

<b>Agenda Item</b> A13	<b>Committee Date</b> 10 December 2018	<b>Application Number</b> 18/01229/FUL
<b>Application Site</b> 9 Beech Avenue Galgate Lancaster Lancashire	<b>Proposal</b> Change of use of a shop (A1) to dwelling (C3), erection of single storey extensions to the side and rear, construction of a ramp to the front, installation of replacement window and replacement of a door with a window	
<b>Name of Applicant</b> Mr A Whittaker	<b>Name of Agent</b> Mr Andrew Kirk	
<b>Decision Target Date</b> 27 November 2018	<b>Reason For Delay</b> Committee Cycle	
<b>Case Officer</b>	Mrs Kim Ireland	
<b>Departure</b>	No	
<b>Summary of Recommendation</b>	Approval	

**(i) Procedural Matters**

This form of development would normally be dealt with under the Scheme of Delegation. However, the application site is owned by Lancaster City Council, and as such 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 property, which is located on Beech Avenue in Galgate. The north of Beech Avenue is characterised with residential properties and to the south of Beech Avenue is an open space with playgrounds located within. Beech Avenue mainly consists of semi-detached and terrace residential properties.
- 1.2 The site falls within the Countryside Area as designated on the Lancaster District Local Plan proposals map.

**2.0 The Proposal**

- 2.1 The application proposes the change of use of a shop (A1) to dwelling (C3), erection of single storey extensions to the side and rear, construction of a ramp to the front, installation of replacement window and replacement of a door with a window.
- 2.2 The proposal is seeking to change the use of the ground floor shop into a 2-bed dwelling. The footprint of the property measures approximately 102.5 sq.m. The property sits on an overall plot of 355 sq.m, with private amenity to the north and west of the property and off street parking to the south of the property. Internally the proposed dwelling will provide an entrance hall, living room, kitchen/dining room, bathroom, utility room and two bedrooms. Externally there is a garden area proposed with a small patio area to the north and west of the property, with two off-street parking spaces proposed to the south of the property that is to be solely used by the proposed ground floor dwelling. There is an existing hedge boundary located to the west and south west of the property that is to be marginally reduced, but will mainly remain in situ to provide screening to the dwelling

and private amenity areas. This will be in keeping with all of the corner properties located along Beech Avenue.

- 2.3 The proposed single storey extension to the side will project from the eastern elevation by 4.3m with a width of 7.2m and a lean-to roof 3.5m above ground level. The proposed single storey extension to the rear will project from the southern elevation by 3.3m with a width of 8.8m and a lean-to roof 3.5m above ground level. The materials that are to be used on the proposed single storey extensions to the side and rear are render to the walls, with a standing seam effect roof and upvc windows and doors.
- 2.4 The proposed ramp will project from the north elevation by 4.3m with a width of 4.2m and will project from the western elevation by 4.3m with a width of 3.6m. The ramp will be constructed 0.2m above ground level and the handrail is 1.1m above ground level.
- 2.5 The proposed installation of a replacement window and a replacement door with a window will be to the southern elevation and they will be made up of upvc.

### **3.0 Site History**

- 3.1 There are three planning applications which relate to the change of use of the property, which are listed below:

Application Number	Proposal	Decision
07/00083/CU	Change of use from tanning studio to office/shop	Permitted
05/00843/CU	Change of use from a ground floor lock up shop to a coin operated launderette	Refused
03/01075/CU	Change of use of vacant butchers shop to tanning studio	Permitted

### **4.0 Consultation Responses**

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

Consultee	Response
Ellel Parish Council	No comments received during the statutory consultation period.
County Highways	No objections
Fire Safety Officer	No comments received during the statutory consultation period.
Property Services	No comments received during the statutory consultation period.

### **5.0 Neighbour Representations**

- 5.1 No correspondence has been received at the time of compiling this report. Any comments subsequently received will be reported verbally.

### **6.0 Principal National and Development Plan Policies**

- 6.1 National Planning Policy Framework (NPPF)

Paragraph 11 – Presumption in Favour of Sustainable Development

Paragraphs 59, 60 and 61 – Delivering a wide choice of high quality homes

Paragraphs 124 and 127 – Requiring Good Design

- 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 Development Management DPD

**DM35** – Key Design Principles

**DM41** – New residential development

**DM42** – Managing Rural Housing Growth

**DM44** – Residential Conversions

**Appendix B** – Car Parking Standards

**Appendix E** – Flat Conversions

## 7.0 Comment and Analysis

### 7.1 The key considerations arising from the proposal are:

- Principal of housing in this location;
- Standard of Housing
- General design;
- Impacts upon residential amenity; and
- Highway impacts

### 7.2 Principal of Housing in this Location

7.2.1 The application proposes to convert the ground floor of the property from a shop to a two bedroom dwelling. The site is located within the village of Galgate, which is a village identified as suitable for residential development in Policy DM42 of the DM DPD. Therefore it is within a sustainable location that the provision of new residential accommodation is encouraged and consequently the principal is acceptable.

### 7.3 Standard of Housing

7.3.1 All new dwellings must have an appropriate level of outlook, privacy and be free from overlooking or overshadowing. Appendix E is specific to the standards required for flat conversions. This includes space requirements and provision of facilities within each room. The creation of the two bedroom dwelling at 9 Beech Avenue has to meet these requirements.

7.3.2 The plans clearly show that all of the rooms are of an appropriate size and provide for all the facilities required. The outlook from the primary living spaces meets standards. The external amenity space is ample for the two bedroom dwelling, with allocated off-street parking spaces and a garden area provided within. Overall the conversion of the ground floor of 9 Beech Avenue has demonstrated that it meets the requirements of Appendix E providing an appropriate standard of accommodation.

## 7.4 General Design

- 7.4.1 The proposed development has been designed to reflect that of the existing dwelling, particularly in terms of the material palette and therefore the proposed appearance is considered complement the character of the surrounding properties along Beech Avenue. Whilst the proposed works will change the appearance of the property, the dwelling is well screened by the existing boundary hedge that is mostly to remain in situ and therefore will not result in any adverse visual impact when viewed from within the street scene.

## 7.5 Impacts upon Residential Amenity

- 7.5.1 The proposed single storey extension to the rear will have two windows located to the northern elevation. These will look towards the neighbouring property of 2 Elm Avenue. However, the proposed extension will be set 11.8m away from the neighbouring property of 2 Elm Avenue with an intervening 2m high boundary. Therefore the proposed works are thought to have no impact upon the residential amenity.
- 7.5.2 The proposed single storey extension to the side will have two windows located to the western elevation. This will look towards the neighbouring property of 10 Beech Avenue. However, the proposed extension will be set 35m away from the neighbouring property of 10 Beech Avenue with an intervening 2m high boundary hedge. Therefore the proposed works are thought to have no impact upon the residential amenity.

## 7.6 Highway Impacts

- 7.6.1 There are two existing off-street parking spaces that are accessed from Beech Avenue. These are to remain in situ and will be shared by the proposal and the upper floor flat. Appendix B of the Development Management DPD sets out parking requirements. Two 2-bed dwellings should provide a minimum of 4 car parking spaces. However, County Highways has raised no objections to the scheme, advising that private parking and access arrangements from Beech Avenue are unaffected. Consequently in this case the insufficient off street parking can be accepted without any adverse impact on highway safety or the operation of the local highways network.

## **8.0 Planning Obligations**

- 8.1 Given the nature of the proposal there are no requirements for a legal obligation.

## **9.0 Conclusions**

- 9.1 The change of use of a shop (A1) to dwelling (C3), erection of single storey extensions to the side and rear, construction of a ramp to the front, installation of replacement window and replacement of a door with a window is within a sustainable location where the provision of new residential accommodation is encouraged.
- 9.2 The proposed conversion of the ground floor into a 2-bed dwelling has demonstrated that the plans meet the requirements of Appendix E providing an appropriate standard of accommodation and an appropriate level of outlook, privacy and free of overlooking and overshadowing.
- 9.3 The proposed development has been designed and is to use materials that are keeping with the character of the surrounding area. The proposed works are not thought to have an adverse visual impact when viewed from within the street scene, mainly due to the dwelling being well screened by the existing boundary hedge that is mostly to remain in situ.
- 9.4 The proposed works are thought to have no impact upon the residential amenities of the two nearest residential properties of 2 Elm Avenue and 10 Beech Avenue. This is due to the high boundary treatments along the northern and western boundaries and the distance that the proposed extensions are set away from the neighbouring properties.
- 9.5 There are two existing off-street parking spaces that are accessed from Beech Avenue, that are to remain in situ and will be utilised by the existing and proposed flats. This does not comply with the parking requirements that are set out within Appendix B of the Development Management DPD.

However in this case the proposed off-street parking is considered acceptable, as it is not thought to have an adverse impact upon highway safety or the operation of the local highways network.

### **Recommendation**

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

1. Standard 3 year timescale
2. Development to accord to approved plans

### **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 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 taken 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