

Agenda Item	A7
Application Number	19/01568/FUL
Proposal	Erection of 53 dwellings, 1 3-storey building comprising 8 2-bed apartments and conversion of Derby Home to 8 apartments, regrading of land, creation of parking areas, internal roads including associated upgrading works to Pathfinders Drive, footpaths, drainage infrastructure and provision open space
Application site	Land at Royal Albert Farm, Pathfinders Drive, Lancaster, Lancashire
Applicant	Oakmere Homes
Agent	Mr Peter Whittingham
Case Officer	Mr Mark Potts
Departure	No
Summary of Recommendation	Approval

1.0 Procedural Note

The application was presented to the Planning Regulatory Committee in December 2020. However, the application was deferred for further consideration given there was disagreement on the affordable housing provision that could be provided. There is now agreement between parties, and therefore the scheme is being presented to Planning Regulatory Committee for determination.

1.0 **Application Site and Setting**

1.1 The application site relates to circa 3.4 hectares of grazing land located to the west side of Ashton Road along Pathfinders Drive, approximately 1.6km to the south west of Lancaster City Centre. There are a variety of land uses in close proximity to the site. To the east lies an NHS complex consisting of the Orchard and four former barns which have been converted to offices, with the residential development to the north of this in the form of apartments. To the south of the NHS facilities lies the De Vitre and Royal Albert Cottages which are adjacent to Ashton Road. To the south and west lays open countryside. The site rises to the west from along Ashton Road where land levels are in the region of 39 metres above ordnance datum (AOD) and rise to 55 metres AOD towards the western boundary. The site has a gradient in the region of 1:8.

1.2 The site consists of two large fields namely used for grazing land for horses and sheep which are irregularly shaped, together with a smaller field to the south-east corner. The site is bound by trees to the north and north west. The development site also incorporates Derby Home which is curtilage listed in connection with the former Royal Albert Hospital (Grade II*). Derby Home is the only built form within the application site. The site is elevated from Ashton Road with the lowest part of the site to the east. The existing access to the site is via Pathfinders Drive, which serves the NHS facilities in the form of 'the Orchards' and North and East Barns.

1.3 The site is largely unconstrained. It is allocated for housing in the Strategic Policies and Land Allocations Plan under Policy H6, with Key Urban Setting abutting the site's western boundary. The Morecambe Bay Site of Special Scientific interest (SSSI), Special Protected Area (SPA), Special

Area of Conservation (SAC) and Ramsar designation is located 1.25km to the west of the site. It is not located within any nationally designated landscape or Green Belt, nor does it fall within Flood Zones 2 or 3. The site is not protected by any international or local conservation status and no part of the site falls within a Conservation Area. There are individual, grouped and woodland trees which are covered by Tree Preservation Orders (TPO) on the site (TPO number 269). There are a number of Listed buildings in close proximity to the site namely Storey Hall – located 90 metres to the north east (Grade II), North, West, South and East Barn – located 90 metres to the east (Grade II), the gatehouse to the former Royal Albert Hospital site - located 150 metres to the east (Grade II) and finally the former Royal Albert Hospital which is Grade II* and this is located 275 metres to the east.

2.0 Proposal

2.1 The planning application is made in full for the erection of 53 new dwellings together with 16 apartments (3 affordable homes are provided in the form of 3-bedroom properties). The scheme consists of the following components:

- One three storey apartment block (2-bedroom apartments) x 8 (12%);
- Grade II* Derby Home conversion (1 & 2 bedroom apartments) x 8 (12%);
- 3-bedroom semi-detached house x 6 (9%)
- 3-bedroom detached bedroom house x 16 (23%);
- 4-bedroom detached house x 29 (42%);
- 5-bedroom detached house x 2 (2%).

2.2 The proposed three-storey apartment block utilises a mixture of render, reconstituted stone and natural slate. The proposed dwellings are a mixture of natural stone, reconstituted stone and render all under a slate roof. Boundary treatments consist of a mix of post and wire fencing, hedgerows, stone walling and close boarded fencing.

2.3 Derby Home is curtilage-listed in connection with the Jamea Al Kauthar Islamic College (formerly the Royal Albert Hospital) which is Grade II*. The conversion is for 8 apartments and associated car parking provision and refuse stores.

2.4 The proposal would be accessed off Pathfinders Drive. The access road is proposed to be increased to 5.5m, with a new footway being proposed along the northern section of the road where this would join in with the existing pathway that is already present leading to the Cherry Tree Drive mini-roundabout. An emergency access/footway/cycleway at 3.7m in width is located on the southern boundary of the site to connect to Ashton Road. An informal pathway has been proposed to connect to Ashton Road along the north side of the De-Vitre Cottages. The scheme provides for open space including a central amenity area of 1000m² (and circa 2000m² elsewhere across the site) and landscaping.

3.0 Site History

3.1 There is no relevant planning history associated with the “greenfield” element of the scheme, though the area to the east has been developed over time to serve as NHS offices and a Mental Health facility (‘The Orchards’) and therefore the following history is relevant to the proposal.

Application Number	Proposal	Decision
19/01569/LB	Listed building application for the removal of the side extension and external staircase, construction of a pitched roof to existing dormer, installation of a roof light and replacement rainwater goods, construction of a new entrance in existing window opening to the side, new window openings to all elevations, removal of doorway opening on the first floor and construction of a new doorway opening and ramp to form new front entrance and construction of internal partition walls, and provision of new slate roofing	Pending Consideration

17/01074/HYB	Hybrid application comprising an outline application for up to 71 dwellings with associated upgrading works to Pathfinders Drive, and a full application for the conversion of Derby Home into six apartments (C3) and creation of associated parking	Pending decision (awaiting agreed Section 106)
17/01076/LB	Listed Building application for the conversion of Derby Home into six apartments (C3)	Pending decision tied to 17/01074/HYB
15/00600/OUT	Outline application for the demolition of existing Derby Home and erection of up to 77 dwellings with associated new access	Withdrawn
15/00970/LB	Listed Building application for the demolition of the existing side extension at Derby Home.	Approved

4.0 Consultation Responses

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

Consultee	Response
Highways England	No objection
County Highways	<p>No objection in principle. Originally raised concerns with the application, namely the width of Pathfinders Drive, how the scheme would provide for waste and refuse collections, and concerns with the internal layout. There has been a series of amendments to the scheme over the course of the last 12 months, and now the Highway Authority is generally satisfied with the submitted layout following the applicant submitting a Road Safety Audit in December 2020.</p> <p>They recommend securing conditions to enable Pathfinders Drive to provide a 5.5m wide carriageway and new 1.8m wide (minimum) footway on the north side and upgrade of the northbound bus stop.</p> <p>The Highway Authority requests a financial contribution towards the 89 bus service that runs along Ashton Road linking Lancaster to Knott End, which is subsidised by the County Council. To secure an additional vehicle into the service to allow an increase from 90 minutes to 60 minutes during the day, a contribution of £100,000 per year would be required. To introduce a Sunday service would require a contribution of £20,000 per year.</p> <p>The County has again requested £77,000 towards the Pointer Roundabout improvement scheme.</p>
County Council (Transport Masterplan Group)	No observations received
Lead Local Flood Authority	No Objection subject to the development being carried out in accordance with the submitted Flood Risk and Drainage Strategy Report together with the drainage drawings.
Planning and Housing Policy Team	Raise concerns over the mix of housing proposed, and question whether Derby Home is suitable for conversion to affordable housing.
South Lancaster Flood Action Group	Objection on the basis that the management and maintenance arrangement of the SuDS is ill conceived, and could lead to increased flood risk both on and off the site causing problems along Ashton Road.
Cadent Gas	No objection and draws attention to the gas mains that are located within the vicinity of the site.
Lancashire County Education	No objection though request £161,432.25 for the 7 secondary school places.
Public Realm Officer	No objection though request that 1235m ² of amenity space on site is provided, the development is of a size that would require the inclusion of a play area and that a financial contribution of £169,000 should be provided. This could go towards the

	Royal Albert Playing Field at £80,000 , extending 'The Cedars' play area at £70,000 and £19,000 towards improvements at Greaves Park.
Natural England	No objection subject to appropriate mitigation being secured in the form of homeowner packs.
Historic England	No observations to make on the application
Conservation Team	No objection although accept that the proposal would lead to less than substantial harm to the setting and significance of the surrounding designated and non-designated heritage asset. The retention and conversion of Derby Home will be a public benefit which would help preserve some of the significance of the building and association with Royal Albert Hospital (Grade II*). In addition, it is proposed there will be areas of landscape buffers to help mitigate some of the visual harm. The level of harm could further be reduced by the sympathetic use of materials and recommend conditions on materials for Derby Home.
Canal and River Trust	No comments to make on the application
Tree Officer	No objection , although initially had concerns with the loss of trees around Derby Home and the schemes proximity to trees along the western boundary.
Lancaster Civic Society	Objection given minimal transport connections, poor refuse management and cramped internal designs. Overall, does not adhere with sustainable development principles and should be refused.
United Utilities	No objection . Recommend standard planning conditions relating to the detailed design of the drainage scheme and its ongoing management arrangements.
Lancashire County Archaeology	No objection . There is no requirement to undertake any intrusive surveys given previous appraisals of this site have concluded that it is not known to contain any important buried archaeological remains. They recommend a planning condition applied to Derby Home to ensure a formal record of the building is carried out prior to conversion.
Environmental Health (Contaminated Land Officer)	No objection . Recommends that an asbestos survey of Derby Home will be required and that standard contaminated land conditions be applied.
Environmental Health (Air Quality Officer and Noise)	No objection . No significant environmental health implications were noted, but recommend EV charging points and the control of dust during construction.
Greater Manchester Ecology Unit	No objection though draws the council's attention to Derby Home which has been shown to support a bat roost. They recommend the removal of any vegetation is undertaken outside of bird breeding season, and that the site could support badgers and therefore a pre-commencement check should be carried out. Recommend a landscaping scheme is sought using native species.
Dynamo	Objection . The site is not linked to the existing cycle network, there is detrimental impact on those cyclists who currently use Ashton Road and Ashford Road, the site has a low accessibility score and development on greenfield sites should not occur.
Waste Management Officer	Objection given there are a number of properties whereby the City Council collection team would be unable to access, and there is poor provision for waste management associated with the apartment block and Derby Home
Lancashire Police	No objection and advise that the development should be constructed in accordance with secured by design standards.
C-Step	No objection though an employment and skills plan will be required.
Lambert Smith Hampton (Viability consultant)	The scheme can provide three 3-bedroom semi-detached properties and still be deliverable in viability terms.
NHS Morecambe Bay Clinical Care Group	Request £18,949 towards an extension and remodelling of Rosebank Medical Practice and Meadowside Practice as the proposal will generate 165 new patient registrations

4.2 To date there has been 39 letters of objection received based on the reasons below:

- **Highways:** Insufficient capacity on the local highway network; congestion at the Boot and Shoe junction, and the Pointer Roundabout junction is already under pressure; no bus service; lack of accessibility to local shops; improvements should be made to the local road

network before development is applied for; and inadequacies within the Transport Assessment.

- **Landscape:** The development would have an adverse impact on the landscape and cultural heritage value of Lancaster; given it's a sloping site the impact will be more pronounced;
- **Education provision and health care provision:** Lack of school places especially primary school places; there is existing pressure on local NHS services and approval of this scheme would exacerbate this further.
- **Surface water drainage concerns:** Likely to lead to flooding and surface water drainage issues given the sloping nature of the site; there are concerns of exceedance flows in the event of a severe storm event.
- **Heritage concerns:** Given the change from open pastureland to modern housing estate on the fabric of the local area; however, there is support for the conversion of Derby Home to residential.
- **Sustainability arguments:** Difficult to cycle and walk and development will affect the amenity of the Royal Albert/De Vitre Cottages and the NHS mental health units; brownfield land should be used before greenfield; lack of facilities locally to support such an expansion.
- **Affordable housing and green agenda:** Lack of affordable housing and all executive homes being proposed; little in the way of climate change resilient properties have been proposed nor will assist in the council's ambition of becoming net zero.
- **Contaminated land:** Asbestos has been noted within Derby Home and a management plan will be required to deal with this.
- **Natural environment:** The site is used by wildlife and this would be lost if the site was developed.

Councillor Abi Mills **objects** to the development raising the following issues:

- Conflicting advice in the planning statement and transport statement regarding the frequency of bus services;
- Increase in car journeys and associated queuing on the Ashton Road and the main junctions;
- Lack of primary school places locally in terms of being over-subscribed;
- The site has a low accessibility; and
- Visual impact of the development both on local residents and the wider landscape.

Councillor Gina Dowding (to which Councillor Joanna Young supports) **objects** to the development for the following reasons

- Lack of local amenities such as schools, shops and doctor's surgeries;
- Lack of connection to sustainable transport links;
- Visual impact concerns and the risk of flooding.

Lancashire and South Cumbria NHS Foundation Trust **object** for the following reasons:

- Lack of detail on the plans to show the impact of the development on the Orchards, both to secure its privacy, and also protection of future residents
- Pathfinders Drive should not be obstructed during the development and access to the Orchard remains unhindered and a pathway along the northern boundary will compromise resident safety and privacy as will any loss of screen planting around the orchard.
- Concern regarding the parking at the foot of the site adjacent to De Vitre Cottages as this fall's outside the ownership of the applicant
- A further letter was received 10th December 2020 setting out further concerns with respect to potential overlooking of the Orchards facility by plots 1-4 and suggest permitted development rights are removed on these plots.

5.0 Analysis

The key considerations in the assessment of this application are:

1. Principle of development, and housing needs and delivery;
2. Landscape and Visual Effects & Layout and Design;
3. Highway Matters;
4. Flood Risk and Drainage Matters;
5. Cultural Heritage;
6. Natural Environment;
7. Education and Health Provision;
8. Open Space provision;
9. Air Quality Matters; and
10. Reducing Carbon Emissions

5.1 **Consideration 1: Principle of Development and Housing needs and delivery** 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, SG3: Infrastructure Delivery for Growth in South Lancaster H1: Residential development in Urban Areas and H6- Royal Albert Fields 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

5.1.1 The Framework (NPPF) requires Councils to significantly boost the supply of new homes in their districts. 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 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 of 400. The Council recognises this is challenging with a plan reliant on the delivery of a number of strategic sites (namely the Bailrigg Garden Village under policy SG1).

5.1.2 The application site is part of a larger allocation for housing within the Strategic Policies and Land Allocations element of the local plan. This allocates land within the H6 allocation (Royal Albert Fields) for 137 residential units. This application only proposes development in the northern section of the site (to include Derby Home). It amounts to circa 60% of the total area of the allocation, and is broadly consistent with the overall number of houses proposed by the plan (on a pro-rata basis). The wider allocation is within two different ownerships, and given there is no development brief for the site, it is not clear whether it was envisaged that access would be taken from either Pathfinders Drive, or a new access off Caspian Way to serve the site in its entirety. This has been left for the decision maker to make an informed view. The applicant had been asked to include a road connection to the boundary of their site to allow connectivity through to the southern parcel of land. There is a road connection between plots 14 and 16, and a hammerhead junction is in place. However, given the width of the access road and no footway, this is unlikely to be feasible as a route to serve further development. The road between plots 32 and 20 is of a standard that may be used as a point of access to serve the adjacent site. Whilst it stops shy of the boundary of the site, only landscaping has been proposed in front, and it does not sterilize the ability for this to be used subject to an agreement being arrived at between the landowners. The applicant has stated that the roads within the development will be privately maintained and not put forward for adoption. This in essence does limit the ability for this to be used unless an agreement can be arrived at. For clarity, the case officer has asked County Highways whether it is possible to secure an access to allow for access on the adjacent site, and this is indeed possible. Given the emergency access/footway/cycleway on the shared boundary this will mean there will be some permeability between the proposals, should development in the south come forward for development.

- 5.1.3 As discussed above the allocation is in separate ownerships, and it would have been helpful on this site to show how the two sites connected and worked as one. Matters such as open space, permeable links and highway arrangements could have been resolved in advance of the application. One is not required, nor does policy request this detail, or has been highlighted by the Planning and Housing Team to consider. Notwithstanding this, the question is whether the development before us restricts the development to the south coming forward. The answer to this is no, as the southern site can be accessed independently.
- 5.1.4 The house types are the applicant's standard house types and comprise a variety of different designs. Whilst the units deviate from the linear form of development which is apparent from the adjacent cottages, they have the potential to work on this site. Furthermore, they have been used to good effect across North Lancashire and South Cumbria. All the new dwellings will be capable of achieving the Nationally Described Space Standards and internally at least 20% meet the M4(2) requirement. A condition is recommended to secure these elements. The units within Derby Home do not meet the Nationally Described Space Standards, nor are capable of being M4(2) compliant. Given the building is listed and the financial pressures of the scheme given the building is being brought back into use is considered to outweigh this minor harm.
- 5.1.5 The proposed housing mix deviates from the identified open market housing need (based on household aspiration and expectation). It is clear that whilst 3-bedroom houses broadly align with the Strategic Housing Market Assessment data, there is a clear increase in the 4 bedroom plus houses proposed by this application. Whilst this seems high, this is a significant reduction compared to the original submission. If more 4-bedroom units could have been supported, this would have led to the provision of more affordable. Whilst the Policy team's comments are noted regarding housing mix, and whilst bungalows and smaller units would be welcomed, to refuse a scheme on the basis of not meeting the housing mix is not likely to be supported at appeal (given the viability evidence).

Dwelling Type	Strategic Housing Market Assessment guidance (%)	Original Submitted scheme (%)	Current Proposal (%)
1 / 2 bed house	17.6	0	0
3 bed house	36.7	18	32
4 bed plus house	20.3	56	44
Bungalow	7.4	0	0
Flat	11.8	25	24
Other	6.3	0	0

5.1.6 Affordable Housing Provision

Bringing Derby Home (Grade II*) back into use and developing on a sloping site does bring significant costs and challenges. This is apparent across all sites in the district of late (unless a site has little in the way of abnormal costs and is flat – which appear few and far between). The adopted position on this site should be that 30% of the site should be affordable (on the greenfield element), and should 10 units or more be sought on a brownfield site (such as Derby Home) then 20% should be achieved (as per Policy DM3 of the Development Management DPD).

- 5.1.7 It was always envisaged that delivering affordable housing on this site would be constrained, not least, because the applicant can benefit from Vacant Building Credit by bringing Derby Home back into use. The applicant's original scheme provided for 10 units of affordable housing within Derby Home. There was concern as to how attractive a conversion would be to a Registered Provider (who ultimately acquire the building off the developer), and secondly 10 units felt very cramped. However, the scheme has evolved over time, namely to cater for quite significant off-site costs in the form of £100,000 towards the local bus service, and £77,000 towards the improvements at Pointer Roundabout and £161,432.25 towards secondary school education. In the autumn of 2020 and as part of amendments to the scheme, no affordable housing was proposed by the applicant and an updated viability assessment was produced in October 2020. The scheme does provide monies for improvements to the Royal Albert playing fields and also the improvement to the Spruce Avenue play area, but this is to mitigate the impact of the development in particular as no on site play provision has been provided for, and without such the scheme would be refused. In advance of the December 2020 Committee the applicant put forward 4 units of apartment style accommodation within Derby Home, but had not explained how their build costs had been arrived at. Over the

Christmas and New Year break additional information has been forwarded on build costs. This has been reviewed by an independent surveyor on behalf of the council who agree with the costs put forward. Whilst 4 units within Derby Home could be achieved, it is felt a better scenario would be for three 3-bedroom semi-detached properties of shared ownership tenure. This still equates to only 4% affordable housing, which given this is Homes England site is of concern. Whilst the lack of affordable housing is a concern, this has been independently assessed by Lambert Smith Hampton (LSH) on behalf of the council (LSH undertook the council's viability assessment as part of the Local Plan). Officers naturally wanted more affordable homes, but given the independent view expressed, we cannot ask for more, or refuse this application on that basis given this accords with the wording of Policy DM3 of the DM DPD.

5.2 **Consideration 2: Landscape and Visual Effects & Layout and Design** (NPPF: Chapter 15 paragraph 170 and 172 -177 (Conserving and Enhancing the Natural Environment); Strategic Policies and Land Allocations (SPLA) H6 – Royal Albert Fields, EN3 (The Open Countryside), EN5 (Local Landscape Designations); Development Management (DM) DPD policies DM29: Key Design Principles, DM45 (Protection of Trees, Hedgerows and Woodland) and DM46 (Development and Landscape Impact))

5.2.1 Local Plan Policy DM46, together with the NPPF, seeks to attach great weight to the protection of nationally important designated landscapes. For the avoidance of doubt, it should be noted that the application site is not located within any such designation (e.g. AONB or National Park). The site is allocated under Policy H6 of the Local Plan for residential use. Policy DM46 states that outside of protected landscapes, the council will support development which is of scale and keeping with the landscape character and which is appropriate to its surroundings in terms of siting, design, materials, external appearance of landscaping. The application is made in full and therefore the scheme can be properly assessed regarding its visual impacts.

5.2.2 The site is characterised by grazed fields, and the site slopes steeply away Ashton Road. The site is bound by existing residential development/NHS facilities to the east, north and west, and to the south lays farmland which is identified as a housing allocation also. The site is bound by a significant bank of trees to the north of the site and to a lesser extent along the western boundary. The majority of these trees are outside the control of the applicant.

5.2.3 It is inevitable that the proposed development will lead to a landscape impact simply on the basis that the site will lose its previously recognised greenfield character, in an area that does perform a transition from countryside to city environment. However, a change from open land to built-up area is not necessarily harmful. The development will impact the setting of the area when approaching Lancaster from Ashton Road. However, the impact is localised, and due to the proximity of the site to the existing built form, residential development will be in keeping with its immediate environs.

5.2.4 It would be difficult to mitigate the impacts as the proposal will lead to an inevitable change in character of the application site. It is contended that the visual impacts would not significantly or demonstrably outweigh the benefits of the proposal. The most localised impact of the proposal would be when viewed from Ashton Road, and this change would be significant, though would be localised. It is unfortunate that when viewed from Lancaster Canal the rear facades of dwellings and gardens will be visible for recreational users of Lancaster Canal. However, what is critical is that boundary treatments are post and wire and hedgerows as opposed to close boarded fencing, so this will not prevent the skyline being broken, but will just soften its appearance when viewed from the canal.

5.2.5 Whilst no concern was raised by the Conservation Officer regarding the apartment scheme on the northern element of the site, the case officer was not convinced by the original proposal and how this would be seen in context of Derby Home and from Ashton Road. The applicant has since amended the proposal to drop the height of the land together with amendments to the appearance of apartment block. This works much better, and whilst it is not entirely in keeping with the area, on balance it is considered acceptable.

5.2.6 The scheme provides for sufficient separation distances to off-site dwelling houses. The separation distance to the cottages on Ashton Road are at least 30 metres away. There is some concern for the NHS facility at the Orchards, as the units only carry a garden depth of circa 8 metres, but given the level changes (with the Orchards being located on the leese of a steep embankment) and the

existing planting in place, it is considered there will not be undue harm created or a significant loss of privacy to the Orchards or future occupiers.

- 5.2.7 The layout has been through a series of modifications throughout the application process such as pulling units away from the cottages to the west, amendments to the units facing the main area of open space and changes in house types and sizes. The changes are subtle and whilst officers would have preferred a more outward facing scheme and more significant amendments to the southern parcel of land the applicant was unwilling to accommodate these changes.
- 5.2.8 On-site separation distances do fall under the required separation distances, particularly the southern central belt. Whilst there is generally at least 21 metres between the back to back of dwellings, given the level change is in the region of circa 5 metres it would have been preferable to increase this to at least 30 metres. Good practice is for each ½ metre level change to add one metre separation distance. Whilst this would have been preferable, officers are mindful of the independent review of viability together with the effective use of land. On balance, given this is an allocated site and efforts have been made to limit the impact on the properties on Ashton Road, officers reluctantly accept this element of the proposal. The use of retaining walls and gravel boards have been included to the garden spaces and officers are in general agreement to this. There is a gabion basket retaining wall to the southern boundary of the site and the material and finishing can be addressed by condition. There is circa 28 metres (at its closest point) between the apartment block and the Cunningham Court Complex, although for the most part interface distances between windows are well in excess of 60 metres.
- 5.2.9 On the whole garden sizes are well in excess of the minimum standards, with the majority of dwellings enjoying a garden of at least 100m², albeit gradients on the site will limit the enjoyment of these outside spaces. However, this is the case on any sloping site. The challenge with any sloping site is ensuring gardens can be used especially on the back of Covid-19, when people are spending longer at home. Whilst it would have been preferable to see deeper gardens, overall officers are satisfied that these are acceptable.
- 5.2.10 The immediate surrounding built form is made up of predominately stone and slate, though the more modern Highgrove Development circa 30 metres at its closest point, is all re-constituted stone and tiled roof arrangements. Victoria, Samuel and Cunningham Court to the east are all render. The applicant is proposing to use predominately reconstituted stone in the form of Darlstone and render. In principle this could work well. There are the feature properties when entering the site which are proposed as natural stone. All roofing material will be a natural slate and given the rising nature of the site this will be a critical component of the scheme.
- 5.2.11 The main area of concern is with the apartment building to the far north end of the site. At three storeys of this is higher than the adjacent Derby Home and the apartment building to the east (these are two storeys). Storey Hall is three storeys in height. The apartment block would be almost 12 metres to the ridge when measured at its greatest height with the car parking beneath. Visually the front elevation works, albeit feels quite institutional. From the rear (which is where the scheme would be visible from Haverbreaks and Ashton Road) the proposal feels a little lifeless and whilst shares some synergies with the adjacent apartment blocks given the level changes has the potential to dominate. The applicant has, however, dropped the level of the site in this location to mitigate some of the impact and undertaken some subtle changes to the scheme which can be supported by officers. The applicant has included reconstituted stone on this elevation in lieu of render that was originally proposed. A natural stone would be more sympathetic, but the applicant is reticent.
- 5.3 **Consideration 3: 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, H6 – Royal Albert and T4: Public Transport Corridors
- 5.3.1 It is widely accepted that the local highway network is constrained, notably around the Boot and Shoe junction on the A6, and the Pointer Roundabout circa 1km from the site. It does need to be

remembered, however, that the site is allocated for housing within the Local Plan under Policy H6 which provides for 137 dwelling houses. The policy provides for the following:

- XI. The delivery of a highways scheme which provides safe, suitable and appropriate access arrangements into Ashton Road to the satisfaction of the local highway authority;*
- XII. The incorporation of cycle and pedestrian access with strong and positive linkages to the existing network including improvements to cycling and pedestrian links from the site into Lancaster City Centre, particularly improving linkages both along Ashton Road and Lancaster Canal;*
- XIII. The provision of sufficient levels of open space in accordance with the most up-to date evidence in relation to the quantitative and qualitative needs for the locality. Requirements will also be expected to take account of accessibility issues and should be delivered in accordance with the requirements set out in Policy DM27 of the Development Management DPD;*
- XIV. Proposals should include opportunities for the use of ultra-low emission vehicles through the provision of suitable and appropriate charging points*

The scheme provides for improvements to Pathfinders Drive, increasing its width to 5.5 metres to connect onto Ashton Road. This is the same arrangement that was found acceptable on planning application 17/01074/HYB. There is no objection from the County Council as Highway Authority on this arrangement and therefore the scheme can adhere to criteria XI. Internally there is general support from the Highway Authority though they have requested that the divergent footways at plots 1-3 and 60-63 should be amended to along the roadside. Whilst officers understand the stance of the County, officers recommend this acts as a green corridor and in design terms should be commended, albeit does not conform to standard design guidelines. The Highway Authority also requires service strips around the carriageways of 0.5m widened to 1 metre for street lighting, and the applicant is amenable to this. There was disagreement between the applicant and the Highway Authority regarding a footway along the access road serving plots 6-14. The applicant had suggested that this is shared surface serving 19 dwellings and supplied a Road Safety Audit, which demonstrated this was safe. This was supported by Highways Officers. Some concerns have also been raised by the City Council's waste management officer with respect to the layout, but this can be addressed by planning condition.

- 5.3.2 A detailed transport statement undertaken by Mouchel was undertaken for the 2017 application (17/01074/HYB) and the applicant's transport assessment is based on the 2014 and 2017 data collected and analysis. The resolved to be approved 2017 consent provides for 77 dwellings. The applicant has not undertaken a formal assessment of the highway network given the highway network has shown a drop in background traffic levels (according to the Department for Transport – annual average data traffic counts). This is not a surprise as that was one of the intended purposes of the completion of the Bay Gateway. There was significant modelling undertaken in 2017, though the Highway Authority has not asked this to be re-visited as part of this application. From a purely capacity perspective they raise no objection to the scheme. Whilst only a consultee, and its ultimately the responsibility of the council, officers agree that since the Bay Gateway was opened in 2016 there has been less traffic utilising the main A6 corridor. Furthermore, any additional traffic counts in the last 9 months would have been distorted by Covid-19 related restrictions.
- 5.3.3 Parked cars outside the cottages along Ashton Road restrict highway movement. In 2017, it was concluded that the on-street parking would cause some minor delay to the cars and buses using this route but would not be severe in terms of its impact on the highway safety for the future traffic flows. There has been no formal request made to use the development land as additional parking for residents on Ashton Road, and in many ways given terrain levels this would be problematic anyway. If, for instance, the Ashton Road route was to be chosen as a Bus Rapid Transport route (as part of the Transport Masterplan for Lancaster) then the Highway Authority would examine whether the NHS car parks could be utilised for residents and such like, or approach the developer. In any event it would be a controversial proposal given these residents have enjoyed parking outside their homes for many years, and in some ways the parked cars do act as a traffic calming device. The Lead Officer at County on their Transport Masterplan was consulted on the proposals, but no response was forthcoming. It is considered that with the financial contribution towards improvements for pedestrian and cycle provision that criteria XII can be met.

- 5.3.4 Little has been proposed by the applicant to increase the attractiveness of the site to be used by cyclists. This has been highlighted within responses to this application from members of the public and DYANMO. The response from the Highway Authority does not specify any works that are needed in this regard (i.e. increasing the footway on the along Pathfinders Drive to be used as a shared cycle/pedestrian route). However, they do request £77,000 for improvements to the Pointer Roundabout. The scheme at the Pointer Roundabout is still in the design stage and monies from this scheme would dovetail with the scheme on the gyratory system that has been funded by the Housing Infrastructure Fund (HIF). It is envisaged that the scheme will provide enhanced pedestrian and cycle provision and proposed to be implemented by December 2021. These works are not fully funded by the LCC Safety Programme and therefore the monies here would allow for the scheme to be deliverable. This would have benefit not only to this scheme but also the wider network. The bus service has been under threat for a number of years, though still operates. It is a subsidised service and therefore it is recommended to secure the money for the continuation of the service and should it not be needed within a 5 year period the monies be provided towards affordable housing in the district.
- 5.3.5 Open space has been provided on the site and this exceeds the quantum required by policy, though no on-site play equipment has been proposed. It is, however, considered a more logical solution to expand the existing play provision at Cedars which at its furthest location from the site is 650 metres. This was endorsed on previous applications on this site, and whilst in principle this works, one would need to cross the A588 though there are crossings from Pathfinders Drive and by having a pedestrian cycleway on the southern boundary allows a second point of connection here. There is a pathway which is proposed from plot 5 to the proposed amenity area which passes the Orchards. The NHS has raised concern with this pathway but with landscaping it is considered that there will not be harm caused as a result of this. Amendments to the pathway are required and can be addressed by condition.
- 5.3.6 The site will be reliant on private car journeys, but a condition is recommended to ensure electric vehicle charging points are incorporated into dwelling houses. No response from the Council's Air Quality Officer has been received to the application and with this it is assumed there is no objection on air quality grounds. A condition will be attached with a requirement for vehicle charging points to be included (this would allow XIV to be met).
- 5.4 **Consideration 4: 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 H6 – Royal Albert Fields 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))
- 5.4.1 The application has been subject to pre-application discussions with the Lead Local Flood Authority (LLFA) and United Utilities (UU). Whilst there was concern originally with the application, the applicant has addressed these concerns throughout the application process. There has been infiltration testing undertaken at site in August 2019, which revealed that the site was unsuitable for infiltration, and given there is no watercourse on site the only other viable solution is to discharge to the combined sewer on Ashton Road. The figure that has been agreed collectively between the LLFA and UU is 16.6 litres per second. Whilst this figure does sound high, this is below the Qbar (mean annual flood flow) at all return periods. There is no objection from the LLFA on the understanding the developer implements the development in accordance with the submitted plans, although UU has asked for a pre-commencement condition. The site is quite steep and therefore attenuation will be provided in the form of geo-cellular baskets and oversized pipes, and the developer has proposed run off rates that will match or better the existing greenfield run off rates for all return periods. As with many schemes of this nature the applicant is proposing that surface water proposals will remain within the control of a management company. The same is true for the foul water arrangements. The individual plot drainage will be the responsibility of the future homeowners and therefore private.
- 5.4.2 The South Lancaster Flood Action Group (FLAG) has raised an objection on the basis of the management and maintenance of the proposal could lead to flooding over time. They raise very valid points given the key to effective drainage structure is indeed its associated maintenance, and

to ensure it operates effectively when there is a flood event. The case officer shares FLAG's position that SuDS should be considered as critical infrastructure, and a robust system for their lifelong management should be in place throughout their lifecycle. A concern they raise relates to exceedance flows towards the eastern element of the site adjacent to the De Vitre cottages and the LLFA has been asked to comment on this. A verbal update will be provided to Councillors as a response is awaited. It is recommended that a planning condition is imposed to ensure that the management and maintenance is undertaken. It is with regret that the scheme is likely to remain private, but adopted policy does not prescribe that the drainage infrastructure has to be indeed adopted by UU.

5.5 **Consideration 5: Cultural Heritage** (National Planning Policy Framework paragraphs 184-202, Strategic Policies and Land Allocation, Development Management DPD Policy DM37 Development affecting listed buildings, Policy DM39 The setting of designated heritage assets, DM41 Development affecting non-designated heritage or their settings and Policy DM42 Archaeology)

5.5.1 Derby Home is Grade II* curtilage listed, which is associated with the former Royal Albert Hospital (Grade II*). The development is also within the setting of other Grade II Listed Buildings, including the former agricultural buildings associated with Royal Albert Farm and Storey Home. The site is also immediately adjacent to De Vitre terraces and collection of buildings along Ashton Road, which are considered to be Non-Designated Heritage Assets (NDHAs).

5.5.2 The conversion of Derby Home to residential accommodation was established by application reference 17/01074/HYB (although whilst within the proposed housing allocation (H6) is not referenced within the policy). Since that time the building has fallen into further disrepair. Officers support the conversion of the building into apartments which would help contribute to the long-term use of the asset. The interior is of low significance, but the main concern is how the conversion would affect the character and appearance of the external elevations. Given the state of the building new windows, roofing and doors would all be required and these can be controlled via planning conditions. The Conservation Officer has no objection to the applicant's proposals and furthermore the case officer supports the intervention to bring this building back into a use to secure its long-term future.

5.5.3 Historically, the former hospital complex and associated farm buildings were situated in a rural landscape which potentially provided therapeutic benefits to the patients. This setting has been diminished by suburban development to the east of Ashton Road and modern hospital buildings behind the farm. The proposal is for 54 dwellings within the currently rural landscape which surrounds these designated and non-designated heritage assets.

5.5.4 The development of the site would not directly impact the designated heritage assets (apart from the conversion of Derby Home) but would erode the wider rural setting of the listed hospital and ancillary buildings, which is associated with its historic development. In addition, there is some inter-visibility between the site and the heritage assets. Due to dense vegetation and mature trees this is, however, limited to views of the farm buildings (Grade II), Derby Home (curtilage listed) and the non-designated heritage assets along Ashton Road. The development of the site would lead to moderate level of harm to the setting and significance of the designated and non-designated heritage assets, but it is considered that some of this harm could be mitigated by landscape buffer zones between adjacent heritage assets and the housing development.

5.5.5 Historic England raises no objection to the proposal and this is a view shared by the County Archaeologist who recommends a planning condition for a building survey of Derby Home prior to development. The Conservation Team are mildly supportive of the proposals, given the proposed works to Derby Home. Overall, the proposed development would lead to less than substantial harm to the setting and significance of surrounding designated and non-designated heritage assets. However, the retention and conversion of Derby Home will be a public benefit which would help preserve some of the significance of the building and association with Royal Albert Hospital (Grade II*), and therefore securing its delivery will be critical.

5.6 **Consideration 6: Natural Environment** (NPPF: Chapter 15 paragraph 170 and 174-177 (Habitats and biodiversity); Strategic Policies and Land Allocations (SPLA) DPD policies H6- Royal Albert Fields ; Development Management (DM) DPD policies DM44 (Protection and Enhancement of Biodiversity), DM45 (Protection of Trees, Hedgerows and Woodland))

- 5.6.1 Earlier iterations of the scheme involved extensive tree loss and the applicant has amended their proposals to retain the majority of the trees which they intended to remove around Derby Home. The trees are not only important from a biodiversity perspective, but they also contribute to the setting of Derby Home, and in particular assist with some screening of the site beyond. Concerns were raised regarding the positioning of some of the dwellings along the western boundary and how close these were to the trees which are prominent on the skyline. Some minor modifications to the scheme have occurred by pulling the units away from this boundary. The Tree Officer raises no objections to the development.
- 5.6.2 An ecological appraisal has been submitted in support of the scheme and the application site is not designated for its nature conservation value and, apart from bats, is considered unlikely to support any specially protected or priority species (albeit badgers may exist). Small areas of broadleaved woodland, selected trees and lengths of hedgerow will be affected by the scheme as is noted above, although landscaping proposals involve new planting of significant numbers of new trees, shrubs and hedgerows. The dominant habitat on the site, and the habitat which will be most affected by the proposals, is agricultural grassland (pasture).
- 5.6.3 A bat survey is submitted in support of the scheme (August 2019) and Derby Home does support a small bat roost. Due to the threat that bats may be harmed, under the terms of the Habitats Directive and the Conservation of Habitats and Species Regulations 2010 (as amended), a licence will be required from Natural England. The local planning authority will need to have regard to Regulation 9(1) and 9(5) of the Conservation of Habitats and Species Regulations 2010 and must consider:
- That the development is ‘in the interest of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequence of primary importance for the environment;
 - That there is ‘no satisfactory alternative’; and,
 - That derogation is ‘not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range’.
- 5.6.4 With respect to point i) the wider site is allocated for development and is in the public interest to maintain an adequate supply of housing and to encourage development in sustainable locations that accord with local and national planning policy requirements. Whilst not referred by the applicant there is significant benefit in bringing a curtilage listed building back into use. It is also the case that the central government has indicated that sustainable housing developments that accord with the Development Plan could be said to meet the public interest test. In addition, the council is unable to identify a 5 year housing land supply, and this scheme would contribute to open market housing needs (bringing economic and social benefits) and given the potential harm to bats is low, officers consider that on balance this element of the test is passed.
- 5.6.5 The only realistic alternative is to leave Derby Home vacant. Officers consider that the weight attached to bringing a curtilage listed building back into use weighs heavily in support, which the Framework endorses. With this in mind it is considered that other than the ‘do nothing’ approach (which would be detrimental to the regeneration of the site and the building falling further into a state of disrepair) that the council has had due regard to the Regulations and consider that sufficient information has been supplied to enable part ii to be passed.
- 5.6.6 With respect to part iii, Greater Manchester Ecology Unit has noted that the roost found is small and of a relatively common bat species. It is considered unlikely to be a breeding roost. Mitigation for any possible disturbance to bats will be straightforward. In their view it is considered that the third test can be satisfied and no overall objections on the grounds of harm to bats and concludes that a protected species licence is likely to be granted by Natural England for this development. Planning conditions are recommended regarding improvements to the biodiversity value of the site and a further bat survey to be carried out.
- 5.6.7 Natural England (NE) raise no objection to the proposal and whilst the site is allocated for housing within the Local Plan, have highlighted that the council as the competent authority must undertake a Habitats Regulations Assessment. One has been produced and shared with NE who raise no objection subject to securing a condition associated with home owner packs. In any event the site is

removed from Morecambe Bay where the principle concern is associated with the recreational disturbance on the coastal designated site. There are no direct pathways from the site to the Bay though in accordance with Policy H6 a homeowner pack is proposed to be conditioned for future residents to be aware of.

5.7 **Consideration 7: Education and Health Provision** (Development Management DPD Policies DM1 New residential development and meeting housing needs DM57 Health and Wellbeing, DM58 infrastructure delivery and funding)

5.7.1 As with previous applications on this site, there has been concern raised with respect to education provision locally. The County Council has confirmed in December 2020 there needs to be a contribution of £161,432.25 (their earlier response suggested £193,481.28) towards the delivery of 7 secondary school places at Central Lancaster High School and/or Lancaster Royal Grammar. They have advised that there is sufficient capacity within the local primary school network, with the closest schools at Scotforth St Pauls, Bowerham CP and St Bernadettes all operating within capacity in 2025. Education is an infrastructure requirement and subject to being satisfied on the project named by the County, can be endorsed. However, should it not be needed within a 5-year period the monies be provided towards affordable housing in the district.

5.7.2 A request by the Morecambe Bay NHS Clinical Care Group has come forward for monies towards the improvement of two local doctor's surgeries within Lancaster (relating to the extension and reconfiguration of Rosebank and Meadowside surgeries). This was received on the Committee report deadline despite the application been valid 12 months. Given viability is constrained on the site, and Officers are unclear whether on allocated sites such as this site, the increase in population will have been catered for by the NHS in terms of budgeting, it is considered in this instance not to pursue this contribution.

5.8 **Consideration 8: Open Space provision** (Development Management DPD Policies DM27 Open space, sports and recreational facilities, Appendix D of the DM DPD July 2020)

5.8.1 Early iterations of the scheme provided on face value in excess of the required open space. However, it was convoluted and unusable to a degree. Following negotiation there is now a central area of open space at 1000m², and this could be used informally, and could be a small kickabout area for future residents. There is also open space to the west of Derby Home and close to De Vitre Cottages (amounting to circa 2000²). The public realm officer had requested 1235m². Plots around the open space all have direct views now which helps with the natural surveillance. There is also amenity space towards the rear to Derby Home and adjacent to the De Vitre Cottage.

5.8.2 No play equipment has been proposed on the site. On a scheme of this nature with this number of units the council would generally insist on an equipped play area. If a site masterplan had been developed, this could have addressed this issue between the two landowners but a financial contribution has been proposed to address this instead. This will go towards an improvement to the equipped play area off Spruce Avenue and towards the playing fields.

5.8.3 On balance, there is considered sufficient on site open space, and this has been improved as part of the application process, and secondly via the payment of a commuted sum to cater for the improvements to the existing facilities on Spruce Avenue at £70,000 together with improvements to the playing pitches at the Royal Albert Playing Fields at £80,000. On this basis, the scheme complies with Policy H6 XIII.

5.9 **Consideration 9: Air Quality Matters** (National Planning Policy Framework Paragraphs 103 and 181; Development Management DPD Policies DM21 Air Quality Management and Pollution; Strategic Policies and Land Allocations DPD Policy EN9 Air Quality Management Area.)

5.9.1 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 AQMAs, an Air Quality Assessment (AQA) has been undertaken. The AQA addresses air quality impacts during construction and the operational stages of development.

5.9.2 An updated Air Quality Assessment was submitted in October 2020, and this includes a damage cost analysis which highlights that there is a need for a site wide travel plan, car club promotion, and

provision of cycle vouchers, in addition to the usual electric vehicle charging points and low emission boilers. It could be said these are basic matters that all developments should provide and that is correct but in the absence of a robust air quality action plans it is not possible to direct monies towards identified mitigation.

5.9.3 No objection has been received from the council's Environmental Health Team. Furthermore, the applicant has presented a robust assessment, informed by their Transport Assessment and the commitment to a Travel Plan that would reduce traffic over time, which in turn reduces anticipated emission levels from the development. Overall, it is considered that the proposal would not conflict with the Development Plan or the NPPF in respect of air quality.

5.10 **Consideration 10: Reducing Carbon Emissions** (Development Management DPD Policy DM30 Sustainable Design)

5.10.1 The scheme proposes a travel plan, financial contribution to the local bus service, provision of electric vehicle charging points and financial contributions towards upgrades to the Pointer Roundabout. In addition to this the applicants have suggested that they can reduce the energy demand of the proposed development by 16% when compared to current Building Regulations Part L via the fabric first approach. Officers do understand there will be an uplift to Building Regulations Part L in 2020 with an uplift in fabric standards. This is likely to consist of double or triple glazing and very high fabric insulation. Current and future Building Regulations will form the minimum requirements and will have to be adhered to by the development industry. These regulatory energy efficiency standards should not need improvement via planning policy, though as with the current review of the Local Plan, adapting to climate change is a critical component of the Local Plan. This is welcomed, and can be secured by planning condition should Councillors determine to support the scheme.

5.10.2 Matters relating to site contamination have been assessed by the Council's Contaminated Land Officer recommending the imposition of standard site investigation conditions. The applicant's assessment highlights the need for additional surveys and these can be conditioned. There will be circa 200 people employed during the construction phase of the development comprising of contractors and subcontractors and a condition is recommended detailing an Employment and Skills Plan. It is recommended a condition is imposed removing permitted development rights to ensure that garden spaces and parking arrangements are acceptable.

6.0 **Conclusion and Planning Balance**

6.1 The proposal will make a small but valuable contribution towards the supply of market housing in South Lancaster. The area will be the principle area of growth over the next decade. As of November 2020, the council cannot demonstrate a deliverable 5-year housing land supply. Whilst there have been concerns expressed by local residents, officers are satisfied that the application site is sustainably located with good access to public transport provision, and to a lesser extent local services and facilities. Despite the landscape and visual harm identified, given the terrain of the site, through the landscaping proposals and the provision of open space this will positively contribute to the design quality of the scheme. A significant benefit of the proposal is bringing back Derby Home back into use given it is listed and has been unoccupied for at least 2 decades.

6.2 The access, internal road arrangements and off-site highway works are matters necessary to make the development acceptable. The impacts on air quality are capable of being mitigated, and the design and standard of amenity of the development accords with provisions of the development plan. The site is not at risk of flooding, and despite concerns to the contrary, the development can drain in a sustainable manner without leading to a risk of flooding, assuming a robust management and maintenance plan is adopted. There are a number of conditions required to ensure the standard of development meets the aims and objectives of the Local Plan. Neutral weight is given to these considerations.

6.3 Weighing heavily against the proposal is the localised visual impacts resulting from the development and the erosion of pastureland to a housing estate. Regardless how sensitively the site is designed the change is inevitably going to lead to harm. Critically minimal affordable home provision has been provided by the scheme, and therefore this is a significant weakness of the proposal. However, policy does allow for applicants to negotiate this point when viability is constrained, as is the case

here. This has been assessed by an independent chartered surveyor and whilst the quantum is disappointing it has been externally scrutinised and accords with the spirit of the adopted policy.

6.4 The balancing exercise in this case remains a 'tilted balance' which means planning permission must be granted unless the adverse impacts would significantly and demonstrably outweigh the benefit when assessed against the Framework as a whole. The site is allocated for housing within the SPLA, and given the amendments made during the application process, this means the adverse impacts identified to the landscape character of the area would not significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole. On this basis officers recommend that the scheme is supported by Councillors.

Recommendation

That Planning Permission **BE GRANTED** subject to the signing of the Section 106 Agreement to secure:

- Affordable Housing (three 3-bedroom semi-detached properties)
- Education contribution of **£161,432.25** for seven secondary school places (if not spent, diverted to affordable housing provision);
- Open space off-site contribution of **£80,000** towards the Royal Albert Playing Fields and **£70,000** towards the extension of the Play Area at the Cedars;
- Highways Contribution of **£100,000** towards the Lancaster – Knott End bus service and **£77,000** towards the Pointer Roundabout Improvements (if not spent, diverted to affordable housing provision);
- Derby Home to be fully converted in accordance with approved plans and an approved timetable; and
- Long term maintenance of landscaping, open space and non-adopted drainage and highways and associated street lighting.

and the following conditions:

Condition no.	Description	Type
1	Timescales 3 years	Control
2	Approved Plans	Control
3	Drainage scheme	Pre-commencement
4	Access Detail to be agreed	Pre-commencement
5	Employment skills plan	Pre-commencement
6	Contamination Assessment	Pre-commencement
7	Updated AIA and Tree Protection Measures	Pre-commencement
8	Level 3 Building Recording Derby Home (Only on Derby Home)	Pre-commencement
9	Boundary Details	Above ground
10	Homeowner Packs (Ecology Mitigation)	Above ground
11	Scheme for cycle provision and refuse	Above ground
12	Offsite Highway Works	Above ground
13	Electric Vehicle Charging Points	Above ground
14	NDSS and M4(2) Standards	Above ground
15	Building Materials	Above ground
16	Drainage Management Proposals	Above ground
17	Landscaping Implementation and ongoing aftercare	Above ground
18	Hours of construction	Control
19	Provision of access and turning facilities	Control
20	Finished Floor and Site Levels	Control
21	Development in accordance with Energy Statement	Control

22	Removal of Permitted Development Rights	Control
23	Development in accordance with submitted Travel Plan	Control
24	Development in accordance with submitted Air Quality Mitigation details	Control

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