

Agenda Item A5	Committee Date 20 September 2010	Application Number 10/00676/VCN
Application Site Marlborough Road Garage Marlborough Road Heysham Morecambe		Proposal Variation of Conditions 2 and 3 on application 07/01641/FUL to alter elevations, provide additional car parking and provide private open space to the apartments in the form of balconies to the rear elevations. Removal of Condition 7 regarding occupancy age restriction.
Name of Applicant Adactus Housing Association Ltd		Name of Agent Halsall Lloyd Partnership
Decision Target Date 1 October 2010		Reason For Delay None
Case Officer		Mr Andrew Holden
Departure		No
Summary of Recommendation		Approval

1.0 The Site and its Surroundings

1.1 This site is on the south east side of Marlborough Road within the west end of Morecambe. Until recently the site was occupied by a part single, part two-storey building used for the sale and repair of motorcycles. This has recently been demolished and the site is now cleared with a secure fencing erected around the perimeter. The site is located within a wholly residential area comprising of three and two storey terraced residential properties.

The adjoining site which comprises a long terrace of three/four storey properties has also been demolished and the site cleared awaiting phased redevelopment. Similarly the two storey terraced properties on the neighbouring Bold Street are mainly vacant and currently awaiting redevelopment as part of the wider regeneration scheme identified within the West End Masterplan.

2.0 The Proposal

2.1 The current application is seeking to develop a previously-approved scheme for 12 shared ownership affordable apartments over three storeys approved in March 2008 under 07/01641/FUL but with the following changes: -

- Removal of the over 55's age restriction on occupancy
- Removal of the communal garden area
- Removal of lifts on the rear elevation
- Provision of car parking at a ratio of 1:1
- Provision of private balconies to the rear of each apartment – these are similar in appearance to the walkway structure proposed previously although now extends the full width of the rear elevation
- Relocation of the refuge/cycle storage areas
- Reorganisation of access ramps to the rear entrances

These changes would require the variation of planning conditions 2 and 3 and removal of condition 7 attached to the planning consent, 07/01641/FUL. Condition 2 and 3 relate to the approved constructional details of the scheme and Condition 7 is an age restriction for occupancy limiting the minimum age to 55 years.

The effect of these revisions would still seek to develop a wholly affordable housing scheme, but one that is open to all ages to occupy. The scheme is being developed by Adactus Housing Association in conjunction with Lancaster City Council.

3.0 Site History

3.1 The site has a very limited planning history mainly relating to its previous use as a car showroom. The recent and most pertinent consent is 07/01641/FUL which the current application is seeking to vary.

Application Number	Proposal	Decision
07/01641/FUL	Demolition of existing showroom and erection of 12 apartments	Approved March 2008

4.0 Consultation Responses

4.1 The following responses have been received from statutory consultees:

Statutory Consultee	Response
Strategic Housing Officer	<p>Support this application as it is an agreed priority to deliver the West End Masterplan, and given the current market conditions, Adactus envisage that there is insufficient demand to provide designated accommodation for people over 55 and have made amendments to the previous plans accordingly. A recommendation is being made to the Cabinet Portfolio Holder that £90K of the S106 commuted sums is provided to bring forward the delivery of this scheme, given the constraints of the legal agreement entered into between Adactus and Lancaster City Council at the commencement of the West End Masterplan and the resultant downturn in property prices.</p> <p>The support of the Homes and Communities Agencies has also been sought and secured in view of the funding that has been allocated to deliver this scheme, to allow the development to proceed.</p>
County Highways	<p>This application raises no new issues from a highway point of view and the parking provision is restored back to a 1:1 ratio, which had been their preference. Therefore no objections subject to the following conditions: -</p> <p>Condition - Detailed plans and constructional details of the proposed highway widening to be submitted to and approved by the local planning authority in consultation with the highway authority before work commences on site.</p> <p>Standard Condition HW 16 – provision of garages and/or parking facilities</p> <p>Standard Condition HW19 – Cycle storage</p> <p>An advice note regarding dedication of land is required too.</p>
Environmental Health	No objections.
Lancashire Constabulary	<p>No objections to this application, but make the following comments:</p> <p>The location of private balconies at the rear of each apartment will greatly improve the overall natural surveillance of the car parking area. I also note that the parking area has increased in size, with the proposed removal of the communal garden area.</p>

	Previous recommendations for the lighting of the parking area remain the same, in that the parking facilities should be lit to BS5489.
West End Partnership	Members felt that the removal of condition No 7 in particular, to negate the age restriction to the over 55s, went against the fundamental principle within the West End Masterplan of the provision of a mix of tenure for a range of ages. Moreover, residents at the meeting of the 14 th July stated that the addition of a balcony onto each flat had originally been rejected due to the problem of overlooking neighbouring properties (condition No 3).
Morecambe Town Council	Has no objections in principal to this planning application however if it is that condition 7 regarding occupancy age restriction means that they are available to any age group then council would not be in support of this.

5.0 Neighbour Representations

5.1 To date three letters of objection have been received in respect of the proposed development. The main grounds are: -

- loss of privacy from the introduction of balconies to the rear elevation;
- potential misuse of the car parking area for playing football/games etc;
- the balcony position should be on the front elevation, improved outlook for the new occupants.

6.0 Principal Development Plan Policies

6.1 Saved policies in the Lancaster District Local Plan are relevant to the proposal: -

H12, which states that proposals for new housing will only be permitted where they exhibit a high standard of design, layout and landscaping and use materials and features appropriate to their surroundings;

H19, which sets out criteria for considering new housing within the existing built up area of Lancaster, Morecambe, Heysham and Carnforth; and,

R21, which requires appropriate provision for people with disabilities.

6.2 Lancaster Core Strategy Policies SC1, SC2 and SC4 are also relevant to the proposal

SC1 Sustainable Development, seeks to ensure that new development proposals are as sustainable as possible, minimise greenhouse gas emission and are adaptable to the likely effects of Climate Change;

SC2 Urban Concentration, seeks to build healthy sustainable communities by focusing development where it will support the vitality of existing settlements, regenerate areas of need and minimise the need to travel. The policy seeks to develop 90% of new dwellings within the main urban area;

SC4 Meeting the District's Housing Requirements, seeks to set out the principles which will ensure the Housing Needs are met through housing allocations and through determining planning application in a way which builds sustainable communities. The policy sets a target of the completion of approximately 60 Affordable homes each year.

6.3 In addition, this site is located within the area covered by the West End Masterplan - Promenade and Battery area (Area 11), which includes it within an area identified for a high level of intervention including remodelling of some properties and demolition/new build.

7.0 Comment and Analysis

- 7.1 The principle of developing housing in this location has already been considered and determined appropriate under planning consent 07/01641/FUL. The approved scheme gained approval for 12 apartments for a shared ownership affordable housing scheme with an age occupancy restriction of 55 years.
- The applicant is wishing to develop an affordable housing scheme in this location and has been a successful partner with the local authority on housing renewal in West End Road and Clarendon Road.
- 7.2 The applicant has indicated that in practice they do not consider that there is not a strong enough market for a specific age restricted accommodation in this location. This is compounded by the current market situation. The current alternative has therefore been developed. This will still provide much needed affordable housing which is to be shared ownership. The removal of the age restriction will not preclude older occupants but will enable the scheme to be more marketable in a climate where housing development of all forms is proving difficult to develop.
- 7.3 The removal of the age restriction has led to a number of revisions to the built form of the scheme, hence the need to vary conditions 2 and 3 as well as seeking to remove the age restriction (Condition 7). The front elevation of the building remains unchanged as does the internal arrangement for the flats. The flat layout providing a good sized two bedded unit with the main living areas to the front and bedroom accommodation to the rear.
- 7.4 The external area has been changed with the revision of the parking spaces in line with the demands of the applicant and future occupiers. The original scheme had a reduced parking area (6 spaces) and a communal garden area. This was considered an appropriate level of parking provision for over 55's. The revised open occupation is considered to demand more parking spaces and the scheme indicates a 1 to 1 provision in addition to cycle parking provision. As a result the garden area is lost and more parking spaces introduced. The level of parking is considered acceptable by the County Engineers and the principle of the provision of off-street parking is actively supported by public opinion in the area.
- 7.5 In order to provide some external amenity space the applicant has revised the scheme to provide balconies to the upper floors which run across the full width of the building. Localised screening has been introduced opposite the entrance doors to the balcony to aid the relationship of the new building to the rear of the properties on Brunswick Road. The distance between the balconies and the main wall of the neighbouring dwellings is 21m. This is the minimum spatial requirements set down in SPG 12 The Residential Design Guide. The rear outriggers are 16m away but do not have windows directly to the rear. There is also a tall boundary wall to the rear of the ground floor yards. The distance is not ideal and would be better to be at a greater distance; however, it is considered that the new scheme is significantly enhanced for the provision of some external areas.
- 7.6 Energy generation has been introduced into the new scheme with the provision of 24 solar panels (4 blocks of six) to the rear roof slope of the building.
- 7.7 So far as the West End Masterplan is concerned, this emphasises the need for family housing rather than flats in order to give the area a more stable population with a long term interest in its future. . However it is to a large extent dictated by the availability of funding; releasing this site for the form of development proposed here will release money for the redevelopment of the adjoining terrace, which will provide family size units, but only if the resources are available. In addition, the size of flats is considered suitable for young families, having a generous sized lounge with kitchen diner together with a good second bedroom. The development of this form of dwelling is also actively supported by Strategic Housing.
- 7.8 Overall, the development is considered to provide well designed, affordable accommodation open to all ages (including over 55's). Support for the scheme will enable the development to progress rapidly and utilise the financial support available this financial year.

8.0 **Planning Obligations**

8.1 N/A.

9.0 **Conclusions**

9.1 Subject to modification and application of the appropriate previous conditions, the application should be supported.

Recommendation

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

1. Expiration of consent as 07/01641/FUL – 9 March 2011
2. Amended plans dated 31 August 2010.
3. Development to be carried out in accordance with the approved plans.
4. Samples of materials to be agreed.
5. Contaminated land study to be carried out and any remedial works considered necessary undertaken.
6. Construction to take place only between 08:00 and 18:00 Monday to Saturday no working on Sundays or officially recognised public holidays.
7. External finish to the rear timber screening to be agreed
8. 10% on site energy generation
9. Dwellings to be built to minimum Code 3 sustainable homes.
10. Landscaping to be agreed and implemented.
11. Cycle storage to be provided.
12. Highway construction details to be agreed.
13. Parking spaces to be provided and retained as such.

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

None.