

Agenda Item A7	Committee Date 4 March 2019	Application Number 18/01348/FUL
Application Site Land west of Littledale Road Brookhouse Lancashire		Proposal Erection of a detached dwelling (C3) with associated access
Name of Applicant Mr P Kershaw		Name of Agent Mr Dan Ratcliffe
Decision Target Date 18 December 2018		Reason For Delay Referred to Planning Committee and then deferred for a Site Visit
Case Officer		Mrs Kim Ireland
Departure		No
Summary of Recommendation		Approval

(i) Procedural Matters

The proposed development would normally fall within the scheme of delegation. However, Councillor Jackson has requested that the application be referred to the Planning Committee for a decision on the grounds that the proposed dwelling is outside the village and will lead to ribbon development and it is on a green field site in Forest of Bowland AONB. The application was reported to Planning Committee on 4 February 2019 but was deferred for a site visit that took place on 25 February 2019.

1.0 The Site and its Surroundings

- 1.1 The site which forms the subject of this application relates to land to the south of the village of Brookhouse fronting Littledale Road. The site is currently used as agricultural land and gradually rises from north to south. The field is bounded to the east by a mature boundary hedgerow and metal railing to the Littledale Road frontage. To the north is a post and wire fence. To the west is a post and wire fence that is separated by a small channel/stream that flows in a northerly direction. The unnamed watercourse joins Bull Beck beyond the north boundary of the site. There is no boundary to the south of the site.
- 1.2 The south of Littledale Road is characterised with residential properties that are a mixture of two storey and split level dwellings and dormer bungalows. There are a number of local services within the village of Brookhouse that include a primary school, public house, churches and a convenience store. A bus service runs along Brookhouse Road, passing through the centre of the village.
- 1.3 The site is allocated as a Countryside Area within the Local Plan and is within the Forest of Bowland AONB.

2.0 The Proposal

- 2.1 The proposal is seeking to develop a two storey detached dwelling set within a small garden plot. The footprint of the property measures approximately 152.50sq.m. The plot sits on ground rising 5m from north to south. The overall site curtilage measures 29m deep (west-east) and 39m deep (north-south), totalling 1,131sq.m. The external walls will be finished in render, under a slate roof.

- 2.2 The proposed footprint includes an attached garage that provides off street parking for one car with the addition of further off street parking and a turning area to the north of the proposed dwelling. The driveway into the site is to be provided to the north of the site. The boundaries to the north and west of the site are to remain as existing, with the addition of a hedgerow to the northern boundary. The eastern boundary is to remain the same with the removal of a section of the hedge to allow for the proposed access into the site. To the south of the site a proposed native hedgerow is to be planted with the addition of four native trees to the south of the proposed hedgerow. The proposed dwelling is set 3.5m away from Littledale Road with its side elevation fronting the road and the front elevation facing the side elevation of the neighbouring property of 26 Littledale Road.

3.0 Site History

- 3.1 The planning application listed below for the erection of a detached dwelling with associated access was withdrawn last year for concerns raised regarding design, landscape and residential amenity, surface water drainage and proximity to watercourse, safe access and parking and ecology.

Application Number	Proposal	Decision
18/00867/FUL	Erection of a detached dwelling (C3) with associated access	Withdrawn

4.0 Consultation Responses

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

Consultee	Response
Parish Council	Objection. The proposal would not be within the village boundary, it would be an extension of the village. The build would be a higher gradient that will not be in keeping with the surrounding area.
County Highways	No objection subject to conditions relating to a scheme for the construction of the site's access, relocation of speed classification signage, construct and maintain visibility splay, appropriately pave 5m of the access from the highway boundary and development shall not be occupied until the scheme for the construction of the site's access has been constructed and completed.
Environmental Health Officer	No comments received during the statutory consultation period.
Tree Protection Officer	No objection , subject to conditions relating to the development being carried out in accordance with the arboriculture implications assessment and a scheme indicating the type and distribution of all new trees shall be submitted.
Natural England	No objection
Forest of Bowland AONB	Objection. The proposal would extend into the setting of Brookhouse village, the proposal has the potential to create a ribbon development further south along Littledale Road.
Shell	No comments received during the statutory consultation period.
British Pipeline Association	There are no pipelines affected
Fire Safety Officer	No objection
United Utilities	No objection subject to foul and surface water being drained on separate systems
Cadent Gas	No objection

5.0 Neighbour Representations

- 5.1 Six pieces of correspondence objecting to the application have been received. The reasons for opposition include the following:
- The proposed development is located outside the village envelope.
 - It is located on a prominent site within the Forest of Bowland AONB. The dwelling is not proportionate, of poor design and would not enhance the AONB. The dwelling does not relate

well to the existing built form and is not in proportion to the existing scale and character of the settlement.

- There are prominent visual impacts of the proposed building due to varying gradients of the hillside location.
- There is no part of the road boundary of the proposed development from which access would be safe.
- Road safety concerns for non-vehicular users.
- The site is a greenfield site.
- Detrimental impact on the neighbouring properties amenity due to the topography of the site.
- Increased risk of flooding due to surface water run-off.
- The visual impact for the neighbouring property.
- The development would have a significant impact on numerous important site designations which provide important habitats that sustain a wealth of biodiversity.
- The scheme is not a sustainable development.
- Loss of hedgerow
- The proposed development would result in ribbon development along Littledale Road. Especially with proposed development at Hill Farm.
- The development would set a dangerous precedent for the development of land in an AONB.
- Sustainable development cannot be justified where there is an irretrievable loss incurred and in the destruction of the AONB.
- The land forms an integral part of the protected rural views of the area.

5.2 One piece of correspondence supporting the application has been received. The reasons for support include the following:

- There is a big and increasing shortage of residential properties.
- The development does not encroach up Littledale Road into the open countryside/green belt.
- It respects the current development perimeter set by the existing properties on the opposite side of the road.
- It does not set a precedent for further development along Littledale Road.
- The land has low ecology value
- No visual intrusion caused to any properties or public footpaths further up the hills or from the AONB.
- The revised scheme has reduced the size of the property significantly.
- The proposed access will have good sightlines, unlike some of the existing properties along Littledale Road.
- The flood risk assessment and drainage strategy report shows there is no risk of run off onto the highway.
- The property is a moderate two storey dwelling that matches the style, scale and finishes of other properties in this location.
- The new dwelling is positioned away from the boundary with its neighbours to the north.
- There is a demand for this size of property within the village.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraph **11** – Presumption in Favour of Sustainable Development

Paragraphs **59, 60** and **61** – Delivering a wide choice of high quality homes

Paragraphs **77** and **78** – Rural Housing

Paragraphs **124** and **127** – Requiring Good Design

Paragraphs **172** and **174** – Conserving and Enhancing the Natural Environment

6.2 Local Planning Policy Overview – Current Position

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

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

This enabled progress to be made on the preparation of a Local Plan for the Lancaster District. The DPDs were submitted to the Planning Inspectorate on 15 May 2018 for independent Examination, which is scheduled to commence in 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 Development Management DPD

DM22 – Vehicle Parking Provision
DM27 – The Protection and Enhancement of Biodiversity
DM28 – Development and Landscape Impact
DM29 – Protection of Trees, Hedgerows & Woodland
DM35 – Key Design Principles
DM41 – New Residential Dwellings
DM42 – Managing Rural Housing Growth
Appendix B – Car Parking Standards

6.4 Lancaster District Local Plan (saved Policies)

E3 – Area of Outstanding Natural Beauty
E4 – Countryside Area

7.0 Comment and Analysis

7.1 The key considerations arising from the proposal are:

- Principle of housing in this location;
- Drainage;
- General design and impact on AONB;
- Impacts upon residential amenity;
- Highway impacts;
- Impacts on trees and hedgerow; and
- Ecology impacts

7.2 Principle of Housing in this Location

The site is located to the south of the village of Brookhouse, adjacent to the neighbouring property of 26 Littledale Road, which is the last dwelling to the west of Littledale Road before Hill Farm that is approximately 215m to the south. To the east of the site are the neighbouring properties of 35, 37 and 39 Littledale Road that are in line with the proposed site.

7.2.1 Caton with Littledale Parish Council have made an application to designate the area as a Neighbourhood Plan area. Consultation on this area designation took place in 2015 and the designation was approved on 2 July 2015. The Neighbourhood Plan will seek to address the requirements for new housing in the village and securing appropriate locations to achieve such development. Recent case law would suggest that for a Neighbourhood Plan to be considered in the decision making process it must have made significant progress towards completion (being at

the Referendum stage) before any real weight can be attached to it. The Neighbourhood Plan for Caton with Littledale is at a very early stage, and so little weight can be afforded to it, but nevertheless is still a material consideration.

7.2.2 Policies DM41 and DM42 of the Development Management DPD are both relevant. They seek to support residential development that represents sustainable development. New residential development should:

- Ensure that available land is used effectively but takes account of the characteristics of different locations.
- Be located where environment, services and infrastructure can accommodate the impacts of expansion.
- Provide an appropriate dwelling mix

In addition the general requirements for rural housing on non-allocated sites must:

- Be well related to the existing built form of the settlement
- Be proportionate to the existing scale and character of the settlement
- Be located where environment and infrastructure can accommodate the impacts of expansion.
- Demonstrate good siting and design in order to conserve and where possible enhance the quality of the landscape; and, consider all other relevant policies.

7.2.3 Brookhouse is identified as suitable for residential development in Policy DM42 of the DM DPD. The application site is adjacent to no.26 Littledale Road and opposite no.35 Littledale Road. Whilst the village has no defined boundaries the site does fall outside the existing built-up area of the village, though its relationship with nos. 26 and 35 means that it relates positively to its surroundings. Therefore it is considered that the location is sustainable, where the provision of a new residential accommodation is encouraged. Consequently the principle of the proposed dwelling is seen as acceptable.

7.3 Drainage

7.3.1 There has been a number of concerns raised with respect to surface water drainage within the village, and villagers are understandably concerned given some of the village has suffered flooding in recent years. It should be stressed that the site lies within Flood Zone 1 and therefore the site is considered to be at low risk of flooding. Notwithstanding the above there is a small channel/stream to the west of the site that flows in a northerly direction. The unnamed watercourse joins Bull Beck beyond the north boundary of the site. The proposed dwelling's finished floor levels are to be set 150mm above the surrounding ground levels and flood resistance and resilience measures are not seen to be required given there are no records of flooding on the site or in the near vicinity according to Environment Agency's records. The site layout and proposed drainage system has been designed to ensure that there is no increased risk of flooding on or off the site as a result of extreme rainfall, lack of maintenance, blockages etc. The proposed attenuation of surface water detailed in the supported flood risk assessment and drainage strategy will be located to the west of the site and will consist of a Geocellular crate system. Silt traps will be provided at either end of the crate system to prevent blockages, while a hydrobrake will limit the outflow into the beck. The proposed attenuation will mitigate both on and off site flooding concerns and it is considered that subject to an appropriate condition being imposed that the scheme can be found acceptable from a surface water perspective.

7.4 General design and impact on AONB

7.4.1 There is a mixture of different sizes and designs of dwellings in this locality that are predominantly semi and detached dormer and non-dormer bungalows and detached two storey properties to the north and east of the site.

7.4.2 Policy DM28 of the Development Management DPD is relevant, as it states that development proposals should through their siting, scale, massing, materials and design seek to contribute positively to the conservation and enhancement of the protected landscape.

7.4.3 The design of the dwelling initially raised concerns with the local planning authority. The general height and massing was considered acceptable, as they had been reduced from the previous planning application. However it was thought the variety of different roof forms complicated the

general design of the dwelling and the eastern elevation needed to provide an active frontage given it faced the road.

- 7.4.3 Improvements were made to the roof form and alterations to the eastern elevation that overcame the concerns that had been raised regarding the design of the proposed dwelling. The scale and massing of the proposed dwelling is thought to be similar to two storey properties in the vicinity and the siting of the dwelling is dictated by the channel/stream that runs to the west of the site. However, due to the reduced scale and height of the proposed dwelling from the previous planning application, the scheme is thought to be of similar scale and massing to the existing surrounding built form. The materials that are proposed to be used are not thought to have an adverse impact to the AONB, given the surrounding properties use similar materials and the existing boundaries that are mainly to remain in situ, will break up the elevations and soften the visual impact upon the protected landscape.

7.5 Impacts upon residential amenity

- 7.5.1 Policy DM35 of the Development Management DPD states that new dwellings should be private and free from overlooking and overshadowing as possible. There should normally be at least 21m between dwellings where windows of habitable rooms face each other, though ground levels should be taken into consideration as part of the assessment. The proposed attached garage will be set 21m away from the neighbouring property of 26 Littledale Road. The south elevation of this neighbouring property has two windows to the ground floor that serve the kitchen/dining room. The only window in the north elevation of the proposed dwelling serves a first floor bedroom window. This is elevated, in terms of both the difference in ground levels between the 2 properties (the proposed dwelling being 2m higher than its neighbour) and the fact it is set into the building at first floor level. Therefore the separation distance should exceed 21m. The first floor window is set back from the attached garage, so the separation between windows would be 25m. This is considered to be acceptable. The proposed dwelling will be set 35m away from the neighbouring property of 35 Littledale Road. The eastern elevation has a number of windows located within it, which look onto the front elevation of the neighbouring property. 35 Littledale Road is situated in an elevated position, possibly slightly higher than the proposed dwelling, but given the separation distance there are no amenity concerns arising with regards the relationship between these 2 properties.

7.6 Highway impacts

- 7.6.1 There are four off-street parking spaces proposed to the north of the proposed dwelling, including the one space provided within the attached garage. Appendix B of the Development Management DPD sets out parking requirements. 4-bed dwellings should provide a minimum of 4 car parking spaces and therefore the development complies with the standards set out. The proposed access to the site is to be provided 11m in from the northern boundary and visibility splays have been shown, which are 2.4m x 43m to the south and 2.4m x 25m to the north. County Highways has raised no objections to the scheme and the visibility splays shown conform to the measurements that have been set out in the consultee response. Provided within the site is a turning area, which allows vehicles to access and egress the site in a safe manner. The proposed position of the access requires the relocation of speed classification signage. The proposed level of off-street parking and the access arrangements are considered to be acceptable in both highway safety and visual amenity terms.

7.7 Impacts on Trees and Hedgerow

- 7.7.1 The post and wire fence boundary to the north is to remain in situ with the addition of a proposed hedgerow and the post and wire boundary to the west is to remain in situ. The existing hedgerow boundary to the east is to mainly remain with the exception of a section that is to be removed to allow for the proposed access into the site. To the south of the site a proposed native hedgerow is to be planted with the addition of four native trees south of the proposed hedgerow. There are on and off site trees established to the boundary lines that are directly and indirectly implicated by the proposed development. However due to the presence of the existing watercourse and embankment to the west of the site, the root systems of the existing trees are safeguarded and there are no proposals to remove the trees in order to facilitate the proposed development. A requirement will need to be conditioned to install tree protective barrier fencing as set out in the submitted arboriculture implications assessment if the application is approved. The retention and protection of the existing trees will maintain the valuable greening, screening and wildlife benefits. Overall the

Tree Officer has no objections to the proposed scheme and has requested conditions to be applied to the decision. One of the conditions sought relates to the provision of a planting scheme but this information has been provided on the proposed site plan and therefore it is not necessary to apply this condition on this occasion.

7.8 Ecology Impacts

- 7.8.1 The application is supported by an ecological appraisal, which states that an ecological survey, site appraisal and impact assessment were carried out on site. Bats, badgers and nesting birds are known to occur in the local area. However, there was no conclusive evidence of any protected species utilising on the site or the surrounding areas, which would be negatively affected by the proposed dwelling. Mitigation measures are set out in the ecology appraisal and these can be conditioned if the application is approved. Natural England has been consulted on the planning application and have confirmed that the proposed development is unlikely to have a significant impact on the natural environment.

8.0 Planning Obligations

- 8.1 Given the nature of the proposal there are no requirements for a legal obligation.

9.0 Conclusions

- 9.1 The proposed dwelling is to be sited adjacent to the village of Brookhouse which is well served by a number of local facilities. Drainage, landscaping, design, access and on-site parking are all adequately addressed in the application and the proposal's impact on ecology, the designated landscape and residential amenity are all satisfactory. It is on this basis that the application is recommended for approval.

Recommendation

That Planning Permission **BE GRANTED** subject to the following conditions:

1. Standard 3 year timescale
2. Development to accord to amended plans
3. Details of construction of the site access and of site works to be submitted
4. Details and samples of materials to be submitted
5. Details of finished floor and site levels
6. Planting scheme shall be as per agreed details
7. Development shall be carried out as per Arboriculture Implications Assessment
8. Visibility splays shall as per agreed details
9. Site access for a minimum of 5m from the highway boundary shall be appropriately paved
10. The relocation of the existing carriageway speed classification signage shall be reviewed
11. Development shall be carried out as per flood risk assessment and associated drainage strategy
12. Unforeseen Contamination
13. Hours of Construction

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

In accordance with the above legislation, the City Council can confirm the following:

Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been taken 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