

<b>Agenda Item</b>	A6
<b>Application Number</b>	23/00430/REM
<b>Proposal</b>	Reserved matters application for the erection of 13 dwellings
<b>Application site</b>	Land West Of Hadrian Road Morecambe Lancashire
<b>Applicant</b>	Mr Hill
<b>Agent</b>	Mr Jake Salisbury
<b>Case Officer</b>	Mrs Eleanor Fawcett
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Approval

## 1.0 Application Site and Setting

- 1.1 The site relates to a roughly triangular shaped piece of land located at the end of a cul-de-sac, Hadrian Road, in Morecambe. It comprises a grassed area, which has most recently been used to graze horses, and is partly dissected by a row of trees, which follow the line of a watercourse across the site. There are also a number of other trees along the site boundaries that are covered by a group Tree Preservation Order (TPO 436(2008)), along with those within the site. A 450mm sewer pipe crosses the site and the part of the land is identified as having potential for groundwater flooding to occur at the surface. There are also relatively small areas of medium and high surface water flood risk across the site (1 in 100 and 1 in 30 year events).
- 1.2 Adjacent to the southwest boundary is a multi-use path, which forms part of the strategic cycleway and follows the line of the former railway. This is also identified as a green corridor on the Local Plan Proposals map. Beyond this, to the south west, is White Lund Industrial Estate, which is an allocated employment site. To the north of the site is Torrisholme Cemetery and to the east is an existing residential housing estate which is generally at a higher level than the site. The site is located approximately 1.8 kilometres from Morecambe Bay, which is designated as a Site of Special Scientific Interest (SSSI) Special Protection Area (SPA), Special Area of Conservation (SAC) northwest of the site. The Lune Estuary SSSI is approximately 1.6 kilometres to the south of the site and is also covered by the other Morecambe Bay designations.

## 2.0 Proposal

- 2.1 Outline planning permission was granted in April 2020 for the erection of 13 dwellings with all matters reserved. The current application seeks approval of the details which were reserved at outline stage relating to the access, appearance, layout, scale and landscaping.
- 2.2 Access into the site would be created off Hadrian Road, which is close to the southeast corner of the site. The dwellings are proposed to be located to the northeast of the main road through the site, with the land towards the south west boundary comprising landscaping and open space. Three

dwellings would front onto a private cul-de-sac leading off this main access All the dwellings would be two storey, with six having three bedrooms and seven having two bedrooms. Two of the three-bedroom dwellings and one of the two bedroom dwellings are proposed as affordable units

### 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
22/01025/FUL	Change of use of paddock for the siting of 25 static caravans for holiday accommodation with associated parking and creation of an associated internal road	Withdrawn
18/01367/OUT	Outline application for erection of 13 dwellings (C3)	Approved
18/00671/OUT	Outline application for erection of 17 dwellings (C3)	Withdrawn
17/01252/PRETWO	Pre-application enquiry for the erection of 22 residential dwellings	

### 4.0 Consultation Responses

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

Consultee	Response
Morecambe Town Council	No comments received
County Highways	<b>No objection</b> subject to conditions requiring: submission of a construction management plan; construction deliveries outside peak traffic; wheel washing/mechanical road sweeping; highway works constructed prior to start of development; new road built to base course level before any other construction;
Lead Local Flood Authority	<b>No objection</b> subject to conditions requiring submission of: a construction surface water management plan; a sustainable drainage system operation and maintenance manual; and a verification report of the constructed sustainable drainage scheme.
Environmental Health	<b>No objection.</b> Satisfied that it would be possible, with the installation of specific noise attenuation measures, to achieve acceptable levels both within and outside the dwellings.
Tree Protection Officer	<b>Comments.</b> A detailed and up to date Arboricultural Impact Assessment (AIA) needs to be produced, which includes an accurate Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS).
Waste and Recycling Team	No comments received
Property Services	No comments received
Engineering Team	No comments received
Public Realm Officer	<b>Comments.</b> This site is allocated as open space and it needs to be demonstrated that it no longer has an economic, environmental or community value. The amenity space should be designed to the front of dwellings to provide a contribution to the streetscape and an off-site contribution of £22,483.90 should be provided towards outdoor sports, young persons provision and parks and gardens.
Natural England	<b>No objection</b> Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes
Environment Agency (EA)	<b>No objection</b> subject to a condition regarding contamination. The site is close to two facilities operating under Environmental Permits, regulated by the EA, so noise and odour impacts should be considered.
United Utilities	<b>No objection</b> subject to a condition requiring: the submission of a sustainable surface water drainage scheme and a foul water drainage scheme. Advise if the applicant intends to offer the drainage for adoption to United Utilities, the current proposals do not currently meet their adoptions criteria.

Lancashire Fire and Rescue Service	<b>Comments.</b> It should be ensured that the scheme fully meets all the requirements of Building Regulations Approved Document B, Part B5 'Access and facilities for the Fire Service'.
Dynamo Cycle Campaign	<b>Object.</b> The layout does not include direct access to the Lancaster-Morecambe shared use path.
NHS	<b>No objection</b> subject to a financial contribution of £8295 towards increasing GP capacity.
Lancashire Constabulary	No comments received
RSPB	No comments received

4.2 12 pieces of correspondence have been received which raise an objection to the application and include the following concerns:

- **Highway safety:** increased traffic through existing residential estate; narrow width of existing road; construction traffic; increased parking on adjacent roads
- **Flood Risk:** land is required for flood drainage
- **Residential Amenity:** increased noise during and post construction; dirt and disruption during construction; impacts to future occupants from nearby industrial uses
- **Loss of green space**
- **Biodiversity:** harm to wildlife
- **Infrastructure:** capacity of existing drains and services; school spaces

## 5.0 Analysis

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

- Scale, layout and design
- Residential amenity
- Impact on trees and ecology
- Housing mix and affordable housing
- Highway Impacts
- Flood Risk and Drainage

5.2 **Scale, layout and design** NPPF sections: 8 (Promoting Healthy and Safe Communities) and 12 (Achieving well-designed and beautiful places); Development Management (DM) DPD policies: DM29 (Key Design Principles), DM43 (Green Infrastructure) and DM57 (Health and Well-being)

5.2.1 This is a reserved matters application following the grant of outline permission for the erection of 13 dwellings. The layout has been largely dictated by the constraints provided by the watercourse across the site, which is partly culverted, the United Utilities sewer and the proximity to the employment site. The dwellings are proposed to be located on only one side of the main highway through the site, which was envisaged at the outline stage. This allows for the land on the other side to be left as open space with planting, with a larger area of open space in the northwest corner of the site. A landscaping scheme has been provided but does not include the existing boundary to the multi-use path and misses opportunities to bolster this planting and better screen views from the proposed dwellings towards the employment site. However, a scheme can be covered by condition.

5.2.2 The proposed layout is slightly different to the indicative plan submitted at outline stage, and is possible slightly poorer, particularly when viewed from the multi-use path, particularly in terms of the orientation of some dwellings and the predominance of parking to the front. However, as the dwellings will be set back, and separated by some open space and the highway, and taking into account the context of the site close to the industrial site and an existing housing estate, the layout is considered to be acceptable. The amount of amenity green space on the site is considered to be acceptable. Whilst the public realm officer has set out that an off-site contribution should be provided towards outdoor sports, young person's provision and parks and gardens this is a reserved matters application so is something that would need to be considered at the outline stage. The contribution that this site currently has in terms of open space, being a field grazed by horses, was also considered at outline stage.

- 5.2.3 The proposed dwellings are all two storey and comprise two house types. One is a detached three bedroom unit and one is a two bedroom unit that has been shown as detached, semi-detached and in a terraced arrangement on the floor plans. The two bedroom unit is relatively simple in form, rectangular in shape with a dual pitched roof, the roof slope facing the front a rear. The three bedroom units are deeper, also rectangular in shape but have the gable facing the front and rear. These are generally poorer in design but similar to the design of dwellings at the end of Hadrian Road adjacent to the site. These are proposed to be finished in brick with a tiled roof and the precise details of the materials can be covered by condition. The design is considered to be acceptable in the context of the adjacent houses and the industrial site.
- 5.2.4 Overall, the layout and design are considered to be acceptable and in keeping with the character and appearance of the surroundings. Whilst it is considered that the design and layout could be improved and of a higher quality, the scheme is considered appropriate in this location. As set out above, the landscaping could be enhanced to improve the amenity of occupants and the overall quality of the development. The proposal is therefore considered to comply with Local Plan policies, set out in Policies DM29, and DM43.
- 5.3 **Residential Amenity NPPF sections: 8 (Promoting Healthy and Safe Communities), 12 (Achieving Well-Designed and Beautiful Places) and 15 (Conserving and enhancing the natural environment); Development Management (DM) DPD policies DM29 (Key Design Principles), and DM57 (Health and Well-Being).**
- 5.3.1 The site is in close proximity to the White Lund Industrial area which is allocated as an employment site for light industrial, general industrial and storage. It therefore needs to be ensured that the amenities of the future occupiers of the dwellings on this site can be adequately protected, but also that the development does not adversely impact on the current or future operation of the businesses. This is one of the main employment sites within the District, and therefore the development should not be allowed that would prejudice the use or redevelopment of part of this. This was considered at the outline application stage, and it was demonstrated that 13 dwellings could be accommodated on the site and the amenity of occupants be protected. The layout has been altered slightly to ensure that gardens are generally to the rear of properties and benefit from screening from the industrial site by the dwellings. There is a condition on the outline permission requiring details of noise mitigation to be agreed. Environmental Health have confirmed that they are satisfied that it would be possible, with the installation of specific noise attenuation measures, to achieve acceptable levels both within and outside the dwellings. This includes: façade insulation treatment, mechanical extract ventilation, acoustic triple glazing and acoustic fencing.
- 5.3.2 The proposed dwellings all have rear gardens and most of these are at least 10 metres in length. Three are slightly below this, and all along the northern boundary are slightly constrained by the existing hedgerow. Whilst not ideal, these are mostly two bedroom properties and it is still considered that they will provide an acceptable level of amenity for future occupants. The position of the road and parking makes it difficult for this to be increased.
- 5.3.3 There are five residential properties which share boundaries with the site, all located to the east. The property to the north east, 29a Stanhope Avenue, benefits from planning permission for the demolition of the existing bungalow and the erection of four dwellings (23/00113/FUL), and included a small section of the field. The rear gardens of three dwellings are proposed to abut the land at 29a Stanhope Avenue where two detached dwellings have been proposed, with their rear gardens extending up to the application site. The approved plans show the main two storey element of these two new dwellings set back from the boundary by 10 metres. The dwellings proposed by the current application would be set in from the boundary by distances between 13.8 metres and 16 metres. As such, the distance between facing windows will exceed 21 metres and it is considered that an acceptable level of amenity will be afforded to the future occupants of the dwellings on this site and the adjacent one.
- 5.3.4 The access road will be a continuation of Hadrian Road and one dwelling will be sited adjacent to the 84 Hadrian Road. It will be a two storey detached dwelling of a similar orientation, with the gable facing the highway. No windows are proposed in the side elevation and an area of landscaping has been indicated between the two properties. As such, it is considered that there will not be a detrimental impact on the amenity of this neighbouring property by way of overlooking, loss of light or overbearing impact.

- 5.3.5 It is considered that noise impacts from the nearby industrial uses can be appropriately mitigated and that there will not be a detrimental impact to the amenity of the neighbouring properties as a result of the development. In this respect, the proposal complies with policy DM29.
- 5.4 **Impacts on trees and ecology** NPPF section: 15 (Conserving and enhancing the natural environment); Strategic Policies and Land Allocations (SPLA) DPD policies: SP8 (Protecting the Natural Environment 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).
- 5.4.1 There are a number of trees along the boundaries of the site, but also following the line of the watercourse/ditch which are mostly protected by a Tree Preservation Order (TPO). It is likely that the majority of these could be retained given their location at the edge of the site. An Arboricultural Impact Assessment (AIA) has been submitted with the application, although this is not sufficiently detailed. The outline application identified a total of 1 individual tree (T1), 6 groups (G1-G6) and a single hedge (H1) in relation to the proposed development. Species include, hawthorn, elder, goat willow, Norway maple and Leyland cypress. Whilst there are no individual trees of moderate or high amenity value, as a collective the existing site trees provide an important element of greening and partial screening to the site. Remedial works are required to manage the hedge along the northern boundary including the management of invasive species and new planting to infill existing gaps.
- 5.4.2 Whilst the current submission is lacking in detail, it is considered that most trees and hedges can be retained and any loss can be adequately mitigated, and covered by condition. Condition 5 on the outline permission requires the submission of an AIA, which includes an accurate Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS). This can be used to inform the landscaping condition that can be included on the reserved matters permission.
- 5.4.3 The site is located approximately 1.8 kilometres from Morecambe Bay, which is designated as a Site of Special Scientific Interest (SSSI) Special Protection Area (SPA), Special Area of Conservation (SAC) northwest of the site. The Lune Estuary SSSI is approximately 1.6 kilometres to the south of the site and is also covered by the other Morecambe Bay designations. It is considered that there will be no direct impacts on the designated sites, however there is potential for increased recreational disturbance to associated birds, although limited due to the small scale of the development. As such, a Habitats Regulations Assessment has been undertaken and submitted to Natural England. This recommends that a condition is attached to the permission requiring a homeowner pack to be provided to each dwelling which would be expected to include details of the designated sites (and the wider Morecambe Bay coastline), their sensitivities to recreational pressure and promote the use of alternative areas for recreation, in particular dog walking areas. Natural England have raised no objections to the proposal. Other ecological impacts were considered as part of the outline application.
- 5.5 **Affordable housing, housing standards and mix** NPPF section: 5 (delivering a sufficient supply of homes); Development Management (DM) DPD policies: DM1 (Residential Development and Meeting Housing Needs), DM2 (Housing Standards) and DM3 (The Delivery of Affordable Housing)
- 5.5.1 Affordable housing has been secured by a Section 106 agreement on the outline permission. This required the provision of three affordable units or two and a financial contribution. Following amendments, three units are now proposed comprising two with two bedrooms and one with three. The tenure has been proposed as shared ownership and first homes, however there is a greater need for affordable rented units. As such, the agent has been advised to amend the affordable housing scheme. The tenure is not fundamental to the reserved matters application, it just needs to be agreed prior to the commencement of the development, in accordance with the legal agreement.
- 5.5.2 The scheme proposes a mix of two and three bedroom units, and this is considered to be acceptable. All the units comply with the Nationally Prescribed Space Standards, in accordance with Policy DM2. Subject to amendments in relation to the affordable housing tenure, the housing mix is considered to be acceptable and in compliance with the Local Plan.
- 5.6 **Highway Impacts** NPPF section 9 (Promoting Sustainable Transport); Development Management (DM) DPD policies DM29 (Key Design Principles), DM57 (Health and Well-being), DM60 (Enhancing

Accessibility and Transport Linkages), DM61 (Walking and Cycling) and DM62 (Vehicle Parking Provision).

5.6.1 Access to the site is proposed off Hadrian Road where it currently ends adjacent to the field. This is the same access point as envisaged at the outline application stage. The layout shows a main road through the site, which is shown to be adopted, and a private road off this providing access to four of the dwellings. Following some amendments, County Highways have raised no objections subject to conditions. This application can only consider the access details, rather than any impacts during construction. The plans show the road layout, and the technical details will be agreed with the highway authority through separate agreements. As such, it is not necessary to request further details of this, however conditions are appropriate in terms of the provision of the access and the road. The scheme was also amended to ensure that access was shown from this development to the adjacent multi-use path which will benefit proposed occupants and potentially existing residents and encourage the use of sustainable modes of transport. The layout includes sufficient parking to serve the dwellings. As garages are not included, storage for bicycles will need to be provided and can be covered by a condition.

5.7 **Flood Risk and Drainage** NPPF section: 14 (Meeting the challenge of climate change, flooding and coastal change); Strategic Policies and Land Allocations (SPLA) DPD policies 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)

5.7.1 Drainage is not a reserved matter and is covered by a condition on the outline permission. However, it needs to be ensured that it can be accommodated within the layout. Initial concerns were raised by the Lead Local Flood Authority (LLFA). However, following discussions and the submission of an amended drainage scheme, they are satisfied that an appropriate drainage solution can be accommodated within the proposed layout. Flood risk mitigation was also considered at the outline application stage and included within the conditions on the decision notice. Whilst the LLFA have requested some additional conditions, these cannot be included as drainage is not a reserved matter.

## **6.0 Conclusion and Planning Balance**

6.1 The reserved matters details provide an acceptable layout and design that is in keeping with the character and appearance of the area and will not have a detrimental impact to the residential amenity of existing or future occupants. It provides an appropriate access, open space and can accommodate a drainage system to ensure that flood risk is not increased on or off the site. The proposal is therefore considered to be acceptable and comply with local and national planning policy, as set out above.

## **Recommendation**

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

Condition no.	Description	Type
1	Standard reserved matters timescale	Control
2	In accordance with approved plans	Control
3	Materials including bicycle storage	Above slab level
4	Landscaping scheme	Above slab level
5	Homeowner pack (mitigation for ecological designated sites)	Before occupation
6	Construction of access, road and link to multi-use path	Control

## **Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015**

In accordance with the above legislation, Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been made having had regard to the impact of development, and in particular to the

relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

**Background Papers**

None