

Agenda Item A9	Committee Date 10 December 2018	Application Number 18/01412/FUL
Application Site 65 Lymm Avenue Lancaster Lancashire LA1 5HR	Proposal Demolition of existing rear conservatory and erection of a part two part single storey side extension and single storey rear extension	
Name of Applicant Mr and Mrs D Clifton	Name of Agent Building Plan Services	
Decision Target Date 28 December 2018	Reason For Delay N/A	
Case Officer	Mr Sam Robinson	
Departure	No	
Summary of Recommendation	Refusal	

(i) Procedural Matters

This form of development would normally be dealt with under the Scheme of Delegation. However, as the applicant is a member of staff that works for Lancaster City Council the application must be determined by the Planning and Highways Regulatory Committee.

1.0 The Site and its Surroundings

- 1.1 65 Lymm Avenue is a semi-detached corner plotted property sited on the corner of Lymm Avenue and Burton Avenue located in the Scale Hall area of Lancaster. The property comprises rendered and artstone walls with white uPVC windows throughout underneath a grey tiled hipped roof. The site has garden space to the front, side and rear with a detached garage close to the south eastern boundary. To the front and side is a small stone boundary wall which measures approximately 1m in height with further shrubs planted behind.
- 1.2 The surrounding area is residential in nature with the immediate streets and properties built to a grid like layout resulting in a number of strong building lines in the area. Pedestrian access to the property is from Lymm Avenue while vehicular access is from Burton Avenue.

2.0 The Proposal

- 2.1 The proposal is for the erection of a two storey side and single storey rear extension wraparound extension.
- 2.2 The side extension will measure approximately 7.75m in length, 4.5m in width with a matching eaves height of 5.55m (raising to 5.9m due to the sloping land) underneath a hipped roof with a maximum height of 7.75m. The rear extension will measure approximately 3.6m in depth and 9.16m in width underneath a flat roof with an eaves height of 3.2m (again raising to 3.4m due to the land levels), this extension also features a single rooflight. The proposed extensions are to be finished in rendered walls with white uPVC windows and a grey tiled hipped roof. No details have been provided with regards the materials for the flat roof element.

2.3 No alterations to the site access or to the existing landscaping have been proposed as part of this application.

3.0 Site History

3.1 The site has no relevant planning history.

4.0 Consultation Responses

4.1 No statutory and non-statutory consultees were required to be consulted as part of this application:

5.0 Neighbour Representations

5.1 No correspondence from neighbours or other third parties has been received.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework

Paragraphs 7 to 10 – Achieving Sustainable Development

Paragraphs 124 to 132 – Achieving Well-Designed Places

6.2 Local Planning Policy Overview – Current Position

At the 20 December 2017 meeting of its Full Council, the local authority resolved to publish the following 2 Development Plan Documents (DPD) for submission to the Planning Inspectorate:

- (i) The Strategic Policies and Land Allocations 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. The DPDs were submitted to the Planning Inspectorate on 15 May 2018 for independent Examination, which is scheduled to commence in spring 2019. If the Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council later in 2019.

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 2017, 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 Lancaster Core Strategy Policies

SC1 – Sustainable Development

SC5 – Achieving Quality in Design

6.4 Development Management DPD Policies

DM35 – Key Design Principles

7.0 Comment and Analysis

7.1 The key considerations in the assessment of this application are:

- General design
- Impacts on residential amenity

7.2 General Design

7.2.1 In terms of design, the DPD Policy DM35 states that new development should contribute positively to the identity and character of the area through good design and appropriate scale. It is therefore essential that any proposed development integrates with its setting and be closely related in terms of scale, massing, proportions and in the use of materials. This is supported by Section 12 (Achieving Well Designed Places) of the NPPF.

7.2.2 As previously stated, the property occupies a corner plot in what is considered a prominent location within the street scene and the properties in the immediate area adhere to a grid like appearance with strong building lines in place along both Lymm Avenue and Burton Avenue. The proposed extension will extend beyond this well-established building line and will be within 2m of the side boundary. As a result the proposed scheme is seen to result in a dwelling that is poorly integrated into its setting and is therefore considered to be injurious to the visual amenity of the wider street scene.

7.2.3 When considering that the existing dwelling measures approximately 5m in width and that the proposed extension measures 4.5m, the dwelling is almost doubling in width. Whilst it is appreciated that the proposed ridge is some 0.15m lower than the main dwelling in order to create some form of subservience it is considered that the excessive width would significantly unbalance the pair of semi-detached properties.

7.2.4 These issues were raised with both the applicant and agent and it was stated that this scheme was unlikely to be supported. No amendments were received, but the agent did request that the Officer's opinion was reviewed by Planning Committee. Please note that the Procedural Note above advises why the application is being reported to the Committee. The applicant has advised that the need for additional living accommodation relates to their provision of care for elderly relatives and a potential venture into foster care. However, these circumstances do not outweigh the significant visual harm that the proposal would cause.

7.3 Impacts on Residential Amenity

7.3.1 No detrimental impacts upon residential amenity are associated with the side extension due to the separation distances between the proposal and the neighbouring properties and while the single storey will break the 45 degree rule with a ground floor window on the rear elevation of 63 Lymm Avenue, a similar impact already exists due to the existing conservatory. Considering this and the similar depth and height of the proposal, it is thought that the extension will not exacerbate any current light issues.

8.0 Planning Obligations

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

9.0 Conclusions

9.1 While Officers appreciate the applicant's circumstances and need for additional living accommodation to provide care for elderly relatives and potential venture into foster care, it is considered that these circumstances do not outweigh the significant visual harm that the proposal would entail. For the reasons outlined above, it is considered that the proposal is contrary to policy DM35 of the Development Management DPD, in addition to Section 12 of the NPPF and as such is recommended for refusal.

Recommendation

That Planning Permission **BE REFUSED** for the following reason:

1. The proposed two storey side extension would be inappropriately located beyond the established building line along Burton Avenue in a highly visible location and as a consequence the development would have a detrimental impact upon the visual amenity of the street scene. Furthermore the excessive width of the proposed two storey side extension would significantly unbalance the pair of semi-detached properties leading to an incongruous dwelling when viewed from the wider area. As such it is considered that the proposed development is contrary to Policy DM35 of the Development Management DPD and Section 12 of the National Planning Policy Framework (NPPF)

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

In accordance with the above legislation, the City Council can confirm the following:

Lancaster City Council takes a positive and proactive approach to development proposals, in the interests of delivering sustainable development. As part of this approach the Council has provided access, via its website, to detailed standing advice for householder development in the Lancaster District (the Householder Design Guide), in an attempt to positively influence development proposals. Regrettably the proposal fails to adhere to this document, or the policies of the Development Plan, for the reasons prescribed in the Notice. The applicant is encouraged to consult the Householder Design Guide prior to the submission of any future planning application.

Background Papers

None