

Agenda Item A8	Committee Date 24 August 2009	Application Number 09/00551/FUL
Application Site 4 St Pauls Drive Lancaster Lancashire LA1 4SR	Proposal Erection of 2 semi-detached houses on land adjacent to 4 St Pauls Drive	
Name of Applicant Mr And Mrs Clark	Name of Agent Provizion First Architecture	
Decision Target Date 30 July 2009	Reason For Delay N/A	
Case Officer	Mr Martin Culbert	
Departure	No	
Summary of Recommendation	Approve	

1.0 The Site and its Surroundings

1.1 This application is brought before Committee at the request of Councillor S Denwood and was deferred from the last Committee for a members site visit.

This site is located in a suburban residential area of semi-detached two storey houses, within the side garden to 4 St. Pauls Drive, on the west side of the road. The site rises steeply by approximately 3m from side to side between the two existing neighbouring houses and even more steeply from the private back lane through to the site frontage.

The site frontage is bounded by a low, mature, well kept hedge. The rear of the site marrows considerably and is fully occupied by a double garage set well into the steeply rising garden. Vehicular access is from the rear on an unmade private land which is well used by most of the neighbouring residents for access and parking. The existing garages on site and parking spaces appear to have been constructed to serve the existing house at no 4 St Pauls Drive, which has no other access or off street parking facility.

2.0 The Proposal

2.1 This proposal is a full application for the excavation of the site by about 1.8 m on the cross fall, and the erection of a pair of small two storey semi-detached houses of traditional design and construction. Each unit would comprise a double and two single bedrooms, a kitchen diner and a lounge and are clearly aimed at first time buyers. This building would be of a similar size and proportion to the neighbouring semis but of different elevational design. The materials would be similar and revised plans have been received showing the similar architectural detailing to the neighbouring unit. The building would be sited in line with, but slightly forward of the houses to the south (up hill) and the floor levels would be set evenly between the neighbouring units on either side such that the proposed steps evenly down the hill between the two.

The rear double garage would be retained and split into two singles, each with a parking space in front of it to provide each new unit with two spaces. A further off street parking space would be created next to the gable of the existing to serve that unit.

Both the proposed units and the existing house would have small rear gardens, two of them below what would normally be regarded in minimum private rear space for dwellings of this type but the attached neighbouring semi at No.2 already has much less rear space and all would look out over open vista across neighbouring gardens, as do the neighbours now.

3.0 Site History

3.1 At the end of last year an application 08/01110/FUL for the erection of a three storey block of three two bedroomed flats on this site was submitted. This was subsequently refused on the grounds of:

1. Over development on the site
2. Detrimental to the street scene and character and appearance of the locality
3. Injurious to the amenities of the neighbouring occupiers
4. Inadequate off street parking

Application Number	Proposal	Decision
08/01110/FUL	Erection of 3 no. flats on land adjacent to 4 St Pauls Drive	Refused

4.0 Consultation Responses

4.1 The following responses have been received from statutory consultees:

Statutory Consultee	Response
County Highways	No objection in principle but suggest one more parking space should be provided.
United Utilities	No objection
Environmental Health	Any views will be reported at Committee
Property Services	Any views will be reported at Committee

5.0 Neighbour Representations

5.1 Sixteen letters and a petition containing eight signatures have been received objecting to this proposal on the following grounds:

- No need for development here
- Spoil the outlook and overall appearance of the area
- No 4 has structural problems and this development will make it worse
- It will add to parking problems in the area
- It will increase hazards to pedestrians and cyclists
- Loss of view for residents opposite
- Properties with a very small garden will be detrimental to the area
- New dwelling will be out of keeping with the area
- Loss of light
- Will add to traffic to the back lane, adding to its state of disrepair

6.0 Principal Development Plan Policies

- 6.1 There are no specific policies relating to this site. Saved Policy H12 (Standards for New Housing) Spg12 (The Residential Design code) and Policy SC5 (achieving Quality Design) of the Core Strategy apply in general terms.

7.0 Comment and Analysis

- 7.1 This proposal is a significant reduction and improvement over the previous scheme. It is now in keeping with the scale and character of the existing surrounding development and is anticipated that revised plans will be received in time for Committee which will match the architectural detailing of the neighbouring dwellings.

In terms of street scene impact and amenity it will fill in between the existing dwellings, stepping from one to the other in equal steps and be of similar proportions and materials. It's not considered that this proposal will have a detrimental impact on the character or quality of the area when viewed either from the front or the back. The windows in the rear development will face out across the bottoms of the rear gardens to properties in St Pauls Road but this will be at right angles to the run of gardens. The view of the back of the houses on St Pauls Road will be at a full 45 degrees from the new windows and much less disrupting and damaging than the overlooking already taking place from the rear of the existing dwellings at No's 2 and 4, St Pauls Drive, which look out across that part of the same gardens which is next to the back of the houses and is most intrusive to private amenity. Furthermore, this view from the ground floor, living room windows will be screened by privacy on the property boundaries, designed to screen the view of all of the lower land neighbouring gardens to the north and west.

In terms of the scale of the development, this proposal fits onto the site well, with adequate space on either side. The existing double garage and parking spaces to the rear are adequate to be divided into two and upgraded. Each new dwelling will meet council's standards of two off street spaces and the access, through private and unmade is well used by other neighbouring residents and in good condition. The existing house at No 4, will be provided with one off street space from the front street, similar to the attached dwelling and many others in the vicinity. These dwellings were built without any off street parking facilities and on street parking is available along all frontages.

The structural problems associated with the existing dwelling at No 4 appear to be unique to that property and are probably associated with a fault in the foundation construction. Such issues are a matter for consideration and detail design under the Building Regulations and are not a matter which can be considered at the Planning Stage.

While careful account has been taken of the neighbour objections it is difficult to raise objections in Planning terms to the revised proposals.

8.0 Conclusions

- 8.1 It is considered that this revised proposal addresses all of the issues and failings of the previous proposal. The proposal would produce two small, but well equipped three bedroomed starter homes at a time when such accommodation is in short supply. The proposal meets the councils parking and space standards for urban Infill and will achieve the maximum beneficial use of this under utilised suburban brown land and fill a conspicuous gap in the local streetscape. It is considered therefore that this proposal can be supported.

Recommendation

That Planning Permission **BE GRANTED** subject to the following conditions:

1. Standard Full Permission
2. Amended Plans
3. Development in accordance with approved plans
4. Samples of the slate, render, windows and doors to be agreed
5. Details of the roof, ridge, eaves, verges, rainwater goods, windows and doors including external reveals and finishes to be agreed.

6. Details of boundary and screen fencing, external works and landscaping to be agreed.
7. Details of the separation and upgrade of the garages and parking spaces to be agreed.
8. Before any of the dwellings hereby approved are first occupied the garages and parking spaces to serve these dwellings and No.4 St Pauls Drive shall be remedied in accordance with a scheme to be agreed.
9. Before any of the dwellings hereby approved are first occupied the structural defects associated with the rear of No 4 St Pauls Drive shall be remedied in accordance with a scheme to be agreed.

10. Before any of the dwellings hereby approved are first occupied privacy screens shall be erected on the rear boundaries of the properties in accordance with a scheme to be agreed and thereafter retained.
11. Permitted Development Rights removed.
12. Plans of construction
13. Details of any pile drilling to be agreed.
14. Desk top contamination study.

Human Rights Act

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this report, the issues arising do not appear to be of such magnitude 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.

Background Papers

1. None.