

Agenda Item	A8
Application Number	21/01557/VCN
Proposal	Demolition of existing garages and dwelling, and erection of a 3 storey building comprising 20 two bed apartments and 22 one bed apartments (C3) with associated accesses and construction of a bike and bin store (pursuant to the variation of condition 2 to amend the plans, removal of condition 13 in relation to details of canopies and submission of details required by conditions 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16 on planning permission 20/00668/FUL)
Application site	Development Land, Bold Street, Heysham
Applicant	Mr James Litherland
Agent	
Case Officer	Mr David Forshaw
Departure	No
Summary of Recommendation	Approval

1.0 Application Site and Setting

- 1.1 The site extends to 0.27ha (0.66 acres). It is previously developed having been the site of a row of 17 terraced houses and commercial properties (bought by the Council and demolished around 7 years ago) and an existing vacant garage workshop and dwelling. Part of the site is hard surfaced with the rest rough and overgrown, partly used informally and without authorisation for car parking.
- 1.2 The site is irregular in shape within the urban area of Morecambe surrounded by residential, tourism and commercial properties ranging in age from Victorian to modern. These properties vary in height from 2 storeys to 5 storeys.
- 1.3 The site is affected by the following constraints: the whole site is in flood zone 2 (tidal) and at a 25% to 50% risk of groundwater flooding; a small part in the southeast corner is at risk from 1:1000 surface flooding; within the Morecambe Bay and Duddon SPA buffer and SSSI Impact Risk Zone.

2.0 Proposal

- 2.1 Planning permission was granted in October 2020 for erection of a 3 storey building to provide 21 one bed and 21 two bed apartments. This has subsequently been amended to 22 one bed and 20 two bed apartments and this application seeks design amendments and approval of details required under conditions. Therefore, the principle of the development is established and it is only the effects of the changes and details submitted to discharge conditions which are under consideration.
- 2.2 The main changes are to the front elevation facing Bold Street and the overall height of the building. The approved design included 7 ground floor front doors serving the flats with private amenity space along the frontage. The revised scheme removes these front doors in favour of a single communal

entrance on the side elevation off Back Winterdyne Terrace close to the junction with Bold Street. Full height windows are replaced with cill height, wider windows. The overall height of the building is reduced by 400mm at the ridge and 225mm at eaves level.

2.3 Details sought for approval under conditions relate to access and off-site highway improvements, surface and foul water drainage, electric vehicle charging, materials, landscaping, boundary treatment, security measures and homeowner packs.

3.0 Site History

3.1 A number of relevant applications relating to this site have previously been received by the Local Planning Authority. These include:

Application Number	Proposal	Decision
21/01402/NMA	Non-material amendment to planning permission 20/00668/FUL to amend ground floor plan to change the development to 20 two bed apartments and 22 one bed apartments	Approved
20/00668/FUL	Demolition of existing garages and dwelling, and erection of a 3 storey building comprising 21 two bed apartments and 21 one bed apartments (C3) with associated accesses and construction of a bike and bin store	Permission granted
19/00363/PRETWO	Demolition of existing dwelling and workshop and erection of 37 dwellings with associated parking and landscaping works	Advice issued
10/01111/DPA	Demolition of two brick built detached garages for regeneration	Prior Approval - Demolition
10/01110/DPA	Demolition of seven two storey residential properties for regeneration, 6-10 And 30 -36 Bold Street	Prior Approval - Demolition

4.0 Consultation Responses

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

Consultee	Response
United Utilities	No objections
LLFA	No objections
Natural England	No objections
County Highways	No objections
Arboricultural Officer	Landscaping opportunities are limited due to the layout of the site, with trees and shrubs restricted to the small green spaces which break up the car park. Seven medium sized trees are to be planted along with shrubs/climbers and two sections of evergreen hedging, one of which extends along the whole boundary with Bold Street. Unless the number of parking spaces is reduced, there appears to be little opportunity to enhance the character of this area further with additional planting.
Environmental Health	Electric vehicle charging points are acceptable providing they are rated a minimum of 7kW

4.2 One objection has been received from a member of the public on the following grounds:

- Density too high for the area
- Not a child or family friendly development
- Worsening of existing parking problems
- Development of site is needed but one which will enhance the area and benefit the community

5.0 Analysis

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

- Design, materials, landscaping and boundary treatment
- Access, off-site highway improvements and electric vehicle charging
- Drainage
- Security and lighting
- Homeowner packs

5.2 **Design, Materials, Landscaping and Boundary Treatment (DMDPD DM2: Housing Standards; DM29: Key design principles; DM30: sustainable design; NPPF section 12)**

5.2.1 The development as approved has the terrace divided into 7 villas, each with its own front door and a canopy feature above fronting onto Bold Street. The block was set back from the pavement with small private amenity spaces for the ground floor flats. First and second floor bedrooms on the front and living areas on the rear were to have full height glazing and Juliette balconies.

5.2.2 The design has been revised by the applicant to optimise the scheme from a resident experience and viability perspective. The changes include the removal of the 7 front doors and canopies with access now through a single communal entrance on one gable end (onto Back Winterdyne Terrace), use of wider, cill height windows instead of narrower full height ones, reduction in the overall height of the building at both ridge and eaves levels and enhanced elevational detailing and landscaping along the Bold Street and main entrance elevations.

5.2.3 The entrance point will provide a communal focus and a more secure access for residents than the separate doors. A low brick wall will curve round from Bold Street into Back Winterdyne Terrace which will define an extended planting area from the landscaping at the front. The Bold Street frontage retains the landscaped strip behind 1m metal railings but this has been enhanced to include a full length hedgerow. The entrance door will be defined by a modern feature canopy and gates coloured grey. All other windows and doors will be a lighter grey. Brickwork will be buff with a subtle contrast shading within it and, at the ground floor level, a lighter colour mortar. The roof material will be a grey modern tile with a thin leading edge. Hard landscaping will comprise of concrete pavers of slate, silver grey and natural colours to differentiate the main circulation routes and private areas. Soft landscaping is restricted by the location and density of development but 7 new ornamental trees, areas of shrubs, hedges and climbing plants will be provided. Boundary treatments will comprise of 1.8m high black metal railings to secure the private areas close to the building, 1m high black metal railings along the Bold Street frontage and timber fencing and knee rails around the private garden and refuse areas at the rear. The perimeter of the car park along Back Winterdyne terrace will be defined by a 1.2m high timber knee rail.

5.2.5 The change in roof levels and canopies above each front door on the approved scheme added interest to the front elevation and broke up its mass. The use of front doors provided a more traditional elevation and activity along the long frontage which matched the character of the surrounding properties. For these reasons, officers were initially concerned about the loss of the front doors and canopies. In response to these concerns the applicant is providing much greater interest in the elevational detailing through use of recessed courses of brickwork at ground floor level, soldier courses between the ground and first floor and recessed panels between windows in the first and second floors. Furthermore, the reduction in the building's height and use of landscape, cill height windows instead of portrait full height ones helps reduce and break up the mass of the building more than the approved scheme. Omission of the Bold Street front doors enables the internal space to be reconfigured to provide larger internal floorspace for a number of the apartments and increases security by limiting access to the building. Although the loss of the Bold Street frontage doors will result in a less active frontage, the benefits in increasing the internal size of some apartments, improving security, adding more interest and landscaping to the elevation and providing a focal communal space override this. The Bold Street elevation will not contain doors but will have a level of detail in the brickwork distinguishing it as a front rather than rear elevation. Overall, it is considered the revised design, especially the elevation to Bold Street is improved. As a result of the canopies being omitted, the condition on the original permission requiring details for approval is no longer needed. All the details submitted to comply with the conditions are considered acceptable and those conditions can be amended to refer to implementation of the approved details.

5.3 **Access, Off-site Highway Improvements and Electric Vehicle Charging (DMDPD DM31 Air Quality Management and Pollution; DM60 Enhancing Accessibility and Transport Linkages; DM61 Walking and Cycling; DM62 Vehicle Parking Provision)**

5.3.1 The access and off site highway works will comprise of two car park access points serving a one way system onto, and new tactile paving at the junction with Bold Street either side of, Back Winterdyne Terrace, new footway surfacing on Bold Street along the site frontage with replacement/reset kerbs where necessary. County Highways accept the submitted details. Four electric vehicle charging points are to be installed with the rest of the spaces provided with underground ducting to increase the number on demand from residents. A requirement to provide charging points rated a minimum of 7kW will be added to the condition.

5.4 **Drainage (DMDPD Policies DM33 Development and Food Risk, DM34 Surface Water Run-off and Sustainable Drainage and DM35 Water Supply and Waste Water)**

5.4.1 New private surface and foul water networks will be built. All surface water from the car park will be stored in a geocellular tank located under the car park. Surface water from the building and around it will be routed through pipes under the garden areas at the front and rear. These pipes meet the outfall from the attenuation tank and all surface water flows will discharge into the public sewer in Bold Street at the restricted rate agreed with United Utilities and the LLFA.

5.4.2 Foul water will discharge into an existing combined public sewer which crosses the site between the building and car park.

5.4.3 These details and the maintenance/management plan are acceptable to both United Utilities and the LLFA and therefore conditions relating to drainage can be amended to implementation in accordance with the approved details.

5.5 **Security and Lighting (DMDPD policies DM29 Key Design Principles)**

5.5.1 To supplement the boundary fencing and lockable pedestrian gates external security will be provided by 6 CCTV cameras installed on the external walls of the building looking along its elevations and an Automatic Number Plate Recognition reader at the car park entrance. There will be no gates or high fencing securing the car park. Lighting will be from 3 no. 6m tall columns each with a 14w lantern. Environmental Health has assessed the lighting report indicating lux levels and spread and has no objections. These measures are proportionate and should not result in undue loss of amenity or nuisance for occupiers of surrounding existing properties. The requirement to agree these details is met and the condition can be amended to ensure implementation.

5.6 **Homeowner Packs (DMDPD Policy DM44 The Protection and Enhancement of Biodiversity)**

5.6.1 Due to the site's close proximity to the Morecambe Bay and Duddon SPA an appropriate assessment was carried out prior to the original permission being granted. This concluded that recreational pressure on the protected areas from new residents required mitigation through issue of a homeowner's pack to each apartment. The detailed pack has been assessed by Natural England and is appropriate. The requirement to agree the pack is met and the condition can be amended to ensure implementation.

6.0 Conclusion and Planning Balance

6.1 The proposed amendments enhance security, increase the opportunity for communal interaction, provide appropriate street frontage landscaping, improve the window proportions to maximise views and daylight, reduce the building's overall mass and scale, improve architectural detailing and increase some apartments' internal floor space. These benefits override the loss of the more active frontage through removal of the front doors. Therefore on balance the amendments are acceptable.

6.2 Given this is a Section 73 application, which seeks to modify one condition, remove another and approval of details required under a number of others on the existing planning consent, there is a need to amend and re-impose conditions on the new planning permission (should Committee approve the development) as appropriate. A number of conditions that were imposed on

Recommendation

That this Section 73 application **BE GRANTED** subject to the following conditions:

Condition no.	Description	Type
1	Time Limit to be within 3 years of the original consent	Control
2	Approved plans	Control
3	Bird Nesting	Control
4	Site access construction	Pre-occupation
5	Approved drainage scheme construction	Pre-occupation
6	Implementation of surface water drainage management and maintenance plan	Pre-occupation/completion of development
7	Approved foul drainage scheme construction	Pre-occupation
8	Off site highway works implementation	Pre-occupation
9	Electric vehicle charging points implementation/7kW	Pre-occupation
10	Approved material samples	Compliance
11	Approved landscaping scheme	Planting season
12	Approved Homeowner Packs	Pre-occupation
13	Approved boundary treatments	Pre-occupation
14	Approved Security measures	Pre-occupation
15	Car Park Layout	Pre-occupation
16	Car park management strategy	Pre-occupation
17	Cycle store and refuse provision	Pre-occupation
18	Unforeseen contamination	Compliance
19	Construction Hours of Work (0800-1800 Mon to Fri and 0800-1400 Sat only)	Compliance
20	Development in accordance with the Flood Risk Assessment	Compliance

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

In accordance with the above legislation, 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 made 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