

<b>Agenda Item</b>	A12
<b>Application Number</b>	23/00817/FUL
<b>Proposal</b>	Erection of a 1.5 storey side extension, rear single storey infill extension.
<b>Application site</b>	Littlebirch 71 Westbourne Drive Lancaster Lancashire LA1 5EE
<b>Applicant</b>	Mr Joseph Edmondson
<b>Agent</b>	Mr Dan Brown
<b>Case Officer</b>	Mr Mark Jackson
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Approval, subject to conditions

**(i) Procedural Matters**

This form of development would normally be dealt with via the scheme of delegation; however, the applicant is an employee of Lancaster City Council and, therefore, the application is required to be determined by the Planning Regulatory Committee.

**1.0 Application Site and Setting**

- 1.1 71 Westbourne Drive is a semi-detached bungalow located in Lancaster, within the boundaries of Marsh Ward. The site is located approximately 350 metres to the southwest of Lancaster train station. The property faces Westbourne Road to the northwest, although the driveway and gardens face Westbourne Drive to the southwest. The side garden and pedestrian access to the front door abut Westbourne Road which is set approximately 0.8 metres higher than the subject site. A stone wall measuring approximately 2 metres high (from ground level of the subject site) separates the site from the Westbourne Road; this wall curls around from Westbourne Road to Westbourne Drive.
- 1.2 The property comprises of stone walls, a tile roof and white uPVC windows throughout. The property has been extended before. The property benefits from a generous sized garden to the front and side, sited next to a long driveway that is sufficient enough to park three cars on it. There is a very small yard area to the rear of the property, which is marked by modest height boundary treatments.
- 1.3 The site is located within a in a residential area where properties vary significantly in design and appearance. The property is within Canon Hill Conservation Area and also within a defined area that is liable to surface water flooding.

## 2.0 Proposal

2.1 This application seeks consent to construct a side extension (height to match the main ridgeline of existing bungalow) and a rear single storey infill extension. The proposal seeks to use a palette of materials that are found within the wider area, including coloured render and concrete tiles to match the existing.

## 3.0 Site History

3.1 Approval was given in 2010 for the demolition of the original garage to facilitate the erection of a side/ rear extension.

## 4.0 Consultation Responses

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

Consultee	Response
Conservation Team	No comments provided in relation to the proposal.
County Highway	Concerns with regards to visibility to junction in relation to the increased height of the wall. No objections to the extensions and alterations. Three Car parking spaces should be provided within the site

4.2 Two representations have been received in connection with this proposal. The main material planning considerations can be summarised as:

- There is a mention of an area to be used for a beauty treatment business. Should this proposal include a change of use?
- Car parking in this area of Lancaster is problematic and especially on Westbourne Road, which is a private road;
- Four car parking spaces is excessive, but in likelihood the cars in practice will obstruct the private road;
- Visibility into the road is problematic;
- Is the internal living arrangement adequate.

4.3 The application seeks permission for the physical alterations to the dwelling and no change of use is proposed in this application. At this stage there is no indication that a material change of use of the residential property has occurred or is likely to occur in the future. The small area indicated for a beauty treatment business is very small and is connected to the main dwelling. At this stage, it is not therefore considered that the use of this part of the dwelling would not be an ancillary use to the C3 Use Class property to suggest a material change of use needs to be applied for and formally assessed.

All other comments raised are discussed further in the subsequent planning assessment.

## 5.0 Analysis

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

- Design, Heritage and Streetscene Impact
- Residential Amenity
- Flood Risk
- Highways

### 5.2 Design, Heritage and Streetscene Impact (NPPF paragraphs 126, 130, 134, 202 & 203 and policies DM29, DM38 & DM41 of the Development Management DPD (2020))

5.2.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed Building, Conservation Area or their setting, the local planning authority must pay special attention to the desirability of persevering or enhancing the character or appearance of the heritage asset or its setting. Policy DM38 states that any development proposals and / or alterations

to buildings, features and open spaces in Conservation Areas should preserve or enhance the character and appearance of the Conservation Areas. Specifically, they will be required to demonstrate that:

- Proposals respect the character of the surrounding built form and its wider setting, in terms of design, siting, scale, massing, height and the materials used;
- Proposals will not have an unacceptable impact on the historic street patterns / boundaries, open spaces, roofscape, skyline and setting including important views into and out of the area;
- Proposals will not result in the loss or alteration of features which contribute to the special character of the building and area; and
- Proposed uses are sympathetic and appropriate to the character of the existing building and will not result in any detrimental impact on the visual amenity and wider setting of the Conservation Area

5.2.2

Good design is expected by policy DM29 which states that new development should 'contribute positively to the identity and character of the area through good design, having regard to local distinctiveness, appropriate siting, layout, palate of materials, separation distances, orientation and scale.

5.2.3

scale.

5.2.4 Since the application was first submitted, the application has been amended, removing a dormer window and the boundary fence to the front of the dwelling.

The property is set within a street whereby the properties vary in terms of their heights scale and massing; furthermore, there is no strong building line along Westbourne Drive. The property has been altered previously, as have the immediate neighbouring properties that are similar in age and architectural style. The extensions are considered to be proportionate and sensitively sited upon the dwelling enabling them not to be considered harmful to the character and appearance of the original dwelling. Although the materials would include through coloured render, the variety of materials present in the street and the use of render locally, are considered acceptable and not harmful to the character of the wider conservation area. It is also considered that the property itself is not a characterful property that significantly defines the characteristics of the area for which the conservation area seeks to preserve and enhance.

5.2.5

In terms of the NPPF, although the proposal is not a designated heritage asset, the wider conservation area taken as a whole is. The level of harm is considered to be 'less than substantial' and in accordance with paragraph 202 of the NPPF and it is considered that, 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.'

5.2.7

While it is acknowledged that the applicant wishes to make alterations to their property, these are largely for private benefits and as such, there are no significant public benefits to the scheme that would outweigh them small visual harm that has been identified. However, although there is no public benefit, the impact is not considered to be detrimental to the heritage asset to the extent that the proposal could be considered unacceptable in this respect.

### **5.3 Residential amenity (NPPF paragraphs 126, 130 and 134 and policy DM29 of the Development Management DPD)**

5.3.1 Policy DM29 requires all new development to 'ensure there is no significant detrimental impact to amenity in relation to overshadowing, visual amenity, privacy, overlooking, massing and pollution.'

5.3.2

The proposed extensions are modest in size and either set away significantly from the common shared boundaries or represent an infill extension set under the roofscape of the existing rear extension. As such, the proposal is not considered to be significantly overbearing/ overdominant to the neighbouring

5.3.3

properties or create unacceptable loss of light or outlook.

The windows proposed would have outlooks onto high boundary treatments or out onto the front garden. They do not directly overlook any neighbour's private amenity space and are therefore considered to be acceptable in this regard.

**5.4 Flood risk** (NPPF paragraphs 159, 167 and 168 and policy DM33 of the Development Management DPD)

5.4.1 Policy DM33 states that proposals for new development in areas at risk of flooding will be required to provide suitable flood prevention measures that ensure the proposal does not increase the risk of flooding. Although the site is not in a defined Flood Risk Area, there is risk of surface water flooding.

5.4.2 As this is defined as a 'minor extension' (household extensions or non-domestic extensions less than 250sqm.), the proposal should follow the standing advice from the Environment Agency. The development has provided level thresholds, but indicates that external ramps are to be provided to ensure that the extensions are not at any greater risk of flooding than the present dwelling. Owing to the nature of the proposal, it is considered that the proposal does not give rise to any increased risk of surface water flooding and is therefore acceptable in this regard.

**5.5 Highways impacts** (NPPF Section 9: Promoting sustainable transport and Section 12: Achieving well-designed places; Development Management (DM) DPD Policies DM29: Key design principles, DM60: Enhancing Accessibility and Transport Linkages, DM61: Walking and Cycling and DM62: Vehicle Parking Provision)

5.5.1 The proposal seeks consent for extensions and alterations to the dwelling only. The Highways Authority have requested that three car parking spaces are provided within the site; these are based on the maximum parking guidance. The property can accommodate three car parking spaces and this is considered to be acceptable.

Although it has been indicated that some form of ancillary business to the main residential use may be carried out in future, the proposal does not seek to change the use of the dwelling (or part of) at this stage. The plans indicate that only a very small room may be used for a beauticians and, as such, it is unlikely that the ancillary use would generate significant traffic movements to have a detrimental impact upon on street car parking and highway safety. Should a material change of use occur, the impacts of such a change of use would be required to regularised through a formal planning application.

**6.0 Conclusion and Planning Balance**

6.1 The proposal will provide extensions and alterations to an existing dwellinghouse that are not considered to give rise to any significant adverse impacts upon the visual amenity of the street/conservation area or residential amenity of neighbouring properties. The proposal would not exacerbate flood risk in the area and, as such, is seen to comply with the relevant local and national policies. With consideration being given to all other matters, the proposal is therefore recommended for approval.

**Recommendation**

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Timescales	Standard
2	Development to accord with plans	Standard
3	Materials to match	Control
4	Details of the bin and bike store	Control

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

In accordance with Article 35 of the above Order, your decision notice contains reasons for the imposition of planning conditions (where planning conditions are imposed), and in the case of each pre-commencement condition, a justification for the pre-commencement nature of the condition(s).

Lancaster City Council has made the decision 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 decision 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