

Agenda Item	A9
Application Number	24/01417/FUL
Proposal	Erection of 31 affordable dwellings with associated access and landscaping.
Application site	Land Off Newlands Road Lancaster Lancashire
Applicant	Mr S Beale
Agent	Mr Dan Ratcliffe
Case Officer	Mr Andrew Clement
Departure	No
Summary of Recommendation	Approve with conditions

(i) **Procedural Matters**

A request had been made by Councillor Punshon for the application to be reported to the Planning Committee due to concerns from local residents regarding increased flood risk, additional traffic, pressure on schools and inadequate transport links. As this is a major application and objections have been received, the scheme of delegation requires it to be reported to the Planning Committee if recommended for approval. Planning Committee members visited the site on the 21 July 2025.

1.0 Application Site and Setting

1.1 The site relates to an area of land located adjacent to Newlands Road, close to its junction with Wyresdale Road, at the eastern extent of the urban area of Lancaster. The site is at a higher level than Newlands Road, with the intervening highway verge boundary containing substantial hedgerow and some individual trees characterising this part of Newland Road. The site mostly comprises grassland, with some trees and shrubs towards the west of the site, and along boundaries. An area of hardstanding towards the northwest boundary is accessed up a steep sloping track from the adjacent land, which is in industrial use to the northwest beyond the site.

1.2 This adjacent site comprises a series of large industrial units and large area of hardstanding, at a significantly lower topography than the application site, separated by a substantial landscaped banking. To the northeast of the site is a residential property, which comprises a two-storey dwelling, with an access off Wyresdale Road but set back from both highways, benefitting from a large garden area containing several outbuildings. To the southeast of the site, beyond Newlands Road, lies a steep landscaped banking rising up to the M6 motorway. To the southwest of the site is a large area of land containing a United Utilities subterranean reservoir. The only above ground development appears to relate to boundary treatments, access, a track and a small building within the reservoir site.

1.3 The site is designated as Urban Setting Landscape in the Local Plan, a small part of a wider local landscape designation for 'land west of the M6', allocated to provide a visual frame for the urban

area. This allocation runs from Junction 34 of the M6 at the north, to near Farmdale Road to the south, including the immediately adjacent industrial, reservoir and dwellinghouse describe in the above paragraph. It also includes other proposals for housing development, detailed further in the analysis section of this report.

- 1.4 There are no high or medium risks of flooding identified, however the industrial development to the northwest does have identified risks from surface water flooding. Williamson Park Conservation Area is approximately 600 metres to the northwest, which contains a number of listed buildings, most notably the Grade I Listed Ashton Memorial. The site is within the Air Quality Management Area impact zone for Lancaster. A small section of the western boundary of the site lies within the pipeline consultation zone for a high-pressure gas pipeline (Walton Le Dale / Slyne Distribution). The site is located approximately 3.5 kilometres from the Lune Estuary Site of Special Scientific Interest, which is also covered by the Morecambe Bay Special Protection Area (SPA), and Special Area of Conservation (SAC).

2.0 Proposal

- 2.1 Full planning permission is sought for the erection of 31 dwellings with an associated access off Newlands Road. All of the units are proposed to be affordable housing, and the applicant is a Registered Provider of affordable homes. The scheme proposes 32% social rent (10 units) and 68% shared ownership (21 units) comprising 4x one-bedroom apartment units, 7x two-bedroom units, 17x three-bedroom units and 3x four-bedroom units. The development will be located around a vehicular access into the site, with several smaller roads and shared driveways off this. With the exception of one bungalow, all proposed buildings are two storey and are either mews-terraced or semi-detached in appearance. The scheme proposes significant alterations to land levels (mostly lowering site levels) and includes large retaining walls within the site and close to the northwest and northeast boundaries with acoustic fencing to most domestic curtilages. An area that has been identified as amenity space is shown close to the northwest boundary of the site.

3.0 Site History

- 3.1 In 2023 a pre-application request was made in relation to a similar proposal on this site. The most recent site history is set out below:

Application Number	Proposal	Decision
23/00516/PRENG2	Pre-application advice request for residential development for 33 affordable dwellings	Advice given – Suggested developing a less dense development over a larger area (to include the commercial site) – concerns regarding noise, consideration of topography, impact on the character and appearance of the area.
01/00401/FUL	Creation of a vehicular access	Approved (not implemented)

4.0 Consultation Responses

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

Consultee	Response
Biodiversity Officer	Comments. Additional details of botanical composition should be provided with the habitat condition assessment to give a robust baseline for biodiversity net gain. It is

	possible that none of the habitat within the application boundary can be retained during construction and the requirement for purchase of off-site biodiversity units is likely to be under-estimated. The hedges along the south side of the site and along Newlands Road should be retained and enhanced and are essential to maintain the ecological network and the layout needs to allow sufficient space for long term management of the hedges. Recommend some of the post construction habitats are reviewed.
Arboricultural Officer	Informal comments, adverse impact from removal of most prominent tree to site frontage to create vehicular access, in addition to clearing all but boundaries of the site. The submitted AIA does not sufficiently assess the site, or arboricultural implications close to the northeast and northwest boundaries due to access difficulties. An updated TPP evidence suitable mitigation for the retention of the southern and (remaining) Newlands Road boundary, however this does not mitigate the losses, nor overcome the deficient survey effort at the northeast and northwest boundaries to the site.
Conservation Team	No objection
Cadent Gas	No objection
Economic Development	No comments received.
Housing Strategy	Comments. The provision of a 100% Registered Provider scheme in Lancaster is welcomed and supported as it will help meet an acute need for affordable homes. The mix of homes proposed is appropriate to meet the general need. The proposal to provide only around a third of the homes as social rented homes is disappointing and does not accord with the aims of DM3 to deliver a 50/50 split in affordable/social rent and intermediate/affordable sale. However, the Council is aware that there is very limited headroom in the current Affordable Homes Programme and as a strategic partner, Great Places must deliver units that accord to their funding allocation, hence departing from the required mix of affordable housing tenures and providing a higher number of intermediate affordable housing.
Environmental Protection	Comments. No objections in relation to air quality subject to a condition to mitigate noise and dust during construction. Satisfied that no significant risk from land contamination has been identified. As a precaution, a watching brief should be implemented to communicate any unexpected contamination encountered during development. In relation to noise, the mitigation proposed would mostly reduce noise levels to an acceptable level however there are conflicts between the proposed site plan and the mitigation identified in the noise report. A number of gardens particularly to the south of the site indicate outdoor noise levels in excess of 55dB but below 61dB. Given the proximity to alternative outdoor space (Williamson Park) a relaxation of 5dB would be acceptable.
Waste and Recycling	No comments received.
Public Realm	Comments. The development should provide 2184 square metres of amenity space on site which should be a mown informal space where young children could have a kick about. Due to this being an affordable housing development the maximum contribution possible would be £23,242.225 with: <ul style="list-style-type: none"> • Outdoor Sports Spaces Contribution: (Affordable housing calculation) £16,152.225 • Young Persons Contribution: (Affordable housing calculation) £7,090
Engineering Team	No comments received.
County Highways	Comments. The proposed access is acceptable for the most part, including its location, available sight lines and footway link along Newlands Road verge to connect to existing footway infrastructure to the south of the site. Request that the existing 30mph speed limit to the south of the site is relocated to the junction of Newlands and Wyresdale Road. Previous concerns have been overcome through amended

	plans regarding the design of the internal layout in relation to provision of footways, size of some parking spaces, adequate turning for parking courts and need for additional refuse collection. No financial contribution towards Lancaster Travel and Transport Infrastructure Strategy (LTTIS) is required, subject to securing delivery of pavements to existing provision both sides of the site access, due to the affordable provision and viability position of the proposal.
Lead Local Flood Authority (LLFA)	No objection subject to the following conditions: <ul style="list-style-type: none"> • a final surface water sustainable drainage strategy, including exceedance attenuation for the pumping station; • a construction surface water management plan; • sustainable drainage system operation and maintenance manual; • and a verification report.
County Schools Planning Team	Comments. An education contribution is not required.
National Highways	No objection
Natural England	No objection subject to mitigation measures within HRA.
Lancaster Civic Vision	Comments. Welcome plans to construct much-needed affordable dwellings, the application is fully detailed and, in many respects, exemplary. Would like to see an increase in the proportion of social rented units. The site is some distance from amenities which would mean that those who are financially challenged and do not own a car would be disadvantaged and the development will result in increased traffic on Wyresdale Road and further pressure on its junction with Coulston Road
Lancashire Constabulary	Comments. Strongly advocate that all new and refurbishment developments be designed and constructed to Secured By Design security standards, using the SBD 'New Homes 2023' Design Guide specifications. Detailed comments about secure boundaries, defensible spaces, access control, landscaping, public green spaces, footpaths, parking areas, lighting, designing out climbing aids and construction security.
Lancashire Fire and Rescue	Comments. It should be ensured that the scheme fully meets all the requirements of Building Regulations Approved Document B, Part B5 'Access and facilities for the Fire Service'.
NHS	No objection , subject to a contribution of £25,092 towards a new health centre for the Lancaster Medical Practice at Bailrigg.
United Utilities	No objection , in principle, subject to a condition requiring drainage scheme in accordance with the principles set out on the foul and surface water drainage design drawing.
Dynamo Cycle Campaign	Object. In relation to active travel, the site is isolated. The footway is useful, but it leads to a bus stop serviced by a bus that misses the rush hours and it would be more useful to provide a footway northwards to Wyresdale Road and down to Grab Lane, where the number 18 bus offers a better service. Newlands Road and Wyresdale Road form part of the City Council's aspirational cycle network set out in the Local Plan and any developments in this area should contribute towards this aspiration.

4.2 **Five objections** have been received which raise an objection to the proposal and the following concerns:

- **Impact on Designated Landscape.** Site is a green field urban fringe site that forms an important buffer to the M6; would conflict with policy which seeks to preserve the open nature of the area and prevent development that would interfere with these principles.

- **Visual Impact** Obtrusive development due to higher land levels, gabion walls and access retaining walls are out of keeping with location.
- **Inappropriate location for affordable housing.** Presumes occupiers will have access the site solely by car; location is distant from amenities making travel on foot or by bicycle difficult; limited buses using nearby bus stop and no pavements on Newlands Road.
- **Highway Impacts.** No mention of any traffic calming measures for Newlands Road along which cars travel fast; no footpath access to the development behind and shops and amenities at Lancaster leisure Park.
- **Increase flood risk.** The site sits in the upper catchment of area prone to flooding and may increase likelihood of flooding in future; Environment Agency's surface water flood map indicates a risk of flooding along the line of the existing sewer network within Wyresdale Road; additional loading on surrounding drains and water courses; risk of drainage scheme failing due to lack of knowledge and ongoing maintenance; risk of contamination; flood risk if mechanical drain pumps fail.
- **Impact on Biodiversity.** Loss of trees and hedgerows; the field has been untouched for many years and have developed into a wildlife oasis; wildflowers and berries attract pollinators and insects; pond within 50 metres of site; impact on various species including, newts, bats, owls, deer and hedgehogs; conflict with woodland opportunity area.
- **Residential amenity.** Impact on standard of amenity neighbouring residents can expect to enjoy, loss of light
- **Lack of Infrastructure to support development.** Lack of bus services, pavements, shops and schools and medical practices and hospital over capacity, no contributions to infrastructure from the development.

5.0 Analysis

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

- Principle of residential development;
- Impact on the character and appearance of the area, layout, design and open space
- Impact on Heritage Assets;
- Traffic impacts, access, parking and sustainable travel;
- Flood risk and drainage;
- Biodiversity and Trees;
- Residential Amenity;
- Affordable housing, housing standards and mix;
- Employment, education and health; and
- Sustainable design and renewable energy.

5.2 **Principle of Residential Development** NPPF sections: 2 (Achieving Sustainable Development), 5 (Delivering a Sufficient Supply of Homes), and 15 (Conserving and Enhancing the Natural Environment); 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) and EN5 (Local Landscape Designations); Development Management (DM) DPD policies: DM1 (New Residential Development and Meeting Housing Needs), and DM46 (Development and Landscape Impact)

5.2.1 The site is located on the edge of Lancaster within an area that is designated as Urban Setting Landscape in the Local Plan. This landscape designation mostly covers land between existing development and the M6 motorway to the east, extending from Blea Tarn Road to the south up to junction 34 of the M6. Its primary purpose is to provide a buffer between development and the M6. In some places the designation covers existing development, as is the case with the industrial development adjacent to the site to the west and adjacent dwelling to the northeast. These are set at a lower topography than the application site.

5.2.2 The site relates to undeveloped land on the urban edge of the settlement. The site is currently divorced and detached from existing residential development, with the exception of a single dwelling to the northeast, and has a semi-rural character. Construction has started on a residential development to the northwest of the adjacent industrial site (22/00817/VCN) off Wyresdale Road.

This site was allocated for housing, as is land on the north site of Wyresdale Road (Land off Grab Lane), which is subject to a concurrent planning application (23/00324/FUL). Policy SP2 of the Strategic Policies and Land Allocations (SPLA) DPD sets out the settlement hierarchy for the district, with Lancaster at the top. Policy SP3 sets out the development strategy for the District, promoting an urban-focussed approach to development, concentrated towards the main urban areas of Lancaster, Morecambe, Heysham and Carnforth. The principle of residential development within Lancaster is therefore supported. Notwithstanding this, the location of the site does present some issues with sustainable patterns of transport given the lack of pavements and walking provision. This is analysed in the relevant section below.

- 5.2.3 As set out above, the site is also located within an area designated as Urban Setting Landscape, which is a local landscape designation. Policy EN5 of the SPLA DPD seeks to conserve areas designated as Urban Setting Landscape and safeguard natural features. It sets out that development proposals will only be permitted where they preserve the open nature of the area, and the character and appearance of its surroundings. Policy DM46 of the DM DPD adds to this approach by outlining that particular regard will be made to the historic townscape and built form of the urban areas. This policy reiterates that, within these areas, the Council will only support development that preserves the open nature of the area, and the character and appearance of its surroundings.
- 5.2.4 The application seeks full planning permission for the erection of 31 dwellings and an associated access. To facilitate housing, the proposal seeks to regrade the land, reducing land levels and significantly altering the topography. This would result in a significant loss of existing trees and hedgerows within the site and along the industrial site to the northwest (less so to other boundaries), although the full extent of this is currently unclear from the submission due to lack of accurate surveys along the northeast and northwest boundaries to the site. The residential development would extend across most of the site, with the main area to be left open located along the northwest boundary, adjacent to the existing industrial development, with smaller areas of open space around the site access and beyond retaining walls to the northeast boundary.
- 5.2.5 Whilst the site is largely visually self-contained from public viewpoints, the proposed residential development would fail to preserve the open nature of the area. The development of a site access, visibility of development through this from Newlands Road, pavements and visibility of the site from Newlands and Wyresdale Road (primarily during winter when boundary trees shed leaves) would result in an amount of built development and associated infrastructure on land that is currently undeveloped. The site is on the edge of Lancaster, and is semi-rural in character, seen in the context of other undeveloped or open land. The retention of the majority of trees to boundaries is imperative to screen the site, similar to those adjacent, and to soften the visual impact of development within. Such measures would minimise and partially mitigate the visual impact of development, and reduce adverse impact upon the semi-rural nature of the area. However, even with such mitigation, there will be unavoidable harm to the open nature of the area and designation, which conflicts with policies EN5 and DM46 of the Local Plan.
- 5.2.6 Paragraph 61 of the National Planning Policy Framework (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, and that the needs of groups with specific housing requirements are addressed. This includes those who require affordable housing. The Council's most recent Housing Land Supply Statement (September 2025) identifies a housing land supply of 2.8 years. Despite a slight increase from the previous Supply Position (which identified a 2-year supply position), the latest position remains a significant shortfall against the 5-year supply requirement.
- 5.2.7 This scheme proposes 100% affordable housing, the delivery of which would partially address the significant shortfall in the provision of affordable homes within the district. The delivery of social and affordable housing is a key priority for Lancaster City Council. The Housing Needs Study in 2017 provided a detailed assessment of housing need in Lancaster district. For the Lancaster South sub-area, a total of 1,666 households were in need of affordable housing. There has been a significant shortfall in the provision of affordable homes within the district of around 1,140 affordable homes since 2020. There is clearly an acute need for such housing. The proposal to provide 31x affordable homes in Lancaster weighs substantially in favour, due to the associated economic and social benefits of helping address this acute need.

- 5.2.8 This scheme would provide a positive contribution towards meeting affordable housing needs in the District. However, there are clearly conflicts with the development and local plan in terms of the landscape designation. Therefore, a planning balance would need to be taken, which requires consideration of all the impacts of the development. These are considered in the sections below, culminating in a planning balance as part of the conclusion in accordance with NPPF paragraph 11.
- 5.3 **Impact on the character and appearance of the area, layout, design and open space**
NPPF sections: 8 (Promoting healthy and safe communities), 11 (Making effective use of land); 11 (Achieving well-designed places); 15 (Conserving and enhancing the natural environment); Strategic Policies and Land Allocations (SPLA) DPD: SP8 (Protecting the Natural Environment), and EN5 (Local Landscape Designations); Development Management (DM) DPD policies: DM29 (Key Design Principles), DM43 (Green and Blue Infrastructure), DM46 (Development and Landscape Impact) and DM57 (Health and Well-Being)
- 5.3.1 As set out above, the site forms part of a wider area designated in the Local Plan as Urban Setting Landscape. Whilst the land is elevated from the road, it is mostly well screened by the strong boundary hedgerow and trees, which provide significant amenity value and links to other such features in this semi-rural locality. This provides some opportunity to develop the more visually contained central area within the site, whilst maintaining the majority of the strong boundary, and some element of openness between this and the development. The land levels of the site are around 2m higher than Newlands Road, rising by around a further 1.5m to a high point located towards the southeast of the site before lowering to the north and northwest, becoming quite steep close to the northwest boundary. The topography therefore provides significant challenges to developing the site.
- 5.3.2 To overcome the challenging topography, the submission proposes to re-profile the site, removing the highest part and significantly reducing levels particularly towards the front (east) of the site, and increasing levels towards the northwest and along parts of the northeast boundary. Two significant retaining features are proposed, one close to the northwest boundary to the industrial site, between 1.5m and 5m in height, and a smaller retaining wall close to the northeast boundary (to the neighbouring dwelling), between 0.6m and 2.3m in height. There are several sections plans provided, to ascertain how the site will be re-profiled, in addition to spot levels across the site.
- 5.3.3 With the exception of the site vehicular access and pavements either side, sandstone faced retaining walls adjacent to the access minimises the impact upon existing levels along this boundary. In turn, this minimises associated losses of hedges and trees along the Newlands Road boundary, subject to suitable protection measures. From this boundary, whilst the access rises upwards, the remainder of the site slopes gently down to the front row of dwellings. Amendments have been proposed to ensure the site continues to fall from east to west, albeit more gently than existing, with cut earth from the east of the site deposited to the west and north, before more significant gradients along the west and north boundaries. A pumping station is required to facilitate drainage from the low point of the site to the northern corner.
- 5.3.4 The proposed changes to land levels raises other implications, such as the likely loss of more existing hedgerow, and issues regarding retaining structures. These would appear to leave land at lower levels that would be difficult to access for maintenance and amenity, and could become visually unattractive or attract rubbish or unsociable behaviour. The site plans indicate an open area of amenity space along the northwest boundary, approximately 96m long and 10m wide, although the width varies. The steep gradient in this location would make this unusable, other than for landscaping.
- 5.3.5 The proposed reduction in land levels to the east will reduce the prominence of the proposed dwellings, as the highest point of the site would be reduced. However, the site is situated on the edge of Lancaster, in a semi-rural area, and the current layout provides a long block of dwellings at the front. The retention of hedges and trees immediately either side of the proposed vehicular access, and landscaping to further bolster this, are imperative to minimise the impact from Newlands Road, to urbanise this area as little as possible. This reduces, but does not eliminate, adverse impact, but has been positively incorporated into the amended proposal.
- 5.3.6 It needs to be acknowledged that this site is within a landscape designation with the purpose of keeping the land open. Whilst any development would conflict with this, the layout and design should

aim to keep a level of this openness. The dwellinghouses to the front would appear as two terraced mews (despite some narrow gaps) from Newlands Road. The house elevations have improved through amendments, in-keeping with those on Wyresdale Road, with front gables to the corner plots near the site access. This is continued further within the site, finished in sandstone split face blocks. The development responds positively to dwellings at Pottery Gardens, and more recently further east along Wyresdale Road closer to the site. The design improvements are considered congruent to the broader area, particularly when set beyond hedges, trees and landscaping. Whilst the development remains densely congested for a semi-rural location, there is a trade-off between delivering a viable 100% affordable home scheme at the site. The density does not appear overtly urban due to sympathetic design, screening and materials, although parking to the front of these detracts from placemaking.

5.3.7 Unfortunately, some negative features of earlier iterations remain, or have only partially been addressed. The vast majority of car parking spaces are to the front of proposed houses, creating very car-dominant street scenes, which is not a common characteristic of the immediate area. Even within the site itself, such an approach is detrimental to placemaking, particularly in the absence of any garages. A reliance on acoustic fencing to mitigate noise and split-level gardens creates an unfortunate prominence of fencing as well. Whilst retaining gabion walls would be viewed from private property, it is an unfortunate necessity of creating developable topography across currently heavily sloping land, resulting in development elevated from some aspects atop of engineered walls to two boundaries. Therefore, whilst significant improvements have been made from earlier iterations, there are still detractions of developing such a heavily constrained, and landscape sensitive site such as this.

5.3.8 Whilst reservations regarding density and alterations to levels remain, officers understand these have been minimised as far as possible by working more closely with the topography of the site. Improved design and retained landscaped areas to be bolstered has been a welcomed improvement. Greater placemaking, lower density and less prominent parking arrangements would have been preferable. However, it is clear that for a scheme to achieve 100% affordable housing on-site, these distracting features are required to render the proposal deliverable. This does not negate the harm but does explain why it remains. This is a matter that will be weighed in planning balance.

5.3.9 There would undoubtedly be a degree of harm to the urban setting landscape, and whilst each case is considered on its own merits, there have been other instances of housing development proposals within the wider Urban Setting Landscape conflicting with this designation. These have been approved (21/01008/FUL), or refused on other grounds (23/00064/OUT). As with these schemes, which were for larger (100 plus dwellings) and open-market led schemes, the harm and conflict with the Urban Setting Landscape designation should be weighed in balance, reflecting the district's current housing land supply position.

5.4 **Impacts on Heritage Assets** NPPF section: 16 (Conserving and enhancing the historic environment); Strategic Policies and Land Allocations (SPLA) DPD policies SP7 (Maintaining Lancaster District's Unique Heritage); Development Management (DM) DPD policies DM37 (development affecting Listed Buildings), DM38 (Development Affecting Conservation Areas), DM39 (The Setting of Designated Heritage Assets)

5.4.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed building, a Conservation Area or their setting, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the heritage asset or its setting. This is reiterated by policies DM39 and DM38. DM38 sets out that development within Conservation Areas will only be permitted where it has been demonstrated that:

- Proposals respect the character of the surrounding built form and its wider setting in terms of design, siting, scale, massing, height and the materials used; and,
- Proposals will not result in the loss or alteration of features which contribute to the special character of the building and area; and,
- Proposed uses are sympathetic and appropriate to the character of the existing building and will not result in any detrimental impact on the visual amenity and wider setting of the Conservation Area.

- 5.4.2 Williamsons Park Conservation Area is located approximately 600m to the northwest and contains a number of listed buildings, including Ashton Memorial which is Grade 1 Listed. There is a presumption in favour of preserving the character and appearance of listed buildings and their setting (as set out in S.66 of Planning (Listed Buildings and Conservation Areas) Act 1990. Policies DM37, DM38 and DM39 acknowledged that the significance of heritage assets can be harmed through development within their setting. Whilst the site is slightly elevated, given the distance of the site from the heritage assets, the scale of the buildings at two storey, and the intervening industrial and residential development, it is considered that the development will not cause harm to the significance of the heritage assets through development within their setting. The Conservation Team returned no objection to the proposal.
- 5.5 **Sustainable travel, traffic impacts, access and parking** NPPF section: 9 (Promoting Sustainable Transport); Strategic Policies and Land Allocations (SPLA) DPD policy: SP10 (Improving Transport Connectivity); Development Management (DM) DPD policies DM29 (Key Design Principles), DM57 (Health and Well-being), DM58 (Infrastructure Delivery and Funding), DM60 (Enhancing Accessibility and Transport Linkages), DM61 (Walking and Cycling), DM62 (Vehicle Parking Provision), DM63 (Transport Efficiency and Travel Plans) and DM64 (Lancaster District Highways and Transport Masterplan).
- 5.5.1 Lancashire County Council, as the Local Highway Authority, have advised that the access is acceptable, including its location, available sight lines and footway links. They have requested that the existing 30mph speed limit to the south of the site is relocated to the junction of Newlands Road and Wyresdale Road. Previous concerns regarding pavement provision, turning heads and refuse collections within the site have been addressed through amendments to the layout of the proposal, including provision of waste collection points. The scheme continues to propose a proportionate level of parking for a site in this location, of sufficient dimensions and proportion, notwithstanding the visual concern of parking to the front of houses.
- 5.5.2 Supported by the Local Highway Authority, there were concerns about the accessibility of the site in relation to services. 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. Due to the distances from bus stops and other services, and the fact that such services are several hundred metres away from the site and split in both directions, providing suitable and attractive means of accessing such services sustainably is essential to reduce car dependence. The local primary school, church and vets are circa 1 mile walk south of the site entrance, whilst the nearest local shops and public house are just over ½ mile in the opposite (northwest) direction, with Williamsons Park and other services beyond in this direction. The highway adjacent to, and immediately beyond the site does not currently have pavements, but future residents would need walking provision to services on both sides of the proposed access. Such development must ensure that appropriate sustainable transport options are available and attractive for use, to reduce car reliance, and for potential occupants who do not drive at all.
- 5.5.3 Through discussions and negotiation over the course of this application, it has been agreed that development must provide pavements connecting to existing pavement provision on both Newlands Road (south) and Wyresdale Road (northwest). This is necessary in order to align with paragraph 115 and 117 of the NPPF, which prioritises sustainable transport, gives priority first to pedestrian and cycle movements, and encourages public transport use. In agreeing to provide such off-site highway works, in addition to design and topography improvements, the proposal has overcome a major hurdle over the course of this application. The details of off-site pavement provision in terms of precise location, specification and illumination will need to be controlled through planning condition. Subject to provision of these, whilst walking distances remain quite long, the mitigation is sufficient to turn a detached site into one that sufficiently promotes sustainable travel to facilities at this edge of city location.
- 5.5.4 Noting the extensive off-site works proposed, combined with the independently assessed viability appraisal for this 100% affordable housing scheme, the Highway Authority are not seeking financial contributions for LTTIS projects on the wider road network from this development. Planning conditions for a construction management plan, details of the access and estate road, including management/maintenance of streets within the site, and suitable cycle storage facilities are provided

to all dwellings are all required to mitigate impact of the development, and ensure development is sustainable and safe. Subject to such conditions, combined with the off-site highway works previously assess and the amendments to improve layout within the site, the proposal is considered to be acceptable and policy compliant in terms of travel, transport and parking.

5.6 **Flood Risk and Drainage** NPPF section: 14 (Meeting the challenge of climate change, flooding and coastal change); Strategic Policies and Land Allocations (SPLA) DPD policy SP8 (Protecting the Natural Environment); Development Management (DM) DPD policies DM29 (Key Design Principles); DM33 (Development and Flood Risk), DM34 (Surface Water Run-off and Sustainable Drainage) and DM35 (Water Supply and Waste Water)

5.6.1 There are no high or medium flood risks identified within the Council's Strategic Flood Risk Assessment directly impacting this site. Accordingly, there is no requirement to undertake a flood risk sequential test. A flood risk and drainage strategy report has been submitted with the application. This identifies that infiltration and discharge to a watercourse have been discounted, with surface water proposed to be discharged to an existing combined sewer on Wyresdale Road. Oversized pipes and controlled discharge, combined with some storage under private drives and shared accessways, would attenuate outfall to an acceptable discharge rate. Foul water is proposed to be drained on a separate system and discharged to the combined sewer.

5.6.2 As this is a major application, the Lead Local Flood Authority have provided comments on the submitted drainage scheme. They have confirmed that the proposal is acceptable subject to a final scheme being secured by condition, and the submission provides adequate details regarding infiltration. United Utilities have raised no objections to the drainage strategy, but they have set out that no surface water will be permitted to drain directly or indirectly into the public sewer. As the scheme shows connection to the combined sewer, clarification has been sought from United Utilities regarding this. The change in proposed land levels to more closely reflect existing topography has necessitated a pumping station for properties in the northwest corner of the site. This has been sufficiently justified due to levels in relation to the public infrastructure on Newlands Road and is considered acceptable, subject to full details of the drainage scheme, including attenuation/mitigation in the event the pumping station malfunctions.

5.6.3 Policy DM34 provides a clear hierarchy for managing surface water and, even where infiltration and discharge to a watercourse have been discounted, above ground attenuation should be considered first before underground attenuation. The Lead Local Flood Authority have encouraged the applicant to incorporate above ground surface water drainage components into their design to align with Local Plan policy. Such features can have multi-functional benefits, and the lack of these within the overall design links to concerns regarding a lack of green/blue infrastructure and biodiversity impacts.

5.6.4 The submitted drainage report suggests that swales, basins and ponds are not suitable due to insufficient available space on site. This insufficient space is clearly so that the site can accommodate additional dwellinghouses with an engineered approach, as opposed to the more natural, and multifunctional benefits, delivered by above ground green/blue infrastructure, albeit at a greater land take. The site nearby on Wyresdale Road was an exemplar of such green/blue infrastructure, whereas this scheme unfortunately is not, and there is harm to be attributed to failing to incorporate more appropriate sustainable drainage features. However, as explored through the independently assessed viability appraisal, unfortunately this is the financial reality of delivering a 100% affordable housing scheme, particularly at a constrained site such as this. The proposal does not strictly follow the sustainable drainage hierarchy, however subject to full details, a safe and suitable drainage solution can be delivered at this site. Whilst this will be an engineered solution, the harm from this and lack of green/blue infrastructure will be weighed in balance in the conclusion, along with other material planning considerations.

5.7 **Biodiversity and Trees** NPPF Section: 15 (Conserving and enhancing the natural environment); Strategic Policies and Land Allocations (SPLA) DPD policies: SP8 (Protecting the Natural Environment and EN7 (Environmentally Important Areas); Development Management (DM) DPD policies DM29 (Key Design Principles); DM43 (Green and Blue Infrastructure), DM44 (Protection and Enhancement of Biodiversity) and DM45 (Protection of Trees, Hedgerows and Woodland).

5.7.1 A Preliminary Ecological Appraisal was submitted with the application, which provided a desk study. This appraisal identifies the potential for protected species, and provides a brief overview of habitats.

No additional surveys for protected species are necessary, which is considered acceptable. A Risk Assessment method statement/ precautionary method of working to protect breeding birds and any other protected species that may be present is required prior to start of construction.

- 5.7.2 An arboricultural impact assessment (AIA) has also been carried out, albeit only partially. The survey area consists of the central site and the southern and eastern boundaries only. The northwest and northeast boundaries (to industrial and residential neighbour respectively) have not been accurately assessed through this due to accessibility difficulties due to topography and dense shrubs within the site at these boundaries. Whilst removal of a section of the Category B boundary hedge is unavoidable to create an access to the site, the location of this requiring the removal of an individual Category B sycamore tree has not been avoided nor sufficiently justified, as required by policy. Removal of the most notable specimen along this boundary is unfortunate, and a source of further adverse impact from the proposal. The retention of hedges and trees along Newlands Road either side of the proposed access is essential to soften and screen the development in this local landscape designation area. The submitted Tree Protection Plan evidences such mitigation to retain these. However, further survey works will be required prior to development (other than clearance/preparation) commencing along the northeast boundary, to ensure retention of trees in this location. The layout should allow retention, subject to mitigation. However, there remains adverse impact from unnecessary tree loss, which can only be partially mitigated through protection measures elsewhere and a comprehensive landscaping scheme, both controlled through planning condition.
- 5.7.3 Although the site was surveyed at a suitable time for botanical survey (1st August) there was minimal information provided about the plant species and assemblages present. There was little supporting evidence for the habitat types and condition of habitat that were used in the baseline biodiversity metric, which is required to accurately calculate what is required to meet the mandatory net gain. Whilst further information and assessment received over the course of this application gives greater confidence of assessment (almost doubling the baseline habitat of the site as existing), there remain some omissions, in addition to the difficulties assessing all areas of the site due to topography and shrubbery constraints previously described.
- 5.7.4 Whilst further information has been provided, further works are required to give a robust baseline for BNG. However, given the current site conditions, and using the current baseline as an absolute minimum position of existing habitat, it is recommended that a suitably worded planning condition for further evidence and surveys over the course of site preparation/clearance takes place to record the existing habitat with full accuracy. This approach is taken as an exception, given the physical constraints to access, assess and record some areas of the site.
- 5.7.5 A proposed BNG plan has been provided, which provides positive intentions to partially mitigate BNG impact within the site. However, this is insufficiently detailed to be relied upon. A planning condition should be attached for a robust biodiversity net gain plan, including management, maintenance and monitoring of on-site BNG. It is clear that, even with the best intentions to achieve BNG on-site, this mitigation alone will almost certainly fall short of achieving 10% net gain, and therefore the remaining mitigation and mandatory enhancement would need to be secured via habitat banks or worse still purchasing statutory BNG credits. Given the requirement to maintain on-site BNG for at least 30 years, the majority of such BNG would need to be private (not publicly accessible), limiting such areas to the northeast and northwest boundaries. This limited space, combined with topography/light constraints of these areas, will likely result in a modest area for BNG mitigation on-site, which in addition to securing statutory BNG credits can be controlled through planning condition. This will ensure overall 10% BNG net gain.
- 5.7.6 Suitable mitigation for nesting birds, a sympathetic external lighting scheme and BNG net gain can all be secured through planning condition, despite the deficiencies within submitted documentation, which do not fully assess the impacts on trees and biodiversity. These are unfortunate, and weigh against the proposal, albeit it is considered that these can be addressed to ensure suitable survey effort and mitigation is in place through appropriately worded planning conditions. The scheme will have to achieve BNG of at least 10%, through on-site provision and almost certainly off-site credits. A full landscaping scheme is necessary to ensure tree-lined streets and replacement planting. This will still fall short of mitigating the full adverse impact of tree losses, which weighs against the proposal.

- 5.7.7 The Morecambe Bay European protected site (SPA) is located 3.5km from the development. Morecambe Bay is very important for many species of birds. As such, there is the potential for development and recreational use close to the designated sites to have impacts on birds associated with the SPA and Ramsar designations. It is considered that these impacts could be avoided, but only through mitigation. In light of the People Over Wind ruling by the Court of Justice of the European Union, likely significant affects cannot be ruled out without mitigation and therefore an Appropriate Assessment (AA) is required. This is contained within a separate document and concludes that, with the implementation and retention, where appropriate, of mitigation the development will have no adverse effects on the integrity of the designated sites, their designation features or their conservation objectives, through either direct or indirect impacts either alone or in combination with other plans and projects.
- 5.7.8 Subject to the implementation of the mitigation measures within the AA, namely for appropriate ecological homeowner information pack for future residents, including details of adjacent designated sites and alternative for recreation to be provided within the site to mitigate such recreation pressure, and ensuring that the site is drained suitably, the proposal could avoid undue adverse impacts upon the protected site. The ecological homeowner information pack could be controlled through planning condition.
- 5.8 **Residential Amenity and Open Space** NPPF sections: 8 (Promoting healthy and safe communities), 12 (Achieving well-designed places), 15 (Conserving and enhancing the natural environment - noise and pollution); Strategic Policies and Land Allocations (SPLA) DPD policy SC3 (Open Space, Recreation and Leisure) and Development Management (DM) DPD policies DM29 (Key Design Principles), DM27 (Open Space, Sports and Recreation Facilities) and DM57 (Health and Well-Being).
- 5.8.1 There is one neighbouring residential property close to the site that would be impacted by the development. This is a two-storey dwelling accessed off Wyresdale Road to the northeast of the site. The dwelling is located close to the northern corner of the site, with a generous garden sharing the northeast boundary of the site. The topography of the neighbours' garden follows that of the application site, sloping down from Newlands Road, with the dwellinghouse located to a lower southwestern area of its domestic curtilage. However, the sloping topography of the application site is also lower to the north, which continues to the neighbours' garden, which is at a lower topography than the application site.
- 5.8.2 The neighbouring dwelling contains ground and first floor glazed doors and windows facing southeast, directly opposite the northern proposed dwelling as part of this application. These openings are part of an extension being built through permission 17/00696/FUL, which could add a balcony to the southwest elevation (towards Newlands Road) through this commenced development. Beyond the glazed ground floor openings towards the site is a sunken terrace area to provide a flat platform external area from the internal ground floor. These openings are located approximate 13m from the boundary to the site, which is tree-lined.
- 5.8.3 To facilitate development of the site, significant retaining features are proposed to create a developable and accessible topography within the site. These are within garden areas of proposed dwellings, with longer stretches along the whole northeast boundary to the industrial area, and majority of the northeast boundary to the residential neighbour. The key impacts are along the northeast boundary, to the residential neighbour. Significant work and negotiation have been undertaken to ensure proposed topography is as close to existing as possible along this boundary. The original proposal would have been significantly overbearing to the residential neighbour due to the proximity and sheer scale of those retaining features. The amended scheme reduces the required height of this retaining wall to between 0.6m and 2.3m tall, which is now setback from this boundary. This setback is over 6m from the boundary at the point directly opposite the existing neighbouring dwelling. It should be noted that beyond this retaining feature, the proposal seeks acoustic fencing circa 2.5m tall atop of this.
- 5.8.4 Cumulatively, the height and length the retaining wall and acoustic fencing, with dwellings beyond, will undoubtedly change the character and outlook enjoyed by the neighbouring dwelling at present. The strong objections to the proposal, on multiple grounds, are perfectly understandable from this neighbour's perspective. This development would result in a single dwellinghouse in a semi-rural area having 31 additional dwellings, and pavements to surrounding roads, constructed in a location

that will be visible and noticeable from this property and its garden area. In terms of planning policy, the retaining wall and acoustic fencing, and housing beyond, is over 21m from the nearest windows of the neighbour. Subject to a condition for obscure glazing to plots nearest this boundary, this separation is policy compliant for distance between an 'active' elevation (the neighbour's rear elevation) and the 'blank' elevations within the proposal, even accounting for additional difference due to change in floor levels between the two. In addition, the nearest proposed dwelling (Plot 15) is a bungalow, with a finished floor level around the first-floor level of this neighbour dwelling (reduced from eaves height in the original submission). Significant progress has been made to reduce residential amenity impacts, through comprehensive changes to proposed site topography, location of retaining features, and the nearest property now a single storey bungalow.

- 5.8.5 It is well established that there is no right to a view over neighbouring land. The amended scheme goes a long way to ensuring the impacts upon the existing residential neighbour are reduced. The location of boundaries and openings avoids adverse overlooking, and separation distance avoids undue overshadowing. In terms of overbearing, given the character of the existing site, even with amendments and mitigation, there will be a degree of adverse impact. The retaining features, with acoustic fencing and dwellings atop of this, will be imposing compared to the amenity the occupiers could have reasonably expected when purchasing and investing in enhancing this home. The degree of harm is now considered moderate, which needs to be weighed in planning balance, but would not render the neighbouring dwelling uninhabitable or significantly detract from standards of living.
- 5.8.6 Along the northwestern boundary, the proposed topography of open area slopes very steeply (1:2.5), beyond which a retaining wall up to 5m tall is proposed along the neighbouring industrial site. This will be a significant boundary, however given this is largely visually contained by the less sensitive industrial uses, with sloped landscaping atop, this boundary is considered appropriate.
- 5.8.7 Within the site itself, most proposed dwellings are over 22m from an opposing elevation containing glazing, where two 'active' elevations are directly opposing one another. Whilst this separation does not fully account for the increased distances required for over 2.5m difference in floor levels, given the topographical constraints of the site this is considered appropriate, with suitable levels of privacy. The proposed bungalow is only 19m from the proposed semi-detached dwellings to the east, with a deficient (8.5m) garden length, further exacerbated by split levels to these properties' gardens. This is an unfortunate necessity of amendments sought to improve proposed topography and introduce a land-intensive bungalow to minimise impacts on existing neighbours. Similar to this neighbouring impact, the proposed bungalow is considered habitable through the proposal, but there is harm to attribute, in this case a limited degree. Further limited harm is attributed to deficient garden sizes and lengths to some dwellings to the southern edge of the site, exacerbated by proximity to established trees and split-level gardens. Given the high density of the site and close interface distances, it is considered necessary to remove permitted development rights for side and rear extensions, to ensure the current standards of amenity secured for future residents are not diminished to unacceptable levels.
- 5.8.8 The site is located in close proximity to the M6 motorway, a source of noise levels that are high within the site. There is potential for noise from the industrial units to the northwest of the site. The noise impact assessment provided indicates an exceedance of BS8233:2014 noise criteria, primarily due to road traffic noise from the motorway. The report indicates that this can be controlled to reach No Observed Adverse Effect Level in both internal and external areas. Proposals for the installation of glazing with minimum sound insulation performance suitable for each plot, plus implementation of alternative ventilation systems, are considered to be appropriate mitigation measures for internal standards. These proposals would need to be followed carefully for each plot, controlled through planning condition.
- 5.8.9 For external noise, the assessment recommends the installation of 2.5-metre-high acoustic fences with a minimum mass of 15kg/m², free from holes around all garden areas where there is no shared boundary to a neighbouring garden. Implementation of these fences is found to reduce outdoors noise levels to below 61dB, but still slightly in excess of 55dB target levels. The Environmental Protection Officer has advised that, given the proximity to alternative outdoor space (Williamsons Park, now walking provision to this is to be secured), a relaxation of 5dB would be acceptable. Given the mitigation measures and site circumstance, the proposed measures are considered to achieve an acceptable residential amenity in this location.

- 5.8.10 A usable, flatter area of open space towards the west of the site measures circa 360sq.m, which is beneath the policy expectation of 448sq.m of amenity green space. This excludes heavily sloping and smaller areas of landscaping due to limited usability, and smaller pockets of open areas, although these areas do contribute to the visual setting being more open. However, the amenity space on-site, and lack of proportionate financial contribution to off-site public open space, such as Williamsons Park (1km walk of the site) presents policy conflict. Given the improved walking provision to exceptionally high quality public open space within 1km, and usable size open space within the site itself, the deficient scale of site amenity green space and lack of contributions weighs moderately against the proposal.
- 5.9 **Affordable housing, housing standards and mix** NPPF section: 5 (delivering a sufficient supply of homes); Development Management (DM) DPD policies: DM1 (Residential Development and Meeting Housing Needs), DM2 (Housing Standards) and DM3 (The Delivery of Affordable Housing).
- 5.9.1 The proposal relates to a wholly affordable housing scheme comprising 32% social rented units and 68% shared ownership units. The mix comprises 4x one-bedroom apartment units, 7x two-bedroom units, 17x three-bedroom units and 3x four-bedroom units. This is a positive housing mix to address local housing need and is considered to be acceptable in compliance with policy DM1. The proposal to provide all the lettings of the social rented homes through the Council's Choice Based Letting Scheme is of particular benefit and will help support the Council make some progress towards meeting housing needs in the district.
- 5.9.2 Whilst the proposal to provide only around one third of the dwellings as social rented homes is disappointing and does not accord with the aim of DM3 to deliver a 50/50 split rent/sale, in overall quantum terms, the delivery of 10 social rented affordable homes, and 21 shared ownership affordable homes remains a clear benefit afforded substantial weight. This is further justified by an independently assessed viability appraisal, which confirms that these tenure proportions are the optimal achievable at this site.
- 5.9.3 The submission demonstrates that all dwellings will meet the Nationally Described Space Standards, as required by Policy DM2. The precise location of dwellings achieving Building Regulations Requirement M4(2) Category (accessible and adaptable dwellings) is currently unclear, but a sufficient proportion of house-types achieve these standards. As such, external provisions to ensure at least 20% of properties achieve M4(2) criteria can be controlled through planning condition.
- 5.10 **Employment, education and Health** NPPF Section 6 (Building a strong, competitive economy) and Section 8 (Promoting healthy and safe communities); Development Management (DM) DPD policies: DM28 (Employment and Skills Plans), DM57 (Health and Wellbeing) and DM58 (Infrastructure Delivery and Funding)
- 5.10.1 Policy DM28 requires that proposals of 20 or more new dwellings provide an 'Employment and Skills Plan' that will set out opportunities for, and enable access to, employment and the up-skilling of local people through the construction phase of the development proposal. Whilst an initial basic Employment and Skills Plan document has been submitted, this does not meet the formal policy requirements. In particular, an Output Matrix has not been provided, with other details extremely scant. A fully detailed ESP, including the required Output Matrix tool, should be secured by pre-commencement condition.
- 5.10.2 Lancashire County Council Schools Planning Team have confirmed that a contribution towards education is not required in relation to this development. The NHS Integrated Care Board has made representations on the application and seeks a contribution towards local health care infrastructure. The response sets out that the proposal will generate approximately 82 new patient registrations based on an average household size of 2.4, which generates a contribution of £25,092. The site falls within the catchment area of Lancaster Medical Practice, located at Meadowside. The physical constraints of the existing sites mean that the current premises cannot be extended, and opportunities to re-configure existing space to accommodate current growth have already been undertaken.
- 5.10.3 The consultee's suggested solution is for a new health Centre to accommodate growth, which would rationalise the existing surgeries with a new centre located at Bailrigg on the site secured for the

hospital. When queried, it has been advised that the delivery of the health care centre is not tied to the delivery of the hospital. However, there remains uncertainty regarding the site, with no detailed proposals for any buildings, resulting in significant uncertainty about the project. It remains unclear whether it would directly relate to the development proposed given timescales, and also location, although noting that it is the same medical practice. The independent appraisal of the viability assessment also concurs that there is insufficient headroom to accommodate such contribution, irrespective of the fact that uncertainty remains regarding CIL compliance.

5.11 **Sustainable Design and Renewable Energy** NPPF sections: 12 (Achieving well-designed places) and 14 (Meeting the challenge of climate change, flooding and coastal change); Development Management (DM) DPD policies: DM29 (Key Design Principles), DM30a (Sustainable Design and Construction), DM30b (Sustainable Design and Construction – Water Efficiency), DM30c (Sustainable Design and Construction – Materials, Waste and Construction) and DM53 (Renewable and Low Carbon Energy Generation)

5.11.1 In the context of the climate change emergency declared by Lancaster City Council in January 2019, the effects of climate change arising from development in the District and the possible associated mitigation measures will be a significant consideration in the assessment of development 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 timeframe. 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. The Climate Emergency Review of the Local Plan was adopted in January 2025, providing a partial review of the DM DPD and the SPLA DPD. This introduced policies DM30a, DM30b and DM30c, which provide specific requirements in relation to sustainable design and construction, and also made changes to some other policies.

5.11.2 The application was submitted prior to the adoption of the climate emergency review of the Local Plan; however the submission does include an Energy Statement. The agent has been asked to update this to fully consider the requirements of the recently adopted Local Plan, however this has not yet been provided. Having reviewed the Energy Statement, a fabric first approach has been taken and it sets out that the dwellings will benefit from high efficiency air source heat pumps. An overall 66.80% improvement in CO2 emissions and a 33.47% improvement in primary energy above the Building Regulations baseline has been set out in the statement. It is therefore likely that it will comply with the requirements of the current policy in this regard and a condition can be imposed to secure precise details and compliance with policy DM30a-c of the DM DPD.

6.0 Conclusion and Planning Balance

6.1 The development is located within the urban area of Lancaster, albeit towards Lancasters edge on the semi-rural fringes. The site is part of a larger area that has been designated as Urban Setting Landscape in the Local Plan. The development of this site for 31 dwellings would therefore conflict with the purpose of the designation and policies EN5 and DM46, as it would adversely impact on its open character. Given the scale of development, combined with the retention of the majority of boundary screening to Newlands Road, the harm to this landscape designation and visual setting is considered to be moderate.

6.2 Since the officer assessment of this application last year, within statutory timeframes, significant alterations and amendments have been proposed to seek to minimise the adverse impacts identified. The design and placemaking aspects have significantly improved through landscaping and house-type improvements, although the density and resultant car-dominated street scene also results in moderate harm and a degree of conflict with policy DM29, EN5 and DM46. The proposed drainage provides a suitable engineering solution, but failure to accommodate above ground SuDS and avoidance of the SuDS hierarchy is again moderately harmful and conflicts with policy DM34.

6.3 Whilst significant improvements have been made to minimise neighbouring amenity impacts, a level of harm remains due to the proximity of the development and its retaining features to this neighbouring property. Overall, the living conditions for future residents is, on balance, deemed acceptable despite some reservations over interface distances and small gardens. The scale of usable open space within the site, and lack of financial contributions to mitigate impacts of development towards off-site open space is also attributed moderate harm. The viability case

presented provides justification for a lack of financial contributions. Adverse impact to trees is limited, subject to comprehensive mitigation through proposed landscaping. Combined with conditional requirements to address current surveying issues, these arboricultural and ecological harms are considered moderate.

- 6.4 The scheme has evolved to reduce the number of dwellings on-site, which combined with more sympathetic design has in turn reduced a number of areas of harm. The material considerations assessed in the preceding concluding paragraphs reduces, but does not eliminate, these multiple areas of harm. Individually, these are all limited/moderate adverse impacts, but cumulatively this harm amounts to significant weight against this proposal. The agreement to provide pavements in both directions of the access, internal layout improvements, and lack of requirement for financial contributions to other highway projects was a milestone in the progress of this scheme, overcoming a significant area of concern with the original proposal, and now weighing neutrally. The sustainable design, avoidance of harm to heritage and flood risk are similarly given neutral weight, as is the lack of other contributions to local infrastructure.
- 6.5 Whilst the benefits are more singular, relating to the delivery of 31x affordable homes within a sustainable location in Lancaster, these economic and social benefits should not be underestimated. Paragraph 11 of the NPPF requires that, where a local planning authority cannot demonstrate a 5 year supply of deliverable housing sites, permission should be granted unless the application of policies in the NPPF that protect areas or assets of importance (such as heritage assets and areas at risk of flooding) provide a strong reason for refusing permission, or any adverse impacts would significantly and demonstrably outweigh the benefits of the proposal. This is applied when assessed against the policies in the Framework, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes.
- 6.6 In terms of the balance to take in determining the planning application, there are no conflicts with policies relating to areas or assets of particular importance, outlined in the NPPF. This means applying a tilted balance towards the delivery of residential development. The development is sustainably located, provides greater than policy requirement of affordable homes, and the density makes very effective use of constrained land, despite the landscape and design harm identified. Given the need for homes, and particularly the acute need for affordable homes in the district, the benefits of achieving these is afforded substantial weight. This substantial weight is attributed to the economic and social benefits of having suitable affordable housing provisions. This is a finely balanced case given the cumulative adverse impacts identified which are collectively afforded significant weight. Following the amendments and ensuring the mitigation identified is provided, this cumulative harm is considered not to significantly and demonstrably outweigh the substantial benefits, primarily due to the substantial benefits attributed to the scheme being for 100% affordable homes and addressing such an acute affordable housing need. Therefore, our recommendation is to approve the development.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Timescale (2years)	Control condition
2	Accord with amended plans	Control condition
3	AIA, NE and NW boundaries further survey/mitigation	Pre-commencement (during clearance/preparation)
4	BNG assessment of NE and NW boundaries	Pre-commencement (during clearance/preparation)
5	Ecology/habitat enhancement scheme	Pre-commencement (except clearance/preparation)

6	Construction Management Plan (CMP), including dust control	Pre-commencement (except clearance/preparation)
7	Site access, visibility splays and 30mph off-site works	Pre-commencement (except clearance/preparation)
8	Employment and skills plan	Pre-commencement (except clearance/preparation)
9	Construction S/W drainage management plan	Pre-commencement (except clearance/preparation)
10	S/W drainage scheme, including exceedance route	Pre-commencement (except clearance/preparation)
11	Details of external materials, windows (incl setback)	Pre-commencement above ground
12	M4(2) to at least 20% of units	Pre-commencement above ground
13	Full landscaping scheme	Pre-commencement above ground
14	Details of sustainable design measures, in-line with submitted energy statement	Pre-commencement above ground
15	Off-site highway improvement details, pavements in both directions	Details prior to implementation/first occupation
16	Internal estate road and pavement details	Details prior to implementation/occupation
17	Boundary treatments and retaining walls	Details prior to implementation/occupation
18	Landscaping and maintenance	Details prior to implementation/first use
19	Details of external lighting	Details prior to implementation/first use
20	Maintenance and management of internal roads/pavements	Details prior to occupation
21	S/W drainage operation and maintenance	Details prior to occupation
22	S/W drainage verification	Details prior to occupation
23	Final details and implementation of cycle storage facilities	Details prior to occupation
24	Management and Maintenance Plan for all on-site Open Space	Details prior to occupation
25	Ecological Homeowner Information Packs	Prior to occupation
26	Implementation and completion of all on-site public open space	Control condition, implemented prior to occupation
27	Waste collection points	Control condition, implemented prior to occupation
28	Parking provision and turning heads	Control condition, implemented prior to occupation
29	Ecology mitigation accordane with report	Control condition, implemented prior to occupation

30	Foul drainage scheme	Control condition, implemented prior to occupation
31	Noise mitigation measures	Control condition, implemented prior to occupation
32	Ecological mitigation measures	Control condition
33	Affordable Housing Scheme and ongoing restriction to use for affordable occupation	Control condition
34	Water Efficiency measures	Control condition
35	Obscure glazed windows to plot 15 and plot 31 side elevations only, remove permitted development for side windows	Control condition
36	Remove permitted development for rear/side extensions	Control condition

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

In accordance with the above legislation, Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been made having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None