

Agenda Item	Committee Date	Application Number
A6	11 th November 2019	19/01174/FUL

Application Site	Proposal
73 Main Road Galgate Lancaster Lancashire	Erection of a single storey front extension and a single storey rear extension and excavation of land to create a sunken patio to rear

Name of Applicant	Name of Agent
Ms Helene Trevelyan	Mr Dan Brown

Decision Target Date	Reason For Delay
13 November 2019	N/A

Case Officer	Mr Sam Robinson
Departure	No
Summary of Recommendation	Split decision (Front extension refused; rear extension and excavation to form sunken patio approved)

Procedural Matters

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

1.0 The Site and its Surroundings

- 1.1 73 Main Road is an end terraced property located in the centre of Galgate which is adjacent to a retail property and Laund Garage to the north. The dwelling features a pitched slate roof and is comprised of stone and rendered walls and rosewood uPVC windows throughout. The site features a small garden to the front with an area of hardstanding which provides a car parking space for the property. To the rear is an existing flat roof extension with a covered area and a narrow garden measuring 80m² with fencing and stone walls along the boundaries.
- 1.2 Apart from the retail and business use to the north, the area is residential in nature and is close to the main crossroad which runs through Galgate. The property and garden are slightly raised in relation to the highway and is set back in relation to the detached buildings to the north (71 Main Road) and south (79 Main Road). Nevertheless, the dwelling forms part of a linear and uniformed group of properties.
- 1.3 This row of terraces (which includes this property) appears on the first edition OS maps and as such is classified as a non-designated heritage asset.

2.0 The Proposal

- 2.1 The application seeks consent for a single storey front extension and single storey rear extension with a patio.
- 2.2 The front extension measures approximately 2.25m in depth, 4.95m in width with a flat roof and parapet wall height of 3.1m. The extension features a door and large window to the front elevation and is

comprised of re-constituted stone with an artstone coping under a single ply grey flat roof. The rear extension measures approximately 4.5m in depth, 4.8m in width with a 2.7m wall height along the southern boundary and 3.15m along the north boundary finished in wet dash white render under the same grey flat roof with patio doors to the rear and a single window on the northern elevation. There is also a small sunken patio which extends 1.8m from the rear wall and 4m in depth

3.0 **Site History**

3.1 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 objection

5.0 **Neighbour Representations**

5.1 No comments received during the statutory period.

6.0 **Principal National and Development Plan Policies**

6.1 **National Planning Policy Framework**

Paragraphs 47 – 50 Determining applications
 Paragraphs 124, 127 & 130 – Achieving well-designed places
 Paragraphs 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 took place between the 9 April 2019 and the 1 May 2019. The Council has published the proposed Main Modifications to the Local Plan. An eight-week consultation into the modifications is currently underway and expired on 7 October 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 some weight can be attributed to the policies contained therein subject to the extent to which there are unresolved objections to the relevant policies and their consistency with the National Planning Policy Framework.

6.3 **Development Management DPD Policies**

DM33 – Development affecting non-designated heritage assets
 DM35 – Key design principles

7.0 Comment and Analysis

7.1 The key considerations in the assessment are:

- General design
- Impact upon residential amenity
- Impact upon the non-designated heritage asset

7.2 General Design

7.2.1 The rear extension largely matches the form and design of the existing rear extension which extends slightly more to the north and 1.2m further to the rear, the parapet wall will screen the flat roof when viewed from the north along Stoney Lane and is considered an improvement over the existing extension and attached structure. Considering the existing built form and buildings interrupting the view, it is not considered to cause any significant visual harm from this viewpoint. The patio will be enclosed within the garden behind the boundary treatments and raises no concerns.

7.2.2 With regards to the front extension, the DMDPD Policy 35 states new development should make a positive contribution to the identity and character of the area through good design and having a regard for local distinctiveness, the policy carries on to say that development should make a positive contribution to the surrounding landscape or townscape.

7.2.3 The dwelling forms part of an attractive, uniformed group of properties which adheres to a strong building line, and despite the set back from the highway and other properties which are sited closer, it still visible from within the wider area on approach from the north and south along Main Road.

7.2.4 It is considered that the introduction of a flat roof, single storey extension to the front would interrupt and harm the uniformed and simple visual appearance of the terrace and would bear little resemblance to the existing built form. Given the lack of alterations to other properties along the terrace, this significant alteration would appear as an incongruous addition and consequently would have a harmful impact on both the character of the dwelling and the wider streetscene.

7.3 Impacts upon Residential Amenity

7.3.1 The rear extension will extend along both the northern and southern boundary and is 1.2m deeper than the existing extension. To the north the extension faces towards retail and business use and raises no concerns. The existing extension already breaks the 45 degree line with no.75 to the south and when comparing the similar depth and height of the existing extension and attached structure in comparison to the proposed extension, the impact is thought to be largely the same as existing. Furthermore, the affected property is to the south of the extension so any impact on light levels is considered to be minimal. The rear doors and north facing window are set away from residential properties and as such raise no concern.

7.3.2 Given the limited depth, front facing window and positioning to the north, the front extension raises no residential amenity concerns.

7.4 Impact upon the Non-Designated Heritage Asset

7.4.1 DMDPD Policy DM33 states that where a non-designated heritage asset is affected by development proposals, there will be a presumption in favour of its retention. Any loss of the whole or part of such an asset will require clear and convincing justification.

7.4.2 The proposed rear extension is similar in appearance and scale in relation to the existing one in situ. The rear elevation of the property and others along the row have altered and extended their respective properties which has resulted in a much more varied appearance when compared to the front. Given the existing extension in place and improved parapet, the proposed rear extension will not significantly alter the existing appearance of dwelling when viewed from the north and is considered acceptable.

7.4.3 In contrast, the front extension is considered to significantly alter the appearance of the property and adjacent properties. It is this uniformed appearance and linear layout of the row of terraces which contributes to the character of the area and by including a flat roof extension, this would appear at odds

with this non-designated heritage asset. No justification has been provided for the partial loss of this asset and as such is considered contrary to DM33.

8.0 Planning Obligations

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

9.0 Conclusions

9.1 Overall, while it is considered that the rear extension and patio is an acceptable proposal (and thus can be supported), the front extension is considered to have an unacceptable impact on the visual amenity on the area and this non-designated heritage asset. In terms of working proactively, it is considered that a split decision can be reached separating out the rear extension and patio from the front extension.

Recommendation

That a **SPLIT DECISION** is reached. In the first instance:

That the erection of a single storey front extension is **REFUSED** for the following reasons:

1. It is considered that the proposed front extension by reason of its flat roof design and scale would appear as an incongruous form of development that does not relate well to this non-designated heritage asset. Furthermore, with the lack of alterations along the adjoining row of terraced properties, this would only serve to highlight the proposal as a discordant form of development and as a result would have a harmful impact on the character and appearance of the area. As such, it is considered that the proposed development is contrary to the requirements of Paragraph 197 and Section 12 (Achieving Well-Designed Places) of the National Planning Policy Framework and Policy DM33 and DM35 of the Development Management DPD.

In the second instance:

That a single storey rear extension and excavation of land to create a sunken patio to the rear is **GRANTED** subject to the following conditions:

1. Standard 3 year timescales
2. Development in accordance with amended plans

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

In accordance with Article 35 of the above Order, your decision notice contains reasons for the refusal, specifying policies and proposals within the Development Plan which are relevant to the decision.

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.

With regard to the approved elements of the proposal, and 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