

Agenda Item	Committee Date	Application Number
A9	24 July 2017	17/00681/FUL
Application Site 12 Knowlys Drive Heysham Morecambe Lancashire	Proposal Partially retrospective application for the erection of a single storey side and rear extension	
Name of Applicant Mr Tyrone Lewis	Name of Agent N/A	
Decision Target Date 1 August 2017	Reason For Delay N/A	
Case Officer	Mr Robert Clarke	
Departure	No	
Summary of Recommendation	Approval	

(i) Procedural Matters

This form of development would normally be dealt with under the Scheme of Delegation. However, as the applicant is related to an employee of Lancaster City Council the application must be determined by the Planning and Highways Regulatory Committee.

1.0 The Site and its Surroundings

- 1.1 The property which forms the subject of this application relates to a two storey semi-detached dwellinghouse located on the eastern side of Knowlys Drive in Heysham. The property features a pebble dashed exterior with coursed stone to the front elevation underneath a terracotta tile roof and benefits from dormer extensions to the side and rear elevations. The property benefits from being located at the end of Knowlys Drive cul-de-sac, as such the rear garden extends round to the side of the dwellinghouse and measures approximately 260m². A number of mature trees within the application site (some of which are subject of a Tree Preservation Order) form a buffer between the garden space and Knowlys Road.
- 1.2 Knowlys Drive is characterised by two storey semi-detached dwellinghouses of a similar appearance and age. The road drops in elevation in a westerly direction towards Morecambe Bay and Heysham Head, creating some difference in land levels between the application site and its neighbours.
- 1.3 The site is unallocated in the Lancaster District Local Plan.

2.0 The Proposal

- 2.1 This application seeks consent for the erection of a single storey rear and side extension. The rear extension will feature a maximum depth of 2.1m measured from the original rear elevation, whilst it will feature a width of 13m including the projection beyond the side elevation of the dwelling. The proposed side extension will feature a depth of 5.95m and a width of 6.9m measured from the side elevation of the dwelling. The rear extension will feature a lean-to roof with a maximum height of 3.9m whilst the side extension will feature a hipped roof with a ridge height of 4.4m. The front elevation of the side extension will be finished with matching coursed stone whilst the remaining

elevations will be finished with matching pebble dash. The roofs will feature matching terracotta plain tiles and matching white upvc windows and doors will be installed throughout.

3.0 Site History

3.1 The following previous application has been received by the local planning authority.

Application Number	Proposal	Decision
17/00242/FUL	Erection of a single storey side and rear extension	Withdrawn

4.0 Consultation Responses

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

Consultee	Response
Parish Council	No response during the statutory consultation period
Tree Protection Officer	No objection – subject to conditions
County Highways	No objection – subject to conditions

5.0 Neighbour Representations

5.1 No responses during the statutory consultation period

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraph 17 – 12 Core Principles
Paragraphs 67 and 68 – Requiring Good Design

6.2 **Local Planning Policy Overview – Current Position**

At the 14 December 2016 meeting of its Full Council, the local authority resolved to undertake public consultation on:

- (i) The Strategic Policies and Land Allocations Development Plan Document (DPD); and,
- (ii) A Review of the Development Management DPD.

This enabled progress to be made on the preparation of a Local Plan for the Lancaster District. Public consultation took place from 27 January 2017 to 24 March 2017. Whilst the consultation responses are currently being fully considered, the local authority remains in a position to make swift progress in moving towards the latter stages of: reviewing the draft documents to take account of consultation outcomes, formal publication and submission to Government, and, then independent Examination of the Local Plan. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in 2018.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual ‘saved’ land allocation policies from the 2004 District Local Plan. Following the Council resolution in December 2016, it is considered that the Strategic Policies and Land Allocations DPD is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan’s preparation progresses through the stages described above.

The **Review of the Development Management DPD** updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making. Where any policies in the draft ‘Review’ document are different from those adopted in 2014, and those policies materially affect the consideration of the planning application, then these will be taken into account during decision-

making, although again with limited weight. The weight attributed to the revised policies in the 'Review' will increase as the plan's preparation progresses through the stages described above.

6.3 Development Management DPD

DM22 – Vehicle Parking Provision

DM29 – Protection of Trees, Hedgerows & Woodland

DM35 – Key Design Principles

6.4 Lancaster District Core Strategy

SC1 - Sustainable Development

SC5 - Achieving Quality in Design

7.0 Comment and Analysis

7.1 The key considerations arising from the proposal are:

- General design;
- Impacts upon residential amenity;
- Impact upon protected trees; and
- Vehicle parking provision

7.2 General Design

7.2.1 The proposed development has been designed to reflect the character of the existing dwelling, particularly in terms of the material palette. Whilst the proposed extension will change the appearance of the rear and side elevations and is of a relatively large scale, only the side extension will be seen from within the street scene. The use of a hipped roof arrangement to this aspect of the development ensures the development appears subservient whilst the 5.4m set back from the front elevation will reduce its presence within the street scene, which is further reduced due to the location of the application site at the end of a cul-de-sac. It is concluded therefore that the proposed development is of an acceptable design and scale.

7.3 Impacts upon residential amenity

7.3.1 Due to the location of the application site at the end of a cul-de-sac the proposed side extension does not impact upon any neighbouring dwellings to the south. To the east, the properties and garden spaces to the rear of the development site on Knowlys Avenue are elevated, whilst the eastern boundary is formed by a substantial privet hedge. As such the impacts of the proposed development upon these properties will be minimal. The proposed rear extension features a depth of 2.1m, but it does not extend over the 45 degree line for the rear elevation windows of the neighbouring properties, and acceptable levels of daylight will be retained. A 1.8m boundary wall and fence to this northern boundary will ensure acceptable privacy levels are retained.

7.4 Impact upon protected trees

7.4.1 A previous application – 17/00242/FUL – was received by the local planning authority in March this year. After conducting a site visit in association with this application it became apparent that building works had already commenced on site without the benefit of planning permission with a retaining wall being constructed, foundations being laid and external walls being erected. At closer inspection by the Tree Protection Officer it was evident that serious damage had been caused to the root system of the lawfully protected trees. Roots ranging from the smallest fibrous roots up to large woody roots exceeding 10cm in diameter had been severed. It is considered that the extent of the damage has serious implications for the future health, vitality, stability and long term sustainability for the most affected trees. This application was subsequently withdrawn to allow for a full Arboricultural Implication Assessment (AIA) to be carried out in relation to the development.

7.4.2 The damage to the protected trees is being pursued by the Tree Protection Officer as a separate matter to the current planning application, which is ongoing. Both T5 and T6 mature sycamore trees identified in the submitted AIA are to be removed from site due to their poor health. In order to mitigate their loss, a replacement planting scheme will be recommended as a condition. It is intended

to retain a number of the existing trees at least in the short term, but if it becomes apparent that these trees are deteriorating due to the aforementioned damage it may result in their removal. Any further action in this regard would be undertaken as a separate matter to the current planning application. A condition requiring the development to continue in accordance with the AIA – in terms of on-site tree protection and construction methodologies – is recommended so as to minimise potential further impacts upon these trees.

7.5 Vehicle parking provision

The proposed development includes the construction of a garage with sufficient space to park one vehicle whilst the existing drive provides one further parking space. The on-site parking provision is considered acceptable for a dwelling of this size and is in line with other neighbouring dwellings. A condition requiring a scheme for the construction of the site's means of access was requested by County Highways. Given that the existing access arrangement will remain unchanged this condition is considered unnecessary.

8.0 Planning Obligations

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

9.0 Conclusions

9.1 The side and rear extension is acceptable in terms of scale and design. It serves to respect the character of the street scene and dwelling and ensures adequate levels of residential amenity are retained. The damage to the protected trees is unfortunate, but action has been taken as a separate matter to this application and mitigation measures, including replacement planting, will be enforced. Ongoing monitoring of the health and stability of these trees will be undertaken and any further action deemed necessary will be pursued as a separate matter.

Recommendation

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

1. Standard three year timescale
2. Development in accordance with plans
3. Garage use restriction
4. Submission of a scheme indicating new planting
5. Development in accordance with AIA

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

In accordance with the above legislation, Lancaster City Council has made the recommendation 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 recommendation has been made 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