

Agenda Item	A5
Application Number	19/00332/OUT
Proposal	Outline application for the erection of up to 95 residential dwellings with associated access
Application site	Land to the south of Lawsons Bridge Site, Scotforth Road, Lancaster Lancashire
Applicant	Commercial Estates Projects Ltd
Agent	Mr Jonathan Wallace
Case Officer	Mrs Jennifer Rehman
Departure	No
Summary of Recommendation	Approve

1.0 Application Site and Setting

- 1.1 The application site relates to a parcel of land extending just over 5 hectares of undulating pastureland. The site is bisected by a fence and native hedgerow running in an east-west direction across the site, with artificial boundaries to the north and south. The site is located on the edge of the existing built-up area of South Lancaster within the Scotforth West Ward. It lies within the defined urban boundary of the district. The site is equidistant between the city centre (circa 2.8km north of the site) and Galgate village (circa 3km south of the site) with local facilities and services available in Scotforth. The Lancaster University campus is located around 1.5km to the south east of the site. North of the campus (and closer to the proposed site) is the recently constructed Bailrigg Health Innovation Campus. Frequent bus services run along Scotforth Road (between the city and the university) with bus stops situated close to Rays Drive/Whinell Drive to the north and the Filter House to the south.
- 1.2 The site is well related to existing (or extant) development and significant transport corridors. The site's eastern boundary extends approximately 425m alongside the A6 (Scotforth Road) with the western boundary flanking the West Coast Mainline (WCML). Beyond the WCML is open pastoral countryside that rises to the crest of a drumlin. This land is locally known as the Whinney Carr Farm site. The residential area of Collingham Park, recently constructed dwellings at 'Aikengill' and the redevelopment of Burrow Beck Nursing Home border the eastern side of the A6 opposite the proposed site. Land immediately north of the site (known as 'Lawson's Bridge') comprises agricultural land and areas of woodland. This neighbouring land benefits from an extant planning permission for a supermarket. To the south, a small undeveloped field separates the site from Burrow Beck, which runs in an east-west direction. Beyond Burrow Beck, the former Filter House site is currently being developed for student accommodation. This comprises two four-storey buildings. A line of overhead electricity lines supported by 34m high pylons run between the proposed site and the Filter House in an east-west direction. It is noted that the site boundaries to the north and the south form artificial boundaries through existing fields.
- 1.3 Despite being enclosed by existing development and infrastructure the site is a locally distinctive and attractive greenfield site. This is due to its undulating character, the presence of mature trees

and hedgerows around its perimeter and a particularly attractive woodland copse and depression in the south part of the site. During the wetter months of the year, the depression forms a localised pond. Site levels range from circa 42m Above Ordnance Datum (AOD) in the north-eastern corner of the site, falling to circa 34m AOD in the south-western corner. The site is level with the A6 at the far north-eastern and south-eastern points. The site is between 1m and 2.5m lower than the level of Scotforth Road and separated by a vegetated embankment. The site is generally higher than the WCML. The northern half of the site is markedly higher with quite a steep fall towards the railway line, the level differences reduce towards the southern end of the site.

- 1.4 Given the site's proximity to Burrow Beck (and the variation in site levels), the site straddles flood zones 1, 2 and 3. The southern tip is located within flood zone 3b. Flood zone 2 covers all of the southern half of the site and the along the western edge of the site with the north-eastern half of the site situated within flood zone 1. There are small pockets within the site (mainly along the eastern edge of the site) at risk from surface water flooding (1 in 30 year and 1 in 100 year events).
- 1.5 Several individual and small groups of trees within the site are protected by Tree Preservation Orders; 287/01(2013) and 287(1998). These are mainly located in the southern portion of the site. Aside from the protected trees and flood risk areas, the site is largely unconstrained by ecological or cultural heritage designations. A Mineral Safeguarding designation lies across the majority of the site. The site is located within the Site of Special Scientific Interest (SSSI) impact risk zone and also within an Air Quality Management Zone. Burrow Beck is identified as a Mains River and is designated as a Biological Heritage Site. There are no public rights of way (PRoW) within or immediately adjacent to the site. The closest PRoW routes are footpath 55 (a route to the east of the recent Aikengill development) and footpath (bridleway) 52 (located to the north at Lawson's Bridge).
- 1.6 Under the old (now superseded) Local Plan the site (along with the wider Whinney Carr site) was unallocated and did not benefit from any Local Plan designation or allocation. The recently adopted Local Plan includes the site within the Lancaster South Broad Location for Growth (BLG) designation.

2.0 Proposal

- 2.1 The applicant seeks outline planning permission for residential development comprising up to 95 dwellings with an associated access onto Scotforth Road (also known as the A6). The layout, appearance, scale and landscaping of the development are matters reserved for subsequent approval (herein referred to as the "reserved matters").
- 2.2 The proposed access comprises a three-arm traffic signal-controlled junction taken off the A6. It is approximately 100 metres south of a new priority junction serving the residential development on land adjacent to the property known as Aikengill. The geometry of the junction is designed to accommodate far greater development than that proposed by this outline application. It is designed to allow for a potential link road between Scotforth Road to the boundary with the West Coast Mainline (WCML) to serve land to the west of the WCML to support potential future growth within the wider BLG designation. Whilst there is reference to the link road in the application and its supporting documentation, it does not form part of the development proposals applied for under this outline planning application. The extent of the access, which forms part of the detailed consideration at this outline stage, extends into the site by approximately 23m. Beyond this point the access road is illustrative.
- 2.3 The layout of the scheme would be determined at the reserved matters stage. Notwithstanding this, the submission includes an Illustrative Masterplan and a Parameters Plan to demonstrate how the site could accommodate the proposed development. These plans show the site's public open space situated largely to the south of the developable area, including possible drainage attenuation. North of this area of open space would comprise development platforms to support new residential development. The development platform comprises approximately 4.08 hectares of the site with 2.36 hectares of developable area. Existing trees and hedgerows along the long the boundaries are marked to be retained and bolstered with a significant landscape buffer provided to the western boundary.

2.4 The proposal includes (as part of the flood risk mitigation) the re-profiling of the site to provide development platforms set no lower than 35.25m AOD (1:1000 year event) with a 150mm freeboard for the finished floor levels (FFLs) (35.4m AOD). The perimeter of the site will be raised to 36.05m AOD to account for potential of blockages from the railway culvert. The Preliminary Earthworks Plan also indicates how the potential link road could be achieved as well as providing development platforms for the proposed dwelling houses. The earthwork proposals are preliminary (save for the minimum FFLs required for flood risk mitigation) with an expectation that the precise levels of the site would be refined later.

3.0 Site History

3.1 The application site forms a small part of a much larger site, known as the Whinney Carr site (circa 55 hectares). This larger site has been identified by the Council as a growth area for further residential development for over 20 years, dating back to when the now superseded Local Plan was being produced, with the purpose of meeting the District's housing requirements. The allocation had been supported by the Inspector (at the Local Plan examination) but was later removed from the Local Plan when the housing requirements (then set by a regional tier of government) were significantly reduced. The Whinney Carr site was left unallocated in the 2004 Local Plan and did not benefit from any specific land use or environmental allocation/designation, including the blanket 'Countryside' designation that generally swept across the District outside of the urban areas. In 2000, the Whinney Carr site was later the subject of a planning application for 535 dwellings. The Council supported this application, as did the Planning Inspector after it was called-in for determination by central government. The application was then refused by the Secretary of State primarily on the grounds there was no housing need at that time.

3.2 The Whinney Carr site (as a whole) has remained an option for strategic growth (through the Local Plan process) for many years. The recently adopted Local Plan includes the Whinney Carr site (including the application site) as part of the wider Lancaster South Broad Location of Growth (BLG) designation.

3.3 Aside from the long-term strategic opportunities for the Whinney Carr site (as a whole), the applicant has pursued other development proposals on their site. The most relevant relates to the outline application (10/00366/OUT) for a food store with associated access, parking and landscaping. Like the proposed development, the applicant sought to safeguard land for the provision of a link road between Scotforth Road (the A6) and the A588 (via the Whinney Carr site) and over the West Coast Mainline. This application was refused and dismissed at appeal although there was general agreement at that time that the location of the link road was feasible.

3.4 The most recent and relevant planning history is set out in the table below. This also includes development proposals consented around the site.

Application Number	Proposal	Decision
98/01207/OUT	Outline application for new neighbourhood including residential development, roads, bridge and junctions linking Ashton Rd and A6, cycleways and footways, primary school/community facilities site, quality bus scheme and recreation/amenity space.	Supported by the Council and Planning Inspector but refused by the Secretary of State. <i>This relates to the Whinney Carr site.</i>
10/00366/OUT	Outline application for the erection of new food store (A1), hotel/pub/restaurant (C1, A4 and A3) and petrol filling station, new roundabout access from Scotforth Road, internal roads, car parks, landscaping and other associated works.	Refused and Dismissed at Appeal (APP/A2335/A/11/2155529) <i>This relates to application site.</i>
10/00251/FUL (and subsequent Section 73 approval 14/00633/VCN)	Erection of a new supermarket, construction of new access, servicing and parking areas, footways, cycle facilities and landscaping. The Section 73 approval allowed for the variation and removal of conditions to allow phased implementation of the development and removal of unnecessary duplication.	Approved <i>This relates to the land immediately north of the application site.</i>

16/00117/VCN	Renewal of application 09/00330/DPA for the outline application for a science park (approx 34,000 sq m of B1 use floorspace) and full application for a new access off the A6, construction of an internal spine road and provision of landscaping (pursuant to the variation and removal of conditions 3, 4, 5, 6, 7, 8, 9, 11, 12, 15, 16, 17, 18, 19, 21, 22, 23, 24 and 27 on the full planning permission 12/00626/RENU to enable phased implementation and remove duplicated requirements)	Approved <i>This relates to the Bailrigg Health Innovation Campus.</i>
16/01308/REM	Reserved Matters application for the erection of a 5 storey research and development building (B1) with ancillary facilities, new internal road, car parking and landscaping.	Approved <i>This relates to the Bailrigg Health Innovation Campus</i>
17/00073/FUL	Erection of 7 dwellings with associated new access and cycle paths	Approved (development practically completed) <i>This relates to the land to the north east of the site adjacent to Aikengill</i>
19/00333/EIR	Screening opinion for residential development for up to 95 dwellings	Not EIA Development
19/00996/VCN (Filter House Student Development)	Erection of two 4-storey student accommodation buildings comprising of 12 7-Bed cluster flats (sui generis) and 14 6-bed cluster flats (C4) with associated car parking and bin and cycle stores (pursuant to the variation of condition 6 on planning permission 18/00637/VCN to allow for a phased programme of offsite highway works).	Permitted (currently under construction)
19/01029/VCN	Demolition of existing care home and outbuilding and erection of a replacement 63 bed care home with associated landscaping, car parking and alterations to the existing access(pursuant to the variation of condition 1 on planning permission 18/01374/VCN to alter the internal layout to create 4 extra bedrooms)	Permitted (currently under construction) <i>This relates to the land to the south east of the site at Burrow Beck Nursing Home</i>

4.0 Consultation Responses

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

Consultee	Response
Scotforth Parish Council	Objection on the following grounds: <ul style="list-style-type: none"> The areas is designated as Green Space in all the spatial options (Area of Separation) for the Bailrigg Garden Village; The proposal is premature and should not be decided until the outcome of the Local Plan is known; Inappropriate road layout commenting the crossing over the West Coast Mainline is still unknown but consultation reports suggest likely to be from the south; and Increased traffic will exacerbate existing congestion and air pollution.
Lancashire County Council (Local Highway Authority)	Following the submission of further information, no objection to the development subject to the following requirements to be controlled by condition: <ol style="list-style-type: none"> Implementation of the proposed signalised junction off the A6 including the following off-site highway works: <ul style="list-style-type: none"> Formal pedestrian crossing across the A6 (south of the junction) Advanced cycle stop lines

	<ul style="list-style-type: none"> • Bus stop laybys (northbound and southbound south of the junction) • Additional pedestrian crossing across the A6 to provide access to Collingham Park • Extension to the 30mph traffic calming scheme including gateway treatment and speed reduction measure <ol style="list-style-type: none"> 2. Provision of electric vehicle (EV) charging infrastructure 3. Implementation of full Travel Plan 4. Provision of a shared footway/cycleway extending the full length of the site (but within it) including an additional crossing point across the A6 close to the junction to Collingham Park. 5. Construction Method Statement 6. Protection of visibility splays <p>Planning Contributions to mitigate the impacts of the development and improve sustainable transport links have been requested and comprise:</p> <ul style="list-style-type: none"> • £30,000 for improvements towards the Galgate traffic signal control junction; • £35,000 for improvements towards the Hala Road traffic signal control junction; • £15,000 relocation of the A6 southbound bus stop south of the Hala junction and provision of keep clear markings on the A6; • £20,000 towards Pointer roundabout improvement scheme; and • £6,000 Travel Plan Support Service.
Highways England	<p>Following the submission of further information (VISSIM Modelling of the Galgate junction and associated reporting), the initial Holding Objection has been removed. No objection to the development as they are satisfied that the proposal, in isolation, would not result in a significant or severe impact upon the safety and operation of the Strategic Road Network (SRN). Notwithstanding this, they question whether the City Council should consider the proposal ahead of the emerging Local Plan being concluded because of the piecemeal approach to the development of South Lancaster.</p>
Network Rail	<p>Network Rail (NR) has now removed their Holding Objection and now raise no objection to the proposals. Their holding objection was in relation to the impacts of the drainage proposals on their assets.</p> <p>NR had concerns about the impacts of concentrated areas of surface water (infiltration basins) within 30m of the operational railway on the sheer strength of their infrastructure (such as risk of soil erosion, seepage of water, reduction of bearing capacity under the tracks). To address ground stability matters, NR recommends a condition detailing proposed ground levels, earthworks and excavation to be carried out near the railway boundary to be submitted and agreed. NR has confirmed they have no objection to the revised drainage details.</p> <p>Network Rail have raised several other operational requirements in relation to safeguarding their assets as well as provided advice that a future bridge link over the West Coast Mainline (WCML) would be subject to internal approval and regulatory consents and appropriate legal agreements with the land promoter, including the local highway authority. Network Rail advise a Basic Asset Protection Agreement (BAPA) would need to be entered into between the development and Network Rail.</p> <p>Conditions are recommended for the following matters:</p> <ul style="list-style-type: none"> • Details of the drainage scheme directed away from the railway line • Details of ground levels and earthworks and excavation to be agreed • Mitigation to be agreed and provided to protect against noise and vibration from the railway line
Lead Local Flood Authority	<p>Following the submission of further information, the LLFA has raised no objection to the proposal subject to surface water drainage and maintenance conditions.</p>
United Utilities	<p>No objection subject to following conditions:</p> <ul style="list-style-type: none"> • Scheme for surface water drainage following drainage hierarchy

	<ul style="list-style-type: none"> Foul water to be drained on separate systems
Environment Agency (EA)	Following the submission of further information, the EA raises no objection subject to ensuring the development is carried out in accordance with the flood risk mitigation set out in the Flood Risk Assessment and associated addendum reports.
South Lancaster Action Flood Risk Group	<p>Objection on the following grounds:</p> <ul style="list-style-type: none"> Concerns over the impact of raising the height of the land and its increase in flood risk elsewhere; Surface water flood risk is likely to be highly substantial noting that the 'pond' in winter months is deep and covers a substantial area; Concerns over the potential impacts of the development and drainage proposals on the structural integrity of the railway line. The proposed raising of land levels will not stop water congregating by the railway line, increasingly so given the inability of water to soak into the changed (impermeable) landscape. Independent hydraulic modelling should be produced for approval by the EA; Concerns relating to ongoing maintenance and management of SuDS and the processes to demonstrate compliance that the scheme installed is that approved. <p>Management Plans should include adoption by public authority or statutory undertakers including funding mechanisms and means of access. Such plans should be specific to the proposals, clear in terms of responsibility and should avoid generic checklists and should include a mechanism for reporting general inspections and problems. The plans should be enforceable as the effects of a failing system can lead to a flood risk. The Action Group contends such plans should considered before housing development is permitted.</p>
Natural England	No objection subject to securing mitigation (provision of open space and homeowner packs) to ensure the proposal will not result in adverse effects on the integrity of the designated site.
Greater Manchester Ecological Unit (GMEU)	<p>Following the submission of further information, GMEU raises no objection to the development and is now satisfied that sufficient details have been submitted to demonstrate that the favourable conservation status of great-created newts will be maintained at the site.</p> <p>The following conditions are recommended:</p> <ul style="list-style-type: none"> GCN Mitigation Strategy to be implemented and confirmation of a NE Licence to be provided before works commence. Long-term management to be included in a Landscape and Ecological Management Plan.
Tree Officer	<p>No objection subject to the following conditions:</p> <ul style="list-style-type: none"> Landscaping scheme to be submitted with full/reserved matters application A detailed AIA to be submitted with any subsequent full/reserved matters application.
Environmental Health Service - Noise	<p>No objection and comments as follows:</p> <p>Appropriate sound levels within the dwellings across the site can be achieved with mitigation (ventilation and glazing specifications) to ensure the 'lowest observed adverse effect levels' but this will need to be determined once the layout is finalised. Noise levels within external amenity areas has not been explicitly reported. Noise levels for external amenity areas should be in accordance with BS8233:2014, which will require a scheme for mitigation to be determined.</p>
Environmental Health Service - Air Quality	<p>Objection on the following grounds:</p> <ul style="list-style-type: none"> The additional modelling indicates a small increase at the Cable Street location which is reporting exceedances above the Objective Standards at the anticipated opening year (2024). Whilst the increase is small, as there is an exceedance above the Objective Standard, it is not negligible. The mitigation proposed needs to be quantified in accordance with the Council's Planning Advisory Note to assess the effects of the mitigation on air quality.

	<ul style="list-style-type: none"> The updated assessment remains unsatisfactory and does not meet the requirements of the PAN, particularly in relation to electric vehicle charging provision. Recommends that further consideration and measures to minimise air quality are needed.
Council's Contaminated Land Officer	No objection subject to an additional Site Investigation that can be controlled by condition.
Cadent Gas	No objection – Cadent have provided two responses. The first setting out that there are assets within the vicinity of the site including a low – medium pressure gas pipes and associated equipment, electricity overhead lines and above ground electricity installations. Standard guidance is provided in relation to working practices in close proximity to the identified assets. The second response is from Cadent Gas Plant Protection Team advising the developer to account for any easements on the site.
Lancashire Education Authority	No objection subject to securing a contribution towards Secondary School places (Lancaster Central High School) for the full pupil yield from this development (14 places). Based on current rates, this would be a contribution of £338,592.24. A recalculation would be required once accurate bedroom information becomes available (reserved matters stage) and would be subject to the rates at the time of recalculating the contribution. No contribution towards primary school places is required.
Civic Society	Objection principally on the grounds that the site is premature and should only be advanced when the proposals for the BGV have been completed. The Civic Society also raise concerns over the proximity of the site to the West Coast Mainline, flood risk implications given its position close to Burrow Beck and concerns over traffic.
Dynamo Cycle Campaign	Objection on the following grounds: <ul style="list-style-type: none"> No proposals to encourage sustainable transport; and Poor Travel Plan and poor understanding of the local cycle network. The developer should fund a new cycle route between the site to join with the existing network otherwise the proposal contravenes DM20.
Lancashire Constabulary	No objection – The Constabulary recommends that the development be designed to accord with Secured by Design Homes 2019 principles and security specifications and provides a list of recommendations. Additional recommendations are made in connection with security during construction phases.
Lancashire Fire and Rescue Service	No objection – standard recommendations regarding the provision of fire appliances/water within the development and Building Regulation requirements.

4.2 At the time of compiling this report 12 letters of objection have been received. A summary of the main reasons for opposition are as follows:

- Lack of housing need;
- Limited employment prospects to support additional housing;
- Loss of greenfield and concerns that the development will close the green gap between Galgate and Lancaster to the detriment of the character and appearance of the area.
- Conflicts with the emerging Local Plan in bringing this site forward as part of the Bailrigg Garden Village;
- Consideration that a bridge over the West Coast Main Line (WCML) will simply lead to rat-running which may adversely impact residents of the estate and their quality of life;
- Use of the site for the growth of the University or even a railway station better suited and more sustainable;
- Highway capacity (increase in traffic to an already congested route) and safety concerns;
- No provision for sustainable travel;
- The A6 is not a 'viable and attractive cycling route' as stated – instead it is very dangerous. To encourage sustainable travel, there needs to be a traffic-free cycle route parallel to the A6;
- Concerns over the adequacy of the traffic data and that effects of traffic being under-estimated at the planning stage;
- Deterioration in air quality and light pollution;

- Increase in dust, noise, vibration pollution during construction affecting residential amenity;
- Increased demand on services, such as doctors and schools that are already over-subscribed
- 95 units on the site is unrealistic considering the issues that exist within the site (flooding, noise and drainage constraints)
- Flood risk and concerns over the proposed drainage strategy (infiltration) noting the ground conditions during winter months are generally waterlogged therefore the land is not suitable for housing.
- More investment needed in flood defence infrastructure and long-term climate change management before sites like this are development.

4.3 Representations have also been made by Peel Investments (North) Limited (hereafter 'Peel' – land promoter/owner of the wider Whinney Carr site). Peel has **no objection** to the proposed development and supports the strategic way in which the application has considered and explained their proposals and intentions in relation to the delivery of the South Lancaster Board Location for Growth (BLG) strategic site. However, recognising the proposal does not actually provide for the Link Road across the West Coast Mainline (WCML), Peel considers it essential that a planning obligation is agreed between CEP and the Council to require the Link Road to be built to the precise boundary of the application site and for CEP to confirm rights of access across the full extent of the Link Road to be granted to serve the land west of the WCML without their being a requirement for payments to be made to third parties to obtain such rights. Peel contends that such a planning obligation would avoid prejudicing the wider development and give certainty to the strategic objectives of the South Lancaster BLG.

5.0 Analysis

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

1. Principle of Residential Development and Housing Needs
2. Highway Matters
3. Flood Risk and Drainage
4. Biodiversity
5. Landscape Character and Visual Effects
6. Amenity and Health
7. Design
8. Other Considerations

5.2 **Consideration 1 - Principle of Residential Development and Housing** NPPF paragraph 7 – 12: Achieving Sustainable Development, paragraph 15: Plan-making, paragraph 16, 20-23: Strategic Policies, paragraph 47: Determining applications, paragraphs 54-57: planning conditions and obligations, Chapter 5: Delivering a Sufficient Supply of Homes; Strategic Policies and Land Allocations (SPLA) DPD policies SP1: Presumption in Favour of Sustainable Development, SP2: Lancaster District Settlement Hierarchy, SP3: Development Strategy for Lancaster District, SP6: The Delivery of New Homes, SG1: Lancaster South Broad Area of Growth, SG3: Infrastructure Delivery for Growth in South Lancaster, and H1: Residential development in Urban Areas and Development Management (DM) DPD policies, DM1: New Residential Development and Meeting Housing Needs, DM2: Housing standards and DM3: Delivery of Affordable Housing; Meeting Housing Needs SPD; Affordable Housing Practice Note Planning Advisory Note; Housing Standards Planning Advisory Note.

5.2.1 Principle of Residential Development

Planning law (Section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The Development Plan (hereafter 'Local Plan') for Lancaster District includes the Strategic Policies and Land Allocations Development Management Documents (SPLA DPD), a reviewed Development Management (DM) DPD, the Morecambe Area Action Plan DPD, the Arnsdale and Silverdale AONB DPD and 2 Neighbourhood Plans. The SPLA DPD and reviewed DM DPD were adopted in July this year and result in an up-to-date Local Plan.

5.2.2 The application site lies within the area covered by Policy SG1 (Lancaster South Broad Location for Growth (hereafter 'BLG') including Bailrigg Garden Village (hereafter 'BGV') of the SPLA DPD. Policy SG1 is a designation of land, which promotes the strategic delivery of sustainable

growth in South Lancaster. The BLG is regarded a sustainable location for growth and supports the development strategy (urban-focussed approach) for the district as set out in policy SP3 of the SPLA DPD. The purpose of policy SG1 is to deliver a self-contained Garden Village, which focuses on high quality development that carefully balances housing and employment requirements across the BLG whilst maintaining strong and embedded environmental and high-quality design objectives. It is important to stress that Policy SG1 does not allocate land for particular uses. Instead, it sets out a series of Key Growth Principles for development within this designated land.

- 5.2.3 There are 15 Key Growth Principles set out in SG1. A summary of these principles is set out here:
1. Pro-active community engagement.
 2. Securing high-quality design and development with a sense of place.
 3. Seeking modal shift (public transport and cycle infrastructure).
 4. Delivering market and affordable housing to meet evidenced housing needs and to secure cohesive and balanced communities.
 5. Ensuring necessary infrastructure is delivered to support the strategic growth of South Lancaster.
 6. The delivery of high-quality open space and green corridors and securing distinct areas of separation between the BGV and the existing urban edge of Lancaster and Galgate.
 7. Development to take account of the Heritage Impact Assessment for the area.
 8. Safe, accessible and well-serviced development to create healthy and cohesive communities.
 9. Master planning for growth of the University Campus and its wider estate.
 10. Safeguarding the University Campus.
 11. Design new development to minimise its contribution to, and the impacts of, climate change and to be resilient and adaptable to the effects of climate change.
 12. Managing and reducing surface water and flood risk to existing and new residents and businesses.
 13. Housebuilders to provide opportunities to work alongside local firms/suppliers during construction and the BGV to provide opportunities for self/custom build properties.
 14. Promotion of innovative design and use of technology for buildings, transport and energy.
 15. Improvements to traffic management and physical interventions to increase network capacity and advantage sustainable travel.
- 5.2.4 To support the delivery of strategic growth in South Lancaster significant infrastructure will be required. This ranges from new highways, public transport networks, cycle infrastructure, education facilities, local centre(s) and valuable open space and green/blue corridors/networks. The mechanism for the delivery of this strategic growth area rests largely with the Council in the first instance with the requirement to prepare a subsequent DPD, entitled the Lancaster South Area Action Plan (AAP) DPD. This will provide additional detail on how the Key Growth Principles will be delivered as part of an extensive master planning exercise. The AAP will provide a strategic spatial framework for development (i.e. it will seek to allocate land to specific land uses) within the BLG and shall also address the delivery of infrastructure to facilitate development. In addition, Lancashire County Council has also secured funding (Housing Infrastructure Fund - HIF) from central government towards transport infrastructure improvements in South Lancaster (currently subject to consultation, though it should be noted no weight can be applied to the consultation material given the infancy of this work). The whole purpose of the policy approach here is to secure and deliver well-planned and comprehensive development. SG1 states that the Lancaster South AAP is anticipated to be ready for adoption within the first five years of the plan (before 2022). In accordance with the Local Development Scheme (LDS), the Council has already started preparing the Lancaster South AAP DPD. The LDS anticipates the initial informal consultation on draft documents towards the back end of 2020 into Spring 2021.
- 5.2.5 During the Public Examination of the Local Plan, a Statement of Common Ground (SoCG) was signed by Lancaster City Council, the applicant CEP, Peel Investments (North) Ltd and Story Homes Ltd in relation to Policy SG1. The SoCG included the inclusion of an 'early release mechanism' that could, in exceptional circumstances, allow for the early release of land within the BLG to assist housing delivery in early phases of the plan. The early release mechanism is included in the Local Plan that has been found sound by the Inspector and formally adopted by the City Council. For the Council to accept the early release of development ahead of the AAP, the following tests must be met:

1. There would be no prejudice to the delivery of the wider BGV (including its infrastructure requirements) and would not undermine the integrated and co-ordinated approach to the wider BGV development; and
2. The development would conform with and further the Key Growth Principles described in SG1; and
3. That the opportunities for sustainable transport modes have been fully considered and that the residual impacts on the transport network will not be severe.

Furthermore, the preamble to policy SG1 is clear that the Council would only permit development within the BLG ahead of the AAP in exceptional circumstances. In order to be compliant with SG1, the Key Growth Principles for Development in the BLG must be considered in detail. This will follow under each of the main material considerations set out in this report.

5.2.6 Notwithstanding the policy requirements set out in policy SG1 (and other policies within the Development Plan), the application site is positioned in a sustainable location. It is located on the southern edge of the existing built-up area of the city surrounded by existing development. Scotforth Road (that borders the full frontage of the site) forms a key public transport corridor and provides good access to regular bus services as well as the existing pedestrian/cycle network. The site is also situated within close proximity to local shops and services making it suitable, in principle, for residential development.

5.2.7 **Housing Needs and Delivery**

The NPPF requires Councils to significantly boost the supply of new homes in their districts. The provision of new homes (and affordable homes) had been one of the main issues grappled with during the preparation and examination of the newly adopted Local Plan. The strategic and spatial objectives of the plan have had to carefully balance the district's housing and employment needs and growth aspirations against the need to rightly protect and enhance the district's natural and built environment. In accordance with national planning policy, the Council has established their full objectively assessed housing need (OAN) and the subsequent housing requirement having regard to available supply, deliverability and the constraints of the district. The Council has evidenced that the Council cannot presently meet its full OAN. The Council's housing requirement is based on the delivery of 522 dwellings per annum. This is a significant uplift from the previous Core Strategy requirement. The Council recognises this is challenging with a plan reliant on the delivery of a number of strategic sites and therefore policy SP6 sets out a stepped approach to housing delivery during the plan period. The Council is comfortable that the allocation of land within the Local Plan will lead to a wide range of opportunities for development which will sufficiently provide for housing delivery in the first five years of the plan. The Lancaster South BLG designation will facilitate the delivery of at least 3,500 new homes and 1205 new homes anticipated within this plan period, including affordable housing.

5.2.8 The NPPF requires the Council to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirements set out in the adopted Local Plan. The most up to date housing land supply position for the Council remains that contained within the November 2019 Housing Land Supply Statement, which concludes that the Council is unable to identify a five-year land supply position. Currently, the Council can demonstrate a 4.5 years' worth of supply.

5.2.9 It is acknowledged that opportunities to address this lack of a five-year supply can only come forward through the approval of more residential proposals and the identification of further supply through the Land Allocations process. As set out above, the BLG is nothing more than an area identified for growth. It does not seek to identify parcels of land for specific land uses. Which parcels of land within the BLG designation most suitable for residential development has not yet been determined, as this will be established through the preparation of the South Lancaster Area Action Plan. However, it should be noted that the Local Plan's housing trajectory does anticipate 205 dwellings within the BLG designation to be delivered within the first five years of the plan period. Whilst the applicant contends this relates to their site, this is not necessarily the case. The Local Plan (either through its evidence or policy) does not earmark the application site for housing development. Instead, policy SG1 provides some opportunities for early housing delivery ahead of the AAP in exceptional circumstances. The applicant contends their proposal would comply with the conditions for early release set out in policy SG1 and that in the absence of a five-year housing land supply position planning permission should be granted in accordance with the presumption in favour of sustainable development.

5.2.10 Notwithstanding the requirements of policy SG1 and other development plan policies there is no doubt that the proposed development would make a meaningful contribution to the district's five-year land supply and would provide much needed market and affordable housing. 30% of the total number of dwellings proposed on the site would be affordable dwellings in compliance with policy DM3 of the DM DPD. The applicant also accepts the development must comply with policy DM1 in relation to ensuring the proposed development meets local housing needs (securing a suitable housing mix by type and size) as well as policy DM2 requiring all new dwellings to meet the Nationally Described Space Standards and at least 20% of the dwellings designed to meet Building Regulations M4(2) standards (accessible and adaptable dwellings). Securing a suitable housing mix together with policy compliant housing standards can be secured and controlled by planning condition. The affordable housing provision would be secured by planning obligation. The contribution the development would make to the current housing supply position as well as delivering much needed affordable housing is a matter that carries substantial weight.

5.2.11 The absence of a five-year housing land supply (even with a newly adopted and up-to-date Local Plan) does trigger the presumption in favour of sustainable development (para 11 and footnote 7 of the NPPF). For decision making this means granting planning permission unless:

- i) The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development; or
- ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

The following section of this report will assess the main planning considerations having regard to national and local planning policy and guidance and, in particular, the Key Growth Principles of policy SG1.

5.3 **Consideration 2 - Highway Matters** NPPF Chapter 9 paragraphs 108-111: Promoting Sustainable Transport and Chapter 12 paragraph 127: Achieving well-design places; Development Management (DM) DPD policies DM29: Key Design Principles, DM60: Enhancing Accessibility and Transport Linkages, DM61: Walking and Cycling, DM62: Vehicle Parking Provision, DM63: Transport Efficiency and Travel Plans; DM64: Lancaster District Highways and Transport Masterplan; Strategic Policies and Land Allocations (SPLA) DPD policies T2: Cycling and Walking Network and T4: Public Transport Corridors.

5.3.1 In relation to transport considerations, both national and local planning policy strive to ensure development is:

- Located in areas that are or could be made sustainable;
- Safe and accessible for all users;
- Promotes sustainable transport modes;
- Minimises the need to travel by private car by prioritising pedestrian and cycle movements;
- Ensure the highway safety and efficient of the highway network is maintained;
- Create safe, accessible, well-connected and attractive places.

These key requirements are collectively reflected in the Key Growth Principles set out in policy SG1.

5.3.2 Given the scale of the development, the anticipated traffic to be generated from the development and given the known local constraints on the local highway network, the application has been supported by Transport Assessment, a Travel Plan and a detailed access proposal. Following initial consultation with the local highway authority (LHA) and Highways England (HE), the applicant has undertaken further surveys and assessment set out in the applicant's Updated VISSIM Modelling Report (for the Galgate junction).

5.3.3 The main transport considerations are as follows:

- The access strategy
- Infrastructure delivery
- Highway safety and capacity
- Sustainable transport and accessibility

5.3.4 Access Strategy

The application site shall be accessed off Scotforth Road with a new three-armed signalised junction. Near the application site Scotforth Road has a single carriageway width of approximately 9m with grass verge variable in width along the site frontage. Scotforth Road is a primary access corridor into and out of the city linking it southwards to Lancaster University, Galgate and junction 33 of the M6 Motorway. The road is lit and enjoys a 40mph speed limit alongside the site. Approximately 60m north of the site the speed limit reduces to 30mph as the road enters the existing built-up area. Scotforth Road is elevated above the site for most of its length along the eastern boundary (also site frontage) and levels off closer to the northern end of the site where the access is proposed. Footway provision is available along Scotforth Road but this is limited to the eastern side of the road near the application site. North of Rays Drive (once in the existing built-up area) there is footway provision to both sides of the road. Towards the southern tip of the site and east of Scotforth Road there is a further priority junction into Collingham Park. Footway provision is good in this location with access to direct pedestrian and cycle routes to Lancaster University.

5.3.5 The proposed access is located south of the approved vehicular access serving the extant supermarket and approximately 100 metres south west of the new priority junction serving the new residential development on land adjacent to the property known as Aikengill. Unlike the junction serving the development at Aikengill, the proposed junction is a signalised junction as is the approved supermarket. The proposed access provides for dedicated straight on and right/left turn lanes when accessing from the north and south with dedicated left and right exit lanes. Footway provision is incorporated into the junction design including pedestrian crossing facilities across the mouth of the junction and across Scotforth Road itself. Advanced cycle stop lines and new bus stops are also incorporated into the access design to the south of the junction. In determining and assessing the appropriateness of the access location and design, the operation of all three junctions (the site, the supermarket and Akingill) have been assessed in isolation and cumulatively as they will influence each other.

5.3.6 The form and design of the access is greater than what would be expected for a residential development of this scale. This is because of the applicant's commitment to demonstrate the proposed residential development would not prejudice the wider development of the BLG designation, by including an opportunity to deliver a suitable link road to facilitate wider growth west of the West Coast Mainline (WCML). The application does not include the provision of a bridge. It provides for an access suitable to accommodate much greater development than applied for and an opportunity to secure a link road up to the WCML as part of the detailed layout of the proposed scheme. Notwithstanding the fact the design of the junction is likely to be greater than what would be required for a scheme of the scale applied for (up to 95 dwellings), the access arrangements to serve the development are acceptable. The Highway Authority raises no objection to the access proposal, subject to the inclusion of an extension to the 30mph limit along Scotforth Road and a gateway traffic calming scheme, a pre-signal north of the junction to ease vehicle movements at the Aikengill junction, the provision of a footway/cycleway to be provided within the site for its full length with an additional crossing point over Scotforth Road to the south to access Collingham Park. Such matters that can be adequately secured and controlled by planning conditions. With the inclusion of these additional measures, the proposed development would not give rise to a severe impact upon the network and would ensure safe and suitable access for all users and would be compliant with paragraph 108 of the NPPF and policies DM29, DM60 and DM61.

5.3.7 Infrastructure Requirements

Policy SG1 and SG3 requires a coordinated approach to the comprehensive masterplanning of the future garden village (to be provided in the BLG). To achieve this, the future AAP is intended to address the delivery of infrastructure to facilitate development within the BLG as well as setting out how the Key Growth Principles can be realised. This would include details pertaining to the delivery, phasing and locations of specific infrastructure. Policy SG3 goes on to provide a list of key infrastructure matters which the AAP must address. This is focussed around making improvements to highway capacity on the A6 corridor and, as part of the Garden Village aspirations, creating opportunities for significant modal shift (e.g. a Bus Rapid Transit service and a Cycle and Walking Superhighway). The key infrastructure requirements are set out in the Infrastructure Delivery Plan and associated Infrastructure Delivery Schedule which accompanies the Local Plan. The funding mechanisms for the required infrastructure is anticipated to include both public and private sector investment. The Housing Infrastructure Fund (HIF) forms the basis of the public sector intervention. This is anticipated to secure a significant proportion of the infrastructure, but it is inevitable that this will need to be supplemented by the private sector through the delivery of new development. The

charging mechanism for private sector funding is a matter for the AAP, to ensure infrastructure is delivered in a fair and equal manner.

- 5.3.8 The submission of the application ahead of the AAP arguably results in piecemeal development that would not, if approved, be able to contribute to whatever charging mechanism and/or infrastructure delivery eventually set by the forthcoming AAP, or deliver on all of the Key Growth Principles. It also makes it more challenging to demonstrate that there would not be prejudice to a wider scheme which as yet hasn't even been formulated in draft. Of relevance is the requirement to deliver modal shift and to ensure the right infrastructure is in the right location. The applicant has had some regard to the strategic objectives of the Local Plan. The proposal includes (in detail) an access capable of accommodating far greater development than that applied for as well as the opportunity to provide a link road up to the boundary of the WCML. The proposal does not include the bridge link itself. The indicative link road set out in the application is based on the preliminary design previously agreed with the Council and the Highway Authority as part of the 2012 CEP planning appeal (for the supermarket). It also reflects the indicative proposals to connect Scotforth Road and Ashton Road (over the WCML) set out in the Council's Expression of Interest (for the garden village) submission to central government. The Lancaster Highways and Transport Masterplan (in the infrastructure funding table) assumes 2 crossings over the WCML but no details about the design or location of these assumed crossings. In the absence of anything else, it is understandable why the applicant would advance a proposal seeking to safeguard land to the north of the site to deliver a potential strategic link road. Such would also serve as the main access road into the proposed development.
- 5.3.9 Nonetheless only limited weight can be given to the historic requirements and agreements in connection with the link road and access over the WCML. The proposal is for different development with a different and much wider strategic ambition for South Lancaster (compared to the earlier Local Plan). The Expression of Interest may be a material consideration, but it too is of very limited weight and has no planning policy status. Policy SG3 goes on to provide a list of key infrastructure matters which the AAP must address. This is focussed around making improvements to highway capacity on the A6 corridor and, as part of the Garden Village aspirations, creating opportunities for significant modal shift (e.g. a Bus Rapid Transit service and a Cycle and Walking Superhighway). The key infrastructure requirements are set out in the Infrastructure Delivery Plan and accompanying Infrastructure Delivery Schedule. Neither specifically includes the provision of a link road over the WCML as part of the anticipated infrastructure requirements, nor does policy set out where this would be located. However, there will inevitably be requirements for suitable distributor roads within the Garden Village (which may require appropriate connections over the WCML). At this stage, it is not possible to rule in or out the requirements of a link road to the north of the BLG within the proposal application site.
- 5.3.10 Given the circumstances, to ensure the proposal would not prejudice growth to the west of the WCML (Whinney Carr) (assuming the AAP later identifies development opportunities in these locations), the applicant is agreeable to a planning condition to safeguard land between the proposed access and the boundary with the WCML for a link road should such be identified and required through the preparation of the AAP. The details of the link road would also form part of the detailed considerations at the reserved matters stage as it would serve as the main access road into the development too. Representations from Peel L&P Investments (North) Limited ("Peel" for the Whinney Carr site) support the applicant's proposal but argue that the only way to ensure the comprehensive delivery of the wider BLG is through the imposition of planning conditions and obligations to safeguard the potential requirement for the link road. Should the application be supported, officers consider that a planning condition would be sufficient to safeguard the land and potential link road. Such a condition would need to be precise to ensure it is clear the safeguarding of land extends up to the boundary of Network Rail's land. Peel argues that the mechanism for safeguarding the land and the link road up to the edge of the western boundary should go beyond a planning condition and that a planning obligation should be required to ensure the delivery of the link road without a ransom position arising. Whilst this is commercially understandable it is not considered that such a requirement is necessary given the wider nature of the proposals and the fact that there is no evidence that the delivery of land adjacent to the application site would be prejudiced if such an obligation is not required.
- 5.3.11 Officers are of the opinion that an obligation explicitly requiring the applicant not to ransom any access or connection from its land to neighbouring land is not warranted therefore. This is an opinion also shared by the applicant. However, it is accepted that in order to comply with policy SG1 (so as

not to prejudice the future ambitions of the BLG) that a precise condition setting the requirements for the safeguarding of land and an access point to the western boundary of the site would be required, assuming the AAP requires a link road in this location. This would be fairly and reasonable related to the development and the provisions of the development plan.

- 5.3.12 In terms of contributing to wider transport infrastructure intended to support the BLG, it is not possible (nor has it been requested by the local highway authority) for the development to contribute to the delivery of sustainable transport projects, such as the Cycle Superhighway and Bus Rapid Transit service. These projects are only likely to materialise once wider strategic plans have been completed including the Movement Strategy for the city and the masterplanning exercise to inform the AAP. Whilst the proposal, in isolation from the wider growth area, will not contribute to significant modal shift, it does seek to encourage and provide new improved pedestrian and cycle facilities within the site and to connect to the existing network.
- 5.3.13 Given the relatively small-scale nature of the proposal and subject to securing and safeguarding land to the north of the site for a link road should one be required, the development is not likely to prejudice the wider strategic transport ambitions or infrastructure requirements for development within the BLG. However, contrary to the applicant's assertions within the planning submission, the safeguarding of land and the potential provision of a link road up to the WCML is not considered a regeneration benefit for the reasons set out above. Consequently, the degree of conflict with the transport-related Key Growth Principles set out in policy SG1 and SG3 is limited and would not result in a substantive reason to resist the development.
- 5.3.13 Highway Safety and Capacity
The local highway network in the vicinity of the application site and along the A6 corridor is highly constrained. At peak times through its primary junctions, the network experiences significant traffic and congestion. This is a locally significant concern but is also a significant constraint to future development in South Lancaster as set out early in this report. The Local Plan (mainly policy SG1 and SG3) sets strategic objectives and ambitions to tackle the highway constraints along the A6 corridor, which will require significant intervention including the reconfiguration of Junction 33 of the M6 and modal shift, in order to improve operational capacity between the motorway and the city centre to support significant growth. Policy SG1, however, recognises some development could come forward ahead of the AAP (and plans to secure the transport-related infrastructure) provided the residual impacts upon the network are not severe (in terms of safety and efficiency). This is the primary test in this case.
- 5.3.14 The application has been supported by a detailed Transport Assessment and updated modelling reports in respect of junction capacity. The scope of the Transport Assessment has been the subject of pre-application discussions with the local highway authority. Its content follows industry standard best practice and national planning policy guidance. Despite being sustainably located with good and improved access to public transport and the pedestrian network, the proposed development will inevitably generate traffic. The applicant's Transport Assessment indicates that the proposed development is anticipated to generate a total of 51 two-way vehicle movements during the morning and evening peak hour periods with the distribution of traffic split 66% to the north and 34% to the south. The local highway authority is satisfied with the assumptions made in respect of trip generation and distribution arising from the development. The trip rates presented in the Transport Assessment are also in line with the trip rates used in Transport Assessment for the Local Plan. The local highway authority has reported that such trip rates are not unreasonable for local plan purposes but for individual sites trip rates should be more refined to account for local circumstances (using higher trip rates). However, in this case, the local highway authority concludes that the use of higher trip rates would not make a material change to the outcome of their response about traffic modelling and network impact assessments. The local highway authority is satisfied with the distribution assumptions in the Transport Assessment.
- 5.3.15 The effects of additional traffic on the network has been assessed to ensure the proposal does not have significant adverse impacts on the safe and efficient operation of the local highway network. The junction capacity assessments consider the traffic generated by the proposed development and traffic generated by committed development, accounting for estimated background traffic growth. The base year assessment is 2019 with a future year assessment of 2024.

- 5.3.16 The main junctions assessed in the Transport Assessment include the proposed site access, the extant supermarket site access, Hala crossroad junction and the crossroad junction in Galgate. With the exception of the Galgate junction, the LINSIG Model has been used to undertake the analysis of the operational capacity of the junctions. Due to the complexity of the Galgate junction and how it operates, additional microsimulation modelling was required using VISSIM. This form of modelling provides a more accurate picture of the complex interactions at the junction. It can take account of driver behaviour, slow-moving traffic and the effects of obstructions on the highway, such as parked vehicles and bus stops. The methodology and scope of this assessment was agreed in consultation with the local highway authority and Highways England.
- 5.3.17 The submitted Transport Assessment and supplementary reports (to address initial highway concerns from both the local highway authority and Highways England) conclude that all junctions will operate within capacity and below saturation with positive practical reserve capacity at peak hour periods. The applicant has adequately demonstrated the proposed site access and the access serving the extant supermarket site can operate safely and efficiently without adverse effects on the local highway network. However, given the proximity of the two access points there is clear interaction between them, which will require the operation of the two signalised junctions to be coordinated and appropriately linked. This can be controlled as part of the detailed design of the proposed access.
- 5.3.18 In the case of the Hala junction, it is contended that the LINSIG modelling does not fully replicate some junction operation characteristics which could increase junction delay and therefore reduce capacity, such as the position of the bus stop south of the junction. This is the reason why there can be differences between the observed and modelled queue lengths. Consequently, the local highway authority contends the junction is more likely to operate closer to capacity than suggested in the Transport Assessment. Mitigation has been agreed in the form of off-site highway works (relocation of the southbound bus stop further south, keep clear road markings opposite the garage to the south and the provision of MOVA) to maximise junction efficiency and minimise junction delay.
- 5.3.19 In the case of the Galgate crossroad junction, additional microsimulation modelling using VISSIM has been undertaken at the request of statutory consultees. The LINSIG modelling was not deemed appropriate due to the complex operation interactions at the junction. Both the local highway authority and Highways England raised initial concerns about the development traffic impacts on the operational capacity at the Galgate junction and the wider network. For Highways England, additional traffic impacts at this junction have the potential for traffic to back up towards the A6 Hampson Green roundabout at Junction 33 of the M6, leading to traffic queuing to leave the motorway. Subsequently, the effects on the local highway network here have the potential to affect the Strategic Road Network too. Additional surveying and modelling of the Galgate junction has been carried out in consultation with both statutory consultees.
- 5.3.20 The updated modelling for this junction demonstrates there would (and will remain) a level of congestion on the network in this location. The modelling undertaken indicates the network performance across the junction would be increased by only 7 seconds in the morning peak and 2 seconds in the evening peak with the additional traffic generated by the development. Queue lengths on the A6 (northbound) would increase by 13 metres in the morning peak hour and 50 metres in the evening peak hour. On the A6 (southbound) queue lengths are expected to increase by 54 metres and 17 metres in the morning and evening peak hours, respectively. The conclusions of the additional modelling undertaken adequately demonstrates the traffic impacts generated from the development is meaningful but not significant. Recognising the development will contribute to existing congestion, mitigation in the form of a contribution to upgrade the MOVA technology is considered reasonable and well-related to the development. On this basis, the local highway authority maintains the traffic impacts from the proposal (with mitigation) would not be considered severe and the development could be accommodated. Highway's England are also satisfied that the impacts of the proposal would not, in isolation, result in there being a significant or serve impact upon the safety and operation of the Strategic Road Network and raise no objection to the proposal.
- 5.3.21 Sustainable Transport and Accessibility
The site is regarded a sustainable location meaning opportunities to travel by alternative and more sustainable modes of transport is achievable. The site is well within the preferred maximum walking distance (2000 metres) to the local shops in Scotforth, Scotforth primary school and existing bus stops to the north and south of the site. Bus services to and from the University and the city centre

are frequent with the access proposals incorporating new bus stops to the south (both northbound and southbound) of the proposed junction. Should the link road be later required to facilitate growth to the west of the WCML, the access design is also capable of accommodating bus movements. New footways are incorporated into the junction design, together with suitable crossings to enhance and make safe pedestrian movements across the junction and across Scotforth Road. It has also been agreed that an additional pedestrian crossing facility will be provided on Scotforth Road at the southern end of the site. This will enhance pedestrian and cycle access onto Collingham Park (and the cycle route towards the University). A continuous shared pedestrian and cycle link is also required from the site access towards the southern end of the site (linking to the Collingham Park crossing). This is capable of being achieved by planning condition.

- 5.3.22 With regards to the effects of the proposal on the cycle network, it is recognised that several concerns have been raised over the quality and safety of the existing cycle route between the city and the University and the absence of measures to improve this within the submission. The Transport Assessment has suitably assessed collision data along the A6 corridor and junctions within. It is noted several collisions involved cyclists. Subsequently, whilst the local highway authority concludes this is not a result of an unsafe highway layout, it is recognised that development should maintain and improve the safety of the pedestrian and cycle environment. This approach aligns with local and national planning policy. There are clearly wider and more substantial strategic ambitions to tackle this through the Local Plan and the delivery of the BLG (via the AAP), such as proposals for a Cycle/Pedestrian Superhighway. Whilst the proposal will not be contributing to this, given the scale of the development it is considered such would not prejudice these ambitions.
- 5.3.23 The proposal does include an access which supports safe movement for all users, including cyclists, opportunities to provide improved cycle connections through the site towards Collingham Park and a contribution towards upgrades to the Pointer Roundabout (as part of a wider project). This financial contribution will predominately deliver benefits for pedestrians/cyclists making the junction safer and reducing conflict between sustainable and motorised users. Furthermore, all dwellings shall be required (by planning condition) to provide cycle storage and electric vehicle charging points. This, in combination with the implementation of a suitable Travel Plan, demonstrates compliance with national and local planning policy and practice in respect of maintaining and enhancing pedestrian and cycle accessibility.
- 5.3.24 Overall, the proposed development is sustainably located to promote more trips by public transport, walking and cycling. The development can be safely accessed and with mitigation will not lead to a serve impact on the local highway network. Subject to securing a range of off-site highway works and improved pedestrian/cycle measures within the site, together with the following contributions, the development does not conflict with the policies listed at the head of this section of the report:
- Galgate MOVA upgrade £30,000
 - Hala Road MOVA update £35,000
 - Relocation of A6 southbound bus stop south of Hala Road and keep clear markings £15,000
 - Pointer Roundabout Improvement Scheme £15,000
 - Travel Plan Contribution £6,000

5.4 **Consideration 3 Flood Risk and Drainage Matters**(NPPF: Chapter 14 paragraphs 150 and 153 (Planning for Climate Change) and paragraphs 155-163 and 165 (Planning and Flood Risk); Development Management (DM) DPD policies DM33 (Development and Flood Risk), DM34 (Surface Water Run-off and Sustainable Drainage), DM35 (Water Supply and Waste Water); Strategic Policies and Land Allocations (SPLA) DPD policies SG1 Lancaster South Broad Area of Growth, SG3 (Infrastructure Delivery for Growth in South Lancaster) and SP8 (Protecting the Natural Environment); Strategic Flood Risk Assessment (October 2017); Surface Water Drainage, Flood Risk Management and Watercourses Planning Advisory Note (PAN) (2015); Application of the Flood Risk Sequential Assessment Test and Exception Test Planning Advisory Note (PAN) (February 2018).

5.4.1 Flood Risk and Sequential Test
Paragraph 155 of the Framework states that inappropriate development in areas at risk of flooding should be avoided by directing development away from the highest risk (whether existing or future). Paragraph 158 of the Framework goes on to state that development should not be allocated or permitted if there are reasonable available sites appropriate for the proposed development in areas at a lower risk of flooding. This requires the application of the sequential test. Local planning policy

DM33 reinforces the requirements of the Framework. The Key Growth Principles set out in policy SG1 equally reinforce the need to sustainably manage surface water and reduce the risk of flooding with a general expectation that the development within the Broad Location for Growth (BLG) will provide betterment through the delivery of green networks. Fundamentally, it is for the Area Action Plan (AAP) to address the wider allocation of uses within the BLG, including where green networks and open space would be located.

- 5.4.2 Site levels are shown to be in the region of 34m Above Ordnance Datum (AOD) to 42m AOD. There is a general fall from northeast to southwest with a localised depression within the centre of the site (due to the site's undulating character) where ponding of surface water regularly occurs. The site is most susceptible to fluvial flood risk associated with Burrow Beck around 50m south of the site. Owing to the site's undulating characteristics and proximity to the watercourse, the site straddles flood zones 1, 2 and 3. The residential development (developable area) is limited to flood zones 1 and 2. Flood zone 3 is to remain undeveloped and utilised for ecology mitigation and open space. As part of the development, earthworks are proposed to raise the levels within the site to effectively take land within flood zone 2 to a level equivalent to that of flood zone 1. This mitigation does not, however, remove the requirement to apply the sequential test, albeit that it is a material consideration.
- 5.4.3 The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Paragraph 158 of the NPPF (reinforced by policy DM33 of the DM DPD) states that development should not be allocated or permitted if there are reasonable available sites appropriate for the proposed development in areas with a lower risk of flooding. Paragraph 162 of the NPPF goes on to state that where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again. Within the Strategic Flood Risk Assessment (SFRA), which has informed the Local Plan, the proposed site was considered part of the larger Whinney Carr site (site ref: 341). The SFRA concluded the site was suitable for housing development subject to the site layout being considered and designed around identified flood risks and if the site passes the sequential test. The applicant has not argued the development should not be subject to the sequential test. This is the correct approach as the Local Plan does not formally allocate the site (or any other site/parcel of land within the BLG) for any specific land uses. The South Lancaster BLG is a designation of land in principle whose detailed land use allocations are intended to be set by the subsequent AAP.
- 5.4.4 The applicant's initial sequential assessment of alternative sites is limited to sites within the BLG designation. National Planning Practice Guidance (NPPG) indicates that a pragmatic approach on the availability of alternatives should be taken. Whilst this is the case, the applicant's arguments to limit the search of search to the BLG designation are neither compelling nor accepted. The applicant contends the proposal is the first phase of the Garden Village and would deliver critical infrastructure intended to facilitate future phases of the Garden Village. Alternative sites within the BLG have been scoped down further to those sites capable of accommodating up to 95 dwellings, the delivery of a strategic link road to facilitate future housing delivery and a site which is immediately available.
- 5.4.5 The proposal is not considered to amount to the first phase of a comprehensively planned Garden Village. To be part of a phased development it must form some part of a wider comprehensive development. Whilst the BLG designation sets the principles for the delivery of the Garden Village, and the site falls within this, the allocation of land uses and the phasing and delivery of such, together with its infrastructure, is a matter for the forthcoming AAP. Secondly, the application does not actually include the provision of a link road to facilitate future growth it merely seeks to safeguard land to provide the opportunity to deliver a link road should this be required through the AAP and provide a bigger access. Subsequently, officers content a District wide approach to the Sequential Test should have been undertaken. This is consistent with the Council's Planning Advisory Note, especially if the argument is the application is being promoted in advance of the AAP because of the District wide housing need.
- 5.4.6 Officers are of the opinion that there are available alternative sites that could accommodate the proposed development (up to 95 dwellings) in areas at lower risk of flooding but these are limited. These sites were shared with the applicant for consideration. Only three sites were considered comparable to the proposal in terms of dwelling capacity and deliverability. The applicant has discounted these sites on the basis that they are not within the same area of South Lancaster as the application site (a matter of disagreement); one site is a different market area to that of the BLG;

and, that the availability of two of the sites is not considered reasonable alternatives on the basis that they have not advanced to the same planning stage as the application site. On this basis the Sequential Test is not passed. In accordance with national and local planning policy the development should not be permitted.

- 5.4.7 This matter has been the subject of much debate particularly in the context of the Council's five-year housing land supply position and the early release mechanism (development in advance of the AAP) included in policy SG1. The five-year land supply position is a significant material consideration that should be weighed in the planning balance. Contrary to the applicant's position set out in their Addendum Flood Risk Sequential Test, it is not a determining factor in the consideration of the compliance of the Sequential Test. Understandably, in advancing the discussion further, the applicant indicates that even if the application were to fail the Sequential Test, the development would not be at risk of flooding and would not cause a flood risk elsewhere.
- 5.4.8 In relation to fluvial flooding, mitigation is proposed in the form of substantial engineering works to re-profile the site and provide development platforms set at/above the peak modelled level for a 1 in 1,000 year event (35.25m AOD). This measure effectively raises the development platform to an elevation equivalent to flood zone 1. The finished floor levels of the dwellings would then be set a minimum of 150mm above the re-profiled site levels (35.4m AOD). The re-profiled site has been remodelled at the 1 in 100 year events (plus climate change) to demonstrate the site would be safe through its lifetime. Access and egress to the site remains in flood zone 1 and is at low risk of flooding. This modelling also demonstrates that there would be no increase in flood depth or extent because of the re-profiling, confirming the re-profiling does not increase flood risk elsewhere. Both the Environment Agency and the Lead Local Flood Authority no longer object to the proposal (subject to the imposition of conditions) and are satisfied the proposal would not pose a flood risk (on site or elsewhere) and would be flood resilient and safe and accords with paragraph 163 of the NPPF and part of DM33 of the DM DPD.
- 5.4.9 The applicant contends that a purely technical breach of the Sequential Test should not, in the real world, lead to a refusal of planning permission where there is no real flood risk identified. Whilst this may appear reasonable it would be contrary to the proper planning of the area and the whole thrust of directing development to areas at low risk of flooding first. The implications of failing the Sequential Test extend to the presumption in favour of sustainable development for decision-making. In this case footnote 6 of paragraph 11 of the NPPF is applicable because the failure to pass the Sequential Test is such that would provide a clear reason for refusing the development. This is a significant conflict with policy. Moreover, this consequently disengages the tilted balance (paragraph 11 (d) ii) when assessing the application against the NPPF as a whole. The failure of the Sequential Test is a matter of significant weight that must be weighed in the overall planning balance (albeit not a tilted one).
- 5.4.10 Surface Water Drainage
Paragraph 165 of the NPPF and policy DM 34 of the DM DPD make it clear that major development proposals should incorporate sustainable drainage systems based on the surface water drainage hierarchy. Sustainable drainage schemes should, where possible, also provide multifunctional benefits. The submitted Flood Risk and Drainage Assessment (FRDA) has been informed by GeoEnvironmental appraisal of the site, ground water monitoring and soakaway testing. Hydraulic calculations of the scheme have also been included. In addition, a further Flood Risk Clarification Note has been submitted to address initial concerns from the Environment Agency and the Lead Local Flood Authority in respect of potential flood risks from the proposed drainage strategy.
- 5.4.11 The surface water drainage strategy proposes infiltration is a suitable method for the disposal of surface water from the development's impermeable surfaces (estimated to amount to 2.02 hectares plus 10% for urban creep). This is largely due to the topography of the site (and the proposed changes in land levels), suitable underlying ground conditions (largely siltstone, mudstone and sandstone overlay by sand and gravel) and accounting for ground water levels. This is the preferred method for dealing with surface water drainage and in principle is acceptable.
- 5.4.12 The surface water run-off generated within the development will be directed to an infiltration basin. The anticipated volume of attenuation to be required (based on run off generated from impermeable surfaced from the 1 in 100 year storm event plus a 40% climate change allowance) is an area of approximately 1,030 square metres with a depth of 1.3m. The illustrative proposals indicate this will

be in-part an open basin within the southern part of the site. The levels of the site should allow the site to freely drain with the basin situated below the development platform. To meet Network Rail's requirements, the infiltration basin must be sited more than 30 metres away from the railway boundary and outside flood zone 3. At this outline stage, the precise details of the size, type and location of the attenuation facilities are not provided (nor are they required to be provided), although the Illustrative Masterplan, Preliminary Earthworks and Indicative Site Sections have been submitted to evidence the strategy is feasible. It is anticipated that the attenuation may comprise a combination of storage facilities to take account of site constraints. The precise details can be controlled by condition and accounted for at the reserved matters stage when layout is considered. Notwithstanding this, it is useful to set out at this stage that there is an expectation for the development to deliver predominately high quality, above ground storage facilities in order to conform to the Key Growth Principles of policy SG1 in relation to design and place making and to ensure the sustainable drainage scheme has multifunctional benefits.

5.4.13 There are two hydraulic structures on Burrow Beck in the vicinity of the site. Most significant is a culvert under the West Coast Mainline. Flood risk because of any potential blockage of the culvert has also been considered as part of the flood risk assessment and drainage strategy with mitigation consisting of raising of land around the perimeter of the development platform to 36.05m AOD. The drainage scheme shall be designed to ensure there is no surface water from beyond the development platform entering the development platform itself. Considering this clarification, the LLFA and the EA have no objection to the proposal subject to the imposition of a suitable surface water drainage scheme and maintenance plan. The development sufficiently demonstrates that the development can sustainably drain without increasing the risk of flooding on site or elsewhere. The proposal accords with the requirement so the Development Plan and the NPPF.

5.4.14 Foul Drainage

The proposal seeks to connect to the existing foul drainage system in Scotforth Road and has estimated the foul loading to be 4.4 litres per second (based on 95 dwellings). The submission includes pre-application correspondence between the applicant and United Utilities who have indicated capacity is not an issue and foul sewerage can discharge at an unrestricted rate. The precise details of the foul drainage scheme can be controlled by planning condition. United Utilities has raised no objections to the proposals.

5.5 **Consideration 4 - Biodiversity** (NPPF: Chapter 15 paragraph 170 and 174-177 (Habitats and biodiversity); Strategic Policies and Land Allocations (SPLA) DPD policies SG1 Lancaster South Broad Area of Growth and EN7 (Environmentally Important Areas); Development Management (DM) DPD policies DM44 (Protection and Enhancement of Biodiversity), DM45 (Protection of Trees, Hedgerows and Woodland).

5.5.1 The proposed site is not directly affected by any national or international nature conservation site. It will not result in any land take of a designated site nor is the site considered to be functionally linked land. However, the site is within 2km of the Morecambe Bay Special Protection Area (SPA), Special Area of Conservation (SAR), Site of Special Scientific Interest (SSSI) and RAMSAR, which may result in indirect impacts. This potential affect triggers the requirements for a Habitat Regulations Assessment (HRA). A shadow HRA and Appropriate Assessment have been provided in support of the proposal. An addendum to the HRA has also been submitted to address earlier deficiencies in relation any development impacts on any functionally linked land and recreational disturbance.

5.5.2 In terms of direct impacts, it has been sufficiently demonstrated that the site and surrounding fields are unlikely to be used by a significant number of SPA/SSSI birds and therefore the proposal will not result in adverse effects on the integrity of the designated sites. The proposal does, however, have potential for indirect impacts in the form of recreational disturbance, construction activities and pollution pathways and drainage. The former would be limited given the relatively small-scale nature of the development and the site's disconnection to the designated site (notably separated by the West Coast Mainline). There is no direct access to the designated site (via public rights of ways or other recreational routes) despite a reasonably good network of paths in the immediate area leading to other areas of open space and recreational corridors, such as Lancaster Canal. However, it would not be possible to conclude the development would not lead to any recreational pressure on the Bay. To mitigate against this the provision of open space on the site and homeowner packs to be provided to each dwelling is required. This is considered with the HRA for the Local Plan and further complies with one of the Key Growth Principles of policy SG1. The homeowner packs would be

expected to include details of the affected designated sites (and the wider Morecambe Bay coastline), their sensitivities to recreational pressure and promote the use of alternative areas for recreation, in particular dog walking areas.

- 5.5.3 Recognising the site is hydrologically connected to the designated site, mitigation is also proposed to ensure the construction and operational phases of the development on the designated site (via drainage and pollution pathways) would not affect the integrity of the SPA/SSSI. This would be in the form of a Construction Environmental Management Plan which would set out measures to avoid, minimise and mitigate any adverse effects during construction on the water environment. For the operational phase of the development, a suitable drainage scheme which ensures no adverse impacts to water quality and pollution pathways will provide sufficient mitigation.
- 5.5.4 In conclusion, the proposed development will have no adverse effects on the integrity of the designated sites, their designation features or their conservation objectives, through either direct or indirect impacts either alone or in-combination with other plans and projects. The mitigation measures can be adequately covered by condition attached to any planning consent. Natural England raises no objections to the proposal and concur with the conclusions of the HRA.
- 5.5.5 Aside from the HRA matters, planning policy requires applicants to demonstrate how impacts on biodiversity have been minimised and net gains in biodiversity can be provided. The site is currently a greenfield site used for grazing livestock. The submitted Ecological Appraisal identifies a generally low level of nature conservation interest on the site. However, a small population of Great Crested Newts (European Protected Species) are present on site as well as some Habitats of Principal Importance including a pond, hedgerow and broadleaved woodland copses. Trees within the copse and some peripheral trees are also protected by Tree Preservation Orders. The proposed development will result in the loss of several habitats. This is largely due to the formation of the proposed earthworks and development platforms. The southern part of the site will remain largely undisturbed with existing landscape features retained. Approximately 100m of species poor hedgerow will be lost but due to its dense structure it provides good foraging habitat for birds and bats. The landscape-led approach suggested in the application and presented in the illustrative masterplan shows that substantial new planting and the provision of new wetland habitats can be achieved to adequately mitigate against the impacts as well as providing suitable enhancement.
- 5.5.6 Despite the loss of significant habitat and the presence of Great Crested Newts on the site, the development, with mitigation, would not result in a loss of biodiversity or adversely affect the favourable conservation status of protected species. Following the submission of additional information to address initial concerns in respect of the Great Crest Newts on the site, GMEU is now satisfied that the proposal would adversely affect protected species and raises no objection to the application. The proposal includes several enhancement measures, not least in terms of Great Crest Newts, as well as essential mitigation and as such is capable of achieving net gains overall. The mitigation and enhancement measures are extensive and shall comprise the following:
- Limiting works during the nesting bird period;
 - Additional bat surveys should trees later be identified for removal;
 - Provision of ponds as part for the mitigation strategy for GCNs (including copy of the EPS Mitigation Licence);
 - Scheme for habitat connectivity to mitigate against tree and hedgerow loss;
 - Bird and bat nesting mitigation and enhancement measures;
 - Details of external lighting scheme;
 - Submission of a Construction Environmental Management Plans, including the role and responsibilities of an ecological clerk of works, to minimise impacts on biodiversity during construction;
 - Landscape and Ecological Management Plan to safeguard ecological mitigation and enhancement measures in the long term.

These measures must be controlled by planning condition. Overall, the proposed development accords with paragraphs 174 – 177 of the NPPF and policies DM44 and DM45 of the DM DPD.

- 5.6 **Consideration 5 – Landscape Character and Visual Effects** (NPPF: Chapter 15 paragraph 170 and 172 -177 (Conserving and Enhancing the Natural Environment); Strategic Policies and Land Allocations (SPLA) DPD policy SG1 Lancaster South Broad Area of Growth, EN2 (Areas of Outstanding Natural Beauty), EN3 (The Open Countryside), Policy EN4 (North Lancashire Green

Belt), EN5 (Local Landscape Designations), EN6 (Areas of Separation); Development Management (DM) DPD policies DM29: Key Design Principles, DM45 (Protection of Trees, Hedgerows and Woodland) and DM46 (Development and Landscape Impact); A Landscape Strategy for Lancashire (2000).

- 5.6.1 The application site is not protected by any statutory or local landscape designation nor does it lie within a conservation area. It is also outside of the general countryside area designation (owing to the site being located within the Broad Location for Growth (BLG) designation). This does not mean the site is not important or the effects on the landscaping character should be discounted. The forthcoming Area Action Plan (AAP) is intended to address landscape effects (along with other considerations) when allocating future uses within the wider BLG. In the absence of the AAP, consideration should still be given to the visual and landscape effects of the proposal in accordance with DM46. A Landscape and Visual Impact Assessment has been submitted in support of the application.
- 5.6.2 Lancashire County Council's Lancashire Character Assessment indicates that the application lies within the Carnforth-Galgate-Cockerham Landscape Character Area (LCA) which forms part of the wider Low Coastal Drumlins Landscape Character Type (LCT). The low round hills within the wider character area collectively give the countryside a distinctive grain. The application site is an integral part of this landscape. Positive landscape features include the localised depression, the general undulating topography and individual trees and groups of trees that form small woodland copses and strong green boundaries to the east and western boundaries of the site. These positive features contribute to the attractive rural character of the site. Overall, the landscape value of the site is considered to be of medium value, which is enjoyed and experienced most at a localised level.
- 5.6.3 Policy DM46 states that the council will support development outside protected landscapes where it is in scale and keeping with the landscape character and is appropriate to its surroundings in terms of siting, design, materials, external appearance and landscaping. This is echoed in policy DM29 and in part forms part of the requirements of the Key Growth Principles set by policy SG1.
- 5.6.4 The proposed development of up to 95 dwellings and the associated access and earthworks will result in an inevitable change to the visual appearance and local character of the site. The development will result in the flattening of the undulating topography with the localised depression (regarded one of the positive landscape features) destroyed, giving rise to major to moderate effects on the landscape character of the site itself.
- 5.6.5 The proposed earthworks are preliminary and will be refined as part of the detailed design of the scheme (via planning condition) should the proposal be supported. The submitted details present one option that arguably could be treated as the worst-case scenario. This is based on the proposal safeguarding a link road taken from the proposed access to the West Coast Mainline (WCML) and the formation of two large, level development platforms. The access and the potential link road present the most notable changes in levels from existing, especially to the north western boundary of the site. The two development platforms are proposed north and south of the access. The northern development platform proposes a finished level of 40.65m OAD and the platform to the south indicates a proposed finished level of 35.25m OAD (minimum finished level for flood risk purposes). The north western corner would see significant fill should the link road and bridging of the WCML materialise. For much of the developable area of the site the extent of cut and fill varies between 1 and 2m, with smaller areas (at the northern end of the southern development platform) where the extent of cutting is much greater (up to 4m). In the southern part of the developable area, small areas of fill (around 2 to 4m) are proposed. The extent of cut and fill is not untypical for developments of this scale or even smaller scale proposals (such as the land at Aikengill opposite the proposed site). The concern here is about local context. The site is naturally undulating, which is a characteristic of the site that makes it attractive and locally valued. The development would obliterate this character completely. This localised level of harm weighs against the proposal. It may be possible to mitigate these impacts to a certain degree by creating more than one level platform in the southern part of the site and incorporating planting within the developable areas. These are matters that could be addressed via the reserved matters. Such would not remove the harm overall but could help minimise the local landscape effects.
- 5.6.6 Turning to the access and the proposed link road. The access will form a large opening along the north eastern boundary of the site. Trees and hedgerows will be removed to accommodate the

access with replacement planting provided within the site as mitigation. Protected trees are not affected by the access proposals. The access has been designed to accommodate future growth resulting in a bigger access than what would be potentially expected for a scheme of this scale. (That said, given the site's position along the A6 and its interaction with other junctions nearby, it is highly probable that an access serving just the proposed development would still consist of a three-armed signalised junction but scaled back). The indicative details of the link road equally show a larger road than what would be expected for an internal access road serving the proposed development. The indicative levels to accommodate this link road are substantially higher (in part) than the existing levels to bridge the WCML. The landscape effects are greater if the link road is required. There is no certainty at this stage that the link road is required and furthermore the link road does not form part of the application. Consequently, the details submitted are worst-case scenario. In the event the link road is not required, the extent of earthworks in the northern half of the site would be substantially reduced as would the geometry of the internal access road. The finished site levels and the internal layout of the development would be decided at the reserved matter stage, but it would be reasonable to say the localised landscape effects at this stage would be reduced.

- 5.6.7 Taking account of the effects of the proposal on the wider LCA, the most notable landscape feature is the drumlin to the west of the WCML. Even with the re-grading of the site, the proposed development will still sit substantially below the crest of this drumlin. The intervisibility between the site and the rest of the LCA is limited partly due to the site's contained position surrounded by other development and the screening of localised landforms and vegetation. Overall, the effects of the proposal on the wider LCA are judged to be negligible.
- 5.6.8 The proposed site is nonetheless well contained, situated between two significant transport corridors and surrounded by extant or existing built development. It therefore shares a strong relationship with the existing built environment and arguably its development would not have a seriously adverse effect on the sub-urban character of the local townscape.
- 5.6.9 The visual effects of the development will vary dependant on the type and sensitivity of different receptors. Several viewpoints have been assessed and considered as part of the Landscape and Visual Impact Assessment. The greatest level of effect (major/moderate) will be experienced by recreational and residential receptors close to the site. Whilst there will be some moderate visual impacts experienced by transport users along Scotforth Road and the WCML, the effects will be short-lived and intermittent and are, therefore, judged not significant.
- 5.6.10 The applicant accepts the proposal will bring about some major/moderate landscape and visual effects. To mitigate against these effects, strong landscape buffers to the eastern and western boundaries of the site are proposed. This additional woodland planting will bolster the existing protected trees proposed for retention. Additional replacement hedgerow planting (to mitigate against the loss of the existing central hedgerow) is envisaged along the northern boundary (currently consists of post and wire fence) with the southern portion of the site enhanced with additional wetland habitats and the retention of the locally distinctive woodland copse. This part of the site will also incorporate areas of public open space and will contribute to the existing green corridor along Burrow Beck. The precise details of the landscaping and the layout of the development are matters for consideration at the reserved matter stage. However, the submitted Parameters Plan marks out these broad areas of landscaping and open space and can be conditioned to the outline permission in the event the proposal is supported.
- 5.6.11 The development is judged not to have a significant adverse impact on the wider coastal drumlin landscape character area owing to the site's contained position on the edge of the existing built-up area and the presence of intervening landforms and other developments, in particular the Filter House to the south. The proposal, with mitigation, will enable the site to respond sympathetically to the pattern of the surrounding development resulting in no adverse effects to the character and visual appearance of the immediate townscape. The development will, however, give rise to inevitable adverse impacts to the landscape character of the site itself. The visual effects of the development are capable of being mitigated by following the landscape-led approach advocated as part of the application. This includes substantial green infrastructure to the western and eastern edges of the site as well as to the south to complement the space around Burrow Beck. Overall, whilst there are inevitable landscape and visual effects from the development, these are largely contained to the site itself. Except for the localised depression and the flattening of the undulating

topography, other important landscape features (boundary trees and woodland copse to the south) shall be retained, bolstered and enhanced through extensive landscape and ecology mitigation together with the provision of open space. The level of harm overall is not significant and would not result in a breach of local and national landscape policy, and moreover it lies within an area where change is to be expected given the nature of the BGV designation.

5.7 **Consideration 6 – Amenity and Health** (NPPF: Chapter 8 paragraph 91 (Promoting Healthy and Safe Communities), Chapter 12 paragraphs 124, 127 and 130 (Achieving Well-Designed Places), and paragraphs 178 – 183 (Ground Conditions and Pollution). Strategic Policies and Land Allocations (SPLA) DPD policy SG1 Lancaster South Broad Area of Growth and EN7 (Air Quality Management Areas); Development Management (DM) DPD policies DM2 (Housing standards), DM29 (Key Design Principles), DM30 (Sustainable Design), DM31 (Air Quality Management and Pollution), DM32 (Contaminated Land) and DM57 (Health and Well-Being); Low Emission and the Air Quality Planning Advisory Note (PAN) November 2018; Provision of Electric Vehicle Charging Points for New Development (PAN) September 2017 and Noise Policy Statement for England (NPSE) March 2010.

5.7.1 Residential Amenity

Planning policy requires development to provide an acceptable standard of amenity to all. At the outline stage the main issues relate to the effects of noise, air quality and design. These are discussed below. DM29 of the DM DPD and to a lesser extent the design and well-being chapters of the NPPF, requires new residential development to have no significant detrimental impacts to the amenity of existing and future residents by way of overlooking, visual amenity, privacy, outlook and pollution. Existing residential development surrounding the site is a good distance from the site with intervening landscaping and separated by Scotforth Road. The development (once operational) will not affect the residential amenity of existing dwellings. There may be some disturbance caused during the construction phases of the development but this can be mitigated, where appropriate, through measures forming part of the Construction Management Plan.

The amenity of future occupants is largely a matter for the reserved matters application. All new dwellings will be expected to meet the amenity standards set out in policy DM29 insofar as it relates to garden sizes, interface distances, outlook and parking provision (also covered by policy DM62). The provision of private gardens and shared amenity space (where flats are proposed) is vitally important to the health and well-being of future residents and the community in general. Future developers of the site should consider the garden standards a minimum requirement not a maximum.

5.7.2 The illustrative masterplan indicates how the site can accommodate the amount of development being applied for. This is based on density assumptions across the site. In the event the link road is required, it is anticipated higher density, possible flatted development, will be required to achieve the numbers and to meet the required amenity and open space standards. This is not an unreasonable proposition and is a matter to be considered at the reserved matters stage. If the link road is not required at the point of reserved matters approval, then there is likely to be much greater scope to provide slightly lower density development on the site.

5.7.3 As set out at the beginning of the report, all new dwellings will have to conform to the Nationally Described Space Standards which will ensure homes are suitable to provide everyone will an acceptable quality of life. Overall, the development is capable of provide an acceptable standard of amenity to all residents and as such there is no conflict with the development plan in this regard.

5.7.4 Noise

Paragraph 180 of the NPPF requires planning policies and decisions to aim to avoid noise from giving rise to significant adverse impacts on health and quality of life, along with policy DM29 of the DMD, which seeks to ensure existing and proposed residents benefit from a satisfactory standard of amenity. In this case, the proposed site sits alongside Scotforth Road (Key Transport Corridor) and the WCML. Noise and vibration generated from these environmental noise sources is likely to affect future residents. As such, where possible, mitigation to reduce the potential adverse impacts should be provided to avoid giving rise to significant adverse impacts on health and well-being. An Acoustic and Vibration Outline Planning Report accompanies the application. This report establishes the existing noise levels across the site to inform mitigation requirements. The Council's

Environmental Health Officer is satisfied with the conclusions drawn in the submitted assessment. This sets out the minimum overall façade sound insulation performance requirements to ensure no observed adverse effect levels (NOAEL) can be achieved within the dwellings. Improved acoustic glazing with suitable ventilation strategies form a critical part of the mitigation strategy. As for most outline planning applications, good acoustic design (layout, orientation of dwellings, landscaping, façade design) can contribute significantly to the overall mitigation proposals in addition to acoustic and ventilation strategies. Such details will also need to take into consideration the final design of the access road (and its likely usage, which will be determined by whether a bridge is required over the WCML in this location) and ensure any mitigation does not rebound noise from the WCML back across the railway thereby prejudicing the development potential of land within other part of the BLG). The final details can be controlled by planning condition, which will set out the required noise levels that must be met within the dwellings.

5.7.5 The assessment does not explicitly detail mitigation for external amenity areas. The assessment appears to show that during the day-time sound levels will be around/ or greater than 60dB $L_{Aeq,16}$ across the majority of the site. Design criteria specified within BS8233:2014 makes it desirable that the external noise level does not exceed 50dB $L_{Aeq,t}$, with an upper guideline value of 55dB $L_{Aeq,t}$ and this will be to achieve Low Observed Adverse Effect Level (LOAEL). Again, good acoustic design can contribute to sound attenuation across the development. For example, the layout of the development could be designed in such a way to avoid private gardens backing directly onto the noise sources. Experience from other schemes would intermate that the mitigation package is likely to include the need for acoustic barriers throughout the site in combination with good acoustic design. Given the need to secure high-quality design in this location, there is an expectation that acoustic mitigation is designed sensitively and adopts the same landscape-led approach being advocated in respect of the overall design of the proposed development. With mitigation, the effects of noise from the adjoining transport corridors, would not constrain the redevelopment of the site for residential purposes. In this regard the proposal accords with the Development Plan and the NPPF.

5.7.6 Given the relationship the site shares with the WCML, regard has also been given to the effects of vibration on the amenity and health of future residents. The assessment indicates that there is low probability of adverse impact. The Vibration Dose Value reported for measurement location 2, fell marginally into 'probability of adverse comment' but considering the results of measurement positions either side and the very marginal exceedance, the impacts are not considered significant. Re-radiated noise, due to ground borne vibrations are likely to exceed target levels for dwellings located 15 metres from the west perimeter of the site. However, with mitigation, target levels can be met. These measures (as described within the report) would include (a) increasing the distance between the receiver and the rail track (b) introduction of barriers or (c) vibration isolation. A condition would be required to establish the precise mitigation once the development details have been refined. There are no objections from the Council's Environmental Health Officer in relation to the impacts of vibration.

5.7.7 Air Quality Matters

The site is not located within any Air Quality Management Area (AQMA) but given the level of traffic anticipated from the development and the proximity to both the city centre and Galgate village AQMAs, an Air Quality Assessment (AQA) and subsequent addendums have been undertaken. The AQA addresses air quality impacts during construction and the operational stages of development, recognising that the traffic generated from the development could have impacts on the existing AQMAs and therefore exposure to receptors within it.

5.7.8 The Councils' Air Quality Officer has concerns about the assessment undertaken and the lack of commitment to mitigate the impacts of the development. Contrary to the applicant's position, the Air Quality Officer contends that whilst the effects of the proposal are predominately negligible the assessment indicates a small increase at the Cable Street location which is reporting exceedances above the Objective Standards at the anticipated opening year (2024). Whilst the increase is small, as there is an exceedance above the Objective Standard, it is not considered negligible. Policy DM31 states that proposals must not significantly worsen (means an increase of 0.1ug/m³) any emissions or air pollution in areas where pollution levels are close to objective/limit

values. Additional modelling has been undertaken to satisfy the concerns raised. The modelling continues to indicate that with or without mitigation the impacts of the development on the AQMA would remain negligible and therefore not significant. The applicant contends that given the negligible impacts there would be no requirement to provide mitigation. However, whilst not following the methodology set out in the Planning Advisory Note (PAN) explicitly, mitigation has been sought and improved during the assessment and determination of the application. The mitigation includes the following:

- Provision of electric vehicle (EV) charging facilities in compliance with the Council's Planning Advisory Note (a charging rate of between 3.7kW 16A to 7.4kW 32A plus passive wiring for any flatted development)
- Travel Plan to encourage the uptake of sustainable transport modes
- Cycle storage provision to each dwelling
- Provision of on-site and off-site highway works to encourage pedestrian/cycle movements
- Provision of new bus stops as part of the access proposals
- Financial Contribution to the Pointer Roundabout Improvement Scheme
- Travel Plan Contribution (for the County Council to support the implementation of a full Travel Plan and its monitoring).

5.7.9 Concerns remain from the Council's Air Quality Officer about general compliance with the guidance provided in the Council's Air Quality PAN (no cost damage assessment undertaken and lack of commitment to provide appropriate EV and cycle charging facilities). However, failure to strictly follow the guidance of the PAN is not a substantive reason to resist the development. Concerns in relation to the standard of EV charging points and the type of cycle storage provision within the scheme are matters that can be secured and controlled by planning condition. The absence of a damage costs assessment equally does not make the proposal unacceptable. Quantifying the effects of air quality mitigation, especially when mitigation is largely about encouraging modal shift, is challenging. However, the applicant has presented a robust assessment informed by the Transport Assessment and the Travel Plan measures that would reduce traffic over time, which in turn reduces anticipated emission levels from the development. Whilst there remains an objection from the Council's Environmental Health Officer, officers consider there to be sufficient mitigation proposed to demonstrate the effects on air quality would not be significant. Overall, it is considered that the proposal would not conflict with the Development Plan or the NPPF in respect of air quality.

5.7.10 Contaminated Land

Matters relating to site contamination have been assessed by the Council's Contaminated Land Officer recommending the imposition of standard site investigation conditions. Given historic quarrying and more recent agricultural uses on the site, the requirement for a site investigation to establish the need for remediation to safeguarded future residents from any potential risks is a reasonable and proportionate approach to take.

5.8 **Consideration 7 – Design and Open Space** (NPPF: Chapter 8 paragraphs 91, 96 – 98 (Open Space and Recreation), Chapter 12 paragraphs 124, 127 and 130 (Achieving Well-Designed Places), Chapter 11 paragraphs 117, 118, 120, 122-123), Chapter 12 paragraphs 124, 127 and 130 (Achieving Well-Designed Places); Strategic Policies and Land Allocations (SPLA) DPD policy SG1 Lancaster South Broad Area of Growth; Development Management (DM) DPD policies DM29 (Key Design Principles) and DM27 (Open Space, Sports and Recreational Facilities), DM43 (Green Infrastructure), DM45 (Protection of Trees, Hedgerows and Woodland) and DM57 (Health and Well-Being); Open Space Provision within New Residential Development Planning Advisory Note (PAN) (2015); Energy Efficiency PAN; National Design Guide.

5.8.1 Design and Masterplanning

The consideration of design is two-fold. Firstly, detailed design matters such as the layout, appearance, scale and landscaping of the development are matters reserved for subsequent approval. Given the site's gateway position into the city and its position within the BLG, the design expectations are high. The landscape-led approach advocated at this stage must come forward at the reserved matters stage. It should be noted that there are several competing requirements and constraints that have been identified in the assessment of the proposal which will need to be carefully considered when developing the final proposal (including the number of units). For example, the protection of retained trees, provision of open space, ecology mitigation, drainage attenuation, noise

mitigation are all matters that will interplay with one another. These competing requirements must not conflict with one another – rather they should complement one another. This can only be achieved through well-planned high-quality design. To a certain extent, the illustrative masterplan, recognises this and has set aside land to the western boundary for substantial landscaping with greater densities expected in the northern part of the site to deliver up to 95 dwellings. The suggested densities are reasonable for this location subject to good design. With regard to the illustrative layout, it suitably reflects the natural grain of the surrounding built development. However, development backing Scotforth Road (despite being at a lower elevation) is not something that would be deemed favourable for this gateway location at the reserved matters stage.

- 5.8.2 The second aspect of design is that of place-making. Both national and local planning policy and guidance place increasingly greater focus on design. This is certainly advocated in policy SG1 for the BLG. The National Design Guide provides detailed guidance and structure to help deliver good design. This focuses on ten design characteristics across three themes (physical character, community and climate). The forthcoming AAP will, through proper masterplanning, explore design across the whole of the strategic site to deliver the Garden Village in a well-planned and comprehensive way. The Key Growth Principles in SG1 include the need to secure high-quality urban design which promotes sustainable, attractive places to live and creates a sense of community. It should provide high quality open space with a distinct sense of place and should deliver green corridors and contribute to walking and cycling routes.
- 5.8.3 The submission comes forward in advance of the AAP whereby the design aspirations and vision work for the future Garden Village have not yet been set. In this regard, the question is whether or not the proposal would prejudice the wider design aspirations and masterplanning for the future Garden Village.
- 5.8.4 Unlike many of the other sites in the BLG designation, this site is enclosed by extant and existing development and existing transport corridors. Whilst there is a landscape connection with land to the west of the WCML, in townscape terms only the development site sits more comfortably with the existing built environment than it does to the wider BLG. Notwithstanding other considerations, such as flood risk and landscape effects, the site arguably forms a logical infilling of an already built-up part of the city. Furthermore, it maintains substantial green infrastructure to the southern portion of the site to compliment the green corridor along Burrow Beck. One of the Key Growth Principles set out in policy SG1 requires the delivery of open spaces and green infrastructure that would make for distinct areas of separation between new development within the BLG and existing settlement boundaries of Lancaster, Bailrigg and Galgate. The development would not provide separate between it and the existing built-up area of the site. However, the thrust of the policy is in the context of delivering the Garden Village. Officers do not consider this proposal part of the Garden Village – rather a small-scale extension to the built-up area. Arguably the development would push any potential area of separation within the BLG south of the Filter House site, which is already been substantially development. Given existing development in this location, the prospects of the site forming part of the area of separation is likely to be limited in any case. Overall, given the scale of the development and its contained location, the development of the site is would not compromise or prejudice opportunities to secure wider design ambitions of the BLG (such as the areas of separation), subject to delivering high quality design and landscaping to reflect the sites gateway position.
- 5.8.5 The starting point to achieve good design is context. The National Design Guide clearly states that well-design places are those that are based on a sound understanding of features of the site and its surroundings and are well integrated and positively influenced by such features. This is reflected in DM29 which also requires development to positively contribute to the identity and character of the area. The proposal fails to positively respond and integrate itself with the characterises of the existing site. Namely, it seeks to build on land susceptible to flood risk. Rather than avoiding these areas, the response is to raise levels and take it out of the flood risk area. By doing so the natural topography of the site will be completely altered. This is not a positive starting position in delivering good design and on this basis alone, there is a significant degree of conflict with design policy. However, this issue is one of harm. As set out in the landscape considerations on this assessment,

the degree of harm caused by altering the site levels (in relation to the development platforms and not the link road) is considered to not be significant, subject to securing the landscape mitigation. Subsequently, the failure to work better with the natural topography of the site is considered not to be determinative reason to resist the proposal on design grounds.

5.8.6 Taking aside the issue above, the approach to the design of the development itself is positive. The landscape-led approach with significant green corridors is consistent with the aspirations set out in policy SG1 and the existing townscape character surrounding the development. As set out in the transport section of the report above, additional requirements (above those initially proposed) to secure improved pedestrian/cycle connections within and between the site and its immediate surroundings ensures the scheme positively integrates with its surroundings bring about positive social and environmental benefits. Subject to the detailed layout, appearance, scale and landscaping of the development (matters reserved for subsequent consideration), the development would not conflict with local and national design policy.

5.8.7 In terms of sustainable design, policy DM30 requires the Council to encourage development to deliver high standards of sustainable design and construction. The applicant is committed to a planning condition requiring 10% betterment on Part L Building Regulations with 5% provision of residential energy from Low and Zero Carbon technologies. This is considered suitable and accords with the requirements of the policy.

5.8.8 Overall, there are clearly competing design considerations at play here. However, given the landscape conclusions in respect of the site levels, the development overall is capable of delivering good design in compliance with the development plan and the NPPF.

5.8.9 Open Space

Policy DM27 and both chapters 8 and 12 of the NPPF place a strong emphasis on the benefits of open space for the health and well-being of communities and delivering good design. The current pandemic is a testimony to this. In accordance with local planning policy, the proposed development will make substantial contributions to open space provision. This will involve the provision of on-site amenity greenspace and an equipped play area. The precise details (location, amount, design and appearance) are matters that would be determined at the reserved matters stage in accordance with the methodology and guidance provided within the Council's Open Space Planning Advisory Note. The illustrative masterplan indicates most of the open space will be provided in the southern part of the site located within flood zone 3. The flood risk vulnerability classification table set out in the NPPG identifies open space and recreational facilities as water-compatible developments. The southern part of the site is also identified to provide critical protected species mitigation (in the form of additional ponds). At the reserved matters stage the applicant will need to adequately demonstrate functional and accessible on site open space can be provided alongside the ecology mitigation.

5.8.10 Planning policy also requires development to mitigate the impacts of settlement expansion on local open space infrastructure where there are identified deficiencies. Locally there are identified deficiencies in the provision of young persons' play space and outdoor sports facilities. Based on the thresholds set out in the Council's Open Space Planning Advisory Note (PAN) financial contributions would need to be sought towards these types of public open space. The applicant accepts a financial contribution towards outdoor sports facilities for improvements to the existing sports facilities (football ground) at Royal Albert Recreation Grounds. For the young person's provision, the applicant has accepted the need to make a contribution but would seek the flexibility to provide this on-site or offer an off-site contribution. The provision on-site could form part of a more comprehensive, natural play offer. This would be determined at the reserved matter stage when there is greater understanding of the layout and design of the development. Should the layout and design not allow for on-site provision this would not conflict with policy, provided an off-site contribution was provided in its place. The provision of open space and play provision, which will be accessible to a large majority of the community, offers valuable social and environmental benefits that weigh in favour of the proposal.

5.9 Other Considerations

5.9.1 Economic Benefits

In line with policy DM28 of the DM DPD, the provision and implementation of an Employment Skills Plan to provide opportunities for, and to enable access, to employment and up-skilling of local people through the construction phases of the development would be required. This will provide economic and social benefits to the wider community. This can be secured by planning condition.

5.9.2 The applicant rightly points that the proposal will provide wider economic benefits during the construction phases of the development. The applicant estimates that the proposal would support 60 temporary direct construction jobs and 85 indirect jobs through the supply chain and related services over a 2.5 year build period; the proposal would deliver around £6.5m of Gross Value Added (economic output) per annum during the construction period; additional expenditure in the local area once the development is occupied (estimated to provide £1.5m of additional ongoing net additional expenditure per annum created by new residents) and would provide local authority revenue through increased Council Tax and New Homes bonus payments. The National Planning Practice Guidance states that 'local financial considerations' are only material if it could help make the development acceptable in planning terms. Moreover, it goes on to state that it would not be appropriate to make a decision based on the potential for the development to raise money for a local authority. On this basis, these benefits are afforded nil weight overall.

5.9.3 Education Infrastructure

Paragraph 94 of the Framework and policy DM58 of the DM DPD requires local planning authorities and developments to take a positive and collaborative approach to ensuring future residents of new development have access to school places. In this case the County's School Planning Team, have confirmed that there would be a shortfall in secondary school places and that a contribution of the full pupil yield for this development would be required. The Education Assessment from the Schools Planning Team request a contribution of £338,592.24 (based on all dwellings being 4-bedroom units-worst-case scenario) towards Lancaster Central High School. The final figure would need to be recalculated at the reserved matters stage once the final number of dwellings and bedroom numbers are known. This will be included within the planning obligation should the proposal be supported.

5.9.4 Cultural Heritage

Geophysical surveys and archaeological investigations have also been undertaken with four features of local historic interest identified. These include two-post-medieval gravel pits, the earthwork remains of a former field boundary bank and an important hedgerow. The evidence also indicates a lack of significant archaeological remains requiring no need for further assessment, recording or mitigation. No conditions are recommended in this regard. In terms of wider cultural heritage matters, owing to the location of the site the development would not affect, directly or indirectly, designated heritage assets or their settings. This is due to the location and position of the site, which is a substantial distance from the closest designated heritages assets (Burrow Heights Farm and Bailrigg House). There is also significant intervening development and transport corridors between the site and designated heritage assets meaning the site does not contribute to the setting of these assets. No harm is identified in respect of cultural heritage.

6.0 Conclusion and Planning Balance

6.1 In accordance with policy SG1, development should only be supported in exceptional circumstances and where the following tests have been met:

- 1) There would be no prejudice to the delivery of the wider BLG designation and the proposed Garden Village (including its infrastructure requirements) and would not undermine the integrated and co-operated approach to the wider designation; and
- 2) There the development would conform with and further the Key Growth Principles described in Policy SPG1; and
- 3) That opportunities for sustainable transport modes have been fully considered and that the residual impacts upon the transport network will not be severe.

6.2 It is accepted that making a significant contribution to a 5-year supply deficit could comprise exceptional circumstances in principle, subject to the overall scheme being acceptable. As noted above the contribution to the supply of market and affordable housing in the context of their being a significant deficit is a matter which carries significant and substantial weight in the overall balance respectively. But for the failure of the flood risk sequential test the presumption of paragraph 11 of

NPPF would be engaged. As it is that presumption is disengaged and the balance is the untitled balance in the context of s.38(6).

- 6.3 The proposed development offers a future opportunity to construct a link road over the WCML to support options for future sustainable growth in the BLG in the event the AAP later identifies such a connection is required. The proposal does not explicitly seek permission for the link road (or the bridge) which equally means that the development would not pre-empt or undermine the wider development and infrastructure objectives to deliver the Garden Village. In the event the link road and bridge was required, the proposal includes the provision of an access (and all its associated off-site highway works and sustainable transport improvements) designed to accommodate far greater growth than the development applied for. This would be a proportionate and reasonable contribution to wider infrastructure requirements if the link road and bridge were to materialise. Should the link road not be required in the suggested location, this simply opens up the opportunity to provide a more spacious layout or to adjust the housing mix and densities and equally scale back the access and access road requirements. This would be to the betterment of the development proposal itself. It would, however, mean the development on this site has not contributed to the wider infrastructure requirements for the BLG. However, due to its relative small scale nature (in the context of the much larger strategic requirements across the BLG designation), its contained location surrounded by other existing or extant development within the existing built-up area and the ability to deliver a well-planned high quality design scheme overall, the development would not significantly undermine the aims and objectives to deliver the Garden Village. On this basis, test one is not failed.
- 6.4 Test 2 requires the development to accord with and further the Key Growth Principles. Some of the Key Growth Principles cannot be satisfied ahead of the production of the AAP even in draft, particularly at this stage when the preparation of the AAP is in its infancy. For example, seeking modal shift through new infrastructure such the Bus Rapid Transit System (a matter which is also subject to the Highway Infrastructure Fund). Given the inclusion in policy SG1 to permit some development ahead of the AAP, a reasonable and proportionate approach should be taken to how development conforms to the Key Growth Principles.
- 6.5 The main considerations have been addressed in section 5.0 of this report. The application site is sustainably located on the edge of the existing urban area of the city. The site is contained by other development and therefore offers a logical extension to the built environment. There is good access to sustainable travel options with the development enhancing facilities to further promote travel by bus, cycling and walking. The proposed access is considered safe for all users and capable of accommodating future growth to the west of the WCML should a future link road over the railway be required by the AAP in the future. The effects of traffic generated from the development will not result in severe impacts on the safe operation and efficiency of the local network or the Strategic Road Network, provided mitigation is secured to ease capacity through key junctions along the A6 corridor. The effects of traffic on air quality, with mitigation, will ensure air quality impacts are minimised so as not to cause significant impacts. The effects of noise and vibration from the WCML, and to a lesser extent Scotforth Road, can be mitigated demonstrating such would not pose a constraint to the proposed residential development. Existing trees and hedges to the site boundaries (save for the location of the access), together with the wood copse in the southern position of the site, shall be retained and bolstered as part of the landscape and ecology mitigation proposal. Furthermore, with a comprehensive package of mitigation, the development would not adversely affect the biodiversity value of the site, protected species or the integrity of the nature conservation designations. The application has satisfactorily demonstrated that all technical constraints can be overcome and that the development of the site for residential purposes is feasible. This also demonstrates how the development would conform to a number of the Key Growth Principles set by policy SG1.
- 6.6 The application site (unlike many sites within the BLG) is enclosed by existing development and infrastructure (to the north, east and south) with the WCML to the western side. It is in a highly sustainable location on the edge of the existing built-up area making it highly attractive for housing. Furthermore, the proposed development will make a positive contribution to the district's housing supply at a time when the Council is unable to demonstrate a five-year supply of deliverable housing sites. The proposal will also provide a mix of housing types and sizes to reflect the up to date housing needs survey (a matter to be controlled by condition) and of the total number of dwellings proposed 30% shall be for affordable occupation. All dwellings shall be designed to meet the

Nationally Described Space Standards with 20% designed to be M4(2) complaint (accessible and adaptable homes). The provision of both market and affordable homes offers significant social benefits. This is a matter that carries substantial weight.

- 6.7 The development will make positive contributions to local open space infrastructure both on and off site with a contribution towards local secondary school places to mitigate against the impacts of residential growth in the local area. These benefits weigh in favour of the proposal and should be given some weight.
- 6.8 Economic and social benefits during the construction phase of the development are vitally important, particularly the benefits that can be realised through the Employment and Skills Plan. Given the short-lived nature of these benefits, only limited weight is afforded to this. The economic benefits following construction are recognised but weighed against other benefits, and as such is only afforded limited weight.
- 6.9 The development would give rise to localised adverse landscape and visual impacts. This is largely caused by the formation of large level development platforms (removing parts of the site out of flood zone 2) and the access incorporating provision for a potential link road to bridge the WCML. The development as presented is the worst-case scenario as the landscape and visual effects of the proposal could diminish if the link road for the BLG does later not materialise. These adverse effects are capable of being mitigated through extensive landscaping and good design and as such this would give rise to neutral benefits.
- 6.10 Weighing heavily against the proposal is the failure to satisfy the flood risk sequential test. Planning policy clearly indicates that where proposals fail to satisfy the sequential test they should not be permitted. It is important to note that despite the lack of a five-year land supply, the failure to pass the sequential test would provide clear reasons for refusing the development and would subsequently disengage the presumption in favour of sustainable development (set out in paragraph 11 of the NPPF). The failure to satisfy the flood risk sequential test and its subsequent conflict with planning policy is not necessarily determinative of the application. As in many cases, there can be competing considerations which must be balanced against one another when considering policies within the Development Plan and NPPF taken as a whole. Furthermore, planning law allows the decision-maker to weigh the breach of planning policy against other material considerations.
- 6.11 With respect to flood risk, the proposed development would be contrary to the development plan insofar as the application fails to robustly satisfy the sequential test. However, the development site is not at risk of flooding and would not cause flood risk elsewhere by virtue of the proposed mitigation relating to the changes to site levels and a suitable surface water drainage scheme. In view of this and given the development would represent a sustainable extension to the existing urban area; would make a meaningful contribution to the housing supply, especially affordable housing; would not undermine the strategic ambitions of the BLG and on the whole conforms to the requirements of policy SG1, it is contended that these benefits would outweigh the breach of the flood risk sequential test. There is no doubt that the decision here is one which is considered to be very finely balanced. Officers, however, consider the balance to fall in favour of the proposal and recommend that planning permission can be supported.

Recommendation

That Planning Permission Consent BE GRANTED subject to securing a Planning Obligation securing the following:

- 30% affordable housing provision
- Transport Contribution totalling £106,000 (breakdown at paragraph 5.3.24).
- Education Contribution (secondary school places with the final calculation to be determined at the reserved matters stage as it is calculated based on bedroom numbers)
- On-site public open space including amenity greenspace and equipped play area details to be determined at the reserved matters stage.
- Off-site public open space contribution towards Young Persons Provision (unless provided on site instead) and Outdoor Sports Facilities (improvements to the sports pitch/associated facilities at Royal

Albert Sports ground) with the final figure to be calculated at the reserved matters stage (as it is calculated based on bedroom numbers)

- Provision of Management Company to manage and maintain open space, landscaping, other land and infrastructure that would not be adopted by public bodies.

and the following conditions:

Condition no.	Description	Type
1	Standard Time Limit	Control
2	Approved Plans List (including Parameters Plan)	Control
3	Submission of Advance Infrastructure and Enabling Works	Pre-commencement
4	Employment Skills Plan	Pre-commencement
5	Ecology Mitigation and Enhancement Scheme and Biodiversity and Lancaster Management Plan (including Home Owner Packs)	Pre-commencement
6	Invasive Species Survey	Pre-commencement
7	Construction Management Plan including measures to safeguard the WCML during construction	Pre-commencement
8	Site Investigation	Pre-commencement
9	Development to be carried out in accordance with the AIA and submission of Tree Protection Scheme and Method Statements	Pre-commencement
10	Phasing Plan	Save for Advance Infrastructure and Enabling Works pre-commencement
11	Scheme for Housing mix	Save for Advance Infrastructure and Enabling Works pre-commencement
12	Scheme for the safeguarding of land to facilitate at Link Road to the west of the WCML up to the western edge of the site boundary	Save for Advance Infrastructure and Enabling Works pre-commencement
13	Site levels and finished floor levels, including details of retaining features	Save for Advance Infrastructure and Enabling Works pre-commencement
14	Access details	Save for Advance Infrastructure and Enabling Works pre-commencement
15	Off-site Highways works	Save for Advance Infrastructure and Enabling Works pre-commencement
16	Surface water drainage scheme to be agreed	Save for Advance Infrastructure and Enabling Works pre-commencement
17	Foul drainage scheme	Save for Advance Infrastructure and Enabling Works pre-commencement
18	Scheme for noise and vibration mitigation	Save for Advance Infrastructure and Enabling Works pre-commencement
19	Cycle provision and EV charging facilities to be provided for each residential unit – details to be agreed	Pre-slab level of dwellings
20	Sustainable Design requirement of 10% betterment of Part L Building Regulations	Pre-slab level of dwellings
21	Full Travel Plan	Pre-occupation of dwellings
22	Surface water management and maintenance plan	Pre-occupation of dwellings
23	Protection of Visibility Splays	Control
24	Implementation of FRA	Control
25	All dwellings to be designed to meet the NDSS and 20% of the dwellings to be M4(2) compliant	Control

26	A 3.5m shared pedestrian/cycle link shall be provided between the access and a new pedestrian/cycle link to the southern end of the site.	Control
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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