

Agenda Item A7	Committee Date 4 June 2018	Application Number 18/00406/FUL
Application Site 8 Levens Close Lancaster Lancashire LA1 5UL	Proposal Demolition of existing conservatory and erection of two storey rear extension	
Name of Applicant Mr & Mrs Machell	Name of Agent Mr Sam Edge	
Decision Target Date 24 May 2018	Reason For Delay Committee Cycle	
Case Officer	Mr Robert Clarke	
Departure	No	
Summary of Recommendation	Approval	

Procedural Matters

The proposed development would normally fall within the scheme of delegation. However, Councillor Jon Barry has requested that the application be reported to the Planning Committee on grounds of the development's impacts upon residential amenity.

1.0 The Site and its Surroundings

- 1.1 The application site is located in the Abraham Heights area of Lancaster, close to the western extent of Fairfield Millennium Green. The site is unallocated in the Lancaster District Local Plan Proposals Map.
- 1.2 8 Levens Close is a detached two storey dwellinghouse featuring a brown brick exterior underneath a concrete tile pitched roof with white uPVC windows are installed throughout. To the front elevation is a driveway and lean to porch whilst to the rear is a conservatory and a 120m² rear garden enclosed by 1.8m fencing.

2.0 The Proposal

- 2.1 This application seeks consent for the demolition of the existing rear conservatory and the erection of a two storey extension in its place. The proposed extension will measure 3.8m in depth, 3.3m in width and have a hipped roof with a maximum ridge height of 6m. The extension will be finished with matching brick, concrete roof tiles and white uPVC windows.

3.0 Site History

- 3.1 One previous application has been received by the Local Planning Authority.

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17/00517/FUL	Demolition of existing conservatory and erection of a two storey rear extension	Approved

4.0 Consultation Responses

4.1 No statutory/non-statutory consultees were required to be consulted as part of this application.

5.0 Neighbour Representations

5.1 Two letters of objection have been received objecting to the proposal on the following planning grounds: scale, overdevelopment, overbearing, out of character, loss of privacy and loss of daylight.

6.0 Principal National and Development Plan Policies

6.1 Local Planning Policy Overview – Current Position

At the 20 December 2017 meeting of its Full Council, the local authority resolved to publish the following 2 Development Plan Documents (DPD) for submission to the Planning Inspectorate:

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

This enables progress to be made on the preparation of a Local Plan for the Lancaster District. The DPDs were published on the 9 February for an 8 week consultation in preparation for submission to the Planning Inspectorate for independent Examination. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in late 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 2017, 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.

6.2 National Planning Policy Framework (NPPF)

Paragraph **7, 12, 14, 17** – Sustainable Development and Core Principles
Paragraphs **56-64** – Requiring Good Design

6.3 Development Management DPD

DM35 – Key Design Principles

6.4 Lancaster District Core Strategy (adopted July 2008)

SC5 – Achieving Quality in Design

7.0 Comment and Analysis

7.1 The key considerations in the assessment of this application are:

- General design
- Impacts on residential amenity

7.2 General Design

7.2.1 The principal of a two storey rear extension has already been established on this site through application 17/00517/FUL. This application is a resubmission of the approved scheme and features an amended footprint. The proposed extension features a small hipped roof arrangement which matches the previously approved scheme. This roof arrangement ensures that the massing of the proposed extension is reduced, and as such is considered to appear as a subservient addition to the rear of this dwelling. The increased depth at first floor height of 1.1m is of a relatively small scale and does not serve to unbalance or otherwise cause harm to the appearance of the original dwelling. The application site benefits from a good sized domestic garden of 120m², so the construction of an extension measuring 12.5m² in floor area is not deemed to constitute overdevelopment of the site. It is also noted that the proposed extension is to replace an existing conservatory. The use of matching brickwork, roofing tiles and finishing details will ensure that the development respects the character of the surrounding built form. A condition requiring the use of matching materials is recommended. On this basis, the design of the proposed extension is considered to be acceptable.

7.3 **Impacts on residential amenity**

7.3.1 The previously approved extension featured a stepped footprint (reduced depth) at first floor level. This revised scheme has a matching ground and first floor depth. In order to mitigate the increase in depth the extension has also been moved 0.8m away from the shared boundary with No. 6 Levens Close. Strong objections regarding the scale and resulting overbearing presence of the extension have been received from neighbouring residents. The relocation of the extension 0.8m away from the shared boundary with No. 6 combined with the small hipped roof arrangement serves to mitigate the potential overbearing presence of the extension upon the rear garden of No. 6 whilst the outlook that is currently available from the rear elevation windows of No. 6 will be retained. As a result the proposed extension is considered not to have an excessively overbearing presence upon this closest neighbour.

7.3.2 Concerns have been raised regarding the potential of the proposed development to reduce daylight levels serving No. 6. The rear gardens of these properties benefit from being south facing with the development site being located to the east of No. 6. The proposed development does not extend over the 45 degree line for the closest rear elevation windows at ground and first floor level of No. 6. As such, although the proposed development is likely to result in a degree of daylight reduction, given the orientation of these properties and the fact that the development will not impinge upon the 45 degree rule, the reduction in daylight is considered not to be excessive.

7.3.3 Neighbouring residents are concerned about the potential for the development to impact upon existing privacy levels. At present the rear garden of the application site is enclosed by 1.8m fencing. This is considered to ensure that views from ground floor windows are restricted, ensuring adequate privacy is maintained. A condition requiring the 1.8m fence currently forming the western shared boundary with No. 6 Levens Close to be retained is recommended. The rear gardens of the properties on Levens Close already experience a degree of overlooking due to the presence of first floor windows. The rear garden of No. 37 Leighton Drive is also overlooked from the rear elevation windows of the properties on Levens Close due to its location immediately to the south. The views of neighbouring garden spaces achieved from the proposed first floor window of the extension are considered not to be significantly more intrusive than those already achieved. The occupants of No. 37 Leighton Drive are concerned that direct views to their rear elevation windows will result in significant reductions to privacy. It is acknowledged that although the extension will reduce the separation distance between these windows to 13.6m – as opposed to 16.5m – given the existing levels of overlooking and the oblique angles between these properties, it is considered that acceptable levels of privacy will be retained.

7.3.4 The development also proposes the implementation of a first floor side elevation window to serve a new study room. It is proposed to use obscure glazing to this window to prevent direct overlooking of No. 6. The use of obscure glazing to this window is considered acceptable given the room is to be used as a study, as opposed to a habitable room, such as a bedroom.

8.0 **Planning Obligations**

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

9.0 Conclusions

9.1 This application is a resubmission of a previously approved two storey rear extension. The amended proposed two storey rear extension is considered acceptable in terms of scale, location and design. The use of a hipped roof arrangement and its location away from the shared boundary is considered to ensure the development does result in an excessively overbearing presence on the neighbouring property. Furthermore, the extension will not impinge upon the rear elevation windows of the neighbouring property, and as such acceptable levels of daylight will be retained. Due to existing levels of mutual overlooking the construction of the proposed extension will not result in a loss of privacy.

Recommendation

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

1. Standard three year timescale
2. Development to be in accordance with the approved plans
3. Materials used to match those of the rear elevation of the property
4. Obscure glazing to the first floor side elevation study room window
5. Retention of the western boundary fence

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

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 officer 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