

<b>Agenda Item</b>	A5 – Background Paper
<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>	Simon Newall
<b>Departure</b>	NO
<b>Summary of Recommendation</b>	Approve, subject to conditions, a legal agreement and a satisfactory resolution from County Council Highways Authority

(i) **Procedural Matters**

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

**1.0 Application Site and Setting**

- 1.1 The site forms part of the North Lancaster Strategic Site which is allocated for residential development of up to 700 dwellings and 2ha 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 recently been published and is available in the public domain.
- 1.2 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.
- 1.3 The site measures approximately 4.5ha comprising grazed grassland and lies to the west of Slyne Road.
- 1.4 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.

- 1.5 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 41.65m AoD; along the western boundary the levels fall to 34.38m AoD in the northwest corner and then along the northern boundary to 25.02m AoD in the north east corner. The site access off Turnpike Fold is at 24.30m AoD and the southern boundary with the existing residential properties falls to 22.66m AoD in the southeast.
- 1.6 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 Care Home (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, it is understood that 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 3.4ha with provision for 1.1ha of open space. The local centre would comprise approximately 600sqm 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 EIA 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 Environmental Statement (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 following responses have been received from statutory and non-statutory consultees:

Consultee	Response
Canal And River Trust	<ul style="list-style-type: none"> <li>• The parcel of land the subject of the hybrid planning application would not be directly adjacent to the Lancaster Canal and as such we do not have any specific comments to make on this development at this stage based on the details available.</li> <li>• The development of this site could increase vehicle movements over the listed Beaumont Hall Bridge No.109. We would want to ensure that this bridge is protected during the construction phase of the development, and we would suggest that construction traffic is routed to avoid bridge No.109 in particular to avoid damage to this listed heritage asset, which has suffered from bridge strikes. We would welcome this being included in the draft Construction Environment Management Plan (CEMP) for the site.</li> </ul>
Clinical Commissioning Group (CCG)	<p>COMMENT</p> <ul style="list-style-type: none"> <li>• The CCG has assessed the implications of this proposal on delivery of general practice services and is of the opinion that it will have a direct impact which will require mitigation with the payment of an appropriate financial contribution.</li> <li>• Contribution of £79,930 towards an extension and reconfiguration at Owen Road surgery. Advises that the trigger of any healthcare contribution to be available is linked to commencement of development.</li> </ul>
Construction Skills Training and Employment Partnership (CSTEP)	<p>ADVICE GIVEN</p> <ul style="list-style-type: none"> <li>• This application reaches the threshold for an employment and skills plan as per the SPD for employment and skills. If the planning applicant would like some support in producing an ESP, they can email contact@cstep.co.uk at the appropriate time and we will be happy to help.</li> </ul>
Environment Agency	NO OBJECTION
Environmental Health	<p>NO OBJECTION</p> <ul style="list-style-type: none"> <li>• Recommend conditions relating to:</li> <li>• Electric Vehicle Charging Point</li> <li>• Management plan to minimise dust emissions</li> <li>• Noise mitigation measures</li> <li>• Contamination</li> </ul>

Fire Safety Officer	<p>NO OBJECTION</p> <ul style="list-style-type: none"> <li>Recommendations are made to make the applicant aware of conditions which will have to be satisfied on a subsequent Building Regulation application.</li> </ul>
Greater Manchester Ecology Unit (GMEU)	<p>NO OBJECTION</p> <ul style="list-style-type: none"> <li>GMEU conclude that the baseline and Stage 1 screening provided within the applicant's shadow HRA are adequate and appropriate.</li> <li>Bird Box Plan (Taylor Wimpey, dwg 1 rev B) - This plan is acceptable and can be secured via condition.</li> <li>The Report concludes that the proposal will result in the loss of 2.2ha of improved pasture and 124m of priority hedgerow (species poor), which will be mitigated and compensated for by 114m of new hedgerow and 0.7ha of wildflower grassland. Whilst the Biodiversity Net Gain spreadsheets have not been supplied, GMEU are content to accept this assessment of biodiversity gain.</li> </ul> <p><u>Homeowners Information Pack:</u></p> <ul style="list-style-type: none"> <li>The document needs a careful proofread – e.g. “curlow” should read curlew on the first layout.</li> <li>The document does not emphasise the importance of large wildfowl such as pink-footed geese and swans, which are a particular feature of the SPA.</li> <li>I would suggest that the term ‘landscape’ is expanded to say the fields, footpaths and coast near your home. This will make it clear that it is not just the coast where the new owner may encounter important birds in winter. – The Morecambe Bay Code ‘Keep your distance’ is not really accurately reflected in the leaflet. The leaflet concentrates purely on nesting birds. It is just as important – if not more so given the designation – to emphasise wintering roosting or feeding birds. – I would recommend that a revision of this document is sought.</li> </ul>
Lancashire Constabulary  (Designing Out Crime Officer)	<p>NO OBJECTION</p> <ul style="list-style-type: none"> <li>It is important that crime and security measures be considered at an early stage of the design phase to mitigate crime risks.</li> <li>Recommendations made to ensure that the development meets the accreditation standards for designing out crime.</li> </ul>
Lancashire County Council (Education)	<p>OBJECTION</p> <ul style="list-style-type: none"> <li>The Local Plan specifies that education mitigation should be provided through the provision of primary school site on the North Lancaster strategic site. Also, although this site does not form part of the South of Lancaster strategic site, the Local Plan specifies that education mitigation should be provided through the provision of secondary school sites on the South of Lancaster strategic site. As planning applications have been submitted prior to AAP adoption and masterplan adoption, we need to be clear of the position of your authority on school land provision. There is currently no detail provided in any application and conflicting information with our education position provided in the draft masterplan for North Lancaster regarding how either school site will be secured and provided. As you are aware, LCC require that the full school site land is transferred at nil cost as communicated within our response to the North Lancaster masterplan. Without confirmation of the mechanism for the provision of the required school land we are not clear that this development is sustainable and therefore we are not in a position to support the application at this time.</li> </ul>
Lancashire County Council  (Highway Authority)	<p>FURTHER INFORMATION REQUIRED</p> <ul style="list-style-type: none"> <li>The outstanding issues with regards to the Masterplan: <ul style="list-style-type: none"> <li>the preliminary access design for Phase 2A is missing from Appendix II</li> <li>the preliminary access design for Phase 4 is missing from Appendix II</li> <li>unclear how many dwellings Phase 4 will include</li> <li>does not demonstrate how the Mrs K West's Trust land will be accessed</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>• does not demonstrate safe and suitable pedestrian and cycle provision (over existing bridges where there is no provision, and conflict between different road users is likely)</li> <li>• We cannot accept any plans shown, until all (for example, planning layout, access layout, swept path analysis, visibility splays etc.) show a consistent layout and access strategy.</li> <li>• The Planning Layout, the Site Access Layout, Visibility Plan, Swept Path of Main Access, Swept Path of 3 Internal, Swept Path of Old Slyne Rd (and Highways and Drainage Layout are not consistent. This is not acceptable to LCC Highways</li> <li>• Drawing 1470-F11 Rev E shows the locations of the northbound and southbound bus stops and provides a pedestrian crossing south of the proposed access. The plan does not show DDA compliant bus stops with shelters. The bus stop locations shown on Drawing 1470-F11 Rev D can be made acceptable, subject to the delivery of necessary footway and hardstanding for pedestrians.</li> <li>• Provision for pedestrians and cyclists is limited and not fully in line with guidance</li> <li>• Speed survey results are concerning</li> <li>• Issues with Visibility Splay</li> <li>• Once plans are provided and agreed with the Highway Authority, we would wish to see a Stage 1 Road Safety Audit (RSA)</li> </ul>
Lancashire County Council (Archaeology)	<p>NO OBJECTION</p> <ul style="list-style-type: none"> <li>• I wish to draw your attention to the HET's comments of 30/03/2023 in which it was stated that: "The HET is ... of the opinion that the site does not merit any further archaeological investigation and would therefore wish to withdraw its advice of 29th July 2021 regarding the need for a scheme of post-permission archaeological work." We therefore have no further comments to make, and do not need to be consulted any further with regards to the development of this site.</li> </ul>
Lancashire County Council  Lead Local Flood Authority (LLFA)	<p>NO OBJECTION</p> <ul style="list-style-type: none"> <li>• Conditions recommended requiring that Development is in accordance with the submitted Flood Risk Assessment, submission of a Final Surface Water Sustainable Drainage Strategy, Surface Water Management Plan, Sustainable Drainage System Operation and Maintenance Manual and a Verification Report of Constructed Sustainable Drainage System.</li> </ul>
Lancashire County Council (Public Rights Of Way)	<p>NO COMMENT RECEIVED</p>
Lancaster Civic Society	<p>COMMENTS</p> <ul style="list-style-type: none"> <li>• The care facility and community centre included in the application will be welcome developments but left for the future - only an indication of their position is given - no details or likely construction dates are provided. These facilities will be adjacent to each other and near the main road which seems sensible, although the implications of the inevitable increase of traffic on Slyne Road need to be fully assessed.</li> <li>• The proposal is for a dense development of 58 very standard-looking houses of unimaginative design. This does not inspire confidence in the future plans which will emerge for this very extensive development which will be bounded by Halton and Kellet Roads. At this stage we would argue for a more adventurous design for the houses (and one which pays more heed to the local area) which should set the standard for the whole of this site.</li> </ul>
Lancaster Canal Trust	<p>COMMENTS</p>

	<ul style="list-style-type: none"> <li>LCT supports the comment made by the Canal &amp; River Trust in relation to protecting canal bridge 109 during construction, and contributing towards additional infrastructure required for the wider strategic housing development.</li> </ul>
National Highways	NO OBJECTION
Natural England	NO OBJECTION <ul style="list-style-type: none"> <li>The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.</li> </ul>
Slyne with Hest Parish Council	COMMENTS <ul style="list-style-type: none"> <li>Slyne with Hest Parish Council has not raised any objections to this proposal in principle. However there are some concerns about the amount of extra traffic movement that so many properties will generate and the impact on the A6 road in that area. Also as this is part of a proposed wider area of development it is considered important that access routes with links for cyclists, horseriders and walkers are taken into full consideration at this stage.</li> <li>Although this development is near to the southern boundary of the parish and part of the North Lancaster Strategic Site some concern has been raised about the pressure on existing facilities and services in the parish including the primary school as this application only includes outline permission for extra care (use class C3 and local centre use class E) and it may be some time before extra facilities overall are in place.</li> <li>It is noted that the proposed allocation of houses is 50% 4-bedroomed, 40% 3-bedroomed and only 10% 2- bedroomed. Based on these figures there would be only 5 or 6 two bedroomed properties. It is unclear what these figures are based on or how they have been derived and what the price of properties will be but it would seem that there is unlikely to be many easily affordable homes, especially for young people who would like to remain in the village and for first time buyers or smaller properties for single people or couples wishing to downsize. There is a shortage of such properties in the parish but already a considerable number of larger properties.</li> </ul>
Tree Officer	NO OBJECTION IN PRINCIPLE <ul style="list-style-type: none"> <li>The landscape plans have been amended in response to earlier comments, however revision K does not appear to have taken onboard my comments with regards to the loss of genuine street trees, this needs revising.</li> </ul>
United Utilities Water Plc	NO OBJECTION <ul style="list-style-type: none"> <li>Although requesting further information it is recommended the imposition of a planning condition (which includes criteria requiring submission of the requested information) to secure the most appropriate form of surface water and foul drainage across the site.</li> </ul>
Waste And Recycling	NO OBJECTION <ul style="list-style-type: none"> <li>It is noted that there are aspects of the development which have shared driveways serving multiple houses which are, in some instances, excessively long. This would result in residents having to wheel bins over unreasonable distances to a collection point at the closest practicable point to the adopted highway.</li> <li>There should be collection points at the end of each shared driveway to ensure vehicular and pedestrian access is not blocked, each of which should be large enough to accommodate up to 6 bins or boxes per property on any one collection day.</li> </ul>

Overall, the LPA has received 15 representations which raise the following matters:

- Seeking to ensure the delivery of the North Lancaster Strategic Site as early as possible
- Due to a number of factors, including the very slow delivery of NLSS and other strategic locations, slippage in producing the South Lancaster Area Action Plan (AAP) and the County Council's Gravity Model approach to highways contributions, the Council will not deliver housing at the level aspired to in the LP. This is causing a local housing crisis.

- Assumes that the Council will secure unfettered accesses between the land parcels within the NLSS, enabling the HSL site to deliver housing from 2027/28 (and the TW land east of the A6 delivering from 2028/29).
- It is not sufficient for the TW planning permission to merely secure the unfettered access. It must secure its delivery as quickly as possible.
- Recently pointed the LPA to a Supreme Court case, DB Symmetry Ltd and another v Swindon Borough Council. The ruling means that if a planning authority requires landowners to dedicate land to be adopted as a highway, they must impose this by way of a planning obligation rather than condition.
- Considers it essential that the LPA imposes a time limit of 12 months for the commencement of the residential development that will receive full planning permission.
- In light of the policy wording, agreed SoCG and the local housing crisis, it is not sufficient for the TW planning permission to merely secure the unfettered access. It must secure its delivery as quickly as possible.
- Unclear where the Local Centre would be located
- Good provision of EVCP but no provision is made for reducing the need for cars
- Additional but services would be advantageous
- Will the dwellings have secure cycle provision
- Would the development minimise the environmental and ecological impact
- Concerned regarding the impact on existing mains sewerage system and soakaway
- How does the development meet the local challenges of global climate change
- Questions what infrastructure would be brought forward
- Who is expected to move to the area and where would they work
- Increase in surface water runoff
- Impact of this project on flooding
- Increased parking
- Impact to the local infrastructure and greater impact on local services
- Lack of affordable housing
- Noise disruption during construction works
- Impact on wildlife
- Access from the A6 will be a major problem
- Schooling is in short supply locally
- When The Bay Gateway was granted planning permission, it was made clear that this wouldn't lead to infill in the area between Beaumont and the Road.
- Trouble deciphering the map provided on line and in the leaflet circulated to local residents
- The proposed development is not in keeping with the surrounding buildings, many of which are sandstone, or red brick with slate roofs.
- Worried about the proposed basin/pond on the site to avoid access by local children.
- Leave the current access available to turnpike fold and the farmhouse as a separate entrance to avoid congestion and likely collisions
- Lack of clarity regarding exactly what has been proposed, and that local residents haven't had optimum opportunity to comment on the plans due to lack of awareness of the procedure and its timelines
- Project will impact upon precious areas that residents use for exercise and immersing in nature
- It will also increase pollution, road noise and traffic congestion that the area will be unable to cope with.
- It will drastically reduce the value of nearby properties as the open outlook is such a redeeming feature.
- Proposed development will take away from greenery, peacefulness and rural feel, also change the area detrimentally. It will take away the greenery, peacefulness and rural feel to the area.

## 6.0 ANALYSIS

- 6.0.1 Planning law (Section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The Development Plan for Lancaster District includes the Strategic Policies and Land Allocations Development Management Documents and the Review of the Development Management (DM) DPD.

- 6.0.2 It is noted that on 31 March 2022 the Council submitted the Lancaster District Climate Emergency Review of the Local Plan 2020-2031 to the Secretary of State for independent examination. This is in line with the Town and Country Planning (Local Planning) (England) Regulations 2012 (2) - Regulation 22. Given the stage of the review limited weight is applied in the determination of the planning application.
- 6.0.3 The key considerations in the assessment of this application are:
- Principle of Development
  - Infrastructure Requirements
  - Affordable Housing and Housing mix
  - Housing Standards
  - Sustainable Design and Renewable Energy
  - Effect on landscape character
  - Design and Form
  - Transport and Highway Matters
  - Archaeology and Heritage Assets
  - Flood Risk and Drainage Issues
  - Biodiversity
  - Residential Amenity
  - Contamination
  - Impact on minerals
  - Economic benefits
  - Planning Obligations
  - Planning Balance and Conclusion
- 6.1.1 **Consideration 1 - Principle of Development - NPPF paragraphs: 7 – 12 (Achieving Sustainable Development), and 60-61 and 73-79 (Delivering a Sufficient Supply of Homes); Strategic Policies and Land Allocations (SPLA) 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); SG9 (North Lancaster Strategic site), SG10 (Infrastructure Requirement and Delivery for Growth in North Lancaster) EN3 (The Open Countryside; Development Management (DM) DPD policies: DM1 (New Residential Development and Meeting Housing Needs) and DM4 (Residential Development Outside Main Urban Areas).**
- 6.1.2 In terms of the principle of the development, the site forms part of a wider allocated site under Policy SG9. The allocation is for a residential led scheme which, when fully developed, would plan to deliver approximately 700 dwellings with a range of infrastructure necessary to facilitate the new homes. An area of 2ha of B1 employment land would also be provided within the strategic allocation.
- 6.1.3 SPLA Policy SG9, the acceptability of a residential development is grounded in the goal of promoting sustainable urban growth. The policy emphasises the need for well-designed developments that integrate with existing communities, provide essential infrastructure, and offer a mix of housing types. By adhering to these guidelines, a residential development would not only address the demand for housing but also contribute to the enhancement of the local area. Furthermore, SPLA Policy SG9 encourages developments that respect the character and identity of Lancaster, ensuring that any new residential project maintains a harmonious balance between urban expansion and the preservation of the city's unique charm.
- 6.1.4 SPLA Policy SG10 emphasises the need for well-connected and accessible communities. The residential development's acceptance would facilitate the establishment of a thoughtfully designed network of transportation, pedestrian pathways, and public amenities. This interconnected infrastructure promotes convenient mobility and encourages residents to use alternative modes of transport, aligning with the broader policy goals of reducing congestion and promoting a healthier lifestyle. By integrating seamlessly into the existing urban fabric, the development ensures a sense of belonging and community engagement, fostering social cohesion and active participation among residents.
- 6.1.5 Policy H1 further bolsters the acceptability of a residential development by focusing on the provision of housing within the borough. This policy underscores the importance of catering to various housing

needs, including affordable homes. By integrating affordable housing units within the residential development, developers can align with the policy's objective of creating a diverse and inclusive living environment. This approach not only supports social equity but also aligns with the broader principle of sustainable development, which seeks to create vibrant communities that are accessible to all.

- 6.1.6 In conclusion, the proposed development adheres to SPLA Policy SG9, SG10 and H1 and is considered acceptable and achieves the principle of development. By prioritising sustainable urban growth, respecting local character, and incorporating affordable housing, such a development not only addresses the housing demand but also contributes positively to the city's social fabric and sustainability. Striking this balance ensures that Lancaster's growth is both responsible and beneficial for current and future residents alike.
- 6.1.7 The requirements of Policy SG9 will be considered in detail below, however, the principle of the development is supported as the proposal would comply with the aims and objectives of Policies SG9 and SG10 with regards to new housing development in this area.

#### Proposed Dwellings

- 6.1.8 The NPPF was revised in July 2021 but at its core, the objective to 'significantly boost' the supply of homes remains and is reflected in paragraph 60 of the framework. It is acknowledged that the Council cannot currently demonstrate a five-year supply of deliverable housing sites. The most up to date housing land supply position for the council is contained within the Housing Land Supply Statement (November 2022) which identifies a 2.1-year supply of housing land. The Council's lack of a five-year housing land supply is a material consideration in the determination of this application and also requires the application of the presumption in favour of sustainable development as set out in paragraph 11 of the NPPF. This means applying a tilted balance in favour of proposals for housing development and granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 6.1.9 It is acknowledged that opportunities to address this lack of a 5-year supply can only come forward through the approval of more residential proposals and the identification of further supply through the Land Allocations process of which this site is expected to contribute as part of the North Lancaster Strategic site (under policy SG9 of the adopted Local Plan).
- 6.1.10 It is recognised that the proposed development would make a meaningful contribution to the district's five-year land supply and would provide much needed market and affordable housing. This must be afforded substantial weight in the overall planning balance.
- 6.1.11 There are no apparent barriers to the development coming forward within the next 5 year period and therefore, the site is suitable, in principle, for residential development.

#### Proposed Local Centre

- 6.1.12 To support the residential development Policy SG10 of the Strategic Policies & Land Allocations DPD sets out the requirement for strategic growth in North Lancaster to provide the necessary local services for new residents through the provision of a new local centre. Criterion III of SG10 specifically relates to the provision of a local centre. SGLA Policy SG10 seeks to exercise flexibility over how and where such provision should be achieved but does provide suggested direction. Paragraph 15.27 makes clear that the most appropriate location for local service provision would be in the proximity of the A6 and that the services provided should be for localised needs only (and not competing with other local centres or Lancaster City Centre). It makes clear that the delivery of a foodstore (beyond a local convenience store) would not be supported.
- 6.1.13 The Framework Masterplan sets out the general parameters of the local centre and extra care housing facility. The Local Centre would comprise circa 400sqm of convenience retail floorspace and 200sqm of comparison retail floorspace. Given the retail space will be brought forward and would serve the surrounding residential development there are also sufficient benefits in being easily and safely accessed by foot and cycle.

- 6.1.14 The delivery of retail uses would contribute towards promoting a sustainable, attractive place to live, defining a sense of place and creating a sense of community for its new residents. The proposal presents a scheme which is consistent with SG10 supported by the Framework Masterplan.

#### Proposed care facility

- 6.1.15 Whilst not a requirement of Policy SG9, it is proposed to deliver a 100% affordable extra care housing facility comprising up to 60 beds. The applicants have indicated that the care facility could comprise a pharmacy, coffee shop and community space equating 400sqm. The height of the Local Centre and Extra Care Housing facility would be a maximum of three storeys.
- 6.1.16 The delivery of retail and community uses would contribute towards promoting a sustainable, attractive place to live, defining a sense of place and creating a sense of community for its new residents.
- 6.1.17 The most optimum location on the masterplan site is earmarked for the local centre, with an opportunity presents itself to combine an extra care scheme and a community hub that could potentially serve all the new housing and should it prove possible, a policy compliant local centre. Therefore, in conclusion, the proposed retail space and care facility would be associated with the wider land allocation and adjacent residential development. It is considered there would be local benefit when combined with the creation of a community hub within the site which would weigh in favour in the overall planning balance.

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**6.2.1 Consideration 2 - Infrastructure Requirements - NPPF paragraph 93 and 95 (Community Facilities; Strategic Policies and Land Allocations (SPLA) DPD policies: SG9 (North Lancaster Strategic Site), SG10 (Infrastructure Requirement and Delivery for Growth in North Lancaster); Development Management (DM) DPD policies: DM57 (Health and Wellbeing) and DM58 (Infrastructure Delivery and Funding)**

- 6.2.2 It is important that necessary infrastructure which is both local and strategic in nature is delivered in the right place, at the right time, to ensure that development can be achieved in a sustainable manner for the benefit of new and existing residents and local businesses.
- 6.2.3 The Local Plan transport and accessibility policies seek to direct new development to sustainable locations and to ensure new development provides and encourages opportunities for a range of transport options and to reduce the overall need to travel. Policy requires development to make positive contributions to the walking and cycle network.
- 6.2.4 Policy SG10 is interlinked with SG9 and sets out the requirement for necessary strategic infrastructure to deliver growth in North Lancaster, including highway infrastructure. The infrastructure that is required to make strategic growth in North Lancaster achievable is set out in more detail within the Council's Infrastructure Delivery Plan (IDP).
- 6.2.5 DM DPD Policy 58 sets out a framework for planning contributions to ensure that growth within the district is supported, where necessary, by the provision of infrastructure, services and facilities. The Council will require planning contributions where they meet the tests set out in paragraph 57 of the Framework which are:
- (a) necessary to make the development acceptable in planning terms;
  - (b) directly related to the development; and
  - (c) fairly and reasonably related in scale and kind to the development.

#### Education

- 6.2.6 The submitted parameter plan shows the quantum of development and includes land available for a school within the wider site. The Framework Masterplan also states that contributions will be collected as part of any future planning applications to contribute towards the delivery of the primary school.
- 6.2.7 Policy SG10 sets out infrastructure that would be required to support development in this area, covered by Policy SG9. This includes the delivery of sufficient education places at both a primary and secondary school. The Schools Planning Team state they will be seeking a school site for the provision of new school places by establishing a new school or by expanding an existing school onto the proposed school site.

- 6.2.8 An appropriate financial contribution would be agreed towards the provision of educational facilities so as to not undermine the delivery of the school infrastructure required to support development in this area, covered by policy SG10.

#### Health provision

- 6.2.9 The response from the NHS sets out that the proposal will generate approximately 318 new patient registrations based on average household size of 2.34 persons. The site falls within the catchment area of Owen Road Surgery and they have advised that this need can only be met through the extension and reconfiguration of the existing premises in order to ensure sustainable general practice. To account for the new infrastructure a contribution of £79,930 has been requested. The response continues to say that the growth generated from this proposed development would not trigger consideration of the commissioning of a new general practice but would trigger a requirement to support the practice to understand how the growth in the population would be accommodated. It is advocated that the general practice capacity would need to be created in advance of the growth in population so that both the infrastructure and workforce are in place. It is therefore recommended the trigger of any healthcare contribution to be available linked to commencement of development.
- 6.2.10 It is not clear how the requested contribution would be used and, with a lack of evidence to support this request, it is considered that it fails to meet the requirements of the CIL regulation tests and could not therefore be requested at this time.

#### Transportation

- 6.2.11 In relation to highway infrastructure projects, the Highway Authority have set out that the key measures being developed include:
- A6 Preston Lancaster Road,
  - Scotforth Road
  - Bailrigg Garden Village,
  - A588 Corridor (South) and A588
  - Ashton Road (North)
  - Pointer Roundabout
  - City Centre Gyratory
  - Cacton Road
  - Slyne Road
  - Local Highway Network Around M6 Junction 34
  - Lancaster and Morecambe Area Wide Local Road/Management Changes
- 6.2.12 The final contribution would be calculated at the time of including it within a legal agreement.

#### Open Space

- 6.2.13 Policy DM27 'Open Space, Sports and Recreational Facilities' states that proposals which seek to protect and enhance existing designated open spaces, sports and recreational facilities, that are provided for their important value, will be supported by the Council. The policy continues, that where a development proposal is located in an area that is recognised to be deficient in open space, sports and recreational facilities, there is a requirement to provide appropriate contributions towards these forms of open space provision, either through on-site or a financial contribution toward the creation of new or the enhancement of existing open spaces, sports and recreational facilities off-site.
- 6.2.14 Policy DM27 also refers to development that is proposed adjacent to designated open spaces, sports and recreational facilities, in that it will be required to incorporate design measures that ensure there are no negative impacts on amenity, landscape value, ecological value and functionality of the space. The Council will only permit development that has identified negative impacts on open space, sports and recreational facilities where appropriate mitigation measures or compensation measures have been provided.

- 6.2.15 In accordance with Policy DM27, any provision made for open space, sports or recreation facilities should be fully accessible to the public without any restrictions and will be provided in addition to any private amenity space or landscaping. Proposals should not have an adverse impact on surrounding residential amenity in terms of light and noise-disturbance, with any potential impacts being appropriately mitigated against. Policy DM43 highlights that development proposals should incorporate new and/or enhanced amenity green spaces of an appropriate type, standard, size and reflects the needs/deficiencies for the area as set out within the Council's Open Space Assessment or successor documents.
- 6.2.16 The application is supported by a Framework Masterplan Plan which includes open space provision across the Masterplan area. It proposes:
- Natural and semi-natural open space – 8ha
  - Amenity greenspace – 5ha
  - Equipped area of play – 0.07ha
  - Young person provision – 0.07ha
  - Parks and gardens – 10ha
  - Allotments and Community Gardens – 1.6ha
- 6.2.17 The total site area for the current application is 4.5ha, comprising 1.4ha for the outline application area and 3.21ha for the full application area. The breakdown of land uses on the full application site will be broadly as follows:
- Open space – 0.97ha
  - Development area – 2.14ha
- 6.2.18 The above amount of open space would satisfy DM DPD Policy 27 and 43. Details regarding how the open space within the site is maintained and managed can be secured by a Legal Agreement.
- 6.3.1 Consideration 3 - Affordable Housing and Housing mix - NPPF: paragraphs 62 and 63 and 78 (housing needs and affordable housing); Strategic Policies and Land Allocations (SPLA) DPD policy: SG9 (North Lancaster Strategic site) Development Management (DM) DPD policies: DM1 (Residential Development and Meeting Housing Needs) and DM3 (The Delivery of Affordable Housing).**
- 6.3.2 This application sits outside of the Council's conventional approach to securing affordable housing through Section 106 obligations which would otherwise require the developer to provide 30% affordable housing in accordance with Policy DM3. In this instance an opportunity has presented itself to combine an extra care scheme and a community hub that could potentially serve all the new housing and should it prove possible, a policy compliant local centre. All these components are within the outline element of this application.
- 6.3.3 Because of the specialist nature of extra care schemes, whilst the developer supported the principle of this, they themselves would not look to build the scheme in the same manner as conventional affordable housing units secured through S106 obligations. On this basis, the agreed strategy is for the operator of the extra care scheme to purchase the site and bring it forward through the provision of their own capital funding and grant subsidy through the affordable homes programme to make it viable.
- 6.3.4 The need for extra housing was initially set out in Lancashire County Council's Extra Care Strategy published in 2014 and produced in collaboration with the 12 district councils. The strategy was relaunched as the Housing with Care and Support Strategy in 2019 which seeks to increase the provision of specialist housing for older people and younger adults with disabilities. The main objectives are:
- to reduce the number of admissions to residential care by increasing the housing options of older people allowing them to remain in an independent setting for as long as possible
  - to provide at least one new purpose-built extra care scheme in each district of Lancashire by 2025
  - to provide schemes that provide a minimum of 60 dwellings for rent (either stand alone or part of a mixed tenure scheme)
- 6.3.5 Underpinning the strategy is the needs analysis produced by The Housing Learning and Improvement Network (LIN) which estimates the need for extra care for Lancaster to be for 238 units where there are currently no units in existence or development.

- 6.3.6 More recent analysis has considered the need for extra care by ward revealing that north Lancaster, Slyne and Bolton le Sands are deemed to be in high need of extra care, and this was the main driver for exploring a mechanism of creating a new extra care scheme on the north Lancaster strategic site.
- 6.3.7 The proposed extra care would provide a minimum of 60 apartments all for rent meeting NDSS (Nationally Described Space Standard) and M4(2) accessibility standards and would seek to create on-site services and facilities within or adjacent to the main building which will serve the needs of the residents and beyond, ensuring that the scheme is very much embedded within the community. Typically, extra care schemes provide co-located services such as hairdressing and beauty services, coffee shop/bistro, communal areas, gardens and a community hub for residents and wider uses.
- 6.3.8 Given the nature of the outline application and the proposed care facility is considered to be the affordable units in lieu of conventional provision within the application, it is crucial this is secured through a Legal Agreement. The legal agreement will provide certainty that the units will be built for the affordable market and that there is a registered care provider who will take management of the scheme in perpetuity.
- 6.3.9 The Legal Agreement provides a framework of deliverability which will set out how and when the care facility would be brought forward to completion to align with the wider Phase I of the scheme. The legal agreement will provide a mechanism to ensure that the Applicant enters into a contract to allow the land to be sold, or in the event that the land cannot be purchased by the Local Authority, a contribution in lieu of the necessary affordable housing provision for the scheme, equivalent to 30%, is secured.
- 6.3.10 In respect of the Applicant's comment in respect of offsetting the current affordable housing offer to wider parts of the allocation, this can only be considered under the relevant application and against the Local Plan and any other materials considerations. All future phases of the development will be expected to provide 30% affordable housing in accordance with Policy DM3.
- 6.3.11 All of the dwellings proposed as part of the full planning application would be market housing. However, it should be recognised that if the proposed model is implemented, the number of affordable dwellings will exceed the Council's normal policy requirement within the phase 1 development and offers a unique opportunity to provide much needed specialist housing for the elderly and a more bespoke innovative local centre placing older people at the heart of the new community in north Lancaster. It is considered the alternative option of a care facility for the affordable market, secured by Legal Agreement, is a material factor and weighs in favour against the requirements of SG9 and DM3 for this application.

#### Housing Mix

- 6.3.12 DPD Policy DM1 seeks to ensure that new development promotes balanced communities and meets evidenced housing need in accordance with the Strategic Housing Market Assessment (SHMA). The SHMA identifies an indicative approach to housing mix which is in the table below with the proposed mix:

Property Type	Market %'age	Proposed mix %'age
House (2 bed)	20	12
House (3 bed)	35	47
House (4+ bed)	25	41
Bungalow	10	0
Flat/apartment (may include 1 bedroom house)	10	0
Total	100	100

- 6.3.13 It is noted there is an absence of flats and bungalows with the proposed mix having a slight weighting to larger properties. However, taking the proposed mix into account it is considered the move towards larger properties would represent an aspirational mix and would push up the housing stock for family housing for the north Lancaster expansion. The proposed mix would on balance achieve the relevant criteria of SG9 and results in an appropriate mix of house types and sizes.

#### **6.4.1 Consideration 4 - Housing Standards – SG9 (North Lancaster Strategic Site) Development Management (DM) DPD policies: DM1 (Residential Development and Meeting Housing Needs), DM2 (Housing Standards)**

6.4.2 Policy DM2 adopts the NDSS for all new dwellings and requires that 20% of new dwellings meet Building Regulations Requirement (M4(2) in relation to accessible and adaptable Dwellings. The proposed dwellings largely comply with the space standards and securing the policy compliant housing standards can be secured and access requirements can be controlled by planning condition.

**6.5.1 Consideration 5 - Sustainable Design and Renewable Energy - NPPF paragraphs: 126 (Achieving Well-Designed Places) and 154 -155 and 157 (Planning for Climate Change); Strategic Policies and Land Allocations (SPLA) DPD policies: SG9 (North Lancaster Strategic Site); Development Management (DM) DPD policies: DM29 (Key Design Principles), DM30 (Sustainable Design) and DM53 (Renewable and Low Carbon Energy Generation).**

6.5.2 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/ additional development in the District and the possible associated mitigation measures will be a significant consideration in the assessment of the 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, they must also be adaptable to the impacts of the climate crisis and support resilient communities. SGLA Policy SG9 provides support for developments that seek to adopt sustainable construction and design methods aimed at minimising energy use, reducing emission and maximising energy efficiency in accordance with DPD Policy DM30. The strategic policy asks that proposals investigate opportunities to deliver district heating systems and the provision of electric charging points and infrastructure in accordance with DPD Policy DM31.

6.5.3 It is difficult to consider the proposal would be close to net zero for regulated energy associated CO<sub>2</sub>e emissions or embodied carbon. Nevertheless, an Energy Statement submitted by the applicant informs the strategy in how the development seeks to reduce the carbon footprint of the residential development.

#### District heating systems

6.5.4 The applicant's Energy Statement discusses that district heating can be a viable option where there is a high density of housing, particularly in high rise accommodation and where existing heat networks are already in place that can be connected up to. It is agreed that given the low relative density of accommodation proposed, the lack of significant anchor loads, the absence of existing heat networks to connect into, the phased construction would make operating the plant unviable at the outset. Given there is a high fabric efficiency being strived for it does mitigate the requirement for high temperature heating, site-wide district heating.

#### Proposed residential development

6.5.5 In relation to the units comprising the detailed planning application, SAP assessments appropriate to the build types being proposed have been used in this report to characterise the energy demand expected from these units. Approximately 76% of the predicted demand (regulated and unregulated energy use across the detailed and outline elements, excluding e/v charging) relates to space heating, domestic hot water and cooking, with about 24% relating to electrical energy use. It is anticipated that the development will utilise modern methods of construction (a set of building techniques centred around the offsite production of panel systems which can be easily assembled onsite), energy efficient building fabrics, optimising orientation and site layout, limit solar shading and use natural ventilation. Additional measures such as energy efficient lighting and smart meters will be employed to help reduce the electrical energy demand. The improved assembly process should mean that a higher level of building performance is achieved by avoiding gapping, minimising thermal bridging, improving airtightness and ensuring insulation materials are properly fitted.

6.5.6 It is proposed the heating system will use highly energy efficient gas boilers and though no additional renewables are stated to be incorporated in the energy statement. The Energy Statement does acknowledge that should the situation change as a result of future policy requirements, building regulation changes or the applicant's design approach.

6.5.7 The latest iteration of drawings does show that the dwellings have solar PVs on the roof planes which may suggest a change in design approach, but they would potentially still be at odds with a net zero future-proofed design resulting in a future retrofit burden should Building Regulations change or other

controlling matters. In relation to renewables and particularly Policy DM30, given the slight uncertainty with the Building Regulation position the Energy Statement explores various technologies and although taking a fabric first approach remains positive. It is therefore considered the imposition of a planning condition would satisfy DM Policy 30 and provide flexibility to explore different technologies holistically with the design of the dwellings to start to addressing CO2 savings and result in an acceptable form of development.

#### Care Home Facility & Local Centre (in outline)

- 6.5.8 The energy demands associated with the outline elements are not supported by detailed assessments, due to remaining in the early stages of the design process. However, the Energy Statement does anticipate that the fabric efficiency will be improved to provide an uplift over and above current building regulations. At this stage, given the lack of detailed design parameters it is not possible to state a precise figure on the scale of the improvement.
- 6.5.9 It is therefore considered the imposition of a planning condition would again satisfy DM Policy 30 and provide flexibility to explore different technologies holistically with the design of the building(s) to start to addressing CO2 savings and result in an acceptable form of development.

#### Electric car charging

- 6.5.10 DPD Policy DM31 echoes SG9 where it requires that development proposal must demonstrate that they have sought to minimise the levels of air polluting emissions generated and adequately protect their new users, and existing users, from the effects of poor air quality. One of the ways in which the Council will seek to minimise the impact of new development on air quality will be to ensure that development provides a suitable level of infrastructure for the charging of electric / plug-in hybrid vehicles. PAN05 provides guidance for the provision of electric charging points in domestic and commercial development.
- 6.5.11 In respect of EV charging points the Building Regulations were amended in June 2021 to ensure that new residential and mixed-use buildings are provided with infrastructure for the charging of electric vehicles (Requirement: S1 and S4). As such, the Building Regulations have been brought into line with the NPPF and the Government's policy in respect of the increase in the use of electric or part powered electric vehicles. Taking into account the recent change to the Building Regulations the imposition of a planning condition to require an EV charging scheme would duplicate regulatory requirements. As such, the imposition of a planning condition would fail the tests as set out in the NPPF and national planning guidance. Quantifying the effects of air quality mitigation, especially when mitigation is largely about encouraging modal shift, is challenging. However, the applicant has presented a robust assessment informed by the Transport Assessment and the Travel Plan measures that would reduce traffic over time, which in turn reduces anticipated emission levels from the development. It is considered there to be sufficient mitigation proposed to demonstrate the effects on air quality would not be significant.
- 6.5.12 Overall, it is considered that the proposal would not conflict with the Development Plan or the NPPF in respect of air quality.

#### **6.6.1 Consideration 6 - Effect on landscape character (NPPF: Chapter 12, Chapter 15 paragraph 174 - 177 (Conserving and Enhancing the Natural Environment); Strategic Policies and Land Allocations (SPLA) DPD Policy SG9 (North Lancaster Strategic Site), EN2 (Areas of Outstanding Natural Beauty), EN3 (The Open Countryside), EN5 (Local Landscape Designations), EN6 (Areas of Separation); Development Management (DM) DPD policies DM29: Key Design Principles, DM45 (Protection of Trees, Hedgerows and Woodland) and DM46 (Development and Landscape Impact).**

- 6.6.2 The sensitivity of this location to development was recognised by the Council in preparing the Local Plan and is supported by the designation of the adjoining land as Urban Setting Landscape (USL). USL are defined as those landscapes peripheral to the built form and located on the edge of the main urban area. They are identified because they provide a visual frame for the urban area, providing an important role in the setting of existing development, and providing a significant context for legibility to features either within the landscape or surrounding it. Whilst falling outside the USL designation the City Council would expect proposals at this location to be sensitive to this designation and as identified by Policy SG9 the Council will require proposals to create landscape buffers between the development site and in this instance the Bay Gateway Link Road.

- 6.6.3 SPLA DPD Policy SG9 has allocated development through the Local Plan process. Through this process consideration has been given the implications of development and their mark on the landscape. The supporting text to SG9 identifies the land within the allocation to be characteristic of the 'Low Coastal Drumlins' Landscape Character Type within the wider setting. It is noted that its pastoral landscape emphasises the undulating drumlin nature of the local topography and existing vegetation. A low coastal drumlin occupies a prominent north to south location within the site.
- 6.6.4 The criteria for assessing landscape impacts are provided under Policy DM46 of the Development Management document which recognises that, in addition to nationally and locally designated landscapes, the district also has a range of landscapes and townscapes which are valued, unique and provide a direct sense of place, which the Council seeks to protect and enhance. The policy goes on to state that outside of protected and designated landscapes the Council will support development that is in scale and keeping with the landscape character and is appropriate to its surroundings in terms of siting, scale, massing, design, materials, external appearance, and landscaping. The need to consider both the individual and cumulative impacts of a proposal are also noted.
- 6.6.5 A masterplan has recently been prepared and published for the North Lancaster allocation. Although this encompasses the whole SG9 allocation the masterplan can be used to inform how the smaller parcels of land within can be developed and how it affects the wider landscape. This application has been supported by a design and access statement which uses the masterplan as the starting point for how the site is developed.

#### Topography and presence of built form

- 6.6.6 The landform of the site generally slopes from west to east with a high point in the southwestern corner of the site on a local ridgeline. This ridgeline is part of the characteristic 'drumlin' landform and slopes from west to east with the fall towards the centre of the site where the gradient eases and the site slopes more gently towards the east of the site and with Sylne Road.
- 6.6.7 The proposed development is located on the easterly facing side of the drumlin and as such views would mainly be from the north and east along Sylne Road. Wider views from the north and east are obscured by the undulating landform, thus limiting the mark on the landscape to relatively close to the site. Whilst there are views from the south along Syne Road, these are more limited and obscured by the presence of existing building and vegetation.
- 6.6.8 It is considered the layout has been designed to take advantage of the topography of the site where the heightened part of the drumlin has been retained as open space. This has reduced the extent of the built form to the lower parts where the heights of the buildings, where although still graduated would still respect the existing landform. The proposed open spaces on the west and northwest areas of the site allows for structural landscaping to be created to form the predominant feature on the top of the drumlin which aligns with the principles set out in the wider masterplan.

#### Landscape features

- 6.6.9 In respect of the landscape features given the existing pastoral use the land has the presence of established hedgerows delineating the field boundaries along the western and northern side of the application site and the site for outline consent. a small number of trees are dispersed along these boundaries.
- 6.6.10 A two groups of trees are presence along the southern boundary comprising Cypress, Elder, Sycamore and Hawthorn specimens with a smaller group mid-way along the eastern boundary of plum trees.
- 6.6.11 With the exception of dead trees, it is not proposed to remove any trees as part of the development. Therefore, the retained trees will contribute to the landscape setting.
- 6.6.12 There will be a notability removal of part of the central hedgerow to facilitate the attenuation pond, pumping station, main access spine road and access road for the north of the site. Whilst it may not be possible to mitigate the section between the east boundary and access to serve the northern parcel of land, there would be opportunity to plant a replacement hedgerow on a slight different alignment to mitigate the loss resulting from the access road. Taking this and that the other field boundaries have

retained the hedgerows the loss, although regrettable, would not be significant to the wider landscape effect of the development.

- 6.6.13 Compensatory planting would bolster and improve the green infrastructure within the site which in turn contributes to the appearance of the development within the landscape setting.
- 6.6.14 As such subject to the securement of a landscaping scheme to mitigate and bolsters the site's general appearance and street trees within the wider landscape setting it is considered the development would satisfy SG9 and DM46.

#### Landscape buffers

- 6.6.15 It has been established in this report that the quantity would satisfy Local Plan policies. However, Criteria X and XIV of SG9 requires that developments should create green buffers that provides the visual separation and protect the general amenity of the neighbouring areas of St Johns Hospice, Hammerton Hall and existing residential properties within and directly adjacent to the application site.
- 6.6.16 The application site does not extend to the boundary of St John's Hospice. Given Beaumont College occupies the intervening between the site to the north and St John's Hospice to the south it is considered the relationship to be acceptable. There is a degree of openness afforded by an intervening field to the Hammerton Hall complex, the application site does however share a field boundary with the building. The proposed layout allows for a swath of open space to flow from the northwest corner of the site to the westerly corner of the site which reflects the parameters of the overarching framework masterplan. Taking the width of the westerly section of the open space into account it is considered there to be a sufficient buffer with Hammerton Hall.
- 6.6.17 Consequently, and notwithstanding that design is discussed below it is considered that the development can be accommodated within the site, taking into account the proposed parameters without significantly adversely harming the wider landscape character.

#### **6.7.1 Consideration 7 - Design and Form - (NPPF: Chapter 15 paragraph 174 -177 (Conserving and Enhancing the Natural Environment); Strategic Policies and Land Allocations (SPLA) DPD policy SG9 North Lancaster Strategic Site, EN2 (Areas of Outstanding Natural Beauty), EN3 (The Open Countryside), Policy EN4 (North Lancashire Green Belt), EN5 (Local Landscape Designations), EN6 (Areas of Separation); Development Management (DM) DPD policies DM29: Key Design Principles, DM45 (Protection of Trees, Hedgerows and Woodland) and DM46 (Development and Landscape Impact); A Landscape Strategy for Lancashire (2000).**

- 6.7.2 The NPPF states in paragraph 130 planning policies and decisions should ensure that developments: function well and add to the quality of the area; are visually attractive; are sympathetic to local character and history; establish/ maintain a sense of place; optimise development on the site; and create places that are safe, inclusive and accessible and which promote well-being. Paragraph 134 of the NPPF states that where a development is not well designed it should be refused, especially where it fails to reflect local design policies and guidance on design.
- 6.7.3 The National Design Guide and the National Model Design Code provide detailed advice and guidance to inform high quality new developments by detailing guidance and structure to help deliver good design which focuses on ten design characteristics across three themes (physical character, community and climate). The Design Considerations in SG10 include the need for the design, layout and materials used to be sympathetic to the locality and create a strong sense of place, providing a well-designed and high-quality environment for residents. This is reflected in DM29 which also requires development to positively contribute to the identity and character of the area.
- 6.7.4 This is a hybrid application, with full planning permission sought for a 58-unit residential development comprising 4 no. 2-bedroom semi-detached, 3 no. 2-bedroom mews, 14 no. 3-bedroom semi-detached, 13 no. 3-bedroom detached and 24 no. 4-bedroom detached dwellings with landscaping, access and associated infrastructure. Outline planning permission is also sought for an approximately 60-bed extra care facility with a local centre of up to 600 sqm, alongside associated infrastructure and landscaping. Given that the extra care and local centre element of the application is made in outline, it is not possible to consider matters of design and form at this time, and it is anticipated that these will be explored in detail at the reserved matters stage.

- 6.7.5 The immediate area is characterised by semi-rural, low-density development surrounded by countryside/agricultural land, with small clusters of development that follow the road pattern to the north, east and west. Further to the south are the outskirts of Lancaster, where development is of a much higher density and follows a relatively rigid pattern. The layout of the proposed dwellings is similarly rigid, with houses arranged along three spur roads running in a north-south direction from the main access road off the A6. Dwellings also occupy similar positions within each plot, which complements the relatively formal arrangement of development within Lancaster to the south.
- 6.7.6 Policy DM29 of the DM DPD sets out standard separation distances of 21m between dwellings where windows of habitable rooms face each other and 12m where a habitable room faces onto a side wall, which are met in all cases. It also states that for every half-metre change in levels between properties, a further 1m separation should be provided. Owing to the topography of the site, there are some cases where there are differences of up to 5m between the levels of neighbouring dwellings. This would equate to an overall requirement of 31m between some dwellings where windows of habitable rooms face each other, which cannot be met. However, Policy DM29 also acknowledges that there may be instances where the minimum distances need to be increased or reduced depending on circumstances, for example site topography or density considerations. Given that the level changes involved are so significant, it is anticipated that windows of habitable rooms to the rear of the higher properties will primarily look over the rooftops of neighbouring dwellings rather than into the windows of the dwellings themselves, which would justify a relaxation of the standards in this case.
- 6.7.7 All dwellings are consistent in terms of their design and materials palette, comprising buff coloured stone facing blocks on the elevations, with gable roofs constructed using slate grey interlocking concrete tiles. Windows, drainage goods, fascias and soffits will be black, with anthracite grey front and garage doors (where applicable). Each dwelling will have its own access and on-plot parking to the front and side, with lawns to the front and rear. Whilst the restricted materials palette arguably results in a development of limited visual interest or innovative design, the proposed materials are consistent with those found elsewhere within the surrounding area.
- 6.7.8 The layout plan indicates bin storage in each individual garden (although there are no elevations) and detached garages for plots 1, 7-8, 33-34, 37-39, 42-43, 45, 48-49 and 54-55. Refuse collection is understood to take place at the kerbside, as per the existing situation within the immediate area.
- 6.7.9 A substantial area of open space containing a number of trees is shown within the western portion of the site, with a pond in the northeastern corner and the location of these features is broadly consistent with that of the Comprehensive Masterplan for the North Lancaster Strategic Site, as set out elsewhere within this report.
- 6.7.10 On balance, whilst there are some potential shortcomings in terms of design and separation distances, the proposal is considered to comply with the principles of Policy SG10 and DM Policy DM29.
- 6.8.1 **Consideration 8 - Transport and Highway Matters - NPPF Chapter 9 paragraphs 108-111: Promoting Sustainable Transport and Chapter 12 paragraph 127: Achieving well-design places. SG9 North Lancaster Strategic Site. T2: Cycling and Walking Network and T4: Public Transport Corridors. DM DPD Policy DM29: Key Design Principles, DM60: Enhancing Accessibility and Transport Linkages, DM61: Walking and Cycling, DM62: Vehicle Parking Provision, DM63: Transport Efficiency and Travel Plans; DM64: Lancaster District Highways and Transport Masterplan;**
- 6.8.2 In relation to transport considerations, both national and local planning policy strive to ensure development is:
- Located in areas that are or could be made sustainable;
  - Safe and accessible for all users;
  - Promotes sustainable transport modes;
  - Minimises the need to travel by private car by prioritising pedestrian and cycle movements;
  - Ensure the highway safety and efficient of the highway network is maintained;
  - Create safe, accessible, well-connected and attractive places.
- 6.8.3 The site is proposed to be accessed via a new junction and access road off the A6 Slyne Road located to the south of Turnpike Fold, which serves a number of existing properties. The A6 Slyne Road is a

single carriageway with a 30-mph speed limit along the site's frontage. The internal layout has been designed to provide access through to the adjoining site to the east controlled by Hollins Strategic Land, with three spurs leading off to the south terminating in cul-de-sac arrangements. Most units have their own driveways and parking, however there are also limited visitor parking areas.

- 6.8.4 As the Local Highway Authority (LHA), Lancashire County Council Highways have raised a number of concerns regarding the scheme throughout the determination of the application, both technical and financial. In terms of technical issues, these have primarily related to: access to the wider masterplan site; inconsistencies between the plans submitted in terms of the layout and access strategy shown; a lack of DDA compliant bus stops with shelters; issues relating to the delivery of the turning head on Slyne Road, South of Turnpike Fold; disjointed provision and routing for cyclists and pedestrians; incorrect visibility splays; insufficient access widths to suit vehicles associated with the local centre; and a lack of vehicle tracking for a large refuse vehicle for the access to the old Slyne Road that serves the existing properties. Amended plans have been provided to address the above and the LHA have been reconsulted on the proposal, having provided extensive comments to date. Based on negotiations to date it is anticipated that a resolution can be reached between the Applicant and the LHA, and whilst final comments have not been received, an update will be given to Members at the Committee.
- 6.8.5 In terms of parking provision, County Highways advised that the integral garages for the Forrester and Farrier house types are below the acceptable level of 3 metres by 6 metres to be considered as a parking space, therefore an additional parking space would need to be provided. The plans were subsequently amended to provide a widened drive for these units. County Highways also advised that there is a shortfall on parking spaces for the two bedroom apartments which only provide one space. In response to this, the agent set out that, that whilst the parking standards state that 2 / 3 bed houses should have 2 parking spaces, flats are stated to be assessed on a case by case basis and given that the flats comprise a double and twin room they are not the same as a 2 or 3 bed house in terms of usage. They also stated that that, the site is located close to a frequent bus service and uptake of sustainable modes is being encouraged and purchasers would be aware of only having one car parking space. Whilst more spaces would be preferable, this position was accepted by County Highways in a further response in June 2022, and it is not considered that it would lead to a detrimental impact on highway safety.
- 6.8.6 In terms of financial matters, the LHA have commented throughout the determination of the application highlighting the need for a contribution towards the wider highway network. A figure has been set out in the latest response (June 2023), alongside technical issues that were required to be addressed, as discussed above. The response sets out that, the development of the Highway Infrastructure Strategy has also included the development of a mechanism to ensure an equitable distribution of S106 contributions to fund its required infrastructure. A gravity approach has been developed that determines the degree of the development's influence and impact on areas of concern (locations of initiative) and also has regard to other sources of funding available/secured. A request for a contribution of £493,921 has been made (£422,637 for the residential component and £71,284 for the local centre component), which would be used to fund the following initiatives:
1. M6 J33
  2. A6 Preston Lancaster Road
  3. Bailrigg Garden Village
  4. A588 Corridor (South)
  5. A588 Ashton Road (North)
  6. A6 Scotforth Road (and Other Parallel Routes Such as Bowerham Road)
  7. Pointer Roundabout
  8. City Centre Gyratory
  9. A683 Caton Road
  10. A6 Slyne Road (and Other Feeder Roads)
  11. Local Highway Network Around M6 Junction 34
  12. Lancaster Area Wide Local Road/Management Changes
  13. Morecambe Area Wide Local Road/Management Changes
- 6.8.7 The Applicant has provided a rebuttal to the latest response from the LHA. In summary, they consider that the Highway Authority has refused to consider the transport implications associated with the proposed development but have instead focused on their strategic aspirations within and around Lancaster. Given this impasse, Lancaster City Council, need to make a planning judgment on the

information provided and the impact on the highway network, including whether the information that is being requested is reasonable and is proportionate to the scale of the development. Lancaster City Council, as the Local Planning Authority need to ensure that any request complies with the tests in the CIL Regulations (2010), which are reiterated at paragraph 57 of the NPPF. In particular, a planning obligation must only be sought where it meets all of the following:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

6.8.8 Whilst discussion have been ongoing with the LHA for some time, unfortunately the approach put forward fails to comply with the tests for the above reasons. It is appreciated that a lot of work has been put into the development of the model and the collating the information in relation to the proposed projects, but unfortunately there is no strong policy position to support this as a District wide approach.

6.8.9 The Local Planning Authority is currently in a position where it is being pushed to determine the application, following significant delays in relation to the request for infrastructure contributions. It appears that what is being requested from the LHA in terms of assessment is overly onerous. They have advised that the issues can be overcome by supporting the Infrastructure Strategy and the Gravity Model approach, however this fails to comply with the CIL tests, as discussed above.

6.8.10 Policy DM60 of the Development Management DPD requires development proposals to be accessed safely during construction and operational phases of development and ensure that they minimise the need to travel, particularly by private car, and maximise the opportunities for the use of walking, cycling and public transport. It also requires development proposals to not adversely impact the local highway network and where highway capacity is insufficient to accommodate the impacts of the proposal, to secure appropriate mitigation. This aligns with paragraphs 110 of the NPPF. In accordance with paragraph 111 of the NPPF, development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

6.8.11 The LHA have raised a number of concerns regarding the Transport Assessment including concerns about the operation of the existing highway network. It is acknowledged that there are issues with areas of the highway network, although the exact extent of this in terms of severity is not clear. The development would result in additional vehicle movements on the network in areas that do experience congestion. Mitigation can be sought where there are impacts, including residual cumulative impacts. However, the approach currently put forward is a District wide one that fails to comply with CIL tests and therefore cannot be supported by the Local Planning Authority. Whilst the development would have some impact on the highway network, from the information provided, it is not clear that this would be a severe impact that would justify the refusal of the application.

**6.9.1 Consideration 9 - Archaeology and Heritage Assets - NPPF: Section 12, Section 16; SPLA DPD Policy SP7 (Maintaining Lancaster District's Unique Heritage); DM DPD Policy DM37 (Development Affecting Listed Buildings), DM39 (The Setting of Designated Heritage Assets) and DM42 (Archaeology).**

6.9.2 SGLA Policy SG9 requires development proposals to fully assess the potential affect upon the setting and significance heritage assets at Beaumont Hall, Hammerton Hall, Carus Lodge, Carus Lodge Cottage, the curtilage listed wall on Halton Road, Hammerton Hall Bridge, Folly Bridge, Beaumont Hall Bridge, Halton Road Bridge and the Lune Aqueduct as a result of proposed development. Where potential concerns may arise, mitigation measures should be put in place. Proposals will need to take account of the recommendations for mitigating harm and/or maximising enhancements as set out in the Council's Heritage Impact Assessment for the site. DPD DM Policies 37 and 39 echo the assessment of setting and significance heritage assets.

6.9.3 An Archaeology and Heritage Desk-Based Assessment has been prepared and submitted in support of this planning application. The Assessment considers the archaeological potential of the Site and the potential impact of the development proposals on any designated or non-designated heritage assets.

#### Identified Heritage Assets

- No designated heritage asset are recorded within the site;
- Potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site;
- Setting of Grade II Listed Beaumont Hall,
- Setting of Grade II Hammerton Hall Bridge (no. 111);
- Setting of Lancaster Canal Folley Bridge (No. 112).

#### Level of Significance

- 6.9.4 No significant archaeological remains have been identified within the site, and there is considered to be a low potential for any significant unknown archaeological remains to survive buried within the site. It is anticipated that no significant archaeological remains will therefore be truncated by the proposed development. It is considered the level of significance would be set to low.
- 6.9.5 The proposed development would not have a direct impact on the listed buildings but would be within its setting. It is considered the level of significance would be set to low.

#### Impact on Heritage Assets

- 6.9.6 The applicant's assessment has identified that no designated archaeological remains are located within the site and thus no designated archaeological remains will therefore be adversely physically affected by development within the site.
- 6.9.7 The LLC Historic Environment Team acknowledges there to be no known features of archaeological interest recorded within the application site; however, it is realised that there was evidence of prehistoric activity was found both to the north and east during works associated with the M6 Heysham Link Road. Therefore, the site is considered to have some archaeological potential. This is further supported as the HET states that during background work to the Local Plan allocation it was concluded that no archaeological work would likely to be necessary west of the canal, but to the east some limited investigation could be required as a condition of any planning consent. The land referred to is the application site and therefore it is considered to meet the
- 6.9.8 Therefore, given the potential of archaeological is relatively low risk it is considered expedient a planning condition which would require the submission of a programme of archaeological works in accordance with a written scheme of investigation to be undertaken prior to excavation works that would occur on the site.

#### Effect on setting of each heritage asset.

- 6.9.9 **Beaumont Hall** – the building is 275m to the east of the site. The historic setting of the hall would have comprised the open land that surrounded it. This open landscape character was altered in the mid-20th century with the construction of a large housing estate to its south. However, within the open land to the north of the hall there are remnants of the medieval and postmedieval agricultural landscape, which may be contemporary with the origins of the hall. The setting of the Beaumont Hall comprises its immediate surroundings, its historic driveway and its grounds, where the property can be best appreciated. Views from the wider landscape from the hall are restricted by intervening vegetation and is ultimately not discernible from the site and vice versa.
- 6.9.10 **Lancaster Canal including Hammerton Hall Bridge and Lancaster Canal Folley Bridge** - It is acknowledged that the proposed development would change its historic agricultural setting. However, it is agreed with the applicant's statement that any visual relationship between the proposed development and the Canal will be limited, as a result of the vegetation and dispersed tree line which bounds the northern side of the Canal. It is considered there to be no direct historic relationship between the Canal and the site and the proposed development will not affect the intelligibility of the relationship between the Canal and its associated historic structures comprising the surrounding contemporaneous bridges and Aqueduct.
- 6.9.11 In conclusion, it is considered the proposed development would have an effect on the setting of the settings, however, the impact would not harm be significant. The attachment of appropriate archaeological conditions would enable the protection of artefacts. It is therefore considered the development would not have a significant adverse impact on heritage assets. Any harm which may

arise, having due regard to Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, is weighed against the delivery of housing within an allocated site as being a significant public benefit in the balancing of this application as per Paragraph 202 of the NPPF. Overall, the proposed development is considered to meet Policy SP7, DM42.

**6.10.1 Consideration 10 - Flood Risk and Drainage Issues - (NPPF: Chapter 14 paragraphs 150 and 153 (Planning for Climate Change) and paragraphs 155-163 and 165 (Planning and Flood Risk); Development Management (DM) DPD policies DM33 (Development and Flood Risk), DM34 (Surface Water Run-off and Sustainable Drainage), DM35 (Water Supply and Waste Water); Strategic Policies and Land Allocations (SPLA) DPD policies SG9 North Lancaster Strategic Site and SP8 (Protecting the Natural Environment); Strategic Flood Risk Assessment (October 2017); Surface Water Drainage, Flood Risk Management and Watercourses Planning Advisory Note (PAN) (2015); Application of the Flood Risk Sequential Assessment Test and Exception Test Planning Advisory Note (PAN) (February 2018).**

6.10.2 Paragraph 159 of the Framework states that inappropriate development in areas at risk of flooding should be avoided by directing development away from the highest risk (whether existing or future). Paragraph 162 of the Framework goes on to state that development should not be allocated or permitted if there are reasonable available sites appropriate for the proposed development in areas at a lower risk of flooding through the application of the sequential test. Local planning policy DM33 reinforces the requirements of the Framework by advocating that development proposals should minimise the risk of flooding by taking a sequential approach directing development to the areas of lower risk of flooding. SGLA Policy SG9 requires "...the preparation of a Flood Risk Assessment that details how, through design, construction and occupation phases of development the matters of flood risk will be dealt with. This should, where necessary, include suitable and appropriate mitigation measures which are delivered to the satisfaction of the Authorities.." (Criteria XVIII).

6.10.3 The Environment Agency Flood Zone map indicates that most of the Site lies within Flood Zone 1, the lowest risk of flooding, categorised as 'Low Probability' (less than 1 in 1000 (0.1%) annual probability of fluvial or tidal flooding). A Flood Risk Assessment accompanies the planning application and has been prepared using desktop studies of online and acquired mapping, observations of current land use, topography, and drainage features (i.e. watercourses and culverts) from Site walkovers. The FRA is to be considered in conjunction with the relevant sections of the Environment Statement in respect of flood risk.

6.10.4 The FRA has been identified that the site falls in an easterly direction with land to the west falling away to the west towards the Lancaster Canal; land on the southern boundary is at similar levels to the site and the Bay Gateway runs to the north of the site with a well-developed drainage system. The underlying bedrock comprises siltstone, mudstone and sandstone of the Roeburndale formation, a sedimentary bedrock that formed approximately 324 to 328 million years ago in the Carboniferous period. Superficial deposits have been recorded as Glaciofluvial sheets (sand and gravel) in the west and as Till (diamicton) elsewhere. A band of alluvium (clay, silt and gravel) runs on a north to south alignment following the location of Howgill Brook. The soils of the area are characterised as freely draining slightly acid loamy soils. There is very little potential for run-off from adjacent land onto the site. The proposed development and submitted FRA will now be considered if it meets the sequential and exception test in addition to ensuring future users are protected from the risk of flooding.

**Sequential Test**

6.10.5 The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Paragraph 166 of the NPPF states that where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again. The proposed site was considered within the Strategic Flood Risk Assessment (SFRA), which has in turn informed the Local Plan. The SFRA concluded the site was suitable for housing development subject to the site layout being considered and designed around identified flood risks to pass the sequential test.

6.10.6 The NPPG states that the Sequential Test should be applied to 'Major' and 'Non-major development' proposed in areas at risk of flooding. However, there are certain circumstances where it will not be required. These circumstances comprise if the site has been allocated for development and been subject to the test at the plan making stage. The application site is within the land allocation area, SGLA

Policy SG9 and has been subject to the test at the plan making stage. Based on the location of the site in Flood Zone 1 and the development is considered 'More Vulnerable' it is deemed appropriate according to NPPF and NPPG. Therefore, the development is appropriately situated, and the Sequential Test is not required.

#### Exception test

- 6.10.7 The flood risk vulnerability classification for the proposed development is 'more vulnerable' and the developable areas within the site is in flood zone one. As such it is not required to apply the Exception Test.

#### Surface water runoff

- 6.10.8 Paragraph 169 of the NPPF and policy DM 34 of the DM DPD make it clear that major development proposals should incorporate sustainable drainage systems based on the surface water drainage hierarchy. Sustainable drainage schemes should, where possible, also provide multifunctional benefits. SGLA requires the submission of a comprehensive drainage plan which sets out how surface water will be managed on the site.
- 6.10.9 The ES states that the intention is for the site to dispose of all its surface water after a reduction in flow rates by SuDS techniques on site. A drainage plan shows surface water to feed into an attenuation basin adjacent Turnpike Fold where discharge will then flow via a hydrobrake to a public connection to the east of the site. These flows will be restricted to Qbar greenfield rates with an allowance for future climate change of 40% provided within on-site attenuation.
- 6.10.10 The LLFA have commented that the proposed drainage system comprises of an entirely end-of-pipe pond solution, thus, does not meet the definition of paragraph 055 of the Planning Practice Guidance as systems should be "designed to control surface water runoff close to where it falls, combining a mixture of built and nature-based techniques to mimic natural drainage as closely as possible, and accounting for the predicted impacts of climate change. They provide benefits for water quantity, water quality, biodiversity and amenity."
- 6.10.11 The LLFA have nevertheless raised no objection to the proposed development and allows for the principle of development to be granted and full detailed drainage designs to be conditioned for approval via a discharge of condition application. This would allow greater flexibility in respect of the planning process and for the scheme to be considered in detail at a later stage.
- 6.10.12 United Utilities have taken a similar position in requesting a surface water and foul water drainage strategy be secured by planning condition. However, whilst UU have recommended conditions for the management of the SuDs on site (not being party to the discharge process), this aligns with the recommendation from the LLFA.
- 6.10.13 The development sufficiently demonstrates that the development can sustainably drain without increasing the risk of flooding on site or elsewhere. The proposal accords with the requirement so the Development Plan and the NPPF.

#### Foul Water

- 6.10.14 Wastewater from the housing would be connected to the public foul sewerage network. It is anticipated that that a pumping station will be constructed to the north of the housing and east of the proposed community use. A rising main 125 mm pipeline would then connect on Green Lane in agreement with United Utilities.
- 6.10.15 United Utilities have requested a condition for the submission of a foul water drainage system. This would allow the applicant to explore the options and set up principle arrangement in connection taking on board the site's foul water requirements.
- 6.10.16 The Environment Agency and LLFA, raises no objection in terms of flood risk or surface water drainage subject to conditions. In terms of foul water drainage, United Utilities do not object subject to conditions and therefore the proposal is in line with SGLA Policy SG9 and DM35 of the DM DPD.

- 6.11.1 **Consideration 11 - Biodiversity** (NPPF: Chapter 15 paragraph 170 and 174-177 (Habitats and biodiversity); Strategic Policies and Land Allocations (SPLA) DPD policies SG1 Lancaster South Broad Area of Growth and EN7 (Environmentally Important Areas); Development Management (DM) DPD policies DM44 (Protection and Enhancement of Biodiversity)).
- 6.11.2 Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended under the Habitats Regulations 2019) requires that plans and projects can only be permitted having ascertained that there will be no adverse effect on the integrity of a Special Protection Area (SPA), or a Special Area of Conservation (SAC), collectively termed Habitats Sites, unless there are imperative reasons of overriding public interests and no alternatives. Government policy is that Ramsar sites should be given the same protection as European sites (Habitats Sites), outlined in paragraph 181 of the National Planning Policy Framework (NPPF).
- 6.11.3 The Conservation of Habitats and Species Regulations 2017 (as amended) transposed the Land and Marine aspects of the Habitats Directive (Council Directive 92/43/EEC) into British Law. SACs and SPAs in the UK no longer form part of the EU's Natura 2000 ecological network. The 2019 Regulations have created a national site network on land and at sea, including both the inshore and offshore marine areas in the UK. Any references to Natura 2000 in the 2017 Regulations and in guidance now refers to the new national site network.
- 6.11.4 Regulation 63 of the Habitats Regulations require a Competent Authority (in this case the Lancaster City Council) to carry out an assessment under the Habitats Regulations Assessment (HRA), to test if a plan or project proposal could significantly harm the designated features of a designated site.
- 6.11.5 The Habitats Regulations require any person applying for such consent, permission or authorisation to provide such information as the Competent Authority may reasonably require for the purposes of the assessment. This information is commonly presented as Information to Inform a Habitats Regulations Assessment (IIHRA or Shadow HRA). However, it remains the responsibility of the Competent Authority to make an appropriate and reasoned decision.
- 6.11.6 There is a need to consider the Habitats Regulations as the application site lies within Natural England's SSSI Impact Risk Zones (IRZ) for Morecambe Bay & Duddon Estuary SPA/Ramsar. Whilst such sites were until January 2021 protected under European legislation, the UK government has retained the protection and the extent of assessment of what has now become our National Site Network (NSN) under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.

#### Effect on designated sites

- 6.11.7 The North Lancaster Strategic Site (SG9) was considered in the strategic level HRA (Arcadis 2019) which supports Lancaster District's Local Plan (adopted July 2020). The application site forms part of this wider Strategic allocation. – The Strategic Site was screened out from further assessment associated with impacts of the allocation 'alone' (Arcadis Table 16), but that the allocation was screened in for likely impacts 'in combination' with other plans, proposals and reasonably foreseeable projects. The Strategic HRA identified the broad scope of mitigation (Arcadis, Table 29) that may be required for this specific allocation (SG9) which includes Home owner packs and Input to Scheme design as it may be possible to incorporate measures into scheme designs to reduce potential use of adjacent functionally linked land by new home owners.
- 6.11.8 The sHRA has provided updates both the survey evidence base and reviews the features that might result in LSE (Likely Significant Effects - screening). It provides a more recent analysis of the scientific understanding and suggests mitigation (Stage 2 Appropriate Assessment) of the scheme.
- 6.11.9 The sHRA's conclusions encompass the whole of the North Lancaster Strategic Site (SG9), however, the assessment has considered the existing baseline and conducted additional survey work over the winter of 2019/2021 on the site's usage by qualifying bird species. The sHRA concludes and is considered survey evidence on to draw an informed conclusion beyond reasonable scientific doubt for FLL, that the application site itself is not considered Functionally Linked Land.

#### Stage 1: screening and assessment of likely significant effect

- 6.11.10 The assessment of likely significant effect (LSE) is the first stage of a HRA and is intended to be a simple exercise to address the question:  
*“is the project, either alone or in combination with other relevant projects and plans, likely to result in a significant [adverse] effect on the conservation objectives and integrity of the European site”.*
- 6.11.11 To address this question, it is necessary to identify and consider the realistic and credible pathways / mechanisms by which the development proposal may lead to an effect on the European designated site(s).
- 6.11.12 It is considered that the screening conclusion is acceptable as it has been sufficiently shown that the likely significant effect can be screened out with the exception of recreational disturbance in line with the findings of the strategic HRA. Therefore stage 1 has been passed.

#### Stage 2: Inherent / Embedded Mitigation and Appropriate Assessment of Identified Impacts

- 6.11.13 The purpose of the appropriate assessment stage is to more precisely assess the likely effects identified and to inform a conclusion as to whether an adverse effect on the designated sites integrity can be ruled out.
- 6.11.14 The sHRA's conclusions encompass the whole of the North Lancaster Strategic Site (SG9), however, it does conclude that the strategic allocation, as a whole, would likely result in a marginal increase in visitors to the sensitive site. Whilst the sHRA was first drafted prior to the ruling of case law (People Over Wind Case, C-323/17, 2019) the sHRA does consider the mechanisms to rule out an adverse effect on integrity (AEOL), which is the test for a Stage 2 HRA.
- 6.11.15 In its analysis the sHRA indicates that the area of POS within the whole of the Strategic allocation for SG9, will be sufficient by design to manage the recreational disturbance LSE. This approach would be consistent with Mitigation G, as described within the Local Plan's Strategic HRA. The development of the Strategic scheme includes 27.7ha of green infrastructure within the larger North Lancaster Strategic Site (SG9), which under the policy is to be supported by a Comprehensive Masterplan. The current scheme is seeking to deliver 1.1ha of the total quantum of the wider scheme and only a proportion of the overall proposed housing. The Framework Masterplan and the quantum of open space it proposes has recently been endorsed by the Council.
- 6.11.16 The sHRA also recommends the use of information leaflets within sales packs, which the Strategic HRA as appropriate in mitigation F. This provision also forms part of the requirements for Policy SG9. The agreement of the information and any bespoke text to be provided within the homeowners' sales packs should be provided, agreed and produced prior to the occupation of the first property on the site.
- 6.11.17 In respect of the in-combination analysis the sHRA considers recreational disturbance of the wider strategic site in combination with other projects, plans and reasonably foreseeable proposal. The sHRA concludes that the mitigation is sufficient to conclude that there would be no AEOL either alone or in combination.

#### Summary of Appropriate Assessment

- 6.11.18 It is considered the baseline and Stage 1 screening provided within the applicant's shadow HRA are adequate and appropriate.
- 6.11.19 Mitigation has been proposed (Stage 2 Appropriate Assessment) in the form of provision of on-site POS in the Strategic SG9 allocated site as a whole and by the delivery of homeowners information packs. Although an example of a homeowners pack has been submitted it falls short of achieving an acceptable standard. However an acceptable Homeowners pack can still be secured by planning condition. An informative note will advise the applicant of the shortcomings of the homeowners pack that has already been submitted. This is considered appropriate and adequate.
- 6.11.20 The framework Masterplan has been endorsed by the Council and therefore the sHRA and the two elements of mitigation (quantum of POS and homeowners packs) can be used to conclude that there will be no adverse effect on integrity of the National Sites Network.

- 6.11.21 As such the Authority adopts the sHRA and has fulfilled its role as the Competent Authority to consider the likely significant effects on the designated wildlife sites.

#### Protected species

- 6.11.22 The application has been supported by an Ecological Impact Assessment. The survey focused on the application site reaching a view that protected species and wildlife would not be severely affected by the proposed development providing works are undertaken in an appropriate manner taking on best environmental practice. No notable habitats were recorded on site and the site is of limited floristic value, there are no likely impacts on any protected or notable species. The design proposals have included new bat and bird boxes, bug and bee hotels and hedgehog highways within the fencing.
- 6.11.23 It is considered the Report has used reasonable effort to survey the habitats on site and make an assessment of their suitability to support protected/species of principal importance (Section 41, NERC 2006 [Natural Environment & Rural Communities Act]). The surveys were conducted predominantly in 2019. However, given the nature of the findings it is considered that there will have been no substantive or material changes in the status of the site for biodiversity in the intervening period. However, it is noted that a number of species surveys will need to be updated prior to implementing any scheme which may gain permission.
- 6.11.24 It is recommended that preconstruction surveys are undertaken for badger, and nesting birds will be required should any vegetation clearance works be undertaken outside the bird breeding season (March to August inclusive). Any lighting strategy for the scheme is recommended to avoid direct lighting of the offsite woodland to the south (during and post construction) as this is a key bat commuting corridor. These matters can be addressed by planning condition and given the submitted ecology mitigation is acceptable can be included in the suite of approved drawings.

#### Biodiversity net gain

- 6.11.25 The Government's response to the 2018 consultation on net gain suggested there would be a two-year implementation period for mandatory BNG once the Environment Bill received Royal Assent and became the Act (which happened on 9 November 2021). The Act includes provision for secondary legislation to set a date for the requirement to come into force. It is anticipated that the mandatory requirement to come into place in November 2023.
- 6.11.26 As such calculation of the baseline Biodiversity Units using the Defra Metric are not compulsory, but they do provide an objective measure of whether a development can provide a net gain in biodiversity, as is strongly encouraged by the NPPF and by Local Policy. SGLA Policy SG9 requires demonstration how a proposal will contribute to the delivery of green infrastructure corridors and ecological networks, identifying opportunities for enhancing biodiversity with improved functionality of both the district's ecological and green infrastructure networks.
- 6.11.27 The proposal will result in the loss of 2.2ha of improved pasture and 124m of priority hedgerow (species poor), which will be mitigated and compensated for by 114m of new hedgerow and 0.7ha of wildflower grassland. Whilst the Biodiversity Net Gain spreadsheets have not been supplied, it is accepted the assessment of biodiversity gain.
- 6.11.28 It is considered the level of biodiversity net gain can be secured by Legal Agreement which allows the corresponding contributing features to be secured by planning condition. This would allow the greatest level of flexibility and securement to ensure the scheme is policy compliant.

#### **Trees and hedgerows**

- 6.11.29 The effect to tree and hedgerows within a development site is considered principally under DM DPD Policy 45 with the emphasis echoed through SPLA Policy SG9. The policy approach is twofold whereas the Council will support the protection and incorporation of existing of trees and hedgerows which includes other natural features. Then to encourage appropriate opportunities to encourage new planting of new trees, hedgerows and woodlands. The protection of existing trees, woodland and hedgerows will be where they positively contribute either as individual specimens or as part of a wider group to the visual amenity, landscape character and / or environmental value of the location. It is stated that new

development should positively incorporate existing trees and hedgerows which is further echoed throughout the SPLA and DM DPDs.

- 6.11.30 No ancient woodlands or priority habitats were identified within the site. The submitted Arboricultural Impact Assessment does not identify any trees to be felled.
- 6.11.31 In respect of the hedgerows within the site it is noted that the western and northern boundary hedgerow would be retained. Part of the central existing hedgerow however will be removed to facilitate part of the spine road, access road to the north parcel of land and attenuation pond. There is opportunity that some of the hedgerow can be replanted which aligns with the spine road leaving the space for the access road and attenuation pond. When established would mitigate the loss. Whilst this would still represent a loss of the amount of hedgerow within the site it is considered the wider planting in the open space and street planting does mitigate to a certain degree the limited loss (providing part of the hedgerow is replanted which would be adjacent to the alignment of the spine road).
- 6.11.32 It is considered the loss to be acceptable with adequate compensatory planting secured by planning condition. As such the proposal would on balance satisfy DM DPD Policy 45 and SG9.
- 6.12.1 Consideration 12 - Residential Amenity - NPPF paragraphs: 92 (Promoting Healthy and Safe Communities), 130 (Achieving Well-Designed Places), 183-189 (Noise and Pollution); Strategic Policies and Land Allocations (SPLA) DPD policies EN9 (Air Quality Management Areas); Development Management (DM) DPD policies DM29 (Key Design Principles), DM Policy 31 (Air Quality Management and Pollution) and DM57 (Health and Well-Being).**
- 6.12.2 The key areas for the consideration with regard to the general design principles within Policy DM29 would be the impact upon the amenity of the occupants of neighbouring properties such as issues of overlooking, overshadowing and whether or not the dwellings will be overbearing. The supporting text to this sets out that there should normally be at least 21 metres between dwellings where windows of habitable rooms face each other and for every half-metre change in levels between properties, a further 1 metre separation should be provided. It also sets out that rear gardens should look to achieve at least 10 metres in depth, unless there are overriding design reasons to justify a reduced depth, providing that neighbouring private amenity open space will not be overlooked.
- 6.12.3 Taking into account that representations have been received from properties that are adjacent to the site and the presence of neighbouring properties the following part of the assessment has been guided by the affected properties.
- 6.12.4 The proposed development presents an acceptable relationship with the land to the south taking into account this land could be transferred in the future to extend the cemetery. The assessment now turns to focus on particular properties of significance.

### **Turnpike Fold**

- 6.12.5 The neighbouring properties are north of the application site, however there is a sufficient degree of separation between plots Nos. 4 and 5 to the facing side of Turnpike Fold. The intervening space is occupied by the pumping station and attenuation basin. Given the degree of separation it is unlikely a significant loss of daylight would occur and the loss of privacy would not be severe. It is inevitable there would be an increase in noise given the context of the existing site, however, the effect would not warrant a refusal of the application.

### **Slyne Road – Highfield, Symlea, Slyne Villa, Wyngarth and Sherbourne**

- 6.12.6 It is acknowledged that there would a significant change to how the environs of the existing properties as a result of this proposal. Therefore, a careful consideration is required to the effect on the amenity of the properties.
- 6.12.7 It is considered the effect to Highfield to not be severe as the existing property faces the side of the garden of plot 16 and is similar to the finished floor level to the proposed dwelling. A reduction of daylight and sunlight would be towards the later part of the day taking the position of the proposed side of plot 16 and the rear of the existing property into account.

- 6.12.8 The rear of Symlea would directly face the side of plot 16. There is a windows at first floor in the side elevation of the proposed dwelling, however, given it serves a bathroom the opening can be obscured glazed to limit overlooking. There is a 22 metre separation between the proposed gable side and existing rear of Symlea which allows an acceptable degree of outlook to be maintained.
- 6.12.9 Slyne Villa has an offset relationship with the site boundary and the frontage of plot 16. As such it is considered overlooking of the garden space from plot 16 and direct views to the rear of the existing property are limited. There would be a reduction in sunlight and daylight to the rear of Slyne Villa, however, it is considered on the cusp of acceptability given its offset position.
- 6.12.10 In respect of Sherbourne and Wyngarth the semi-detached pair of properties have a similar finished floor level as the rear facing houses of plots 8 and 9. Taking into account the proposed height of plots 8 and 9 it is considered the separation distance between the rear building lines would present a relationship to balance a degree of privacy and effect on daylight to the existing properties. Whilst there would be a loss of sunlight from the wider development and the closer plots the reduction is considered to not be severely detrimental to the existing properties or private garden spaces.

### **Beaumont College**

- 6.12.11 It is considered unlikely the proposed dwellings would affect the College to the south given the retention of the trees and the separation form the site boundary.

### **Future occupiers**

- 6.12.12 The proposed dwellings have a sufficient amount of private gardens space and although there are relationships which result in being overshadowed given the difference in levels and extent of retaining walls is not severely detrimental to warrant a refusal of the application.

### **6.13.1 Consideration 13 - Contamination - Development Management (DM) DPD policies DM32 (Contaminated Land) and DM57 (Health and Well-Being).**

- 6.13.2 Policy DM32 requires, where it is considered that land may be affected by contamination, planning permission will only be granted for development provided that the works (including investigation and recording the nature of any contamination) can be undertaken without the escape of contaminants that could cause unacceptable risk to health or to the environment, suitable methods of remediation are proposed and it is demonstrated that the development site will be suitable for the proposed use without risk from contaminants to people, buildings, services or the environment, including the apparatus of statutory providers. Policy DM 57 requires development does not have an adverse impact on the environment such as remediation of contaminated land.
- 6.13.3 Paragraph 183 of the NPPF advocates that planning decisions should ensure that a site is suitable for its proposed use taking into account ground conditions and risk arising from contamination.
- 6.13.4 The applicant has provided a Phase I and Phase 2 Ground Investigation utilising available information for the site, BGS borehole logsheets supplemented by a series of trial pits and exploratory boreholes within the Environmental Statement. It is reported that the site has been undeveloped and is therefore likely to contain limited made ground deposits. However, the site history as farmland identified the potential for unmarked infilled ditches which may contain made ground.
- 6.13.5 The site is in an area of moderate risk from possible Unexploded Ordnance (UXO). It is understood that this is due to the site's proximity to the former Caton Wagon Works and Holton Training Camp. However, further investigations will inform a Construction Environmental Management Plan ('CEMP') and Best Practicable Means ('BPMs') to ensure no adverse impacts are experienced as a result of construction activity.
- 6.13.6 Taking into account the past use of the site it is unlikely that contamination will be present in the ground. It is noted that the Council's Environmental Health section and the Environment Agency raise no objection in principle to the proposal.
- 6.13.7 Paragraph 188 of the NPPF states that planning decisions should be on whether a proposed development is an acceptable use of land, rather than the control of processes or emissions. To ensure

the safe development of the site it is considered expedient to recommend a planning condition should any unexpected contamination be identified during the construction phase, the area affected by the contamination will be isolated and assessed by a suitably qualified environmental professional. This would make the development acceptable in respect of Policy DM32.

**6.14.1 Consideration 14 - Impact on minerals - NPPF paragraphs: 219-204 (Facilitating the Sustainable use of Minerals); Joint Lancashire Minerals and Waste Local Plan Policy: M2 (Safeguarding Minerals)**

6.14.2 There are two Mineral Safeguarding Areas as identified by Lancashire County Council and considered in the Joint Lancashire Minerals and Waste Local Plan within the site. The first area is relatively linear in shape and runs north to south near to the southern end of Barnacre Close and Bailrigg Chase. The second area is a spur connecting to a larger area to the west and follows the route of Burrow Beck along the north-western boundary of the site.

6.14.3 Policy M2 of the Joint Lancashire Minerals and Waste Local Plan sets out that planning permission will not be supported for any form of development that is incompatible with working the minerals, unless the applicant can demonstrate that:

- The mineral concerned is no longer of any value or has been fully extracted.
- The full extent of the mineral can be extracted satisfactorily prior to the incompatible development taking place.
- The incompatible development is of a temporary nature and can be completed and the site returned to its original condition prior to the minerals being worked.
- There is an overarching need for the incompatible development that outweighs the need to avoid the sterilisation of the mineral resource
- That prior extraction of minerals is not feasible due to the depth of the deposit.
- Extraction would lead to land stability problems.

6.14.4 The emerging Policy “MW7 – Safeguarding Minerals”, states that planning permission will be supported only where the applicant can demonstrate to the satisfaction of the local planning authority that either:

1. The mineral resource is not likely to be subject to commercial extraction due to pre-existing sterilisation or the quality or quantity of the mineral resource; or
2. The development will not prejudice the working of the mineral resource; or
3. The need for the development outweighs the need to avoid the sterilisation of the mineral resource.

6.14.5 The submission includes a mineral assessment report. This sets out that sand and gravels are only present across 50% of the site in the eastern portion which is likely to be the reason for the site being located within the MSA. The report confirms:

- The site is allocated for mixed use development and there is a very clear and identified need for the residential development in the borough.
- The site interrelationship with highly sensitive receptors including adjacent residential housing and close proximity to infrastructure would preclude mineral extraction given that the environment and physical impact would be unacceptable.
- Access to the site for the extraction of sands and gravels would be through a limited access area in between residential properties which would present large scale dust, traffic and noise impacts.

6.14.6 Consequently, it is agreed that the mineral has no value, so the proposed development is compatible with the adopted and emerging mineral safeguarding policy.

**6.15.1 Consideration 15 - Economic benefits - Development Management (DM) DPD Policy 28 (Employment and Skills Plans)**

6.15.2 Policy DM28 of the DM DPD requires the applicant to undertake and implement 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.

6.15.3 The applicant has submitted a framework for an Employment Skill Plan. The framework sets out the Socio-Economic Benefits, opportunities, programme for development, details of any employment and training measure with how the ESP will be monitored.

6.15.4 It is considered the framework is an appropriate approach to the ESP. It is considered the details and approval of the plan can be secured by planning condition to address the provisions of Policy DM28.

#### **6.16.1 Consideration 16 - Planning Obligations**

6.16.2 Negotiations are currently taking place between the Applicant and the Council regarding the Section 106 agreement. Whilst the Heads of Terms are yet to be finalised, the following has been agreed in principle:

- 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.

6.16.3 It is anticipated that the Section 106 will be close to agreement, if not agreed, by the committee date. Any progress will be reflected to Members in an update report accordingly.

### **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 well 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. 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 The LHA have raised an objection to the application 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. However, regrettably, the Local Planning Authority is unable to support the approach put forward from the Highway Authority with regards to mitigating impacts on the highway network as it would not be in compliance with the tests set out in the Community Infrastructure Levy (CIL) Regulations as discussed above. In particular, the approach relates to a number of projects that are quite distant from the site and, taking a planning judgement, it is considered all these areas are not sufficiently related to the impacts of the development proposed or would all be required to make the development acceptable. The sum of money requested is also very large and appears to be disproportionate to the scale and impacts of the scheme and would impact on the viability of the scheme.

7.4 It is unfortunate that an appropriate way forward has not been agreed with the Highway Authority, despite continued discussions. However, as the impact on the wider highway network cannot be agreed between them and the applicant's consultant, and that the application has been in the system a long time, a decision needs to be made on this in its current form. It is acknowledged that National Highways have not objected to the application, in terms of the impact on the Strategic Highway Network. From the information provided, it is not considered that the proposal would have such a severe impact on the highway network, in isolation or cumulatively, to justify the refusal of the application on highway grounds.

7.5 The LHA's outstanding objection also relates to technical matters, primarily concerning inconsistencies between the plans submitted. It is understood that these are minor in nature and it is therefore anticipated

that a resolution can be reached between the Applicant and the LHA prior to Committee and Members will be updated accordingly.

- 7.6 Paragraph 60 of 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 (November 2022) identifies a housing land supply of 2.1 years, which is a significant shortfall against the required 5-year supply set out in paragraph 74 of the 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 clear reason for refusing permission or any adverse impacts would significantly and demonstrably outweigh the benefits of the proposal. Whilst the principle of development is acceptable and the tilted balance does not apply in this case, the delivery of residential development is a material consideration.
- 7.7 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 clear 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** subject to the following conditions, a satisfactory Highways resolution and a legal agreement to secure:

- 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
	<b>FULL CONSENT CONDITIONS</b>
<b>1</b>	<b>Timescales</b>
<b>2</b>	<b>Development to Accord with Plans</b>
<b>3</b>	<b>Drainage Strategy</b>
<b>4</b>	<b>Surface Water Drainage</b>
<b>5</b>	<b>Foul Water Drainage</b>
<b>6</b>	<b>Accessibility M4 (2) Dwellings</b>
<b>7</b>	<b>Employment and Skills</b>
<b>8</b>	<b>Land Contamination</b>
<b>9</b>	<b>Construction Environmental Management Plan</b>
<b>10</b>	<b>Ecological Survey</b>
<b>11</b>	<b>External Lighting Scheme</b>
<b>12</b>	<b>Landscaping Scheme</b>
<b>13</b>	<b>Drainage Maintenance</b>
<b>14</b>	<b>Drainage Verification</b>
<b>15</b>	<b>Bin Collection</b>
<b>16</b>	<b>Land levels</b>
<b>17</b>	<b>Noise Mitigation</b>

18	Fencing Treatment/ Ecology Permeability
19	FRA Mitigation
20	Wildlife Enhancement
21	Bird Breeding Survey
22	Homeowners Information Pack
23	Delivery Hours
24	Garage Retention
25	Arboricultural Impact Assessment
26	Obscure Glazed Side Windows
	<b>OUTLINE CONSENT CONDITIONS</b>
1	Details of Reserved Matters
2	Timescale for Reserved Matters Details
3	Drainage Details
4	Surface Water Drainage Details
5	Foul Water Drainage
6	Employment and Skills
7	Soil Contamination
8	Construction Environmental Management Plan
9	Ecological Survey
10	External Lighting Scheme
11	Noise Assessment
12	Biodiversity Improvements
13	Drainage Maintenance
14	Drainage Verification
15	Parking Allocations
16	Contract Relating to Care Facilities
17	Land Levels
18	FRA Mitigation
19	Bird Surveys
20	Delivery Hours
21	Arboricultural Impact Assessment

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

In accordance with Article 35 of the above Order, your decision notice contains reasons for the imposition of planning conditions (where planning conditions are imposed), and in the case of each pre-commencement condition, a justification for the pre-commencement nature of the condition(s).

Lancaster City Council has made the decision 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 decision has been taken 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