

Agenda Item	A6
Application Number	19/00320/REM
Proposal	Reserved matters application for the erection of 23 dwellings
Application site	Land north of Royal Oak Meadow, Hornby, Lancashire
Applicant	Mr John Beard
Agent	Daniel Addis
Case Officer	Mr David Forshaw
Departure	No
Summary of Recommendation	Approval

1.0 Application Site and Setting

- 1.1 The site extends to 1.08 hectares of greenfield land in a roughly triangular shape. It is currently vacant, having last been in agricultural use for grazing livestock (there is no date as to when this use ceased, though it was an active use when the associated outline application was made in December 2015).
- 1.2 It is located on the northern periphery of the village of Hornby, immediately north of, and accessed from, Royal Oak Meadow/Hornby Bank, and to the south and east of Melling Road (A683), the principal route into the village from the north. To the east the site is bounded by open countryside.
- 1.3 The periphery of the site predominantly comprises hedgerow, some intermittent tree cover, and long grass. The south east corner of the site is bounded by the garden enclosure of 46 Hornby Bank. Topographically, the Site is fairly flat, although there is a gentle north east to south west slope resulting in an overall almost 4 metre fall across the site.
- 1.4 The site falls within the Forest of Bowland Area of Outstanding Natural Beauty (AONB) and partially within a Mineral Safeguard Area and a 1:1000 year surface water flooding zone. It is located circa 80 metres south west of ancient woodland, circa 300 metres to the south east of the River Lune Biological Heritage Site, 300m north-west of the Hornby Deer Park Biological Heritage Site, and circa 400 metres to the north of the Hornby Village Conservation Area.

2.0 Proposal

- 2.1 The application comprises the reserved matters details for the development of 23 residential units. Outline planning permission was granted for the proposed development on 18th April 2016 pursuant to application reference 15/01593/OUT. Access was approved as part of the outline scheme, with all other matters reserved for future consideration. This current application has been made for approval of these remaining details which include appearance, landscaping, layout, and scale.

2.2 The proposal comprises 23 dwellings comprising 14 open market and 9 affordable units. There is also a mix of sizes - 2, 3 and 4-bed dwellings within 1.5 storey dormer bungalows or 2 storey houses. In terms of landscaping, the layout of the scheme includes an area of amenity open space and includes structural landscaping to the boundary with Melling Road.

3.0 Site History

3.1 A number of relevant applications relating to this site have previously been received by the Local Planning Authority. These include:

Application Number	Proposal	Decision
15/01593/OUT	Outline application for the erection of up to 23 residential dwellings with associated new access	Permitted 18 April 2016
18/01611/FUL	Erection of 28 dwellings (C3) and associated access	Refused for reasons of overdevelopment and lack of information

4.0 Consultation Responses

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

Consultee	Response
Parish Council	Objection to the original submission and amendments, noting concerns over the effects of the approved access arrangements on highway safety. The Parish Council objected to a second access serving plots 13 and 14 (shown on the first set of amended plans) and the proposed off-site highway works on Royal Oak Meadow. The Parish Council is of the opinion improvements are required to the junction between Melling Road and Royal Oak Meadow to make this development safe. The Parish Council maintains their objection to the amended scheme based on the access and highway safety grounds.
County Highways	Objection , subject to a review of the internal road layout to ensure the development is designed to Manual for Streets standards, parking provision meets the Council's parking standards and the visibility splays are protected. Amended plans have been received to address earlier comments from County Highways, though a response is awaited. Therefore, a verbal update will be provided at the Planning Regulatory Committee meeting.
Lead Local Flood Authority	No comments received
Waste and Recycling	Comments received requesting additional refuse collection points at plots 6/7 and 18/19.
Natural England	No objection – considered that the proposed development will not have significant adverse impact on statutorily protected nature conservation sites or landscapes.
Tree Officer	No objection – originally objected to the scheme due to impacts on protected trees however, following detailed discussion and changes to the scheme the concerns were addressed to the Officer's satisfaction.
Archaeology	No objection – reference is made to the consultation response provided at outline application stage, effectively reiterating the recommendation for phased scheme of archaeological investigation (this is a condition imposed on the outline permission).

4.2 Eleven letters of objection were received relating to the original submission. A summary of the main reasons for opposition are as follows:

- Inappropriate access off Hornby Bank / Royal Oak Meadow;
- Highway safety risk to pedestrians due to increased traffic along existing narrow road with poor sight lines at the junction with Melling Road;
- Lack of demand for new homes in the village;
- Lack of investment in local amenities and services to support village expansion;

- Open space poorly designed into the layout and concerns over the management and maintenance of it; and
- Proposed purple beech hedging should be amended to a native hedging mix.

Following the submission and re-consultation on amended plans, a further 12 letters of objections have been received. Many advised they had no objections to the principle of new housing but raised the following concerns/reasons for opposition:

- Access concerns have not been addressed in the amended plans;
- The Council is not listening to local concerns or the Parish Council's in respect of the access and highway safety, including the increase in traffic on narrow residential streets and poor visibility from the existing estate onto the A683;
- Concerned why the Highway Authority is not reviewing the access arrangements;
- Play space for children should be provided adjacent to the development as children currently play on the road (with adult supervision);
- Given the location of the site, residents will rely on private car, increasing traffic and carbon footprint;
- Need for native hedgerows and landscaping to blend in with the environment and to prevent suburban appearance;
- Unclear what steps the developer is taking about drainage in the south west corner which floods.

4.3 A number of objections have been raised in respect of the approved point of access and proposed off site highway works. However, as access was approved following consultation with County Highways at the outline application stage, it is not possible for the local planning authority to revoke that approval or require an alternative access at this reserved matters stage.

5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- Principle of development
- Design
- Landscape
- Amenity
- Compliance with outline permission

5.2 **Principle of Development** SPLA DPD Policies SP1: Presumption in Favour of Sustainable Development, SP2: Lancaster District Settlement Hierarchy, Development Management DPD Policies DM1: New residential development and meeting housing needs, DM2: Housing standards, DM3: Delivery of Affordable Housing and National Planning Policy Framework Sections 2, 5, 11, 12.

5.2.1 Following the grant of outline planning permission 15/01593/OUT on 18 April 2016 the site was allocated in the adopted Spatial Policies and Land Allocations DPD as a rural housing site (ref. H2.1). Therefore, the principle of residential development on this site is established and cannot be revisited. The adopted Development Management DPD includes policy DM6 which seeks to restrict major developments in the AONB. However, the outline planning permission pre-dates the adoption of Policy DM6, so the allocation in the SPLA DPD overrides it. Furthermore, it is for the relevant decision taker to decide whether it is major development rather than taking the standard definition from within the Town and Country Planning (Development Management Procedure) (England) Order 2015. This is in line with NPPF and NPPG. Please note in determining 15/01593/OUT it was concluded that the proposed was not major development.

5.2.2 Whilst acknowledging the concerns raised by the Parish Council and local residents, the outline planning permission includes detailed consent for the access, so this element is not a matter for consideration now.

5.3 **Design Consideration** DMDPD DM29: Key design principles; DM30: sustainable design; NPPF section 12

- 5.3.1 Following a long process of negotiation with the applicant the current layout and dwelling designs are considered acceptable. The access road loops round the site as an extension of Hornby Bank with plots on both sides until it turns back towards Royal Oak Meadow where there is single sided development facing outwards towards Melling Road and two plots facing Royal Oak Meadow. Therefore, the houses do not turn their back on existing houses or the site frontage to Melling Road. The layout includes a significant landscaped strip between the estate road and Melling Road and two areas of public open space to protect the setting of protected trees.
- 5.3.2 The revised design of the dwellings themselves is similar in part to the “Arts and Crafts” style. There are 7 house types with accommodation set over 2 floors within either dormer bungalows or houses. To create the first floor accommodation there are a mix of hipped roof dormers and/or two storey gabled features set in roofs with low eaves on the front and/or rear elevations.
- 5.3.3 The walls are predominantly render with stone detailing around some windows and to some porches and gable features. One house type has cedar boarding at first floor level in the gable feature. All roofs will have a slate covering. The components of the small palette of materials is acceptable and complements this location. Given the site occupies a prominent gateway location into the village within the AONB, conditions are recommended to secure high quality finishes to the dwellings.
- 5.3.4 Each property without a garage will have a detached cycle store in the rear garden. A condition is proposed to deal with the detailed design and materials for these. The layout of the scheme generally secures appropriate street frontages when viewed within and outside the site. The boundary treatment plan submitted is largely acceptable, though there remain some concerns about the boundary treatments to certain plots. There are no specific detail provided over the different types of boundary treatments so it is appropriate to secure a condition that sets out that notwithstanding the details submitted, the precise layout and details of boundary treatments are to be agreed.
- 5.3.5 The layout of the development has been designed to meet County’s adoptable road standards with suitable provision for pedestrians within the estate with separate pedestrian links to Royal Oak Meadow. By bringing the road up to adoptable standards means that the site can safely accommodate emergency vehicles and refuse vehicles. County’s response to these amended plans is still awaited, but will be verbally reported to the Planning Regulatory Committee meeting.
- 5.4 **Landscape** DMDPD Policy DM46: Development and Landscape Impact; NPPF section 15
- 5.4.1 The site is within the Forest of Bowland Area of Outstanding Natural Beauty (AONB). The outline permission and SPLA allocation have already considered the principle of the development and its effect on the AONB. It is the precise details of the siting, scale, massing, materials, landscaping, vernacular style and design of the scheme which need to be assessed in terms of the AONB.
- 5.4.2 The site falls from 38.2 metres above Ordnance datum (AOD) in the north east to 34.6mAOD in the south. As set out above the siting, scale, massing, materials, vernacular style and design have been subject to detailed negotiations resulting in an outward facing layout made up of dwellings with reduced impact due to the low eaves design, use of dormers and complementary render/stone/slate materials. The design does not compromise the view reached in granting outline planning permission and allocating the site for housing. Subject to agreeing details via conditions, it is considered that the development contributes positively to the conservation and enhancement of the AONB.
- 5.4.3 In terms of landscaping of the site, the layout has been amended to safeguard the protected tree along the eastern boundary and that the proposed landscaping seeks to bolster the hedgerow planting along the boundary with Melling Road. The principles shown on the application plans are acceptable but no detail of species, density of planting or maintenance have been submitted. This can be covered by a proposed condition.
- 5.5 **Amenity** DMDPD Policy DM 29: Key Design Principles
- 5.5.1 The amendments to the layout have addressed earlier concerns in relation to garden sizes, parking provision as well as meeting Council’s interface distances. The revised layout satisfies window to

window distances to protect overlooking, though the final details of the boundary treatments will need consideration at the discharge of condition stage (if Reserved Matters consent is granted) to ensure private amenity spaces are appropriately protected. There are no potential conflicts from overshadowing. Therefore, there should be no loss of amenity for the residents of the existing houses or for the future residents of the proposed dwellings within the development.

5.6 Compliance with Outline Permission

5.6.1 The outline planning permission contained a number of conditions relating to matters such as the access, off-site highway works, surface water and foul drainage, site and finished floor levels, construction method statement, archaeology, ecology, tree protection, removal of permitted development rights, and unforeseen contamination. If Reserved Matters consent is granted and a developer wishes to implement the consent, they will need to submit details in relation to these conditions on the outline planning permission in addition to any details required by the Reserved Matters consent. The development should then be built in accordance with the approved details.

5.6.2 Condition 4 on the outline planning permission refers to the installation of bollards. Since this consent was granted, County Highways has altered their view, and therefore the installation of bollards on Royal Oak Meadow is no longer required. However, the developer would have to apply to vary this condition as it cannot be dealt with by way of this Reserved Matters consent.

5.6.3 The terms of the Section 106 agreement that is attached to the outline planning permission, it remains valid and unchanged. It secures the following:

- 9 affordable houses (4 to be one tenure and 5 to be another – social rented or intermediate);
- A financial contribution towards off site public open space to be calculated at the Reserved matters stage (this figure is £42,490);
- Provision of on-site amenity land as identified at the Reserved Matters stage (this is referenced in paragraph 2.2); and
- Management of the public on-site spaces (including open spaces and landscaped areas, as well as highways and drainage if they are not adopted)

6.0 Conclusion and Planning Balance

6.1 Residential development is established in principle through the grant of outline planning permission and the allocation as a rural housing site. Access has already been granted consent as a detail forming part of the outline planning permission. Therefore, despite the comments from the Parish Council and neighbours on access and traffic, this aspect cannot be considered as part of this application.

6.2 Matters for consideration are those reserved matters not previously approved: layout, scale and appearance, landscaping and boundary treatments. The layout, scale, appearance and boundary treatments are acceptable in terms of overall visual impact as well as in the context of the AONB. The schematic landscaping proposals are acceptable, and the detailed planting and maintenance regime can be covered by condition.

6.3 Amenity impacts from potential overlooking and overshadowing are all considered acceptable as they meet standard requirements.

6.4 Several issues will still need to be resolved from the outline planning permission but these are appropriately dealt with by imposition of the conditions on that consent, requiring submission of details for approval at the relevant phase of development.

Recommendation

That Reserved Matters consent **BE GRANTED** subject to the following conditions:

Condition no.	Description	Type
1	Two-year permission	Control

2	Development in accordance with approved plans (to be listed)	Control
3	Material samples, including sample panel of stonework and mortar, and details of render, slate, verge/eaves, ridge tiles, doors, windows, garage doors, dormers, rainwater goods, surface treatments	Development above ground
4	Notwithstanding the submitted information, details of boundary treatments, including finishes	Development above ground
5	Details of landscaping scheme and management plan	Development above ground
6	Provision of parking/garages	Pre-occupation
7	Cycle store details and materials including store to plot 5	Pre-occupation

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