

MINUTES OF THE WARTON PARISH COUNCIL MEETING
Held at 7.30pm on Tuesday 19th November 2019 in the Village Hall, Warton

PRESENT: Councillors K Briggs (Chairman), D Clough, Mrs J Cody, Mrs D Langman, W Muckle, C Peacock and Mrs L Simmonds, County Councillor Mrs P Williamson and District Councillor A Duggan.

APOLOGIES: Apologies for absence were received and accepted from Councillor Hilling.

DECLARATIONS OF INTEREST: Councillors Mrs D Langman, W Muckle, C Peacock and Mrs L Simmonds declared an interest in the item covered in the meeting.

19.275. REQUEST FROM WILSON PROPERTIES LTD TO PURCHASE PART OF THE LITTLE WEIR IN RELATION TO PLANNING APPLICATION 16/00231/OUT: The chairman advised members that the additional meeting had been arranged to consider the request from Wilson Properties Ltd to purchase a portion of the Little Weir in order to satisfy a condition imposed by Lancashire County Council Highways as part of the outline planning permission granted for the construction of 5 dwellings behind 13 Main Street, Warton.

Members considered i) a paper prepared by the clerk listing what could be considered to be positive and negative aspects of a sale of the land (Appendix 1) ii) a summary of comments from the Delegated Report of Lancaster City Council Development Management Team prepared as part of their consideration of the planning application (Appendix 2) iii) a paper prepared by Lucy Barron AONB Manager outlining the views of the AONB in relation to the proposed development (Appendix 3) (iv) site plans of the development together with drawings of the proposed road changes supplied by Wilson Properties Ltd (v) a letter from the Gardner Road Residents Association expressing grave concerns about the increased risk of flooding to their properties if the land area capable of water absorption was decreased through the building of the 5 dwellings proposed (vi) the submission made to the 5th November 2019 meeting of the Parish Council by residents concerning the increased risk of flooding to their properties through the reduction in the area of land available for water percolation and of road traffic incidents caused by the proposed changes to the road layout.

Councillors Briggs, Clough, Mrs Cody and Muckle expressed their concerns on flooding issues, the possible increased risk of road traffic incidents caused by the proposed changes to an already narrow road layout that caused sighting difficulties for vehicle drivers and the positioning of bollards at the junction of the development site entry point and Main Street that were not considered in keeping with the area. Concerns were also raised about the development fitting with the surrounding area and satisfaction of AONB DPD policies adopted since the outline planning permission was granted.

Members discussed in full the issues involved and agreed unanimously (4 -0) that the Parish Council should refuse to sell a portion of the Little Weir to Wilson Properties Ltd., because of (i) a lack of information on drainage proposals and the prevention of flooding to adjacent properties (ii) the positioning of road bollards and on road parking adjacent to the site entrance and the exacerbation of existing width restrictions of the road (iii) a lack of conviction that the development fitted with the surrounding landscape or satisfied the AONB DPD policies adopted since the outline planning permission was granted.

The clerk was instructed to notify Wilson Properties Ltd of the decision reached at the meeting.

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19.276. DATE AND TIME OF NEXT MEETING: There being no further business the chairman thanked members, County Councillor Mrs Williamson and District Councillor Duggan for their attendance and closed the meeting at 8.10pm.

Chairman _____ Date _____

Minutes subject to agreement at the 10th December 2019 meeting of the Warton Parish Council.

APPENDIX 1

Positive and negative points for consideration

Positive

- 1) The housing span would meet the needs of the village (1 large, 2 medium, 2 small)
- 2) £5,000 from the sale of the land could be used for the benefit of the village
- 3) Continued good relations with the developer could be advantageous
- 4) Refusal to sell the land could lead to compulsory purchase and loss of potential income

Negative

- 1) Possible increased risk of flooding
- 2) Possible increased risk of road traffic incidents
- 3) Possible increased inconvenience to residents in the immediate area

APPENDIX 2

Lancaster City Council Development Management : Delegated Report Extracts

Principle of Development – The principle of 5 new dwellings in this location is considered to be acceptable (the subsequent acceptance of the AONB development plan may have some effect)

Scale of Landscape Impact – It is not considered that they will have a significant adverse impact on the character or appearance of the area.

Impact on Residential Amenity – It is considered that 5 dwellings could be accommodated on this site without having a significant adverse impact on the residential amenities of neighbouring dwellings, even taking into account the difference in levels.

Highways Impacts – The parish council have advised that they own the land and they would not support the widening of the road. However there is a mechanism under the Highways Act to purchase the land to carry out the highway works in the event of the parish council not agreeing to sell part of this. There is also scope for the applicant to have further discussions with the parish council, if consent is granted and there is no robust evidence to suggest that these works could not take place. As such it is considered that a condition to be reasonable in this instance and this view has been supported by the Council's Solicitor. It is not considered that changes to the highway will have a detrimental impact on highway safety.

Drainage – Many concerns have been raised in relation to drainage given the sloping nature of the site and previous flooding that has occurred in the area. The submission sets out that percolation tests have been undertaken and the site is capable of draining. A swale has also been proposed on the indicative layout. Given the scale of the scheme, it is considered that a solution could be reached and it would be expected that these details are agreed before work starts on the site.

Housing Needs – The affordable housing aspects of the site are considered to be necessary.

APPENDIX 3

Points for Consideration – Lucy Barron AONB Manager

The potential sale of the land at the Little Weir is a decision for the Parish Council, however I hope the following helps clarify the AONB Partnership's position in relation to the proposal.

A consideration for the Parish Council is that the field is identified in the AONB DPD as a Key Settlement Landscape to be protected from development and therefore AONB DPD Policy AS07 is relevant. However we do not consider that widening the road by a small amount in this location would have a significant detrimental impact on the integrity of the field, as long as it was done in an appropriate and sensitive way.

The AONB Partnership did previously object to the planning application for this site predominantly on landscape grounds. However, as the development has now been granted outline planning permission, the principle of the development has already been established on the site. Therefore any response we make to the final proposals, when they come forward, would seek to secure a development that as far as possible conserves the special qualities of the AONB and delivers local community needs. We would assess any final proposals against the AONB DPD policies which have been adopted since the outline permission was granted. We would be likely to comment on matters such as reflecting the local vernacular in design and layout, use of limestone in external wall finishes and slate roofing, positive incorporation of new native trees/landscaping and measures to enhance biodiversity, use of appropriate boundary treatments such as hedgerows or limestone walls and gateways and minimising external lighting and light spillage. We would encourage the delivery of affordable and smaller scale houses. In terms of the highway scheme, this appears to be one of the reserved matters to be considered as part of the final proposals. Again, we would assess any final proposals against the AONB DPD policies. We would seek to minimise any detrimental impacts and encourage an approach in keeping with the rural and historic features such as reflective bollards or new signage, road markings or curbing.