and Surface Water Drainage Strategy.
<b>Lead Local Flood Authority</b>	<b>Comments awaited</b> – verbal update to be provided at Committee
<b>Lancashire Fire and Rescue Service</b>	Provides advice, which would be included on an approval.

## **5.0 Neighbour Representations**

5.1 There have been 15 items of public comment raise objections to this application. Objections raise the following points:

- Impacts on parking on North Road
- The greenfield site should not be developed
- Impacts on sewage system
- Impacts on the operation of Border Aggregates through surface water drainage provision.
- Concerns regarding the possible use of Oliver Place for access
- Heritage impacts
- Question regarding the need for another care home
- Loss of views and privacy
- This is the highest point in Carnforth and not an appropriate for a 118 bedroom nursing home and associated facilities
- This huge building would be highly visible from the properties on North Road and also from the AONB
- Concern regarding the service access off North Road
- The ground under the field is loosely consolidated sand and gravel
- Loss of amenity due to the inevitable light pollution
- Lack of accessibility for occupants - the site is at the top of a 1 in 3 slope and given the likely health of the residents, this will surely leave them isolated and unable to easily access the various local services
- Inappropriate for this location as there are already two nursing homes on North Road less than a hundred metres away and more within a 6 mile radius
- Ecological impacts

- Location of bin store in proximity to existing residential dwelling on North Road
- Adverse visual impacts on this gateway location
- Impact on local health care services
- Impacts on traffic and air quality
- Concerns regarding access and highway safety
- Concerns regarding drainage

## **6.0 Principal National and Development Plan Policies**

### **6.1 National Planning Policy Framework (NPPF)**

Paragraphs 7 to 10 – Achieving sustainable development  
 Paragraph 11 to 14 – Presumption in favour of sustainable development  
 Paragraphs 47 to 50 – Determining applications  
 Paragraphs 59, 60, 61 – Delivering a sufficient supply of homes  
 Paragraph 68 – Identifying land for homes  
 Paragraph 74 – Maintaining supply and delivery  
 Paragraphs 91, 92, 94, 96 and 98 – Promoting healthy and safe communities  
 Paragraphs 102 to 103, 108 to 111 – Promoting sustainable transport  
 Paragraphs 117 to 118, 122 to 123 – Making effective use of land  
 Paragraphs 124, 127, 129, 130 – Achieving well-designed places  
 Paragraphs 170, 172, 175 – Conserving the natural environment/habitats and biodiversity  
 Paragraphs 178 to 180, 182 – Ground Conditions and Pollution  
 Paragraphs 189 to 194, 196, 197 and 200 – Conserving and enhancing the historic environment  
 Paragraphs 205 to 206 – Facilitating the sustainable use of minerals  
 Paragraphs 213 to 214 – Annex 1 Implementation

### **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 the first quarter of 2019. If the Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council in late 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 Local Plan Saved Policies**

E3 – Development affecting AONBs  
 E4 – Development within the Countryside

### **6.4 Lancaster District Core Strategy (adopted July 2008)**

SC1 – Sustainable Development  
SC2 – Urban Concentration  
SC4 – Meeting the District's Housing Requirements  
SC5 – Achieving Quality in Design

## 6.5 Development Management DPD

DM20 – Enhancing Accessibility and Transport Linkages  
DM21 – Walking and Cycling  
DM22 – Vehicle Parking Provision  
DM23 – Transport Efficiency and Travel Plans  
DM27 – Protection and Enhancement of Biodiversity  
DM28 – Development and Landscape Impact  
DM29 – Protection of Trees, Hedgerows and Woodland  
DM32 – The Setting of Designated Heritage Assets  
DM33 – Development Affecting Non-designated Heritage Assets  
DM35 – Key Design Principles  
DM37 – Air Quality Management and Pollution  
DM38 – Development and Flood Risk  
DM39 – Surface Water Run-off and Sustainable Drainage  
DM41 – New Residential dwellings  
DM45 – Accommodation for Vulnerable Communities  
DM48 – Community Infrastructure  
DM49 – Local Services

## 6.6 Emerging Local Plan Policies

A Local Plan for Lancaster District 2011-2013 Part One: Strategic Policies and Land Allocations  
DPD (Publication Version, February 2018):

SP2 – Lancaster District Settlement Hierarchy  
SP3 – Development Strategy for Lancaster District  
SP6 – The Delivery of New Homes  
SP8 – Protecting the Natural Environment  
SP10 – Improving Transport Connectivity  
EC5 – Regeneration Priority Areas  
EN7 – Local Landscape Designations (Urban Setting Landscapes)  
EN5 – The Open Countryside

A Local Plan for Lancaster District 2011-2013 Part Two: Review of the Development Management  
DPD (Publication Version, February 2018):

DM1 – New residential development and Meeting Housing Needs

Arnsdale and Silverdale AONB DPD (Submission version):

AS01 – Development Strategy  
AS02 – Landscape

## **7.0 Comment and Analysis**

The main planning issues to be addressed are as follows:

- Principle of development
- Need for elderly care provision
- Design and heritage impacts
- Landscape impacts
- Access and highways
- Natural environment
- Amenity
- Air quality
- Drainage

### 7.1 Principle of Development

- 7.1.1 The Core Strategy (Policies SC1 and SC2) seeks to direct most housing and employment growth to the main urban areas of Lancaster, Morecambe, Heysham and Carnforth. This is to ensure the growth of sustainable communities with new development located where there is good access to public transport, employment, retail and leisure services/facilities to reduce and better manage the demand for travel, minimise natural resources and safeguard our environmental capital.
- 7.1.2 Specifically, policy SC1 requires development proposals to be convenient to walk, cycle and travel by public transport between homes, workplaces, schools and other services; to be on previously developed land; not be at risk of unacceptable flooding or cause flooding off-site; to be developed without loss or harm to features of biodiversity, landscape, archaeological or built heritage importance; and that the proposed use would be appropriate to the character of the landscape.
- 7.1.3 Whilst partially superseded by policies within the Development Management Development Plan Document (DM DPD), policy SC2 promotes an urban-concentration approach to development in the District and recognises proportionate growth would be required in Carnforth to reflect its role as a key service centre. It is not anticipated that this approach will change as part of the emerging Local Plan, which continues to have an urban-focused approach to the spatial distribution of development and continues to recognise Carnforth as a key service centre. Carnforth is considered an important centre not only to support its own needs but to support surrounding constrained settlements and the countryside where development opportunities are limited, such as settlements within the nearby AONB.
- 7.1.4 Development on the edge of Carnforth alongside existing residential development is considered to be sustainable in principle and would provide an important contribution towards housing supply within the District. Planning permission was granted in 2015 for 18 dwellings and associated access on the site (now expired). The fact that the Council could not demonstrate a 5 year supply of deliverable housing sites was a strong consideration in the determination of the application and a tilted balance towards the supply of housing was applied. The Council has recently published a five year housing land supply position which sets out that 13.3 years' worth of supply can be demonstrated. However, it is likely that the methodology for this will change, and given the need to significantly boost housing and housing policies are considered out of date, it is considered that the presumption in favour of development should apply. Nevertheless, this site is not an allocated site for housing and is within an area designated as "Urban Setting Landscape" within the emerging local plan under policy EN7; a policy that currently has limited weight.

## 7.2 Need for Elderly Care Provision

- 7.2.1 It is clear from both local and national evidence that there is a need to increase the range of housing options available to an ageing population to promote health, wellbeing and independence. The current scheme proposes to provide a 118-bed space residential care facility for the elderly. Policy DM45 sets out a number of requirements in relation to new schemes proposed for vulnerable groups, whereby it would be necessary to consult the relevant commissioning managers to assess the need and appropriateness of the accommodation being proposed. Furthermore, proposals for accommodation for older people will be supported subject to the proposal meeting the following criteria:

### *7. Meeting the genuine needs of older people:*

- ii. Being well located for a primary bus route, and convenient for local services and facilities;*
- iii. Being wheelchair accessible; and*
- iv. Contributing towards the provision of affordable housing in accordance with Policy DM41 (Use Class C3 only).*

- 7.2.2 In order to establish overarching compliance with DM45 the Housing Strategy Officer consulted two commissioning managers at Lancashire County Council to ascertain if there is a local need for the facility proposed. A number of points and concerns have been raised within this dialogue. At the present time, Lancashire County Council's most pressing need is to deliver purpose built extra care housing for older people across the county. Extra care housing comprises fully self-contained residential units in a communal setting with an on-site care team providing an element of background support but can tailor care provision to the needs of individuals. Typically extra care schemes are occupied with residents who have low, medium and high needs. The intention is that over time, older people can remain in an independent setting for as long as possible. In time this should reduce

the existing reliance on traditional forms of residential and nursing care provision. Lancashire County Council's ambition to support the delivery of new extra care schemes is set out in the Extra Care Strategy 2014 and this has been reaffirmed in their evolving housing with Care and Support Strategy.

- 7.2.3 Lancashire County Council's evidence of the local need for residential care/nursing care/dementia provision confirms that a new tracking system has been set up to measure need and demand, and through a recent postcode search, there were 141 vacant beds in a 7 mile radius of the site. There are currently three care homes within a 1 mile radius of the proposal providing 64 beds for nursing care and two care homes providing residential care 30 beds, with a further 3 establishments within a 3-4 mile radius providing 48 nursing home beds and 28 residential care beds respectively.
- 7.2.4 The scheme proposed relies on a different funding model to traditional residential care charges. The applicant appears to be seeking dual registration with the Care Quality Commission (the independent regulator of all health and social care services in England) to provide residential care and supported living. However, having carefully scrutinised the proposed facility, all parties are clear that this facility is not an extra care scheme. At this point, the actual cost model and proposed charges are not yet known. Because the cost model is the first of its type in the county, Lancashire County Council cannot provide a definite position on whether they support this model.
- 7.2.5 There are also concerns regarding the proposed number of units within the scheme as the Lancashire County Council shared data from the Care Quality Commission North West suggests that smaller care homes generally achieve a better rating with homes rated as either good or outstanding outlined as follows:-
- 91.1% for small (10 or less bed) homes
  - 81.7% (11-49 bed) homes
  - 67.2% for larger (50+bed) homes
- This data suggests that care homes provided on a significantly smaller scale than that proposed in this case are more likely to achieve higher levels of quality and a safer environment for residents.
- 7.2.6 The applicant was advised during the pre-application process of the importance of early engagement with the relevant commissioning team at Lancashire County Council so that the need can be evidenced and to gauge whether the commissioners support the principle of this proposal. It is understood that the applicant had limited engagement at high level with County Council but this did not involve detailed discussions. It is considered that the submission has been unable to evidence the need for this type of accommodation and in this location. Although the applicant has very recently had dialogue with a representative of Morecambe Bay Clinical Commissioning Group (CCG) it is understood that engagement with the relevant commissioning managers has not been carried out prior to submission as advised during the pre-application process. The meeting with the CCG raised concerns regarding the impacts which of a development of this scale would have on local health services such as local GP surgeries as it is anticipated that a large proportion of occupants are not likely to be existing patients and would be moving from elsewhere in the District and from other Districts, including Cumbria. The CCG also flagged up potential workforce challenges in terms of care and nursing staff, which may have an effect on other businesses. The proposed funding model is also a concern to the CCG and there are serious doubts about whether the scheme can actually be delivered.
- 7.2.7 In terms of other criteria within policy DM45 although the site is in close proximity to public transport routes and local services the issues of accessibility is a point of concern for residents and visitors. Although the building itself would be accessible internally, it is considered that any residents who wished to venture out or be taken out by visitors would be faced with challenging gradients and stepped access to the site and therefore the practicability of wheelchair access between the highway and the care home is questioned.
- 7.2.8 In summary, taking account the requirements of overarching requirements of DM45 which highlights the importance of the support of the relevant commissioning teams, the information provided by the Lancashire County Council and the Morecambe Bay Clinical Commissioning Group casts doubt on whether there is a clearly evidenced need for this type of facility in this location on the scale proposed and highlights other concerns regarding the funding model and knock on effects the scheme would have on related health care services. The Housing Strategy Officer's recommendation is that specialist schemes of this type should be commissioner led whereby the relevant commissioning

team establishes the need and type of provision required, and establishes a framework/mechanism to meet that need, which providers of new services can engage with. This reduces any risk that speculative schemes outside of the published commissioning plans receive the full support and a clear steer from commissioners at the outset, and that funding commitments are in place. As it stands without the support of the relevant commissioning bodies and evidence of need it is considered that the submission fails to address critical elements of policy DM45.

### 7.3 Design and Heritage Impacts

- 7.3.1 The proposed building will comprise a mix of 2-3 storeys and the supporting Design and Access Statement sets out that it would be fragmented in order to reduce the massing. Nevertheless it is considered that the scale of the development situated within steep topography will result in a dominant feature within surrounding townscape.
- 7.3.2 The proposal will be situated immediately adjacent to Carnforth Conservation Area and in the vicinity of 109 North Road, which is Grade II listed building. The land is very elevated and situated in prominent location to surrounding heritage assets. As such the development would impact the setting of Carnforth Conservation Area, Listed buildings along North Road and the Congregational Church (Non-Designated Heritage Asset) along Hawk Street. Due to the topography and elevated position, there are also views of Warton Crag (Scheduled Monument) to the north west of the site. The applicants were advised that consideration should be given to a more appropriate design and that development of a reduced height and scale would break up the massing and reduce the impact on the heritage assets.
- 7.3.3 Although additional CGIs provided by the agent show the views within the Conservation Area would be restricted by the fine grain of buildings within the vicinity, it is still considered that the proposal would have an impact on the setting and significance of the surrounding designated heritage assets, including the Listed buildings along North Road due to its sheer scale and massing. Although some visual mitigation will be provided by tree planting to the rear of the development, this will take some time to develop. Although the Conservation Officer initially raised objections following consideration of the additional CGIs it is now considered that the visual harm in respect of the setting of heritage assets mitigated by the proposed landscaping and could be mitigated through the appropriate palette of materials. Nevertheless, there would be harm, albeit less than substantial, and this harm would need to be justified and outweighed by the benefits of the scheme.

### 7.4 Landscape Impacts

- 7.4.1 A critical point of consideration is that of the landscape impact of any development, particularly in this case where the development involves substantial engineering works on a site in an elevated position within the Countryside Area and can be viewed from open land to the north and north-east of the site and from within the Arnside and Silverdale AONB. The site in question has been assessed as part of the emerging Local Plan and has been allocated under policy EN7 following a Key Urban Landscapes Review which was carried out on behalf of the Council by Arcadis in May 2018. While this policy currently has limit weight it is indicative of the value placed on this site in landscape terms. The area is located within the Morecambe Coast and Lune Estuary National Character Area. At county level, the local landscape character is identified as the Carnforth – Galgate – Cockerham Low Coastal Drumlins. The AONB Seascape Character Assessment draws the landscape character types down further, which identifies the site within the low coastal drumlin character type.
- 7.4.2 The site occupies steeply rising land but one which is closely associated with neighbouring residential development to the south and west. In this regard the character of the built form is comprised fine grain predominantly 2-storey properties. The north-west of the site sits at a significantly lower level, comprising primarily of larger commercial buildings and urban infrastructure. Although consent was previously granted for 18 dwellings on this site, the scale and nature of the built form of the current scheme differs greatly and includes a 3 metre high retaining wall around parts of the site. The previous approved application would have provided 2-storey dwellings which would have reflected the scale of the surrounding built form and allowed a degree of permeability through the site. It was also approved prior to the drafting of the emerging policy EN7 and before the landscape evidence by Arcadis.
- 7.4.3 Due to its scale and elevated location the application has been supported by a Landscape and Visual Appraisal which acknowledges that there would be some adverse effects on the landscape character



of the site and its setting as well as views from the neighbouring AONB as the proposed development does introduce built form where it previously did not exist. Although the development would to some degree be set into the hillside in order to minimise the landscape impacts and would in time be softened by landscaping, it is considered that the scale and massing of the proposed building would present a stark contrast to the surrounding built form and would be at odds with the adjacent townscape notwithstanding the use of natural materials and sedum roof treatment. The bulk and massing of the proposal is clearly evidenced within the site sections.

- 7.4.4 Given the scale and nature of the surrounding built form, it is considered that the development would appear incongruous to its surroundings particularly against the vernacular and traditional scale and appearance of buildings along North Road. This issue of scale and massing is further exacerbated by the elevated topography and position of the development within the site. It is concluded that the scheme would have significant impacts on the landscape character of the area which would not be outweighed by the benefits of the scheme.

## 7.5 Access and Highways

- 7.5.1 In locational terms, the site is close to the highway network and public transport modes. However, pedestrian accessibility for the proposed user group is a point of concern due to the steep gradient of the site. There would be staggered stepped access which would clearly be impractical for wheelchair users. In order to overcome this the applicant proposes to provide a mini-bus bay on the site access road close to the A6 to allow those persons with impaired mobility to contact reception and request a minibus service. However, it is considered that this would not be an ideal solution and would not overcome the concerns raised within paragraph 7.2.7 above.

- 7.5.2 The maximum parking standards as set out within Appendix B of the DPD require 30 spaces for the proposed development and the submission accords with this. Provision would also be made for disabled and ambulance parking as well as minibus parking at the top and bottom of the site.

- 7.5.3 The new site access from Scotland Road is proposed at 6m wide with 1.5m wide footway on the southern side and a 1m verge on the northern side. The first 10m from A6 is proposed at a gradient no steeper than 1:20 and the remaining length is 1:12 which is considered the maximum gradient to allow use by all types of vehicle. A ghost right turn lane is proposed within the submitted Traffic Assessment and the details of the off-site highways works in respect of the new junction would be conditioned. County Highways has raised no objections to the proposed access and considers that appropriate visibility splays have been demonstrated. They have also requested that the footway on the eastern side of Scotland Road is widened and that the nearest bus stop is upgraded as part of off-site highway improvements. At the time of writing this report the applicant's Transport Consultant is disputing this request as it was not required in relation to the previous consent for 18 dwellings. However, it is considered that the current proposal represents an intensification from the previously approved residential development and that it is reasonable to expect the footway and bus stops to be upgraded to provide quality routes and a safe and suitable access for pedestrians and to promote sustainability in accordance with the NPPF.

- 7.5.4 Plans indicate that the existing access from North Road would be used in relation to servicing and allows parking for one vehicle. The submission also makes reference to this access being a route for pedestrians coming from North Road and this has given rise to concerns from nearby residents as it may result in increased on street parking in the vicinity. However, County Highways is satisfied with the level proposed parking provision within the site to serve the type of development proposed.

- 7.5.5 Notwithstanding the concerns raised within public comments regarding highway safety, access and parking, it is concluded that there would be no grounds for refusal on these grounds.

## 7.6 Natural environment

- 7.6.1 There is limited tree coverage on the site with the majority of these being established around the site boundaries. The application is supported by an Arboricultural Implications Assessment, which identifies a total of 13 individual trees and 6 groups of trees in addition to a single hedge in relation to the proposed development. Following receipt of amended plans, which allows for the retention of an important frontage tree (T8) the Tree Officer is satisfied subject to conditions that will include a requirement for replacement tree planting at a ratio of 3:1 on site. The scheme will involve the removal of two trees (T7 and T10) and the partial removal of two tree groups. Overall the proposed

tree losses are not considered to have a significant adverse impact upon the locality or that of the wider Conservation Area.

7.6.2 The scheme also puts forward a landscaping scheme, which includes native broadleaf trees and ornamental varieties as well as native scrub and structural boundary planting in order to soften the impacts of the extensive engineering works, which will be required to create the access. The scheme also includes sedum roof treatment in part. Subject to conditions to ensure appropriate landscaping enhancements, the scheme is considered acceptable in relation to impacts on the natural environment.

7.6.3 The application is accompanied by an ecological appraisal which concludes that site is dominated by habitats of limited wildlife value and that no notable species were found on site. Overall, the site is not considered to have ecological connections to a designated site. Comment has been made by neighbours that the site is frequently used by bats. As highlighted above the scheme will seek to retain nearly all of the trees on the boundaries. Overall, the scheme is not considered to impact upon designated sites and that compensatory planting could provide an enhancement to the ecological value of the site.

## 7.7 Amenity

7.7.1 Concerns have been raised from nearby occupants regarding the impacts of the proposal on their residential amenity. The nearest neighbouring property to the proposed building would be 105A North Road which would be approximately 14 metres away. Policy DM35 sets out guidelines for separation distances and advises a distance of 12 metres where a habitable room faces onto a blank wall. Given the distance involved and the boundary planting within the garden of 105A it is considered that the proposal would not result in loss of privacy to this property. Although there may well be impacts on views from a number of properties, there is no right to a view in planning terms and the separation distances are considered acceptable. The issue of light pollution has also been raised as a point of adverse residential impact. It is considered that a lighting scheme could be conditioned as part of a consented scheme in order to ensure lighting is directed away from nearby residential dwellings.

7.7.2 Public comments have also raised the issue of the increased use of the access from North Road. It is understood that the applicant has a right of access from North Road which is used in association with the current agricultural use of the land. However, it is acknowledged that this would be relatively low use compared to that proposed. While the proposal is likely to result in increased activity along this track, the main entrance for pedestrians and vehicles is to be from Scotland Road, and therefore most movement of traffic will be from the west of the site, not the east. As set out in section 7.5, County Highways raises no objection in this regard.

7.7.3 Overall, despite objections raised in respect of residential amenity impacts it is considered that the scheme would not result in overlooking and that separation distances are acceptable.

## 7.8 Air quality

7.8.1 The site is located outside of the Carnforth Air Quality Management Area though it is expected that vehicles associated with the development would naturally pass through it. The application is accompanied by an Air Quality Assessment which includes a commitment to provide electric vehicle (EV) charging points with additional infrastructure to allow for future increase in the use of electric vehicles. The Air Quality Officer has raised no objections to the scheme subject to the provision of EV charging points and a detailed Travel Plan.

## 7.9 Drainage

7.9.1 Given the nature of the sloping site, drainage is a key point of consideration as surface water flooding occurs on the highway further east along Lancaster Road under the railway bridge. The road raises the most concerns but as it is largely the same design as approved under the scheme for 18 dwellings it is considered that an acceptable drainage solution can be achieved. The submitted Drainage Strategy suggests that surface water runoff from the access road could be directed to the existing highway drain located within the A6 Scotland Road at a restricted rate of 2 litres per second, subject to agreement with the Highway Authority. If this is not a feasible option the Drainage Strategy suggests that a surface water sewer could be laid down the A6 to connect into the combined sewer.

- 7.9.2 The need for run-off to be attenuated to existing run-off rates has been recognised by the Drainage Strategy which suggests that disposal of surface water from the site via infiltration methods is not viable and highlights a range of measures to limit runoff volumes and rates from the site including green roofs, permeable paving, below ground cellular storage and rainwater harvesting. Whilst the retention of surface water on site may be a potentially expensive solution, it is technically achievable but would need to be the subject of a planning condition to agree the form, design and run-off rate. The Drainage Strategy suggests that foul and surface water runoff from the proposed development should be directed from the site via a gravity system to existing sewers located within Oliver Place. The Drainage Strategy acknowledges that as Oliver Place is a private road and that the developer may need to apply for a sewer requisition through United Utilities to enable appropriate connections to the public sewer. At the time of compiling this report the views of the Lead Local Flood Authority are being chased. Their comments will be reported verbally to Committee.

## **8.0 Planning Obligations**

- 8.1 There are no planning obligations to consider as part of this application.

## **9.0 Conclusions**

- 9.1 The proposal would lead to significant landscape impacts and would result in less than substantial harm to nearby heritage assets and therefore presents conflict with the requirements of DM28 and DM32. Despite advice having been provided to the applicant prior to submission that they will need to engage with the relevant commissioning bodies, this advice was not heeded, and as a result the application fails to adequately demonstrate the need for the type of accommodation proposed. In the absence of support for the scheme from the relevant bodies the submission fails to accord with the overarching requirements of policy DM45. The lack of evidence of need for the proposal means that there are no significant benefits of the scheme which could potentially weigh against the landscape and heritage impacts which would result from the development.

## **Recommendation**

That the application should be delegated back to the Planning Manager to consider the comments of the LLFA and that Planning Permission **BE REFUSED** for the following reason:

1. The proposal would result in substantial engineering works to facilitate a development of significant scale and massing. Consequently the scheme would result in significant landscape harm and less than substantial harm to nearby heritage assets. In the absence of sufficient evidence of need for the type of accommodation proposed there is no justification for this harm. As such it has not been satisfactorily demonstrated that the scheme would provide any significant benefits which may be used to weigh positively against this harm. As such it is considered that the scheme fails to accord with the provisions of DM28, DM32 and DM45, and paragraphs 59, 61, 170, 190, 192, 193, 194 and 196 of the National Planning Policy Framework.

## **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 takes a positive and proactive approach to development proposals, in the interests of delivering sustainable development. As part of this approach the Council offers a pre-application service, aimed at positively influencing development proposals. Whilst the applicant has taken advantage of this service prior to submission, the resulting proposal is unacceptable for the reasons prescribed in the Notice. The applicant is encouraged to liaise with the Case Officer in an attempt to resolve the reasons for refusal.

## **Background Papers**

Minutes of the Member Engagement Forum for 18/00506/PRE3