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| Agenda Item | A8 |
| Application Number | 20/00405/REM |
| Proposal | Reserved Matters application for the erection of 55 dwellings, associated accesses and alterations to land levels |
| Application site | Old Hall Farm, Kirkby Lonsdale Road, Over Kellet, Carnforth |
| Applicant | Oakmere Homes (Northwest) Limited |
| Agent | Mr Ben Pycroft |
| Case Officer | Mr David Forshaw |
| Departure | No |
| Summary of Recommendation | Approve |

1.0 Application Site and Setting

- 1.1 The site is located on the northern periphery of the village of Over Kellet, located some 280 metres north of the village Public House (The Eagles Head) and 350 metres to the north west of the village school (Wilson's Endowed C of E). The site occupies an area of 3.41 hectares of agricultural land, over three fields which are currently grazed and separated by hedgerows. To the north of the site lies open fields and Capernwray Road, to the east is grazing land and to the south and south west lies residential properties including Old Hall Farm and beyond this Kellet Road and the village of Over Kellet.
- 1.2 The site rises gradually from north to south being approximately 45 metres above ordnance datum (AOD) to the north west, rising to 58m AOD to the southern part of the site. The site is relatively unconstrained although the Over Kellet Conservation Area is immediately to the south. Whilst there are no listed buildings within the site there are a number located in close proximity: Old Hall Farm (Grade II) abutting the location of the proposed pedestrian route. Well House, Hogarth Cottage, Hogarth House and Wilson House which are all Grade II listed buildings are located to the south of the site (all within 100 metres of the site boundary). Whilst no footpaths cross through the site, footpath 1 is sited 115 metres to the west. There is a small beck located on the northern periphery of the site, and whilst not within flood risk zones 2 or 3, the site does suffer from surface water flooding, notably around the location of the beck. The Village Green crossroads which fall to the south of the site benefit from common land status as a Village Green.

2.0 Proposal

- 2.1 The application comprises the reserved matters details for the development of 55 residential units. Outline planning permission was granted for the proposed development on 27 April 2018 (reference 17/01050/OUT). All matters including access were reserved for future consideration. This current application has been made for approval of these remaining details which includes access, appearance, landscaping, layout, and scale. The site is a rural housing allocation for 55 dwellings (ref. H2.5). Therefore, the principle of the development is established and cannot be considered at this stage.

- 2.2 The proposed 55 dwellings comprise of 18 different dwelling types in a mix of 1 and 2 bed apartments and terraces, 3, 4 and 5 bed detached dwellings in 2 storeys or split level (to cater for the change in levels) and 3 bungalows.
- 2.3 A single point of vehicular access is proposed off Capernwray Road south of the junction with Kellet Lane. Pedestrian/cycle links are proposed through the site exiting at 2 locations on Capernwray Road close to Hall Garth Gardens and opposite the village green. The layout of the scheme includes areas of amenity open space and structural landscaping within and to the boundaries of the site, retaining existing hedgerows and trees.

3.0 Site History

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

| Application Number | Proposal | Decision |
|--------------------|---|---------------------------------|
| 17/00264/PRETWO | Residential development for approx. 70 residential units | Pre-application advice Provided |
| 17/01050/OUT | Outline application for the erection of up to 55 residential dwellings | Approved 27 April 2018 |
| 20/00050/DIS | Discharge of conditions 3,4,5,6,7,9,10,11,16,17,18,20 and 21 on approved application 17/01050/OUT | Pending |

4.0 Consultation Responses

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

| Consultee | Response |
|----------------------------------|---|
| United Utilities | Submitted surface water drainage layout is acceptable. |
| County Highways | No objection to the revised plans and layout |
| Natural England | Agrees with the Habitat Regulations Appropriate Assessment that a Homeowners Pack is suitable mitigation for potential adverse effects on the Morecambe Bay designated sites. |
| Public Realm | On site amenity space is sufficient; contributions totalling £57,904 are needed for upgrading an existing play area and provision of young person's open space (both off site) |
| CSTEP | Revised ESP does not show a measurable commitment to achieving required benchmarks |
| Conservation Team | It was noted at outline stage that this scheme would have a significant impact on the historic form and layout of Over Kellet. Following submission of amended plans some earlier concerns still stand. |
| Arboriculture Officer | No objection |
| County Historic Environment Team | Further archaeological evaluation is required |
| Strategic Housing | Concerned about the proposed amount, tenure, type and clustered location of the affordable housing. |
| Environmental Health | No objection subject to conditions |
| Parish Council | Object to the spread, density and design of the affordable housing (particularly the scale and form of the apartment block close to the Conservation Area, reduction from 40% provision and locating all units in one part of the site); Object to the traffic management strategy and method statement (particularly use of a layby as a holding area for large construction vehicles and route for them through the village and turning across a busy road). Concern raised about site operative car parking in the village, effects of increased traffic in the village and maintenance of the open space on site. |
| Ramblers Association | Wish to see a footway on Capernwray Road between the site and existing junctions |

4.2 17 responses from 12 addresses have been received from members of the public objecting on the following grounds:

- Insufficient village infrastructure (shop/medical services/pub/school/buses/drainage)
- Increased flooding
- Adverse effect on village and local roads/traffic (roads already narrow and busy, used by large agricultural and caravan vehicles, speeding vehicles)
- Loss of wildlife habitat
- Contaminated remains in foot and mouth burial pits
- Exit point of the footpath is dangerous
- Affordable housing is unsuitable and insufficient
- A community orchard should be provided
- Further landscaping needed rear of Hall Garth Gardens
- Too many houses proposed
- No footpath to village centre being provided
- Loss of greenfield site
- Not an infill site
- Unsustainable location

5.0 Analysis

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

- Principle of development
- Access and traffic
- Scale and Appearance
- Landscaping
- Layout
- Heritage
- Compliance with outline permission

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

5.2.1 Following the grant of outline planning permission 17/01050/OUT on the 27 April 2018 the site was allocated in the adopted Spatial Policies and Land Allocations DPD as a rural housing site (ref. H2.5). Therefore, the principle of residential development on this site is established and cannot be revisited.

5.3 **Access and Traffic** DMDPD DM60: Enhancing Accessibility and Transport Linkages; DM61: Walking and Cycling; DM62: Vehicle Parking Provision; NPPF section 9

5.3.1 A single vehicular access is proposed off Capernwray Road, south west of the junction with Kellet Road. A pedestrian/cycle path is proposed between Capernwray Road and the centre of the village running around the rear of Hall Garth Gardens and linking into the development.

5.3.2 The internal road layout comprises a main spine road serving frontage development and 4 cul-de-sac roads. All roads will be privately owned and maintained.

5.3.3 Following amendments, County Highways' concerns have been resolved and no objections are raised to the access or road layout.

5.4 **Scale and Appearance** DMDPD DM29: Key design principles; DM30: sustainable design; NPPF section 12

5.4.1 All houses are to be constructed from a palette of materials including white render, natural stone elevations and detailing, natural slate roofs and anthracite (grey) window frames and fascias.

- 5.4.2 All buildings apart from the 3 bungalows are two storeys in height. This includes the apartment building which contains 4 ground floor and 4 first floor apartments. The split level houses are designed to follow the steeper contours and are single and two storeys in height. The house designs include front elevation gable features, porches and bay windows and a mix of integral and attached garages. The development is policy compliant on Nationally Described Space Standards and M4(2) space requirements.
- 5.4.3 Extensive open landscaped areas are proposed around the edges of the site which also retains the vast majority of existing boundary hedges and trees, softening the external impact of the buildings and creating an attractive setting for the development and pedestrian paths. A significant existing length of hedgerow/trees within the site is retained as well as areas of public open space between the site and the village.
- 5.4.4 External plot boundary treatments are mainly 1.8m high timber fencing but these will be softened by extensive new planting of an appropriate mix of native species and hedging. Within the development boundaries to roads will be formed by low stone walls and 1.8m stone wall/timber panel construction.
- 5.4.5 All materials, ground and floor levels and boundary treatments have been submitted as part of this application and are acceptable. They will be included as approved plans which the development must comply with.
- 5.5 **Landscape DMDPD Policy DM46: Development and Landscape Impact; NPPF section 15**
- 5.5.1 The layout seeks to minimise the visual impact arising from development of the sloping site. Detached houses, some with split level ground floors, and minimisation of finished floor levels as dictated by the drainage system allow sympathetic street scenes to be created. The bulkier apartment building is located at the lower northeast corner.
- 5.5.2 Four trees are proposed to be removed due to their poor condition, all being either in decline or dead (damson, pear, elm and willow). To facilitate the development 3 short lengths of hedgerow are to be removed. The proposed planting scheme more than makes up for this loss. All other hedgerows and trees are to be retained and protected during construction.
- 5.5.3 Any development here will drastically alter the visual impact of the locality. However, the principle of development has already been established through the granting of outline permission and allocation of the site for housing. The layout minimises this impact and is considered acceptable. A landscaping plan and planting schedule has been submitted and is acceptable. These will be conditioned as part of the approved plans.
- 5.6 **Layout DMDPD Policy DM 29: Key Design Principles**
- 5.6.1 The nearest properties outside the site are Tithe Barn and bungalows on Hall Garth Gardens. These neighbouring properties are at a higher level than the development and the interface distances between them and proposed plots exceed the standard required by policy. Therefore, the development will not cause loss of amenity for neighbours from overlooking or overshadowing.
- 5.7 **Heritage DMDPD Policy DM37: Development Affecting Listed Buildings; DM38 Development Affecting Conservation Areas**
- 5.7.1 It was noted at outline stage that this scheme would have a significant impact on the historic form and layout of Over Kellet, the historic core of which is designated a Conservation Area and has a number of listed buildings. There is an opportunity to mitigate this impact by a design that reflects the character of the settlement and its setting. The layout of Over Kellet centres around its village green and this greatly enhances its character. There is an informal mix of buildings of various ages, forms and styles, from vernacular cottages to large houses in polite style, with agricultural buildings also prominent within the local townscape. The fields and parkland associated with the grade II listed Hall Garth also feature prominently in the village.
- 5.7.2 The application site has no historic buildings of note but appears to be of some landscape interest and would once have formed the 'townsfield' for the settlement before enclosure. The proposal shows some awareness of the need to front open spaces wherever possible and retains important

trees and hedgerows. There is an opportunity to create a new village green that would serve as a functional open space for the development. The overall design of the development could more meaningfully embrace the character of the village and become better integrated with it rather than being separate and unrelated. However, the site is seen in glimpses from the centre of the village between the listed buildings. Although it forms part of the wider setting for the Conservation Area and listed buildings its contribution is limited. In views from Capernwray Road the listed buildings and Conservation Area are not visible.

5.7.3 The proposed layout will have a limited impact on the setting of the Conservation Area and listed buildings amounting to less than substantial harm. On this basis, under paragraph 196 of the NPPF, the harm has to be weighed against the public benefits arising from the development. In this case the new footpath links serving the village and provision of housing on an allocated site are considered to outweigh the limited scale of harm.

5.8 **Compliance with Outline Permission**

5.8.1 The outline planning permission imposed a number of conditions against which the applicant has submitted details as part of a separate discharge of conditions application (20/00050/DIS) which relates to the following:

- Highway and access matters – construction details of the access, pedestrian/cycle paths, lighting and off site highway works (comprising street lighting on Capernwray Road, village green shared space, traffic calming measures on surrounding roads, extension of the 30mph speed limit to beyond the site access and new footways) are acceptable to County Highways.
- Drainage – the surface water (incorporating SuDS) and foul water schemes are acceptable to United Utilities and the LLFA.
- Ecology – The proposal will result in a net gain in biodiversity through improved habitat and additional hedgerow. No protected species or habitats are present. Arboricultural proposals are acceptable.
- Electric vehicle charging proposals are acceptable
- Ground contamination – there are two foot and mouth burial pits on site which require further investigation. This condition cannot be discharged at this time.
- Archaeology – Further investigation is required so this condition cannot be discharged at this time.

Recreation facilities are dealt with under an outline condition and the s106 which the developer must comply with.

5.8.2 **S106 Contributions** - The s106 agreement signed at the time the outline permission was granted requires contributions towards school places and off-site open space improvements. The final school place sum will be agreed by the developer with County Education. Public Realm confirm the sum required for improvements to the off-site play and open space provision is £57,904.

5.8.3 **Affordable Housing** - The s106 attached to the outline permission states affordable housing is to be determined at the reserved matters stage. Policy DM3 requires 40% of the dwellings to be affordable (22 units) in either a 60/40 or 50/50 split of rent/intermediate tenure. An independent review of the applicant's financial viability appraisal has been completed. This review concludes that 17 on-site affordable dwellings (30.91%), with a 59/41 mix between affordable rent and intermediate tenures, plus the S106 contributions is viable. This is a greater number of affordable units than the applicant is currently offering to provide. Discussions are ongoing but it should be noted that it is appropriate to deal with this matter through the relevant clauses in the s106. No occupation of any dwelling can occur until an affordable housing scheme is agreed.

6.0 **Conclusion and Planning Balance**

6.1 The principle of development of this site is established. The proposed details submitted as reserved matters show how the impact of the layout and design has been minimised and should not give rise to any unacceptable effects. Further technical matters will be dealt with under conditions imposed on the outline permission and agreed under the terms of the s106.

Recommendation

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

| Condition no. | Description | Type |
|---------------|----------------|----------|
| 1 | Timescale | Standard |
| 2 | Approved plans | Standard |

Background Papers

None.