

Agenda Item A16	Committee Date 6 March 2017	Application Number 17/00038/VCN
Application Site Grasscroft Borwick Avenue Warton Carnforth	Proposal Erection of three dwellings with garages and associated access and landscaping (pursuant to the variation of condition 2 of planning application 15/00425/FUL to amend the site layout and amend windows and materials)	
Name of Applicant Mr Julian Stainton	Name of Agent	
Decision Target Date 24 March 2017	Reason For Delay None	
Case Officer	Mrs Petra Williams	
Departure	No	
Summary of Recommendation	Approval subject to conditions	

(i) Procedural Matter

This form of application would normally be deal with under the Scheme of Delegation, however, the joint applicant is a member of staff within the local authority and consequently the application needs to be determined by the Planning Committee.

1.0 The Site and its Surroundings

- 1.1 The application site is located within the village of Warton between Borwick Avenue and Warton Bowling Club. The site lies within the Arnside and Silverdale Area of Outstanding Natural Beauty (AONB) and is within a wider Countryside Area. Warton Conservation Area boundary lies approximately 50m to the northwest of the application site beyond the bowling green running along Church Walk. Properties on the west side of Church Walk are two storey semi-detached 1930's housing and predominantly single storey bungalows to the east side of Church Walk.
- 1.2 The site is currently being developed following the grant of consent for 3 dwellings under application 15/00425/FUL. The site boundaries comprise, mature privet hedgerow to the east along Borwick Avenue, a mixture of mature hedgerow, trees and fencing along the southern boundary of the residential properties on Borwick Lane, and a 1.3m high limestone wall to the western boundary with the bowling green. To the north west of the site a single dwelling is under construction on the site of a former haulage yard.
- 1.3 Ground levels generally fall northeast to southwest with the land to the east of Borwick Avenue siting approximately 2.0m higher than the application site. The dwellings fronting Borwick Lane lie slightly lower (approximately 0.6m) than the application site. A section across the site indicates a difference in level (Grasscroft to the north and 17 Borwick Lane to the south) of approximately 1.5m.
- 1.4 The immediate area has a mix of property types, in terms of age, style and over height. Adjacent to the site to the north are Grasscroft House (two storey) and Grasscroft Bungalow owned by the former owner of the building plots. On Borwick Avenue sitting at a higher level there are two pairs of two-

storey semi-detached houses built in the 1930's. There are four chalet style bungalows adjacent to the site on Borwick Lane with a detached two storey house also on Borwick Lane at the junction with Borwick Avenue. The bungalows enjoy generous rear gardens with a depth of approximately 18m. The properties on Borwick Avenue are set well back from the road with front gardens on a similar length and a separation distance to the edge of the application site of over 25m.

2.0 The Proposal

2.1 Following the recent approval of 15/00425/FUL for the erection of three dwellings, the application seeks to vary condition 2 of planning permission relating to approved plans. The purpose of the application is to amend the approved layout slightly in order to accommodate garages for each of the three dwellings as well as a small number of material amendments.

3.0 Site History

3.1 The most recent and relevant planning history is summarised in the table below.

Application Number	Proposal	Decision
15/00425/FUL	Erection of three dwellings with garages and associated access and landscaping	Permitted
16/00278/FUL	Erection of one dwelling with associated access and landscaping	Permitted
16/00813/FUL	Erection of a detached 2-storey dwelling (C3) with associated access and landscaping	Permitted

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objections - All of the proposed amendments are contained wholly within the curtilage of the application site and as a consequence will have no detrimental impact to the management of surrounding lengths of the public highway network.
Conservation Officer	No comments received at the time of compiling this report. Any comments received will be reported verbally to Members.
Tree Protection Officer	No comments received at the time of compiling this report. Any comments received will be reported verbally to Members.
Parish Council	No comments received at the time of compiling this report. Any comments received will be reported verbally to Members.

5.0 Neighbour Representations

5.1 One item of public comment has been received. The letter questions how the garage to the rear of plots 2 and 3 will be constructed and finished. It also questions what the will be the finish of the double garage.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraphs 7, 14 and 17 - Sustainable Development and Core Principles
 Paragraph 32 – Access and Transport
 Paragraphs 49 and 50 - Delivering Housing
 Paragraphs 56, 58 and 60 – Requiring Good Design
 Paragraph 115 - Areas of Outstanding Natural Beauty
 Paragraph 118 – Conserving and Enhancing Biodiversity

6.2 Local Planning Policy Overview – Current Position

At the 14 December 2016 meeting of its' Full Council, the local authority resolved to undertake public consultation on:

- (i) The Strategic Policies and Land Allocations Development Plan Document (DPD); and,
- (ii) A Review of the Development Management DPD.

This enabled progress to be made on the preparation of a Local Plan for the Lancaster District. The public consultation period is from 27 January 2017 to 24 March 2017, after which (if the consultation is successful), the local authority will be in a position to make swift progress in moving towards the latter stages of; reviewing the draft documents to take account of consultation outcomes, formal publication and submission to Government, and, then independent Examination of the Local Plan. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in 2018.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan. Following the Council resolution in December 2016, it is considered that the Strategic Policies and Land Allocations DPD is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan's preparation progresses through the stages described above.

The **Review of the Development Management DPD** updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making. Where any policies in the draft 'Review' document are different from those adopted in 2014, and those policies materially affect the consideration of the planning application, then these will be taken into account during decision-making, although again with limited weight. The weight attributed to the revised policies in the 'Review' will increase as the plan's preparation progresses through the stages described above.

6.3 Lancaster District Core Strategy (adopted July 2008)

SC1 – Sustainable Development
SC2 – Urban Concentration
SC3 – Rural Communities
SC5 – Achieving Quality in Design

6.4 Development Management Development Plan Document (adopted July 2014)

DM20 – Enhancing Accessibility and Transport Linkages
DM22 – Vehicle Parking Provision
DM27 – Protection and Enhancement of Biodiversity
DM28 – Development and Landscape Impact
DM29 – Protection of Trees, Hedgerows and Woodland
DM32 – Setting of Heritage Assets
DM35 – Key Design Principles
DM41 – New Residential dwellings
DM42 – Managing Rural Housing Growth

6.5 Lancaster District Local Plan (Saved Policies)

E3 – Development affecting Areas of Outstanding Natural Beauty

7.0 Comment and Analysis

7.1 The main issues are:

- Design and materials
- Impacts upon residential amenity
- Highway Impacts
- Impacts upon the conservation area and wider Area of Outstanding Natural Beauty (AONB)

7.2 Design and Materials

7.2.1 The main issue are the proposed changes to the layout to facilitate the inclusion of garages.

Plot 1 – The footprint of the approved dwelling for plot 1 will be shifted slightly (2m) to the north-west of the site in order to facilitate the incorporation of an attached pitched roof garage to the south-eastern elevation. The garage itself would be 6m wide by 8.6m and would incorporate a utility room within the rear portion of the structure. It is considered that this will offer an improved arrangement as the previously approved plans proposed a detached garage offset to the front of the property. Other than that the proposed design of plot 1 remains largely unaltered. Materials to the dwelling and garage will comprise render and stone as previously approved although more natural stone will be introduced to the main front elevation which is considered to be a positive approach.

7.2.2 Plot 2 and 3 – These are currently being developed. The key change here will be to the position of the site boundary between the two plots in order provide a shared access drive. The drive will provide access to a detached double garage which is to be built against the south-western boundary. The garage will have a footprint of 6.5m by 5.5m and will be 4.3m to the pitched roof and 2.1m to the eaves. This garage will have a slate roof and rendered elevations and will therefore harmonise with the previously approved dwellings and is therefore considered acceptable.

7.2.3 Also included within this application (for completeness) are changes made to the original design of plots 2 and 3. These related to changes to roof-form and the introduction of limestone to the whole of the front elevation. All these changes were fully considered and found to be acceptable under the previous submissions (16/00278/FUL and 16/00813/FUL).

7.2.4 Overall the scheme is seeking to use materials which are sympathetic to the area and will harmonise within the wider townscape of this part of Warton and the wider Warton Conservation Area.

7.3 Impacts upon residential amenity

7.3.1 The previously approved scheme raised objections from neighbouring occupiers but, following assessment, they were acceptable in terms of residential amenity. It is considered that the slight relocation of the footprint of plot 1 will not result in detrimental impacts on neighbouring occupants.

7.3.2 The properties to the south enjoy good sized rear gardens approximately 18m in depth and as such it is considered that the introduction of the detached garage adjacent to the south-eastern boundary will not result in adverse amenity impacts. A letter from a neighbouring occupant to the rear of the site queries the finish of the double garage. The finish will be render but precise details will be conditioned. The neighbour also questions how the garage will be constructed and finished in such close proximity to the boundary. However, the granting of consent would not give the applicant the right of access on to the neighbours land and this issue would be a private legal matter. Overall, it is considered that the current submission will not result in detrimental neighbouring impacts.

7.4 Highway Impacts

7.4.1 County Highways have not raised objection to the development as it does not materially differ from the earlier approved scheme. As part of the earlier approval, payment for the upgrading (white-lining) of the junction between Borwick Avenue and Borwick Lane has been taken and the associated works undertaken by Lancashire County Council.

7.5 Impacts upon the Conservation Area and wider Area of Outstanding Natural Beauty (AONB)

7.5.1 The site is located outside but close to the southeast boundary of Warton Conservation Area. The boundary lies some 50m to the northwest of the site boundary following Church Walk. The bowling club lies between the Conservation Area and the application site. Properties along Church Walk reflect those around the application site with a mixture of semi-detached two storey houses and detached bungalows. There are current views out of the Conservation Area across the bowling club and the application site. The new dwellings will reflect materials and broader building form of their neighbours.

7.5.2 It is considered that given the scale and nature of the proposed changes, the development will not result in adverse impacts on the setting of the nearby conservation area or the landscape of the wider AONB.

7.6 Other Matters

7.6.1 Trees and Hedgerows – Development of the previously approved scheme has resulted in the loss a two section of mature hedgerow to improve site access off Borwick Avenue and allow access to the three plots.

7.6.2 A number of semi-mature trees lie immediately along the southern boundary of the application site but within the garden areas of the dwellings on Borwick Lane. In addition a mature hedgerow forms the southern boundary of the current application site as well as the whole of the larger approved site. The value of the hedgerow and trees have previously been recognised and are proposed to be retained. The current application continues with the retention of the hedgerows/trees and is supported by an Arboricultural Assessment setting out a methodology for root protection during the construction period. In practice, this has already been addressed and is in place as part of the implementation of the earlier consent for three dwellings with a tree protection fencing erected along both the southern and eastern site boundaries of the larger plot. Condition should be attached to ensure the retention of the tree/hedge protection fencing during the construction period. Comments for the Tree Protection Officer have not been received at the time of writing this report would will be reported verbally to Committee.

7.6.3 Contaminated Land - As part of the earlier application relating to the site, a full contaminated Land Assessment has been carried out and is seen to be acceptable by the Contaminated Land Officer who raised no objections to the previous submission and suggested an unforeseen contamination condition. This condition will therefore be repeated.

8.0 Planning Obligations

8.1 There are no planning obligations to consider as part of this application.

9.0 Conclusions

9.1 The proposed amendments to the layout and house types do not deviate significantly from the originally approved development. The amendments maintain and secure a high quality form of development that accords with local planning policy DM35 and section 7 (requiring good design) of the NPPF. On this basis, Members are recommended to support the application.

Recommendation

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

1. Approved Plans list
2. Details of garage doors
3. Parking areas to be provide and maintained
4. Root protection measures set out in the detailed Arboriculture Assessment to be retained during the construction period
5. No tree/hedges to be felled other than those agreed
6. Landscaping/planting scheme
7. The hedgerow boundary to Borwick Avenue shall be retained at its current height of 2.0m unless otherwise agreed
8. Details of external materials of double garage to plots 2 and 3
9. Details/samples of all external materials to dwellings
10. Details of all boundaries including internal plot boundaries
11. Details of construction and finish to windows and doors
12. Details of rainwater goods, eaves and fascia
13. The use of the garages shall be ancillary to the dwellings only
14. Obscure glazing to be provided and maintained to all first floor gable windows
15. GDO tolerance removed window and door openings
16. GDO tolerances removed extension
17. Hours of construction

18. Unforeseen contamination

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

In accordance with the above legislation, the City Council can confirm the following:

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 taken 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 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