

<b>Agenda Item</b>	<b>Committee Date</b>	<b>Application Number</b>
A6	3 June 2019	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>	Approval	

(i) **Procedural Matters**

This application was brought before Planning Committee on 4 March 2019 but was subsequently deferred to allow the applicant time to provide an in depth Care Needs Assessment.

**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 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.

<b>Application Number</b>	<b>Proposal</b>	<b>Decision</b>
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:

<b>Consultee</b>	<b>Response</b>
<b>County Highways</b>	<b>No objections.</b> Satisfied with level of parking proposed and suggests a number of conditions including a requirement for off-site highway works.
<b>Housing Strategy Officer</b>	<b>No Objections</b> – following receipt of the Care Needs Assessment there is no reason to dispute that there is a current and emerging need for additional care home provision in Lancaster District, particularly in relation to more specialist provision including dementia care. The Housing Strategy Officer has liaised with Lancashire County Council and the Morecambe Bay Clinical Commissioning Group following receipt of the Care Needs Assessment but although they indicate in principle support they have no further comments to make in respect of the scheme. The Housing Strategy Officer has highlighted criteria iii of Policy DM45 which requires accommodation for older people to be wheelchair accessible - 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.
<b>Conservation Officer</b>	<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.
<b>Environmental Health</b>	<b>No objections</b> – no concerns regarding noise impacts on the residents from surrounding activities/uses. Recommends hours of construction condition.
<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>No objections</b> – Suggests that the submitted Drainage Strategy should be conditioned in addition to a condition for lifetime management and maintenance plan in respect of surface water.
<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 Arnsdale and Silverdale AONB DPD

AS01 – Development Strategy  
AS02 – Landscape

### 6.7 Employment and Skills Plans SPD

### 6.8 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

## **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 3 years' worth of supply can be demonstrated. 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.
- 7.1.5 The application form states development, once operational, will require 40 full time employees and 80 part-time employees. It is also accepted that the construction of the development will also generate significant short-term employment and economic benefits to the local area. This application has met the threshold for requiring production of an Employment and Skills Plan (ESP). The ESP will need to detail how opportunities for, access to and up-skilling local people in respect of the development proposal will be provided. Development Management policy DM48 (Community Infrastructure) establishes the requirement and is supported by an ESP Supplementary Planning Document. As such, a pre-commencement condition will need to be applied to any consent granted to deliver the ESP.

## 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:

- i. 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. Having carefully scrutinised the proposed facility, all parties are clear that this facility is not an extra care scheme but proposes to provide residential care and supported living.

7.2.3 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 engaged at high level with County Council who did offer support in principle but until planning permission is gained they are unable to progress further with this dialogue.

7.2.4 The Officers' Committee report put forward for March 2019 meeting in respect of this application raised concerns that the submission had at that point been unable to evidence the need for this type of accommodation. Following deferral from the March Committee, the applicant commissioned a Comprehensive Need Assessment (Carterwood Report), which has been shared with relevant consultees.

7.2.5 The Comprehensive Need Assessment forecasts under supply of care home beds of market standard (i.e. with en-suite bedrooms) is summarised below: -

<b>Carterwood Forecast under supply of market standard "en-suite" rooms</b>			
<b>Catchment</b>	<b>2020</b>	<b>2023</b>	<b>2026</b>
<i><u>Elderly Care Beds</u></i>			
Market Catchment Area (6-mile radius)	151	216	266
Lancaster District	201	283	344
<i><u>Specialist Dementia Care Beds</u></i>			
Market Catchment Area (6-mile radius)	267	297	319
Lancaster District	250	287	314

7.2.6 The Comprehensive Need Assessment sets out that the above forecasts are conservative as they assume that all new un-built rooms with actual or pending planning consent (excluding the

application proposal) are built, and that no existing care homes with en-suite facilities close. Within the Lancaster District 180 beds (en-suite and non en-suite) have been lost to care home closures between 2015 and 2018 (i.e. 45 beds per annum). The forecasts also assume that the proportion of the elderly population entering care homes remains unchanged. The higher levels of under supply of dementia beds relative to the under supply of elderly care beds as a whole reflects the fact that dementia sufferers are currently being cared for in facilities that do not provide specialist dementia care.

- 7.2.7 In his initial comments provided to the Housing Strategy Officer, the relevant Commissioning Manager at Lancashire County Council acknowledged that there was often a shortage of nursing dementia provision across the Lancaster District and that this would present a greater challenge in the future due to the impact of an ageing population (e.g. a predicted 38% rise in the number of older adults with dementia by 2030). The Commissioning Manager was able to offer support in principle but was unable to provide any further meaningful comments following consideration of the Comprehensive Need Assessment. The scheme proposed relies on a different funding model to traditional residential care charges. It is noted that Lancashire County Council could not provide a definite position on whether they support the proposed funding model as at this point, the actual cost model and proposed charges are not yet known. However, consideration of the cost model is not a planning matter.
- 7.2.8 The applicant has also had dialogue with a representative of Morecambe Bay Clinical Commissioning Group (CCG). In correspondence with the Housing Strategy Officer, the CCG representative describes the scheme as an opportunity to provide something different and caring to those individuals requiring a continuum of care need which could have a number of positive benefits to the area but went on to raise concerns regarding the impacts which a development of this scale would have on local health services such as local GP surgeries. While the proposed funding model is also a concern to the CCG, as highlighted above, this is not a planning consideration. Although re-consulted in respect of the Comprehensive Need Assessment, the CCG representative declined to make any further comments in respect of the scheme.
- 7.2.9 The applicant has also met will representatives from Ash Trees GP surgery during the course of the application and since the deferral of the application from the March Committee meeting, the Case Officer has received correspondence from one of the GPs who was in attendance at this meeting. This correspondence confirms support for the scheme and the need for such a high quality facility as proposed. The correspondence also stated that through early engagement with the applicant they would be able to put in place suitable service provision plans and produce the correct staffing levels to deliver them. The applicant has also highlighted a commitment to work with Ash Trees GP surgery in the two to three years between permission being granted and the facility being built and commissioned to help ensure that the necessary GP support is in place once opened.
- 7.2.10 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. Whilst acknowledging the internal arrangements and layouts will provide for this, the external access would present some difficulty for a person who is wheelchair dependant and therefore the proposal does not meet fully meet all the criteria requirements of the policy in this regard. However, the proposed facility is not for independent people and given the type of service proposed, residents of the care home will not be leaving the building unaccompanied. Furthermore, the scheme includes the provision of a shuttle bus service (between the building and the Scotland Road entrance) and this would mitigate the issue of accessibility.
- 7.2.11 In summary, the applicant has provided evidence that there is a current and emerging need for additional care home provision in Lancaster District, particularly in relation to the more specialist provision (i.e. nursing/dementia provision). Furthermore, a wide range of evidence both locally and nationally urges local authorities to plan positively to meet the needs of an ageing population. In addition, evidence of further dialogue with the local GP surgery has been received which offers support for the scheme and states that there is a need for this type of facility. In the absence of any strong objections from the relevant commissioners and the Housing Strategy Officer, it is considered that the need for elderly care provision of this type has been satisfactorily demonstrated.



### 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.
- 7.3.3 Section 66 of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended states that the local planning authority shall have regard to the desirability of preserving a Listed building or its setting or any features of special architectural or historic interest which it possesses. Section 72 sets out that special attention should be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. In terms of the setting of the Conservation Area, this is not protected in law as with a Listed building. However, it is covered by the both national and local planning policy. The NPPF sets out that any harm to the significance of a designated heritage asset, including from development within its setting, should require clear and convincing justification. Policy DM31 sets out that only development which preserves or enhances the character and appearance of the Conservation Area will be permitted. Policy DM32 relates specifically to the setting of heritage assets and contains similar wording to Policy DM31. It goes on to say that the greater the negative impact on the significance of the heritage asset and its setting, the greater the benefits that would be required to justify any approval.
- 7.3.4 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 can be mitigated by the proposed landscaping and through an appropriate palette of materials. It is considered that although the development would result in less than substantial harm, given that the need has been satisfactorily demonstrated, this harm could 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. 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. Since the March deferral an updated Landscape Masterplan has been provided which incorporates the same planting surface on the top of the Refuse Area and Oxygen Store (within the south-eastern corner of the site) as that on the surface of bank in which they are situated. This will minimise the visible impact of this aspect of the scheme visible properties on North Road.
- 7.4.4 The bulk and massing of the proposal is clearly evidenced within the site sections and it is considered that the scale and massing of the proposed building would undoubtedly present a contrast to the surrounding built form. This contrast would be mitigated to some degree by the use of natural materials and sedum roof treatment. Nevertheless, the development would appear incongruous to its surroundings particularly against the vernacular and traditional scale and appearance of buildings along North Road. However, it is considered that there would be limited views of the building in this context.
- 7.4.5 While accepting that there would be impacts on the landscape character of the area, it is considered that, on balance, these impacts are outweighed by the benefits of the scheme. It must also be noted that at the October 2018 Committee meeting, Councillors accepted Officers recommendation for approval of a residential development comprising 213 dwellings less than 400 metres away to the north-east of the site. In light of this, it would be difficult to sustain a refusal on the grounds of landscape impacts.
- 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 unpractical 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.
- 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 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. The applicant has provided further details on site plans and sections which clarifies the relationship between the southern corner of the proposed building and the closest neighbour (105A North Road). 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. The Lead Local Flood Authority (LLFA) have raised no objections to the scheme subject to appropriate conditions.

## 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 result in landscape impacts and would cause less than substantial harm to nearby heritage assets. As such the scheme presents conflict with the requirements of DM28 and DM32. However, the applicant has now satisfactorily demonstrated that there is a need for the type of accommodation proposed to serve the needs of higher end eldercare care provision. The scheme has received support in principle from the relevant bodies and as such the submission accords with the overarching requirements of policy DM45. The evidence of need for the proposal means that there would be significant benefits of the scheme which can be weighed against the landscape and heritage impacts which would result from the development. Therefore, on balance, it is considered that the application can be viewed favourably.

## Recommendation

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

1. Standard 3 year timescale
2. Approved plans
3. Surface water drainage strategy
4. Foul water drainage strategy
5. Surface water lifetime management and maintenance plan
6. Materials – details and samples including elevational treatment, roofing material, eaves verge and ridge details, rainwater goods, windows and doors, surfacing and boundary treatments, external lighting
7. Landscaping scheme
8. Details of retaining walls and structures
9. Works in accordance with Arboricultural Implications Assessment
10. Construction management plan
11. Off-site highway works
12. Car parking and access provision

13. Cycle parking provision
14. Air quality mitigation, including Travel Plan and electric vehicle charging points
15. Hours of construction
16. Details of gate to North Road access
17. Provision of refuse storage
18. Details of external plant equipment and extracts
19. Use restriction – residential care only
20. Removal of PD rights

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

Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the 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**

Member Engagement Forum Minutes 09.07.18.