

DECISION DATE 29 June 2005	APPLICATION NO. 05/00605/FUL A 6	PLANNING COMMITTEE: 27 June 2005
DEVELOPMENT PROPOSED ERECTION OF A ROW OF 7 TERRACED HOUSES		SITE ADDRESS LAND ADJ 4 OUT MOSS LANE, MORECAMBE. LA4 5SZ.
APPLICANT: MMW Projects Ltd., 390 Marine Road East, Morecambe, LA4 5AU.		AGENT: P H Armistead

REASON FOR DELAY

Not applicable.

PARISH NOTIFICATION

Morecambe Neighbourhood Council - Observations awaited.

LAND USE ALLOCATION/DEPARTURE

Within the urban area defined in the Lancaster District Local Plan - no specific proposals affecting the site.

STATUTORY CONSULTATIONS

Engineering Services - No objections in principle; however the footpath along Out Moss Lane will need to be widened to 2 metres. Visibility splays of 2.4m x 60m will be required at the proposed access point (these issues have been referred to the applicant's agent).

Environmental Health - An assessment of the site has been carried out, but landscaping and planting raise further issues so a further assessment is needed; a suitable condition is needed to cover this and the decontamination work required. They also recommend a condition to control the hours when construction work takes place.

Environment Agency - Observations awaited.

United Utilities - No objections. If possible drainage should be by means of a separated system. Appropriate measures should be taken to protect electrical apparatus from damage during construction work.

OTHER OBSERVATIONS RECEIVED

Any representations received will be reported orally at Committee.

REPORT

This site lies between Out Moss Lane and James Street. The greater part of it was previously used for the storage of scrap metal. It already has the benefit of an outline consent for six dwellings, which was approved in 2003 (application 02/01394). However the present scheme cannot be considered as one for reserved matters, as it incorporates an additional area of surplus land which the applicants wish to acquire from the doctor's surgery immediately to the north. This provides the extra space needed to increase the total number of dwellings from six to seven.

The form of development envisaged is a terrace of two storey, three bedroom dwellings fronting James Street. This would complement the two storey Victorian houses in George Street which lie at right angles on the other side of the road, immediately to the east. The materials specified are buff coloured render for the walls, and grey coloured tiles for the roof.

Car parking would be provided to the rear. A total of ten spaces would be provided in a shared yard accessible from the rear, off Out Moss Lane. The level of parking proposed is slightly below the 150% level of provision usually considered appropriate for this form of development but the site is within credible walking distance of the centre of Morecambe, and on a major bus route.

The proposal has to be considered in relation to policy H19 of the Lancaster District Local Plan, which states that new residential development within the built up areas of Lancaster, Morecambe, Heysham and Carnforth should:

- Not result in the loss of green space or other areas of locally important open space.
- Not have a significant adverse effect on the amenities of nearby residents.
- Provide a high standard of amenity.
- Make adequate provision for the disposal of sewage and waste water, and
- Make satisfactory arrangements for access, servicing, and cycle and car parking.

It also needs to be assessed in relation to SPG16 which controls the release of land for residential development. To qualify as category A for the purposes of the policy a proposal of this nature needs to assist in the regeneration of the area, or else meet a specific local housing need.

As previously noted the bulk of the site is a former scrap yard. Although it is by its nature contaminated land it is used unofficially as a playground by local children. It is a piece of waste land adjoining predominantly nineteenth century housing, in a part of Morecambe which is not at present regarded as deprived but could easily become so in future. There is no doubt that its reclamation and development would be in the long term interests of the area. Also there is an extant outline planning permission for six houses. The additional land required for the extra house is surplus to the requirement of the medical practice which owns it and has proved difficult to maintain because of vandalism.

Taking these factors into account, Members are recommended to support the present scheme, subject to the receipt of amended plans meeting the requirements of Engineering Services. However, as the scheme is a high density one, the conditions listed below include one removing the "permitted development" rights for minor extensions.

HUMAN RIGHTS ACT IMPLICATIONS

This application has to be considered in relation to two sections of the Human Rights Act: Article 8 (privacy/family life), and Article 1 of the First Protocol (protection of property). There are no issues arising from the proposal which appear 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.

RECOMMENDATIONS

THAT PERMISSION BE GRANTED subject to conditions as follows:

1. Standard five year condition.
2. Amended plans showing widened footway along Out Moss Lane and visibility splays either side of vehicular access.
3. Development to be carried out in accordance with the approved plans.
4. Materials to be agreed.
5. Removal of permitted development rights - extensions.
6. Landscaping to be agreed and implemented.
7. Parking spaces to be provided and retained as such.
8. Decontamination survey to be carried out and agreed; all works considered necessary by it to be carried out before building work is commenced.
9. Development to take place only between 08:00 - 18:00 Mondays to Saturdays - no working on Sundays or officially recognised public holidays.
10. As required by consultees (if appropriate).

ADVICE

1. Naming/numbering of dwellings to be agreed.
2. Environment Agency requirements.