

<b>Agenda Item</b>	A8
<b>Application Number</b>	21/00800/VCN
<b>Proposal</b>	Erection of three dwellings with garages and associated access and landscaping (pursuant to variation of condition 1 on planning permission 17/00038/VCN to amend the plans for plots 1 and 2)
<b>Application site</b>	3 And 5 Borwick Avenue Warton Carnforth Lancashire
<b>Applicant</b>	Mr Julian Stainton
<b>Agent</b>	Mrs Katy Harrison
<b>Case Officer</b>	Mrs Petra Williams
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Approval subject to conditions

(i) **Procedural Matters**

This form of application would normally be deal with under the Scheme of Delegation, however, the applicant is the husband of a member of staff within the local authority and consequently the application needs to be determined by the Planning Committee.

**1.0 Application Site and Setting**

1.1 The application site is located within the village of Warton between Borwick Avenue and Warton Bowling Club. The site lies within the Arnside and Silverdale Area of Outstanding Natural Beauty (AONB). Warton Conservation Area boundary lies approximately 50m to the northwest of the application site beyond the bowling green running along Church Walk. Properties on the west side of Church Walk are two storey semi-detached 1930's housing and predominantly single storey bungalows to the east side of Church Walk. Properties to the south-west of the site are predominantly detached dormer bungalows and two story dwellings lie to the east.

1.2 The site originally obtained planning consent for 3 dwellings under application 15/00425/FUL with minor changes to the site layout, windows and materials being permitted under application 17/00038/VCN. Only two of the three approved dwellings have so far been constructed and these are numbers 1 (plot 3) and 3 (plot 2) Borwick Avenue. Plot 1 has yet to be developed but the property will ultimately be identified as number 5 Borwick Avenue.

1.3 The site boundaries comprise, mature privet hedgerow to the east along Borwick Avenue, a mixture of mature hedgerow, trees and fencing along the southern boundary of the residential properties on Borwick Lane, and a 1.3m high limestone wall to the western boundary with the bowling green. Ground levels generally fall northeast to southwest with the land to the east of Borwick Avenue siting approximately 2.0m higher than the application site. The dwellings fronting Borwick Lane lie slightly

lower (approximately 0.6m) than the application site. A section across the site indicates a difference in level (Grasscroft to the north and 17 Borwick Lane to the south) of approximately 1.5m.

1.4 The immediate area has a mix of property types, in terms of age, style and over height. Adjacent to the site to the north are Grasscroft House (two storey) and Grasscroft Bungalow. On Borwick Avenue sitting at a higher level there are two pairs of two-storey semi-detached houses built in the 1930's. There are four chalet style bungalows adjacent to the site on Borwick Lane with a detached two storey house also on Borwick Lane at the junction with Borwick Avenue.

## 2.0 Proposal

2.1 The application relates to changes to plots 1 and 2. Plot 1 is yet to be developed and this application seeks to make changes to the external materials, roof pitch and windows/rooflights. The inclusion of photovoltaic cells to the rear roof plane is also proposed. With regard to plot 2, the only change proposed is the addition of rooflights to the rear roof plane.

## 3.0 Site History

3.1 A number of relevant applications relating to this site have previously been received by the Local Planning Authority. These include:

Application Number	Proposal	Decision
17/00038/VCN	Erection of three dwellings with garages and associated access and landscaping (pursuant to the variation of condition 2 of planning application 15/00425/FUL to amend the site layout and amend windows and materials)	Permitted
15/00425/FUL	Erection of three dwellings with garages and associated access and landscaping	Permitted

## 4.0 Consultation Responses

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

Consultee	Response
Conservation	No objection
Parish Council	No comments received within the consultation period

4.2 The following responses have been received from members of the public:

- One item of objection has been received. The commenter appears to be under to impression that the application seeks consent for additional dwellings rather than amendments to existing approved development. Concerns relate to access over Borwick Avenue and the impact on this unadopted road by contractors.

## 5.0 Analysis

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

- Principle of development
- Design and Heritage Impacts
- Impacts on residential amenity
- Impacts upon wider Area of Outstanding Natural Beauty (AONB)

5.2 **Principle of development (NPPF Section 2: Achieving Sustainable Development and Section 4: Decision-making**

- 5.2.1 As this is an application to vary conditions attached to an extant permission the principle of the whole development has already been established. Permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. Section 73 provides a mechanism to consider and assess minor material amendments to an earlier planning permission. It is not an opportunity to re-examine the principle of the development.
- 5.3 **Design and heritage impacts** ((NPPF Section 2: Achieving sustainable development; Section 12: Achieving well-designed places; Section 16: Historic Environment; policies DM38 Conservation Areas; DM39: Setting of Heritage Assets); DM29: Key Design Principles; DM30: Sustainable Design of the Development Management DPD (2020); AS01: Development Strategy; AS02: Landscape; AS07: Historic Environment and AS08: Design of the Arnside and Silverdale Area of Outstanding Natural Beauty (AONB) DPD
- 5.3.1 Changes are proposed to the approved plans in respect of plots 1 and 2.
- Plot 1 – The submission sets out that this plot will be developed as a self-build house by the applicant and the alterations have been made to suit their family. The approved scheme under application 17/00038/VCN includes a garage, with ground floor sitting room, study and family room. To the first floor there are four bedrooms with attic rooms above. The proposed layout put forward within this application is similar to that previously approved, with minor amendments to the location of internal doors and walls. At ground floor there remains a sitting room, study and family room and garage but the width of this has been reduced from 6m wide to 5.5m wide. There will be four bedrooms at first floor with the arrangement of them and the bathrooms reconfigured to allow for more useable space. The submission also includes the addition of rooflights to the attic rooms and over the staircase to provide natural light. The position of some of the windows within the western elevation will be changed and a garage window within the eastern elevation will be revised to a door and window arrangement. The rear garden room/dining area projection will also include additional glazing within the eastern elevation. The kitchen window has been reduced in size and an additional window to a bathroom is shown at first floor level within the rear elevation.
- 5.3.2 There are three approved rooflights to the front elevation and this will be replaced with a single rooflight over the staircase. To the rear roof plane, the configuration of the solar panels is altered following research into types of panels and the number required in order for them to be effective at the property. The roof pitch is increased from 30 degrees on the approved elevations to 33 degrees on the proposed. This has the effect of increasing the ridge height by 365mm. External materials will remain as a combination of natural stone and k-rend under a slate roof with some heads and cills to grey powder coated aluminium windows as within plots 2 and 3.
- 5.3.3 Plot 2 - The only change to this property is the addition of four rooflights to the rear roof plane. This is to provide natural light into the attic rooms of the house.
- 5.3.4 Overall, the proposed variations are considered to be minimal. The footprint of the house within plot 1 will be slightly smaller due to the reduction in the width of the garage. The design of the house is the same as have been approved, with stone gables to the front, a chimney to the gable and a stone garden room to the rear. The materials proposed to the house within plot 1 are the same as has already been approved at plot 2. It is considered that the changes are acceptable in terms of design and the revisions will not impact unduly on the setting of the nearby conservation area.
- 5.4 **Impacts upon residential amenity** (NPPF Section 12, DM29 of the Development Management DPD (2020) and AS08 of the Arnside and Silverdale Area of Outstanding Natural Beauty (AONB) DPD
- 5.4.1 The previously approved schemes were considered acceptable in terms of neighbouring residential amenity. In respect of plot 1 the current scheme proposes 5 windows within the western elevation and this number is unchanged from the previous approved scheme. These windows do not overlook residential development but will provide views towards the bowling green. Proposed roof lights within the rear elevation will be approximately 30 metres from the rear elevations of neighbouring properties along Borwick Lane. Overall, it is considered that the scheme is acceptable in respect of residential amenity.

5.5 **Impacts upon wider Area of Outstanding Natural Beauty (AONB) (NPPF Section 15: Conserving and enhancing the natural environment and Policies AS01: Development Strategy of the Arnside & Silverdale Area of Outstanding Natural Beauty (AONB) Development Plan Document (DPD))**

5.5.1 It is considered that given the scale and nature of the proposed changes, the development will not result in adverse impacts on the setting of the nearby conservation area or the landscape of the wider AONB.

**6.0 Other considerations**

Given this is a Section 73 application, which seeks to modify a condition on the existing planning consent, there is a need to re-impose conditions on the new planning permission (should Committee approve the development). A number of conditions that were imposed on 17/00038/VCN are still relevant.

**7.0 Conclusion and Planning Balance**

7.1 The proposed amendments do not deviate significantly from the originally approved development. The amendments maintain and secure a high quality form of development that accords with local planning policy DM29 of the Development Management DPD, policies AS02, AS07, and AS08 of the Arnside and Silverdale Area of Outstanding Natural Beauty (AONB) DPD and section 12 (requiring good design) of the NPPF. The design and appearance will not impact unduly on the neighbouring conservation area or wider AONB. On this basis, Members are recommended to support the application.

**Recommendation**

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Approved plans list	Control
2	Details and materials to Plot 1	Above ground
3	Parking areas to be provide and maintained	Control
4	Root protection measures set out in the detailed Arboriculture Assessment to be retained during the construction period	Control
5	No tree/hedges to be felled other than those agreed	Control
6	Landscaping/planting scheme	Control
7	The hedgerow boundary to Borwick Avenue shall be retained at its current height of 2.0m unless otherwise agreed	Control
8	Boundary details	Control
9	The use of the garages shall be ancillary to the dwellings only	Control
10	Obscure glazing (Plots 2 and 3)	Control
11	GDO tolerance removed window and door openings	Control
12	GDO tolerances removed extension	Control
13	Hours of construction	Control

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

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