

<b>DECISION DATE</b> 14 July 2005	<b>APPLICATION NO.</b> 05/00670/FUL A18	<b>PLANNING COMMITTEE:</b> 27 June 2005
<b>DEVELOPMENT PROPOSED</b>  REMOVAL OF EXISTING BUNGALOW AND ERECTION OF NEW TWO STOREY HOUSE WITH FIRST FLOOR ACCOMMODATION LOCATED IN ROOF SPACE		<b>SITE ADDRESS</b>  THISTLEDENE, FIVE ASHES LANE, LANCASTER. LA2 0PG.
<b>APPLICANT:</b>  Colin Colbourne, 7 Lostock Road, Croston, Preston. PR26 9HT.		<b>AGENT:</b>  Ben Cunliffe.

#### REASON FOR DELAY

None.

#### PARISH NOTIFICATION

Not received to date.

#### LAND USE ALLOCATION/DEPARTURE

The property lies within a zone designated as a Countryside Area within the Lancaster District Local Plan.

#### STATUTORY CONSULTATIONS

**Engineering Services** - No objections in principle. A separate sewerage system will need to be provided by the applicant.

**Environment Agency** - No objections subject to the provision of a scheme for the disposal of foul and surface waters.

**United Utilities** - No objections in principle. Advice is provided regarding overhead electricity lines and underground services.

**County Highways** - No comments received to date.

#### OTHER OBSERVATIONS RECEIVED

None received to date.

## **REPORT**

The site that is the subject of this application is located on the southern periphery of Lancaster, adjacent to Oubeck Bridge, which provides a vehicle crossing above the West Coast Mainline. Five Ashes Farm lies approximately 100 metres due west and the neighbouring detached property known as The Seasons lies immediately to the east.

This application seeks consent to demolish an antiquated yet traditional bungalow and external garage and replace it with a larger dormer bungalow with an integral garage. It should be pointed out that a similar application was approved at The Seasons (Planning Reference 98/00749/FUL) and that as a consequence, this neighbouring property is akin to the proposal now before Members.

The replacement dwelling will measure approximately 12.4m by 15m and will rise to a height of 6.35 metres at the ridgeline. The property will be set further back into the site to facilitate a vehicular turning head in the front garden. A distance of approximately 5.5m will still be maintained between the rear elevation wall and the rear curtilage boundary.

Internally the property will offer a lounge, kitchen/diner, utility, WC and study on the ground floor, and 3 bedrooms above, one of which is en-suite. A further bathroom will complete the accommodation

The building materials include local stone and render, and a traditional slate roof. Oak-stained redwood is the preferred material for the windows and doors. The dwelling is constructed using two asymmetrical roof structures which link neatly to create a standard sized rural property. The large areas of glazing on the south and western elevations are designed to aid solar retention. The architect's supporting letter has indicated that this proposal is sustainably designed and will not have to rely upon mains heating.

The garage has been deliberately located on the eastern side of the site, so as to avoid the need for habitable room windows on the neighbouring boundary. Whilst the existing garage provides off-road parking, there is presently no turning area, and this proposed arrangement remedies this problem.

In conclusion, although this rebuilt property would substantially increase the floor area of the existing bungalow, it would have a lesser footprint than the neighbouring dwelling. The applicant has adopted the comments made by your Officers during pre-application discussions, and the resulting property is one that will be acceptable in the landscape and will have no adverse impact upon the neighbour. Furthermore, there are visual, sustainability and highway benefits associated with the scheme.

It is however prudent to remove the permitted development rights of the property, given the distance between the rear elevation and the curtilage boundary. It is also considered necessary to remove development rights for the future insertion of windows and doors, to prevent any overlooking of the residential neighbour.

It is on this basis that your Officers recommend that the application can be supported.

## **HUMAN RIGHTS ACT**

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to the principles of proportionality, it has been concluded that there are no issues arising from the proposal that 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 PLANNING PERMISSION BE GRANTED** subject to the following conditions: -

1. Development as per approved plans.
2. Samples of stone and slate to be submitted and agreed.
3. Colour of render to be to agreed.
4. Details of windows and doors to be submitted and agreed.
5. Details of surface to turning head and driveway to be submitted and agreed.
6. Separate sewerage system (details of foul and surface waters to be agreed).
7. Use of garage to be restricted to motor vehicle accommodation only.
8. Removal of Permitted Development rights (extensions).
9. Removal of Permitted Development rights (windows and doors).