

DECISION DATE 11 July 2005	APPLICATION NO. 05/00533/OUT A11	PLANNING COMMITTEE: 27 June 2005
DEVELOPMENT PROPOSED OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT		SITE ADDRESS LAND REAR OF 18 TO 24 MONKSWELL AVENUE, BOLTON LE SANDS.
APPLICANT: Mr D. Coxon, 18 Monkswell Avenue Bolton Le Sands.		AGENT: Celt Rowlands and Co.

REASON FOR DELAY

Not applicable.

PARISH NOTIFICATION

Bolton-le-Sands Parish Council - Observations awaited.

LAND USE ALLOCATION/DEPARTURE

Inset village within the North Lancashire Green Belt.

STATUTORY CONSULTATIONS

County Council Highways - Observations awaited.

Environment Agency - A separated drainage system will be required, unless there is an established combined one serving the area.

United Utilities - No objections. A separate metered supply will be needed for each dwelling. Appropriate care will be needed when working close to electricity cables.

OTHER OBSERVATIONS RECEIVED

Seven letters have been received from neighbours, who object on the following grounds:-

- Overlooking and loss of privacy.
- Additional traffic (including construction vehicles).
- Loss of open space.
- Loss of agricultural land.
- Loss of habitat for wildlife.
- Lack of additional school spaces in the village.

Any further representations received will be reported at Committee.

REPORT

This application is one which was originally expected to be dealt with under delegated powers. It has been referred to Committee at the request of Councillor Budden, because of the level of interest from neighbours in the proposal.

The site is on the east side of the A6 road through Bolton-le-Sands, to the rear of the house known as Monkswell. Although the land is a green field site, and does not appear to have been developed in any way in the past, it is within the built up area of the village. Vehicular access is available by means of a short spur off Monkswell Avenue, which is constructed to adoptable standard. The land is for the most part level, but rises steeply at the south west corner. It is currently used to accommodate a small flock of free range chickens. The proposal is in outline form, with no indication of a layout or the number of dwellings envisaged.

The application has to be considered first of all in relation to policy H7 of the Lancaster District Local Plan, which requires that new residential development in specified villages, including Bolton-le-Sands, should:-

- Be appropriate in terms of design, density and open space standards.
- Not have an adverse effect on the character of the settlement, the surrounding landscape, or the amenities of nearby residents.
- Not result in the loss of an important open area.
- Make satisfactory arrangements for access, servicing, cycle and car parking; and
- Make adequate provision for the disposal of sewage and waste water.

It also has to be assessed under SPG16 on the release of land for residential development, which requires that while there is a three year supply of sites for new housing further proposals should only be approved where they qualify as category A under the terms of the policy. In general this means that they must:-

- Assist in the City Council's regeneration objectives.
- Secure the future of historic buildings, or
- Meet a specific local housing need.

The site is not specifically allocated for housing in the Local Plan but vehicular access is available and it is bounded by residential properties on two sides. Notwithstanding the objections received there appears to be room for a small number of dwellings on the lower lying land without giving rise to overlooking or privacy problems. However, there is no justification to support the proposal in respect of the SPG16 criteria at this moment in time. Furthermore, as the site is a Greenfield site it would not fall within category B for which more favourable consideration may be given once the present oversupply of housing land eases. In the absence of any considerations that would dictate otherwise, the proposal can only be regarded as contrary to the requirements of SPG 16.

Members are therefore recommended to refuse consent.

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 REFUSED for the following reasons:-

1. The proposal would be contrary to the provisions of SPG 16 concerning the phasing of land for residential development. Approving additional residential development would add to the supply of housing land available for development in the Lancaster District at a time when its strategic housing targets are already more than adequately catered for by existing planning permissions. This would add to the over supply of housing in the District which would prejudice the need to regenerate declining urban areas of the region and conflict with policies 12 and 13 of the deposited Joint Lancashire Structure Plan 2001-2016 and the urban renaissance policies of Regional Planning Guidance.

