

Agenda Item	A7
Application Number	23/00802/REM
Proposal	Reserved matters application for the erection of 70 dwellings
Application site	Land To The South Of Lawsons Bridge Site Scotforth Road Lancaster Lancashire
Applicant	Northstone Development Ltd
Agent	Miss Rachel Glover-White, NJL Consulting
Case Officer	Mr Richard J Byrne
Departure	NO
Summary of Recommendation	Approval, subject to conditions

(i) **Procedural Matters**

This application is presented to the planning committee at the request of the Head of Planning Services, in the public interest given the scale of the proposal.

1.0 APPLICATION SITE AND SETTING

1.0.1 The application site comprises of approximately 12.55 acres (5.08ha) of greenfield land located to the west of Scotforth Road in the ward of Scotforth West, Lancaster. The site is located on the edge of the existing built-up area of South Lancaster and 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 southeast of the site. North of the campus (and closer to the proposed site) is the recently constructed Bailrigg Health Innovation Campus.

1.0.2 Within the sites' immediate context, land north of the site (known as 'Lawson's Bridge') comprises agricultural land and areas of woodland. A planning application has been lodged and is being considered by the Council for the erection of a food store on this land with associated infrastructure, land regrading, car parking facilities (Ref: 21/00987/FUL). 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.

1.0.3 In terms of topography, the site is undulating in character, with the highest elevations experienced in the northern part. It is bordered at its perimeter by trees and

hedgerows and there are several individual and small groups of trees within the site that are protected by Tree Preservation Orders (287/01(2013) and 287(1998)).

- 1.0.4 The greater part of the application site is covered by the 'Mineral Safeguarding Area', but the site is not constrained by any further statutory designations such as open countryside, green belt, and conservation areas.
- 1.0.5 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. The site boundaries to the north and the south form artificial boundaries through existing fields.
- 1.0.6 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 along the western edge of the site with the north-eastern half of the site situated within flood zone 1. As such, a flood risk assessment was undertaken as part of the Outline Planning Permission which confirmed the principle of residential development at the site.
- 1.0.7 Aside from the protected trees and flood risk areas, the site is largely unconstrained by cultural heritage designations. The ecological surveys undertaken identified Great Crested Newts at the site. The submitted information outlines how the development will mitigate against these.
- 1.0.8 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).

2.0 PROPOSAL

- 2.0.1 The proposed development has been submitted as a reserved matters application for the land to the west of Scotforth Road. It follows the granting of the Outline Planning Permission (Ref: 22/00423/VCN). This application was permitted by the Council in July 2022 and which itself is a permission granted under Section 73 having varied approved details of a previous Outline planning permission 19/00332/OUT.
- 2.0.2 This application is for the approval of the reserved matters for the construction of 70 dwellings with associated infrastructure. The matters to be considered under this application for the dwellings, associated infrastructure and the open spaces relate to the landscaping, appearance, layout and scale of the proposal. For clarification purposes, this application does not include access from the A6 as this was a matter which was considered under the outline consent.
- 2.0.3 The proposed development comprises of the following:
 - Creation of 70 new homes comprising a range of types and tenures;
 - Provision of 30% affordable housing;
 - A mix of homes from 1 bed apartments to 5 bedroom houses;
 - All homes to have private amenity space and designated parking provision;
 - All homes to meet Nationally Described Space Standards;
 - A development which incorporates cycle and walking infrastructure into the design of the scheme;
 - Provision of 11,890sqm of amenity space across the Site;
 - A development that exceeds current Building Regulations by over 10%;

- Sustainable urban drainage features through the use of soakaways and rain gardens;
- Retention of, and limited impact to trees and hedgerows on site with planting of trees which proposes to exceed the required 3:1 replacement ratio;
- A biodiversity net gain in excess of 10% on-site, with additional units being provided for future sale;
- Safeguarded land to facilitate a future link over the West Coast Main Line;
- New access points for vehicles, pedestrians and cycles through and within the site

- 2.0.4 The northern parcel of the site is delineated by the access road leading from the A6 and the site's perimeter on the western, eastern and northern side. Within the northerly area the housing mainly comprises terraced and detached properties with two apartments in a coach house style building that has parking at the ground floor.
- 2.0.5 Within the northern section houses outwardly face the A6 and the access road leading into the site. The outwardly facing properties are buffered from the access road from the A6 by soft landscaping and tree planting. The built form has been set in from the northeast corner to create a rain garden that would align with the boundary adjacent to the neighbouring food store site, which is still at planning consent stage. Interlinking footpaths from the A6 and access road lead to the rear of the houses (and access road) with provision made on the northern boundary for a future means of access to be created to the neighbouring food store site.
- 2.0.6 The coach house apartments, a short terraced row and two detached properties are to the rear of the outwardly facing properties, adjacent to the northern boundary of the site. Parking to serve the properties in the northern section are mainly set to the rear and side with access taken from the western side of the interior access road. The properties benefit from private enclosed garden spaces and a mixture of curtilage and courtyard style parking arrangement.
- 2.0.7 Turning to the central section the proposed access road turns within the site to a staggered junction with a kinked central spine road that runs on a north/south direction towards the area of open space to the south. The properties within the central part of the site comprise a blend of detached properties, bungalows and apartments. Except for the bungalows, the buildings are mainly two storeys. All properties benefit with private garden space and curtilage parking. On the eastern side of the internal spine road the houses mainly outwardly face the A6 with an intervening linear parcel of open space. A shared pedestrian and cycleway runs in between the eastern side of the properties and the open space which connects to the A6 to the north and meanders through the open space to the south before joining the A6.
- 2.0.8 The western side of the kinked spine road the houses are orientated to face short service roads with dual aspect properties positioned on the key corners. A further two dwellings lead off the second service road facing out onto the open space which follows the built form of the parameters plan.
- 2.0.9 The southern area is characterised by public open space which is occupied by children's play space on the eastern side and a SuDs basin in the south. The area on the western side is informal open play space with intervening landscaping and tree planting. The open space area is linked to the housing and shared cycle/pedestrian way by interconnecting footpaths.

2.0.10 With the exception of the houses that directly face onto the A6 and the bungalows all the buildings are two storey within the site. The dwellings have pitched roofs taking a vertical emphasis to the fenestration and brick detailing to create visual interest to the elevation. The material palette comprises two types of buff brick, anthracite roof tiles, and an agate grey (light in colour). The bungalows feature a black treated timber cladding with the properties facing the A6 having an Ashlar facing stone on the front elevation. The proposed mix of the 70 dwellings comprise the following:

Affordable dwellings:	
1 Bedroomed Apartment:	4 no.
2 Bedroomed Bungalow:	2 no.
2 Bedroomed Apartment:	--
2 Bedroomed House:	8 no.
3 Bedroomed House:	7 no.
Sub-Total:	21 no.

Open Market dwellings:	
2 bedroomed apartment	2 no.
2 Bedroomed Bungalow:	3 no.
3 Bedroomed House:	11 no.
4 Bedroomed House:	20 no.
5 Bedroomed House:	13 no.
Sub-Total:	49 no.

3.0 SITE HISTORY

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

Application Number	Proposal	Decision
22/01073/REM	Reserved matters application for the erection of 74 dwellings	Refused Appeal lodged under reference: APP/A2335/W/23/3321406 Decision Pending
23/00234/NMA	Non-material amendment to planning permission 22/00423/VCN to amend the development parameters plan.	Approved
22/00491/NMA	Non-material amendment to planning permission 19/00332/OUT to alter the wording of condition 24 to change a 3.5m pedestrian/cycle link into a minimum 3m pedestrian/cycle link.	Approved
22/00470/NMA	Non-material amendment to planning permission 19/00332/OUT to amend condition 10 to remove the requirement for the development to be carried out in accordance with the submitted and approved Arboricultural Implications	Refused

	Assessment (AIA) and for a new AIA to be provided with any subsequent full planning application or application for reserved matters approval.	
22/00423/VCN	Outline application for the erection of up to 95 residential dwellings with associated access (pursuant to the variation of conditions 2, 6 and 10 on planning permission 19/00332/OUT for changes to the approved site access arrangements, the proposed great crested newt mitigation strategy and the provision to allow the flexibility for an updated AIA to be prepared and submitted at the time of a reserved matters application).	Approved
22/00059/NMA	Non-material amendment to planning permission 19/00332/OUT to alter the wording of conditions 5, 6, 8, 9,11 and 18 to change the trigger for conditions 5, 8, 11 and 18, change the method for providing details for condition 6 and to allow the discharge of conditions 5 and 9 to be phased.	
19/00332/OUT	Erection of up to 95 residential dwellings and the approval of access for future development	Approved
19/00333/EIR	Screening opinion for residential development for up to 95 dwellings	Not EIA Development
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/11/215529) This relates to application site.
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 This relates to the land immediately north of the application site.
21/00987/FUL	Erection of a 1920 sqm food store (Class E) with land regrading, access, cycle route, landscaping and swales and the provision of associated infrastructure, including car and cycle parking facilities, vehicle charging spaces, pedestrian access routes and servicing.	Pending consideration. This relates to the land immediately north of the application site.

3.0.2 Members are made aware of the recent refusal of reserved matters under reference 22/01073/REM which is subject to a planning appeal currently pending a decision. Whilst it should be noted this is a separate application there are key differences when compared with this application which are namely:

- A reduction of four units within the scheme;
- A change to the overall housing mix with a greater number of smaller units;
- Changes to the layout in the northern and central areas of the site;
- Road layout within central section changed to introduce kink to the spine road and changes to connecting service roads

4.0 RELEVANT DEVELOPMENT PLAN AND NATIONAL POLICY

4.0.1 Lancaster District Local Plan 2011 – 2031 | Part One: Strategic Policies and Land Allocations DPD

SP1:	Presumption in Favour of Sustainable Development
SP8:	Protecting the Natural Environment
SP9:	Maintaining Strong and Vibrant Communities
SP10:	Improving Transport Connectivity
SG1:	Lancaster South Broad Location for Growth
EN9:	Air Quality Management Areas
T2:	Cycling and Walking Network
T4:	Public Transport Corridors

4.0.2 Lancaster District Local Plan 2011 – 2031 | Part Two: Review of the Development Management DPD

DM1:	New Residential Development and Meeting Housing Needs
DM2:	Housing Standards
DM3:	The Delivery of Affordable Housing
DM4:	Residential Development Outside Main Urban Areas
DM26:	Public Realm and Civic Space
DM27:	Open Space, Sports and Recreational Facilities
DM29:	Key Design Principles
DM30:	Sustainable Design
DM31:	Air Quality Management and Pollution
DM32:	Contaminated Land
DM33:	Development and Flood Risk
DM34:	Surface Water Run-Off and Sustainable Drainage
DM35:	Water Supply and Wastewater
DM43:	Green Infrastructure
DM44:	The Protection and Enhancement of Biodiversity
DM45:	Protection of Trees, Hedgerows and Woodland
DM46:	Development and Landscape Impact
DM57:	Health and Well-Being
DM60:	Enhancing Accessibility and Transport Linkages
DM61:	Walking and Cycling
DM62:	Vehicle Parking Provision
Appendix D:	Open Space Standards and Requirements
Appendix E:	Car Parking Standards

4.0.3 Other Lancaster Planning Advisory Notes and Documents

Energy Efficiency PAN
 Strategic Flood Risk Assessment (October 2017);
 Surface Water Drainage, Flood Risk Management and Watercourses Planning
 Advisory Note (PAN) (2015)
 Meeting Housing Need Supplementary Planning Document (2022)

4.0.4 National Planning Policy Framework (NPPF)

Chapter two: Achieving sustainable development
 Chapter four: Decision-making
 Chapter twelve: Achieving well-designed places

4.0.5 National Design Guide

5.0 **CONSULTATION RESPONSES AND PUBLICITY RESPONSES**

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

Consultee	Response
Dynamo Cycle Campaign	Objection <ul style="list-style-type: none"> There is no commitment to a cycle connection between the development and the existing cycle network on Ashford Road to enable people to cycle safely to/from the centre of Lancaster.
Environment Agency	No objection <ul style="list-style-type: none"> As the reserved matters application is compliant with the flood risk matters resolved at outline stage, then we have no flood risk objections to the reserved matters application as proposed.
Lancashire County Council – Highway Authority	No objection <ul style="list-style-type: none"> Requests that all waste bin collection points are designed and constructed to an adequate size to accommodate the number of bins required. Remove rumble strips and replace with road humps. road humps to be provided throughout the scheme Recommend condition for maintenance of the road until section 38 has been entered into by developer.
Lancashire County Council - LLFA	No objection
Lancashire County Council – School Planning Team	Comment <ul style="list-style-type: none"> The developer should inform the County Council within 5 days of the grant of RM consent so that we can calculate the final Secondary Education Contribution.
Lancashire Fire and Rescue	Comment <ul style="list-style-type: none"> Provides advice to satisfy a building Regulation application
Lancaster City Council - Arboricultural Officer	Comment <ul style="list-style-type: none"> The trees and hedgerows which form the site boundaries, especially those forming the boundary with Scotforth Road are of high landscape/amenity value and must be retained and enhanced. I have concerns about the level changes

	<p>(highlighted blue) within the RPA of important roadside trees. We have always emphasised the importance of these trees, so the fact that the AIA states (multiple times) that due to level changes these trees will need monitoring is of concern. It also states that, any trees which show a serious decline in condition will be removed and replaced accordingly. As stated in BS5837:2012, the default position should be that development occurs outside of the RPA of trees to be retained. Whilst landscaping looks substantial, further detail is required to assess the scheme fully. No detail has been provided which shows the specific species/size of species to be planted, density of hedgerow planting etc. Whilst the majority of tree planting is outside the domestic curtilage, trees lining the road should be positioned outside of the small green space to the front of properties, providing space into which the trees can establish and reach maturity, allowing larger growing, longer living species to be planted.</p> <ul style="list-style-type: none"> • The trees/hedgerows in question have the potential to provide habitat and foraging opportunities for wildlife, including protected species. The Wildlife and Countryside Act (1981) and Countryside and Rights of Way Act (2000) give statutory protection to bats, birds and other wild animals including their habitats. Trees must be assessed for the presence of protected species prior to undertaking agreed works. Where there is evidence that bats, birds or other protected species are present, the statutory nature conservation organisation must be consulted prior to commencement of any tree work operations.
<p>Lancaster City Council – Policy (Housing)</p>	<p>Comment</p> <ul style="list-style-type: none"> • Policy DM1 seeks to promote balanced communities and meet evidenced housing needs by supporting proposals that accord with the Council’s latest SHMA. The inclusion of some smaller 1 or 2 bed open market homes does go some way towards meeting local need. The proposal does however rely on a greater provision of the larger homes than the identified need.
<p>Lancaster City Council – Waste Management</p>	<p>Comment</p> <ul style="list-style-type: none"> • Ask that parts of the layout are revisited to ensure waste collections are sustainable from both our perspective and for residents.
<p>Lancaster Civic Vision</p>	<p>Comment</p> <ul style="list-style-type: none"> • Should be a new null application since they include a significant reduction in the size of the development, changes to the layout and a reduction in the proportion of “affordable” units; • Welcome the overall reduction from 95 to 70 units but greatly regret that only 10% of these will be “affordable” (well below the 30% required in the Local Plan) and that they will be clustered together in the NE corner of the estate; • 70 homes will add to road congestion and put extra demands on schools (most of the nearby primaries are already at capacity) and over-stretched health services; • Note with approval that this development does offer a variety of accommodation (including 5 bungalows). The developer

	<p>also promises Passivhaus building standards with solar panels on all properties, air source heat pumps, high insulation, triple glazing and electric car charging points etc</p> <ul style="list-style-type: none"> • reasonable amount of public open space. Materials will mainly comprise brick with stone on "feature corners". Greater use of stone might have been more appropriate on this strategic site. We are concerned about the proposed use of timber cladding (to add diversity) which tends to weather badly. • Particularly pleased to note that, as we recommended, the row of houses adjacent to Scotforth Road have been re-orientated so that they no longer present views of their back gardens
National Highways	<p>No comment</p> <ul style="list-style-type: none"> • This is because these aspects are not relevant to the strategic road network given the location of the development.
Natural England	No comment to make on this reserved matters application
NHS	<p>Comment</p> <ul style="list-style-type: none"> • Provides detailed justification for requiring a financial contribution for local health facilities
Scotforth Parish Council	<p>Objection</p> <ul style="list-style-type: none"> • Does not provide sufficient affordable housing to comply with DM3 • We have considered the materials palette in section 11 of the Design and Access Statement and object to the Wienerberger Trinity cream gilt stock as bland and not in keeping with the rural character. We suggest that the proposed brick finish for plots 50-57 should be the same stone finish as plots 1-7 in keeping with the 'gateway' location of this development • wish to be assured that any railway crossing would not involve the destruction of the veteran trees on the west side of the railway. Therefore, the applicant must indicate the probable route from their spine road to a bridge position that protects these trees and also does not prejudice the plots 14 and 15. • The applicant has not provided evidence of how they meet the SG1 principle XIII - Offering opportunities for national housebuilders to work alongside local construction firms and encourage training opportunities for local people. • The site requires levelling including substantial importation of material to raise the land to above the flood risk 2 and 3 levels. This is a grossly unsustainable approach. The houses in flood zone 2 ought to be removed from the plan and the current seasonal pond at this site should be preserved with all of its associated biodiversity benefits. • Continues to be concerned at the number of new access points (HIC, Filterhouse, Aldi and Northstone), and associated traffic, on this stretch of the A6 which cumulatively will increase congestion and pollution.

United Utilities	<p>No Objection</p> <ul style="list-style-type: none"> • Further to our review of the submitted Preliminary Drainage Layout, Drawing 30526/100, Rev P - Dated 24/05/23, we can confirm the proposals are acceptable in principle, subject to conditions 17, 18 and 23 of the outline application 22/00423/VCN being discharged. • According to our records there is an easement crossing the proposed development site which is in addition to our statutory rights for inspection, maintenance and repair. • A large diameter trunk main crosses the site. It must not be built over, or our access to the • pipeline compromised in any way. We are aware that it is the applicant's intention to divert the water main. Therefore, we request a planning condition relating to the means of laying the water main is attached to any subsequent approval.
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5.0.2 Overall, the LPA has received 27 public representations where 19 offered support and 8 raised an objection under the following matters:

In support

- There is a shortage of housing in the Lancaster area so there should be support for opportunities such as this;
- Love to see more affordable, energy efficient homes in the area to meet demand for new homes
- Need more affordable housing for people
- Need more homes for families and to support growth in our area
- Help first time buyers
- Much needed development of different varieties of housing express interest in bungalow
- Promotes local employment opportunities

In objection

- Raises concerns over how affordable the houses will be
- Highly unlikely this developer will be delivering family sized homes for £108k or less. Therefore, this begs the question who are they affordable for
- Increased risk of flooding
- Raises concerns with scheme achieving bet zero
- Loss of a local habitat would significantly reduce the biodiversity of the area
- Unacceptable risk to road safety and congestion
- Existing space serves as de facto green belt preventing a contiguous development all the way to the university and the new conversion on the A6
- 3 storey houses at the front entrance to the site, appear to be excessive in height
- existing houses on Scotforth Road being overlooked
- Cumulative impact from increase of traffic onto the A6
- Due to level of traffic on A6 it can be dangerous for pedestrians and cyclists
- Housing density of the proposed development is not in keeping with the local area
- Some of the inferences/conclusions in the document summarising the consultation of the local community (Statement of Community Involvement) are methodologically flawed. In particular, the comments about the numbers of

people expressing an interest in a new house are overplayed whilst the objections to new housing on a green field site (etc.) are underplayed.

- Inadequate notification period
- Questions the infrastructure to support the houses
- Object to green fields being taken up by housing
- Concerns about maintaining the peaceful ambience of our community
- Doubtful that surface water can be disposed of by soakaways giving the current land conditions;
- Reiterated concerns from a consultation on a draft document People, Homes and Jobs relating to flood risk, growth of the area, household type and size, jobs for future occupiers, pressure on existing facilities and impact on local roads.

6.0 PLANNING ASSESSMENT

6.0.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination must be made in accordance with the Plan unless material considerations indicate otherwise. The principle of residential development on this site has been established by the extant outline approval. As such, the issues to be considered with regard to this application are set out below.

- Relationship with Outline Consent;
- Housing Mix and Affordable Housing;
- Housing Quality;
- Design and Form;
- Impact on Amenity;
- Highway matters;
- Open Space provision;
- Ecology and trees;
- Flood Risk, Surface Water and Foul Drainage
- Other Matters.

6.1 Relationship with Outline Consent

6.1.1 The principle of development and the access arrangements to serve this site have already been established through the approval of 19/00332/OUT which was later varied by 22/00423/VCN. The application 22/00423/VCN was determined by committee on 20 June 2022.

6.1.2 Therefore, any engagement on the scheme should focus on the matter of detail. In regard to the relationship with the Outline Consent, however, SPLA Policy SG1 sets out that involving local communities in a pro-active consultation remains at its core. As such, the applicant has prepared and submitted a statement of community involvement to support the application which sets out the level of engagement which has taken place with interested parties. The consultation programme undertaken by the applicant comprises:

- Letters sent to key stakeholders;
- Leaflet distribution to 502 homes and businesses close to the site, which outlined an overview of the plans and inform residents how they might provide their feedback;
- Establishment of a consultation website to provide further information on the proposals and a facility to submit feedback via an online form;

- Circulation of social media adverts to all residents living within the surrounding area to reach a wider audience. The adverts disseminated details about the plans and direct social media users to the consultation website;
- The setting up of a community information telephone line and a consultation email address available throughout the consultation period for those wanting to speak or correspond with a member of the development team; and
- Issue of a press release to local and industry media outlets to inform readers about the scheme and how feedback could be submitted.

6.1.3 It is considered the consultation is comprehensive and how the feedback has been addressed. Notwithstanding other matters in the recommendation of this application the applicant's consultation has been undertaken in a pro-active manner which satisfies criteria one of SPLA Policy SG1.

6.1.4 Turning to other matters it is noted the Section 106 Agreement was signed and sealed on 30 April 2021 with a Deed of Variation completed on 17 August 2022. There were no time limit conditions attached to the outline consent for a timed completion of the legal agreement. The permission in this respect therefore remains extant.

6.1.5 The outline consent included conditions which covered:

- Time limit
- Approved plans (as amended and drafted above)
- Scheme for Infrastructure and Enabling Works Pre-commencement
- Phasing Plan
- Employment Skills Plan
- Biodiversity and Landscape Mitigation and Management Plan
- Invasive Species Survey and mitigation (if required)
- Construction Environment Management Plan (CEMP)
- Contaminated Land Pre-commencement
- AIA and Tree Works Schedule, Arboricultural Method Statement and tree Protection Scheme
- Housing Mix and 20% M4(2) provision
- Scheme for Safeguarding Land Save for Advance Infrastructure and Enabling Works
- Finished Flood Levels and Site Levels
- Full access construction details
- Scheme for off-site highway works
- Scheme for Surface Water Drainage
- Foul Drainage Scheme Save for Advance Infrastructure and Enabling Works pre-commencement Noise Mitigation Scheme
- Scheme for EV Charging and Cycle Storage provision
- Scheme for achieving 10% betterment above Building Regulations
- Travel Plan
- Management and Maintenance scheme for Drainage
- In accordance with FRA
- A shared cycle/pedestrian link between access and crossing point to south (Collingham Park) to be incorporated into the layout of the development.
- All dwellings to meet NDSS

6.1.6 A Section 106 Agreement secured the following:

- An education contribution for offsite provision;

- An off-site public open space contribution;
- A young person's open space contribution;
- Submission of a POS Management Scheme;
- An affordable housing scheme; and,
- A transport contribution.

6.1.7 Taking into account the above, the approval of 23/00234/NMA and with the site identified for broad growth under SPLA Policy SG1, this application for the reserved matters can be considered against the Local Plan, including Policy SG1 where pursuant to this application.

6.2 **Housing Mix and Affordable Housing** - NPPF: paragraphs 62 and 63 and 78 (housing needs and affordable housing); Strategic Policies and Land Allocations (SPLA) DPD policy: SG1 (Lancaster South Broad Location for Growth) Development Management (DM) DPD policies: DM1 (Residential Development and Meeting Housing Needs), DM2 (Housing Standards) and DM3 (The Delivery of Affordable Housing).

6.2.1 An underlying theme of SPLA Policy SG1 is to deliver a wide range of market and affordable housing, in terms of type and tenure to ensure that opportunities to live in the Garden Village (and the wider growth area) are available to all sections of the community and contribute significantly to the creation of cohesive, balanced communities. This would assist the district in meeting its evidenced housing needs within the Local Plan period.

6.2.2 DM DPD Policy DM1 support the strategic policy by reiterating that proposals should seek to promote balanced communities and meet the evidenced housing needs that accord with the Council's latest Strategic Housing Market Assessment (SHLAA). An indicative housing mix to meet the identified need is included in the DM DPD Policy 1 at table 4.1. Policy DM1 does set out the criteria where it may not be appropriate to provide a full range of housing needs namely for smaller sites (10 or less), where lower densities are sought or larger homes may not be appropriate, the effect on a heritage asset or in rural locations where an up-to-date village or parish housing needs assessment is more appropriate in the indication of housing need.

6.2.3 In this instance it is considered DM1 exemption criteria does not apply in this case.

6.2.4 In respect of affordable housing, it is acknowledged that the outline consent and accompanying Section 106 Agreement secured the full amount of the number of units to satisfy DM DPD Policy 3. The size and type of the units were however required to be secured by Planning Condition (Number 12) of the Outline consent (22/00423/VCN) which also required the details of open market housing.

6.2.5 Although the size and type of open market and affordable housing would be considered under the discharge of condition process, the resulting mix would have a material effect on the scheme submitted under this application.

6.2.6 Taking DM DPD Policy 1 into account it can be gleaned from the latest SHMA (2018) findings for South Lancaster that there is a shortfall of 1-2 bed detached houses / cottages and 1, 2, 3 and 4 bed roomed semi-detached houses in respect of the aspirational and expectations of households (3 bed not aspirational). This would suggest that there is a lower than expected number of smaller units in the Lancaster South area. To achieve a cohesive and balanced community it can be construed that

new developments should include more smaller units as part of their housing mix to introduce units into the area to meet the current need.

- 6.2.7 It is considered the proposed affordable housing mix, reflects the need identified in the SHMA and the increased demand for family homes through the council's Choice Based Lettings and is considered acceptable in so far as the consideration of the reserved matters relating to layout.
- 6.2.8 In terms of the layout and position of the different size units within the development it can be seen that the smaller units and all the affordable units have been situated in the northern and central section of the site. The Meeting Housing Need SPD provides additional guidance on explaining that affordable housing should be well distributed, or 'pepper potted' throughout the scheme.
- 6.2.9 Taking into account distribution of housing it is noted that the dwellings are designed to be tenure blind and as such it would be difficult to distinguish between open market and affordable units.
- 6.2.10 It is acknowledged there is a balance to be struck in regard to housing mix across a site. Nevertheless, the development does result in a mix that would generally accord with meeting housing need. Given the design is tenure blind and there to be equal access to the open spaces and permeability potential within the site it is considered to be sufficient factors to outweigh further distribution of affordable units across the site.
- 6.2.11 It is therefore considered the housing mix and the way they have been incorporated into the scheme does represent a form of development that would contribute towards being cohesive and balanced in which would satisfy DM DPD Policy 1, Policy 3 and would weigh in favour of SPLA Policy SG1 in the planning balance.

Housing quality

- 6.2.12 Policy DM2 sets out expectations in terms of housing standards to ensure high quality housing. The policy sets out that new applications will be supported where all new dwellings meet the National Described Space Standards (NDSS) and at least 20% of the dwellings will be expected to meet Building Regulation Requirement M4(2).
 - 6.2.13 The proposed dwellings all meet the Nationally Described Space Standard and that 25% or better would achieve M4(2). The proposed development therefore satisfies DM DPD Policy DM2.
- 6.3 Design and Form - (NPPF: Chapter 15 paragraph 174 -177 (Conserving and Enhancing the Natural Environment); Strategic Policies and Land Allocations (SPLA) DPD policy SG1 Lancaster South Broad Area of Growth, 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).**
- 6.3.1 National and local planning policy and guidance place increasingly greater focus on design which is taken through to the underlying aspiration of SPLA DPD SG1.
 - 6.3.2 The NPPF states in paragraph 130 planning policies and decisions should ensure that developments: function well and add to the quality of the area; are visually attractive; are sympathetic to local character and history; establish/ maintain a sense of place; optimise development on the site; and create places that are safe, inclusive

and accessible and which promote well-being. Paragraph 134 of the NPPF states that where a development is not well designed it should be refused, especially where it fails to reflect local design policies and guidance on design.

- 6.3.3 The National Design Guide and the National Model Design Code provide detailed advice and guidance to inform high quality new developments by detailing guidance and structure to help deliver good design which focuses on ten design characteristics across three themes (physical character, community and climate). Although in its infancy 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. This is reflected in DM29 which also requires development to positively contribute to the identity and character of the area.
- 6.3.4 The outline application set out the context of design and how a scheme should be taken forward through to the reserved matters stage. It was identified that given the site's gateway position into the city and its position within the Broad Location for Growth (BLG), the design expectations are set high. It was advocated that a landscape approach should be taken and after considering all the matters which can interplay with one another can only be achieved through well-planned high-quality design.
- 6.3.5 This application, similar to the situation at the outline stage 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 place making design aspirations and masterplanning for the BLG area within the consideration relating to the reserved matters. Drawing back to Policy SG1, although it is strategic led in the absence of the APP it allows the scheme to be considered as a whole. Using the criteria of SG1 as the baseline with relevant DPD policies the question asked is of high design and if the scheme would achieve such a bar. Indeed, while design is highly subjective how this application has been considered is through three key questions derived from SG1:
1. Is the proposal of such of high-quality urban design which promotes sustainable, attractive places to live, defining a sense of place and creates a sense of community for its new residents?
 2. Does the scheme create areas of high-quality open space to provide a distinct sense of place
 3. Can the scheme be considered as innovative urban design in terms of layout, density and design of new buildings?
- 6.3.6 The proposal has undergone an appraisal using a traffic light scoring system under a Building for a Healthy Life design tool to assess of the originally submitted plans and documents with further consideration of the additional explanation provided by the applicant and iteration of the scheme.

Consideration of Question 1

- 6.3.7 The Applicant's response and supporting documentation has satisfied officer comments regarding defining features for the proposed character areas. The applicant proposes three-character areas which define the northern, central and

southern areas of the site, encapsulating the built form and areas of open space which contributes to the streetscene. The applicant demonstrates that factors such as the application of dual pitched roofs, window proportions and patterns, modern detailing and material application have been considered to establish principles of coherent rhythm and structure across the site and character areas. In recognition of this, the proposed design and appearance of house types provides sufficient variation to help establish the three Character Areas. The Applicant has given explanation to the rationale behind the use of timber cladding in certain locations across the site.

- 6.3.8 The proposed pocket orchard and village green are areas of POS that are additional provision over and above the policy requirement. This type of spaces would contribute towards developing a sense of community. They are more central and open, viewable and almost equidistant to all parts of the development. There is a degree of spaciousness surrounding the POSs and are not considered to be overly onerous on the amenity of the neighbouring properties.
- 6.3.9 It is considered the proposed design and further explanation provides comfort that the attributes towards the expectations that contribute towards the sustainability of the space and would create a sense of community can be achieved. By attaching planning conditions relating to materials that would help highlight the route from the central axis, wayfinding measures across the site and details of the treatment of the open spaces it will strive towards developing a sense of place.

Consideration of Question 2

- 6.3.10 In terms of the quantum and configuration of open space these matters are discussed later in this report. It is considered a contributing factor to establishing a sense of place is the quality of the open space and how it interplays with the development and the wider area.
- 6.3.11 It is acknowledged that the footpaths and informal routes that can be used by future occupiers and/or visitors to the area which improves the use of the western open space and particularly the southern parcel of open space by creating circular trails when joined with the shared cycleway and footway. On the eastern side of the site the shared cycleway/footpath deviates from the direct route of the A6, later joining back up with the trunk road. Nevertheless, the altered route when traveling north and south along the A6 provides pedestrian and cycle users with an enhanced section, where given the outwardly facing units, contributes to improving the gateway setting into the city. It is acknowledged the retention of trees and that there is potential of further planting enhancement to green the route and soften the edge of the development from short and long ranges views.
- 6.3.12 A play space has been incorporated into the southern open space area between the shared cycleway and existing woodland. Incorporating the landscape features an informal kickabout is positioned between the cycleway and footpath with trim trail activities adjacent to the woodland. The trim trail has been designed with a gradual age-appropriate equipment with the younger aged being closest to plot 24 which overlooks the play space. A further kick about area is on the western side of the open space adjacent to the SuDs area served by a meandering footpath that links up further to the south of the shared cycleway. The Applicant can further elaborate on what forms of informal and formal play are envisioned for the different play spaces across the site which can be secured planning condition.
- 6.3.13 The landscape-led approach with significant green swaths around the site is consistent with the aspirations set out in Policy SG1 and there are positive attributes

which place positive weight in the planning balance. The Applicant also makes note in drawing 'Scotforth, Lancaster - SF02-P-D-001 Character Areas Diagram' that the detailed landscape design will also utilise variation to enhance changes in the proposed character areas across the site.

- 6.3.14 The Applicant makes note of a number of proposed landscaping strategies across the site that will mark out different spaces and locations to make the pedestrian network more legible and highlight entrances. It has demonstrated, in their response and additional documentation, how thresholds to the network of proposed open spaces are highlighted across the site.
- 6.3.15 Taking into account the overall design positive aspects there is a level of certainty that a high-quality scheme can be brought forward which further elaborates on design of the key threshold and would contribute towards a sense of place. Although the site is within the SG1 it is considered there is sufficient confidence that a high-quality landscaping scheme can be secured by planning condition.

Consideration of question 3

- 6.3.16 In response to a design comment around the street scene along the central axis, the Applicant has re-iterated a number of factors which have limited and influenced the development of the site layout. In review of the scheme alongside supporting information submitted, it is agreed that due to competing factors outlined in the Applicant's response, an alternative street scene to the proposed layout of the central axis would be difficult to arrive at. The central axis does provide a design deviation to the central spine road allowing for a kink to be introduced in reducing the long vista through the site. However, there is a minor concern that a straight streetscene can make destinations seem farther, creating emphasis on movement rather than streets as places. There remains a lack of active street frontage to the east, the central axis doesn't offer a very permeable, pedestrian-friendly street layout to define a strong sense of place.
- 6.3.17 In terms of the layout, it is noted that the perimeter urban block approach has been applied across much of the site for the layout of the dwellings, providing a secure core of gardens to the rear and semi-private frontages facing the streets. A range of house types have been proposed in the development. The Applicant has clarified that the scheme has carefully considered feature units to terminate key views. The Applicant also makes note that they are happy for a scheme detailing the proposed lighting and signage to be conditioned and agreed ahead of determination.
- 6.3.18 The Applicant has clarified that the bin and bike storage will be fenced off and only accessible by residents of plots 30-33, and therefore not a through route. It is considered more appropriate to increase the height to 1.80 metre to maintain a degree of security to the rear given the limited facing windows. The additional documentation document, Scotforth, Lancaster - SF02- P-D-002 Design Diagram Central Area, illustrates the extent of surveillance to the side and front of plot 30-33 and neighbouring pedestrian routes.
- 6.3.19 The Applicant has noted that the siting of plot 22 has been deliberately placed to create a sense of arrival. While it is understood that siting a residential dwelling will add activity to this part of the site, the positioning of a residential use at the corner of this key vehicular road appears to be somewhat isolated, with the garden also facing the road. However, with the dwelling type being a bungalow, it can also be deduced that overall impact to the view is not too harmful.

- 6.3.20 The Applicant has clarified the relation between the proposed character areas in the central and southern parcels and how this impacts the layout and character of the residential units along the central axis. It is understood that the plots with rear elevations have been carefully positioned behind established existing trees and to create an active frontage towards a key vista.
- 6.3.21 It is agreed that creating a 'sense of arrival' for those travelling north up the A6 is important including the use of stone in this gateway location as an appropriate use of the material to respond to the context. However, there is concern that the use of facing stone only in this location will result in a detached and isolated feel for the gateway corner. It is maintained that a greater use of stone in the northern parcel, keeping with the character area, might be more appropriate. Otherwise, the use of stone here solely in one area appears to be unbecoming.
- 6.3.22 There are positive factors noted above, however, there are also negative aspects. As guidance in the National Model Design Code outlines, car parking layouts will affect the quality of a place, both in visual terms and how the streetscape is used and experienced, particularly by pedestrians. Well-considered parking should be convenient, safe and attractive to use, and well-integrated into the streetscape. The parking for plots 30-33 whilst appropriate for an apartment layout; however, the spaces are in an exposed and visible location. When combined with the parking for plots 46 – 47 may result in a higher level of parking in the streetscene. This is lessened to a certain degree by the direction of travel with a slight variation in building to street edge in how the central axis space is experienced.
- 6.3.23 Parking for plots 49-50 similarly, appears around a cul-de-sac which may appear prominent in the streetscene. It is agreed that courtyard parking arrangement can be a useful addition in providing spaces to the rear of dwellings (plots 1-4 and 34-40). Although not a dominating feature it is important that landscaping is used to soften the area/views. This includes hedgerow planting and at least one suitable tree species (with appropriate tree guard protection) alongside the hedgerow planting. The Applicant also agrees to a suitably worded condition to confirm the lighting details around these spaces.
- 6.3.24 In respect of the design of new dwellings this could be considered a cross over matter between the outline and this reserved matters. However, given the imposition of Condition 21 which requires a betterment against building Regulations this was a matter considered at the outline stage. For completeness against SG1 that applicant has provided an energy statement which outlines for technologies for buildings, the proposed dwellings feature a range of innovative yet proven technologies to promote energy efficient, healthy and low carbon lifestyles. Such technologies include 'Shower Save' wastewater heat recovery systems for homes with upstairs showers, triple-glazed windows, mechanical ventilation with low specific fan power, 'Wonderwall' (individual company product range) smart home controls, and integrated renewable or low carbon energy generation technologies such as solar PV panels or air source heat pumps.
- 6.3.25 There are factors which could be considered as innovative and drawbacks when considering the above aspects of the scheme. The objective with any scheme when considered against the building for a healthy life is to minimise the number of amber lights and avoid red lights. The proposal does not attract any red lights but does include some amber sections which have been discussed above. However, it is considered through carefully worded planning conditions the positive aspects will outweigh the drawbacks and, in the round, would be an acceptable form of urban design.

6.4 Impact on Amenity - NPPF paragraphs: 92 (Promoting Healthy and Safe Communities), 130 (Achieving Well-Designed Places), 183-189 (Noise and Pollution); Development Management (DM) DPD policies DM29 (Key Design Principles), and DM57 (Health and Well-Being).

6.4.1 DPD Policy DM29 suggests that new dwellings should be as private and free from overlooking and overshadowing as possible. The supporting text to Policy DM29 sets out that there should normally be at least 21 metres between dwellings where windows of habitable rooms face each other and for every half-metre change in levels between properties, a further 1 metre separation should be provided. It also sets out that rear gardens should look to achieve at least 10 metres in depth, unless there are overriding design reasons to justify a reduced depth, providing that neighbouring private amenity open space will not be overlooked. Although SG1 does not explicitly refer to an impact on amenity it does provide an overarching guidance by advocating an innovative urban design both in terms of layout and density of new development.

Effect on surrounding land uses

6.4.2 In regard to the surrounding land uses it is considered, taking into account the separation distances, that the proposed development would not significantly impact the land to the west, the residential properties on Oakwood Gardens to the east and the land to the south of the application site. In respect of the land to the north Condition 19 attached to the Outline consent secures limits of internal noise levels for the future dwellings. The protection afforded by the condition would reduce the potential of an impact (Agent of change) to retail activity to the north of the site.

Future occupiers – Noise and vibration

6.4.3 Noise and vibration effects, namely from the adjacent railway mainline, are dealt primarily under Condition 19 of the Outline Consent. However, the condition does require, where appropriate, that the acoustic design measures and mitigation, must be incorporated into the layout, landscaping and appearance submitted as part of any reserved matters application.

6.4.4 This application has been accompanied by a further noise assessment which takes into account the proposed food store to the north of the site under reference: 21/00987/FUL. The following measures are to be adopted to ensure compliance with the noise level criteria stipulated within Condition 19:

- Suitably acoustically rated external glazing. Minimum performances for the various facades across the scheme are provided.
- The ventilation strategy ensures that open windows or ventilators will not be relied on to achieve background ventilation. This ensures that the sound insulation performance of the building envelope is not compromised.
- Acoustic screening is proposed to the gardens that are worst affected by the surrounding noise sources to ensure suitable noise levels will be achieved in the external amenity spaces.

6.4.5 In the absence of comments from Environmental Health for this reserved matters application the discharge of the condition is under a separate process. The means of glazing and ventilation would not necessarily have a significant effect on the appearance of the dwellings and would fall outside of this reserved matters

application. Nevertheless, the acceptability of the sound mitigation measures is secured under the discharge of Condition 19 attached to the outline Consent.

Future occupiers – relationships within the site

- 6.4.6 Turning to the proposed dwellings within their plots and how they relate to each other it is noted that DPD Policy 29 sets out general principles where the Council will expect development to ensure there is no significant detrimental impact to amenity in relation to overshadowing, visual amenity, privacy, overlooking, massing and pollution. The supporting text requires developments to give consideration to the relationship between dwellings with a habitable room window and for blank elevations taking into account the horizontal and vertical planes (i.e. distance and height differences). Furthermore, Policy DM29 encourages a level of provision of garden space.
- 6.4.7 It is noted that Condition No. 14 of the outline sent requires the details of site levels to be submitted to and approved in writing. In considering the impact on future occupiers a preliminary levels drawing has been submitted to support the application. Should the levels remain as shown on the preliminary level drawing or indeed is subject to change the resulting impact to amenity will be duly considered under the condition discharge process when these details are known. If the layout changes as a result of the outcome of Condition 14 the applicant would have to submit a new reserved matters application.
- 6.4.8 The above does inevitably make the assessment of the proposal against Policy 29 more difficult. Whilst the distances on the horizontal plane can be obtained from the site plan the heights between buildings are only shown on a preliminary level drawing and Condition 14 has not been discharged. To assist with considering the relationships Paragraph 9.4 of DM29 does however draw attention to "...the highlighting of minimum distances does not mean that they will always be acceptable. There may be instances where these minimum distances need to be increased or reduced depending on circumstances, for example site topography or density considerations..."
- 6.4.9 Using the site level drawing it is shown in the northern parcel that there are minor differences in heights between dwelling platforms ranging from 200 mm across the central to 1.25 metres towards the western side. The distance between the fronts of the properties along the northern boundary and the rear facing properties range between 22 metres reducing to 18 metres towards the western side.
- 6.4.10 Moving to the central area the rear of properties on the western side measure approximately 20.7 metres (between 25 and 69) with the frontage over the services road separated by 18.20 metres (between plot 66 and 69). The level difference between the rear of properties is shown to be approximately 1.75 metres with the facing fronts virtually flat.

Future occupiers – garden sizes

- 6.4.11 In respect of garden spaces, the applicant has provided a further supporting note. It is purported that the target garden size does not allow for non-standard irregular garden shapes. Instead, the applicant has provided information to show a target garden area based on the dwelling width multiplied by 10 to replicate the intent of DM29. The information then identifies which plots would comply or fall short of this target.

- 6.4.12 Indeed, it is accepted that DM29 does encourage a standard for private gardens. However, there is still flexibility for a reduced depth (less than 10m) for instance, providing the overall area still maintains a minimum of 50 square metres and proportionally the area is increased by 10 square metres for each additional bedroom over a two bedroomed house.
- 6.4.13 The majority of the plots meet the overall standard. Where there is a shortfall in depth it is balanced with meeting the proportional area for the size of dwelling (e.g. plots 12, 13, 14, 23, 24, 27 and 40).
- 6.4.14 There are some plots which fall short in the area and depth of garden space (plots 1, 2, 3, 4, 5, 6, 7, 18 and 19). Although these plots would fall short it is noted that the properties are close to the rain garden and land to the rear of plots 20/21 which are publicly accessible.

Future occupiers - appraisal

- 6.4.15 It is recognised that not all plots have shortcomings with other properties within the development in respect of separation distances and garden spaces. There are a number of properties that would have either unfettered relationships or distances which are considered acceptable. Similarly, there is a level of accessible open space which is available to future occupiers within easy reach of the properties within the site. There is still choice given the number of units within the site for future occupiers to make a decision on a certain property depending on individual aspirations and circumstances. Nonetheless, while there are differences compared to DM29 standards they are still shortfalls; however, they are not considered to be demonstrably harmful. As such, this would place the amenity of future occupiers into the planning balance of the application and would attract negative weight.

6.5 Highway matters - NPPF Chapter 9 paragraphs 108-111: Promoting Sustainable Transport and Chapter 12 paragraph 127: Achieving well-design places. SPLA DPD Policy SG1 Lancaster South Broad Area of Growth T2: Cycling and Walking Network and T4: Public Transport Corridors. DM DPD Policy 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;

- 6.5.1 Access to the site has been granted consent under the outline application with the details secured under Condition No. 2. The approved junction design comprises a priority-controlled T-junction with right turn ghost island facility. The proposed access includes left and right exit lanes onto the A6 with a right turn storage lane on the A6. The junction design also includes the provision of a shared 3 metre cycle/footway either side of the access with appropriate dropped kerbs on the mouth of the junction with visibility splays of 2.4m by 120m in both directions. Details of means of construction are secured under Condition Nos. condition 15 (precise construction details of the access) and condition 16 (scheme for off-site highway works). The Legal Agreement requires a commuted sum to be paid for off-site highway improvement works and Travel Plan support service.
- 6.5.2 The site plan for the reserved matters application shows the safeguarded land reserved for potential strategic infrastructure i.e. suitable link road to facilitate wider growth west of the West Coast Mainline (WCML). This shows the application is still consistent with Area Action Plan for the Broad Area of Growth in South Lancaster (SG1 and SG3) in terms of transportation.

- 6.5.3 Turning to the proposed layout it is considered the road and footway configuration allows for the safe movement of vehicles and pedestrians. There is sufficient visibility and manoeuvring space for vehicles with footways provided for the waiting and movement of pedestrians. The shared cycleway provides a safe route with good visibility to account for passing pedestrians. A footpath from the development links with the bus stop on Scotforth Road. The rumble strips have been removed and bin storage areas shown which would address the comments of the Highway Authority.
- 6.5.4 DPD DM Policy 62 requires developments to be designed that incorporates provision to accord with the Council's parking standards, impaired mobility needs are achieved, and facilities are shared where location and patterns permit. The policy continues by setting out the dimensions of garages to comply with the standards should they be proposed.
- 6.5.5 In terms of the provision of car and cycle parking the proposal provides the sufficient number for each unit to accord with the level requirement of DM Policy 62. The dwellings in the central area of the site benefit from curtilage parking which is acceptable in terms of layout and being available for impaired mobility. Although the northern area provides the sufficient level of parking, the layout of the provision differs slightly where some bays are not within the curtilage of the property. Although some of the bays are remotely placed from the host dwelling, they can still be accessed safely with adequate manoeuvring space on the road to enable access/egress. Notwithstanding the design section of this report, it is considered the parking provision from a highway safety perspective would be difficult to sustain a refusal.
- 6.5.6 As such it is considered the proposed development has a safe level of connectivity and is acceptable in terms of highway safety.

6.6 Open Space provision - (NPPF: Chapter 12); Strategic Policies and Land Allocations (SPLA) DPD Policy SG1 Lancaster South Broad Area of Growth; Development Management (DM) DPD policies DM27: Open Space, Sports And Recreational Facilities, DM29: Key Design Principles, DM43: Green Infrastructure, DM45 (Protection of Trees, Hedgerows and Woodland) and DM46 (Development and Landscape Impact).

- 6.6.1 SPLA Policy SG1 sets out specific criteria for development within the BLG area to contribute towards the provision of open space, namely:
- The creation of sufficient areas of high-quality open spaces to provide a distinct sense of place and deliver a network of green corridors and walking and cycling routes across the South Lancaster area to the benefit of the local environment and residents. The delivery of such spaces and routes should make for distinct areas of separation between the new development and the urban edge of Lancaster, Bailrigg Village and Galgate and give potential to bring forward a new country park
 - The creation of healthy and cohesive communities through the delivery of high-quality development and the correct levels of services, open space and infrastructure which is provided in safe and accessible locations.
 - To support the delivery of growth in the South Lancaster area, including development of the Bailrigg Garden Village, there will be a requirement for a wide range of both locally important and strategically important infrastructure, including new highways, public transport network, education provision, new local centre(s), open spaces and green network. This is set out in Policy SG3 of the Local Plan DPD and will be addressed in more detail through the preparation of the Lancaster South Area Action Plan DPD.

- 6.6.2 Policy DM27 'Open Space, Sports and Recreational Facilities' states that proposals which seek to protect and enhance existing designated open spaces, sports and recreational facilities, that are provided for their important value, will be supported by the Council. The policy continues, that where a development proposal is located in an area that is recognised to be deficient in open space, sports and recreational facilities, there's a requirement to provide appropriate contributions towards these forms of open space provision, either through on-site or a financial contribution toward the creation of new or the enhancement of existing open spaces, sports and recreational facilities off-site.
- 6.6.3 Policy DM27 also refers to development that is proposed adjacent to designated open spaces, sports and recreational facilities, in that it will be required to incorporate design measures that ensure there are no negative impacts on amenity, landscape value, ecological value and functionality of the space. The Council will only permit development that has identified negative impacts on open space, sports and recreational facilities where appropriate mitigation measures or compensation measures have been provided.
- 6.6.4 In accordance with Policy DM27, any provision made for open space, sports or recreation facilities should be fully accessible to the public without any restrictions and will be provided in addition to any private amenity space or landscaping. Proposals should not have an adverse impact on surrounding residential amenity in terms of light and noise-disturbance, with any potential impacts being appropriately mitigated against. Policy DM43 highlights that development proposals should incorporate new and/or enhanced amenity green spaces of an appropriate type, standard, size and reflects the needs/deficiencies for the area as set out within the Council's Open Space Assessment or successor documents.
- 6.6.5 The Section 106 agreement attached to the outline consent requires that an off-site open space contribution is made to the Council for outdoor sports facilities and for young person's open space. The Agreement continues by requiring the applicant to identify public open space within the site and for a public open space management scheme to be approved as part of the development. Then the unencumbered open spaces are transferred to a management company to be maintained in perpetuity. The discharge of the covenants under the Legal Agreement are dealt separately to the reserved matters application.
- 6.6.6 The open space is consistent with the parameter plan considered under the outline consent amended by NMA 23/00234/NMA and provides a visual landscape buffer with the site's perimeter. The swaths of open space have been provided on the west and eastern side of the application site with the majority situated in the southern area beyond the extent of the built form. The cumulative total which includes the SuDs basin, flood risk area and woodland is 11,890 square metres. Removing these areas, the amount of open space is 3,300 square metres.
- 6.6.7 It is considered the total area in quantitative terms for open space satisfies Policy DM27 and DM43.
- 6.6.8 When considered as a whole, the scheme represents a favourable balance of open space in quantitative terms which is characterised by retention of trees, new structural landscaping and enhanced by children's play spaces. It is considered the open space contributes towards a sense of place and towards delivering a network of green corridors, walking and cycling routes. The outline consent secures the delivery of the open spaces a how the spaces are managed and maintained in the future. It is

therefore considered there are sufficient factors in quantitative terms for the open space provision to conclude it satisfies the policies DM27, DM43 and achieves favourable weight in the planning balance for SPLA Policy SG1.

6.7 Ecology and Trees (NPPF paragraphs: 174 and 179-182 (Habitats and biodiversity); Strategic Policies and Land Allocations (SPLA) DPD policies: SP8 (Protecting the Natural Environment, SG1 (Lancaster South Broad Location for Growth) and EN7 (Environmentally Important Areas); Development Management (DM) DPD policies DM43 (Green Infrastructure), DM44 (Protection and Enhancement of Biodiversity) and DM45 (Protection of Trees, Hedgerows and Woodland).

- 6.7.1 The outline planning consent considered the impact of the proposed development on ecology, and protected species. Condition 6 of the outline consent added further protection to existing species on the site and for the connectivity. The condition further requires a habitat creation and enhancement of the boundary buffers and open space to compensate of the loss of hedgerow and grassland. Condition 6 to address the findings of the Habitat Regulation Assessment and Appropriate Assessment required a Homeowner Pack, required details of the measures to mitigate against recreational disturbance on Morecambe Bay (SPA). The Section 106 ensuring the management of the landscaped areas. Natural England provided a consultee response on the outline raising no objection.
- 6.7.2 The proposed scheme follows the principles of the outline consent and provides areas of open space for recreational and conservation purposes with the ecological matters addressed by Condition 6 of the outline consent. The applicant has responded to the latest GMEU comments for this application by advocating the design code submitted to accompany the plans are to provide an indicative landscape palette for the site where precise details can be secured by planning condition. The applicant confirms that the conclusions made in the Biodiversity Net Gain assessment are still reliable on the baseline provided. The BNG calculation was undertaken on the basis of the masterplan principles, as well as indicative landscaping proposals as they developed. The vast majority of on-site net gain is attributed to the creation of species rich neutral grasslands outside of the footprint of the main development.
- 6.7.3 It is considered this application remains consistent with the outline consent. Although the submitted details are not applied in the sense of position and quantity across the site, the listing of native/ non-native trees and shrubs (soft landscaping) with different means of wildlife mitigation measures link with Condition 6 of the outline consent which would be considered under a separate application process.

Trees

- 6.7.4 Turning to the trees the submitted AIA the proposed level increases are likely to encroach partially over the RPAs of some of the trees. The root encroachments to the west side of the site (G5, G10, T11 and T12) may not be as significant as shown on the plan as this area is submerged for long periods of the year and therefore the roots may not be as spreading as shown (due to the anaerobic conditions of waterlogged ground).
- 6.7.5 It is noted that the Council's Arboricultural Officer has not raised an objection to the application but has raised concerns of the importance of these trees, so the fact that the AIA states that due to level changes these trees will need monitoring is of concern. It also states that, any trees which show a serious decline in condition will be removed and replaced accordingly. As stated in BS5837:2012, the default position should be that development occurs outside of the RPA of trees to be retained.

6.7.6 Taking on board the concerns it is noted that Condition 11 of the outline consent does require the submission and approval of a tree works schedule, method statement and protection scheme. Therefore, should this application be approved to encroach into the root protection area of the trees within the site, the method of excavation, fill, construction, and mitigation will still be considered under the discharge of planning condition to ensure the work does not result in damage of the trees within the site. There is a strong likelihood that a future landscaping scheme would be of a level that could mitigate a loss of existing trees within the site. Therefore, it is considered it would be difficult to sustain a refusal of the reserved matters under these grounds.

6.8 Flood Risk, Surface Water and Foul Drainage NPPF paragraphs: 152, 154, 159-167 and 169 (Flood Risk and Drainage); Strategic Policies and Land Allocations (SPLA) DPD policy SP8 (Protecting the Natural Environment); Development Management (DM) DPD policies DM33 (Development and Flood Risk), DM34 (Surface Water Run-off and Sustainable Drainage) and DM35 (Water Supply and Waste Water).

6.8.1 The applicant reports that site levels are shown to be in the region of 42.50m to 34.30m metres Above Ordnance Datum (m AOD) with the site generally falling in a south-westerly direction. There is a depression within the central part of the site comprising levels as low as 31.70 m AOD in the vicinity of an existing pond.

6.8.2 In terms of flood risk around one third of the application site is currently situated within Flood Zone 1 ('low probability' of river flooding in any one year), with the remainder predominantly within Flood Zone 2 ('medium probability') and a small part of the site towards Burrow Beck to the south within Flood Zone 3 ('high probability'). To mitigate against this risk, residential development will take place upon a development 'platform' which will have been raised above the level of the modelled peak flood level for the 1 in 1000 annual probability flood event i.e. is located in Flood Zone 1. To achieve these levels, it will be necessary to raise the levels on the site by up to 4m in the lowest areas. In effect, therefore, the proposed development will take place entirely at a level above that of Flood Zone 1.

6.8.3 Notwithstanding the drainage matter discussed below a drawing showing levels and finish floor levels has been submitted to accompany the application. The drawing shows the lowest dwelling has a finished floor level of 35.70m AOD dwellings which would show the scheme is consistent with the FRA that accompanied the outline application.

6.8.4 In respect of the treatment of surface water it is noted that the comments from the LLFA. However, it is noted that condition 16 attached to the outline consent does require full details to be submitted for a surface water scheme. The condition requires to comprehensively show:

- Final sustainable drainage layout plan to include all pipe/structure reference, dimensions, design levels, finished floor levels in AOD with adjacent ground levels.
- Information about the lifetime of the development, design storm period and intensity and (1 in 1, 1 in 30 & 1 in 100 year plus allowance for climate change) and discharge rates and volumes (both pre and post development), temporary and permanent storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters,

including watercourses (during construction and once operational), and details of floor levels in AOD;

- Site investigation and test results to confirm infiltration rates, where applicable;
- Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- Flood water exceedance routes, both on and off site;
- A timetable for implementation, including temporary measures during construction and phasing as applicable;
- Details on the mitigation measures to protect the development from fluvial flooding from Burrow Beck.

6.8.5 The condition requires the drainage scheme to be implemented in accordance with the approved details and completed in full prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the details.

6.8.6 It is noted that the LLFA have no objection to the scheme. However, when considering this issue, Member's attention is drawn to the fact that outline condition number 16 still needs to be discharged prior to works commencing which is separate to the determination of the reserved matters application. If an issue can be dealt with by condition, then planning guidance is clear that it should be, and this is considered to be the position here.

6.8.7 Should for example it is minded to approve the reserved matters application and the discharge of condition application is refused, the applicant either takes the decision to appeal or amend the layout to suit a revised drainage scheme which is found to be acceptable. This would result in the submission of a new reserved matters application which is then fully considered in the normal manner as the approved scheme would not be possible to implement.

6.8.8 The application demonstrates that the finished floor levels for the site are above the anticipated 1000-year flood level allowing for climate change which is required by the Flood Risk Assessment (FRA) approved at the outline stage. In terms of foul water drainage, Condition 17 requires details to be submitted and approved under the discharge of condition application.

6.8.9 This application remains satisfactory insofar as it relates to the reserved matters with the precise means of flood risk and drainage to be addressed by the planning condition attached to the outline consent.

7.0 CONCLUSION AND PLANNING BALANCE

7.1 This application is to determine the details that were omitted at the outline application, namely appearance, layout, scale and landscaping.

7.2 The application site is within the BLG area and is why significant emphasis has been placed on Policy SG1 in the assessment and recommendation of this application. Although strategic, there are strands of the policy which apply at this reserved matters stage.

7.3 In the absence of the South Lancaster APP it is for the Local Planning Authority to consider the scheme under the matters applied for and against the aspirations of SG1

to determine if it achieves the bar of acceptability to recommend the approval of the application. Given the nature of SG1 it is considered appropriate to place the assessment into the planning balance. Weight has been attached to the relevant strands of SG1 and on other policies within the DPD in addition to any material considerations. As such, the planning balance comprises the following.

- 7.4 Favourable weight can be applied to the fact that the scheme is considered to be an appropriate housing mix blending aspiration and meeting affordable housing need. The dwellings are tenure blind which will comply with the NDSS and that a significant proportion will satisfy Building Regulation Requirement M4(2) in respect of access. Although weight was applied at the outline stage it is noted the positive measures in respect of the individual build and contribution to lowering energy use of future dwellings. This could be argued that it bolsters its credentials of a sustainable form of development against SG1.
- 7.5 Through carefully worded planning conditions the positive aspects of the overall design will outweigh the drawbacks and in the round would be an acceptable form of urban design. There is sufficient confidence to say that the open spaces within the built form and amenity spaces will be enhanced and make positive inroads to creating a sense of place.
- 7.6 It is considered the road and footway configuration allows for the safe movement of vehicles and pedestrians. In terms of the provision of car and cycle parking the proposal provides the sufficient number for each unit. Although some of the parking has a minor adverse effect in respect of design this can be mitigated by suitable soft landscaping against the backcloth of the built form.
- 7.7 The outline planning consent considered the impact of the proposed development on ecology, and protected species. Whilst a matter considered at outline the reserved matters maintains the level of biodiversity will be provided on site.
- 7.8 There are attributes across the proposed development which attract negative weight. There are some aspects of the design which have attracted an amber flag in the BHL assessment (crucially not red) and the layout of some dwellings result in a shortfall of separation distances and garden spaces standards within DM29.
- 7.9 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. There are clearly favourable attributes to this application and other matters such as highway safety which are broadly acceptable. It is considered these matters outweigh the negative weight to achieve the high bar set by SG1. In reaching this balance consideration has been given to promoting the sustainability, attractiveness, creating a sense of community and placemaking.
- 7.10 It is therefore considered the proposal has tipped the balance in favour of approval and as such is recommended for approval.

8.0 Other Matters

- 8.1 The applicant has submitted details pertaining to a number of planning conditions attached to the outline planning permission.

8.2 While reference has been made in this report to aspects of the details related to the planning conditions attached to the outline planning permission it is the view of Officers that the reserved matters application only considers the details relating to appearance, landscaping, layout and scale. A finding that the reserved matters details are acceptable would not override the requirement for a separate application to be made for the discharge of details for a planning condition.

9.0 Recommendation

9.0.1 Approve, subject to the following conditions:

Condition no.	Description	Type
1	Time Limit (2 years)	Control
2	Approved Plans	Control
3	Material samples	Pre-commencement
4	Section 38 Works/ Arrangements	Pre-commencement
5	Hard and Soft Landscaping	Pre-occupation
6	Boundary Treatments	Control
7	Obscure Glazing	Control
8	Pedestrian Link Route Details	Pre-Occupation
9	Bin Stores	Pre-commencement
10	Accessibility Homes Details	Pre-occupation
11	Water Mains Details	Pre-construction of roads

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