

<b>Agenda Item</b> A8	<b>Committee Date</b> 1 April 2019	<b>Application Number</b> 19/00154/FUL
<b>Application Site</b> 11 High Road Halton Lancaster Lancashire	<b>Proposal</b> Construction of a dormer extension to the rear elevation	
<b>Name of Applicant</b> Mr & Mrs M Butterworth	<b>Name of Agent</b> Mr Sam Edge	
<b>Decision Target Date</b> 9 April 2019	<b>Reason For Delay</b> N/A	
<b>Case Officer</b>	Mr Sam Robinson	
<b>Departure</b>	No	
<b>Summary of Recommendation</b>	Refusal	

(i) **Procedural Matters**

This form of development would normally be dealt with the Scheme of Delegation. However as the applicant is related to a member of staff that works for Lancaster City Council the application is presented to Planning Committee.

**1.0 The Site and its Surroundings**

- 1.1 11 High Road is mid terraced property located within the Halton Conservation Area. The property is comprised of stone walls with white uPVC windows throughout underneath a grey tiled roof. The site features a small front garden area with a larger area located towards the rear which is enclosed by relatively large boundary walls.
- 1.2 The surrounding area is residential in nature with High Road providing a positive contribution to the significance of the Conservation Area owing to its scale and choice of materials, the properties on High Road are raised in relation to the highway. To the north are a number of newer properties that are served by a communal courtyard to the west which when coupled with the topography of the area makes the rear elevation relatively visible from public areas.
- 1.3 The site is located within the Halton Conservation Area.

**2.0 The Proposal**

- 2.1 The application seeks consent for a rear dormer extension.
- 2.2 The dormer measures approximately 3.6m in width, 1.1m in height and will project a maximum of 2.5m from the roof slope. The dormer features three dark grey uPVC windows located on the rear elevation with hanging slate tiles to the face and cheeks underneath a dark grey roofing membrane.
- 2.3 No alterations to the site access nor has any new landscaping 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 The following responses have been received from statutory and non-statutory consultees:

Consultee	Response
Parish Council	No comments received within the statutory consultation period
Conservation	Objection – Harmful impact on the Conservation Area and Listed Buildings

### **5.0 Neighbour Representations**

5.1 No comments received within the statutory consultation period

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

#### **6.1 National Planning Policy Framework**

Paragraphs 7 to 10 – Achieving Sustainable Development  
Paragraphs 11 to 14 – The Presumption in Favour of Sustainable Development  
Paragraphs 47 to 50 – Determining Applications  
Paragraphs 124 to 132 – Achieving Well-Designed Places  
Paragraphs 196 and 197 – Conserving and Enhancing the Historic Environment

#### **6.2 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.

#### **6.3 Lancaster Core Strategy Policies**

SC1 – Sustainable Development  
SC5 – Achieving Quality in Design

#### **6.4 Development Management DPD Policies**

**DM31** – Development Affecting Conservation Area

## **7.0 Comment and Analysis**

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

- General design;
- Impacts upon residential amenity;
- Impacts upon Conservation Area; and,
- Impacts upon the setting of designated heritage assets.

### **7.2 General Design**

7.2.1 In terms of design, Policy DM35 of the DMDPD states that new development should make a positive contribution to the identity and character of the area through good design, having a regard to local distinctiveness appropriate siting and scale, the policy also carries on to say that the development should make a positive contribution to the surrounding landscape or townscape.

7.2.2 It is considered that the scale and design of the proposed dormer by reason of the combined height, width and projection from the roof slope would appear as an unsympathetic addition to the property. When viewed from the rear courtyard, the dormer would detract from the visually pleasing roofline and would further highlight the proposal as a poorly thought out proposal that has failed to integrate itself into the wider area. Furthermore, the large flat roof design would dominate the roof slope appearing at odds with this modest terraced property.

### **7.3 Impacts Upon Residential Amenity**

7.3.1 The proposal raises no residential amenity concerns with direct views facing towards the applicants' own garden.

### **7.4 Impacts Upon Conservation Area**

7.4.1 Policy DM31 (Development Affected Conservation Areas) states that only development which preserves or enhances the character and appearance of the Conservation Area will be permitted. This is further reinforced by Paragraph 193 of the NPPF which states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

7.4.2 As referenced above, due to the topography of the area and communal courtyard to the rear, the rear elevation is relatively prominent with the roofscape visible on approach from the west along Foundry Lane. As highlighted in the Conservation Area Appraisal (2009) alterations such as dormers are inappropriate and detract from the architectural and historic character of the area. While it is acknowledged that there is a modern white uPVC dormer further down High Road (possibly no.23) this harm does not justify further harm to the Conservation Area. The size and prominence of this proposed dormer would have a detrimental impact to the visual amenity of the courtyard area and views of the roofline within the Conservation Area with the harm exacerbated by the large box design and use of uPVC windows.

7.4.3 Paragraph 196 of the NPPF goes on to state that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. Without any public benefit to outweigh this harm, it is thought that the proposal is contrary to Paragraph 196.

### **7.5 Impacts Upon the Setting of Designated Heritage Assets**

7.5.1 Policy DM32 (Setting of Designated Heritage Assets) states that proposals that fail to preserve or enhance the setting of a designated heritage asset will not be supported by the council.

7.5.2 The property forms the backdrop and consequently part of the setting of two listed buildings: 1 and 2 Rectory Cottages (Grade II). With the dormer projecting above the listed buildings, it is considered

that it would erode a key view when approaching and viewing from the west along Foundry Lane. Without any public benefit to outweigh this harm, the proposal is considered contrary to Paragraph 196 of the NPPF.

## **8.0 Planning Obligations**

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

## **9.0 Conclusions**

9.1 While the LPA appreciates the applicants need for additional living accommodation, it is considered that this circumstance does not outweigh the significant visual harm that has been identified. For the reasons outlined above, it is considered that the proposal is contrary to policies DM31, DM32 and DM35 of the Development Management DPD, in addition to Section 12 (Achieving Well Designed Places) and Section 16 (Conserving and Enhancing the Historic Environment) of the NPPF and as such is recommended for refusal.

## **Recommendation**

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

1. It is considered that the proposed dormer extension by reason of its overall size, scale and design would result in an inappropriate form of development that does not relate well to the existing property and consequently would have a harmful impact on the character of this modest mid terraced property. Furthermore, with the lack of alterations to the roofline along the rear elevations of the properties along High Road, this would only serve to highlight the proposal as an incompatible addition and as a result would have a harmful impact on key views within the Conservation Area. As such, it is considered that the proposed development is contrary to DM31, DM32 and DM35 of the Development Management DPD and Section 12 and 16 of the NPPF and consequently cannot be supported.

## **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:

1. 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