

Agenda Item	A5
Application Number	23/01399/FUL
Proposal	Erection of 23 dwellings with associated vehicular and pedestrian access, internal roads, infrastructure, open space, drainage and landscaping
Application site	Land North of Royal Oak Meadow Hornby Lancashire
Applicant	Hornby Developments Limited
Agent	Daniel Addis
Case Officer	Ms Kate Henry/Mr Robert Clarke
Departure	No
Summary of Recommendation	Approval subject to conditions and completion of Section 106 Agreement. Delegate back to Chief Planning Officer to finalise legal agreement.

1.0 Application Site and Setting

- 1.1 The application site is a roughly triangular site, which measures approximately 1.08 hectares, located on the northern periphery of the village of Hornby. It is a former greenfield site, previously used for grazing livestock, which benefits from an extant planning permission for 23 dwellings. Work has commenced on site pursuant to the extant planning permission.
- 1.2 The A683 (Melling Road) borders the site to the north and west. The built-up part of Hornby is to the south and the site is otherwise surrounded by open countryside.
- 1.3 Access to the site is via Royal Oak Meadow (at its northern end), a residential street, which itself is accessed from the A683 (Melling Road) further to the south.
- 1.4 The application site is within the Forest of Bowland National Landscape (formerly known as Area of Outstanding Natural Beauty). It is also on land designated as Open Countryside which defines the rural areas of the district. The site is specifically allocated in the adopted Local Plan for housing (policy reference H2.1).
- 1.5 The application site is in Flood Zone 1. The western part of the site is at medium risk of groundwater flooding. The south-west corner of the site is at medium and high risk of surface water flooding now and in the future when incorporating climate change allowances. The application site is also located within the high-risk urban drainage catchment (Wenning - Lower). The River Lune is approximately 360 metres to the west and the River Wenning is approximately 800 metres to the south. Part of the site is within a Minerals Safeguarding Area.
- 1.6 The site is within approximately 80 metres of ancient woodland (Baines Park Wood, to the north-east) and approximately 300 metres from the River Lune Biological Site (to the north-west).

2.0 Proposal

- 2.1 Planning permission is sought for the erection of 23 dwellings with associated vehicular and pedestrian access, internal roads, infrastructure, open space, drainage and landscaping.
- 2.2 The proposed layout is the same as that approved pursuant to outline planning permission reference 15/01593/OUT, dated 18/04/2016, and the associated reserved matters approval reference 19/00320/REM, dated 19/10/2020. Together, these represent the extant permission at the site which is currently being implemented. The key difference between that extant permission and this current application relates to the level of affordable housing provision. The extant permission for 23 dwellings includes 9 on-site affordable units, whereas permission is now sought to provide 6 on-site affordable units, instead of 9.

Amendments

- 2.3 When the application was initially submitted, it included neither affordable housing nor a financial contribution towards public open space, citing viability constraints. However, during the course of its determination, the proposal was revised to include six affordable units and a financial contribution towards off-site public open space enhancements.

3.0 Site History

- 3.1 A number of applications relating to this site have previously been received by the Local Planning Authority. The following are of relevance:

Application Number	Proposal	Decision
15/01593/OUT	Outline application for the erection of up to 23 residential dwellings with associated new access	Permitted 18/04/2016
18/01611/FUL	Erection of 28 dwellings (C3) and associated access	Refused 25/04/2019
19/00320/REM	Reserved matters application for the erection of 23 dwellings	Permitted 19/10/2020
23/00354/VLA	Variation of legal agreement attached to planning permission 15/01593/OUT to remove the provision of affordable housing and open space contributions	Withdrawn
23/01436/VLA	Variation of legal agreement attached to planning permission 15/01593/OUT to remove the provision of affordable housing and open space contributions	Pending determination

4.0 Consultation Responses

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

Consultee	Response
Hornby Parish Council	Objection due to loss of green space and affordable housing.
Forest of Bowland National Landscape	No comments received.
Natural England	No objection.
United Utilities	No objection subject to condition relating to foul and surface water drainage.
RSPB	No comments received.
The Woodland Trust	No comments received.
NHS	Request for financial contribution towards an extension and reconfiguration at the Lunesdale Surgery.

Lead Local Flood Authority	No objection subject to conditions relating to final surface water drainage details, construction surface water management plan, drainage system operation and maintenance manual and drainage verification report.
County Active Travel	No comments received.
County Highways	<p>No objection in principle but need to address a shortfall in off-street parking and achieve an acceptable surface water drainage strategy.</p> <p>Need to secure relevant measures to support sustainable travel and mitigate the impact of the development on the highway network (upgrade of bus stop; implementation of “Gateway Treatment Measures” to improve vehicle speeds along A683; improvements to alignment and lining of Hornby Bank / A683 junction.</p> <p>Suggested conditions relating to details of the future maintenance and management of the proposed new streets; wheel cleaning facilities during construction period; scheme for off-site highway works as part of s278 agreement.</p>
County Archaeology	No objection subject to planning condition to secure a programme of further archaeological assessment.
County Minerals	No comments received.
County Education	No objection. No financial contribution required.
Environmental Health	No objection subject to conditions relating to EV charging points, contaminated land and dust control.
Strategic Housing	No comments received.
Fire Safety Officer	Reference to relevant Building Regulations requirements.
Waste & Recycling	No comments received.
Tree Officer	No objection , subject to relevant updated landscaping plan being included.
Public Realm	No objection subject to a financial contribution being secured.
Sustainable Growth	Employment & Skills Plan does not meet formal policy targets. Can be secured by condition.

4.2 9 letters of objection have been received, summarised as follows:

- Impact from traffic on Royal Oak Meadow / Hornby Bank (poor road surface, narrowness, parked vehicles, access for emergency vehicles, children’s safety).
- Access into Hornby Bank is too tight for larger vehicles / conflict with nearby uses such as bus stop and swimming pool.
- Access directly onto Melling Road would be preferable (i.e. move speed limit further along).
- Insufficient parking provision.
- Need affordable housing.
- Current state of site.
- Developer should not have started work if they knew it was not viable.

5.0 Analysis

5.1 The key considerations material to the determination of this application are as follows:

- Principle of development (including background)
- Housing (including affordable housing and viability, dwelling mix and housing standards)
- Landscape impact
- Design / layout (including sustainability)
- Trees and landscaping / green and blue infrastructure
- Ecology and biodiversity
- Open space provision
- Highways and transport
- Flood risk and drainage
- Amenity

- Mineral safeguarding
- Archaeology

5.2 **Consideration 1 – Principle of development – NPPF Chapter 2 (Achieving sustainable development); Chapter 4 (Decision-making); Chapter 5 (Delivering a sufficient supply of homes); Chapter 8 (Promoting healthy and safe communities); Strategic Policies and Land Allocations DPD Policies SP1 (Presumption in favour of sustainable development); SP2 (Lancaster district settlement hierarchy); SP3 (Development strategy for Lancaster district); SP6 (The delivery of new homes); SP9 (Maintaining strong and vibrant communities); H2 (Housing delivery in rural areas of the district); Review of the Development Management DPD Policies DM1 (New residential development and meeting housing needs); DM4 (Residential development outside main urban areas); DM6 (Housing provision in the Forest of Bowland AONB); DM46 (Development and landscape impact)**

Background / site history

5.2.1 There is an extant permission at the application site to build 23 dwellings (pursuant to outline permission reference 15/01593/OUT, dated 18/04/2016, and reserved matters approval reference 19/00320/REM, dated 19/10/2020). This current application proposes the same site layout as that already approved. The only difference is the reduction in the provision of affordable housing units from 9 to 6.

5.2.2 The outline permission was originally granted on the basis of the Council's housing land supply shortfall at the time; the fact that Hornby is a Sustainable Settlement where the Council will generally support new housing; the fact that the development was not considered to represent major development in the context of Paragraph 190 and associated footnotes of the Framework; and due to the fact the scheme was considered to be well-related to and proportionate in scale to Hornby. The same can still be said of this latest application, in all respects.

Changes since the original grant of permission

5.2.3 In the current Local Plan, the application site is allocated for 23 dwellings (reference H2.1), on the basis that planning permission has already been granted. Policy DM6 now sets higher affordable housing targets in the Forest of Bowland National Landscape (see next section of this report). However, there is nothing in the current Local Plan to suggest that the principle of development would not be acceptable, subject to the detailed considerations set out in this report.

5.2.4 Additionally, the Levelling-up and Regeneration Act 2023 has strengthened the Council's statutory duty in relation to the Forest of Bowland National Landscape. The Council must now "seek to further" the statutory purposes of protected landscapes (i.e. conserving and enhancing the natural beauty, wildlife and cultural heritage therein), rather than the previous duty to "have regard to" such purposes. In practice, this means the Council must be satisfied that the proposed development would leave the natural beauty, wildlife and cultural heritage of the National Landscape unharmed (see landscape impact section).

5.2.5 To conclude this section, taking into consideration the extant permission, and the fact the site is formally allocated for housing in the current Local Plan, the principle of development is acceptable, subject to the detailed considerations outlined below.

5.3 **Consideration 2 – Housing (including affordable housing and viability, dwelling mix and housing standards) – NPPF Chapter 5 (Delivering a sufficient supply of homes); Review of the Development Management DPD Policies DM1 (New residential development and meeting housing needs); DM2 (Space and accessibility standards); DM3 (The delivery of affordable housing); DM6 (Housing provision in the Forest of Bowland AONB); DM46 (Development and landscape impact)**

Affordable housing

5.3.1 Policy DM1 of the Local Plan relates to new residential development and meeting housing needs. The policy notes that the Council will support proposals that seek to promote balanced communities and meet evidenced housing needs by supporting proposals that accord with the Council's latest Strategic Housing Market Assessment (SHMA).

- 5.3.2 Policy DM3 relates to affordable housing and notes that the Council will continue to support and promote the delivery of new affordable housing within the district. Policy DM6 relates specifically to housing provision in the Forest of Bowland National Landscape (FoBNL). The policy requires that, within the FoBNL, the number, size, types and tenures of all homes provided should closely reflect identified local needs in accordance with current housing needs evidence at the time of the application. With regards to affordable housing provision, the policy states that proposals for new housing development will be supported where they deliver no less than 50% affordable housing. Only where this is demonstrably unachievable will a lower percentage be supported (e.g. viability issues must be demonstrated through a financial viability appraisal).
- 5.3.3 It is worth noting that the extant scheme provides 39% affordable housing (9 dwellings out of 23) as the outline permission was granted before the current Local Plan (including Policy DM6) was adopted and 40% represented a policy-compliant scheme at that time. In order to provide at least 50% affordable housing, the scheme would now need to deliver 12 of the 23 dwellings (52%) as affordable, to accord with Policy DM6.
- 5.3.4 The supporting text to Policy DM6 highlights that, as the FoBNL is a protected landscape, sites that are suitable for housing should be developed specifically to meet local affordable or other locally identified housing needs. To do otherwise would fail to address these needs, which could then only be met by releasing more sensitive sites, causing harm and compromising the primary purpose of the landscape designation.
- 5.3.5 At the time of submission, the applicant provided a Financial Viability Assessment (FVA) and accompanying Addendum, prepared by Continuum, to demonstrate that the scheme could not viably support the provision of affordable housing or a financial contribution towards public open space. The February 2023 FVA [which was written to support an earlier (withdrawn) application to vary the section 106 contribution (reference 23/00354/VLA) and is based on the extant permission which provides 40% affordable housing] presents two development scenarios. The first scheme provides 40% affordable housing and the second is a 100% market housing scheme. Both generate a Residual Land Value (RLV) which is lower than the Benchmark Land Value (BLV), which means they are deemed to be unviable. However, despite the 100% market housing scheme also being unviable, the FVA states that the developer is nevertheless committed to delivering the scheme.
- 5.3.6 The FVA Addendum (dated November 2023) was written specifically to support this current application and acknowledges that a policy-compliant scheme at the site would now need to provide 50% affordable housing (i.e. 12 units). The appraisal was still based on February 2023 figures; however, the author notes that changes to the market in the meantime have most likely further reduced the viability of the proposed scheme. The FVA Addendum demonstrates that the 50% affordable housing scheme would generate a negative RLV of -£100,419 and is therefore deemed to be unviable.
- 5.3.7 The February 2023 FVA and November 2023 Addendum were independently reviewed on behalf of the Council by viability consultants CPV. Within their initial response (dated 5th February 2024), CPV considered that a number of adjustments to the applicant's appraisal were necessary. Following these adjustments, CPV's appraisal generated a RLV of £414,934. As this is above their BLV of £400,000, CPV considered a policy compliant proposal to be viable.
- 5.3.8 Subsequent correspondence and negotiation regarding various parameters between the applicant, the Council and CPV ensued. This included the submission and assessment of additional appraisals and associated rebuttals. One of the key areas of disagreement was over the sales values of three of the proposed house types (House Type I, J and J+). Following discussions on this matter, at the suggestion of CPV, it was agreed between all parties that a balanced approach of taking the middle ground point between the associated house values for the three house types in question should be adopted. This approach results in the scheme being able to provide 6 on-site affordable units (three affordable rented and three shared ownership units) which equates to a provision of 26.09%. This approach also results in the development being able to secure the financial contribution towards off-site public open space enhancements.
- 5.3.9 As noted above, Policy DM6 of the Local Plan is clear that proposals for new housing development in the FoBNL will be supported where they deliver no less than 50% affordable housing, and only where this is demonstrably unachievable will a lower percentage be supported. In this case, officers are satisfied that it has been demonstrated that it is not viable to provide 50% affordable housing at the site (i.e. 12

units) and, taking into account the evidence submitted by both parties in relation to viability, officers consider the provision of 6 on-site affordable units to be acceptable in this case, particularly in the interests of allowing work to continue on site and to enable affordable housing (albeit fewer units) to be provided. The application is therefore considered to be acceptable in this respect. The proposed site plan confirms that plots 1, 2 and 3 would be the affordable rented units, whilst plots 4, 5 and 9 would be the affordable shared ownership units. This affordable housing layout will form part of the approved plans condition.

Dwelling mix

5.3.10 As noted above, Policy DM6 of the Local Plan requires that, within the FoBNL, the number, size, types and tenures of all homes provided should closely reflect identified local needs in accordance with current housing needs evidence at the time of the application. Similarly, Policy DM1 of the Local Plan supports development that seeks to promote balanced communities and meet evidenced housing needs by supporting proposals that accord with the Council's latest Strategic Housing Market Assessment (SHMA).

5.3.11 The only evidence available for Hornby at this time is the 2018 SHMA, which does not provide detailed evidence to parish level. The application site is in the Kellet and Upper Lune Valley sub-area, wherein demand is highest for 3 bed units (34.6% blend aspiration/expectation), followed by 4 / 4+ bed units (26.9% blend aspiration/expectation), then bungalows (19.5% blend aspiration/expectation), and then 1 / 2 bed units (11.3% blend aspiration/expectation).

5.3.12 The application proposes the following mix:

No. of bedrooms	Total	Percentage
2	9	39
3	3	13
4	11	48
Total	23	100

5.3.13 The proposed housing mix fails to prioritise 3-bed units (13%), instead prioritising 4-bed units (48%) and then 2-bed units (39%). However, this is largely because the applicant wishes to build the same development as that already approved and so the provision of 4-bed units is accepted in this instance.

Housing standards

5.3.14 Policy DM2 of the Local Plan requires that all new dwellings meet the Government's Nationally Described Space Standard (NDSS) and it also expects that at least 20% of new affordable housing and market housing on schemes of more than ten dwellings should meet Building Regulations Requirement M4(2) Category (accessible and adaptable dwellings).

5.3.15 Six different house types are proposed on the site (F, G, I, J, J+, K). Type F is a 2-bed-3-person dwelling, either terraced (Plots 1-5) or semi-detached (Plots 9, 10, 21, 22); type G is a 3-bed-5-person detached dormer bungalow (Plots 17, 18, 19); type I is a 4-bed-6-person detached dwelling (Plot 23); type J is a 4-bed-6-person dwelling, either semi-detached (Plots 11, 12, 15, 16), or detached (Plots 8, 14, 20); type J+ is a 4-bed-6-person detached dwelling (Plot 13); and type K is a 4-bed-6-person detached dwelling with an attached garage (accessed from the rear) (Plots 6, 7).

5.3.16 All the dwellings would meet the NDSS, which is acceptable. The proposed plan confirms that plots 8, 14, 17, 18, 19 and 20 would be M4(2) compliant, which represents 26% of the total, which is also acceptable. This M4(2) housing layout plan will form part of the approved plans condition.

5.3.17 To conclude this section, the application is considered to be acceptable overall in terms of affordable housing provision, dwelling mix and housing standards.

5.4 **Consideration 3 – Landscape impact – NPPF Chapter 15 (Conserving and enhancing the natural environment); Strategic Policies and Land Allocations DPD Policies EN2 (Areas of outstanding natural beauty); EN3 (The open countryside); Review of the Development Management DPD Policies DM6 (Housing provision in the Forest of Bowland AONB); DM46 (Development and landscape impact)**

- 5.4.1 The NPPF seeks to protect and enhance valued landscapes. Paragraph 189 states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes, which have the highest status of protection in relation to these issues. Similarly, Policy EN2 of the Local Plan states that the landscape character and visual amenity of the district's AONBs (now National Landscapes) and their settings will be conserved and enhanced; and Policy DM46 requires proposals within National Landscapes to be sustainable, consistent with the primary purpose of the designation, and to support the special qualities of the National Landscape. The policy goes on to state that development proposals should, through their siting, scale, massing, materials, landscaping, vernacular style and design seek to contribute positively to the conservation and enhancement of the protected landscape and its setting.
- 5.4.2 Furthermore, as noted above, the Levelling-up and Regeneration Act 2023 now requires the Council to “seek to further” the statutory purposes of protected landscapes (i.e. conserving and enhancing the natural beauty, wildlife and cultural heritage therein), which means the Council must be satisfied that the proposed development would leave the natural beauty, wildlife and cultural heritage of the National Landscape unharmed.
- 5.4.3 Policy DM6, which relates to housing provision in the FoBNL, states that proposals for major development will not be permitted in the AONB (now National Landscape), unless the proposal can be demonstrated to be in the public interest and exceptional circumstances exist. It goes on to clarify that whether or not a proposed development constitutes major development will be a matter for the relevant decision taker, taking into account the individual characteristics and circumstances of the proposal and the local context. At the time of the outline permission, officers concluded that the proposal did not constitute major development, given its size, positioning and limited visual impact. This remains the case.
- 5.4.4 At the time of the outline and reserved matters applications the impact on the FoBNL was considered to be acceptable. It was acknowledged that the site would be highly visible from the A683 as one enters the village from the north, and the impact would be significant; however, this is unavoidable as the site would be altered from a greenfield site. On the contrary, it was noted that, in longer range views, the new development would be seen in the context of the village rather than being viewed in isolation and it would relate well to the existing built form. Officers retain the view that the proposed development would relate well to the existing built form of the village of Hornby and consider that the proposed development would leave the natural beauty, wildlife and cultural heritage of the FoBNL unharmed. The application is therefore considered to be acceptable in this respect.
- 5.5 **Consideration 4 – Design / layout (including sustainability) – NPPF Chapter 8 (Promoting healthy and safe communities); Chapter 11 (Making effective use of land); Chapter 12 (Achieving well-designed places); Chapter 14 (Meeting the challenge of climate change, flooding and coastal change); Review of the Development Management DPD Policies DM29 (Key design principles); DM30a (Sustainable design and construction); DM30b (Sustainable design and construction – Water efficiency); DM30c (Sustainable design and construction – Materials, Waste & Construction); DM46 (Development and landscape impact)**
- 5.5.1 The NPPF seeks to achieve healthy, inclusive and safe places which promote social interaction, which are safe and accessible, and which enable and support healthy lives (chapter 8). It also promotes the effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions (chapter 11). Chapter 12 promotes the creation of high-quality, beautiful and sustainable buildings and places. Chapter 14 relates to climate change and supports the transition to net zero by 2050.
- 5.5.2 Policy DM29 of the Local Plan expects new development to make a positive contribution to the surrounding landscape and / or townscape. The policy states that development should contribute positively to the identity and character of the area through good design, having regard to local distinctiveness, appropriate siting, layout, palette of materials, separation distances, orientation and scale. Similarly, Policy DM46 requires that careful attention be paid to siting, scale, massing, materials, landscaping, vernacular style and design in National Landscapes.
- 5.5.3 The CERLP expands the requirements of Policy DM29. The policy now also requires that development should ensure opportunities are taken to optimise solar gain and solar electric / solar thermal energy generation through the site layout and building orientation and design for the purpose of energy efficiency and energy generation; optimise the efficient use of land and density; and ensure that roads are designed to prioritise the safety of the most vulnerable road users. Newly added policies DM30a, DM30b and

DM30c of the CERLP relate to sustainable design and construction; water efficiency and materials, waste and construction, respectively.

- 5.5.4 At the time of the reserved matters application, the proposed design and layout was amended in response to officers' comments, until it was considered to be acceptable. The officer's report for the reserved matters application notes that the new road would extend Hornby Bank, with dwellings to either side, and that on the western side of the site dwellings would face outwards towards Melling Road (A683), beyond a landscaped strip, to avoid turning their backs to the main road. The mixture of house designs and indicative proposed materials was also considered to be acceptable in the context of the FoBNL.
- 5.5.5 The proposed road layout and house designs have not been altered since the previous permission. The Design & Access Statement which accompanies this application states that the site comfortably accommodates 23 units with sufficient space for parking, private garden space, open space, access and manoeuvring. It also states that the single-sided road (to allow for properties to face onto Melling Road) largely dictates the layout. Officers remain of the view that the proposed design and layout is acceptable. The new road forms a logical extension to the existing residential streets immediately to the south and there is sufficient space to provide landscaping to soften its appearance and add to the quality of the character and appearance of the development (see also next section of this report on trees and landscaping).
- 5.5.6 Furthermore, the house types and proposed palette of materials are still considered to be acceptable in the context of the village and the FoBNL. A materials schedule document has been provided in support of this application. For the most part, the suggested materials are supported in principle. However, with respect to those house elevations which are to comprise a stone finish, the schedule indicates the use of back bedded limestone walling. This would not be an appropriate finish within the FoBNL, instead a random coursed sandstone with flush or slightly recessed pointing would be a more coherent material finish within this landscape. For that reason, final details and samples for the stonework, in addition to the quoins, stone window surrounds, slate, roughcast render can be secured by condition. The remaining details relating to the ridge tile, rooflight, dry verge, barge boards and soffits, guttering and downpipes, hipped roof dormer, doors and garage door and windows, and paving as detailed within the materials schedule document are largely acceptable. However, given the landscape sensitivity and the need to secure a development that complies with relevant landscape policy and legislative requirements, further specific detailed drawings of these materials will be necessary. A condition is recommended to ensure that these details, informed by the currently submitted materials schedule, are provided for agreement by the Local Planning Authority.
- 5.5.7 With respect to boundary treatments, the materials schedule and proposed site plan indicates the use of 1.8m timber hit and miss fencing forming boundaries between rear gardens. Furthermore, the materials schedule also proposes 1 metre high estate fencing to the front gardens, whilst the proposed site plan indicates 450mm high timber knee rails. In principle, these boundary treatments could be supported, however, the submitted boundary plan is not the clearest with respect to the location of these boundary treatments within the site. There are also some prominent boundaries such as those to Plots 1, 7, 17, 18, 22 and 23 where the timber fencing would be obtrusive. During initial discussions with the developer, initial agreement to the use of stone walling to these boundaries has been provided, which would be more appropriate in design terms. It has been recommended that a final boundary treatments condition be imposed, to secure final boundary details and importantly their locations within the site.
- 5.5.8 Also, officers are satisfied that the proposed layout prioritises the safety of the most vulnerable road users (as per the new requirements of Policy DM29) as the pavement extends along the full extent of the road, which allows for safe pedestrian access to every dwelling (Plots 18 and 19 would have a private shared driveway, accessed from the pavement) and there are speed humps to discourage speeding.
- 5.5.9 With regards to the additional requirements of the CERLP, Policy 30a sets out specific carbon emission targets (75% reduction against Part L in this case) and the policy requires the submission of a Sustainable Design Statement and Energy and Carbon Statement to demonstrate how the requirements of the policy will be met. This application was submitted prior to the adoption of the CERLP and was therefore not accompanied by a Sustainable Design Statement and Energy and Carbon Statement.
- 5.5.10 A request was made for the applicant to provide some commentary on compliance with Policies DM30a, DM30b and DM30c of the CERLP; however, none has been forthcoming. Nevertheless, given the specific circumstances relevant to this application (namely the fact there is an extant permission for the same

built development; and the fact there is a question over the viability of the current proposal), it is not considered to be reasonable or appropriate to require adherence to higher standards as part of this application, particularly as it is likely that this would further impact viability and the affordable housing provision.

5.5.11 To conclude this section, taking into consideration the extant permission, the application is considered to be acceptable in this respect.

5.6 **Consideration 5 – Trees and landscaping / green and blue infrastructure – NPPF Chapter 12 (Achieving well-designed places); Chapter 14 (Meeting the challenge of climate change, flooding and coastal change); Chapter 15 (Conserving and enhancing the natural environment); Strategic Policies and Land Allocations DPD Policy SP8 (Protecting the natural environment); Review of the Development Management DPD Policies DM43 (Green and Blue Infrastructure); DM45 (Protection of trees, hedgerows and woodland)**

5.6.1 The NPPF recognises the important contribution that trees make to the character and quality of urban environments, and it requires that opportunities are taken to incorporate trees in developments; that appropriate measures are in place to secure the long-term maintenance of newly-planted trees; and that existing trees are retained wherever possible.

5.6.2 As noted above, the CERLP expands the requirements of Policy DM29. The added text requires that development incorporates green and blue infrastructure as an integral part of the development to maximise the functionalities, benefits and values that green and blue infrastructure can provide and enhance with regards to climate change, recreation, ecology, landscape, active travel, the historic environment, and water management. Similarly, the CERLP alters Policy DM43 (Green and Blue Infrastructure). The policy requires that new development seeks to integrate green and blue spaces, corridors and chains and forge linkages with the existing wider green and blue infrastructure network. The design of development proposals must consider the value green and blue infrastructure can provide in terms of recreation, active travel, water management, landscape, biodiversity and the historic environment, and ultimately contribute towards climate change mitigation and adaptation.

5.6.3 Policy DM45 of the Local Plan supports the protection of existing trees, hedgerows and woodland; the incorporation of existing trees and hedgerows into new development; and the planting of new trees, hedgerows and woodland, in an effort to mitigate against the effects of climate change and to enhance the character and appearance of the district. Additional text in the CERLP requires the provision of street trees, where possible, and that buildings and other structures should be sited allowing adequate space for a tree's natural development.

5.6.4 At the time of the outline application, the Arboricultural Impact Assessment indicated that the site could be developed with minimal interference to trees. The Tree Officer at the time raised concerns about root protection zones, and at the time of the reserved matters application the layout was amended to allow for areas of public open space near to protected trees. The Council's Tree Officer has reviewed the current application and is satisfied with the proposals, provided that the planting plan is the same version as previously approved (the planting plan has been revised accordingly). A final detailed landscaping scheme is to be conditioned given there are to be some minor variations to boundary treatment details as described above.

5.6.5 The proposed site layout does not incorporate street trees; however, street trees are not characteristic of the adjacent residential streets to which the new road would join (other than some trees within front gardens which have canopies which spread into the street) and there would be tree planting within the site, which would contribute to mitigating the effects of climate change to some degree. Furthermore, the hedgerow along Melling Road would be strengthened and there would be low level planting in front gardens and between some of the plots which would contribute positively to the character and appearance of the street.

5.6.6 With regards to green and blue infrastructure, the proposed site layout incorporates areas of greenery, including the area of public open space between Plots 22 and 23, and the green strip along the western boundary of the site would extend an existing green strip between Royal Oak Meadow and Melling Road (to the south). It is not considered that the green infrastructure at the site would provide much in terms of recreation opportunities or a contribution to active travel. Furthermore, there is no blue infrastructure provision at the site as the SUDs are below ground level. Nevertheless, the size and constraints of the

site are recognised in this regard, as is the extant permission, and the proposal is considered to be acceptable insofar as the green infrastructure would provide landscape, biodiversity and climate mitigation benefits. A Green Infrastructure Management and Maintenance Plan can be secured by condition, as per the requirements of Policy DM43.

5.6.7 Overall, the application is considered to be acceptable in this respect.

5.7 **Consideration 6 – Ecology and biodiversity – NPPF Chapter 14 (Meeting the challenge of climate change, flooding and coastal change); Chapter 15 (Conserving and enhancing the natural environment); Strategic Policies and Land Allocations DPD Policy SP8 (Protecting the natural environment); Review of the Development Management DPD Policies DM43 (Green and Blue Infrastructure); DM44 (The protection and enhancement of biodiversity)**

5.7.1 The NPPF requires that development minimises the impacts on and provides net gains for biodiversity. As this application was submitted before Biodiversity Net Gain became mandatory, it is not subject to the mandatory 10% enhancement.

5.7.2 Policy DM44 of the Local Plan relates to the protection and enhancement of biodiversity. Regardless of whether mandatory BNG applies, development proposals should protect and enhance biodiversity and/or geodiversity, to minimise both direct and indirect impacts. There should, as a principle, be a net gain of biodiversity assets wherever possible.

5.7.3 At the time of the outline permission, it was noted that the Council's appointed ecology advisors raised no objections, due to the fact the site was dominated by species poor improved agricultural grassland and wet grassland typical of the area. They recommended that trees and hedgerow be retained, wherever possible, and that a high-quality landscape plan be prepared for the site, incorporating biodiversity enhancement measures. This was then secured at reserved matters stage.

5.7.4 An Ecology Report and Ecological Appraisal accompanies the current application. The report states that the feature of highest nature conservation value on the site is individual trees and it recommends that they be retained where possible and protected during construction. A planning condition can ensure that the development is undertaken in accordance with the submitted Arboricultural Impact Assessment and that retained trees are protected during the construction period.

5.7.5 The report also states that there will be biodiversity net loss as a result of the loss of the species-poor modified grassland, but that ecological enhancement could be achieved through measures such as the use of native species appropriate to the local area for boundary planting; enhancement of connective habitats through planting of new hedgerow and / or trees along the site boundary; prioritisation of nectar and pollen rich plants and nut producing species within formal planting schemes; provisions for roosting bats and nesting birds; creation of log piles etc. for amphibians / invertebrates. Such measures can be secured through a Post-construction Biodiversity Mitigation Plan, secured by condition.

5.7.6 A further condition is suggested to ensure that the development is implemented in accordance with the measures set out in the Ecology Report.

5.7.7 Overall, subject to the suggested conditions, the application is acceptable in this respect.

5.8 **Consideration 7 – Open space provision – NPPF Chapter 8 (Promoting healthy and safe communities); Chapter 11 (Making effective use of land); Chapter 12 (Achieving well-designed places); Chapter 15 (Conserving and enhancing the natural environment); Review of the Development Management DPD Policies DM27 (Open space, sports and recreational facilities), DM29 (Key design principles); DM 43 (Green and Blue Infrastructure);**

5.8.1 The NPPF encourages the provision of, and good access to, open space, due to the benefits for health and well-being. Policy DM27 of the Local Plan requires that development proposals in areas of recognised open space, sports and recreational facility deficiency should make an appropriate contribution towards open space, sports and recreational provision, either through provision on-site or a financial contribution toward the creation of new or the enhancement of existing open spaces, sports and recreational facilities off-site.

- 5.8.2 At the time of the outline application, 3 dwellings were removed from the proposals to allow for amenity space to be provided on site. The officer's report for the reserved matters application refers to: "a *significant landscaped strip between the estate road and Melling Road and two areas of public open space to protect the setting of protected trees*". A financial contribution of £42,490 towards off-site public open space was also secured by legal agreement.
- 5.8.3 The proposed site layout is the same as that already approved and therefore the on-site provision of public open space is considered to be acceptable, still, albeit the CERLP now makes specific reference to the need for a Green and Blue Infrastructure Management and Maintenance Plan to detail how green and blue infrastructure assets will be managed to ensure their long-term benefits. As noted above, this can be secured by condition. The provision and on-going future maintenance of the on-site open space areas will also form a requirement of the associated legal agreement.
- 5.8.4 The requirements for off-site open space provision have changed since the granting of the previous permission due to the adoption of a new Local Plan and most recently updated evidence base. The Council's Public Realm reviewed the current application and has requested a total financial contribution of £74,794.45 towards off-site public open space.
- 5.8.5 The applicant has confirmed that they are agreeable to providing the full £74,794.45 as requested. This is to be directed towards the village play area to make meaningful enhancements to the facilities at this site. The Council's Public Realm Team has confirmed that play area needs improvement, as most of the equipment is soft pine and has become dated and worn.
- 5.8.6 A clear and meaningful project has been identified, it is considered appropriate and reasonable to secure the agreed £74,794.45 by s106 legal agreement. The application is therefore considered to be acceptable in this respect.
- 5.9 **Consideration 8 – Highways and transport – NPPF Chapter 9 (Promoting sustainable transport); Strategic Policies and Land Allocations DPD Policies SP10 (Improving transport connectivity); T2 (Cycling and walking network); Review of the Development Management DPD Policies DM60 (Enhancing accessibility and transport linkages); DM61 (Walking and cycling); DM62 (Vehicle parking provision); DM63 (Transport Efficiency and Travel Plans)**
- 5.9.1 The NPPF promotes sustainable transport and requires that patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places. The NPPF also promotes walking, cycling and public transport use.
- 5.9.2 Policies SP10 and DM60 of the Local Plan seek to ensure that development proposals, particularly those that will generate significant footfall and motorised vehicle journeys, are located where sustainable travel patterns can be achieved. At the time of the outline application, it was noted that Hornby is a sustainable settlement. This remains the case as it is identified as a sustainable rural settlement in the current Local Plan (Policy SP2).
- 5.9.3 Policy DM60 also requires that matters of highway safety are addressed to the satisfaction of the local highway authority and the CERLP has inserted a new requirement into the policy for streets to be designed to prioritise the safety of vulnerable road users (this additional requirement also applies to Policy DM29 – see comments above). Lancashire County Council has commented on the application. They note that the internal road proposed is intended to remain private and therefore this does not matter, as long as details are provided of the future management and maintenance of the roads, which could be secured by the s106 agreement. The County Council also requests that the Construction Method Statement is adhered to throughout the construction period, which can also be secured by condition.
- 5.9.4 The County Council Highways team is generally satisfied that there would be no unacceptable impact on highway safety and that the residual cumulative impacts on the road network would not be severe, subject to a number of issues being addressed, as follows. Firstly, they note that there is a shortfall in off-street parking. Secondly, in line with the previous consent, they require off-site highways works to be secured.
- 5.9.5 Looking first at parking, Policy DM60 of the CERLP requires appropriate provision for parking in accordance with Policy DM62 and Appendix E of the Local Plan. The shortfall in off-street parking identified by the County Council is due to the fact that house types J, J+ and K (10 dwellings in total) are 4-bed dwellings which require 3 car-parking spaces each, yet they each only provide 2 spaces, which

equates to a shortfall of 10 spaces overall. However, the shortfall is not considered to represent a reason in itself to refuse permission, as the extant permission allows for the same level of parking provision, and it is not considered that the shortfall would result in undue harm to highway safety. This is because, as noted above, the site layout caters for the most vulnerable road users by providing pavements alongside the whole extent of the road, and there are speed humps to discourage speeding.

- 5.9.6 Looking next at the off-site highways works requested by the County Council. These are the same as agreed previously and include upgrades to a nearby bus stop, implementation of “Gateway Treatment Measures” to improve vehicle speeds along A683 and improvements to the alignment and lining of the Hornby Bank / A683 junction. The applicant is agreeable to securing these by condition and a separate Section 278 agreement with the County Council, as Local Highway Authority.
- 5.9.7 Policies T2 and DM61 of the Local Plan relate to walking and cycling. The CERLP has amended the wording of the policy to ensure that pedestrians and cyclists are prioritised and that the pedestrian and cycling environments are accessible to all. The new road would connect to Royal Oak Meadow to allow pedestrians and cyclists access to existing routes in the village. Furthermore, the proposed development would not impact on any existing pedestrian / cyclist networks.
- 5.9.8 Policy DM63 supports proposals that maximise opportunities for the use of sustainable modes of travel, in order to assist in reducing carbon emissions and address climate change. There is a bus stop on Melling Road, within approximately 150 metres from the site, which is served by bus routes 81 (Lancaster to Kirby Lonsdale, multiple times a day) and 582 (High Bentham to Hornby, twice a week).
- 5.9.9 Overall, the proposal is considered to be acceptable in this respect.
- 5.10 **Consideration 9 – Flood risk and drainage – NPPF Chapter 14 (Meeting the challenge of climate change, flooding and coastal change); Strategic Policies and Land Allocations DPD Policy SP8 (Protecting the natural environment); Review of the Development Management DPD Policies DM29 (Key Design Principles), DM33 (Development and Flood Risk); DM34 (Surface Water Run-off and Sustainable Drainage); DM35 (Water Supply and Waste Water); DM36 (Protecting Water Resources and Infrastructure)**
- 5.10.1 The application site is in Flood Zone 1. The western part of the site is at medium risk of groundwater flooding. The south-west corner of the site is at medium and high risk of surface water flooding. Parts of the site (south-west corner and eastern edge) are also at medium risk of surface water flooding in the future due to climate change.
- 5.10.2 Policy DM33 of the Local Plan makes reference to the NPPF, stating: “*New development will need to satisfy the requirements of the sequential test and exception test where necessary in accordance with the requirements of national planning policy and any other relevant guidance...*” The NPPF seeks to direct development away from areas at the highest risk of flooding (whether existing or future risk). It states that a sequential risk-based approach should be taken to individual applications in areas known to be at risk now or in future from any form of flooding, with the aim of steering new development to areas with the lowest risk of flooding from any source.
- 5.10.3 The NPPF states: “*The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk)*”. In this case, there would be some built development located on areas at risk of flooding (now and in the future), which triggers the need for a sequential test; however, the applicant has failed to undertake a sequential test, on the basis of the extant permission and the site allocation.
- 5.10.4 The NPPF also states: “*Where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again.*” (emphasis added). In this case, however, the site was not allocated through a sequential test. The Level 1 SFRA Local Plan Sites Assessment document, dated September 2021, does not make a recommendation for the site on the basis that the site already benefitted from planning permission. Therefore, the fact the site is allocated for housing in the Local Plan does not negate the need for a sequential test in this case.

- 5.10.5 Similarly, arguably, the fact there is an extant planning permission at the site does not negate the need for a sequential test either because the extant permission cannot reasonably be considered as a “fallback” if it is unviable for the applicant to develop the site pursuant to the extant permission.
- 5.10.6 Nevertheless, the failure of the sequential test (i.e. the fact the applicant has failed to demonstrate that there are no alternative sites available for the proposed development, at lower risk of flooding) must be considered in the context of the specific circumstances relating to the site, namely the fact that planning permission has already been granted to put houses on the site (setting aside the question of viability for this precise scheme); work has commenced, leaving an unsightly site and uncertainty for neighbouring occupiers until such a time that a viable solution is found; the site is allocated for housing in the Local Plan (and it seems unlikely that this would change in the next Local Plan given the Council’s current lack of a 5 year housing supply); and granting permission for this proposal would allow the provision of 6 affordable housing units. Cumulatively, it is considered that these reasons outweigh the failure of the sequential test.
- 5.10.7 Policy DM33 of the Local Plan requires the submission of a site-specific Flood Risk Assessment (FRA). The FRA submitted in support of this application does not identify the medium groundwater flood risk, nor the increased risk of surface water flooding in the future. However, it does identify that the development can be made safe from the present-day surface water flood risk through mitigation. This includes the raising of finished floor levels by 300mm to provide sufficient freeboard for those units located within the flood risk areas. This would also provide suitable mitigation against the increased risk in the future, given the nominal increase in flood risk extent, as well as the identified groundwater flood risk, given the relatively low level of risk from this source. In addition to this, safe access to and from the site is available from Hornby Bank. The proposal also provides a drainage strategy, which demonstrates the site cannot be drained via infiltration or a connection to an existing watercourse. It is therefore proposed to utilise below ground attenuation with a controlled discharge to a nearby existing United Utilities combined sewer. The Lead Local Flood Authority and United Utilities have raised no objections on flood risk/drainage grounds; subject to appropriate conditions to secure final details of the suitable scheme design and implementation.
- 5.11 **Consideration 10 – Amenity – NPPF Chapter 12 (Achieving well-designed places); Review of the Development Management DPD Policy DM29 (Key design principles)**
- 5.11.1 The NPPF seeks to create places with a high standard of amenity for existing and future users. Policy DM29 of the Local Plan requires that new development ensures there is no detrimental impact to amenity in terms of overshadowing, visual amenity, privacy, overlooking, massing and pollution.
- 5.11.2 At the time of the reserved matters application, the design and layout was amended in response to officer’s comments. The officer’s report concluded that there would not be a detrimental impact to the amenity of existing and future occupiers. This remains the case and the application is therefore considered to be acceptable in this respect.
- 5.12 **Consideration 11 – Minerals safeguarding – NPPF Chapter 17 (Facilitating the sustainable use of minerals); The Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, Policy M2 (Safeguarding Minerals)**
- 5.12.1 Part of the site is allocated as a Minerals Safeguarding Area in the Joint Lancashire Minerals and Waste Local Plan. The NPPF states that, when determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy. It states that local planning authorities should not normally permit other development proposals in Mineral Safeguarding Areas if it might constrain potential future use for mineral working.
- 5.12.2 Policy M2 of the Joint Lancashire Minerals and Waste Local Plan notes that planning permission will not be supported for any form of development that is incompatible by reason of scale, proximity and permanence with working the minerals unless certain criteria is met.
- 5.12.3 At the time of the outline permission the officer’s report stated: *“It is highly unlikely that the site would be able to commercially worked for aggregate given the size of the site and secondly its relationship with residential properties. Given this it is considered that the proposed development is unlikely to sterilize any minerals.”* This remains the case and the application is therefore considered to be acceptable in this respect.

5.13 **Consideration 12 – Archaeology – NPPF Chapter 16 (Conserving and enhancing the historic environment); Review of the Development Management DPD Policy DM42: Archaeology**

5.13.1 Application 15/01593/OUT was subject to a planning condition to secure a programme of archaeological investigation in accordance with a written scheme of investigation. This condition was in part discharged through a subsequent discharge of condition application. This application is accompanied by an Excavation Report which summarises the findings of the on-site archaeological excavations. The County Council Historic Environment Team have reviewed this document and have confirmed that regionally significant prehistoric remains have been identified. It is requested that a further exercise of post excavation analysis of acquired samples be undertaken. It is also requested that on-site archaeological supervision be undertaken for works including stripping of soils in southeast corner of the site.

5.13.2 In light of works commencing on site pursuant to the previously approved development, it is not possible to secure the on-site archaeological supervision for works in southeast corner of the site. Furthermore, the originally agreed Written Scheme of Investigation documents approved through subsequent discharge of condition applications did not incorporate provision for on-going supervision. However, given the samples acquired as part of the excavation works are considered to be of regional significance, securing the further exercise of post excavation analysis of these samples is reasonably necessary to mitigate the impacts of the development upon archaeological interests identified. This can be secured by planning condition.

5.14 **Other matters**

5.14.1 **NHS** – Within its consultation response, the NHS has requested a financial contribution of £17,823 to be directed towards the extension and reconfiguration of the Lunesdale surgery to enable increased capacity. Unless secured, the NHS have confirmed that it would raise an objection to this proposal. It remains unclear as to the exact nature of the proposed extension and reconfiguration of the surgery, including its location, expected delivery timescales and status other necessary permissions, such as planning permission. As such, there is uncertainty at the present time that this request is directly related to the proposed development. For this reason, reluctantly, the local planning authority cannot be satisfied that the contribution would meet the statutory tests set out in legislation and in paragraph 58 of the NPPF. Therefore, the authority is unable to support the NHS's request at this time.

5.14.2 **Employment Skills Plan** – Policy DM28 requires that proposals of 20 or more new dwellings provide an 'Employment and Skills Plan' that will set out opportunities for, and enable access to, employment and the up-skilling of local people through the construction phase of the development proposal. Whilst an initial Employment and Skills Plan document has been provided in support of this current application, the Councils Sustainable Growth team has confirmed that this does not meet the formal policy requirements. It goes on to state that a final policy compliant Employment and Skills Plan could be secured by pre-commencement condition. However, works have now commenced on site pursuant to extant permissions 15/01593/OUT and 19/00320/REM which themselves did not secure an Employment and Skills Plan. In light of the particular circumstances of this application, the fact works have already commenced on site, and the fact that the proposal is only 3 units over the 20-unit threshold, adopting a pragmatic approach, it is considered reasonable not to insist on securing an Employment and Skills Plan as part of this proposal.

5.14.3 **Environmental Health** – The Councils Environmental Health Officer has provided a consultation response indicating that no objections are raised subject to identified conditions, these being the provision of electric vehicle charging points, contaminated land precautionary measures, and dust control. With respect to electric vehicle charging points, this is now a matter dealt with by building regulations and so does not need to be a matter controlled as part of this planning permission. The condition for dust control measures would be dealt with by the imposition of the approved Construction Method Statement. Finally, the precautionary contamination measures would be appropriately dealt with by the unforeseen contamination condition.

5.14.4 **Education** – Paragraph 100 of the NPPF requires local planning authorities to take a proactive, positive and collaborative approach to ensuring there is sufficient choice of education places available and great weight should be given when there is a need to create, expand or alter educational facilities in plan-making and decision-taking. Accordingly, the local planning authority has consulted Lancashire County Council Schools Planning Team who have confirmed there is no requirement for an education contribution as part of this proposal.

6.0 Planning obligations

- 6.1 With Committee’s support, Officers seek delegation to secure a Section 106 Agreement to secure the below requirements:
- The provision of 6 on-site affordable units (3x affordable rented and 3x shared ownership)
 - £74,794.45 Public Open Space contribution towards Hornby Play Area.
 - On-site public open space provision and management.
 - On-site estate roads management.
 - On-site drainage system management.

7.0 Conclusion and planning balance

- 7.1 The Council’s current housing land supply stands at 2 years, as identified in the 2024 Interim Housing Land Supply Statement & Trajectory document. The Council acknowledges that this represents a significant shortfall in housing supply, whilst the importance of boosting housing delivery across the District is also noted. It is in this context that this proposal has been considered. In this case, there are footnote 7 policies that would be engaged (flood risk), therefore, paragraph 11d(ii) is relevant, meaning a normal balance is utilised in the overall planning balance. Accordingly, the proposal would deliver both affordable and market housing that would to a degree help address the significant shortfall in the five-year housing land supply position. This attracts significant weight in favour of the proposal in the overall planning balance. There would also be a range of social and economic benefits, including construction jobs and increased spending for local services and facilities, this is afforded limited weight.
- 7.2 The failure to perform a sequential test represents a conflict with national and local planning policy, however, in this instance, there is an extant planning permission on this site which has been implemented. For the reasons identified within this report, despite this conflict, there are concluded to be overriding reasons for which the proposed development should be supported. The current housing land supply situation of the Council means that some conflicts with policy is inevitable, and this to a degree lessens the overall weight which is to be applied to this conflict, though the conflict is still important to weigh within the overall balance. Furthermore, the submitted flood risk assessment indicates that the development can be made safe subject to the identified mitigation.
- 7.3 Overall, due to the site specific characteristics of this development site, combined with the importance and significant weight to be afforded to the provision of housing, it is concluded that the identified policy conflicts and associated harms are outweighed by the significant benefits that would be achieved through the delivery of the proposal when assessed against policies of the NPPF and the Development Plan taken as a whole.

Recommendation

That Planning Permission BE GRANTED following the satisfactory completion of a Legal Agreement within 3 months of the date of this Committee meeting. In the event that a satisfactory Section 106 Agreement is not concluded within the timescale above, or other agreed extension of time, delegate authority to the Chief Officer – Planning and Climate Change to refuse planning permission on the grounds that the obligations which make the development acceptable have not been legally secured.

The legal agreement shall secure:

- The provision of 6 on-site affordable units (3x affordable rented and 3x shared ownership)
- £74,794.45 Public Open Space contribution towards Hornby Play Area.
- On-site public open space provision and management.
- On-site estate roads management.
- On-site drainage system management.

The approval is also to be subject to the following planning conditions:

Condition no.	Description	Type
1	Timescale	Control
2	Approved plans	Control

3	Construction surface water management plan	Prior to commencement
4	Final surface water sustainable drainage strategy	Prior to commencement
5	Foul drainage strategy	Prior to commencement
6	Details of site access and off-site highway improvements	Prior to commencement
7	Material samples	Prior to above ground works
8	Material details	Prior to above ground works
9	Details and provision of all boundary treatments	Prior to above ground works
10	Landscaping and Green Infrastructure Management and Maintenance Plan	Prior to above ground works
11	Scheme for external lighting	Prior to above ground works
12	Precise scheme for ecology/habitat enhancement	Prior to above ground works
13	Archaeology analysis	Prior to occupation
14	Sustainable Drainage System Operation and Maintenance Manual	Prior to occupation
15	Verification Report of Constructed Sustainable Drainage System	Prior to occupation
16	Details and provision of covered and secure cycle storage	Prior to occupation
17	Garage and car parking provision	Prior to occupation
18	Construction Method Statement	Control
19	Ecological mitigation	Control
20	Flood risk mitigation	Control
21	M4(2) compliance	Control
22	Arboricultural Impact Assessment	Control
23	Unforeseen contamination	Control
24	Removal of permitted development rights	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