

<b>Agenda Item</b>	A5
<b>Application Number</b>	21/00722/HYB
<b>Proposal</b>	Hybrid application comprising a full application for the erection of 58 dwellings (C3) with associated landscaping, infrastructure, public open space and access arrangements, and outline application for extra care (Use Class C3) and a local centre (Use Class E) development with associated landscaping, open space and infrastructure
<b>Application site</b>	Land Off Lancaster Road and adjacent To Turnpike Fold Slyne Lancashire
<b>Applicant</b>	Taylor Wimpey
<b>Agent</b>	Asteer Planning
<b>Case Officer</b>	Mark Potts
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Approval of both the full and outline applications, subject to conditions and a Section 106 legal agreement. Delegate back to Chief Officer - Planning and Climate Change to finalise legal agreement.

## **i) Procedural Matters**

This application was reported to Planning Committee in October 2023, and it was resolved to be approved subject to conditions and the completion of a legal agreement. The previous Officer Report is appended to this report as a background paper. The draft legal agreement has been agreed between the parties and is ready for engrossing and completion.

Since the resolution, the Climate Emergency Review of the Local Plan has been adopted. This updated report considers the change in policy in relation to sustainable design. There have also been changes to the National Planning Policy Framework and the Planning Practice Guide since the resolution was made. Following the positive resolution of committee members some amended plans were submitted in 2024, these have been consulted upon in August 2025.

This report will focus on the changes to the sustainable design policies only and to address consultee comments since the re-consultation in August 2025. The background paper provides a full and complete account of the site and surroundings, site history and an assessment of proposal and other material planning considerations.

This report will provide a recap of the proposal and will set out our recommendation for both the full and outline elements of the application in light of the changes.

### **1.0 Application Site and Setting**

- 1.1 The site forms part of the North Lancaster Strategic Site which is allocated for residential development of up to 700 dwellings and 2 hectares of employment land. With regards to the delivery of new housing at both the East and North Lancaster Strategic Sites, the Local Plan places a requirement on the developers / landowners to produce a concept masterplan which sets out how development in this area

could come forward over the coming years. The Masterplan has been published and is available in the public domain. The Masterplan area aligns with SPLA Policy SG9 and is bound by Folly Lane to the west, the A6 link road along the north and Kellet Lane to the east. The area in effect comprises a northern expansion of Skerton.

- 1.2 The site measures approximately 4.5 hectares comprising grazed grassland and lies to the west of Slyne Road. Turnpike Fold comprising residential dwellings lie adjacent to the northern boundary with the A683 Bay Gateway and agricultural land beyond. To the south of the site is Beaumont College and Saint John's Hospice, with the Oak Centre located to the south-west of the site. To the west of the site is further greenfield land, and to the east is the A6/Slyne Road and further greenfield land which also form part of the wider Strategic Site.
- 1.3 The site comprises two large pastoral fields, separated by a hedge running from east to west. Levels on the site fall from the southwest where the current level is 41.65 metres Above Ordnance Datum (AOD); along the western boundary the levels fall to 34.38 metres AOD in the northwest corner and then along the northern boundary to 25.02 metres AOD in the north east corner. The site access off Turnpike Fold is at 24.30 metres AOD and the southern boundary with the existing residential properties falls to 22.66 metres AOD in the southeast. The site is located within Flood Zone 1 where land is identified as having a less than 1 in 1,000 annual probability of river or sea flooding.

---

## **2.0 Proposal**

---

- 2.1 The current proposal is a hybrid application where full planning permission is sought for the erection of 58 dwellings with associated landscaping, infrastructure, public open space and access arrangements. Outline planning permission is also sought for the construction of a Extra Care Facility (Use Class C3) of up to 60no. beds and a Local Centre (Use Class E) of up to 600sqm.
- 2.2 The outline element comprises means of access to be considered. Subsequent reserved matters would then follow under future separate applications. However, the application does sets out the parameters of the outline element.
- 2.3 Access to the site would be taken from Slyne Road to the west of the site and will consist of a new priority junction with pedestrian refuge island and associated enabling highway work. The access road will serve Phase 1 of the Masterplan (the application site) and future phases 2b and 4.

### Full Planning Permission - Residential Development

- 2.4 The proposal relates to the construction of 58 dwellings comprising a mix of 2, 3 and 4 bed dwellings with a density of 41 dwellings per hectare. A mix of house types are proposed which comprises a mix of semi-detached and detached dwellings which are predominately two storey with a limited number of two and half storey. The materials palette would comprise a mix of buff and red brickwork with a number of rendered facades to add variety.
- 2.5 No affordable dwellings are proposed as part of the full planning application; however, the proposed Care Home facility would provide 100% affordable accommodation.
- 2.6 A landscaping scheme has been submitted which retains existing trees along the outer boundaries with heavy duty trees proposed along the sites entrance and towards the rear of the site. Amenity areas would be seeded with wildflower and an attenuation pond is proposed at the site entrance. Private amenity areas would be laid out using ornamental trees and shrubs to define boundaries.
- 2.7 All of the proposed dwellings would have access to off street parking, either in the form of a garage or a private driveway.

### Outline Planning Permission – Extra Care Facility and Local Centre

- 2.8 Full details of the proposed Care Home facility and Local Centre would be secured at Reserved Matters stage. However, it is understood that the extra care facility and Local Centre would be a maximum of three storeys. The developable area would be 3.4 hectares with provision for 1.1 hectares of open space. The local centre would comprise approximately 600square metres of floorspace and could include a coffee shop, pharmacy and community space.

- 2.9 An Environment Statement, Ecological Assessment and Shadow Habitats Regulations Assessment Screening Report, flood risk assessment, noise impact assessment, health impact assessment, mineral assessment review, Phase I Geophysical Survey, air quality assessment, energy statement, statement of community involvement, transport assessment, utility report, heritage statement and Arboricultural Method Statement have accompanied the application submission documents.

### 3.0 Environmental Impact Assessment

- 3.1 Given the site forms part of a wider allocated site, it means that it falls within the definition of projects for which an Environmental Assessment must be undertaken under the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ("The EIA Regulations"). The EIA Regulations requires an Environmental Statement (ES) to accompany an application for development consent for certain types of project. The proposed development is considered to fall within the category 10(b) of Schedule II of the Regulations and comprises 'Urban development projects'. The development exceeds the threshold of the area of development, and it has been determined that an EIA and ES is required.
- 3.2 The ES provides a systematic examination of environmental effects that may be caused by a development proposal on the receiving environment. The process allows modification of the project to minimise potentially harmful effects through the incorporation of mitigation measures and enhancement proposals within the design process. The ES covers the following scoped in topics:
- Ground Conditions
  - Drainage and Flood Risk
  - Climate Change
  - Summary of Mitigation and Residual Effects

### 4.0 Site History

- 4.1 There is no relevant planning history for the site.

### 5.0 Consultation Responses

- 5.1 The main report outlines the consultation responses to the planning application however given additional consultation has taken place the comments below are noted.

Consultee	Response
Lancashire County Highways	No formal observations received – review of amendments ongoing.
Lead Local Flood Authority	<b>No Objection</b> – as outlined in their previous responses. Conditions are recommended
Historic Environment Team	Maintain the position of <b>No Objection</b>
Lancaster Canal Trust	<b>No Objection</b> – discusses the need to protect the listed bridge and contribute towards sustainable travel.
Canal and Rivers Trust	<b>No Objection</b> and re-iterates the advice as contained within the response of July 2021 and June 2023
Lancashire Police	<b>No Objection</b> , advocates secured by design principles to be embedded into the proposal.
Waste and Recycling	<b>No Objection</b> but do recommend a refuse manoeuvring strategy
Biodiversity Officer	Recommends amendments to the application to capture ; BNG Recreational Capacity, Bat and Bird Boxes and SuDS.
Slyne with Hest Parish Council	Raise concern on drainage matters and would advocate to the developer to re-assure the community that surface water management issues will be
Environment Agency	<b>No comments to make</b>
National Highways	<b>No Objection</b>

5.2 At the time of writing this report there have been **10** additional representation raising concerns with the below

- Lack of Infrastructure Provision - Schools, Highways and Medical Facilities
- Lack of landscaping and loss of a green field site
- Not climate resilient
- Drainage Concerns – In particular those residents on Turnpike Fold who currently have issues with their drainage infrastructure.

## 6.0 Analysis

6.1 **Sustainable Design and Renewable Energy** NPPF sections: 12 (Achieving well-designed places) and 14 (Meeting the challenge of climate change, flooding and coastal change); Development Management (DM) 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 and Construction) and DM53 (Renewable and Low Carbon Energy Generation)

6.1.1 In the context of the climate change emergency that was declared by Lancaster City Council in January 2019, the effects of climate change arising from new development in the District and the possible associated mitigation measures will be a significant consideration in the assessment of proposals. The Council is committed to reducing its own carbon emissions to net zero by 2030 while supporting the district in reaching net zero within the same time frame. Buildings delivered today must not only contribute to mitigating emissions, but they must also be adaptable to the impacts of the climate crisis and support resilient communities. The Climate Emergency Review of the Local Plan (CERLP) was adopted in January 2025 (after the earlier resolution in 2023) and provided a partial review of the DM DPD and the SPLA DPD. This introduced policies DM30a, DM30b and DM30c which provide specific requirements in relation to sustainable design and construction.

6.1.2 The application was submitted and resolved to be approved prior to the adoption of the CERLP. The newly adopted sustainable design policies are more stringent compared to the previous iteration of the policy. The development must now accord with the new requirements (DM30a to DM30c), specifically securing a fabric first approach to reach a minimum of 75% reduction in carbon emissions against Part L of the Building Regulations 2013 (and 100% reduction for dwellings building on or after 01/01/2028), as well as achieving, as a minimum, the optional requirement set through Building Regulations G2: Water Efficiency (or any future successor requirement). Securing compliance with these new policies can be secured by planning condition. Following discussions with the applicant they have submitted a detailed energy report in the spring that sets out that by using proposed enhanced fabric specification in combination with efficient heat pumps this reduces carbon emissions on the site by circa 59% over Part L1 2021. This represents a 90% reduction over Part L1a 2013, surpassing the requirements of Policy DM30a. DM30c requires more awareness and measures to minimise the effects of climate change during construction in particular. The recommended Construction Management Plan will need to cover the requirements of this policy.

## 6.2 Other Considerations

6.2.1 The applicant has amended the location of the proposed pumping station since the scheme was approved. This has now been relocated to the adjacent side of the access point to the Extra Care/Local Centre Land. To ensure high quality place making upon entering the extra care site, further landscaping has been provided here.

6.2.2 The Biodiversity Officer has raised concerns that the application does not address the new national standards for SuDs which had been introduced in the summer. The industry is transitioning to the new arrangements and therefore on the advice of the Lead local Flood Authority only applications validated after 1 November need to take into account the new standard. It is the case the application was submitted in 2021, and on balance it is not considered appropriate to ask for this, especially as the LLFA raise no objection to the scheme. Concern has been raised regarding bird and boxes, however this can be addressed by planning condition. Concern have been raised regarding BNG however the application has submitted in advance of mandatory Biodiversity Net Gain and the

applicant is proposing replacement hedgerows and wildflower meadows and therefore there will be some gains on site.

- 6.2.3 The Parish Councils concerns on drainage are understandable and this has come across in the public comments. Residents on Turnpike Fold wish to connect to the proposed adopted drainage scheme that the developer is proposing, however the residents suggest the developer is not engaging on this point. This is a private matter between the parties, and certainly is not something we could insist occurs. The LLFA and UU raise no objection to the scheme and a series of planning conditions cater for the detailed design of the drainage. We would advocate that the developer liaises with concerned parties on Turnpike Fold to address the issue of foul drainage moving forwards.
- 6.2.4 The County as the Local Highway Authority have not responded formally to the application amendments but given the scheme does not introduce new highway related issues it is not expected that the changes would result in any highway safety concern that was not addressed as part of the resolution in 2023. National Highways raise no objection to the scheme.
- 6.2.5 The delay in issuing this planning consent has come from protracted discussions associated with the Section 106 legal agreement. This has taken nearly two years which for a scheme of this size is far too long. The local planning authority (LPA) and the applicant are now in broad agreement with the terms included, and therefore it is envisaged by the end of 2025 the permission can be issued alongside the Legal Agreement. The agreement caters for the mechanism for the access road to the adjacent site to be provided. The neighbouring landowner and developer have been in discussions on this point, since the resolution to support the scheme in October 2023. For completeness the LPA have shared a draft of the agreement with the neighbouring landowner. At the time of drafting this report no comments have been forthcoming, however should comments be received councillors will be updated.

### **6.3.1 Planning Obligations**

- 6.3.2 Whilst the 2023 Committee Report suggested that the legal agreement was close to agreement there has been significant discussions between all parties since this date, and this is the principal reason the permission has not been issued. The following obligations which mirror those in the original report. In the interests of transparency, the draft Section 106 Agreement has been publicised and shared with the neighbouring landowner (given the final bullet point of the obligations below).
- Financial contribution towards provision of a new primary school;
  - A contract is entered into to secure land for care facility, or in the event of land not being sold a financial contribution towards affordable housing;
  - Public open space scheme to be submitted and approved prior to first occupation.
  - Ecological Creation and Management Plan to be submitted and approved prior to commencement.
  - Mechanism for access road to be provided through to land to the west.

## **7.0 Planning Balance and Conclusion**

- 7.1 The site is located on the northern edge of Lancaster forming part of the North Lancaster Strategic Allocation under Policy SG9 of the SPLA DPD and is therefore a sustainable location for new residential development. The scheme would also provide a new local centre in a convenient and accessible location, in line with the requirements of Policy SG10 of the SPLA DPD. The principle of the proposed development is therefore acceptable.
- 7.2 The scheme would provide 58 new dwellings and whilst no affordable units are proposed within the main part of the site, it is considered that the provision of a 100% affordable extra care scheme is acceptable in lieu of conventional affordable housing provision, to be secured through an appropriate Legal Agreement. The development provides an appropriate mix of size and type of housing, including adaptable and accessible dwellings above that required by Building Regulations. It is also considered that the proposal achieves an appropriate layout and design that responds to its surroundings. Whilst there are some shortcomings with regard to design and amenity, it is considered that any harm would be outweighed by the public benefits of the scheme, predominantly through the provision of much needed

housing in the context of a lack of a 5-year Housing Land Supply (on an allocated housing site). The proposal is also considered to be acceptable in terms of flood risk and air quality and will provide a biodiversity net gain.

- 7.3 County Highways did raise an objection to the application in 2023 and have advised that the impact on the highway network has not been adequately assessed. It is understood that there are issues with the existing highway network, and that this development would result in traffic movements into some of those areas where issues occur. These points are addressed within the original report to committee.
- 7.4 The NPPF sets out that to support the government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed. The Council's most recent Housing Land Supply Statement (September 2025) identifies a housing land supply of 2.8 years, which is a significant shortfall against the required 5-year supply set out in NPPF. Paragraph 11 of the NPPF also requires that, where a local planning authority cannot demonstrate a 5 year supply of deliverable housing sites, permission should be granted unless the application of policies in the NPPF that protect areas or assets of importance (such as heritage assets and areas at risk of flooding) provide a strong reason for refusing permission or any adverse impacts would significantly and demonstrably outweigh the benefits of the proposal. The principle of development is acceptable, and the tilted balance does apply in this case, however the delivery of residential development is a material consideration.
- 7.5 In terms of the balance to take in determining the planning application, whilst there are considered to be some shortcomings with regard to design and amenity, it is considered that this is outweighed by the public benefits of the scheme and would therefore not provide a strong reason to refuse permission. The delivery of housing, and policy compliant affordable housing provision, weighs strongly in favour of the proposal. The proposal will provide much needed housing in a sustainable location and, given the significant undersupply of housing within the District - in particular, the need to boost supply - it is considered that the benefits of the proposal do outweigh any harm caused in terms of design and the potential impacts on the highway network.

## Recommendation

That Planning Permission **BE GRANTED** following the satisfactory completion of a Legal Agreement within 3 months of the date of this Committee meeting to cater for the provisions below. 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 following obligations are required;

- A financial contribution towards provision of a new primary school;
- A contract is entered into to secure land for care facility, or in the event of land not being sold a financial contribution towards affordable housing;
- Public open space scheme and management of non-adopted parts of the site;
- An Ecological Creation and Management Plan; and
- A mechanism for an access road to be provided through to land to the west.

Condition no.	Description	Type
	<b>FULL CONSENT CONDITIONS</b>	
1	Timescales (2-year permission)	Control
2	Development to Accord with Plans	Control
3	Drainage Strategy	Pre-commencement
4	Surface Water Drainage	Pre-commencement
5	Foul Water Drainage	Pre-commencement

6	Accessibility M4 (2) Dwellings	Pre-commencement
7	Employment and Skills	Pre-commencement
8	Land Contamination	Pre-commencement
9	Construction Environmental Management Plan	Pre-commencement
10	Ecological Survey	Pre-commencement
11	External Lighting Scheme	Above Ground
12	Landscaping Scheme	Above Ground
13	Drainage Maintenance	Above Ground
14	Drainage Verification	Above Ground
15	Bin Collection	Above Ground
16	Land levels	Pre-commencement
17	Noise Mitigation	Above Ground
18	Fencing Treatment/ Ecology Permeability	Above Ground
19	FRA Mitigation	Control
20	Wildlife Enhancement	First Occupation
21	Bird Breeding Survey	Control
22	Homeowners Information Pack	Pre-occupation
23	Delivery Hours	Control
24	Garage Retention	Control
25	Arboricultural Impact Assessment	Control
26	Obscure Glazed Side Windows	Control
27	Sustainable Construction (newly inserted condition)	Above Ground
28	Materials (newly inserted condition)	Above Ground
	<b>OUTLINE CONSENT CONDITIONS</b>	
1	Details of Reserved Matters	Control
2	Timescale for Reserved Matters Details	Control
3	Drainage Details	Pre-commencement
4	Surface Water Drainage Details	Pre-commencement
5	Foul Water Drainage	Pre-commencement
6	Employment and Skills	Pre-commencement
7	Soil Contamination	Pre-commencement
8	Construction Environmental Management Plan	Pre-commencement
9	Ecological Survey	Pre-commencement
10	External Lighting Scheme	Above Ground
11	Noise Assessment	Above Ground
12	Biodiversity Improvements	Above Ground
13	Drainage Maintenance	Above Ground
14	Drainage Verification	Above Ground
15	Parking Allocations	Above Ground
16	Contract Relating to Care Facilities	
17	Land Levels	Pre-commencement
18	FRA Mitigation	Control
19	Bird Surveys	Control
20	Delivery Hours	Control
21	Arboricultural Impact Assessment	Control
22	Sustainable Construction (newly inserted condition)	Above Ground

**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**

Agenda Item A5 – Planning Committee October 2023