

DECISION DATE 27 February 2009	APPLICATION NO. 09/00002/FUL A09	PLANNING COMMITTEE: 9 February 2009
DEVELOPMENT PROPOSED REDEVELOPMENT OF BAY VIEW CARS SITE FOR 9 FLATS		SITE ADDRESS GROSVENOR ROAD GARAGE HEYSHAM ROAD HEYSHAM LANCASHIRE
APPLICANT: Bay View Cars Grosvenor Road Morecambe Lancashire LA3 1DS		AGENT: JMP Architects Ltd

REASON FOR DELAY

None.

PARISH NOTIFICATION

Heysham Neighbourhood Council - Views not received at the time of compiling this report. Any views will be verbally reported to Members.

LAND USE ALLOCATION/DEPARTURE

Within the Urban Area defined in the Lancaster District Local Plan - no specific proposals affecting the site.

STATUTORY CONSULTATIONS

County Highways – The proposal raises some concerns over the level of off-street parking provision associated with the proposal (100% parking proposed). The neighbouring West One development provided for 116%. The development will lead to additional on-street parking in the area. This is however mitigated by the closure of the garage business and the problematical on-street parking associated with the use.

The boundary wall to Heysham Road and part of Grosvenor Road acts as a retaining wall to the highway. The reconstruction of this wall will require the approval of the County Bridges Section prior to any works being commenced. The resulting wall shall be kept below 1.0m in height on the Grosvenor Road frontage to ensure visibility is maintained.

Environmental Health Officer - Views not received at the time of compiling this report. Any views will be verbally reported to Members.

Housing Policy Officer - Views not received at the time of compiling this report. Any views will be verbally reported to Members.

United Utilities - Views not received at the time of compiling this report. Any views will be verbally reported to Members.

OTHER OBSERVATIONS RECEIVED

To date a single letter has been received from a near neighbour on Heysham Road. The letter expresses concerns over the development of the site from a loss of view, limited parking in the area and questions the need for this form of development given the lack of sales in the adjacent West One development. Suggest smaller scale housing would be more appropriate and in keeping with the area.

REPORT

Site and its Surroundings

The application site is located at the junction of Heysham Road with Grosvenor Road. The adjoining land uses are all residential with a mixture of two-storey and two/three-storey terraced properties in addition to a small number of two-storey semi-detached properties. The closest properties are those of Rydal Road and Rydal Grove, which are two-storey stone built terraced houses. The roofs to the Rydal Grove dwelling closest to the site area have full width dormer windows facing the site and are effectively three storey in terms of accommodation. A car parking area serving a recently completed six-storey block of flats lies immediately to the west of the application site.

The site currently comprises a large single-storey commercial car showroom (currently operating as Bay View Garages) with an open forecourt/parking area to the north. The floor level of the building is set below that of the adjoining Heysham Road and Rydal Grove. The rear wall of the showroom forms the rear boundary to properties on Rydal Road. The wall height is approximately 2.2m above the garden levels with the roof of the car showroom rising away from these residential properties another 3.5/4.0m.

The Proposal

The application seeks to develop a single building comprising of nine units of accommodation. Internally, the development provides for 2 one-bedded flats, 5 two-bedded flats, 1 two-bedded maisonette and 1 three-bedded maisonette. The accommodation is contained within a building rising three and a half storeys in height with additional roof space accommodation for the maisonettes. The lower level beneath the residential units allows for car parking to a semi-basement level.

Externally, the site utilises the existing vehicle access leading down to the basement parking area, which will provide parking for nine cars and some secure cycle storage. Gardens areas are to be developed to the corners of the site for the sole use of the ground floor flats. In addition an area is to be provided at street level for additional cycle and refuse storage. The main pedestrian entrance to the building is also to be found on the Heysham Road frontage of the development.

The building as a whole rises 12.5m from Heysham Road to its ridge (14m from the lower ground level within the site). The external walls of the building are a mixture of a natural stone plinth (up to 2.0m high), two and a half storeys of white render, with timber cladding to the eaves and verge. The roof introduces simple gable forms with natural slate coverings. Windows, doors and rainwater goods are to be grey powder-coated aluminium.

The footprint of the building is broadly 'T' shaped with the longest frontage facing Heysham Road. A large open glazed stair well rising the full height of the building develops the main entrance facing Heysham Road.

Planning History

The site has been the subject of an earlier application (Ref: 05/00150/OUT) in early 2005. This application sought consent for the development of 3 houses and 7 flats on the same site. The houses were to be over three storeys and located to the south end of the site fronting Heysham Road and the flats over four storeys at the northern end of the site at the junction of Heysham Road with Grosvenor

Road. Although the application was submitted in outline, the application provided illustrative plans to consider location and massing. The application was subsequently refused on three grounds, namely; (i) oversupply of housing (SPG 16), (ii) impact upon neighbouring dwellings; and (iii) lack of parking provision.

The houses were to be built tight to the southern boundary of the site and fronting Heysham Road with gardens to the rear. The overall height of these buildings was approximately 9.5m above Heysham Road. The relationship to the properties on Rydal Road was considered unacceptable because they had rear-facing windows and a distance of only 7m to the large gable of the house. At the time it was acknowledged that the current car showroom has an impact upon the houses, but this is only from a wall approximately 2.2m high and from a further steel clad roof rising away from the houses.

The application was the subject of appeal and was dismissed by the Planning Inspectorate. The issues of housing supply and neighbour impact were acknowledged and accepted by the Planning Inspectorate, but parking provision was considered acceptable given the presence of on street parking on the adjacent Grosvenor Road.

Planning Policy

The application should be considered in respect of the saved policies of the Lancaster District Local Plan and the Lancaster Core Strategy.

Saved Policies **H12** and **H19** of the Lancaster District Local Plan are considered appropriate and seeks to ensure that development of small sites within the main urban core are only permitted where they do not result in the loss of green space, would not have significant adverse effects upon the amenities of nearby residents, achieve a high standard of design, are satisfactorily serviced and makes arrangements for access, servicing and cycle/car parking.

Following publication of the revised Regional Spatial Strategy, Supplementary Planning Guidance (SPG) 16 - The Phasing of New Residential Development - of the Lancaster District Local Plan is no longer relevant.

Policies **SC1** - Sustainable Development, **SC2** - Urban Concentration and **SC5** - Standards for Housing of the Lancaster Core Strategy are considered appropriate and also need to be considered as part of the application submission. These are best summarised as follows:

SC1 - Seeks to ensure that new development proposals are as sustainable as possible. The policy needs to consider both the location and design of the development. In respect of location, the proposal should be convenient for local services, use previously developed land, alleviate adverse environmental conditions, not have significant impact on conservation, archaeology or built heritage and be compatible with the surrounding landscape. In respect of design, the layout should be convenient to walk or cycle around, reuse buildings, use local material and minimise construction waste, clean up environmental problems use energy efficient design and renewables and sustainable drainage.

SC2 - Seeks to build healthy and sustainable communities by focusing development where it will support the vitality of existing settlement, regenerate area and reduce the need to travel. As such the policy seeks to direct 90% of all new dwelling within the existing urban area of Morecambe, Heysham, Lancaster and Carnforth.

SC5 - seeks to ensure that development proposal achieve a high standard of design, maintaining and improving the quality of development in the main urban area in addition to other sensitive areas.

Comments

It is considered that the location of the development for residential use is one which could be supported in principle as it is located within the main urban area in a sustainable location, well served by public transport and is close to other services such as shops, schools etc. Whilst the broad principle is acceptable, it is however the case that the matters of detail are unacceptable.

The application as submitted does not fully justify and set out the benefits that are to be brought to the community by this form of residential development. It is understood that the agent is to provide a Statement of Community Benefit in time for the planning committee for consideration but the proposal can be seen to help to regenerate the area, remove a non-compliant employment use and develop a well designed building within the locality. In addition to these suggested benefits the scheme does not address the issues of energy conservation/efficiencies or energy generation. The agent is again to address these issues and provide a detailed sustainability analysis (including energy conservation/generation) in time for the committee meeting.

The general design of the building is considered to be appropriate to the area, the simple gable forms and proposed materials reflect those of the neighbouring properties, although the building clearly has a contemporary element with the introduction of large scale window openings and to the communal areas and some of the living rooms.

However, one of the critical issues during the last application and appeal, and during this application, is the impact of the development upon neighbouring residential amenity. The original submission in 2005 sought to develop a three-storey building close to the houses of Rydal Road and Rydal Grove. This relationship was considered unacceptable by both the local planning authority and the Planning Inspectorate. The new scheme has attempted to address some of the concerns of the previous scheme by setting the building further away from Rydal Grove. The distance has increased from 7m to between 12m and 16m from the rear of the properties. However, the building is to be approx 3m higher, much deeper and it is also proposed to introduce windows to the lounge and both bedrooms of the flats facing Rydal Road. It is considered that the scheme has not adequately dealt with the concerns identified as part of the earlier appeal and as submitted the relationship of the new building to the dwellings on Rydal Road is overbearing and will introduce an unacceptable degree of overlooking.

In addition, the new proposal now seeks to develop a three storey high structure rather than developing rear gardens to the site close to properties on Rydal Grove as per the early scheme. This end of the building is blank but is very close to existing dwellings (less than 4.0m at its closest) and is considered unacceptable regardless of the presence of a 2.2m high wall and sloping roof to the original car showroom.

Overall, it is considered that the agent will provide sufficient information and minor revisions to the scheme to adequately demonstrate that proposal has benefits to the wider community and can create sustainable lifetime homes.

However, it is considered that the scale of the building, its footprint and massing and window orientation will combine to create an unduly detrimental impact upon the amenities of neighbouring residents. As such the development is considered to be contrary to saved Policy H19 of the Lancaster District Local Plan and Policies SC1 and SC5 of the Lancaster Core Strategy.

It is recommended that permission should be refused

HUMAN RIGHTS IMPLICATIONS

The applicant's right to use and develop their property has to be balanced against the rights of neighbouring residents, namely, their right to respect for their private lives and homes. As set out above, the impact of the proposed development on neighbouring properties is considered unacceptable and, therefore, it is considered necessary and proportionate to refuse this application.

RECOMMENDATIONS

That **PERMISSION BE REFUSED** for the following reasons: -

1. Contrary to saved Policy H19 and SC1 and SC5 - adverse effect on the amenities of the adjoining houses be reason of massing and loss of privacy.