

Agenda Item A8	Committee Date 3 June 2019	Application Number 18/01603/FUL
Application Site Warton Grange Farm Farleton Close Warton Carnforth		Proposal Erection of 4 dwellings with associated access, residential curtilage, and landscaping
Name of Applicant Wilson		Name of Agent HPA
Decision Target Date 11 February 2019		Reason For Delay Amendments to Plans and Negotiation with Applicant
Case Officer		Clare Bland
Departure		No
Summary of Recommendation		Approve

1.0 The Site and its Surroundings

- 1.1 The Site is located at Warton Grange Farm, immediately to the south/south east of Farleton Close. It extends to 0.36 hectares and is greenfield land. The Site is adjacent to a working farm complex comprising portal framed and concrete block agricultural buildings amongst a hard-standing yard. It comprises a line of scrub, young trees and poor semi-improved pasture to the west of the farm complex. There is an existing access track that runs north/south through the eastern third of the Site, providing access from Farleton Close to an existing slurry tank south of the Site.
- 1.2 The trees on the Site are subject to a Tree Preservation Order (TPO no.600) which was served in 2017 to protect trees around the periphery of the wider farm complex following the grant of outline planning permission for residential development (reference 15/00847/OUT).
- 1.3 Further to the north and west, across Farleton Close and Mill Lane, there are a number of existing residential properties, with the land immediately to the east of the Site subject to outline planning permission (referenced above) for the development of up to 23 new dwellings.
- 1.4 The Site is relatively flat, with a slight slope from west to east/south east resulting in a differential of approximately 1.5m overall.
- 1.5 The Site falls within the Arnside & Silverdale Area of Outstanding Natural Beauty (AONB); is designated as a Countryside Area; and lies within Flood Zones 1, 2 and 3. Although it benefits from flood defences which exclude the Site from Flood Zone 3b it remains within Zone 3a. The Site is also partially within the 1 in 100 year and 1 in 1000 year surface water flooding areas, but is in an area defined as being less than 25% susceptible to groundwater flooding.
- 1.6 The site is approximately 360m south of Warton Crag which is a designated Regionally Important Geological Site; in part a Biological Heritage Site; Nature Reserve; Ancient Woodland; and, a Site of Special Scientific Interest (SSSI). It is also subject to Limestone Pavement Orders. There is also a Scheduled Ancient Monument located on Warton Crag and a Grade II Listed building at 5 Main

Street, Warton. Morecambe Bay is located approximately 650m to the west and is designated as a SSSI; Special Protection Area (SPA); Special Area of Conservation (SAC); and, Ramsar Site.

2.0 The Proposal

- 2.1 It is proposed to develop the Site to provide a terrace of 4 dwellings, 2 of which would be 2 bedroom and 2 of which would be 3 bedroom. These dwellings would be built in conjunction with the wider redevelopment of the Warton Grange Farm complex to the east. The terrace would sit on a south-west/north-east axis, with the principal elevation facing Farleton Close.
- 2.2 The dwellings would be accessed via the existing track, upgraded to an appropriate standard, and linked to the wider site access onto Farleton Close that was approved pursuant to outline application 15/00847/OUT.
- 2.3 Parking for the dwellings is proposed in a shared bay between the access road and the dwellings, with two spaces assigned to each dwelling.
- 2.4 The dwellings would have small front gardens and larger rear gardens that accord with the Council's amenity space requirements. The overall 'domestic' element of the development would extend to approximately one third of the application site area, with the remainder of the Site set aside for landscaping.
- 2.5 The proposals would result in the removal of a length of the TPO trees, although approximately half of the existing on-site trees would be retained and a substantial area of additional planting is proposed around the southern and eastern boundaries.
- 2.6 Reserved matters have been submitted pursuant to the outline planning permission for the adjacent Warton Grange Farm Site, proposing 21 new dwellings (reference 18/01589/REM). The applicant is the same for both this proposal and the reserved matters and it is proposed that the two would be developed as a single scheme, with combined infrastructure. The reserved matters details have been recommended for approval and are to also being considered by this Committee (agenda item A6).

3.0 Site History

- 3.1 The relevant site history, and relevant adjacent site histories, are included below.

Application Number	Proposal	Decision
15/00847/OUT	Outline application for the demolition of the existing farm buildings and the erection of up to 23 dwellings with associated access and landscaping	Permitted (Site immediately to east)
18/00023/FUL	Creation of a temporary bund with a maximum height of 2m to be sited for a period of up to 2 years	Permitted (Site immediately to south)
18/00195/DIS	Discharge of conditions 3, 4, 6, 7, 10, 11, 12, 13, 14, 15, 16, 17 on approved application 15/00847/OUT	Pending determination
18/01583/REM	Reserved matters application for the demolition of the existing farm buildings and the erection of 21 dwellings with associated access and landscaping	Pending determination

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objection - originally expressed concerns about access to the dwellings, parking arrangements, and refuse collection areas but withdrew their objection following the submission of a revised site layout and access plan. Recommend conditions be imposed to ensure development is undertaken in accordance with the revised proposals.

Parish Council	The Parish Council has not objected to the application although they have expressed concerns in respect of drainage and impacts on neighbouring residents during the construction process. Recommend that the application should only be permitted in conjunction with the adjacent Warton Grange Farm proposals.
Arnside & Silverdale AONB	The AONB Office has not objected to the application although they have recommended that the Council seek delivery of affordable housing (beneficial to be alongside reserved matters for the adjacent site); recommend materials be in keeping with the local landscape and settlement character; recommend replacement planting and biodiversity enhancement; and suggested conditions to be imposed in order to address their comments.
Environmental Health	No comments received
Fire Safety Officer	No objection - provided advice in respect of building regulation requirements
Natural England	No objection
Tree Officer	No objection - originally objected to the application but withdrew their objection following the revision of proposed soft landscaping works/tree planting. Recommend conditions to ensure the development is undertaken in accordance with the submitted scheme.
Public Realm Officer	No comments received
Environment Agency	No objection - originally objected to the application but withdrew their objection following the submission of a revised FRA which highlighted the wider flood risk mitigation and drainage infrastructure works proposed for this and the adjacent Warton Grange Farm sites. Recommend conditions be imposed to ensure development is undertaken in accordance with the revised proposals.
United Utilities	No objection - drainage proposals are acceptable and recommend conditions be imposed to ensure development is undertaken in accordance with the submitted scheme.

5.0 Neighbour Representations

- 5.1 One neighbour has commented (neither objecting nor supporting) to request roads be cleaned and to request access not be compromised during the construction process.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework

Paragraphs 7-14 : Achieving Sustainable Development
Paragraph 34 : Development Contributions
Paragraphs 38, 47-50 & 54-57 : Decision Making
Paragraph 59 – 79 : Delivering a Sufficient Supply of Homes
Paragraph 91 – 101 : Promoting Healthy and Safe Communities
Paragraph 108 – 110 : Promoting Sustainable Transport
Paragraph 117 – 123 : Making Effective Use of Land
Paragraph 124, 127 – 128 : Achieving Well Designed Places
Paragraph 149 – 150, 155 - 165 : Meeting the Challenge of Climate Change, Flooding and Coastal Change
Paragraphs 170, 175 – 183 : Conserving and Enhancing the Natural Environment

6.2 Local Planning Policy Overview – Current Position

On 15 May 2018, and in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), Lancaster City Council submitted the following documents to the Secretary of State (Planning Inspectorate) for examination:

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

The Examination Hearing Sessions commenced on 9 April 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.

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.

Given the current stage of both DPDs, it is considered that some weight can be attributed to the policies contained therein where no significant objection to them has been raised.

6.3 Lancaster Core Strategy (Saved Policies)

SC1 – Sustainable Development

SC3 – Rural Communities

SC4 – Meeting the Districts Housing Requirements

SC5 – Achieving Quality in Design

6.4 Lancaster District Local Plan (Saved Policies)

E3 – Areas of Outstanding Natural Beauty

6.5 Development Management DPD Policies

DM21 – Walking & Cycling

DM22 – Vehicle Parking Provision

DM26 – Open Space, Sports and Recreational Facilities

DM27 – The Protections and Enhancement of Biodiversity

DM28 – Development and Landscape Impact

DM29 – Protection of Trees, Hedgerows and Woodland

DM35 – Key Design Principles

DM38 – Development and Flood Risk

DM39 – Surface Water Run Off and Sustainable Drainage

DM40 – Protecting Water Resources and Infrastructure

DM41 – New Residential Development

DM42 – Managing Rural Housing Growth

DM48 – Community Infrastructure

Appendix B – Car Parking Standards

6.6 Arnside & Silverdale Area of Outstanding Natural Beauty (AONB) Development Plan Document (DPD) (Adopted March 2019)

AS01 – Development Strategy

AS02 – Landscape

AS03 – Housing Provision

AS04 – Natural Environment

AS05 – Public Open Space and Recreation

AS08 – Design

AS10 – Infrastructure for New Development

AS12 – Water Quality, Sewerage and Sustainable Drainage

7.0 Comment and Analysis

7.1 The application proposes the development of 4 no. dwellings on a greenfield site on the edge of the settlement of Warton. The Site is located within the Arnside and Silverdale AONB and includes a band of trees subject to a TPO. It is also within Flood Zones 1, 2 and 3a. There are a number of policy considerations to be taken into account in assessing the merits of the application but there are also wider contextual issues that need to be considered in the overall planning balance.

7.2 The main issues to be considered are:

- Principle of Development;
- Housing Need & Affordable Housing;
- Impact on AONB, Landscape and Biodiversity;
- Design;

- Highways and Access; and
- Drainage and Flood Risk.

Principle of Development

- 7.3 The Site is located on the periphery of the village of Warton which is identified in the DM DPD as a sustainable settlement (Policy DM42) where new residential development will be supported. The proposals conform with the requirements of this policy in terms of the Site being:
- well related to the existing built form of the settlement – it is immediately adjacent to properties along Farleton Close and the approved residential development at Warton Grange Farm (15/00847/OUT), and in close proximity to properties along Mill Lane and Main Street;
 - proportionate to the existing scale and character of the settlement – a terrace of small scale cottage style dwellings is representative of dwellings along Farleton Close and Main Street;
 - can be accommodated within the existing village infrastructure – it is already served by an access road and has been taken into account within the infrastructure proposals submitted pursuant to discharge of conditions for 15/00847/OUT and reserved matters 18/01589/REM for the immediately adjacent site;
 - is designed and located so as to conserve the character and quality of the landscape – it relates well to the existing surrounding dwellings and adjacent residential development scheme and includes substantial enhanced landscaping of an appropriate character for the locale; and,
 - would not compromise the policy objectives of the Arnside and Silverdale AONB DPD – considered in more detail below.
- 7.4 The AONB DPD adopts a landscape capacity-led approach to consideration of development, indicating that great weight would be given to the principle of conserving landscape and natural beauty, wildlife and cultural heritage. The application represents small scale residential development fulfilling an identified need within a larger site on the periphery of an established local service centre. Although it would result in the partial loss of a greenfield site and portion of TPO tree band, the dwellings would be well linked to existing and approved built form on the periphery of the village and set within enhanced landscaping. The area proposed to be developed for dwellings is closest to existing built form and would not result in an alien protrusion into the open countryside or residual loss of landscaping to the detriment of the AONB. The proposals do not directly diversify or support an existing local business, however, the site does form part of an existing working farm, the main functions of which have recently relocated and the adjacent barns now subject to approval for demolition and redeveloped for housing pursuant to application reference 15/00847/OUT. The land to which this application relates is partially self-seeded trees and partially low grade agricultural grazing separated from adjoining fields by Farleton Close to the north, an access track to the east, a slurry tank to the south, and Mill Lane to the west. This full application has been brought forward to ensure that the redevelopment of the adjacent site can be achieved. Without these proposals the applicant has demonstrated that the adjacent scheme would be unviable, the implications of which would potentially be more intensive/dense proposals for the adjacent site or loss of any affordable housing as part of that scheme (or a combination of both). The applicant has provided a viability assessment to demonstrate the above which has been independently critiqued and found to be sound. The application Site was identified as being the most appropriate location for additional enabling development in terms of having the potential for least residual harm to the village setting, landscaping, and amenity, in accordance with the aims of the AONB DPD.
- 7.5 In addition to the general requirements for new residential development, Policy DM41 of the adopted DM DPD indicates that proposals for new housing on greenfield land must demonstrate that the benefits of the proposal outweigh the impacts on local amenity. Local amenity would not be harmed by these proposals. They would not utilise land currently used for amenity purposes, they would not prejudice the potential for enjoyment of the surrounding countryside or AONB, and there would be no detriment to existing neighbouring residential amenity through overlooking, overshadowing or increased noise/pollution. Any potential impacts that could occur during the construction phase of development, (i.e. hours of construction and conflict between domestic and construction traffic), would be addressed through appropriate conditions being imposed and enforced, akin to those imposed on the neighbouring site.
- 7.6 In terms of ensuring the land is used effectively, it is proposed that only approximately one third of the Site be ‘developed’, with the remaining land set aside for landscaping, including a substantial

tree planting scheme. The physical development would be located in close proximity to the existing access road and Farleton Close, and would be well linked to the surrounding existing and approved residential units.

Housing Need and Affordable Housing

- 7.7 In preparing the AONB DPD, an area specific Housing Need survey was undertaken (Housing Needs Survey Report undertaken by Cumbria Rural Housing Trust, September 2014). Although it only projected for a 5 year period and as such is becoming outdated, it indicated a predominant need for 1-2 bedroom units across both affordable and open market properties, with the next level of requirement being for 3+ bedroom houses.
- 7.8 The application therefore fulfils the identified type/size of housing required in the local area, albeit none of the units are proposed as affordable. The affordable provision for the wider development has been included within the adjacent plot (15/00847/OUT) and, although the precise provision is still to be confirmed, negotiations to date indicate that this will comprises 2 x 1 bedroom and 1 x 2 bedroom units – the final confirmation on this will be verbally reported to Councillors at the Committee Meeting. This provision is below that required for sites in the AONB but it has been demonstrated through a viability assessment that the provision is as much as the scheme as a whole can realistically achieve. More units could have been provided but this would be to the detriment of the density that has been proposed or the quality of materials (or a combination thereof). Having regard to the importance of the landscape and townscape within this location, it is believed that the balance of issues is acceptable in this instance. A S106 unilateral undertaking is proposed by the applicant to ensure the units are not occupied prior to practical completion and transfer to a Registered Provider of all the affordable dwellings secured pursuant to outline planning permission reference 15/00847/OUT and reserved matters details 18/01589/REM.
- 7.9 Although 3 units across an aggregated 25 unit scheme is a low provision, this is due to the overly high abnormal costs associated with the development of the adjacent Warton Grange Farm site. On that site there are abnormally high costs associated with issues including contamination, method of construction required due to ground conditions, drainage, and site levelling which, if the 4 unit scheme being considered here was not factored into the mix, would likely result in the scheme approved pursuant to 15/00847/OUT not being implemented. The original applicant for that scheme was not able to come forward with a viable option and as such the reserved matters stage of the development was taken over by the current applicant who, due to their civil engineering business arm, are able to use their existing expertise to make the scheme both appropriate for the location (in terms of design, scale, housing types) and viable, subject to the addition of the proposed 4 unit scheme. The application Site does not suffer the same below ground problems as the adjacent site and as such the development costs and sales values for the 4 units would be sufficient to bring the overall scheme to a level of viability that would allow for both the implementation of the adjacent scheme and the provision of affordable housing, helping to add to local need for both affordable and open market housing in the village. Further units could have been proposed both pursuant to the outline permission, which approved the development of up to 23 units and yet only 21 have been proposed at reserved matters stage, or as part of this application. However, the result of either option would be proposals that risk further encroachment into the open countryside or a greater overall site density, neither of which would be considered appropriate for the Sites or their setting. It should be noted that the properties proposed for the adjacent site are not high value, large detached properties - they are predominantly 2 bedroom and semi-detached properties. On balance of the issues considered across the two, inter-related schemes, in this instance the lack of affordable units within this application is considered to be acceptable.

Impact on AONB, Landscape and Biodiversity

- 7.10 As noted above, proposals within the AONB will be determined affording great weight to conserving landscape and natural beauty, wildlife and cultural heritage. Similarly, Policy DM27 seeks to ensure the protection and enhancement of biodiversity, DM28 indicates the need for developments to contribute positively to the conservation and enhancement of the protected landscape, both in terms of individual and cumulative impacts, and DM29 supporting the protection of trees and hedgerows.
- 7.11 The application proposes the partial development of a greenfield site, including the partial removal of a bank of trees protected by TPO. At face value the proposals could be construed as detrimental within the context of the immediate and surrounding areas, however, due to the composition of the

scheme, the limited extent and location of the proposed dwellings within the Site, and the extent and quality of the proposed landscaping scheme, the works would have an overall positive impact on the wider landscape and appearance of the Site.

- 7.12 The application was supported by an ecology assessment and an arboricultural assessment. The ecology assessment concluded that there was no evidence of any protected species at the Site but recommended a precautionary approach to development. To this end it is recommended that a condition be imposed to ensure any development be undertaken in accordance with the requisite advice. Additionally, the applicant has been working closely with the Council's Tree Officer to agree a scheme for tree planting which would not only replace the quality/quantity of trees proposed to be removed, but would significantly improve the existing baseline position in terms of both type, quantity and quality. Overall, the proposed landscaping works could have a positive impact on both local and wider views of the Site from the surrounding area, thereby enhancing this part of the AONB and potentially securing other benefits in terms of enhancing biodiversity habitats in and around the Site. The principles of the landscaping scheme proposed for the Site are part of the wider holistic approach to the redevelopment of Warton Grange Farm.

Design

- 7.13 Careful consideration has been given to the design of the development, both as a single residential terrace but also as part of the wider redevelopment of Warton Grange Farm. The scheme mirrors a similar terrace proposed pursuant to the reserved matters scheme, reference 18/01589/REM, with similar materials proposed (i.e. slate roofs and limestone walls). The style of the building, a terrace of four dwellings, is reflective of properties within the village and this approach has been chosen so as to ensure the development integrates well with its surroundings. Conditions are proposed to ensure the quality of design is retained.
- 7.14 The general layout of the development relates well with the neighbouring existing residential area to the north and utilises the existing access track which is considered an acceptable approach to minimise any impact of physical development.

Highways and Access

- 7.15 As noted above, it is proposed to access the Site via the existing access track which leads onto Farleton Close. Once in the Site dedicated parking is proposed via a bank of spaces located along the eastern edge of the building. County Highways has confirmed that they have no objection from a highway safety perspective, and that the parking is at a suitable level for the size/composition of the proposed scheme.
- 7.16 Pedestrian access can be safely achieved to each of the dwellings via Farleton Close and the footpath proposed as part of the adjacent redevelopment scheme, which also provides a link to the east onto Main Street.
- 7.17 It is proposed to impose conditions on the development to ensure there is no conflict between construction and domestic vehicles during the construction process, and to ensure that the parking spaces are set out and retained as proposed in perpetuity.

Drainage and Flood Risk

- 7.18 The Site falls partially within Flood Zone 1, partially within Zone 2 and partially within Zone 3. However, the area of the Site proposed to be developed for the houses and their gardens, falls within Zone 1 and as such the application satisfies the Sequential Test which is aimed at steering new development to areas with the lowest probability of flooding. Although part of the access road and two of the parking spaces fall within Zone 2, they do not compromise a safe escape route from the Site and in any event, due to a proposed slight increase in levels at this part of the Site the parking spaces would be at a level above Flood Zone 2.
- 7.19 The surface and foul drainage infrastructure for the Site is proposed as part of the wider redevelopment of Warton Grange Farm as a whole, with the proposals having been considered acceptable by United Utilities and the Environment Agency, as well as the Lead Local Flood Authority.

8.0 Planning Obligations

- 8.1 The applicant will need to enter into a Unilateral Undertaking in order to secure the provision of affordable units proposed pursuant to reserved matters 18/01589/REM prior to the occupation of any dwellings approved herein.

9.0 Conclusions

- 9.1 The proposals comprise a small scale residential development on the periphery of a sustainable local service centre. Although greenfield development, the composition of the scheme is such that it would have a positive overall impact on the site and its appearance from both local and more distance views into the village of Warton. Additionally it will help enable the redevelopment of the neighbouring Warton Grange Farm site, including the ability for that scheme to provide an element of affordable housing to meet locally identified need. On balance of all planning issues the 4 unit scheme is considered to be acceptable in this instance.

Recommendation

That subject to the applicant entering into a Unilateral Undertaking in order to secure the provision of affordable units proposed pursuant to reserved matters 18/01589/REM prior to the occupation of any dwellings approved herein that Planning Permission **BE GRANTED** subject to the following conditions:

1. 3 year timescale
2. Approved plans
3. Materials
4. Soft landscaping and tree works
5. Access and parking
6. Drainage
7. Implement in accordance with FRA
8. Land importation
9. Unforeseen contamination
10. Construction management plan
11. Electric vehicle charging points
12. Removal of PD rights
13. Ecological mitigation

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

In accordance with the above legislation, 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 made having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None.