

Agenda Item A8	Committee Date 6 January 2014	Application Number 13/00952/FUL
Application Site 1 Bank Close Galgate Lancaster Lancashire		Proposal Erection of a conservatory to the side
Name of Applicant Mrs Amanda Fraser-Gray		Name of Agent Mr Philip Lea
Decision Target Date 2 December 2013		Reason For Delay Committee Cycle
Case Officer		Mr Daniel Ratcliffe
Departure		No
Summary of Recommendation		Approval

(i) Procedural Matters

The proposed development would normally fall within the scheme of delegation. However, the applicant is related to an employee of Lancaster City Council and as such the proposal must be determined by the Planning Committee.

1.0 The Site and its Surroundings

- 1.1 The site which forms the subject of this application is a detached bungalow situated on the east side of Bank Close, a residential cul de sac at the western edge of Galgate. Opposite the property on the west side of Bank Close sits the Lancaster Canal, a grassed and planted area of this land is also owned by the applicant. The property itself has buff coloured brick walls with grey concrete tiled roof and white upvc windows and doors. Properties in the immediate and wider surrounding area are of similar style and design.
- 1.2 The application site is located in an area undesignated under the Lancaster District Local Plan.

2.0 The Proposal

- 2.1 The application proposes the erection of a conservatory to the north side elevation of the property. The conservatory is proposed to be a white upvc frame mounted on dwarf walls finished to match the buff brick of the property. The conservatory will be a hipped roof design and is to project approximately 3.7 metres to the side of the property and 5.3 metres in length, 1.9 metres of which will project beyond the front elevation.

3.0 Site History

- 3.1 There is no planning history associated with this property.

4.0 Consultation Responses

- 4.1 The following responses have been received from statutory consultees:

Statutory Consultee	Response
Environmental Health	No objections. Advise regarding 'Radon Affected Area'.
Canal & River Trust	No objections.
Parish Council	No objections.

5.0 Neighbour Representations

5.1 At the time of compiling this report no representations have been received.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework

The National Planning Policy Framework (NPPF) indicates that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 7 states that there are three dimensions to sustainable development: economic, social and environmental; and that these roles are mutually dependent and should be sought simultaneously through the planning system.

At the heart of the NPPF is a ***presumption in favour of sustainable development***. The following paragraphs of the NPPF are relevant to the determination of this proposal:

Paragraph **14** states that there is a presumption in favour of sustainable development. Development proposals which accord with the development plan should be approved without delay.

Paragraph **17** details the 12 Core Planning Principles which should underpin decision-taking. The principles include being genuinely plan-led, seeking to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Section **7** (Requiring Good Design) – Paragraph **56** states that the design of the built environment is of great importance and that good design is a key aspect of sustainable development. This is expanded on in paragraph **58** which requires development to respond to local character and to be visually attractive.

6.2 Development Plan Weighting

Paragraph 215 of the NPPF advises “*due weight should be given to relevant policies in existing (Development) Plans according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)*”. In the Lancaster District, the Development Plan consists of the Lancaster District Core Strategy and the Saved Policies of the Lancaster District Local Plan. Relevant policies of each document are referred to over the following pages.

6.3 Lancaster District Core Strategy (adopted July 2008)

Policy **SC5** (Achieving Quality in Design) seeks to ensure that new development contributes to the positive characteristics of its surroundings and the quality of life of the District, by improving the quality of development and promoting good urban design. This policy supports national agendas for raising the profile of good design in spatial planning.

6.4 Lancaster District Local Plan – saved policies (adopted April 2004)

In accordance with paragraph 215 of the NPPF, the following saved policies are considered consistent with the Framework and are therefore relevant to the determination of the application:

Policy **H7** (Housing in Villages) is partly relevant as it relates to residential development within villages within which small-scale housing development will be permitted provided it is appropriate in

terms of design and density and does not adversely affect the character of the area or residential amenity.

Policy **H12** (Layout Design and the Use of Materials) states that proposals for new housing development will only be permitted which exhibit a high standard of design, layout and landscaping which use materials and features which are appropriate to and retain the distinctive local identity of their surroundings.

Policy **H19** (Development on Small Sites in Lancaster, Morecambe, Heysham and Carnforth) sets out that new residential development will only be permitted which would not result in the loss of important open space, would not have a significant adverse affect on the amenities of nearby residents, provides a high standard of amenity and makes satisfactory arrangements for access and car parking.

6.5 Supplementary Planning Guidance Note 12: Residential Design Code

Supplementary Planning Guidance Note 12 (The Residential Design Code) sets out key design principles for all new residential development, such as separation standards, privacy considerations, amenity space and consideration of local distinctiveness.

6.6 Emerging Local Plan Policies (draft Development Management DPD - Autumn/Winter 2012)

The Council is in the early stages of preparation of an emerging Local Plan and has now completed the first Preferred Options consultation on the Development Management DPD. Whilst in the early stages of the plan process, policies in the emerging Local Plan are a material consideration. However, the degree of weight that can be afforded to these policies varies depending on stage of preparation of the emerging plan, the extent to which there are unresolved objections to relevant policies and the degree of consistency with the Framework (paragraph 216 of the NPPF). Limited weight can therefore be afforded to the following draft policy that received no significant objections and is relevant to this application.

DM35 Key Design Principles - New development will be required to deliver a high quality of design which makes a positive contribution to its locality and creates a positive sense of place, creating or enforcing local distinctiveness, a high level of energy efficiency, and has no detrimental impact to the residential amenity of neighbouring properties.

7.0 Comment and Analysis

7.1 The main issues for consideration are:

- Design and Scale; and
- Residential Amenity.

7.2 Design and Scale

The conservatory is proposed to the north side elevation of the bungalow. Due to the angled boundary of the site between the application property and no.7 Leachfield Road the conservatory is shown to be set forward of the front elevation to maximise the space within the site, around the existing property as well as views toward the canal. In many situations a conservatory such as this with a forward projection may quite reasonably be resisted due to the potential impact on street scene or even the host property itself. However, given the character and setting of this particular street, it being adjacent to the Lancaster Canal and with no other neighbouring properties opposite, it is considered that the proposed development is of no significant detriment to the character and appearance of the property and the locality in general. The conservatory will be constructed and finished in materials to match those of the existing property and in this regard there are no concerns.

7.3 Residential Amenity

It is considered that the proposed conservatory will not have any significant impact on neighbouring amenity. The only property at any particular risk is that of no.7 Leachfield Road, however, there is a 1.8-2.0 metre high timber fence along this shared boundary which will serve to screen the large majority of views of the proposal other than those of the roof of the building. The conservatory will not overlook any other neighbouring properties and once again there is to be no loss of privacy for neighbouring occupants.

There have been no neighbour comments or objections to the proposal.

8.0 Planning Obligations

8.1 There are no planning obligations to consider as part of this application.

9.0 Conclusions

9.1 The proposal is of an appropriate scale and design and will not be detrimental to the amenities of the occupants of neighbouring dwellings. As such the application is recommended for approval.

Recommendation

That Planning Permission **BE GRANTED** subject to the following conditions:

1. Standard 3 year timescale
2. Development to be carried out in accordance to approved plans

Human Rights Act

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this report, the issues arising do not appear to be of such magnitude 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.

Background Papers

None