

Agenda Item	A10
Application Number	21/00158/FUL
Proposal	Erection of a detached garage
Application site	29 Beaumont Place, Lancaster, Lancashire LA1 2EY
Applicant	Mr Nathan Waring
Agent	n/a
Case Officer	Mr Alan Lynch
Departure	No
Summary of Recommendation	Approval

(i) **Procedural Matters**

This form of development would normally be dealt with under the Scheme of Delegation. However, the applicant is related to a Council employee, and as such the application must be determined by the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 The application property is a semi-detached house located in suburban Lancaster. The application property has a small residential curtilage at its rear. The site and surrounds are generally flat. At the bottom of the garden is Lancaster Canal.

2.0 Proposal

2.1 This application seeks consent for the erection of a single garage in the rear garden which is single storey and has a pitched roofed. The footprint of the proposed building measures approximately 5.9m in depth and 3.0m in width. The building's roof height is approximately 2.5m to the eaves and approximately 3.1m to the ridge. The exterior walls of the building are proposed to be finished in pebbled dashed render to match the house and roof is to be in artificial slates to match the house. The building has a window in its southern elevation facing the canal. On its northern elevation is the garage door facing the road. On the western facing elevation is a high-level window and a pedestrian door facing the garden. On the eastern elevation, close to the boundary shared with the neighbour, no openings are proposed.

3.0 Site History

3.1 No previous applications relating to this site have been received by the Local Planning Authority.

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objection.
Canal and River Trust	The Trust have no comment to make on this proposal

4.2 No neighbour comments received to date.

5.0 Analysis

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

- Principle of Development
- Design and Effect on the visual amenity of the area
- Effect on amenity of neighbours and the application property
- Highway safety

5.2 **Principle of Development** SPLA DPD Policies SP1: Presumption in Favour of Sustainable Development

5.2.1 The principle of the construction of the outbuilding (garage) for domestic use inside the residential curtilage of the property is acceptable.

5.2.2 The building's long side is located close to the eastern boundary of the curtilage of the dwelling house. The eaves height of the building is proposed to be approximately 2.5m high. A modified design with a flat roof and with an eaves height of 2.5m could be constructed under class E of the GPDO on the footprint of this building, which would not require planning permission and this appears to be a viable fall-back position.

5.2.3 The building is of a size that it could be converted into a separate residential property, so a condition is recommended to prevent it being used as such without a further application for planning permission. Furthermore, the building is of a size that could be used for a commercial purpose so the aforementioned condition will also prevent such uses unless the express planning consent is otherwise granted by the local planning authority.

5.3 **Design and Effect on the visual amenity of the area** DM 29 Key design principles and NPPF section 12 paragraph number 127

5.3.1 The design of the building is seen as acceptable and a typical domestic curtilage building. The garage is proposed to be located behind the houses and it will have almost no effect on the street scene given its position and the use of matching materials. The building will be significantly more visible from the canal tow path, which is on the opposite side of the canal to the application property, but it is not seen as causing any real visual harm. The garage which could be built under permitted development if it had a flat roof, but this would be a less visually attractive.

5.4 **Effect on amenity of neighbours and the application property** DM29 Key design principles

5.4.1 The nearest residential property to the proposed garage is No. 28 Beaumont Place. Views from this neighbouring property are screened by the neighbour's own shed and an existing substantial boundary privet hedge. The garage will cause some loss of outlook, but is not considered to cause such a loss of residential amenity for occupiers of the neighbouring properties to be able to justify refusal of the application on these grounds.

5.4.2 The other attached residential property to the proposed garage is No. 30 Beaumont Place. The proposal would not breach the 45 degree rule from its nearest window in the ground floor rear elevation.

5.5 **Highways** DM29 Key design principles and NPPF section 9 paragraph number 108

5.5.1 The proposal will be using an existing pavement vehicular crossing, which the house already uses to access the existing hard standing parking area at the side. The Highway Authority does not object to the development. There will be no change to the highway access arrangements, thus the development is considered to be acceptable in terms of highway safety

6.0 Conclusion and Planning Balance

6.1 For the reasons outlined above the proposal is considered to comply with the relevant local and national policies and as such is recommended for approval.

Recommendation

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

Condition no.	Description	Type
1	Standard 3 year timescale	Compliance
2	Development to be carried out in accordance to approved plans	Compliance
3	Materials to match	Compliance
4	Restrictions regarding use of garage	Compliance

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

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