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| DECISION DATE 24 March 2009 | APPLICATION NO. 08/01433/FUL A15 | PLANNING COMMITTEE: 9 March 2009 |
| DEVELOPMENT PROPOSED ERECTION OF NEW BUILDING COMPRISING OF 1 RETAIL UNIT AND 14 APARTMENTS | | SITE ADDRESS FORMER POLICE STATION HEYSHAM ROAD HEYSHAM MORECAMBE LANCASHIRE LA3 2BJ |
| APPLICANT: Daffodil Homes Ltd Tarnwater Yealand Conyers Carnforth Lancs LA5 9RJ | | AGENT: Harrison Pitt Architects |

REASON FOR DELAY

Not applicable.

PARISH NOTIFICATION

Heysham Neighbourhood Council - Observations not received at the time of compiling this report. Any comments will be verbally reported to Committee.

LAND USE ALLOCATION/DEPARTURE

Within the urban area identified in the Lancaster District Local Plan.

STATUTORY CONSULTATIONS

County Council Highways - The site is a very accessible one, but not quite as accessible as the applicants' information submitted with the proposal suggests. They have concerns about the adequacy of the car parking provision shown. They would normally expect 150% provision for a scheme of this kind. The previous approved version (with 10 rather than 14 flats) offered 100% car parking provision. They would like to see this aspect of the proposal reconsidered. They also ask that if permission is granted, a contribution of £12,180 should be provided by the developer towards public transport improvements in the area.

Environmental Health - Ask that a construction hours condition should be attached to any consent. The retail unit shown would be suitable for Class A1 (retail) uses but not as a hot food takeaway. A land contamination study has been provided for the site (this was a requirement of the previous permission). A condition is requested requiring that if any unforeseen contamination is encountered appropriate measures should be taken.

County Council Archaeology - No comments to make on this proposal.

Strategic Housing – No comments received within statutory timescale.

City Contract Services – No comments received within statutory timescale.

OTHER OBSERVATIONS RECEIVED

Three objection letters received in respect of the following:

Objection from the occupier of 2 Knowlys Road - The building is too large for the site, out of keeping with neighbouring properties, and no gap is provided between it and no. 2 to allow for maintenance. The position proposed for bin storage will give rise to nuisance, and will give rise to parking problems. He would prefer sheltered housing on the site rather than flats for general occupation.

Objection from 4 Knowlys Road - The height of the development is out of keeping, and the materials are unsuitable; the access deck at the rear will give rise to overlooking problems; there is no need for another shop unit.

Objection from 6 Knowlys Road - The design is out of keeping with the houses in the area and inferior to the previous demolished building (the Police Station which used to occupy the site).

Any further representations, including any made as a result of the amended version of the proposal which opens up a gap between the new building and 2 Knowlys Road, will be reported verbally at Committee.

REPORT

Consent has already been granted for the redevelopment of this site, at the corner of Heysham Road and Knowlys Road, with a four-storey building containing a shop and ten flats (Ref: 08/00327/FUL). A subsequent application (Ref: 08/00835/RCN) removed an obligation on the developer to provide affordable housing as part of the scheme.

The present proposal involves a redesign of the development to increase the density of the scheme to provide a further four flats. It should be noted that the total number of flats proposed is still just below the number which would require the developer to provide some affordable housing as part of the scheme. In some of the correspondence associated with the application it is suggested that the proposal might involved sheltered flats for the elderly but it has now been confirmed that they are intended for general occupation.

The scheme as originally submitted has been amended to reduce its overall size, leaving a gap approximately 2m wide between the building and the adjoining end of terrace house at 2 Knowlys Road. This resolves several problems with the earlier scheme; including access to the bin storage area which is more straightforward. It also overcomes the objection raised by the immediate neighbour who does not wish any part of the structure to be attached to the end wall of his property.

Despite this the general appearance of the development would be very similar to that of the previous scheme. As before the design is deliberately modernist in appearance, with a monopitch roof over the part of the building at the Heysham Road/Knowlys Road corner. The materials specified are brick and cement panels, with a single ply standing seam roof and grey UPVC or aluminium doors and windows.

The accommodation consists of the following:

- Ground floor: Retail unit, car park (10 spaces, two laid out with disabled access in mind), cycle compound, bin store. entrance lobby and ancillary storage space.
- First floor: Five 2 bedroom flats

- Second floor: Five 2 bedroom flats
- Third floor: Four 2 bedroom flats.

While the precise internal layouts vary each flat would have a combined living/kitchen area, two bedrooms and a bathroom. There would be open communal decks on the south side of the building, overlooking the site of the new Heysham Public Library.

The proposal has to be considered in relation to policies SC1 and SC2 of the Core Strategy. These require that previously developed land should be used wherever possible and emphasise the importance of developing in sustainable locations, accessible by means other than the private motor car. The Lancaster District Local Plan policies most relevant to the proposal are:

- **H19**, which sets out criteria for considering new residential development within the established urban area;
- **R21**, which requires appropriate provision for people with disabilities

While the flats would be smaller than previously envisaged they would all meet the City Council's usual space standards, as set out in Appendix 2 of the Lancaster District Local Plan. The key issue is whether the increase to 14 flats is compatible with the 10 parking spaces available. The applicant argues that it would be. Their planning consultant points out that PPG 13 (Planning Policy Guidance: Transport) argues that:

- The availability of car parking has a major influence on the means of transport people choose for their journeys;
- Car parking takes up a large amount of space and reduces densities; and,
- Reducing car parking in new development is essential, as part of a package of planning and transport resources, to promote sustainable travel choices.

The car parking standards applied by Lancashire County Council normally expect at least a 1 for 1 provision in a scheme of this kind. The reference to the means of transport people use relates to journeys to shop and to work, rather to whether people choose to have a car or not. In this suburban location the most likely outcome would be a significant increase in demand for on-street car parking on Knowlys Road.

It has been suggested to the applicants' architects that it might be possible to increase the level of parking provision by acquiring or leasing some land from the County Council, who are in the process of redeveloping the library site next door. At the time this report was prepared it was unclear whether this provided a possible solution.

The site is not a town centre one but it is readily accessible by public transport, with a frequent bus service along Heysham Road. There is a good range of shops, including a sub post office, and community facilities within easy walking distance. In this regard, it is a sustainable location.

There is a long stretch of Knowlys Road, close to the site, which has no houses fronting it so it is unlikely that overspill parking associated with the development would take place in hazardous locations. It is also likely that the flats would appeal to people for whom the availability of off street parking was a low priority.

Taking these factors into account, it is recommended that permission should be granted, subject to the conditions as set out below. These are based on the ones attached to the earlier consent for ten flats.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to two sections of the Human Rights Act: Article 8 (privacy/family life), and Article 1 of the First Protocol (protection of property). There are no issues arising from the proposal which appear to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

RECOMMENDATIONS

That **PERMISSION BE GRANTED** subject to conditions as follows:

1. Standard three year condition.
2. Amended plans 18 February 2009, opening a gap between the new building and the house at 2 Knowlys Road.
3. Development to be carried out in accordance with the approved plans.
4. Details/samples of materials to be agreed.
5. Construction work to take place only between 08:00-18:00 Mondays to Saturdays, with no work on Sundays or officially recognised public holidays.
6. In the event of unforeseen land contamination being encountered. Appropriate measures to be taken.
7. No development to be undertaken until the developer has entered into an agreement covering public transport improvements.
8. Car parking to be provided and retained as such.
9. Vehicular access to be improved in accordance with agreed details.
10. Before any of the dwellings are occupied, a traffic regulation order must be obtained restricting parking on the section of Knowlys Road outside the site.
11. Measures to be taken to protect trees adjoining the site.