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| Agenda Item A6 | Committee Date 1 st April 2019 | Application Number 19/00168/REM |
| Application Site Woodside Ashton Road Ashton With Stodday Lancaster | | Proposal Reserved matters application for the erection of 1 residential dwelling |
| Name of Applicant Mr Michael Blackwell | | Name of Agent Michael Harrison |
| Decision Target Date 11 April 2019 | | Reason For Delay None |
| Case Officer | | Mr Andrew Clement |
| Departure | | None |
| Summary of Recommendation | | Refusal |

(i) Procedural Matters

The proposed development would normally fall within the scheme of delegation. However, Councillor Susan Charles has requested that the application be referred to the Planning Committee for a decision on the grounds of the Council's approach to design.

1.0 The Site and its Surroundings

- 1.1 The site that forms the subject of this application relates to land to the west of Woodside bungalow, located on a private access road to the west of Ashton Road, in small dispersed hamlet of Ashton With Stodday. Within the vicinity of the application site is Ashton Golf Centre, Lancaster Golf Club and Ashton Hall Garden Centre. Outside of the application site, but within the applicant's ownership and sharing an access to the proposed development, is the existing residential dwellinghouse of Woodside, and a domestic outbuilding permitted retrospectively through 07/00564/FUL, which carries an advertisement for Alltite Metal Roofing Systems.
- 1.2 The site is located 1.5 miles west of Lancaster University, 1.7 miles north west of the nearest sustainable settlement of Galgate, and 3 miles south of Lancaster City Centre. The application site land has been used as domestic curtilage in association with Woodside since 1990, and was granted an existing certificate of lawful use over 10 years of use through 08/00510/ELDC. The site contains a large number of trees, all of which are protected by Tree Protection Orders. The site is located within the designated Rural Countryside Area.

2.0 The Proposal

- 2.1 The application seeks reserved matters for the erection of a two storey detached dwellinghouse in terms of appearance, landscaping, layout and scale. The proposed dwellinghouse measures 12.7 metres long parallel to the access road, by a maximum of 8.8 metres wide, under a gable ended roof with a maximum ridge height of 7.59 metres and eaves measuring 5.4 metres tall. The development is to be finished in smooth white render to the ground floor with larch boarding above under black concrete roof tiles, with anthracite grey uPVC window frames and doors. The curved stairwell feature to the southwest facing elevation is to be finished in random laid local stone. First floor balconies are

proposed to this southwest facing elevation.

3.0 Site History

- 3.1 The most relevant planning applications, lawful development certificates and enforcement cases to the site are set out below:

| Application Number | Proposal | Decision |
|------------------------|--------------------------------------------------------------------------------------------------------|-------------------|
| 07/00564/FUL | Retrospective application to retain buildings erected for use as storage/private workshop/garden store | Permitted |
| 08/00510/ELDC | Application for Certificate of Lawful Use of land as domestic curtilage | Permitted |
| 15/00372/UNAUTU | Use of residential property for business purposes | Pending |
| 16/00989/OUT | Outline application for the erection of 1 residential dwelling | Refused |
| 17/00363/OUT | Outline application for the erection of 1 residential dwelling | Allowed at appeal |
| 17/01282/ELDC | Existing Lawful Development Certificate for the change of use of land to domestic garden | Permitted |
| 18/01251/REM | Reserved matters application for the erection of 1 residential dwelling | Refused |

4.0 Consultation Responses

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

| Consultee | Response |
|--------------------------------|--------------------------------------------------------------------------------------------|
| Parish Council | No observation received to date, consultation period expired on 12 March 2019 |
| County Highways | No objection |
| Environmental Health | No observation received to date, consultation period expired on 12 March 2019 |
| Tree Protection Officer | No observation received to date, consultation period expired on 12 March 2019 |
| Fire Safety Officer | No objection , informative regarding fire safety vehicle access and water provision |

5.0 Neighbour Representations

- 5.1 No observation received to date, consultation period expired on 14 March 2019.

6.0 Principal National and Development Plan Policies

- 6.1 National Planning Policy Framework (NPPF) 2018

The National Planning Policy Framework indicates that the purpose of the planning system is to contribute to the achievement of sustainable development. At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The following sections of the NPPF are relevant to the determination of this proposal:

Paragraphs 8 and 11 – Sustainable Development
Section 5 – Delivering a sufficient supply of homes
Section 12 – Achieving well-designed places

- 6.2 Development Management DPD

DM22: Vehicle Parking Provision
DM28: Development and landscape impact
DM29: Protection of trees, hedgerow and woodlands
DM35: Key design principles
DM41: New residential development
DM42: Managing rural housing

Appendix B: Car Parking Standards

6.3 Lancaster District Core Strategy Saved Policies (adopted July 2008)

SC3 – Rural communities
SC4 – Meeting the District's housing requirements
SC5 – Achieving quality in design

6.4 Lancaster District Core Strategy – saved policies

E4 – Countryside Area
SC4 – Meeting the District's Housing Requirements

6.5 Local Planning Policy Overview – Current Position

On 15 May 2018, and in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), Lancaster City Council submitted the following documents to the Secretary of State (Planning Inspectorate) for examination:

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

The Examination Hearing Sessions are due to commence in April 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.

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.

Given the current stage of both DPDs, it is considered that significant weight can be attributed to the policies contained therein.

7.0 Comment and Analysis

7.1 The proposal raises the following key considerations:

- Principle of development;
- Scale, design and landscape impact;
- Residential amenity;
- Highways and parking; and
- Impact upon protected trees.

7.2 Principle of development

7.2.1 The acceptability of the principle of the proposed residential development of the site has already been established through the outline permission 17/00363/OUT. The site is located within the small scattered hamlet of Ashton with Stodday, which is not identified as a sustainable settlement, however is located within walking distance of a garden centre, golf course and bus stop with a service between Lancaster and Knott End. The development is within the visual context of the built form of the aforementioned commercial businesses and several dwellinghouses, some of which are converted former agricultural buildings. The site is currently used as extended domestic curtilage to the residential bungalow of Woodside.

7.3 Scale, design and landscape impact

7.3.1 The proposed dwellinghouse is two storeys tall, finished in render and larch timber clad walls under a black concrete tile roof. The existing dwelling on site is a bungalow style property with first floor accommodation within the roofspace, and existing outbuilding is also single storey, however the

proposal is proportionate to other properties along this streetscene of this private road, such as Sizergh House and Ashton Barns. The proposed materials are consistent with those in the area, and the semi-tubular stairwell to the south west facing rear elevation offers a feature of interest to this elevation facing into the site towards the private curtilage area.

- 7.3.2 The property is designed to orientate the main architectural elevation facing south west into the site, offering views across the fields in this direction. It is understandable that the design and layout takes advantage of this viewpoint. However, the overall design approach has resulted in a dwellinghouse that effectively faces away from the access road, with the north east elevation looking particularly imposing and uninviting with a deficiency of openings, activity or change in depth to break up this long blank frontage. The Development Management DPD Policy DM35 states that development is expected to contribute positively to the identity and character of the area through good design, having regard to local distinctiveness. Furthermore, the Lancaster City Council Householder Design Guide elaborates upon this, stating that walls should be broken up with a reasonable window/door to wall ratio rather than be blank to provide an active and animated frontage to the highway. The revised NPPF in 2018 also applies even greater weight on good design than the previous version.
- 7.3.3 Unfortunately, the proposal focusses the architectural interest of the property to an elevation only visible to those privately accessing the proposed dwellinghouse and the existing adjacent property, whilst neglecting what would be publically viewed as the front elevation facing parallel to the access road.
- 7.3.4 This elevation of the dwellinghouse is just 3 metres within the site from a circa 1.2 metre tall boundary wall, which increases the prominence of the development from this perspective due to proximity and visibility. The north east facing elevation presents just 6.1sq.m of window and door area across a 64.4sqm flat elevation facing the highway, a window/door to wall ratio of under 10%. Furthermore, there are no openings proposed to the side south east facing elevation, which would be publically visible for users of this access road entering the wider site from Lancaster Road to the east and approaching the proposed dwellinghouse. Although the access road from which these elevations are visible is outside of the public highway system, this forms the access to 9 dwellinghouses, 3 holiday cottages, a golf course with associated café and garden centre with associated retail and café. There are pending and permitted planning applications to expand upon the existing holiday accommodation provision using this access road, and the existing properties along this road relate positively to it, which would make the blank and inactive elevations of the proposal even more conspicuous. Some agricultural barns and industrial buildings may contain large blank elevations, however the proposed materials of render, timber cladding and concrete tiles and design of the dwellinghouse are clearly domestic. The lack of an active front elevation to what is obviously a residential dwellinghouse in terms of design and materials would create imposing and uninviting development to the most prominent elevation of the property, which would detract from the streetscene setting of domestic properties that present more animated elevations from this visible perspective.
- 7.3.5 These design concerns have been discussed at length with the agent during the previous application refused on 13th December 2018, and have been raised again as part of this current application. No amendments or response to these concerns has been received during this current application prior to Councillor Susan Charles requesting that the application be referred to the Planning Committee. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve, with good design forming a key aspect of sustainable development. The proposed development is considered harmful to the character and appearance of the proposed dwelling and the wider streetscene, contrary to both local and national policies relating to design principles and well-designed places.

7.4 Residential amenity

- 7.4.1 The proposed dwellinghouse is located just over 15 metres from the existing bungalow on site. This separation distance combined with the location and orientation of the proposed dwelling raises no concerns regarding overbearing nor overshadowing. To the east of the proposed dwellinghouse is a length of over 20 metres of land within the applicant's ownership, which contains protected mature trees. This separation and protected wooded area sufficiently mitigates any amenity impact upon the neighbouring property to the north west. Balconies are proposed to the south west facing elevation of the proposed dwellinghouse, offering elevated views over the agricultural land in this direction. This may also offer views over the existing Woodside bungalows domestic curtilage area, however

due to the size of this curtilage, separation distance of over 20 metres from private amenity areas, and visual containment due to the existing built form, the proposal is considered to have no detrimental impact regarding overlooking or privacy, with sufficient private curtilage area retained.

- 7.4.2 The proposed dwellinghouse has ample domestic curtilage and room sizes, with all habitable rooms having outlook and natural light through openings, offering sufficient level of residential amenity to future occupants. The proposal is considered to have an acceptable impact in terms of residential amenity.

7.5 Highways and parking

- 7.5.1 The principle of the use of the existing vehicular access has been established within the outlined consent, and there are 5 parking spaces within the red edge plan, although only two of these appear for use of the proposed dwellinghouse. The two proposed dwellinghouse parking spaces have been re-orientated from those on the site plan approved through the outline consent, however the proposal maintains the same level of parking with improved functionality, accessed from the existing parking area rather than the narrow site access road. Finished in permeable tarmac, the proposal raises no adverse comment from County Highway, and the implementation of parking prior to use is controlled through the outline consent. As the plan differs slightly from that permitted at outline consent, this would need to be regularised through a variation of conditions on the outline permission.

7.6 Impact upon protected trees

- 7.6.1 There are a large number of trees within the curtilage of the property, all of which are subject to a tree preservation order. The trees within the property can be clearly seen beyond its boundaries, and collectively they make an important contribution to the character and appearance of the site and the wider locality. The submitted Arboricultural Impact Assessment has identified potential works to some trees, which would require permission. However, these recommended tree works are due to the condition of the trees, and no trees are required to be removed to facilitate the proposed development. The implementation of the recommended fencing and construction exclusion zone mitigations detailed within this report are controlled through the outline consent, as is the requirement for the submission of a soft landscaping scheme. The proposed reserved matters are aligned with the outline consent from the perspective of tree impacts, and therefore the proposal would have no detrimental impact upon the protected trees on site.

8.0 Planning Obligations

- 8.1 None

9.0 Conclusions

- 9.1 In conclusion, a number of considerations already form part of the outline consent, with parking and the retention of trees similar to that already approved. The proposed dwellinghouse design and internal layout has certain merits that optimise the views to the south west aspect of the site. However, unfortunately this has been to the neglect of the north east facing elevation, which is the most public aspect of the proposed development from the perspective of the parallel access road. It is from this access road that the streetscene of this part of the Ashton-with-Stodday hamlet is formed within the immediate vicinity. The proposed design would detract from this streetscene, at close proximity to the access road used by neighbouring dwellinghouse, holiday visitors and customers of the nearby golf club and garden centre. The proposal is considered to be unacceptable in design terms from this most prominent perspective, to the detriment of the visual amenity and character of the area.

Recommendation

That Approval of Reserved Matters **BE REFUSED** for the following reasons:

1. The proposed dwellinghouse presents a predominantly blank elevation to the main access road that serves the development and other properties, creating an inactive, imposing and uninviting development to the most prominent elevation of the property. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve, with good

design forming a key aspect of sustainable development. The design of the property, particularly to the north east facing elevation, is unsympathetic to the local character, streetscene, surrounding built environment and landscape setting. Ultimately, this is considered harmful to the character and appearance of the proposed dwelling and the wider streetscene. The scheme is found to be contrary to the requirements of Policy DM35 of the DPD (Key Design Principles) and paragraphs 124, 127 and 130 (Achieving Well-Designed Places) of the National Planning Policy Framework, which states that development should add to the overall quality of the area and be visually attractive as a result of good architecture through establishing and maintaining a strong sense of place.

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 offers a pre-application service, aimed at positively influencing development proposals. Whilst the applicant has taken advantage of this service prior to submission, the resulting proposal is unacceptable for the reasons prescribed in the Notice. The applicant is encouraged to liaise with the Case Officer in an attempt to resolve the reasons for refusal.

Background Papers

None