

<b>Agenda Item</b>	<b>Committee Date</b>	<b>Application Number</b>
A16	3 June 2019	19/00406/REM
<b>Application Site</b> Whittington Farm Main Street Whittington Carnforth	<b>Proposal</b> Reserved matters application (consisting of landscaping only) for the demolition of existing buildings, erection of 18 dwellings, change of use of barn to a mixed use comprising a dwelling (C3) and a shop/tearoom (A1/A3) and associated landscaping.	
<b>Name of Applicant</b> Mr Edward Mackereth	<b>Name of Agent</b> Mrs Fiona Tiplady	
<b>Decision Target Date</b> 4 July 2019	<b>Reason For Delay</b> Not applicable	
<b>Case Officer</b>	Mr Mark Potts	
<b>Departure</b>	Yes	
<b>Summary of Recommendation</b>	Approval	

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

- 1.1 The application site relates to a 0.9 hectare parcel of land currently used as a working dairy farm consisting of an array of agricultural buildings, slurry pits and silos. The majority of the site is surfaced in tarmac and concrete. The proposed development is centrally located within the village of Whittington and is approximately 2.5km from Kirkby Lonsdale town centre.
- 1.2 The neighbouring uses comprise residential to the north, west and south with open countryside being located to the east. The majority of these properties are traditional in appearance, and consist of detached, terraced and semi-detached properties. The site is relatively level at approximately 45 metres Above Ordnance Datum (AOD), though there is a significant fall to the south which is outside the application boundary.
- 1.3 The proposed development is located within the Whittington Conservation Area. A Grade II listed building is located within the site (Wayside), with the Listed Whittington Farmhouse and Barn falling just beyond the site's southern boundary. There is a Public Right of Way (Footpath 6) that runs the length of the north east boundary of the site. The site is allocated under the adopted Local Plan as "Open Countryside".

## **2.0 The Proposal**

- 2.1 Outline planning consent (which approved matters of scale, layout, appearance and access) was granted in September 2016. The new build element of the scheme consisted of the erection of four-2 bedroom houses, eleven 3-bedroom houses and four 4-bedroom houses. The approved units consist of terraced, semi-detached and detached properties. In terms of the conversion element, this was for a barn conversion to form a shop/café together with a 3 bedroom semi-detached property. The proposed dwellings were all two storeys in height and would be finished in natural stone under slate roofs with painted timber windows and doors. The consented scheme provided for open space and also an equipped play area, together with amendments to the access.

2.2 The application seeks to apply for the only outstanding reserved matter which is landscaping across the site which includes the provision of 15 new trees, domestic hedging and shrub planting.

### **3.0 Site History**

3.1 The relevant site history is noted below

<b>Application Number</b>	<b>Proposal</b>	<b>Decision</b>
19/00245/VCN	Outline application for the erection of 18 dwellings with associated access and change of use of barn to a mixed use comprising a dwelling (C3) and a shop/tearoom (A1/A3) and Relevant Demolition of the existing agricultural buildings (pursuant to the variation of conditions 2 and 13 on planning permission 16/00397/OUT to alter the site layout and remove the play area)	Pending Consideration
18/01224/VCN	Outline application for the erection of 18 dwellings with associated access and change of use of barn to a mixed use comprising a dwelling (C3) and a shop/tearoom (A1/A3) and Relevant Demolition of the existing agricultural buildings (pursuant to the variation of conditions 2 and 13 on planning permission 16/00397/OUT to alter the site layout and remove the play area)	Refused
16/00399/LB	Listed building application for internal and external alterations to facilitate the change of use of barn to a mixed use comprising of a dwelling and shop/tearoom and removal of the site entrance walls	Granted
16/00397/OUT	Outline application for the erection of 18 dwellings with associated access and change of use of barn to a mixed use comprising a dwelling (C3) and a shop/tearoom (A1/A3) and Relevant Demolition of the existing agricultural buildings	Granted

### **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>Tree Protection Officer</b>	<b>No Objection</b>
<b>Whittington Parish Council</b>	<b>Supports the application.</b>
<b>Public Realm Officer</b>	No Observations received within the statutory timescales
<b>Conservation Officer</b>	No Observations received within the statutory timescales

### **5.0 Neighbour Representations**

5.1 No representations have been received.

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

6.1 National Planning Policy Framework (NPPF)

The National Planning Policy Framework indicates that the purpose of the planning system is to contribute to the achievement of sustainable development. At the heart of the NPPF is a presumption

in favour of sustainable development (Paragraph 11). The following sections of the NPPF are relevant to the determination of this proposal.

Section 4 – Decision making;  
Section 5 – Delivering a sufficient supply of homes;  
Section 8 – Promoting healthy and safe communities;  
Section 9 – Promoting sustainable transport;  
Section 12 – Achieving well designed places;  
Section 15 – Conserving and enhancing the natural environment;  
Section 16 – Conserving and enhancing the historic 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 significant weight can be attributed to the policies contained therein subject to the extent to which there are unresolved objections to the relevant policies and their consistency with the National Planning Policy Framework.

## 6.3 Development Management DPD

DM20 – Enhancing Accessibility and Transport Linkages  
DM21 – Walking and Cycling  
DM22 – Vehicle Parking Provision  
DM26 – Open Space, Sports and Recreational Facilities  
DM27 – Protection and Enhancement of Biodiversity  
DM28 – Development and Landscape Impact  
DM29 – Protection of Trees, Hedgerows and Woodland  
DM30 – Development affecting Listed buildings  
DM31 – Development Affecting Conservation Areas  
DM32 – The Setting of Designated Heritage Assets  
DM33 – Development affecting Non-designated heritage assets  
DM34 – Archaeology and Scheduled Monuments  
DM35 – Key Design Principles  
DM38 – Development and Flood Risk  
DM39 – Surface Water Run-off and Sustainable Drainage  
DM41 – New Residential dwellings  
DM42 – Managing Rural Housing Growth  
DM48 – Community Infrastructure

## 6.4 Lancaster Core Strategy (2008)

SC1 – Sustainable Development  
SC4 – Meeting the District’s Housing Requirements  
SC5 – Design

## 6.5 Lancaster Local Plan

## 6.5 Other Material Considerations

- National Planning Practice Guidance;
- Meeting Housing Needs Supplementary Planning Document;
- Lancaster City Council 2018 Strategic Housing Land Availability Assessment 2018.

## 7.0 Comment and Analysis

7.1 The original application was in outline form (16/00397/OUT). However, given its location within the Whittington Conservation Area the local authority insisted that matters associated with layout, appearance, scale and access had to be determined as part of the outline consent to ensure that there was confidence that the scheme would not be harmful to the Conservation Area. The only matter for consideration as part of this reserved matters application concerns the landscaping for the development given all the other reserved matters have been approved as part of the original grant of consent in 2016.

7.3 Councillors will note that agenda item A14 which relates to a Section 73 application associated with amendments to house types and the omission of the equipped play area (19/00245/VCN) in relation to the outline planning consent 16/00397/OUT is being considered alongside this application. This is being brought forward by a private developer and not the landowner (as is the case for this planning application). The two are very different, and members have to judge each application on their own merits. There are a number of planning conditions relating to the outline planning consent, and some of these have been agreed under separate discharge of condition applications and some will need to be resubmitted.

7.3 With respect to the reserved matters application for landscaping the scheme proposes 15 new standard trees and a range of shrubs and hornbeam hedging (which would be part of the boundary treatments between the dwelling houses) and the species selected are all acceptable. The applicant has provided a range of management practices to ensure that the landscaping is successful and complementary to the Conservation Area. On the basis that the landscaping is implemented in full by no later than the occupation of the last remaining dwelling house, the landscaping element of the reserved matters can be considered acceptable and is supported by Officers. The Council's Tree Officer has no objection to the reserved matters submission.

## 8.0 Planning Obligations

8.1 A Section 106 Agreement is applicable to the outline planning consent which sets out the affordable housing requirements; provision of the shop/team room, restricting the provision of additional agricultural buildings and the setting up of a site management company. There is no need to amend this as part of this reserved matters application as the obligations would remain in force.

## 9.0 Conclusions

9.1 The landscaping proposed by the applicant is considered to be complementary to the development, and whilst quite modest in scale will help soften the proposal in light of the site's location within the Whittington Conservation Area. It is recommended to Councillors this reserved matters application is supported subject to the conditions noted below.

## Recommendation

The Reserved Matters relating to landscaping only **BE GRANTED** subject to the following conditions:

1. Timescales;
2. Approved plans;
3. Implementation of the soft landscaping and long term protection

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

In accordance with the above legislation, the City Council can confirm that it has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the 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.